

AN EVALUATIVE STUDY ON WORKING OF LOK ADALAT'S IN JAMMU REGION

A Dissertation report

Submitted in partial fulfillment of the requirement for the award of the degree of
Master of Arts in Political Science

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Date of submission: 29th April 2017

DECLARATION

I do here by declare that the dissertation entitled “**EVALUATIVE STUDY ON WORKING OF LOK ADALAT’S IN JAMMU REGION.**” Submitted in partial fulfillment of the requirement for the award of the degree of masters is entirely my original work and all ideas and references have been duly acknowledged. It does not contain any work that has been submitted for the award of any other degree or diploma of any university.

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CERTIFICATE

This is to certify that Saboora Javeed has completed her dissertation **“EVALUATIVE STUDY ON WORKING OF LOK ADALAT’S IN JAMMU REGION”** under my guidance and supervision. To the best of my knowledge, the present work is result of her original investigation and study. No part of dissertation has been submitted for any other degree or diploma.

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ACKNOWLEDGEMENT

First of all I thank Almighty ALLAH for his guidance and blessings and for enlightening me in successful completion of my dissertation. I am thankful to all those who have helped me in my studies.

I would like to express my sincere gratitude to my research supervisor Ms Richa Sharma, Assistant Professor, School of Arts and Languages, Lovely Professional University, for her continuous support, supervision and guidance which made this dissertation successful.

I thank all the respondents for their views which helped me in analyzing my data.

I am sincerely thankful to my parents for their inspiration motivation and encouragement and most importantly their blessings and for their support in giving my research works a final shape.

Last but not least I would like to thank all my friends and classmates for their help in my research work

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LIST OF ACRONYMS

ADR	Alternate Dispute Resolution
CSS	Centrally sponsored scheme
DLSA	District Legal Service Authority
DLAF	district legal aid fund
GOI	Government of India
HCLSC	High court legal service committee
L.A	Lok Adalat
LSA	Legal Service Authority
MACT	Motor Accident Case Tribunal
NALSA	National legal service authority
NCW	National commission for women
NLAF	National legal aid fund
PMLA	Parivarik Mahila Lok Adalat
RPC	Ranbir Panel Code
SC	Supreme Court
SLSA	State Legal Service Authority
SLAF	State legal aid fund
TLSC	Taluk Legal service committee

CHAPTER -1

INTRODUCTION

INTRODUCTION

“True peace is not merely the absence of tension

It is the presence of justice”

-Martin Luther King, Jr.

The government of India under part III of the constitution guarantees fundamental rights In Article 14-18 where in Art.14 introduced the right to equality and one cannot enjoys the equality without justice. ¹Equal justice for all is the central principle on which the entire system of administration of justice is based. Judiciary is an necessitous organ of government its importance cannot be ignored in the democratic country where equal justice for all is the main area of concern.

Democratic country without good and effective judiciary system can face difficulties and lawlessness in the society. As the democracy is best defined by the Abraham Lincoln –

“Democracy is the government of the people, for the people, by the people”.

Disputes are natural to arise between individuals, groups & also in between the governments in every society all such disputes can be resolved with the principle of rule of law the idea of rule of law implies that every individual high caste or lower caste, rich or poor, men or women, will be bounded to the same law ² there will be no discrimination on the bases of religion, sex, caste, race, place of birth –Article 14. The foremost role of judiciary is to protect & safeguard individual’s rights, settles disputes and ensures justice.

Some of the countries like United States has the dual system of courts where one for administering the federal law and another for state laws. But in our constitution according to The Government of India Act 1935 we have single system of courts which enforces both central law as well as the state law. Person has to approach to the same court for enforcement of state law as well as laws enacted by the parliament. The constitution contains provisions for the

¹Retrieved from Laxmikant .M, Indian polity , as on 22-10-2016

² Retrieved from <http://ncert.nic.in/NCERTS/l/keps206.pdf> as on 22-10-2016

establishment, power and other matters related to Supreme Court and the high courts of different states. Article 124-147 in part five of the constitution deals with the organization, independence, jurisdiction, powers procedures of the Supreme Court and the parliament is also authorized to regulate them.³ & Article 214 to 231 of part six of the constitution deals with the organization, independence, jurisdiction, powers, procedures of the high court and according to seventh Amendment Act of 1956 constitution authorized the parliament to establish a common high court for two or more states and a union territory.⁴ Presently there is 29 states and 24 high courts in india out of them three are common high courts. Delhi is the only union territory that has its own high court since 1966. The high court is at apex of the judiciary in the state and the subordinate courts work under the high court a district and lower levels articles 233-237 in part six of the constitution deals with the provisions to regulate the organization of subordinate courts and to ensure their independence from the executive.

The present judicial system of India has been evolved as a result of slow & gradual process in the different periods of Indian history.

HISTORICAL OVERVIEW OF LOCAL COURTS:

1.1 ANCIENT AGE

India has a recorded legal history starting from Vedic ages. The evidence can be traced from the ancient texts –the Vedas, smriti, Upanishads & arthashastra. The ancient Indian law was based on Dharma principle (natural justice) it was secular in nature. The Manu smriti & arthashastra were considered as the authoritative legal guidance. The concept of providing a justice at the local level (people’s court) is as old as the villages its origin goes back to the Vedic ages. The popular courts were first time mentioned in the yajnavalkya smriti. The courts existed in ancient period were named as Kula, Sreni, Gana the idea behind these was to provide proper justice to every single person of society without any delay.⁵

Gana courts denoted the local corporation of towns and villages during post Vedic period. In that period villagers have their own judicial system. According to Altekar “Gana court” consist

³ Retrieved from <https://india.gov.in/my-government/constitution-india> as on 22-10-2016

⁴ Retrieved from Laxmikant, Indian polity as on 22-10-2016

⁵ Retrieved from khan ahmed sarfaraz , lok Adalats.an alternative dispute resolution,2005 .As on 24-10-2016

of members belonging to different caste and profession but staying in the same village. Gana courts were well known to the king and were empowered to decide the dispute of civil and criminal cases except sahasa. These courts enjoyed appellate jurisdiction of the other two courts namely Sreni court and kula court. Thus the Gana courts played an important role in dispute resolution with people participatory mechanism.

The Sreni courts were attended by traders, companies or artisans of different tribes but consist of the people practicing same profession. These courts had their own executive committees of four and five members. According to Altekar the Sreni courts were the courts of guilds and became a prominent feature of commercial life in ancient india from 500 BC these had a power to judge civil and criminal cases except those involving trial for an offence committed with violence they did not have the authority to execute sentences of fines and corporal punishment those matters goes to the king who alone had a power to execute the sentences. Sreni courts enjoy the appellate jurisdiction over kula courts.

Kula courts were restricted to family and personal laws and customs. It was mainly consist of the people who were bounded by blood or same tribe. These courts were headed by the elders of the family or tribe it was the lowest court in the hierarchy of local courts families craft guilds and local assemblies were authorized by the king to dispose lawsuits among their members except some offence like violence.

Thus the mechanism of dispute resolution through people participation was effectively existed throughout the history of India.⁶

1.2 MUGHAL PERIOD

The popular courts remained a distinct institution during the Muslim rule in India. Dispute settlement through people participatory mechanism was well functioned throughout the history until the advent of British. Mughals adopted the Islamic judicial system they took holy Quran as a guideline. Sunnah is the traditions or known practices of Prophet Muhammad, recorded in

⁶ Retrieved from http://cbseacademic.in/web_material/doc/Legal_Studies/XI_U3_Legal_Studies.pdf as on 24-10-2016

the Hadith literature. Quran justifies the use of Sunnah as a foundation of law.⁷

CLASSIFICATION OF COURTS

- Royal court at highest level
- Provincial court at state level
- District courts
- Pargana courts at Taluk level
- Village courts at village level

Panchayat system remain intact at local level Peoples of the rural areas had their own courts which enjoyed civil and criminal justice⁸. Panchayat used to settled disputes & collect revenues. The people court or village court were resolving disputes through the people oriented dispute resolution mechanism.

1.3 BRITISH REGIME;-

The British invasion of India is responsible for the introduction of Common law legal mechanism in India .but the system of local courts starts to faded away the illiterate people suffers through maze of court system and looses hope of settling disputes. Britishers administrative system is different. In the very beginning due to unknowing of the local language and local laws they minister the authoritative function to the resident people. The company was granted charter by King George I in 1726 to establish “Mayor’s Courts” in Madras, Bombay and Calcutta.⁹Administration of higher level was controlled by trained judges in common law after the restructuring of courts system in 1861. The complete working of local courts was shaped by the introduction of British judges in judicial system of India. Due to the feudalistic control of British the concept of local courts starts to shrinking. With the fully advent of the British crown over india the process of adjudication became more and more formal with the Anglo Saxon jurisprudence and the full fledged adjudication process was set up. There came the more technicalities in the process and it became more difficult for people to reach out to the justice

⁷ Retrieved from <http://www.legalindia.com/evolution-short-history-of-indian-legal-theory> as on 25-10-2016

⁸ Retrieved from http://shodhganga.inflibnet.ac.in/judicial_sysyem_in_mughal_india_.pdf on 25-10-2016

⁹ Retrieved from <http://www.barcouncilofindia.org/about/about-the-legal-profession/legal-education-in-the-united-kingdom/> as on 25-10-2016

without any skilled person in those technicalities the common people suffers the most for receiving the justice.

ADR ALTERNATE DISPUTE RESOLUTION:-

Independence brought many new things for the people of india but it fails in changing the 'Made in England justice system' the uncontrollable backlog of cases, escalating areas of cases and undue hindrance in removal of cases in courts at all level. British system of administration of justice was non-participatory mechanism. Justice S.B.Sinha said; "with an average time to settle each case being filed in 20 years it takes 324 years to solve all the pending cases"¹⁰ in order to solve this problem of pending cases implementation of alternative was necessary.

Providing a justice through established court system was quiet difficult and expensive. court system was based on technicalities and high litigation fees which to the poor people's made justice unreachable. This hectic nature of justice delivery leads to the search of ADR. ADR is an alternative to the formal legal system ADR introduced non hostile mechanism. Dispute resolution is an important element in society for maintaining peace, harmony, brotherhood, goodwill & easy access to justice. The main motive of ADR is to make justice available, inexpensive and quicker to poor and needy.¹¹ It tries to solve the dispute out of the court through negotiation, arbitration, conciliation/mediation mechanisms.

Arbitration:- arbitration is most successful method of dispute resolution. it is helpful for those who are dealing with commercial and government contracts. The difficulty in arbitration method is the possibility for collateral trials being lift up in the courts under the condition provided in Arbitration and Conciliation Act 1996 at the initial phases under the sections 9, 10, 11, & 24 of the Act. Still after the award is being finalized the parties can move the judicial forum for demanding the different basis which promotes possibility for further proceedings.

Mediation: - the process of mediation is also known as conciliation. Its concept was evolved in 20th century although its basis was from the Panchayati system. It process is non- binding in nature the mediator had to listen to both the disputed party and assist them to reach the final

¹⁰ Retrieved from khan ahmed sarfaraz, lok Adalat as on 25-10-2016

¹¹ Retrieved from <http://www.legalservicesindia.com/article/article/adr-mechanism-in-india-224-1.html> as on 25-10-2016

decision. Mediator cannot impose a decision on parties. Because of its confidentiality it encourages the people participation in the mechanism.

NEED OF ADR IN INDIA

ADR has been introduced to reduce the heavy burden of pending cases on courts and providing speedy justice to everyone. People usually remain dissatisfied with the justice system they drop hope in legal system and lead to the way of disgruntlement from the whole legal system for this reason the need of ADR emerges in India¹²

Alternative Dispute Resolution in India was introduced on the Constitutional basis of Articles 14 and 21 which deal with Equality before Law and Right to life and personal liberty respectively.¹³ It also tries to achieve the directive principles of state policy relating to equal justice & legal Aid as led down under the article 39-A of the constitution. ADR came in to force under the arbitration and conciliation act 1996 & the legal services authority Act 1987.

Article 38 of the Constitution is other important provision which refers to social, economic and political justice. Article 38 intends to secure to all its citizens, with the trilogy of justice social, economic and political. The framers of the Constitution tried to protect the citizens of India with the trilogy of justice because they were aware that the political freedom would not be fully enjoyed in the absence of socio-economic justice. The true meaning of trilogy of justice can be elucidated as social justice stress abolition of social inequalities based on caste, color, race, creed, etc., economic justice rules out distinction from man to man formed on the basis of economic conditions, and political justice refers to the absence of arbitrary treatment of citizens in the political spheres. To achieve the goal of trilogy of justice, Article 39A has been included in the Indian constitution with the purpose of providing free legal aid and to offer equal justice to poor section of the society. Another important instruction of the Constitution is Article 40 which is anxious with the division and decentralization of powers at village level. It says that the State shall take initiatives to arrange village Panchayat and provide them with such powers and authority as may be necessary to enable them to function as unit of self government. The objective of ADR is also to dispense justice at the doorsteps of all especially of villagers. In

¹²Retrieved from <http://www.gktoday.in/alternative-dispute-resolution/> as on 28-10-2016

¹³Retrieved from lakshmikant .M, indian polity as on 28-10-2016

order to achieve this objective, the Law Commission suggested that at village level the 'Nyaya Panchayat' should be constituted with the purposes to provide expeditious justice to the villagers as well as for decentralization of the system of administration of justice. The modern concept of ADR has been introduced in society with the hope of easy access to justice at local levels more effectively three basic alternative justice delivery; mechanisms are negotiation, mediation and arbitration. Negotiation method has been used very commonly for solving the disputes, negotiation became the part of other two alternatives mediation and arbitration and both were very effectively functioning before the advent of Lok Adalats.

LOK ADALAT:-

Lok Adalat is an important means of alternative dispute resolution method. The complete machinery of Lok Adalats has been introduced with the purpose of promoting justice. Lok represents the "people" & Adalat means "court". Lok Adalats generally means "people's court". Lok Adalat is a tool of "ADR" alternate dispute resolution. The notion of Lok Adalat is an creative contribution towards the world jurisprudence and to provide extended legal protection to the poor. The whole philosophy of Lok Adalats has been institutionalized on the older concept of dispute resolution through negotiation, mediation, arbitration used by Nyaya Panch. Lok-Adalats system is based on the principles of the Panch Parameshwar given by the father of nation **Mahatma Gandhi** "I had learned the true practice of law. I had learnt to find out the better side of human nature and to enter hearts; I realized that the true function of the lawyer was to unite parties given as under. The lesson was so indelibly burnt into me that the large part of my time during the twenty years of my practice as a lawyer was occupied in bringing about confidential compromises of hundreds of cases. I lost nothing thereby, not even money, certainly not my soul also."¹⁴ It involves people who are somehow affected by any dispute most important feature of lok Adalat is that it provides inexpensive and speedy justice to every single person at the doors. Civil Case, Matrimonial clash, Land Disputes, Partition/Property Disputes, Labor Disputes are the cases which can be taken in to Lok Adalats for resolution. The idea of Lok Adalat was mainly advocated by former Chief Justice P.N.Bhagwati. Lok Adalats camps were started firstly

¹⁴ Retrieved from http://shodhganga.inflibnet.ac.in/bitstream/10603/44117/8/08_chapter%202.pdf as on 1-11-2016

in the state of Gujarat. In the present scenario it gained popularity in all over the country. First Lok Adalat was held in Junagarh District in Gujarat in the year 1982.

FUNCTION OF LOK ADALAT

- The Lok Adalat resolves disputes concerning to matters which are not very complicated in nature.
- The Lok Adalat is presided over by a sitting of retired judicial officer as the chairman, with two other members, usually a lawyer and a social worker.
- Lok Adalats generally held in holidays on Saturday or Sunday.
- Lok Adalats work under the guidelines mentioned in legal service authority act, 1987. (sec.20).
- Lok Adalats resolves the disputes relating to family matters, land acquisition cases, matrimonial cases, motor vehicle cases, and compensation claims.
- A case can be solved through Lok Adalats only if both the parties agree to resolved their dispute through Lok Adalat.
- The Lok Adalat is presided over by a sitting of judicial officer (retired) as the chairman, with two other members, usually a lawyer and a social worker.
- Lok Adalats provides free legal aid in the nature of counseling and providing free legal service in the conduct of any case.

BENEFITS OF LOK ADALAT

- There is no court fees paid in Lok Adalat if in any circumstances the case is already filed in main stream court the compensation of the cost will be paid back to the litigant if the litigant is willing to solve the case through Lok Adalat.¹⁵
- There is no need to file a complaint in regular court the disputes can be taken directly in the Lok Adalat.
- Disputed parties can directly reach out to the presiding officer through their advocate and explain their stands directly which is not possible in regular courts.

¹⁵ Retrieved from https://socialissuesindia.files.wordpress.com/2012/03/judicial_accountability_in_india.pdf as on 1-11-2016.

- No appeal process is conducted in Lok Adalats like in the regular courts wherein appeals are made before higher medium on the decision of the trial court which overdue the dispute resolution.
- Its jurisprudence covers the large section of the society and it is voluntary in nature it gives decisions when both the parties agreed to solve their dispute by polite solutions.

LEGISLATIVE MECHANISM FOR LOK ADALATS:

Entire system of judiciary is base on the principle of equal justice to everyone as constitution of india provides right to equality under Article 14-18 where it is clearly mentioned that there will be equality before law no discrimination is based on the bases of cast, color, sex , religion. And every citizen of India has a right to constitutional remedies under article 32. Article 32 is considered as the soul of the constitution.- DR B.R.Ambedkar. article39 (A) provides legal aid to every needy person as mentioned in the 42nd amendment act 1976 of directive principles of the constitution. The whole instrument of Lok Adalats was planned and develops with the aim of encouraging justice. The Legal Services Authorities Act 1987 constitutes the two objectives specifically, providing legal aid services and organizing Lok Adalats for providing justice to the people at their doorsteps. Disputing parties have their full right of choosing the ADR method under the guidance of court. The main strength behind the implementation of Legal Service Authority act 1987 is to promote The speedy resolution of disputes through Lok Adalats. Lok Adalats gained statutory recognition since the implementation of legal service authority act 1987.lok Adalats has been given the status of a civil court its awards are binding in nature as no appeal lies before any court against them.

Sections provided under legal service authority act 1987:¹⁶

- Section 19 of the legal service authority act 1987 deals with the constitution of Lok Adalats. According to **sec19(1)** of the LSA every state authority , district authority supreme court legal services committee, high court legal service committee, and Taluk legal service committee can constitute a Lok Adalats from time to time.

¹⁶ Rereived from khan sarfaraz ahmed, lok Adalats as on 3-11-2016

- According to sec19(2) Lok Adalats proceeding were constitutes by joining of the serving or retired judicial officers, social workers, legal advisor number of members decided by the state authority district authority, supreme court legal services community , high court legal services and Taluk legal services.
- Sec19(3) deals with the qualification of members through the state government with the consultation of chief justice of high court
- Sec20 deals with the working of Lok Adalats: if any disputed party wants to settle dispute by Lok Adalat they can make appeal to the court to settle their case through Lok Adalat. Court will observe the matters and if it satisfies the court that the subject is an suitable one to be taken attention by the Lok Adalat. Negotiation resolution shall be guided by the fairness, honesty, and other legal principles. If no negotiations has been made the matter should be returned to the concerned court to resolve dispute in accord with law.
- Sec21 deals with the award of Lok Adalats. Award is passed by the conciliators after the accord is arrived by assent of parties. Award made by the Lok Adalat is final on disputed parties and there should be no further appeal lie from the award of the Lok Adalat.
- Sec22 proceedings of the Lok Adalats shall be consider to be judicial proceedings for the purpose of discovery of documents, call of witnesses, confirmation of evidences, demand of public record.

PROCEDURE OR WORKING OF LOK ADALAT:

In Lok Adalat the procedure followed is very simple and cut off almost all legal formalisms and Customs. The retired judicial officer acts as the chairman in the Lok Adalat along with the two other members usually a lawyer and a social worker. In Lok Adalat it is found to be easy to settle down money claims in mostly cases one alone may be in argument. There are a number of cases which were disposed in each Lok Adalat and the claim cases of motor accident payment were brought before the Lok Adalat. It is essential for the both the parties that were brought to be in dispute must agree for settlement through Lok Adalat and stand by its decision. A Lok Adalat has the power to resolve the dispute by making over between the parties, any matter which may be about to appear in front of any Court, as well as matter at the basic stage. Disputes which are not yet been implemented in any Court of law. The disputes maybe civil or criminal in nature, but any dispute related to an offence not to unite under any law cannot be decided by the Lok

Adalat even the parties want to settle down the dispute.¹⁷ Lok Adalats can take cognizance of matters involving not only those persons who are permitted to gain free legal services but of all other persons also, whether they would be women, men, or children and even institutions. Any of the disputed party can move an application to the court where their matter may be pending, or even at pre-litigative stage, for such matter being taken up in the Lok Adalat as a result of which the Lok Adalat Bench constituted for the reason to make attempt to resolve the dispute with helping the parties to go into a friendly solution and when dispute is being solved the award is passed by the Lok Adalat and this award is final which has as much force as a decree of a Civil Court obtained after due dispute.

PERMANENT LOK ADALATS:-

Permanent Lok Adalats is an improved version of Lok Adalats the institution was established in the 2002 amendment of the legal service authority act 1987. To resolve the disputes of public utility service the institution of permanent Lok Adalat had been introduced. Separate chapter 6(A) under the pre heading “pre litigation conciliation and settlement” Section 22(B) covers the organization of “Permanent Lok Adalats” at different places for bearing the cases in admiration of public efficacy services.¹⁸ Proceedings of Permanent Lok Adalats have been consist of permanent bodies consist of Chairman and other two members for providing compulsory pre-litigative mechanism for conciliation and settlement of cases relating to Public utility Services like transport, postal, telegraph etc. permanent Lok Adalats had a power to gets jurisdiction to decide the dispute, although the parties did not reach to a settlement,¹⁹. Disputed party makes an appeal to the Permanent Lok Adalat for settlement of dispute. Yet, the Permanent Lok Adalat did not have authority in respect of non-compoundable cases. The Permanent Lok Adalat shall not have any jurisdiction in the matter where the value of the property in dispute limits more than Rs.25, 00,000.

¹⁷ Retrieved from http://www.legalserviceindia.com/articles/lok_a.htm as on 3-11-2016

¹⁸ Retrieved from <http://ecourts.gov.in/mau/national-lok-adalat> as on 7-11-2016

¹⁹ Retrieved from Manoj Kumar Sinha, In the Name of Efficiency: The Role of Permanent Lok Adalats in the Indian Justice System and Power Infrastructure on 7-11-2016

Disposal in permanent Lok Adalat from April, 2015 to March, 2016) ²⁰

No. of PLAs established	No. of PLAs functioning (as on 31.01.2016)	No. of sittings	No. of cases disposed of	Total settlement amount Rs.
292	239	17,117	1,03,559	23,87,00,291

NATIONAL LOK ADALAT:

National Lok Adalat as its name signifies held same day in all over the country for the speedy disposal of cases its proceedings were held in Supreme Court, high court, district court, Taluk court from higher to lower hierarchy of courts. National Lok Adalats were introduced by NALSA National legal service authority first national Lok Adalat was held in 2013 .while during proceedings of national Lok Adalat it give awareness the public about widespread and effective mechanism of Lok Adalat. Criminal cases, cheque bounce and Bank recovery cases, civil suits, motor accident claims, service matters, family matters and challan cases. were to be solved in national Lok Adalats in heavy numbers.

Disposal of cases in National Lok Adalat in the State of J&K : (2015- Feb. 2017)²¹

year	No. of cases disposed of (pre litigative)	No. of cases disposed(pending)	Total cases disposed	Settlement amount (in Rs)
2015	32868	37328	70216	365751213
2016	9743	15168	24911	310323544
2017 (Feb.)	6169	2596	8765	88838531

²⁰ Retrieved from <http://nalsa.gov.in/content/permanent-lok-adalat> as on 7-11-2016

²¹ Retrieved from <http://nalsa.gov.in/content/National-lok-adalat> as on 7-11-2016

MOBILE LOK ADALAT

This mechanism of Lok Adalat moves from place to place and solves disputes. It is also named as justice on wheels. It was first started in Jharkhand to spread awareness among people through Jharkhand state legal service authority. Main motive of mobile Lok Adalats is to provide justice to the door steps of rural areas.

Parivarik Mahila Lok Adalat (PMLA): The National Commission for Women (NCW) developed the idea of Parivarik Mahila Lok Adalat, for enhancing the efforts of District Legal Service Authority (DLSA) for providing the rapid clearance in the awaiting litigations regular courts related to matrimonial and family disputes.²² The main motives of the Parivarik Mahila Lok Adalat are

- To grant free and quick resolution of dispute and provide the women litigants justice as early as possible.
- Awareness among the masses can be generated about the conciliatory means of dispute resolution.
- Awareness programs should be conducted for the empowerment of women to participate in the mechanism of Lok Adalats to settle their disputes.
- And to encourage people to settle their disputes through Lok Adalats instead of formal courts for speedy settlement.

LOK ADALATS IN JAMMU & KASHMIR:

The state of Jammu and Kashmir follows its own constitution and under the section 24 of the constitution it is mentioned that It is the duty of state to look after the equality and secularism to every citizen of state ²³. as Lok Adalats plays very important role in promoting justice. The Jammu and Kashmir introduced state legal service authority act 1997 in order to provide the free legal aid to the weaker section of the society its rules was implemented in 1998. ²⁴ Lok Adalats was organized under this act to promote legal justice and equality to everyone and to make sure that none should be deprived of justice because of economic status and any other reason. The act

²² Retrieved from <http://shodhganga.inflibnet.ac.in> on 11-11-2016

²³ Retrieved from J&K general knowledge, 2014, vishal international, bharti offset workers new Delhi as on 11-11-2016

²⁴ Retrieved from <http://jkhighcourt.nic.in/legaid.html> as on 11-11-2016

was forced to whole state and the institution of Lok Adalats was introduced in the chapter five of the constitution.²⁵ Lok Adalats was organized by the state legal service authority and district authority or high court ;legal service committee in some cases tehsil legal services committee. Specific geographical location were chosen for the preceding of Lok Adalats. Matrimonial cases were solved by special Lok Adalats. Proceedings of Lok Adalats to the parties with dispute were informed about the place, timing and date of Lok Adalats by the secretary or member secretary of high court legal service committee or district legal service committee or the tehsil legal service committee in some cases. Lok Adalat gives its decision when both the parties agreed to solve the dispute. Members of Lok Adalat only have statutory conciliator role no judicial powers were vested to them and they need to follow the procedure mentioned under sec.50 to sec59 of the J&K arbitration and conciliation act 1997.²⁶ No parties were pressurize or forced to compromise or settle cases of matters, either directly or indirectly. by member of Lok Adalat. Lok Adalats playing very effective role in justice providing mechanism²⁷. Every award of the Lok Adalat shall be deemed to be a order of a civil court or the order of any other court and where a compromise or settlement has been solved. If a case is referred in Lok Adalat under the sub-section (1) of section 19, the Court fee will be refunded in the method provided under the Court Fees Act, Samvat 1977. Award given by a Lok Adalat shall be absolute and obligatory on all the parties to the dispute, and no appeal shall lie to any court against the award.

Powers of Lok Adalat (J&K):

The Lok Adalat have the same powers as are mentioned in a civil court under the Code of Civil Procedure, Samvat 1977. In summoning and enforcing the attendance of any witness and taking on oath from him while discovering any document reception of evidence the requisitioning of any public record or document or copy of that record or document from any court or office .

All proceedings before a Lok Adalat considered being judicial proceedings within the sections 193, 219 and 228 of the RPC Ranbir Penal Code, Samvat 1989 and every Lok Adalat considered to be a civil court for the purpose of section 195 and Chapter XXXV of the Code of Criminal Procedure, Samvat 1989.

²⁵ Retrieved from <http://www.jklaw.nic.in/act-rule-regalation-434.pdf> as on 11-11-2016

²⁶ Retrieved from justice Anand.A.S, the constitution of Jammu and Kashmir as on 11-11-2016.

²⁷ Retrieved from <http://acts.gov.in/JK/2234.pdf> as on 11-11-2016

On 13 November 2016 two Lok Adalat benches were held in Jammu wing headed by retired Justice Bansi Lal Bhat and retired justice O.P.sharma 24,000 cases were disposed of by the Jammu and Kashmir State Legal Services Authority (SLSA) at Lok Adalats held at the High Court and district courts across the state. On 25th November 2016 Lok Adalat was held in the Bank Court, Jammu under the supervision of district and session judges .The bench constituted for the bank cases listed in the said Lok Adalat was of Additional District Judge Jammu Ashok Kumar Shavan.A total of 23 cases were taken up, out of which 14 cases were disposed-off. The total recovery affected was Rs 56, 27,363 from defaulters.²⁸

Legal Service Authorities and Committees functions and constitution:-

State legal service authority:

The main body of the state legal service authority is known as SLSA in short. The chief justice of J&K high court is the patron-in-chief of the authority and the executive chairman of the authority is the senior most judge of the high court and other members of SLSA can be highly experienced and qualified on the ground of law and public service. President of the Bar Association Jammu and Kashmir and advocate general are also the members of SLSA and according to Section 3 Rule 3.²⁹

High court legal service committee:-

HCLSC is constituted by the SLSA by using its power under section 6 of the Act. The senior most judge of the high court is the chairman of the committee the secretary of the committee is appointed by the chief justice of the state. HCLSC have to organize lok Adalats for the settlement of high court cases by the means of negotiation mediation and arbitration under the section 18 rule 5 of the SLSA³⁰. And plays a function of providing legal aid to the needy. It have to implement the programmes and schemes framed by the NALSA under the LSA ac 1987 and was funded by the NALSA by the section 4(c) of the LSA act 1987.

District Legal Service Authorities:-

²⁸ Retrieved from <http://www.dailyexcelsior.com> as on 25-11-2016

Total fourteen DLSA at district level in addition to SLSA & HCLSC at the district headquarters and the chairman of the DLSA is the district judge. The constitution of the DLSA is similar to the SLSA. DLSA have to organize the Lok Adalats at district level as per the SLSA (sec. 7,8,9) their area of work remains restricted to their respective districts and also organize the legal awareness camps and legal literacy programmes

Tehsil legal service Committee:-

According to section 10 of the SLSA Act 59 TLSC are pertaining in the state and the senior sub-Judges and Munsiffs are the heads of the committee. TLSC works under the directions of DLSA and their functions are same as DLSA these committees have limited jurisdiction to their tehsil. According to sec 11 and rule 12 the constitution pertaining to these committees is similar to the DLSA.

LITERATURE REVIEW

Mr. K Rajendra (2013)³¹ conducted the study on “Concept of Judiciary in Ancient India”. In the study the author found that the ancient Indian system of social living was structured on the concept of peaceful existence based on Dharma (virtuous) principles. The author also point out that the structure of system was hierarchal. The author also highlighted that various foreign Jurists and historians particularly the Europeans argue that there was no ‘rule of law’ in ancient India and that the ancient Indian civilization was primitive and cannot be considered as a civilization. Author also pointed out that Indian legal system existed before the Neolithic age. Civil and criminal adjudication process existed at that time and it continues to exist through Bronze Age to the Indian valley civilization. The most significant salient feature of ancient Indian law system was that it was based on principles of dharma (natural law) and it was secular in nature. People of that time had a mind set to live under the divine power of king and had court system to deal with civil and criminal cases.

However the India has the oldest judiciary system in the world No other judicial system has a more ancient or exalted pedigree’ as said by Justice S. S. Dhavan

Shivraj S.Huchhanawar³² in his work “ In search of true ‘Alternative’ to existing justice dispensing system in India” tries to analyze the problems of legal system in developing countries. Author said that it believed to be normative practice to discover the result of our legal troubles within the western jurisprudential consideration and observation. It became necessary to rise above the troubles of “formal legal system” of india important steps have been made and continued to introduce, which resulted in the adoption of ADR mechanism in the country. Author advocates the important forms of ADR i.e. conciliation, mediation, arbitration and lok Adalats. Author also throws light on the important provisions of the arbitration and conciliation Act 1996 according to which the court is required to direct the parties to opt for an option of mediation settlement under the accord sec.8.of the act. Arbitration is vested with the power to possess the jurisdiction of his own to make a decision regarding the dispute. According to sec12 of the Act it gives diverse economic measures like as need of an arbitrator to reveal any feasible partiality at

³¹ Retrieved from https://www.worldwidejournals.com/global-journal-for-research-analysis-GJRA/file.php?val=September_2013_1379425763_21a41_30.pdf as on 14-11-2016

³² Reyreived from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2558442 as on 15-11-2016

the doorstep. All the works of an arbitrator has been saved if he changes in between proceedings so the justice should not be delayed. Author also analyze that Lok Adalat is a tool of ADR which have its existence in India since old ages it is the system of Nyaya Panchayat it cove the people who somehow are affected by any kind of dispute .author says that main concept behind introducing the system of Lok Adalat is to overcome the burden of court and comfort people by providing speedy justice with the people participatory mechanism.

Bhumika Sharma³³ in her research “Lok Adalat as most popular ADR mode in india with special reference to H.P.” said that common peace, harmony ,good relations, justice can be achieved easily with the help of Alternate Dispute Resolution method. Author also pointed out that old ways of justice methods of courts take time and involves heavy amount of payments. Author says that the fault is not in Indian legal system but in those who run it like the obstacle in he way of execution of legal services authorities ac 1987and its complementary rules enacted by the government. Author considers Lok Adalat as the flagship of the Indian judiciary system for providing a justice to poor. Author also pointed out the deficiencies of Indian legal system. Justice is mostly denied because of heavy burdens of cases upon judiciary. The most prominent legal profession which is known for well learned, self controlled and calm people is now just used to make more money easily. Under the constitutional mandate of justice the ensurance of opportunities for providing justice are not denied to any person due to economic or other disabilities. The Article 39-A of the constitution inserted through 42nd amendment in1976 confirms that legal system promotes justice on a basis of equal opportunity and provide free legal aid and ensure justice should not be denied at any cost. The most important objective of Lok Adalats is to promote justice to every person. Author in referring the state of H.P expressing her views on the efforts in making the Lok nyalaya 1984 and says the H.P legal board shall arrange for holdings of Lok nyayalayas in different areas for the purpose of bringing voluntary settlement of disputes. Author also talks about the development of conciliation project which was started underneath the chief justice P.D.Desai for 2 years from 1sep.1984-31dec. 1986 during his time period 6963 cases has to be resolved. This step was considered as the important step towards justice. Author says that on 25th august 1990 first Lok Adalat was held in shimla and it

³³ Retrieved from http://www.adrcentre.in/images/pdfs/LOK_ADALATS_IN_H.P.-%20Final.pdf as on 16-11-2016

successfully solved 406 matters and disposed 181 case author also said that the success of the lok Adalats can be measured by the overall atmosphere of the country strengthening the philosophy of individual liberty with social government not by the number of nature of Lok Adalat held or cases settled or rewards.

Sanjay Rambhav Salkute³⁴ conducted a study on the “need of expert determination before A.D.R (Lok Adalat) in land encroachment civil suits” in which he tries to analyze how the justice system to analyze how the justice system works before the implementation of Lok Adalats he tries to analyze how the justice system works before the implementation of Lok Adalats . he argues that before the enforcement of Lok Adalats peoples used to settle their matters according to the provisions in section 23 rule 3 of the civil procedure code 1908 are through the existing traditional methods. After when the Lok Adalats has been introduced the necessities of civil procedure code 1908 and Legal Service Authority act 1987 new and helpful provisions has been added.

Ideas of Mahatma Gandhi were consider as the path provider for the implementation of Lok Adalat for the citizens of India. Effective functioning of Lok Adalats reflects the real meaning of democracy in india. hon’able chief justice P.N.Bhagwati as former chief justice of supreme court of india stared the Lok Adalats . today Lok Adalats is considered as the most effective provision of Indian judiciary which helps in providing speedy justice to all and one of the powerful mechanism of Indian judiciary.

Author made a comparison between provisions and customary methods for negotiation cases according to civil procedure code 1908 and existing system of Lok Adalat. he made comparison for analyzing the requirement of efficient machinery to have skilled willpower in land violation cases which have to be presented ahead of Lok Adalat. Most important purpose of the study is to introduce latest methods in relief making system of justice. Author also recommended the blend of procedure of reconciliation of Lok Adalat and expert determination and its supervision. He tries to express his views on the implementation of Lok Adalat in Maharashtra.. Lok Adalat has becoming the most effective feature for justice delivery for citizens of india and the people participatory mechanism author said that the profession of most of the Indian is agriculture and fast growth in population most of the agricultural land has been converted in to non- agricultural

³⁴ Retrieved from <http://www.ijsrp.org/research-paper-1113/ijsrp-p2376.pdf> as on 16-11-2016

land. So the trade of land is also increasing and it's important to clearly state the name of land before purchasing if there is a problem with name it causes law and communal suits are underpinned on territory analysis maps where it is seen whether he protector marginally deny title of complaint without precise appeal. Author suggested the resolution of land disputes through ADR methods.

Anurag K. Agarwal³⁵ conducted a research on “role of ADR methods in development of society: Lok Adalat in india” author consider peace as the sine qua non for development. And tries to analyze the role of alternate dispute resolution most commonly the role of lok Adalats in making less expensive and speedy justice easily reached to everyone the constitution of india under article provides rights to constitutional remedies according to which every needy person should be given free legal aid. But in a vast country like india it is impossible to aid everyone. National legal service authority (NALSA) tried to spread legal literacy awareness which not only improve the literacy but also but also aware the people from their legal rights. Author tries to justify the importance of NALSA and state legal service authority in maintaining the space between the judicial system and people. Author said that lok Adalats has gaining marvelous success in india. It plays an essential role in resolving disputes quickly. Author suggested that programs of legal aid and lawful literacy have to be increased to concern the poor and illiterate section of society.. And also mentioned the need of extremely sensitized legal services because of multifaceted economic structure of the country.

Dar Mohammad Ayub³⁶ in his research “ court administration mediation in Jammu and Kashmir , a problem solving machine with an adversarial searched engine” said that the growing significance of Alternate dispute resolution all around the world. Author points out the history of the state of Jammu and Kashmir where mediation has been used as an alternative to lawsuit has been tested in the history which shows an remarkable results mediation is an tool of ADR it is a non-binding procedure in which independent third party. Mediator assists the parties to a dispute in reaching a equally acceptable and decided settlement of the dispute. Author tries to examine

³⁵ Retrieved from www.iimahd.ernet.in/publications/data/2005-11-01anurag.pdf as on 17-11-2016

³⁶ Retrieved from <http://www.academicjournals.org/journal/JLCR/article-full-text-pdf/6587AF97716> as on 20-11-2016

the legal structure of court-administered mediation in Jammu and Kashmir to examine its possible adversarial characteristic. The section 89 of the civil procedure code 1997 of constitution came in to effect from year 2009. According to the sec89 of civil procedure code of the Jammu and Kashmir constitution civil courts had a power to use variety of the ADR techniques in solving disputes, awaiting proceedings and mediation is one of the technique of alternate dispute resolution used in Jammu and Kashmir from old days Jammu and Kashmir legal services authority act 1997 also gives power for implementation of mediation as an alternate dispute settlement mechanism. And Supreme Court of India ordered the chief justice of state for the establishment of mediation enters in the state through mediation conciliation project committee (MCPC).

Dr. Anil Kumar Singh³⁷ in his research on “ADR Mechanism in India: Achievements and Challenges” said that Article 21 of the Constitution ensures just, fair and reasonable procedure it is better for all parties to solve their disputes as early as possible . author said that delay in justice mechanism is the major derision of law but in india delay in justice kills the whole justice delivery mechanism. Being a developing country like india which is going through major economic reforms within the framework of the rule of law, for speedy resolution of disputes and reduction the load on the courts, alternative mechanisms for resolution (ADR) are the only alternative way to overcome the burden through the mechanisms of arbitration, conciliation, mediation and negotiation. Author said that legal system of india experience heavy backlog of cases, because of less number of judges and complex infrastructure of courts. Being a developing country india was suffer from key economic reforms and introduction of alternate dispute resolution is only way to overcome from the complex structure of economy and courts to lessen the burden of pending cases. Author analyze that sec89 of civil procedure code provide importance to the arbitration and mediation methods of dispute resolution in Lok Adalats. Author consider alternate dispute resolution as not an placement of lawsuit process but makes our traditional courts work effectively.

³⁷ Retrieved from https://www.worldwidejournals.com/paripex/file.php?val=August_2016_1471096198_42.pdf as on 23-11-2016

Dr. Shalini Marwaha and Ms. Puja Banshtu³⁸ conducted a research on “ permanent Lok Adalats: an emerging mechanism for speedy justice” said the democracy provides equal and speedy justice to all citizens of india. Author said that there is a need of inexpensive and delay free justice mechanism in country. India provides equality to all but not every one enjoys the equality. Due to the multifaceted, expensive nature of judiciary it lack behind in providing the poor person their rights therefore to give them the equal fairness to all the institution of permanent Lok Adalats has been introduced in the year 2002 under chapter 6-A of the legal service authority act 1987. Institution of permanent Lok Adalat is fusion of negotiation, arbitration and participation and mediation. Author said that It is a participative, hopeful and possible Alternative Dispute Resolution mechanism its main principle is to create awareness among the disputant. Author tries to analyze that up to what extent the means of participative justice has helped in development of India in 21st century. 21.92% of the total population of india is still poverty line who cannot afford to go to regular courts because of high economic structure that’s why Lok Adalats has been introduced to provide free legal aid to the poor. Author said that permanent Lok Adalats is the improved version of Lok Adalats. Permanent Lok Adalats has been introduced to overcome the defect of the Lok Adalat parliament made some amendments to legal service authority act 1987 in year 2002 for the establishment of “permanent Lok Adalats” in sec22(b) of the LSA act. Author tries to analyze the importance of permanent Lok Adalats in promoting justice delivery mechanism more effectively.

Manzoor Ellahi Laskar in his research on “Lok Adalat System in India” said that The perception of Lok Adalat is an innovative contribution of india to the world jurisprudence. The institution of Lok Adalats provides a mechanism of speedy justice to the sufferers for acceptable conclusion of their clash. The machinery of Lok Adalat is founded on the Gandhian principles. Lok Adalat is one of the tool of ADR systems. In the olden period the clash between the parties were referred to the “Panchayat” at village level. Disputes were resolved by the Panchayat via method of mediation.. The perception of dispute resolution through arbitration, conciliation or through mediation process is taken as the foundation Lok Adalats. The people whom are

³⁸ Retrieved from [http://bharatilawreview.com/uploads/3\) Marwaha_29-41.pdf](http://bharatilawreview.com/uploads/3) Marwaha_29-41.pdf) as on 25-11-2016

somehow effected by the dispute can come to Lok Adalats for resolution. it provides free justice and legal aid to the needy who did not get the relief in regular courts..³⁹

Scott J. Shackelford conducts a research on “In The Name Of Efficiency: The Role Of Permanent Lok Adalats In The Indian Justice System And Power Infrastructure” India, is known for its diverse democratic system in the world. The diverse democratic system of india is a mixture of prehistoric Hindi Panchayat, the Islamic law for providing justice and, recognized British judiciary mechanism. Lord Delvin notably quoted that “If our business methods were as antiquated as our legal methods we should be a bankrupt country”. The key role of Lok Adalats is to reduce both the customary restrictions of panchayats and the flaw in the Indian legal structure by converting it in to people participatory mechanism to jurisprudence. The objective of Lok Adalats is to get human race support the mechanism where people came before the, procedure. As Girish Patle states, “Lawyers and judges cannot be mere black-letter men looking upon law as only an exercise in logic and not in life.” unluckily the institution of Lok Adalats has not been fully introduced in India .⁴⁰

KD Raju in his research “alternate dispute resolution system: a prudent mechanism of speedy redress in india”. Said that ADR (Alternate dispute resolution) gained popularity in india in the current scenario. It helps in reducing the pendency of cases and improve the justice delivery mechanism and also helps in maintenance of rule of law in the major democratic system in the world. With the liberalization of economy in 1991 the courts ended up with more heavy burdens The researcher argue about the use of ADR as an instrument for reducing the log jam of cases over courts in India via methods of negotiation, arbitration and Conciliation. Lok Adalats, are one of the tools of ADR. The researcher tries to argue through this paper regarding the idea of ADR should be “Indianised” to adapt to the local state of affairs. Researcher said that In order to defy the conflict from the lawyers there should be introduction of program to coach the law students in law schools in order to achieve the friendly resolution of conflicts.⁴¹

³⁹ Retrieved from Laskar, Manzoor Elahi, Lok Adalat System in India (November 18, 2012).

Available at SSRN: <https://ssrn.com/abstract=2420454> or <http://dx.doi.org/10.2139/ssrn.2420454>

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Marc Galanter & Jayanth K. Krishnan conducted a research on “Bread for the Poor”:

Access to Justice and the Rights of the Needy in India” said that India is highly praised for its achievement in successful legal order, Indian constitution is supported and cherished by the peoples of India but when it comes to courts where common peoples of India may seek the shelter under the judiciary they face the enormous problems in delaying the justice and they have to pay high cost for receiving the delayed justice. Impending consumers avoid the courts because of the ill will of an ancient character of litigiousness, the recent proof suggests that Indians profit themselves of the bench at a low fee and the speed seems to be lessening. The courts remain gridlocked. In the justice delivery. In order to access to justice India needs improvement that can allow common people to summon the remedy and shelter from the law.

RESEARCH METHODOLOGY

The study is based on historical descriptive and analytical review of the collected data and aimed at understanding the role of Lok Adalats in providing speedy and inexpensive justice to the poor. Both primary and secondary data collection techniques will be used to find the results. The primary data will be administered through a questionnaire. The secondary Data will be collected from various internet sources, published newspapers, magazines and journals.

HYPOTHESIS

1. The Lok Adalat are proven as an effective dispute resolution method
2. The state government are taking initiatives in spreading legal awareness among people .
3. People of Jammu are legally aware about the functioning of Lok Adalats.
4. J&K legal service authority is moving towards Lok Adalats for quick dispute resolution

SCOPE OF STUDY

Through this research an attempt is made to understand the importance of Lok Adalats in india and the role of Lok Adalats in providing speedy and inexpensive justice to the poor and to analyze the steps taken by the government in improving justice delivery mechanism through Lok Adalats and the initiatives taken so far for spreading awareness among peoples .

OBJECTIVES OF THE STUDY

1. To analyze the emergence of ADR mechanism and its need among the Indian society.
2. To understand the importance of Lok Adalats in india
3. To study the legal awareness among peoples of Jammu.
4. To understand the working and justice delivery mechanism of Lok Adalats.
5. To evaluate the contribution of Lok Adalats in justice allowance in the country.

CHAPTER -2

SIGNIFICANCE & PROBLEMS OF LOK ADALATS

SIGNIFICANCE LOK ADALAT IN INDIA

Over seven centuries ago, the beginning of equal justice under the law was marked by the inscription in the 40th paragraph of the Magna Carta:

"To no one will we sell,
to no one will we deny or
delay right or justice."

The universal concern for human rights originates its appearance, after the First World War in treaty of the League of Nations and further in the Declaration of Human Rights, the principle particularly follow the concept of legal aid.⁴²

The concept of the contented resolution of disputes is not unusual to the social life and authentic Indian culture. Gram Panchayat and Nyaya panchayats provided numerous seats for discovering the solutions of the disputes in rural areas on an critical basis. in actual fact, any civil disputes or offense used to be solved inside the village itself. The family members, class elders or village elders used to begin the procedure. Any conflict is like cancer. The faster it is concluded, the better it is for the parties concerned and the society in common. The conflict grows at an exponential rate if it is not resolved at the very first stage. One clash leads to another and it is thus better to find the solution of the problem at the very instant it arises.⁴³ Humanism which is the source and strong point of legality which summons great in the idea of legal services to the deprived in that part of our world where backwardness and deprivation have struck the hardest blows through the legal course itself on the ordinary and the vanished. "Constitutional monarchy" was practiced in pre British India and also in the time of Hindu and Muslim ruler had observer the local level approach of providing justice to the deprived section of the society. In simple words we can say that the presence of grass root level justice to the people has been the existing in India from the past. The manner to attain this aim ought to be agreed by both the parties concerned. The idea of legal aid after the independence was developed under the supervision of Justice P.N. Bhagwati, of Bombay High Court and Justice Trevor Harris of

⁴²Retrieved from <http://www.legalserviceindia.com/article/l361-Legal-Aid-Movement.html> on 3-3-2017

⁴³ Retrieved from <https://www.lawctopus.com/academike/lok-adalats> on 3-3-2017

Calcutta High Court. The issue of legal aid was too referred to the Law Commission to draw recommendations for the creation of legal aid schema an helpful mechanism to depict social justice. approaching with proposal in its XIV report, under the direction of leading jurist M.C. Setalvad, the Commission opined that free legal aid is a service which must be provided by the State to the poor. The state must, while accepting the duty, make provision for funds to grant legal aid. ⁴⁴The legal community must play a critical role in accepting the duty for the administration and working of the legal aid scheme. 42nd amendment act of constitution of 1976, Article 39-A, has been included to provide the State rules and regulations for the protection of the procedure of legal system to promote reliability, and integrity on the basis of the fundamental right of equal opportunity, and provide free legal aid, by introducing suitable legislation or schemes so tha no one should be deprived from the justice on the basis of financial problem or due to other shortcomings. The complete mechanism of Lok Adalat planned and progress with the function of promoting justice. Justice has three diverse but interrelated parts that is social, economic and political. 'Access to Justice' means a potential to contribute in the legal practice. Gandhian principles are taken as to framing the working model of the Lok Adalats .⁴⁵ The Lok Adalat is one of the parts of ADR systems. It is regarded as an Indian contribution to the jurisprudence world of ADR. The Indian government has established the division which helps to resolve all the hazards following the doctrine of equity & justice. These are the chief factors behind making the decisions while settling the matters.

Mahatma Gandhi, quoted

"I had learnt the true practice of law. I had learnt to find out the better side of human nature, and to enter men's hearts. I realized that the true function of a lawyer was to unite parties riven as under. The lesson was so indelibly burnt unto me that the large part of my time, during the twenty years of my practice as a lawyer, was occupied in bringing about private compromises of hundreds of cases. I lost nothing, thereby not even money, certainly not my soul."⁴⁶

The notion of Lok Adalat is no more remain as an experiment in India, I has given the statutory recognition under the legal service authority act 1987. Lok Adalat is an effective innovative and

⁴⁴Retrieved from <http://www.legalserviceindia.com/article/l361-Legal-Aid-Movement.html> on 21-3-2017

⁴⁵ Retrieved from <https://www.linkedin.com/> significance-lok-adalat-indian-society on 21-3-2017

⁴⁶ Retrieved from <http://www.supremecourtcases.com> on 21-3-17

peaceful means of dispute resolution and provides cost free, and easily reachable to the settlement of dispute.⁴⁷ Lok Adalat is a fusion of arbitration, negotiation, settlement and involvement. The accurate way of settlement of disputes by the Lok Adalat is the principle of general assent, intended approval of conciliation with the help of counselors and conciliators. The institution of Lok Adalat is people participative, confident and potential ADRM. Its main motive is to generate awareness among the disputants to the result that it is beneficial to solve the dispute in friendly and peaceful way.

Throughout the last time being Lok Adalat has been established as an successful means of alternate dispute resolution of India. It is most accepted and innovative nature and economical technique. The mechanism of Lok Adalat not only accepted the wide acknowledgment from the disputed parties, but also from the legal experts and the common peoples in broad-spectrum. Lok Adalat has been working continuously in every district of the India. The sessions of Lok Adalats have been held effectively In Taluk centers. Maximum number of cases which did not reach the settlement from regular courts has been settled through the institution of Lok Adalats .

When the mechanism of justice delivery gets failed to provide justice to the people , institutions like Lok Adalat has been introduce to make justice accessible to the larger section of the society.⁴⁸Lok Adalat helps a person in numerous ways it not only provides relief to the litigant through the of early disposal of the matter but also saves his time and huge expense drawn in in litigation process. when the matter is settled through compromise at the Lok Adalat no further inquiry can be made on the decision. the decision of the Lok Adalat is final. Resolution of case through compromise promotes amity, goodwill and welfare amongst the litigating parties, also to the benefit of the society as a whole.

As observed by the Supreme Court "We do not think it is possible to reach the benefits of the legal process to the poor, to protect them against injustice and secure them against injustice and secure them their constitutional and statutory rights unless there is a nation-wide legal service programme to provide free legal services to them."

⁴⁷Retrieved from <http://kelsa.gov.in/lokadalat.htm> on 3-4-2017

⁴⁸ Retrieved from <http://www.indiatogether.org/adalat-human-rights> on 4-4-2017

PROBLEMS:

Award making of the dispute:-

One of the major problem of the Lok Adalat mechanism is that it did not have the power to finalize the decision if anyone of the conflicted party is not willing to accept the settlement. The whole procedure of settlement turns unsuccessful if one party shows the negative respond towards the decision of Lok Adalat. Even though all the members of the Lok Adalat are having the positive respond towards the award making by them they cannot make final judgment until both the parties agreed to the settlement. At second annual meet of the State Legal Services Authorities, the Hon'able Chief Justice Dr A.S. Anand while expressing his views said that if the Judges of the Lok Adalats are satisfied regarding the case and one of the parties is opposing the reasonable settlement without any valid reason against the claim of the other conflicting party, the judges can pass an award on the basis of the materials before them without the consent of party. And there should be no appeal against the award of the Lok Adalat .

Unawareness of people

Legal awareness and legal literacy positioned at the foundation of any attempt toward legal empowerment. significant understanding of legal provisions and progression, tied with the skills to use this awareness to understand rights and entitlements will empower people to claim justice, liability and effectual remedies at all levels⁴⁹

regardless of awareness programmes and promotion in the media, a huge figure of people in the area are still not conscious of the advantages and relief which affected individuals or society could get from the Lok Adalats. People must be conscious of their basic rights to acquire the justice and profit from the Lok Adalats. Lack of awareness is the main hurdle in effectual 'legal aid'. Government should make efforts to spread awareness among the public by using electronic media and campaigns.

⁴⁹Rereived from <http://www.ngo-marg.org/legal-assistance> on 7-4-2017

Corruption:

"If we cannot make India corruption-free, then the vision of making the nation develop by 2020 would remain as a dream." - Dr. A.P.J.Abdul Kalam

Corruption threatens the rule of law, democracy and human rights undermines good Governance, fairness and social justice; distorts competition, hinders economic development, and endangers the stability of democratic institutions and moral foundations of society. An effective judiciary promise equality , fairness in legal procedure. It's an influential weapon against corruption. But people's familiarity in court is regularly distant from just. People who filed a case in courts face demands for bribes.⁵⁰ Their payments total staggering amounts. Court effectiveness is essential a log jam of cases creates opening for demanding bribes to fast-track a case.

In the words of Kautilya "Just as it is impossible not to taste the honey that find itself in the tip of the tongue, so it is impossible for a Government assistant not to eat up, at least a bit of King's revenue."

In the year of 2014 the former judge of supreme court suspected that three former CJIs made "improper compromises" to permit a corrupt High Court judge carry on in office. The time among filing and concluding viewpoint in civil cases can be up to 20 years and in criminal cases it should be extended to 30 years. The weak infrastructure long term trials regular court vacancies and delayed judgments and weaker enforcement of legal system have been seen as the main contributors to corruption at each levels of the judiciary. Due to the constant delays in decision making in order to speed up the trial process people required to pay bribe at all stages of the trial until the decision is made.⁵¹

Due to corruption the justice became meaningless. Rich people can buy justice but poor people left behind because they cannot afford to purchase it⁵². people have less faith in justice due to the commonness of corruption in judiciary. Corruption existing in courts cannot be justified

⁵⁰ Retrieved from <http://www.transparency.org/topic/detail/judiciary> on 9-4-2017

⁵¹ Retrieved from <http://www.outlookindia.com/magazine/story/corruption-is-rampant-in-the-lower-courts> on 9-4-2017

⁵² Retrieved from Lok Adalats an effective alternate dispute resolution, "sarfaraz ahmed khan" on 10-4-2017

judiciary is considered as a watch dog but who will watch over the watch dog⁵³ in India the most widespread grounds for paying bribes in common is to “speed things up”.⁵⁴

Infrastructure of Lok Adalat

The Indian judiciary is not quite in the pink of health. And one of the reasons for it is that the infrastructure hasn't kept pace with the requirements. “Adequacy of judicial infrastructure is a pre-requisite for reduction of pendency and backlog of cases in courts,” the National Mission for Justice Delivery and Legal Reforms said in one of its reports. The Thirteenth Finance Commission made a provision of grant of Rs. 5,000 crores over a period of 2010-15 aimed at providing support to States for improving Justice delivery system. Infrastructure components in this grant include (i) Establishing ADR Centers (ii) Maintenance of Heritage Court Buildings and (iii) Creations of State Judicial Academies. A statement of funds allocated, released and utilized so far is at Annexure.⁵⁵ Further, in order to augment the resources of the State Governments, a Centrally Sponsored Scheme (CSS) for Development of Infrastructure Facilities for Judiciary is being implemented under which central assistance is provided to the State Governments for the construction of court buildings for district and subordinate courts and residential units for judicial officers. During 2014-15, Rs. 933.00 crores have been released to State Governments and Union Territories under this Scheme. There is significant progress in utilization of funds for the following components of the grant made by the Thirteenth Finance Commission: Lok Adalat and Legal Aid, Training of Judicial Officers, Training of Public Prosecutors and Mediators, setting up of ADR Centre's, and setting up of State Judicial Academies.

CAREER PROGRESSION

In the current scenario the career development is foremost priority of the students of law. To improve the justice delivery mechanism we must start from the root by educating and motivating law students and provide basic knowledge to the students of other stream as well . the training of

⁵³ Retrieved from “M. G. Chitkara” Corruption "n" Cure” on 10-4-2017

⁵⁴ Retrieved from <http://indiai.org/judiciary-and-legal-awareness> on 10-4-2017

⁵⁵ Retrieved from Development of Court Infrastructure; Press Information Bureau Government of India Ministry of Law & Justice. <http://pib.nic.in> on 12-4-2017

lawyers should be given more importance for improving the essential makeover of the justice delivery mechanism. It is commonly seen that lawyers don't prefer Lok Adalats as their career because of their mind set of financial benefit from the regular courts. They should be encouraged to make Lok Adalat as their career progression which will increase the man power of Lok Adalat and also improve the justice delivery mechanism. The main inspiration behind the Lok Adalats is to solve the dispute at initial stages without any delay in.

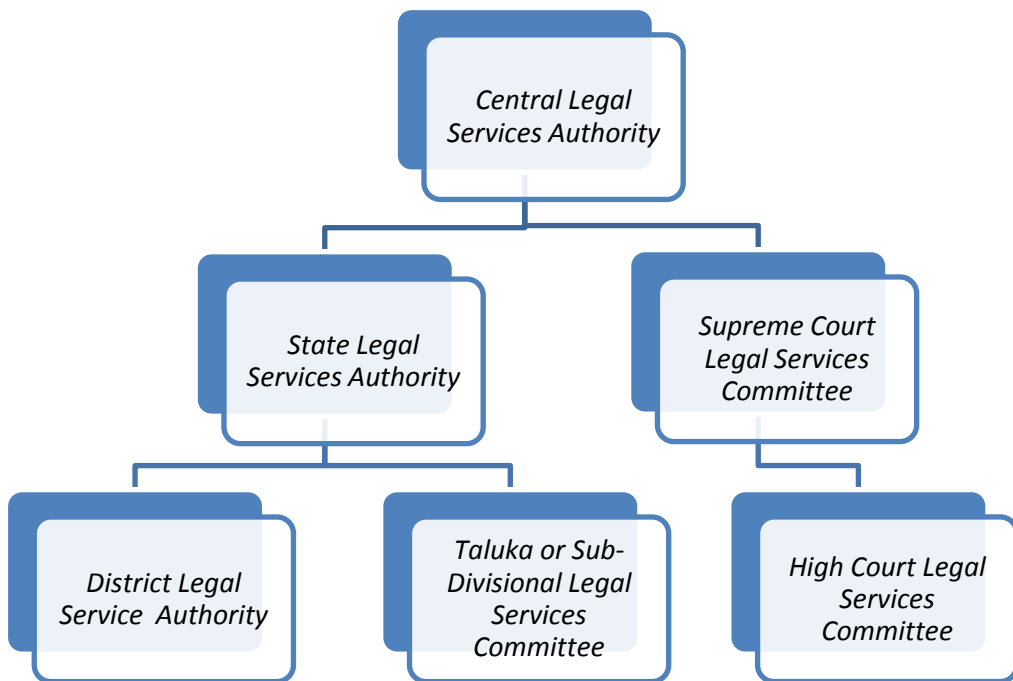
"every profession is a conspiracy against lay people".

Proper training should be given to the judges and lawyers so that they did not see law only as a money making machinery but works as a peoples helpers and contribute in providing the justice to the people.

FUNDING FOR LOK ADALATS:

Every institution needs financial assistance for its effective working thus the institution of Lok Adalat also need financial support from the centre and state for implementation of its effective working though the Lok Adalats provides free legal aid and free legal assistance to the people it requires the huge amount of funds from centre and state governments

Lok Adalats gets the funds from the mechanism of legal aid it s hierarchical structure is shown below:-



Legal service authority act 1987 gets statutory recognition to Lok Adalats. The legal service authority act grant a basic recommendation and basis of financial assistance to each individual

The central government after the due allocation made by the parliament by law grants financial assistance to the central authority which in charge provides funds to the states and districts for fulfilling the purpose of the Act.

- **National legal aid fund**: the central authority setup a reserve known as national legal aid fund. Under the section 14 of the Act the grants are given to NLAf national Legal aid fund by the central authority. Under the section 15 of the act the national legal aid fund provides grants for all the expenditures under the National Authority and the Supreme Court Legal Services Committee.
- **State legal aid fund** :-state authority set up a fund known as SLAF state legal aid fund under which all the funds given to state authority by the central authority and every administrative expenses of the State Legal services Authority should be paid from the consolidated Fund of the state. ⁵⁶Under the section 16 of the legal service authority act Guide lines are provided to the State Authority to made the State Legal Aid Funds, and the funds from the SLAF should be used for giving the legal aid to the needy and provide grants to the districts authorities.
- **District legal Aid fund**:-each district set up a reserve known as district legal Aid fund where all the expenditures of the District Authorities are paid from the Consolidated Fund of the State. under section 9(7) of the LSA 1987 The District Authorities must create a District Legal Aid fund, at the district level and the legal aid should be provided to weaker section of society. ⁵⁷
- **Taluk committee** The operating cost for any administrative work of the Taluk Committee should be paid from the District Legal Aid fund.

Most of the funds for Lok Adalats are granted by the central government and the state government. The state must set up the legal service authorities which are permissible to immerse the treasury of the Central Authority while the need for grants occurs.

⁵⁶ Retrieved from <http://lawmin.nic.in/1987/LegalService> Authorities on 13-4-2017

⁵⁷ Retrieved from https://books.google.co.in/books/legal_service_authority_act1987 on 13-4-2017

LOK ADALAT – CHALLENGES

1. Speedy justice is one of the key features of Lok Adalat, but in some cases due to this speedy mechanism the compromise in the quality is made.
2. In order to raise the usefulness of the Lok Adalat the Legal services Authority should take steps to spread awareness among the people about the holdings of the Lok Adalats in the state or district and make them aware about the success rate of Lok Adalats in providing cost free speedy and reasonable justice.
3. Plenty number of legislative provisions are provided to Lok Adalat for justice disposal mechanism. But it is lacking in organization of awareness campaigns at local level to aware the people living in backward areas of the State about the benefits and necessities of the Lok Adalat. Law students, ngo's should be encouraged to participate awareness spreading methods. For example through methods like street play, mass media, radios road side plays are one of the best way to aware the illiterate people .
4. The mechanism of Lok Adalat will flourish among the people if voluntary participation and people participation will be made the source for effective performance of the Lok Adalat.
5. The involvement of law students, and social workers and the Ngo's should be encouraged at different phases of Lok Adalat proceedings . they can assist the litigants in understanding the basic structure of lok Adalat and the nature of dispute so that they can speak their point of view in the lok Adalat proceedings to achieve unbiased and reasonable justice.⁵⁸

CONCLUSION

The Legal Service Authority Act, 1987, inaugurates the Lok Adalat for equitable and speedy justice to the disputed parties. In india the majority of the population is illiterate and unaware about the basic rights and legal system they file their cases through mainstream courts which is tiresome for both the disputed parties and costly and time consuming the matters may pass on to the years without any final decision. In india the huge difference is existing in the economical situation of the poor and rich. The poor needs free and inexpensive way of justice the

⁵⁸ <http://somethingaboutlaws.blogspot.in/2013/02/lok-adalats-india.html>

mechanism of Lok Adalat provides the provisions for inexpensive and quick justice to the weaker section of the society. The mechanism of Lok Adalat is now gained a popularity and became one of the effective way of justice delivery mechanism in india .awareness campaigns has been used to increase the voluntary and participative mechanism in Lok Adalat.

Significance of Lok Adalats in Jammu:-

The Lok Adalat is playing a significant role in state of Jammu and Kashmir by settling huge number of cases relating to MACT, compensation land disputes matrimonial disputes and maintenance matters. Dispute at a pre-trial stage can refer to the Lok Adalat with the reference given by regular court for the settlement. J&K state has introduced the legal service authority act 1997 its main motive was to introduce the Lok Adalats to improve the legal system and provide justice o the weaker section of the society.lok Adalats get statutory recognition by the legal service authority act 1997 This act gives statutory recognition to the lok Adalats and the negotiation and settlements by the Lok Adalat. The concept has been taken from the system of panchayats which has roots in the history and culture of the state. The provisions of the Act is based on native concept are intended to increase the court system. The cases will be solved at no cost with minimum delay. The Ac has been introduce o reduce the heavy burden on the courts and not meant to replace the courts. Lok Adalats are playing an important role in solving the MACT cases and matrimonial cases. Lok Adalat institution is time saving and beneficial.

- **Organization of Lok Adalats:-** as per the regulation 8 of the J&K legal service authority act 1997 Lok Adalats may be organized on the holidays and the time and place will be decided by the State authority the HCLSC high court legal service committee the DA district authority, or the TLSC tehsil legal service committee.
- **Jurisdiction of Lok Adalats** :- in terms of regulation 9 Lok Adalats only have power to help the arriving parties on settlement and negotiation process it cannot issue any direction or order in respect of such dispute among the parties.
According to the code of criminal procedure, samvat 1989 matters related to criminal cases and divorce are not referred to the Lok Adalat.
- **Presence of lawyers in the proceedings :**
Appearance of lawyers on behalf of the disputed parties in the lok Adalats is not encouraged the personal presence of the disputed party is giving more importance so they

can personally speak their point of view regarding the dispute . the advocates are advised not wear heir robe in the proceedings of Lok Adalat. Lawyers should assist the disputants to understand the matter.

➤ **Legal awareness among the backward and illiterate section of the society:**

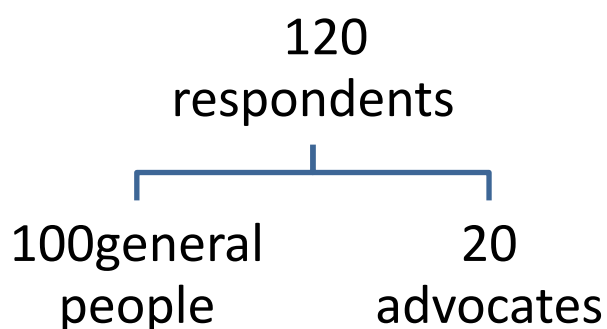
The important duty of the legal service authorities is to make legal services beneficial to the poor section of the society. The proper way to do so is to educating the peoples from introducing the various provisions of SLSA state legal service authority act . it is important to educate the deprived class of society and make them understand the benefits of the legal law and also aware them about the social welfare legislations as well as the Fundamental rights of the constitution and make them aware about the procedure of Lok Adalat the nature of dispute resolution in Lok Adalat and its benefits of cost free litigation time etc.. the backward section of the society needs regular assistance from SLSA, and the information provided by legal services and legal assistance, will be entirely free for them . they should make aware of the fact that through the lok Adalats they should be given justice as quick as possible without any delay.

CHAPTER 3
Data analysis and interpretation

A research methodology is a scientific plan for conducting research and solves the research problem. It is the process used to gather information and data for the purpose of research it can be understood as science of studying how research is done analytically. The methodology may include publication research, interviews, surveys and other research techniques, and could include both present and historical information. Methodology is most important part of any study the quality of research depends upon the suitability of the tools and the techniques⁵⁹. A research method describes the steps taken in solving the research problem. It includes the data collection, tool used for collecting data, validation of data gathered, explanation of data and the method of inference and simplification.

The present study aimed at studying the basic awareness of the Lok Adalat movement its importance and problems. Descriptive research method was used to understand the lok adalat mechanism . Descriptive research includes analysis and fact-finding enquiries of different type. The key function of descriptive research is description of the position of affairs as it be at current time.

The data has been gathered from the 120 respondents of Kishtwar district of Jammu via questionnaire.



⁵⁹ Retrieved from C.R . Kothari : research methodology, on 17-4-2017

VIEWS OF COMMON PEOPLES REGARDING LOK ADALATS

Qno.1:- Are you aware of an institution called Lok Adalat?

Table no. 1

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	22	28	20	30
Percentage%	22%	28%	20%	30%

Explanation : 22% of respondents strongly agreed and 28% agreed that the awareness of lok Adalats among the peoples of Jammu . 20% disagree on the awareness of lok adalas among people and 30 % are having a neutral view.

Q no. 2:- In your opinion does Lok Adalat have reduced the burden of regular courts?

Table no 1.1

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	23	42	13	22
Percentage%	23%	42%	13%	22%

Explanation:- majority of the respondents (23% strongly agreed 42% agreed)gives a positive respond regarding the role of Lok Adalats in reducing the burden on regular courts and 22% were neutral that Lok Adalat whether Lok Adalat has played a significant role on reducing the pendency of cases there Is still the huge amount of pendency of cases on regular courts.

Q no.3 Does Lok Adalat is economical system in judiciary?

Table no. 1.2

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	28	34	0	38
Percentage%	28%	34%	0	38%

Explanation:-

Respondents gives positive result about Lok Adalat being an economical system in judiciary 28% of respondents strongly agreed 34% agreed and 38% of the respondents are neutral.

Q no.4 Is the organization of Lok Adalat an effective step taken by the government of India?

Table no 1.3

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	35	40	0	25
Percentage%	35%	40%		25%

Explanation:- 35% respondents strongly agreed and 40% agreed regarding the organization of Lok Adalat as an important step taken by the Government Of India. As it was very much necessary to introduce such an institution to provide easy and cost free justice to the weaker section of the society.

Q no.5 Is the mode of Lok Adalat more easily accessible for dispute resolution than regular courts?

Table no. 1.4

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	32	35	11	22
Percentage%	32%	35%	11%	22%

Explanation:-

32% of the samplers strongly agreed and 35% of them agreed to the fact that institution of Lok Adalat is easily accessible for dispute resolution Lok Adalat Process are less formal than court redressal system. In regular courts the settlement process is started only after the finishing of all rules and regulations, Lok Adalat procedure is less official as well as based on shared cooperation with conclusiveness of result and there is no appeal against the decision of the Lok Adalat.

Q no. 6 Why do you prefer Lok Adalat over courts?

Table no 1.5

Number of respondents	More economical	Provide speedy justice	Don't prefer Lok Adalat over regular courts
100	27	53	20
Percentage%	27%	53%	20%

Explanation:-53% of the respondents gives more preference to the speedy justice for their preference to lok Adalats and 27% consider economy as the preference to lok Adalat . some of the respondents did no agree to give preference to lok Adalats over regular courts . this shows

that majority of respondents consider mechanism of speedy justice as the main reason for their preference to Lok Adalats.

Q no.7 On the justice delivery of Lok Adalats, what is in your opinion is the quality of justice?

Table no.1.6

Number of respondents	Proper attention is given	No proper attention is given	Justice is delivered but there is a compromise on quality
100	45	20	35
Percentage%	45%	20%	35%

Explanation:-when the question asked to the respondents on the justice of Lok Adalat out of 100 respondents 45% are proper attention is given 20% are no proper attention is given and the remaining 35% are saying justice is delivered but there is a compromise on equality so that we can say the maximum numbers of respondents are in favor of proper attention is given by Lok Adalat justice.

Qno.8 In case for any dispute resolution do you feel comfortable going to Lok Adalats?

Table no. 1.7

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	17	57	12	14
Percentage%	17%	57%	12%	14%

Explanation:- Due to speedy justice mechanism of lok Adalats majority of people (17% strongly agree and 57% agreed) to prefer reaching the lok Adalat instead of regular courts and 12% disagreed and 14% are neutral regarding the matter it might be due to the unawareness of lok Adalats in the region or of people don't know the benefits of lok Adalats.

Q no.9 In motor Accident Cases, does the quantum of compensation awarded adequate ?

Table no. 1.8

Number of respondents	Agree	Disagree	Don't know
100	35	26	39
Percentage%	35%	26%	39%

Explanation:- 26% of respondents are dissatisfied with the award given by Lok Adalat in motor accident cases they said that there is award given is insufficient for the recovering of damage in most of the cases. And 35% agreed to the award given by the lok Adalat is sufficient to meet the medical expenses and for recovering the damage. And 36% of the respondents don't know about it.

Q no.10 Does the women lawsuits and problems related to women should be given more value in Lok Adalats?

Table no 1.9

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	30	42	18	10
Percentage%	30%	42%	18%	10%

Explanation:-

Most of the respondents (30% strongly agreed and 42% agreed) provides positive respond about giving the women litigants and problems of women more importance in lok adalats

Q no.11 In matrimonial trials, is it good to have one woman lawyer or judge for the decree of the case?

Table no. 2

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	19	47	23	11
Percentage%	19%	47%	23%	11%

Explanation:-majority of respondents (19% strongly agreed, 47% agreed) to have at least one women judge or lawyer for the resolution of matrimonial dispute.

Qno.12 Does the organization of Lok Adalat is besieging by corruption?

Table no 2.1

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	12	38	8	42
Percentage%	12%	38%	8%	42%

Explanation:- 12% strongly agreed, 38% agreed regarding the existence of corruption in Lok Adalat and 42% were neutral. corruption is one of the biggest problem in every institute in india there is corrupt officials in every institution due to which there is always compromise and discrimination to the weaker section of the society.

Qno.13 A person accessing Lok Adalat is not given an option to choose a lawyers, do you notice this as a hindrance in Lok Adalat?

Table no.2.2

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	6	52	30	12
Percentage%	6%	52%	30%	12%

Explanation:- lawyers play an important role in strengthening the lok Adalat as the try to convince their clients to settle their dispute through lok Adalat . therefore in during the field study the majority of respondents (52%agree , 6% strongly agree)consider not providing he choice to choice lawyer as a setback. On the other side 30% of people did not find it any problem.

Qno.14 Why there is unawareness among people regarding the system of lok Adalats?

Table no.2.3

Number of respondents	Lack of education	Insufficient information from lawyers	Personal disinterest	Uncertainty of outcome & quality
100	61	9	20	10
Percentage%	61%	9%	20%	10%

Explanation:- majority of respondents 61% said that there is a lack of education regarding the lok Adalats . 20% response that people did not have any interest in legal matters and 10% responses

that there in compromise in decision . And only 9% said that insufficient knowledge has been provided from the lawyers.

Qno.15 Does the Lok Adalats held every month?

Table no. 2.4

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	35	26	16	23
Percentage%	35%	26%	16%	23%

Explanation:-majority of respondents (35% strongly agreed and 26% agreed) shows positive response towards the organization of lok Adalats lok Adalat. 16% respondents disagreed to the monthly sitting of lok Adalats and 23 % were of the neutral view.

Qno.16 In your opinion do you think Lok Adalats should be organized at Panchayat level?

Table no.2.5

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	20	42	21	17
Percentage%	20%	42%	21%	17%

Explanation:- the most of the respondents (20% strongly agree and 42% agree) are in favor of introducing the lok Adalats at grass root level. 21% disagreed and 17% are neutral.

Qno17 In your opinion do you think Lok Adalats should be held every day for resolution of disputes?

Table no.2.6

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	26	39	12	23
Percentage%	26%	39%	12%	23%

Explanation:-majority (26% strongly agreed, 39% agreed) of the respondents shows positive attitude regarding the organization of lok Adalats every day 12% disagreed and 23% are neutral.

Qno.18 Does the mechanism of Lok Adalat fulfill the principles of justice, equity and fair play?

Table no. 2.7

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	38	9	11	42
Percentage%	38%	9%	11%	42%

Explanation: from the above table we can say that 38% respondents shows positive attitude toward the Lok Adalat and 9% also agreed to its fulfillment of the standard while majority of people contains a neutral view regarding the mechanism of Lok Adalat fulfill the principles of justice, equality to the people while 11% said that it did not fulfill the principle.

Qno.19 Do the camps have been regularly organized by the State legal service authorities for promoting the awareness of Lok Adalats among people?

Table no. 2.8

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	8	34	27	31
Percentage%	8%	34%	27%	31%

Explanation:- Regarding the organizing of awareness camps by the J&K State Legal Service Authority the majority of people (8% strongly agreed and 34% agreed) opined that no regular camps have been introduce in order to spread the awareness among people. 27%of the respondents disagreed and 31% are having neutral view.

Qno.20 Do you prefer to approach legal service authority if you need assistance regarding the case?

Table no 2.9

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
100	28	44	10	18
Percentage%	28%	44%	10%	18%

Explanation:-

Majority of the respondents (28% strongly agree, 44% agree) shows positive result about concerning assistance of legal service authority regarding the case. Very few 10%did not agree to it and 18 % were neutral about it.

Responses of advocates regarding working of Lok Adalats

There is varied opinion of lawful experts on the matter. Most of them had a view that neither the legal expert in Jammu are willing to move towards ADRs in the place of Courts for quick resolution nor they are themselves keen of getting their cases settled through Lok Adalats. One cause for this is lack of insufficient knowledge or the unawareness of ADR system and other is earnings intention of legal experts. Unfortunately, advocates impart the insight all over India that long-lasting proceedings of issue is of more advantageous for financial profit than resolution of matter in one sitting before ADR specialists.

Q no. 1 Is the Lok Adalat mechanism a method to create a new legal culture properly justifies the idea of the rule of law, equality & social justice?

Table no. 1

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	8	6	2	4
Percentage %	40%	30%	10%	20%

Explanation :-

Above question observes the idea of Lok Adalat in the established legal structure. Most of respondents (40%strongly agreed , 30% agreed) were in favor of achievements of lok Adalats in fulfilling the ideas of the rule of law, equality & social justice. But few i.e. 20% of them have the opposite view that there is compromise in quality of justice and non- acceptable to the interest of the litigants.

Qno. 2 Do you agree that Lok Adalat procedure should be chosen to the correct the court mechanism?

Table no. 1.1

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	8	10	3	2
Percentage	40%	50%	15%	10%

Explanation

Majority of the respondents (40% strongly agreed and 50 % agreed) believe that Lok Adalat process should be preferred to the court redressal mechanism because of its growing popularity and fast settlement of disputes. Only 15% of respondents shows the negative attitude. and 2% are neutral.

Q NO. 3 Did you agree that the mechanism of Lok Adalat would help in decreasing the pendency of cases in regular courts?

Table no. 1.2

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	10	6	2	2
Percentage	50%	30%	10%	10%

Explanation:-

Most of the respondents (50% strongly agreed and 30% agreed) shows the positive response regarding the reduction of pendency of cases in numerous courts and lessen the workload of the judiciary

Q no.4 Do you think by using Lok Adalat process there would be early resolution of disputes?

Table no. 1.3

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	7	6	3	4
Percentage%	35%	30%	15%	25%

Explanation:-

Majority of the respondents (35% strongly agreed , 30% agreed) regarding the early settlement of disputes in Lok Adalat as it saves a lot of time and most importantly Lok Adalat can only give its decision when both the disputed parties are willing to accept the decision of Lok Adalat. Its process is less formal and there is no court fee to the litigants. 15% of the respondent said that sometimes there delay in decision making and 25% were having the neutral view due to early resolution here is compromise in decision

Q no.5 Do you think that Lok Adalat process would cut the costs for litigants and courts?

Table no. 1.4

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	6	9	0	5
Percentage%	30%	45%	0%	25%

Explanation:-

Advocates are of the view that the lok Adalat process would cut the expenses for litigants as well as courts because there is no court fees and due to the early settlement of dispute there is no extension or pendency of case and litigation which lessen the expenditure of courts towards infrastructure.

Q no.6 Did you agree that prevailing legal structure is adequate to promote Lok Adalat process?

Table no. 1.5

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	3	7	4	6
Percentage%	15%	35%	20%	30%

Explanation:- Above data (table no. 1.5) shows that there is a difference opinion regarding the proper legal framework for the promotion of Lok Adalat out of 20 respondents 15% strongly agreed and 35% agreed to the presence of proper legal framework for promotion of Lok Adalat whether 20% are of the view that there inadequate legal framework for promotion of Lok Adalat and 30% opined that there is legal framework for promotion but up to some extent.

Qno.7 Has any incentives being provided to you for promoting Lok Adalats?

Table no. 1.6

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	4	6	5	5
Percentage%	20%	30%	25%	25%

Explanation:- 50% of the respondents responses that incentives have been provided for the promotion of Lok Adalat whether others are of the view that no proper incentives have been provided due to the lack of infrastructure of the Lok Adalat it becomes hard to implement the process.

Qno.8 Do you feel the need of organizing regular Lok Adalats in Jammu?

Table no.1.7

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	6	5	4	5
Percentage%	30%	25%	20%	25%

Explanation:-30% of the respondents strongly agreed and 25% agreed to the need of regular organizing of Lok Adalats in Jammu region they opined that it should be better to organize lok Adalats regularly for lessen the burden of cases on regular courts and provide speedy justice to the peoples and 25% of them disagreed as they did not feel the need of organizing regular lok Adalats in Jammu And 25% of the samplers have the neutral view regarding the regular organizing of Lok Adalats.

Qno.9 In your opinion does the process of Lok Adalat process is more satisfactory & pleasing to the litigants than the customary court mechanism?

Table no. 1.8

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	5	8	0	7
Percentage	25%	40%	0%	35%

Explanation:-Majority (25% strongly agreed, 40% agreed) of the respondents agreed that Lok Adalat process would be more acceptable & satisfying to the litigants than the usual court mechanism. Because of the quick decision on the matter through lok Adalats. There is a mutual consent of parties on the decision made by Lok Adalat. And 35% of respondents are of the

neutral view because the compromise made by the Lok Adalats may be unacceptable to the peoples.

Qno.10 Does the cases taken by the Lok Adalats gets successfully resolved?

Table no. 1.9

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	10	14	4	2
Percentage%	50%	30%	20%	10%

Explanation:-

majority (50% strongly agreed , 14% agreed) of the samplers opined that most of the cases gets successfully resolved through the Lok Adalats in one sitting with the mutual consent of litigants and 20% said that sometimes there is a delay in resolution due to the poor infrastructure and less manpower of Lok Adalat. 10% are having neutral view.

Qno.11 Whether advocates of Jammu courts are themselves desirous of getting their cases settled in Lok Adalat?

Table no. 2

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	6	8	3	3
Percentage%	30%	40%	15%	15%

Explanation:-

Majority (30% strongly agreed, 40% agreed) of the respondents are of the view that advocates themselves want to solve their cases in Lok Adalats due to its quicker method of providing judgments without any delay in settlement. Because they are well aware of the case pendency situation of regular courts and continuous litigations.15% disagreed and 15% are neutral.

Qno.12. Whether J&K Legal Service Authority is doing its best in organizing Lok Adalat in Jammu?

Table no 2.1

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	4	5	3	8
Percentage%	20%	25%	15%	40%

Explanation:-

Above table clearly mentions (20% strongly agreed , 25% agreed and 15% disagreed and 40 % are neutral) that J&K legal service authority is not doing its best effort in organizing lok Adalats whether it provides the incentives for the organizing of lok Adalats but the implementation process is poor. J&K legal service authority should take more incentives in organizing the Lok Adalats in Jammu and fulfill the principle of justice, equality And fair play

Qno. 13 Whether legal professional in Jammu are moving towards ADR's instead of courts for quick settlement?

Table no.2.2

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	2	4	8	6
Percentage%	10%	20%	40%	30%

Explanation:-Above table shows the majority of legal professional in Jammu (40% disagreed) are not moving towards ADR's instead of regular courts because they are of the perception that solving cases through regular courts are more long lasting which is beneficial for their financial profit instead of resolving dispute one sitting through ADR's.

Qno. 14 Does the scheme of legal aid correcting contortions of judiciary, by building the right approach in the legal work forces & by assisting the weaker sections of society?

Table no. 2.3

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	8	4	2	6
Percentage %	40%	20%	10%	30%

Explanation:- Above question discovered that a large number (40%strongly agreed, 20%agreed) of the respondents were of the opinion that it is not only legal aid that can help restore the downward trend in the present judicial system. Majority of the respondents suggested that it is a combined approach that would assist in bringing the structure up to the mark. Lok Adalat should not only work as an alternative to reduce the pendency of cases on regular courts but to benefit the society from its easy approachable and quick decision making process on its own. 10% disagreed and 30% neutral.

Qno.15 In your opinion do you think Lok Adalats should be organized at Panchayat level?

Table no. 2.4

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	6	8	3	3
Percentage%	30%	40%	15%	15%

Explanation:-

Majority (30% strongly agreed, 40% agreed) of samplers shares the opinion of organizing the Lok Adalats a Panchayati level because it helps in improving the principle of decentralization of

power at grass root level and will be able to provide door step justice to every needy person rapidly 3% of respondents did not favor the idea of organizing the lok Adalats at Panchayati level..

Qno.16 Do you think the growing status of the Lok Adalat system can be seen as replacement of the regular court system?

Table no. 2.5

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	0	6	10	4
Percentage%	0%	30%	50%	20%

Explanation:- Majority of the respondents 10% disagreed opposes the fact of replacement of the regular court system with Lok Adalats they consider Lok Adalat just as an alternative mean to reduce the work load of regular courts. Some minority of respondents 6% feels that Lok Adalat may replace the regular courts and 4% are neutral.

Qno. 17 Why are people unaware of the Lok Adalat system & its functioning?

Tale no. 2.6

Number of respondents	Personal disinterest	Lack of education	Insufficient information from lawyers	Uncertainty of outcome & quality
20	12	6	0	20
Percentage%	60%	30%	0%	10%

Explanation:- 60% of the respondents said that the unawareness of Lok Adalat system is due to the personal disinterest of the peoples and 30% is lack of education with regard to Legal Aid and Lok Adalats .the legal service authority should hake more initiatives to spread the education of Lok Adalats in maintain peace in the society and take steps to attract the peoples interest towards

the awareness of Lok Adalats. 10% said that there is an compromise in decision making due to which people shows less interest in lok Adalats.

Qno.18 Does women lawsuits and problems related to women should be given more value in Lok Adalats?

Table no 2.7

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	8	9	2	1
Percentage%	40%	45%	10%	5%

Explanation:-

There is quite a positive 40% strongly agreed, 45% agreed result of the above question about providing importance to women problems in Lok Adalats due to the increasing crimes against women in society and the poor justice mechanism of regular courts which always delay in providing justice women litigants should be given more importance in Lok Adalats.

Qno. 19 In matrimonial trials, is it good to have one woman lawyer or judge for the decree of the case?

Table no. 2.8

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	6	6	5	3
	30%	30%	25%	15%

Explanation:-

Although several people responded positively representing that the presence of a female judge

along other judges would be good solution in matrimonial disputes, 25% of the respondents feel that it did not make any difference in providing justice 15% have a neutral view.

Qno.20 Is the Lok Adalat successfully helped in providing speedy justice to the poor?

Table no. 2.9

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	7	6	4	3
Percentage%	35%	30%	20%	15%

Explanation:-

Majority of respondents (35% strongly agreed , 30% agreed)believes that Lok Adalat is being successful in providing justice to the poor. Though there is no court fee or the lawyer fee it became easy to reach the settlement for poor and meets the justice which he cannot possess easily though the regular courts. 4% respondents said that due to only one sitting in month there is thousands of cases in front of lok Adalat which sometimes became the delay of justice to the poor.

Qno. 21 Does the government provides the financial assistance to Lok Adalats frequently?

Table no. 3

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	3	2	10	5
Percentage%	15%	10%	50%	25%

Explanation:-

Majority of respondents 50% disagreed said that no regular assistance have been given to them for organizing Lok Adalats .

Q no.22 Does the Para-legal volunteers playing an effective role in bridging the gap between common people and law?

Table no 3.1

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	0	13	3	4
Percentage%	0	65%	15%	20%

Explanation:-

Para- legal volunteers playing an important role in educating the people and making them aware of their rights and guide them to understand the nature of their disputes and possible solution to quickly resolve their disputes. The 65% of the respondents opined that Para -legal volunteers are playing their role properly in educating people and few of the samplers said that there is a lack in responsibility because of lack in training of volunteers.

Q no.23 Does the assistance regarding the case has been provided to litigants?

Table no. 3.2

Number of respondents	Strongly Agree	Agree	Disagree	Neutral
20	9	7	1	3
Percentage%	45%	35%	5%	15%

Explanation:-

The most of the respondents (45% strongly agreed , 35% agreed) about providing the assistance to litigants regarding the nature of their case and assist them fully in reaching the door to justice.

CHAPTER 4
HYPOTHESES TESING

Hypotheses of questionnaire 1 views of common people

Hypotheses 1:- The lok Adalat are proven as an effective dispute resolution method.

Hypotheses testing:-

Table no.1.1:- majority of the respondents (23% strongly agreed 42% agreed)gives a positive respond regarding the role of Lok Adalats in reducing the burden on regular courts and 22% were neutral that lok Adalat whether lok adalat has played a significant role on reducing the pendency of cases there Is still the huge amount of pendency of cases on regular courts.

Table no. 1.4:- 32% of the samplers strongly agreed and 35% of them agreed to the fact that institution of Lok Adalat is easily accessible for dispute resolution Lok Adalat Process are less formal than court redressal system. In regular courts the settlement process is started only after the finishing of all rules and regulations, Lok Adalat procedure is less official as well as based on shared cooperation with conclusiveness of result and there is no appeal against the decision of the Lok Adalat.

Table no. 1.5:- 53% of the respondents gives more preference to the speedy justice for their preference to lok Adalats and 27% consider economy as the preference to lok Adalat . some of the respondents did no agree to give preference to lok Adalats over regular courts . this shows that majority of respondents consider mechanism of speedy justice as the main reason for their preference to Lok Adalats.

Table no. 1.6:- when the question asked to the respondents on the justice of Lok Adalat out of 100 respondents 45 are proper attention is given 20% are no proper attention is given and the remaining 35% are saying justice is delivered but there is a compromise on equality so that we can say the maximum numbers of respondents are in favor of proper attention is given by Lok Adalat justice.

Table no. 1.7:- Due to speedy justice mechanism of lok Adalats majority of people (17% srongly agree and 57% agreed) to prefer reaching the lok Adalat instead of regular courts and

12% disagreed and 14% are neutral regarding the matter it might be due to the unawareness of lok Adalats in the region or of people don't know the benefits of lok Adalats.

Table no2.7:- 38% respondents shows positive attitude toward the Lok Adalat and 9% also agreed to its fulfillment of the standard while majority of people contains a neutral view regarding the mechanism of Lok Adalat fulfill the principles of justice, equality to the people while 11% said that it did not fulfill the principle.

CONCLUSION:- From the above tables we can conclude that majority of respondents are in favor of lok Adalat as an effective dispute resolution method hence the hypotheses is proved.

HYPOHESES 2 :- The state government are Taking initiatives in spreading legal awareness among people.

Hypotheses Testing:-

Table no. 1.3:- 35% respondents strongly agreed and 40% agreed regarding the organization of Lok Adalat as an important step taken by the Government Of India. As it was very much necessary to introduce such an institution to provide easy and cost free justice to the weaker section of the society

Table no 2.8:- Regarding the organizing of awareness camps by the J&K State Legal Service Authority the majority of people (8% strongly agreed and 34% agreed) opined that no regular camps have been introduce in order to spread the awareness among people. 27%of the respondents disagreed and 31% are having neutral view.

CONCLUSION: majority of respondents disagreed regarding government taking initiative to spread awareness hence hypotheses disproved.

HYPOTHESES 3:- People of jammu are legally aware about the functioning of judicial system.

Hypotheses Testing:-

Table no. 1:- 22% of respondents strongly agreed and 28% agreed that the awareness of lok Adalats among the peoples of Jammu . 20% disagree on the awareness of lok adalas among people and 30 % are having a neutral view.

Table no. 1.5:- 53% of the respondents gives more preference to the speedy justice for their preference to lok Adalats and 27% consider economy as the preference to lok Adalat . some of the respondents did not agree to give preference to lok Adalats over regular courts . this shows that majority of respondents consider mechanism of speedy justice as the main reason for their preference to Lok Adalats.

Table no 1.6:- when the question asked to the respondents on the justice of Lok Adalat out of 100 respondents 45% are proper attention is given 20% are no proper attention is given and the remaining 35% are saying justice is delivered but there is a compromise on equality so that we can say the maximum numbers of respondents are in favor of proper attention is given by Lok Adalat justice.

Table no. 1.7:- Due to speedy justice mechanism of lok Adalats majority of people (17% strongly agree and 57% agreed) to prefer reaching the lok Adalat instead of regular courts and 12% disagreed and 14% are neutral regarding the matter it might be due to the unawareness of lok Adalats in the region or of people don't know the benefits of lok Adalats

Table no. 2.3 majority of respondents 61% said that there is a lack of education regarding the lok Adalats . 20% response that people did not have any interest in legal matters and 10% responses that there in compromise in decision . and only 9% said that insufficient knowledge has been provided from the lawyers.

Table no 2.6:- majority (26% strongly agreed, 39% agreed) of the respondents shows positive attitude regarding the organization of lok Adalats every day 12% disagreed and 23% are neutral.

Table no 2.9:- Majority of the respondents (28% strongly agree, 44% agree) shows positive result about concerning assistance of legal service authority regarding the case. Very few 10% did not agree to it and 18 % were neutral about it.

Conclusion:- majority of the people of jammu gives more preference to the lok Adalat for dispute resolution but still the smaller section of society is unaware of the institution hence the hypotheses is proved

Hypotheses of questionnaire 2 views of advocated:

HYPOTHESES 1:- The lok Adalat are proven as an effective dispute resolution method

Hypotheses Testing:-

Table no. 1:- About the idea of Lok Adalat in the established legal structure. Most of respondents (40%strongly agreed, 30% agreed) were in favor of achievements of Lok Adalats in fulfilling the ideas of the rule of law, equality & social justice. But few i.e. 20% of them have the opposite view that there is compromise in quality of justice and non- acceptable to the interest of the litigants.

Table no. 1.2:- Most of the respondents (50% strongly agreed and 30% agreed) shows the positive response regarding the reduction of pendency of cases in numerous courts and lessen the workload of the judiciary

Table no. 1.3:- Majority of the respondents (35% strongly agreed , 30% agreed) regarding the early settlement of disputes in Lok Adalat as it saves a lot of time and most importantly Lok Adalat can only give its decision when both the disputed parties are willing to accept the decision of Lok Adalat. Its process is less formal and there is no court fee to the litigants . 15% of the respondent said that sometimes there delay in decision making and 25% were having the neutral view due to early resolution here is compromise in decision

Table no. 1.4:- Advocates are of the view that the lok Adalat process would cut the expenses for litigants as well as courts because there is no court fees and due to the early settlement of dispute there is no extension or pendency of case and litigation which lessen the expenditure of courts towards infrastructure.

Table no. 1.9:- majority (50% strongly agreed , 14% agreed) of the samplers opined that most of the cases gets successfully resolved through the Lok Adalats in one sitting with the mutual consent of litigants and 20% said that sometimes there is a delay in resolution due to the poor infrastructure and less manpower of Lok Adalat. 10% are having neutral view

Table no. 2.5:- Majority of the respondents 10% disagreed opposes the fact of replacement of the regular court system with Lok Adalats they consider Lok Adalat just as an alternative mean to reduce the work load of regular courts. Some minority of respondents 6% feels that Lok Adalat may replace the regular courts and 4% are neutral.

Table no.2.9:- Majority of respondents (35% strongly agreed , 30% agreed)believes that Lok Adalat is being successful in providing justice to the poor. Though there is no court fee or the lawyer fee it became easy to reach the settlement for poor and meets the justice which he cannot possess easily though the regular courts. 4% respondents said that due to only one sitting in month there is thousands of cases in front of lok Adalat which sometimes became the delay of justice to the poor.

CONCLUSION:- Majority of the respondents shows positive attitude towards the institution of lok Adalat as an effective mode of dispute resolution hence the hypotheses is proved.

HYPOTHESES 2:- The state government are taking initiatives in spreading legal awareness among people .

Hypotheses Testing:-

Table no. 1.5:- there is a difference opinion regarding the proper legal framework for the promotion of Lok Adalat out of 20 respondents 15% strongly agreed and 35% agreed to the presence of proper legal framework for promotion of Lok Adalat whether 20% are of the view that there inadequate legal framework for promotion of Lok Adalat and 30% opined that there is legal framework for promotion but up to some extent.

Table no.1.6:- 50% of the respondents responses that incentives have been provided for the promotion of Lok Adalat whether others are of the view that no proper incentives have been

provided due to the lack of infrastructure of the Lok Adalat it becomes hard to implement the process

Table no.1.7:- 30% of the respondents strongly agreed and 25% agreed to the need of regular organizing of Lok Adalats in Jammu region they opined that it should be better to organize lok Adalats regularly for lessen the burden of cases on regular courts and provide speedy justice to the peoples and 25% of them disagreed as they did not feel the need of organizing regular lok Adalats in Jammu And 25% of the samplers have the neutral view regarding the regular organizing of Lok Adalats

Table no.2.1 :- Above table clearly mentions (20% strongly agreed , 25% agreed and 15% disagreed and 40 % are neutral) that J&K legal service authority is not doing its best effort in organizing lok Adalats whether it provides the incentives for the organizing of lok Adalats but the implementation process is poor. J&K legal service authority should take more incentives in organizing the Lok Adalats in Jammu and fulfill the principle of justice, equality And fair play

Table no. 3 Majority of respondents 50% disagreed said that no regular assistance have been given to them for organizing Lok Adalats.

Table no3.1 Para- legal volunteers playing an important role in educating the people and making them aware of their rights and guide them to understand the nature of their disputes and possible solution to quickly resolve their disputes. The 65% of the respondents opined that Para -legal volunteers are playing their role properly in educating people and few of the samplers said that there is a lack in responsibility because of lack in training of volunteers

Table.no3.2 The most of the respondents (45% strongly agreed , 35% agreed) about providing the assistance to litigants regarding the nature of their case and assist them fully in reaching the door to justice.

CONCLUSION:- Majority of the respondents shows positive attitude towards the government taking initiatives in spreading legal awareness among people hence hypotheses proved.

HYPOTHESES 3 :- The lok adalats in jammu are playing a significant role as an alternative dispute mechanism.

HYPOTHESES TESTING:-

Table no 1.1:- Majority of the respondents (40% strongly agreed and 50 % agreed) believe that Lok Adalat process should be preferred to the court redressal mechanism because of its growing popularity and fast settlement of disputes. Only 15% of respondents shows the negative attitude

Table no 1.8 Majority (25% strongly agreed , 40% agreed)of the respondents agreed that Lok Adalat process would be more acceptable & satisfying to the litigants than the usual court mechanism. Because of the quick decision on the matter through lok Adalats . there is a mutual consent of parties on the decision made by Lok Adalat . and 35% of respondents are of the neutral view because the compromise made by the Lok Adalats may be unacceptable to the peoples.

Table no. 2.3:- Above question discovered that a large number (40%strongly agreed, 20%agreed) of the respondents were of the opinion that it is not only legal aid that can help restore the downward trend in the present judicial system. Majority of the respondents suggested that it is a combined approach that would assist in bringing the structure up to the mark. Lok Adalat should not only work as an alternative to reduce the pendency of cases on regular courts but to benefit the society from its easy approachable and quick decision making process on its own. 10% disagreed and 30% neutral.

CONCLUSION :- majority of the respondents gives positive respond thus the hypotheses is proved.

Hypotheses 4: J&K legal service authority is moving towards Lok Adalats for quick dispute resolution

Hypotheses Testing:-

Table no. 2 (30% strongly agreed, 40% agreed) of the respondents are of the view that advocates themselves want to solve their cases in Lok Adalats due to its quicker method of providing judgments without any delay in settlement. Because they are well aware of the case pendency situation of regular courts and continuous litigations. 15% disagreed and 15% are neutral.

Table no. Above table clearly mentions (20% strongly agreed , 25% agreed and 15% disagreed and 40 % are neutral) that J&K legal service authority is not doing its best effort in organizing lok Adalats whether it provides the incentives for the organizing of lok Adalats but the implementation process is poor. J&K legal service authority should take more incentives in organizing the Lok Adalats in Jammu and fulfill the principle of justice, equality And fair play

Table no. 2..2:- the majority of samplers said that legal professional in Jammu (40% disagreed) are not moving towards ADR's instead of regular courts because they are of the perception that solving cases through regular courts are more long lasting which is beneficial for their financial profit instead of resolving dispute one sitting through ADR's

Table no. 3.1 Para- legal volunteers playing an important role in educating the people and making them aware of their rights and guide them to understand the nature of their disputes and possible solution to quickly resolve their disputes. The 65% of the respondents opined that Para - legal volunteers are playing their role properly in educating people and few of the samplers said that there is a lack in responsibility because of lack in training of volunteers.

CONCLUSION:- majority of respondents shows negative response toward the J&K legal service authority's efforts for implementing Lok Adalats for quick dispute resolution hence the hypotheses disproved.

CHAPTER 5
CONCLUSION AND SUGGESTIONS

KEY OBSERVATION:-

- The people of Jammu are aware who are somehow related to the mechanism of legal institution or who have solved their cases through lok Adalats are aware of an institution of Lok Adalats but the illiterate and those who are from the other fields are unaware of an institution of Lok Adalat.
- The procedure adopted by Lok Adalats in India and particularly in state of Jammu and Kashmir is envisaged under the Jammu and Kashmir legal service authority act 1997 (Act No. XXXIII of 1997).
- The legal experts are providing assistance to the litigants regarding the case the nature of their cases and assist them to file an application to register their case for resolution in lok Adalat sitting .
- The scheme of Para- legal volunteers inaugurated by National Legal Service Authority in the year of 2009 are playing an important role in educating the people and making them aware of their rights and guide them to understand the nature of their disputes and provide them possible solution to quickly resolve their disputes.
- The legal experts did not give preference to lok Adalat over regular court because of their mind set of earning money they consider the pendency of litigation as the means for their financial benefit.
- Respondents is also in the favor of settling the women problems in the lok adalat
- The lack of infrastructure and the less man power if the main reason behind the pendency of cases in lok Adalat.
- The State Legal Service Authority is not giving its best effort in organizing the lok Adalats in the region.
- It is also observed during the field study that there is sometimes a compromise in the decision of lok Adalats.
- There is a lack of education regarding the lok Adalats it is one of the key reason of unawareness of lok Adalat mechanism.
- People prefer lok Adalats because of its speedy justice nature because no one wants to pass on their cases from years to years without any benefit
- It is also observed that the institution of lok Adalats is up to some extent is besieged by the corruption.

RECOMMENDATIONS:

- Lawyers should be provided a reward for their assistance in lok Adalat so that they can give their best in making the Lok Adalat mechanism successful
- The government should take initiative to improve the infrastructure of the lok Adalats and increase the number of judges for the quicker dispute resolution. because the establishment of Lok Adalats come under the State's responsibility granting the significant amount of financial assistance in the annual budget of the State is the primary responsibility of state . Infrastructure is essential for Lok Adalats. . The Legal services Authorities Act, 1987 articulate that the sources for funds are largely grants from the centre and state.
- The cases that go to a Lok Adalat are genuine disputes between parties. There should be no compromise in the outcome of the case. Sometimes the speed in negotiation would beat the purposes basic concept of the judiciary and its functioning. He cases should not be only taken to increase the success rate of the state but to benefit the weaker section of the society with making any compromise in the quality of justice
- The national legal service authority should introduce more volunteer programs and encourage Volunteer associations, NGOs and social action groups to involve in the proceedings of Lok Adalat and provide their help in spreading awareness camps. And also encourage them for their active participation.
- State legal service committee should make efforts to make the Lok Adalat process popular among the litigants and common people at large through audio-visual media. seminars, workshops, symposiums etc and the pamphlets should be circulate in the courts containing information and importance regarding Lok Adalats,
- Subjects regarding the basic legal studies should be added in the syllabus of students of all streams to make them updated with their rights and legal system.
- Government should provide proper incentives for the Proper training of the legal student and the advocated so that they can give their best in their field and provide justice to every needy person.

CHAPTER 6
BIBLIOGRAPHY & INTERNET SOURCES

Bibliography:

- Anand.A.S, Justice (2013), “The constitution of Jammu and Kashmir” 7th edition.
- Basu Durga Das, (2012) “constitution of India”, 21st edition, lexis nexis publication.
- Bhargava Prabha, (2006) “Lok Adalat Justice at door step”, INA Shree Publishers
- Estelle Hurter, (2011), Access to justice: to dream to impossible dream.
- Gupta Oyshee, Arora Suhaas, (2015) Lok Adalats, Academika, lawoctopus, law journal.
- Government of Jammu and Kashmir. “Scheme for Para legal volunteers”2015.
- J&K High Court Legal Service Committee (2010) “Door to Justice”.
- J&K general knowledge, (2014). Vishal international, bharat offset workers new Delhi.
- Jammu & Kashmir State Legal Services Authority (2011)“ Endeavour” newsletter of J&KLSA.
- Khan Ahmed Sarfaraz,(2006) “the Lok Adalats: an alternative dispute resolution mechanism”
- Kaur Gagandeep, (2014) “Lok Adalat an effective and speedy justice system”.
- Laxmikant. M, (2014). Indian polity, Tata Mc GrawHill education.
- Moog. Robert. S (2012). “Conflicts and Compromise the Politics of Lok Adalat in Varanasi District”, law and society review vol. 25 / jstor.com.
- National legal service authority. 2013 “access to justice. information booklet”
- Sinha Kumar, Manoj, (2008). “In the Name of Efficiency: The Role of Permanent Lok Adalats in the Indian Justice System and Power Infrastructure” GLOBAL GOVERNANCE, DEVELOPMENT AND HUMAN RIGHTS.

INTERNET SOURCES

- <http://ncert.nic.in/NCERTS/l/keps206.pdf>
- <https://india.gov.in/my-government/constitution-india>
- http://cbseacademic.in/web_material/doc/Legal_Studies/XI_U3_Legal_Studies.pdf
- <http://www.legalindia.com/evolution-short-history-of-indian-legal-theory>
- <http://www.barcouncilofindia.org/about/about-the-legal-profession/legal-education-in-the-united-kingdom/>
- http://shodhganga.inflibnet.ac.in/judicial_system_in_Mughals_india_.pdf
- http://shodhganga.inflibnet.ac.in/bitstream/10603/44117/8/08_chapter%202.pdf
- https://socialissuesindia.files.wordpress.com/2012/03/judicial_accountability_in_india.pdf
- <http://jkhighcourt.nic.in/legaid.html>
- <http://acts.gov.in/JK/2234.pdf>
- [http://bharatilawreview.com/uploads/3\) Marwaha_29-41.pdf](http://bharatilawreview.com/uploads/3) Marwaha_29-41.pdf)
- https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2558442
- <http://www.gktoday.in/lok-adalat/>
- http://www.legalserviceindia.com/articles/lok_a.htm
- <http://www.thehindu.com/thehindu/op/2001/12/18/stories/2001121800060100.htm>
- <http://worldwidejournals.in/ojs/index.php/pijr/article/view/11180/11282>
- <http://www.jklaw.nic.in/ACT-RULE-REGALATION-434-C.pdf>
- <http://ecourts.gov.in/mau/national-lok-adalat>
- http://apslsa.ap.nic.in/permanent_lok_adalats.html
- <http://nalsa.gov.in/content/permanent-lok-adalat>
- http://www.allahabadhighcourt.in/event/TheIndianJudicialSystem_SSDhavan.pdf
- http://www.jhalsa.org/justice_on_wheels
- <http://lawmin.nic.in/1987/LegalService>
- https://books.google.co.in/books/legal_service_authority_act1987

- <http://kelsa.gov.in/lokadalat.htm>
- <http://www.indiatogether.org/adalat-human-rights>
- <http://www.legalserviceindia.com/article/1361-Legal-Aid-Movement.html>
- <https://www.linkedin.com/>
- <http://www.supremecourtcases.com>
- <http://www.transparency.org/topic/detail/judiciary>
- <http://www.outlookindia.com/magazine/story/corruption-is-rampant-in-the-lower-courts>
- <http://www.ngo-marg.org/legal-assistance>
- <http://indiai.org/judiciary-and-legal-awareness>
- [. http://pib.nic.in](http://pib.nic.in)
- <http://SSRN.nic.in>

Appendix

Questionnaire 1 for Advocates

Personal information

Name.....

Gender Age

Occupation.....

Date

1. Is the Lok Adalat mechanism a method to create a new legal culture properly justify the idea of the rule of law, equality & social justice?

- Strongly Agree Agree Disagree neutral

2. Do you agree that Lok Adalat procedure should be chosen to the correct the court mechanism?

- Strongly Agree Agree Disagree neutral

3. Did you agree that the mechanism of Lok Adalat would help in decreasing the pendency of cases in regular courts?

- Strongly Agree Agree Disagree neutral

4. Do you think by using Lok Adalat process there would be early resolution of disputes?

- Strongly Agree Agree Disagree neutral

5. Do you think that Lok Adalat process would cut the costs for litigants and courts?

- Strongly Agree Agree Disagree neutral

6. Did you agree that prevailing legal structure is adequate to promote Lok Adalat process?

- Strongly Agree Agree Disagree neutral

7. Has any incentives being provided to you for promoting Lok Adalats?

- Strongly Agree Agree Disagree neutral

8. Do you feel the need of organizing regular Lok Adalats in Jammu?

- Strongly Agree Agree Disagree neutral

9. In your opinion does the process of Lok Adalat process is more satisfactory & pleasing to the litigants than the customary court mechanism?

- Strongly Agree Agree Disagree neutral

10. Does the cases taken by the Lok Adalats gets successfully resolved?

- Strongly Agree Agree Disagree Neutral

11. Whether advocates of Jammu courts are themselves desirous of getting their cases settled in Lok Adalat?

- Strongly Agree Agree Disagree Neutral

12. Whether J&K Legal Service Authority is doing its best in organizing Lok Adalat in Jammu?

- Strongly Agree Agree Disagree Neutral

13. Whether legal professional in Jammu are moving towards ADR's instead of courts for quick settlement?

- Strongly Agree Agree Disagree Neutral

14. Does the mechanism of Lok Adalat fulfill the principles of justice, equity And fair play?

- Strongly Agree Agree Disagree Neutral

15. Does the scheme of legal aid correcting contortions of judiciary, by building the right approach in the legal work forces & by assisting the weaker sections of society?

- Strongly Agree Agree Disagree Neutral

16. In your opinion do you think Lok Adalats should be organized at Panchayat level?

- Strongly Agree Agree Disagree Neutral

17. Do you think the growing status of the Lok Adalat system can be seen as replacement of the regular court system?

- Strongly Agree Agree Disagree Neutral

18. Why are people unaware of the Lok Adalat system & its functioning?

- Personal disinterest
- Lack of education
- Insufficient information from lawyers
- Uncertainty of outcome & quality

19. Does the women lawsuits and problems related to women should be given more value in Lok Adalats?

- Strongly Agree Agree Disagree Neutral

20. In matrimonial trials, is it good to have one woman lawyer or judge for the decree of the case?

- Strongly Agree Agree Disagree neutral

21. Does the government provide the financial assistance to Lok Adalats frequently?

- Strongly Agree Agree Disagree neutral

22. Does the Para-legal volunteers playing an effective role in bridging the gap between common people and law?

- Strongly Agree Agree Disagree neutral

23. Does the assistance regarding the case has been provided to litigants ?

- Strongly Agree Agree Disagree neutral

Questionnaire 2: common people

Personal information

Name.....

Gender Age

Occupation.....

Date

1. Are you aware of an institution called Lok Adalat?
 - Strongly Agree Agree Disagree neutral
2. In your opinion does Lok Adalat have reduced the burden of regular courts?
 - Strongly Agree Agree Disagree neutral
3. Does Lok Adalat is economical system in judiciary?
 - Strongly Agree Agree Disagree neutral
4. Is the organization of Lok Adalat an effective step taken by the government of India?
 - Strongly Agree Agree Disagree neutral
5. Is the mode of Lok Adalat more easily accessible for dispute resolution than regular courts
 - Strongly Agree Agree Disagree neutral
6. Why do you prefer Lok Adalat over courts ,
 - More economical
 - Provide speedy justice
 - Don't prefer Lok Adalat over regular courts
7. On the justice delivery of Lok Adalats, what is in your opinion is the quality of justice?
 - Proper attention is given
 - No proper attention is given
 - Justice is delivered but there is a compromise on quality
8. In case for any dispute resolution do you feel comfortable going to Lok Adalats
 - Strongly Agree Agree Disagree neutral
9. In motor Accident Cases, does the quantum of compensation awarded adequate?
 - Agree Disagree Don't know

10. Does the women lawsuits and problems related to women should be given more value in Lok Adalats?
- Strongly Agree Agree Disagree neutral
11. In matrimonial trials, is it good to have one woman lawyer or judge for the decree of the case?
- Strongly Agree Agree Disagree neutral
12. Does the organization of Lok Adalat is besieging by corruption?
- Strongly Agree Agree Disagree neutral
13. A person accessing Lok Adalat is not given an option to choose a lawyers, do you notice this as a hinder in lok Adalat ?
- Strongly Agree Agree Disagree neutral
14. Why there is unawareness among people regarding the system of lok Adalats?
- Lack of education
 - Insufficient information from lawyers
 - Personal disinterest
 - Uncertainty of outcome & quality
15. Does the Lok Adalats held every month?
- Strongly Agree Agree Disagree neutral
16. In your opinion do you think Lok Adalats should be organized at Panchayat level?
- Strongly Agree Agree Disagree neutral
17. In your opinion do you think Lok Adalats should be held every day for resolution of disputes?
- Strongly Agree Agree Disagree neutral
18. Does the mechanism of Lok Adalat fulfill the principles of justice, equity and fair play?
- Strongly Agree Agree Disagree neutral
19. Do the camps have been regularly organized by the State legal service authorities for promoting the awareness of Lok Adalats among people?
- Strongly Agree Agree Disagree neutral
20. Do you prefer to approach legal service authority if you need assistance regarding the case?
- Strongly Agree Agree Disagree neutral

