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# Lok Adalat and Access to Justice: A Study of Grassroots Dispute Resolution in India

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#### **ABSTRACT**

Access to justice is a fundamental human right and a cornerstone of the Indian Constitution. However, the traditional court system in India suffers from enormous case backlogs, high litigation costs, and prolonged delays. To address these issues and ensure justice for all, particularly marginalized and rural populations, the institution of Lok Adalats was introduced as an integral component of the alternative dispute resolution (ADR) system. Established under the Legal Services Authorities Act, 1987, Lok Adalats provide a mechanism for amicable settlement of disputes through compromise, mediation, and conciliation. This research paper critically examines the role of Lok Adalats in promoting access to justice at the grassroots level in India. It evaluates their legal framework, functioning, effectiveness in reducing pendency, contribution to social justice, as well as the challenges they face, including questions of enforceability, fairness, and scope. By analyzing case laws, statutory provisions, and empirical data, the paper highlights how Lok Adalats have emerged as a vital tool for democratizing justice delivery. Finally, it offers suggestions for strengthening the institution in the era of digital justice.

# Introduction

The Indian judicial system, often described as one of the largest in the world, faces a paradox: while it is constitutionally mandated to provide justice to all citizens, it struggles under the weight of massive pendency and procedural delays. As of 2024, more than 5 crore cases are pending across Indian courts, a statistic that underscores the urgent need for alternative mechanisms to provide speedy and effective justice.



In this context, Lok Adalats (People's Courts) represent an innovative experiment in participatory justice. Rooted in Indian traditions of dispute resolution through community consensus, Lok Adalats institutionalize a mechanism where disputes are settled amicably, outside the rigid formalism of the court system. They are not only a legal innovation but also a socio-legal movement aimed at bridging the gap between law and justice.

The constitutional promise of "access to justice for all" under Articles 14 and 39A of the Constitution of India finds its true reflection in Lok Adalats. The Legal Services Authorities Act, 1987 provides the statutory framework for their functioning, empowering them to resolve both pending cases and prelitigation disputes. Unlike courts, Lok Adalats focus on compromise and mutual settlement rather than adversarial adjudication.

This research paper aims to examine the role of Lok Adalats in enhancing access to justice in India, particularly for rural and marginalized communities. The focus is on understanding their contribution to grassroots justice, their effectiveness in reducing litigation costs and delays, and their limitations in delivering substantive justice.

# Historical Background and Legal Framework of Lok Adalats

#### Origins of Lok Adalats in India

The concept of resolving disputes outside the formal judicial system has deep roots in Indian society. Long before colonial rule introduced adversarial courts, village panchayats and community councils acted as dispute resolution forums where issues were settled through dialogue, consensus, and reconciliation. These systems were inexpensive, speedy, and easily accessible to ordinary people.

After independence, the Indian state recognized the need to revive and institutionalize such community-based mechanisms. The 1976 Committee for Implementing Legal Aid Schemes (CILAS), headed by Justice P.N. Bhagwati, emphasized the importance of providing free and effective legal services to the weaker sections of society. It recommended the establishment of people's courts, or Lok Adalats, to bring justice to the doorsteps of the common man.

The first experiment with Lok Adalats took place in Gujarat in 1982, followed by Karnataka, where mobile Lok Adalats began functioning successfully. Their popularity and effectiveness led to the eventual statutory recognition of Lok Adalats through the Legal Services Authorities Act, 1987.



#### **Constitutional Basis**

The legitimacy of Lok Adalats is firmly rooted in the Constitution of India:

- 1. Article 14 (Right to Equality): Ensures equal protection of laws and equal access to justice.
- 2. Article 39A (Directive Principle of State Policy): Mandates the state to provide free legal aid and promote justice on the basis of equal opportunity, particularly to ensure that no citizen is denied justice due to economic or other disabilities.

The Lok Adalat system embodies these constitutional ideals by making justice affordable, participatory, and inclusive.

#### The Legal Services Authorities Act, 1987

The Legal Services Authorities Act, 1987 (LSA Act) provides the statutory framework for the establishment and functioning of Lok Adalats. Key provisions include:

- 1. Section 19: Empowers every state, district, and taluk legal services authority to organize Lok Adalats.
- **2. Section 20:** Provides that any case pending in court or any matter falling within the jurisdiction of a court can be referred to a Lok Adalat, if parties agree to settlement.
- **3. Section 21:** Awards of Lok Adalats are final, binding on the parties, and enforceable as a decree of a civil court. They are not appealable.
- **4. Section 22B:** Introduced the concept of Permanent Lok Adalats (PLAs) for public utility services such as transport, postal, telecommunication, electricity, and water supply. Unlike ordinary Lok Adalats, PLAs can adjudicate disputes if no settlement is reached.

# **Types of Lok Adalats**

Lok Adalats in India are broadly categorized into the following types:

- 1. **National Lok Adalats:** Organized on a single day across the country on specific themes (e.g., bank recovery, traffic challans, matrimonial disputes).
- 2. **Mega Lok Adalats:** Organized at the state level in all courts on a given day.
- 3. **Mobile Lok Adalats:** Travel from place to place to resolve disputes in rural and remote areas.
- 4. **Permanent Lok Adalats (PLAs):** Established for continuous functioning, especially in public utility services.



#### **Judicial Endorsement**

The judiciary has played a vital role in legitimizing and encouraging Lok Adalats. In State of Punjab v. Jalour Singh (2008), the Supreme Court clarified that Lok Adalats can only settle disputes through compromise; they cannot adjudicate cases on merits (except PLAs). Similarly, in K.N. Govindan Kutty Menon v. C.D. Shaji (2011), the Court upheld the binding nature of Lok Adalat awards, equating them with decrees of civil courts.

#### **Role of Lok Adalats in Access to Justice**

Access to justice is not merely the ability to approach a court; it also encompasses affordability, timeliness, fairness, and inclusiveness. Lok Adalats, as a non-adversarial forum, have emerged as an effective instrument in realizing this multidimensional concept of justice in India.

#### 1. Speedy Disposal of Cases

One of the most significant contributions of Lok Adalats is the expeditious settlement of disputes. Traditional litigation in India is often protracted, with cases lingering for decades. In contrast, Lok Adalats can dispose of disputes in a single sitting.

According to the National Legal Services Authority (NALSA) Report 2023, more than 1.17crore cases were settled through National Lok Adalats organized in a single year.

The average time taken to dispose of a case in Lok Adalat is less than one day, compared to several years in courts.

Thus, Lok Adalats directly contribute to reducing the judicial backlog and ensuring timely justice.

# 2. Reduction in Litigation Costs

The Legal Services Authorities Act, 1987 ensures that there is no court fee for matters referred to Lok Adalats. If a case has been filed in a court and is subsequently settled in a Lok Adalat, the court fee is refunded.

This is particularly beneficial for economically weaker sections who may otherwise be deterred from litigation due to high costs of lawyers, court fees, and procedural expenses. By eliminating financial barriers, Lok Adalats democratize access to justice.



#### 3. Informal and Accessible Procedures

Unlike courts bound by rigid rules of the Code of Civil Procedure, 1908 or the Indian Evidence Act, Lok Adalats adopt a flexible approach. Proceedings are guided by principles of equity, justice, and fair play rather than strict technicalities.

Parties can present their grievances in their own language, without requiring complex pleadings or legal representation.

This informality makes Lok Adalats particularly accessible to rural, illiterate, and marginalized populations, who may find regular courts intimidating.

## 4. Promotion of Compromise and Social Harmony

The philosophy underlying Lok Adalats is conciliation, not confrontation. Instead of declaring one party a "winner" and the other a "loser," Lok Adalats encourage parties to arrive at a mutually acceptable solution.

This emphasis on consensus-based justice helps preserve social relationships, which is particularly important in family disputes, land disputes, and community conflicts. For instance:

In matrimonial disputes, Lok Adalats have played a significant role in facilitating mutual divorce, maintenance agreements, and custody arrangements.

In motor accident claim cases, Lok Adalats help victims and insurance companies reach settlements without prolonged litigation.

#### **5. Empowerment of Marginalized Communities**

By providing free, speedy, and accessible justice, Lok Adalats particularly empower the poor, women, rural citizens, and disadvantaged groups. They operationalize the constitutional mandate under Article 39A, ensuring that justice is not denied due to economic or social barriers.

#### For example:

- 1. The National Lok Adalat (2022) resolved thousands of cases relating to agricultural loans and electricity disputes, benefitting farmers and small consumers.
- 2. Mobile Lok Adalats in states like Bihar, Uttar Pradesh, and Rajasthan have reached remote villages, bringing justice to the doorstep of citizens who otherwise have no access to formal courts.



# 6. Contribution to Reducing Judicial Backlog

Judicial backlog is one of the gravest problems of the Indian judiciary. Lok Adalats have been instrumental in offloading cases from regular courts.

- 1. The Supreme Court of India (2021) acknowledged that Lok Adalats are a critical tool for reducing pendency, especially in compoundable criminal cases, cheque bounce disputes under Section 138 of the Negotiable Instruments Act, and family disputes.
- 2. By resolving millions of cases annually, Lok Adalats have significantly reduced the burden on trial courts and appellate courts.

## 7. Case Law Support

Several judicial pronouncements highlight the role of Lok Adalats in advancing access to justice:

- 1. **Hussainara Khatoon v. State of Bihar (1979):** Though not directly about Lok Adalats, this case emphasized the right to speedy trial as part of Article 21, a principle that underpins the rationale for Lok Adalats.
- 2. **State of Punjab v. Jalour Singh (2008):** Reiterated that the function of Lok Adalats is conciliatory, not adjudicatory, reinforcing the focus on compromise.
- 3. **K.N. Govindan Kutty Menon v. C.D. Shaji (2011):** Upheld the binding nature of Lok Adalat awards, giving them the force of a civil court decree.

# Case Studies and Empirical Analysis of Lok Adalats in India

While theoretical justifications for Lok Adalats are compelling, their real contribution to access to justice can best be understood through case studies and empirical evidence. Over the past four decades, Lok Adalats have disposed of millions of cases across India, often with remarkable efficiency.

# 1. Gujarat: The Pioneer State

The first Lok Adalat was held in Junagadh, Gujarat in 1982, focusing on motor accident claims. The settlement of compensation claims within hours, which otherwise could have taken years, demonstrated the potential of the system.

According to the Gujarat State Legal Services Authority, by 2020, over 20 lakh cases had been settled through Lok Adalats in the state.

Motor accident claims remain the most prominent category, with speedy compensation providing relief to victims and families.



This early success in Gujarat laid the foundation for replication across India.

#### 2. Karnataka: Mobile Lok Adalats

Karnataka introduced mobile Lok Adalats in the 1980s to reach remote and rural areas. A bus, functioning as a traveling court, would move from village to village, hearing disputes ranging from land issues to petty criminal matters.

These mobile Lok Adalats were particularly effective in land and tenancy disputes, which often involve illiterate farmers unable to navigate formal courts.

They also helped reduce friction between landlords and tenants by encouraging compromise.

This model has since inspired similar initiatives in states like Rajasthan, Bihar, and Uttar Pradesh.

# 3. National Lok Adalats: Large-Scale Success

The introduction of National Lok Adalats in 2015 revolutionized the concept by holding Lok Adalats simultaneously across the country on a single day.

In September 2018, over 1 crore cases (pending and pre-litigation) were settled in one day across India.

In 2022, National Lok Adalats resolved approximately 1.27 crore cases, with settlements valued at over ₹9,000 crores, reflecting both the scale and economic impact.

These figures demonstrate the capacity of Lok Adalats to deliver mass justice efficiently.

#### 4. Case Study: Motor Accident Claims

One of the most successful areas for Lok Adalats is motor accident compensation cases under the Motor Vehicles Act, 1988. Victims of road accidents, often from poor families, benefit from the quick settlements provided in Lok Adalats.

In Delhi (2019), Lok Adalats disposed of 3,000 motor accident cases in a single day, awarding compensation of over ₹250 crores.

Such settlements not only reduce pendency in Motor Accident Claims Tribunals (MACTs) but also provide immediate relief to victims.

#### 5. Case Study: Cheque Bounce Cases

Under Section 138 of the Negotiable Instruments Act, 1881, cheque dishonour cases form a significant portion of criminal litigation. Lok Adalats have been extremely effective in resolving these disputes through negotiated settlements.



In Maharashtra (2021), over 50,000 cheque bounce cases were settled in a single National Lok Adalat.

This has greatly reduced the burden on magistrate courts, where such cases constitute nearly 20% of criminal dockets.

#### 6. Permanent Lok Adalats for Public Utility Services

Permanent Lok Adalats (PLAs) have played a pivotal role in disputes relating to public utility services such as electricity, telecommunication, and transportation.

In Haryana, PLAs settled thousands of cases related to electricity bills, thereby resolving disputes between consumers and service providers without prolonged litigation.

In Tamil Nadu, PLAs have addressed disputes in transport services, leading to quick settlements that benefit both citizens and government departments.

Unlike regular Lok Adalats, PLAs can decide disputes on merits if settlement fails, making them more effective in certain contexts.

## 7. Gender Justice through Lok Adalats

Lok Adalats have played an important role in resolving family disputes, particularly those involving women.

- 1. In Rajasthan (2017), a mega Lok Adalat resolved over 5,000 matrimonial disputes in one day, covering issues like maintenance, divorce by mutual consent, and custody of children.
- 2. For many women from conservative or rural backgrounds, Lok Adalats provide a less intimidating environment than formal courts.

This contribution strengthens gender justice and empowers women to assert their rights.

#### 8. Data on Case Settlements

According to NALSA's Annual Report 2023:

- 1. More than 8.5 crore cases have been settled through Lok Adalats since their inception.
- 2. Settlements in 2023 alone resulted in compensation and benefits worth ₹11,500 crores being awarded to litigants.
- 3. The most common categories of cases include motor accident claims, matrimonial disputes, cheque bounce cases, bank recovery matters, and electricity bill disputes.



#### 9. Success Story: Bihar Lok Adalats

Bihar has emerged as a leader in organizing Gram Nyayalay-style Lok Adalats. In 2020, mobile Lok Adalats visited interior villages to settle disputes like property boundaries, irrigation water rights, and petty criminal cases.

This has significantly improved the trust of rural populations in the justice delivery system and reduced animosity in village communities.

#### 10. Judicial Endorsement

The judiciary has frequently recognized the role of Lok Adalats in promoting access to justice:

- 1. In Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (2010), the Supreme Court held that courts should encourage settlement of disputes through ADR, including Lok Adalats.
- 2. In Bar Council of India v. Union of India (2012), the Court emphasized that Lok Adalats are essential for fulfilling the constitutional mandate of equal justice.

# **Challenges and Limitations of Lok Adalats**

While Lok Adalats have made remarkable contributions to access to justice in India, their functioning is not without limitations. Several structural, procedural, and practical challenges hinder their effectiveness as a grassroots justice delivery mechanism.

#### 1. Overemphasis on Compromise

The central philosophy of Lok Adalats is settlement through compromise. While this ensures speedy disposal, it sometimes results in unfair settlements.

Poor and illiterate litigants may accept a compromise due to pressure or lack of awareness of their legal rights. For example, in motor accident cases, insurance companies may exploit the informality of Lok Adalats to push victims into accepting lower compensation than what courts would have awarded. Thus, there is a risk that compromise may sacrifice substantive justice for the sake of expediency.

#### 2. Limited Jurisdiction

Lok Adalats cannot adjudicate matters on merits (except Permanent Lok Adalats for Public Utility Services). They can only settle cases where both parties consent to compromise. Non-compoundable criminal cases, constitutional matters, and complex commercial disputes fall outside their jurisdiction. As a result, the scope of Lok Adalats is limited, and many categories of disputes remain unresolved through this mechanism.



# 3. Quality of Settlements

The quality of settlements in Lok Adalats has often been questioned. Critics argue that the focus on quantitative disposal of cases sometimes overshadows the pursuit of just and fair settlements. In National Lok Adalats, where millions of cases are settled in a single day, the emphasis is often on numbers rather than careful evaluation. This "numbers game" risks reducing Lok Adalats to a statistical success rather than a genuine justice-delivery mechanism.

## 4. Lack of Awareness Among Citizens

Despite their widespread existence, a significant portion of the Indian population remains unaware of Lok Adalats and their benefits. Studies by NALSA reveal that only 30–40% of rural litigants are fully aware of Lok Adalat procedures. Lack of awareness particularly affects women, Dalits, tribals, and marginalized groups, who are the very communities Lok Adalats are intended to serve.

#### 5. Inadequate Infrastructure and Human Resources

Lok Adalats, especially in rural and semi-urban areas, face challenges of poor infrastructure and shortage of trained mediators. Many Lok Adalats function without proper courtrooms, record-keeping mechanisms, or digital tools. Retired judges or volunteers preside over Lok Adalats, but they may lack specialized training in mediation and conciliation techniques. This undermines the efficiency and credibility of the system.

#### 6. Enforceability Concerns

Although awards of Lok Adalats are deemed to be civil court decrees, enforcement remains a challenge in practice. If one party refuses to honor the settlement, the other party is forced to approach regular courts for execution, defeating the purpose of speedy justice. In many rural areas, lack of police and administrative support further weakens enforceability.

#### 7. Risk of Coercion and Power Imbalances

In community-based dispute resolution, power hierarchies often influence settlements. Women, landless laborers, and marginalized groups may be coerced into compromising due to societal pressure. In certain family or caste-related disputes, community leaders dominate proceedings, which may result in biased outcomes. This undermines the credibility of Lok Adalats as neutral forums of justice.



#### 8. Insufficient Data and Transparency

While NALSA publishes data on the number of cases settled, there is limited research on the quality of settlements, the satisfaction of litigants, and the long-term impact of Lok Adalat decisions. The absence of follow-up studies makes it difficult to assess whether settlements are sustainable or whether disputes re-emerge later. Transparency in reporting needs improvement, particularly in terms of disaggregated data (gender-wise, caste-wise, rural-urban distribution).

# 9. Digital Divide in E-Lok Adalats

The introduction of E-Lok Adalats during the COVID-19 pandemic was a landmark development. However, it also highlighted the digital divide in India. While urban litigants could participate via video conferencing, rural and poor citizens often lacked smartphones, internet connectivity, or digital literacy. This limited the inclusivity of online Lok Adalats, raising concerns about whether digital justice truly reaches the grassroots.

#### 10. Judicial Attitude and Overburdening

At times, referral of cases to Lok Adalats is seen as a way for courts to reduce pendency statistics rather than genuinely promoting alternative justice. Some judges push litigants towards Lok Adalats simply to clear dockets, even if the dispute may not be suitable for compromise. This undermines litigants' trust and raises questions about the voluntariness of settlements.

# **Suggestions for Strengthening Lok Adalats**

The experience of four decades demonstrates that Lok Adalats have immense potential to transform India's justice delivery system. However, to sustain their effectiveness and ensure fairness, several reforms are necessary. The following suggestions outline a roadmap for strengthening Lok Adalats in the future.

#### 1. Enhancing Legal Awareness

- Grassroots Legal Literacy Campaigns: The success of Lok Adalats depends on people knowing about their rights and remedies. Government and NGOs should organize village-level awareness drives, using local languages and cultural media (street plays, radio, community meetings).
- Integration with Legal Education: Law schools and universities should actively participate in spreading awareness through legal aid clinics. This will not only educate communities but also train future lawyers in ADR mechanisms.



#### 2. Training of Conciliators and Mediators

- Lok Adalats should be presided over by trained mediators and conciliators, not merely retired judges. Specialized training in negotiation, conflict resolution, and psychology is essential to handle sensitive disputes.
- Introducing certification programs for Lok Adalat members through NALSA and state judicial academies can improve the quality of settlements.

#### 3. Strengthening Digital Lok Adalats

The COVID-19 pandemic showed the potential of E-Lok Adalats, but also exposed the digital divide. To make virtual Lok Adalats inclusive:

- Expand digital infrastructure in rural areas, including village-level legal kiosks with video conferencing facilities.
- Develop user-friendly platforms in regional languages for online dispute resolution.
- Hybrid models (online + physical hearings) should be adopted to include both urban and rural litigants.

# 4. Expanding Jurisdiction

- The jurisdiction of Lok Adalats should be expanded to cover more categories of disputes, especially consumer disputes, tenancy matters, and small commercial claims.
- For compoundable criminal cases, Lok Adalats should be given greater scope to ensure that minor
  offenders are rehabilitated through compromise rather than prolonged trials.

#### **5. Monitoring and Evaluation of Settlements**

- NALSA should introduce a post-settlement monitoring mechanism to evaluate the sustainability of compromises.
- Independent researchers and universities should be encouraged to conduct impact assessments, focusing on whether litigants feel satisfied and whether disputes resurface.
- A system of feedback surveys from participants can improve accountability.

#### **6. Ensuring Fairness in Settlements**

• Strict safeguards must be put in place to prevent coercion or forced compromise. Participation in Lok Adalats should be entirely voluntary.



• Special guidelines should be framed to protect women, Dalits, tribals, and economically weaker sections, ensuring that settlements are not skewed in favor of the powerful.

# 7. Infrastructure Development

- Lok Adalats require dedicated spaces, digital tools, and record-keeping systems. At present, many function in temporary setups.
- The government should allocate funds for permanent Lok Adalat centers at district and block levels, equipped with modern facilities.

## 8. Incentivizing Lawyers' Participation

- Many lawyers are reluctant to encourage clients to go to Lok Adalats because they perceive it as reducing their fees.
- The Bar Council and Legal Services Authorities should design incentives for lawyers who actively promote settlements, such as recognition, honoraria, or credits for pro bono work.

# 9. Integration with Panchayati Raj Institutions

- Lok Adalats should collaborate with Gram Panchayats and Nyaya Panchayats to address local disputes, combining formal legal authority with community participation.
- This will make the justice system more relatable to rural citizens while avoiding the risks of extralegal village councils (Khap Panchayats).

#### 10. International Best Practices

- India can learn from international experiences, such as community mediation in the US and conciliation boards in South Africa, which emphasize inclusivity and fairness.
- Adoption of restorative justice principles can further enhance the legitimacy of Lok Adalats in criminal and family disputes.

# 11. Balancing Quantity with Quality

- Instead of focusing only on the number of cases disposed of, Lok Adalats should be evaluated on the quality and fairness of settlements.
- NALSA should publish qualitative reports, including litigant satisfaction rates, in addition to numerical data.



# **Conclusion**

Lok Adalats represent one of the most significant innovations in India's justice delivery system. Rooted in the constitutional mandate of Article 39A and the Gandhian philosophy of conciliation, they provide a platform where disputes can be resolved quickly, inexpensively, and amicably. Over the past four decades, Lok Adalats have disposed of millions of cases, bringing relief to litigants who would otherwise be trapped in the procedural complexities of formal courts. Their success stories — ranging from mass settlement of motor accident claims and cheque bounce cases to resolving family and community disputes — highlight their role in promoting access to justice at the grassroots level. At the same time, the emergence of Permanent Lok Adalats and E-Lok Adalats has demonstrated the adaptability of this institution to new challenges and contexts.

However, challenges remain. Overemphasis on compromise, jurisdictional limitations, risk of coercion, lack of awareness, infrastructural gaps, and digital divides threaten to dilute the credibility of Lok Adalats. Too often, the focus on numerical disposals overshadows the quality and fairness of settlements. If Lok Adalats are to serve as true vehicles of justice, reforms are essential. Looking ahead, the strengthening of Lok Adalats requires a multi-pronged approach: spreading legal awareness, training mediators, expanding jurisdiction, embracing technology, ensuring fairness in settlements, and building robust infrastructure. Integration with grassroots institutions like Panchayats, along with monitoring mechanisms and litigant feedback, can enhance trust in the system. The future of Lok Adalats is not merely about reducing court pendency but about transforming the justice landscape into one that is people-centric, accessible, and equitable. With sustained reforms, Lok Adalats can evolve into a global model for community-driven dispute resolution — a system where justice is not delayed, and therefore not denied. The future of Lok Adalats lies in embracing technology, inclusivity, and fairness. With the rise of digital platforms, Lok Adalats can evolve into Online Dispute Resolution (ODR) hubs, making justice accessible 24/7. If combined with strong awareness campaigns and monitoring mechanisms, Lok Adalats can become a global model of grassroots justice delivery.

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