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## Understanding the Working and Justice Delivery Mechanism of Lok Adalat in J&K: An Empirical Study

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*Lok Adalat is an alternative dispute resolution method that promotes justice and provides inexpensive and speedy resolution to disputes. It is based on the principles of negotiation, mediation, and arbitration and was institutionalized on the concept of Nyaya Panch. Lok Adalat can resolve civil cases, matrimonial clashes, land disputes, partition/property disputes, and labour disputes. The idea of Lok Adalat was advocated by former Chief Justice P.N. Bhagwati and was first held in Gujarat in 1982. <sup>1</sup>It has gained popularity throughout India and is an important tool for providing legal protection to the poor. The paper focuses on the evolution of Lok Adalat's in Srinagar, J&K via empirical methods using two sets of questionnaires, one to understand the perspective of the general public and the second one to understand the perspective of advocates on the working of Lok Adalat's in Srinagar, J&K. The researcher also presents possible solutions to loopholes in the Lok Adalat system in J&K.*

**Keywords:** *speedy resolution, civil cases, lok adalat, legal protection, advocate.*

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<sup>1</sup> 'History' (District Court Junagadh) <<https://junagadh.dcourts.gov.in/about-department/history/#>> accessed 17 January 2025

## INTRODUCTION

Lok Adalat is an alternative dispute resolution method that has gained immense importance in the Indian legal system. The complete machinery of Lok Adalat has been introduced to promote justice, especially for the poor who may not have the resources to engage in lengthy legal battles. The term 'Lok' represents 'the people', while 'Adalat' means 'court', which is why Lok Adalat's are also referred to as people's courts.<sup>2</sup> The whole philosophy of Lok Adalat is based on the older concept of dispute resolution through negotiation, mediation, and arbitration used by Nyaya Panch.

The Lok Adalat system is based on the principles of the Panch Parameshwar given by Mahatma Gandhi, which emphasizes the importance of finding the better side of human nature and entering hearts to resolve disputes. The key feature of Lok Adalat is that it provides inexpensive and speedy justice to every single person at their doorstep.<sup>3</sup> Lok Adalat can resolve a wide range of disputes, including civil cases, matrimonial clashes, land disputes, partition/property disputes, and labour disputes. The idea of Lok Adalat was mainly advocated by former Chief Justice P.N. Bhagwati, and the first Lok Adalat was held in the Junagarh District in Gujarat in 1982.<sup>4</sup>

Lok Adalat's have gained popularity all over the country, with their efficient functioning and quick resolution of disputes. The participation of those affected by the dispute is an essential aspect of Lok Adalat's, which encourages a sense of responsibility and ownership in resolving the issue. Overall, the notion of Lok Adalat is a creative contribution towards world jurisprudence and extended legal protection to the poor.

## FUNCTIONS OF LOK ADALAT

1. Lok Adalat is an alternative dispute resolution method that resolves disputes concerning matters that are not very complicated. The Lok Adalat is presided over by a sitting or retired

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<sup>2</sup> Manzoor Laskar, 'Lok Adalat System in India' (2012) SSRN <<https://dx.doi.org/10.2139/ssrn.2420454>> accessed 17 January 2025

<sup>3</sup> *Ibid*

<sup>4</sup> History (n 1)

judicial officer as the chairman, along with two other members, usually a lawyer and a social worker.<sup>5</sup>

2. The Lok Adalat is generally held on holidays like Saturdays or Sundays to ensure maximum participation and convenience. Lok Adalat's work under the guidelines mentioned in the Legal Service Authority Act, 1987 (sec.20), which outlines their role and functioning.<sup>6</sup>

3. Lok Adalat has proven to be highly effective in resolving disputes relating to family matters, land acquisition cases, matrimonial cases, motor vehicle cases, and compensation claims. However, it's important to note that a case can be resolved through Lok Adalat's only if both parties agree to have their dispute resolved through this mechanism.

4. In Lok Adalat, free legal aid is provided in the form of counselling and free legal services in the conduct of any case. This ensures that the poor and marginalized sections of society have access to justice and are not excluded from the legal system due to financial constraints.

5. Lok Adalat's have proven to be an efficient and cost-effective method of resolving disputes, providing speedy justice to all parties involved. The participation of a sitting or retired judicial officer, along with a lawyer and social worker, ensures that all aspects of the dispute are taken into account and a fair and just resolution is arrived at.

### **ESTABLISHMENT OF LOK ADALAT'S IN JAMMU & KASHMIR**

The UT of Jammu and Kashmir has its constitution, which recognizes the duty of the state to uphold equality and secularism for all its citizens. To promote justice, the state has introduced the State Legal Service Authority Act 1997, which aims to provide free legal aid to the weaker sections of society. This act was enforced in 1998, and Lok Adalat's were organized under this act to promote legal justice and equality for all and to ensure that no one is deprived of justice

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<sup>5</sup> 'Courts in India: Need to Strengthen Access to Justice and Judicial Accountability' (*Social Issues India*, 01 May 2012) <[https://socialissuesindia.wordpress.com/wp-content/uploads/2012/03/judicial\\_accountability\\_in\\_india.pdf](https://socialissuesindia.wordpress.com/wp-content/uploads/2012/03/judicial_accountability_in_india.pdf)> accessed 17 January 2025

<sup>6</sup> *Ibid*

due to their economic status or any other reason. The institution of Lok Adalat was introduced in Chapter Five of the constitution.<sup>7</sup>

The Lok Adalat is organized by the State Legal Service Authority, District Authority, or High Court Legal Service Committee, and in some cases, the Tehsil Legal Services Committee. Specific geographical locations are chosen for the proceedings of Lok Adalat's, and special Lok Adalat's are organized for matrimonial cases. The parties involved in the dispute are informed about the place, timing, and date of Lok Adalat by the Secretary or Member Secretary of the High Court Legal Service Committee, District Legal Service Committee, or Tehsil Legal Service Committee in some cases.<sup>8</sup>

Lok Adalat plays a crucial role in providing an effective mechanism for justice. However, the parties involved in the dispute must agree to resolve their dispute through Lok Adalat. The members of Lok Adalat only have a statutory conciliator role and do not have any judicial powers. They need to follow the procedure mentioned under sec. 50 to sec. 59 of the Jammu and Kashmir Arbitration and Conciliation Act, 1997.

No party is pressurized or forced to compromise or settle cases by members of the Lok Adalat. The decision of the Lok Adalat is final, and every award given by the Lok Adalat is deemed to be an order of a civil court or any other court. If a case is referred to the Lok Adalat under subsection (1) of section 19, the court fee will be refunded in the method provided under the Court Fees Act, Samvat 1977. The award given by a Lok Adalat is absolute and obligatory on all parties involved in the dispute, and no appeal lies to any court against the award.

### **POWERS OF LOK ADALAT (J&K)**

According to the provisions of the Code of Civil Procedure, Samvat 1977, Lok Adalat have been granted the same powers as those vested in civil courts.<sup>910</sup> This includes the ability to summon and enforce the attendance of any witness, take oaths from them, and discover any document

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<sup>7</sup> *Ibid*

<sup>8</sup> *Ibid*

<sup>9</sup> Jammu and Kashmir Reorganisation Act 2019

<sup>10</sup> A S Anand, *The Constitution of Jammu and Kashmir* (8th edn, LexisNexis 2016)

or public record required as evidence. Furthermore, any proceedings conducted before a Lok Adalat are considered judicial proceedings within the meaning of sections 193, 219, and 228 of the RPC Ranbir Penal Code, Samvat 1989. Additionally, every Lok Adalat is deemed to be a civil court for section 195 and Chapter XXXV of the Code of Criminal Procedure, Samvat 1989. This means that the awards given by Lok Adalat are considered to be legally binding, and no appeal can be made against them in any court of law.

On November 13, 2016, two Lok Adalat benches were held in the Jammu wing with the participation of retired Justice Bansi Lal Bhat and retired Justice O.P. Sharma. During these Lok Adalat's, which were held at the High Court and district courts across the state of Jammu and Kashmir, a total of 24,000 cases were resolved by the Jammu and Kashmir State Legal Services Authority (SLSA). On November 25, 2016, another 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 Lok Adalat was headed by Additional District Judge Jammu Ashok Kumar Shavan. Out of the 23 cases taken up in this Lok Adalat, 14 were resolved, resulting in a total recovery of Rs 56,27,363 from the defaulters.<sup>11</sup> These efforts demonstrate the effectiveness of Lok Adalat in resolving a large number of cases and promoting access to justice for all.<sup>12</sup>

## **FUNCTIONS AND CONSTITUTION OF LEGAL SERVICE AUTHORITIES AND COMMITTEES**

**State Legal Service Authority (SLSA):** The primary body of the State Legal Service Authority is referred to as SLSA. The Chief Justice of the J&K High Court serves as the patron-in-chief of the authority, and the senior-most judge of the High Court acts as the executive chairman of the authority. Other members of SLSA must possess extensive experience and qualifications in the field of law and public service. The President of the Bar Association Jammu and Kashmir and the Advocate General are also members of SLSA.<sup>13</sup>

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<sup>11</sup> *Ibid*

<sup>12</sup> *Ibid*

<sup>13</sup> J&K LSA Rules 2020, s 3

**High Court Legal Service Committee (HCLSC):** HCLSC is formed by SLSA, utilizing its power under Section 6 of the Act. The senior-most judge of the High Court serves as the chairman of the committee, and the Secretary of the committee is appointed by the Chief Justice of the state. HCLSC is responsible for organizing Lok Adalat's to settle High Court cases through negotiation, mediation, and arbitration under Section 18 Rule 5 of SLSA.<sup>14</sup> It also provides legal aid to the needy and implements programs and schemes established by NALSA under the LSA Act of 1987. It is funded by NALSA through Section 4(c) of the LSA Act of 1987.<sup>15</sup>

**District Legal Service Authorities (DLSA):** There are fourteen DLSAs at the district level, in addition to SLSA and HCLSC at the district headquarters, with the district judge serving as the chairman of the DLSA. The constitution of DLSA is similar to SLSA. DLSAs are responsible for organizing Lok Adalat's at the district level as per SLSA (Sections 7, 8 and 9) with their jurisdiction limited to their respective districts. They also organize legal awareness camps and legal literacy programs.

**Tehsil Legal Service Committee (TLSC):** According to Section 10 of the SLSA Act,<sup>16</sup> 59 TLSCs exist in the state, with Senior Sub-Judges and Munsifs serving as the heads of the committee. TLSC works under the direction of DLSA, with functions similar to DLSA. These committees have limited jurisdiction over their Tehsil. According to Sec. 11 and Rule 12,<sup>17</sup> The constitution of these committees is similar to that of the DLSA.

## LITERATURE REVIEW

1. The concept of the judiciary system in ancient India has been studied by several scholars. In his 2013 study, **Mr. K Rajendra**<sup>18</sup> Found that the ancient Indian system of social living was structured on the concept of peaceful existence based on Dharma principles. However, some foreign jurists and historians, particularly Europeans, argue that there was no 'rule of law' in ancient India and that it cannot be considered a civilization. Mr. Rajendra pointed out that the

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<sup>14</sup> J&K LSA Rules 2020, s 18

<sup>15</sup> Legal Service Authority Act 1987, s 4(c)

<sup>16</sup> The Legal Services Authorities Act 1987, s 10

<sup>17</sup> *Ibid*

<sup>18</sup> Anand (n 10)

Indian legal system existed before the Neolithic age and continued to exist through the Bronze Age to the Indian Valley civilization. The ancient Indian law system was based on the principles of Dharma and was secular. People of that time lived under the divine power of the king and had court systems to deal with civil and criminal cases. Justice S. S. Dhavan noted that India has the oldest judiciary system in the world.

2. In 'In search of true 'Alternative' to existing justice dispensing system in India,' Shivraj S. Huchhanavar<sup>19</sup> analysed the problems of legal systems in developing countries. The author noted that it is a normative practice to discover the result of legal troubles within the Western jurisprudential consideration and observation. The author argued that it became necessary to rise above the problems of the 'formal legal system' of India and take important steps to introduce alternative dispute resolution mechanisms (ADR) in the country. The author advocated important forms of ADR, including conciliation, mediation, arbitration, and Lok Adalat's.

The author also discussed the important provisions of the Arbitration and Conciliation Act 1996, which requires the court to direct parties to opt for the 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 decide the dispute. According to sec 12 of the Act, gives diverse economic measures like the need for an arbitrator to reveal any feasible partiality at the doorstep. All the works of an arbitrator are saved if he changes in between proceedings, so the justice should not be delayed. The author also analyzed that Lok Adalat is a tool of ADR that has existed in India since old age. It is the system of Nyaya Panchayat that covers people who are affected by any kind of dispute. The main concept behind introducing the system of Lok Adalat is to overcome the burden of the court and comfort people by providing speedy justice with participatory mechanisms.

3. In the research paper, 'Lok Adalat as the most popular ADR mode in India with special reference to HP,' Bhumika Sharma<sup>20</sup> stated that common peace, harmony, good relations, and justice can be achieved easily with the help of alternative dispute resolution methods. The

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<sup>19</sup> Shivaraj Huchhanavar, 'In Search of True "Alternative" to Existing Justice Dispensing System in India' (2013) 7(1) NALSAR Law Review <<http://dx.doi.org/10.2139/ssrn.2558442>> accessed 17 January 2025

<sup>20</sup> *Ibid*

author also pointed out that the old ways of justice methods of courts take time and involve heavy payments. Sharma argued that the fault is not in the Indian legal system but in those who run it, like the obstacles in the way of execution of the Legal Services Authorities Act 1987 and its complementary rules enacted by the government. The author considers Lok Adalat as the flagship of the Indian judiciary system for providing justice to the poor. Sharma also pointed out the deficiencies of the Indian legal system. Justice is mostly denied because of the heavy burdens of cases upon the judiciary. The most prominent legal profession, which is known for well-educated, self-controlled, and calm people, is now just used to make more money easily. Under the constitutional mandate of justice, the assurance of opportunities for providing justice is not denied to any person due to economic or other disabilities. Article 39-A of the constitution, inserted through the 42nd amendment in 1976, confirms that the legal system promotes justice

4. In research conducted by Anurag K. Agarwal,<sup>21</sup> he examines the role of Alternative Dispute Resolution (ADR) methods, particularly Lok Adalat's, in the development of Indian society. The author emphasizes that peace is crucial for development and highlights the importance of ADR methods in providing affordable and speedy justice to everyone. However, the author notes that despite the right to free legal aid provided by the Indian constitution, it is impossible to provide aid to everyone. To address this issue, the National Legal Service Authority (NALSA) has focused on spreading legal literacy awareness to improve literacy and awareness of legal rights. The author stresses the importance of NALSA and state legal service authorities in bridging the gap between the judicial system and people and highlights the success of Lok Adalat in resolving disputes quickly. The author recommends that programs for legal aid and literacy should be increased to help the poor and illiterate sections of society and emphasize the need for sensitive legal services to address the complex economic structure of the country.

5. Dar Mohammad Ayub<sup>22</sup> discusses the growing significance of ADR methods around the world, with a focus on Jammu and Kashmir. The author notes that mediation has been used as

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<sup>21</sup> Anurag K. Agarwal, 'Role of Alternative Dispute Resolution Methods in Development of Society: `Lok Adalat' in India' (*Indian Institute of Management Ahmedabad*, 01 November 2005)

<<http://vsliir.iima.ac.in:8080/jspui/bitstream/11718/421/1/2005-11-01anurag.pdf>> accessed 17 January 2025

<sup>22</sup> Dar Mohammad Ayub, 'The Growing Significance of ADR Methods Around the World, with a Focus on Jammu and Kashmir' (2012) 4(5) *Journal of Law and Conflict Resolution*

<<https://academicjournals.org/journal/JLCR/article-full-text-pdf/6587AF97716>> accessed 17 January 2025



an alternative to lawsuits in the region with remarkable results. The author examines the legal structure of court-administered mediation in Jammu and Kashmir to examine its possible adversarial characteristics. The author highlights the power of civil courts to use various ADR techniques, including mediation, to solve disputes and emphasizes the importance of the Jammu and Kashmir Legal Services Authority Act of 1997, which gives power for the implementation of mediation as an alternate dispute settlement mechanism. The author notes that the Supreme Court of India has ordered the establishment of mediation centres in the state through the mediation conciliation project committee.

6. Dr. Anil Kumar Singh<sup>23</sup> in his research discusses the achievements and challenges of ADR mechanisms in India. The author emphasizes that the delay in the justice delivery mechanism is the major derision of law and notes that ADR methods such as arbitration, conciliation, mediation, and negotiation are the only alternative ways to overcome the burden of pending cases and reduce the load on courts. The author highlights the heavy backlog of cases in the legal system of India due to a shortage of judges and complex court infrastructure. The author stresses that the introduction of ADR is crucial for the country to overcome the complex structure of the economy and courts and to achieve a speedy resolution of disputes. The author notes that section 89 of the civil procedure code provides importance to the arbitration and mediation methods of dispute resolution in Lok Adalat. The author concludes that ADR is not a replacement for the traditional court process but rather an effective way to make the traditional courts work effectively.

7. According to the research by Marc Galanter & Jayanth K. Krishnan on 'Bread for the Poor: Access to Justice and the Rights of the Needy in India', although the Indian constitution is highly valued and respected, when it comes to seeking justice in the courts, the common people of India face significant problems such as delayed justice and high costs. Due to the prevalent perception of litigiousness, many consumers tend to avoid the courts altogether. However, recent evidence suggests that Indians do utilize the legal system, albeit at a lower rate, and that the speed of the legal process is decreasing. The courts remain clogged, leading to a bottleneck in the justice

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<sup>23</sup> Anil Kumar Singh, 'ADR Mechanism in India: Achievements and Challenges' (2016) 5(8)  
<[https://www.worldwidejournals.com/paripex/fileview/adr-mechanism-in-india-achievements-and-challenges\\_August\\_2016\\_1909046205\\_6404265.pdf](https://www.worldwidejournals.com/paripex/fileview/adr-mechanism-in-india-achievements-and-challenges_August_2016_1909046205_6404265.pdf)> accessed 17 January 2025

delivery system. Therefore, to improve access to justice, India needs to make significant improvements to enable the common people to seek legal remedies and protection.

## **RESEARCH METHODOLOGY**

The methodology employed for this research involves a historical, descriptive, and analytical review of collected data to comprehend the role of Lok Adalat in offering affordable and expeditious justice to underprivileged individuals. The study will use both primary and secondary data collection techniques to arrive at its findings. Primary data will be gathered via a questionnaire, while secondary data will be obtained from a variety of sources, such as online resources, published newspapers, magazines, and journals.

## **HYPOTHESES**

1. The efficacy of Lok Adalat's as a means of resolving disputes has been established.
2. State governments are actively working to raise legal awareness among the general public.
3. The residents of Jammu are knowledgeable about the functioning of Lok Adalat.
4. The J&K Legal Services Authority is embracing Lok Adalat as a means of swiftly resolving disputes.

## **SCOPE OF STUDY**

This study aims to examine the significance of Lok Adalat's in India and their contribution towards providing affordable and efficient justice to underprivileged people. Additionally, the research intends to analyze the measures implemented by the government to enhance the justice delivery mechanism via Lok Adalat's and to evaluate the initiatives taken for promoting awareness about this legal forum among the general public.

## **OBJECTIVES OF THE STUDY**

1. Analyzing the Emergence of the ADR Mechanism and Its Necessity in Indian Society
2. Understanding the Significance of Lok Adalat's in India

3. Studying the Level of Legal Awareness Among People in Srinagar
4. Understanding the Functioning and Justice Delivery Mechanism of Lok Adalat’s
5. Evaluating the Role of Lok Adalat’s in Enhancing Justice Delivery in the Country

### **DATA ANALYSIS AND INTERPRETATION**

A scientific plan for conducting research and solving research problems is known as research methodology. It involves the process of gathering information and data for research, which includes various techniques such as publication research, interviews, surveys, and historical information. The quality of research depends upon the suitability of the tools and techniques used in the methodology. Research methods describe the steps taken to solve the research problem, including data collection, validation, explanation, inference, and simplification.

The present study focuses on understanding the basic awareness of the Lok Adalat movement, its importance, and its problems. A descriptive research method was used to analyze the Lok Adalat mechanism, which involves analysis and fact-finding inquiries of different types. The key function of descriptive research is to describe the current position of affairs. The data for this study was gathered from 50 respondents in the Srinagar district of Jammu & Kashmir through a questionnaire (10 advocates and 40 residents of Srinagar, J&K).

### **VIEWS OF COMMON PEOPLE REGARDING LOK ADALAT**

**Q.1. Do you know a legal entity known as Lok Adalat?**

**Table No. 1.1**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	9	11	8	12

100%	22	28	20	30
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In terms of the awareness of Lok Adalat’s among the people of Srinagar, 50% of the respondents (22% strongly agreed and 28% agreed) are in favour of the notion that there is awareness, whereas 20% disagreed. The remaining 30% of respondents had a neutral view of the matter.

**Q.2. Do you believe that Lok Adalat has helped in reducing the workload of traditional courts?**

**Table No. 1.2**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
40	9	17	5	9
100%	23	42	13	22

The results of the survey indicate that a significant number of respondents believe in the effectiveness of Lok Adalat’s in reducing the burden on regular courts, with 23% strongly agreeing and 42% agreeing. However, 22% of the respondents had a neutral view on whether Lok Adalat has played a significant role in reducing the pendency of cases, despite the existence of a large number of pending cases in regular courts.

**Q.3. Is Lok Adalat an economical system in the judiciary, in your opinion?**

**Table No. 1.3**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
40	11	14	0	15

100%	28	34	0	38
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The results from the respondents indicate a positive view towards Lok Adalat being an economic system in the judiciary. Specifically, 28% of the respondents strongly agreed, 34% agreed, and 38% were neutral.

**Q.4. Has the establishment of Lok Adalat been an effective measure taken by the government of India?**

**Table No. 1. 4**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
40	14	16	0	10
100%	35	40	0	25

According to the survey results, a majority of respondents (35% strongly agreed and 40% agreed) viewed the establishment of Lok Adalat as an important step taken by the Government of India. The institution was introduced to provide easy and cost-free justice to the weaker sections of society.

**Q.5. Can Lok Adalat be considered a more accessible mode for dispute resolution in comparison to regular courts?**

**Table No. 1.5**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
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40	13	14	4	9
100%	32	35	11	22

The survey results show that 32% of the participants strongly agreed and 35% agreed that Lok Adalat's provide an easily accessible mechanism for resolving disputes. The process in Lok Adalat's is less formal compared to regular courts and based on cooperation, leading to conclusive results. Unlike regular courts, the settlement process in Lok Adalat's is less official and does not involve strict adherence to rules and regulations. Additionally, the decision made in Lok Adalat's is final, and there is no provision for appeal against it.

**Q.6. What are the reasons for choosing Lok Adalat instead of regular courts?**

**Table No. 1.6**

<b>Number of respondents</b>	<b>More economical</b>	<b>Provide speedy justice</b>	<b>Don't prefer Lok Adalat over regular courts</b>
40	11	21	8
100%	27	53	20

More than half (53%) of the respondents preferred Lok Adalat due to its speedy justice mechanism, while 27% preferred it due to its economical nature. However, some respondents did not agree to give preference to Lok Adalat's over regular courts. This indicates that a majority of respondents consider the speedy justice mechanism as the main reason for their preference towards Lok Adalat.

**Q.7. What is your opinion on the quality of justice delivered by Lok Adalat?**

**Table No. 1.7**

<b>Number of respondents</b>	<b>Proper attention is given</b>	<b>No proper attention is given</b>	<b>Justice is delivered but quality is compromised</b>
40	18	8	14
100%	45	20	35

When asked about the justice provided by Lok Adalat, 45% of the respondents stated that proper attention is given, 20% felt that no proper attention is given, and the remaining 35% mentioned that justice is delivered but there is a compromise on equality. Therefore, we can conclude that the majority of the respondents are in favour of Lok Adalat’s giving proper attention to justice.

**Q.8. Do you feel at ease opting for Lok Adalat’s as a dispute resolution mechanism?**

**Table No. 1.8**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	7	23	5	6
100%	17	57	12	14

A significant portion of the respondents (17% strongly agreed and 57% agreed) prefer to approach Lok Adalat’s over regular courts due to their speedy justice mechanism. However, 12% disagreed and 14% remained neutral on the matter, which could be due to a lack of awareness of Lok Adalat’s in the region or a lack of understanding of their benefits.

**Q.9. Is the compensation awarded in motor accident cases adequate in your opinion?**

**Table No. 1.9**

<b>Number of respondents</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	14	10	16
100%	35	26	39

According to the survey, 35% of the respondents agreed that the award given by Lok Adalat in motor accident cases is sufficient to cover medical expenses and damages. On the other hand, 26% of the respondents expressed dissatisfaction with the awarded amount, stating that it was not enough to cover the expenses. Additionally, 39% of the respondents were neutral or unaware of the matter.

**Q.10. Should the legal issues and disputes related to women be given more importance in Lok Adalat's?**

**Table No. 1.10**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	12	17	7	4
100%	30	42	18	10

The majority of the respondents (30% strongly agreed and 42% agreed) gave a positive response regarding giving more importance to women litigants and addressing women's issues in Lok Adalat.



**Q.11. Would it be beneficial to have a female lawyer or judge in matrimonial trials for a fair and just resolution of the case?**

**Table No. 2**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	8	19	9	4
100%	19	47	23	11

The majority of respondents (19% strongly agreed, 47% agreed) suggested the presence of at least one female judge or lawyer for the resolution of matrimonial disputes.

**Q.12. Is corruption prevalent in the organization of Lok Adalat?**

**Table No. 2.1**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	5	15	3	17
100%	12	38	8	42

12% strongly agreed, 38% agreed regarding the existence of corruption in Lok Adalat and 42% were neutral. Corruption is one of the biggest problems in every institute in India. There are corrupt officials in every institution due to which there is always compromise and discrimination against the weaker section of the society.

**Q.13. Do you perceive the lack of an option to choose a lawyer as a hindrance when accessing Lok Adalat?**

**Table No. 2.2**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
40	2	21	12	5
100%	6	52	30	12

The involvement of lawyers in promoting the effectiveness of Lok Adalat’s is crucial, as they often encourage their clients to opt for settlement through this mechanism. During a recent field study, a significant proportion of respondents (52% agree, 6% strongly agree) expressed their concern about the absence of an option to choose a lawyer, perceiving it as a potential setback. However, 30% of the participants did not view this as a problem.

**Q.14. What are the reasons for the lack of awareness among people regarding the Lok Adalat system?**

**Table No. 2.3**

Number of respondents	Lack of education	Insufficient information from lawyers	Personal disinterest	Uncertainty of outcome & quality
40	24	4	8	4
100%	61	9	20	10

The survey revealed that 61% of the respondents believed that there was insufficient education available to the public about Lok Adalat. In addition, 20% of the participants showed disinterest in legal matters, while 10% of them suggested that the compromise in decision-making was a

concern. Surprisingly, only 9% of the respondents blamed lawyers for not providing adequate knowledge about Lok Adalat.

**Q.15. Is Lok Adalat taking place every month?**

**Table No. 2.4**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	14	10	6	10
100%	35	26	16	23

The majority of respondents (35% strongly agreed and 26% agreed) expressed positive feedback regarding the organization of Lok Adalat. On the other hand, 16% of the participants disagreed with the monthly sittings of Lok Adalat, while 23% held a neutral stance.

**Q.16. Do you believe that organizing Lok Adalat’s at the Panchayat level would be beneficial?**

**Table No. 2.5**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	8	17	8	7
100%	20	42	21	17

The majority of respondents (20% strongly agree and 42% agree) support the introduction of Lok Adalat’s at the grassroots level. Conversely, 21% of the participants disagreed, while 17% held a neutral stance.

**Q.17. Do you think that disputes can be resolved more efficiently if Lok Adalat's are held daily, in your opinion?**

**Table No. 2.6**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	10	16	5	9
100%	26	39	12	23

The majority of the respondents (26% strongly agreed, 39% agreed) expressed a positive attitude towards the daily organization of Lok Adalat. On the other hand, 12% of the participants disagreed, while 23% held a neutral stance.

**Q.18. Is the mechanism of Lok Adalat in line with the principles of justice, equity, and fair play, in your opinion?**

**Table No. 2.7**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	15	4	4	7
100%	38	9	11	42

Based on the provided data, it can be concluded that 38% of the respondents held a positive attitude towards Lok Adalat, and 9% agreed that it fulfils the standard. However, the majority of the participants held a neutral stance regarding the mechanism of Lok Adalat and its

fulfilment of the principles of justice and equality to the people. Meanwhile, 11% of the respondents stated that it did not fulfil the principle.

**Q.19. Have the State legal service authorities been regularly organizing camps to promote awareness of Lok Adalat’s among people?**

**Table No. 2.8**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	3	14	11	12
100%	8	34	27	31

The majority of the respondents (8% strongly agreed and 34% agreed) expressed their opinion that no regular camps have been introduced by the J&K State Legal Service Authority to spread awareness among people. On the other hand, 27% of the participants disagreed with this view, while 31% held a neutral stance.

**Q.20. Would you consider seeking assistance from the legal service authority if you need help with a case?**

**Table No. 2.9**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
40	11	18	4	7
100%	28	44	10	18

The majority of the respondents (28% strongly agreed and 44% agreed) showed a positive attitude towards the legal service authority's assistance in their cases. A small fraction (10%) did not agree with it, while 18% held a neutral view.

### **VIEWS OF ADVOCATES REGARDING THE FUNCTIONING OF LOK ADALAT'S**

There are different opinions among legal experts regarding the matter. Many of them believe that lawyers in Srinagar are not willing to opt for Alternative Dispute Resolution (ADR) methods over courts for speedy resolution, nor are they interested in getting their cases settled through Lok Adalat's. One reason for this could be their lack of knowledge or awareness about the ADR system, while the other reason could be their financial motives. Unfortunately, lawyers across India tend to propagate the belief that lengthy legal proceedings are more financially beneficial than resolving the matter in a single session before ADR experts.

**Q.1. Does the Lok Adalat mechanism align with the notion of the rule of law, equality, and social justice, and can it contribute to establishing a new legal culture?**

**Table No. 1**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	4	3	1	2
100%	40	30	10	23

The question above pertains to the concept of Lok Adalat in the existing legal framework. The majority of respondents (40% strongly agreed, 30% agreed) were in favour of Lok Adalat's effectiveness in fulfilling the principles of the rule of law, equality, and social justice. However, a minority of them (20%) held an opposing view, suggesting that the quality of justice is compromised and does not serve the interests of the litigants.

**Q.2. Do you agree that opting for the Lok Adalat procedure would be a suitable method to correct the court mechanism?**

**Table No. 1.1**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>
10	4	5	1
100%	40	50	10

The majority of respondents (40% strongly agreed and 50% agreed) hold the belief that the Lok Adalat process is preferable to the court redressal mechanism due to its growing popularity and ability to facilitate fast settlement of disputes. A small percentage of respondents (10%) expressed a negative attitude.

**Q.3. Do you believe that the Lok Adalat mechanism can aid in reducing the backlog of cases in traditional courts?**

**Table No. 1.2**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	5	3	1	1
100%	50	30	10	10

A majority of respondents (50% strongly agreed and 30% agreed) expressed a positive response towards reducing the pendency of cases in various courts and alleviating the workload of the judiciary.

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

**Table No. 1.3**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	4	3	2	1
100%	40	30	20	10

The majority of respondents (40% strongly agreed, 30% agreed) have a positive view about the early resolution of disputes through Lok Adalat, as it saves time and the process is less formal, without court fees for the litigants. However, 10% of respondents expressed concerns about delays in decision-making, and 20% had a neutral view regarding the compromise in decision-making due to early resolution.

**Q.5. Do you believe that the Lok Adalat process would result in cost savings for both litigants and courts?**

**Table No. 1.4**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	3	5	0	2
100%	30	50	0	20

According to advocates, the Lok Adalat process can reduce expenses for both litigants and courts. This is because there are no court fees, and the early settlement of disputes means that



cases do not drag on, reducing litigation and therefore lessening the court's expenditure on infrastructure.

**Q.6. Do you agree that the current legal system is sufficient in promoting the Lok Adalat process?**

**Table No. 1.5**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	2	4	2	3
100%	20	40	20	30

According to Table 1.5, there are varying opinions about the need for a proper legal framework to promote Lok Adalat. Out of 20 respondents, 20% strongly agreed and 40% agreed that a proper legal framework is necessary, while 20% believed that there is an inadequate legal framework for promotion of Lok Adalat. Additionally, 30% were of the opinion that there is a legal framework for promotion, but it only goes so far.

**Q.7. Have you received any incentives for promoting Lok Adalat's?**

**Table No. 1.6**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	2	3	2	3
100%	20	30	20	30

Half of the respondents (50%) believe that incentives have been offered for the promotion of Lok Adalat, while the others think that there are no appropriate incentives provided. Due to the lack of infrastructure for Lok Adalat, it becomes challenging to implement the process.

**Q.8. Do you believe that it is necessary to hold regular Lok Adalat's in Srinagar?**

**Table No. 1.7**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	3	3	2	3
100%	30	30	20	30

The survey findings indicate that 30% of respondents strongly agreed and 30% agreed on the importance of regular organization of Lok Adalat's in the Srinagar region. They believed that the regular organization of Lok Adalat's would reduce the burden of cases on regular courts and provide speedy justice to the people. However, 30% of respondents disagreed with the need for regular organization of Lok Adalat's in Srinagar, while another 20% had a neutral opinion on the matter.

**Q.9. Do you believe that the Lok Adalat process provides more satisfaction and comfort to litigants compared to the traditional court mechanism, in your opinion?**

**Table No. 1.8**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	2	4	0	4

100%	20	40	0	40
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The majority of respondents (20% strongly agreed, 40% agreed) believe that the Lok Adalat process is more acceptable and satisfying to litigants compared to the usual court mechanism. This is because Lok Adalat offers quick decisions and mutual consent of parties on the decisions made. However, 40% of respondents hold a neutral view as they believe that the compromise made by Lok Adalat may be unacceptable to some people. In contrast, no respondents disagreed with this viewpoint. These findings are based on the responses of 10 participants.

**Q.10. Do the cases taken up by Lok Adalat get successfully resolved, in your opinion?**

**Table No. 1.9**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	5	3	2	1
100%	50	30	20	10

The majority of the respondents (50% strongly agreed, 30% agreed) believe that most cases are successfully resolved in one sitting through Lok Adalat’s with the mutual consent of litigants. However, 20% of the respondents indicated that there are occasional delays in resolution due to poor infrastructure and insufficient manpower of Lok Adalat. Meanwhile, 10% of the respondents have a neutral view on this matter.

**Q.11. Do advocates from J&K Courts themselves have a desire to settle their cases through Lok Adalat?**

**Table No. 2**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	3	4	1	2
100%	30	40	10	20

The majority of respondents (30% strongly agreed, 40% agreed) believe that lawyers prefer to resolve their cases in Lok Adalat due to the faster and more efficient process of delivering judgments without delay. This is because they are well acquainted with the high pendency of cases in regular courts and ongoing litigation. 10% of respondents disagreed with this view, while another 20% had a neutral stance.

**Q.12. Is J&K Legal Service Authority making adequate efforts to organize Lok Adalat's in Srinagar?**

**Table No. 2.1**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	2	3	1	4
100%	20	30	10	40

The table provided indicates that there are mixed opinions (20% strongly agreed, 30% agreed, 10% disagreed, and 40% neutral) regarding the efforts made by J&K Legal Service Authority in organizing Lok Adalat's. While some respondents agree that incentives are provided for the organization of Lok Adalat, there are concerns about the poor implementation process.

Respondents believe that the authority should take more proactive steps to organize Lok Adalat’s in Srinagar to uphold the principles of justice, equality, and fair play.

**Q.13. Are legal professionals in Srinagar shifting towards alternative dispute resolution (ADR) methods instead of courts for faster settlement of cases?**

**Table No. 2.2**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	1	2	4	3
100%	10	20	40	30

The table indicates that the majority of legal professionals in Srinagar (30% disagreed) do not prefer to opt for Alternative Dispute Resolution (ADR) mechanisms instead of regular courts. They perceive that resolving cases through regular courts leads to longer proceedings, which is more financially beneficial for them, instead of resolving disputes in one sitting through ADRs.

**Q.14. Is the legal aid scheme capable of rectifying the distortions in the judiciary, by fostering the right approach among legal professionals and providing assistance to the underprivileged sections of society?**

**Table No. 2.3**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	4	2	1	3
100%	40	20	10	30

The question revealed that a significant proportion of respondents (40% strongly agreed, 20% agreed) believe that legal aid alone cannot reverse the declining trend in the current judicial system. The majority of respondents suggested that a collaborative approach would be necessary to improve the system. Lok Adalat should not only serve as an alternative to reduce the backlog of cases in regular courts but should also benefit society through its accessible and efficient decision-making process. 10% disagreed, while 30% remained neutral.

**Q.15. Do you believe that Lok Adalat's should be conducted at the Panchayat level, in your opinion?**

**Table No. 2.4**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	3	4	2	1
100%	30	40	20	10

The majority of respondents (30% strongly agreed, 40% agreed) support the idea of organizing Lok Adalat's at the Panchayati level, as it would promote decentralization of power and provide doorstep justice to those in need. However, 10% disagreed with this idea and 20% remained neutral. The decentralization of power at the grassroots level is important to improve the efficiency of the judicial system.

**Q.16. Do you believe that the increasing prominence of the Lok Adalat system is a substitution for the conventional court system?**

**Table No. 2.5**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
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10	0	3	5	2
100%	0	30	50	20

20% of the respondents disagreed with the idea of replacing the regular court system with Lok Adalat’s. They consider Lok Adalat as just an alternative means to reduce the workload of regular courts. However, a small minority of respondents (30%) feel that Lok Adalat may replace the regular courts, while 50% remain neutral on the issue.

**Q.17. What is the reason behind the lack of awareness among people about the Lok Adalat system and its functioning?**

**Table No. 2.6**

<b>Number of respondents</b>	<b>Personal disinterest</b>	<b>Lack of education</b>	<b>Insufficient information from lawyers</b>	<b>Uncertainty of outcome &amp; quality</b>
10	6	3	0	1
100%	60	30	0	10

The majority of respondents (60%) believe that the lack of awareness of the Lok Adalat system is due to the personal disinterest of the people, while 30% attribute it to a lack of education about Legal Aid and Lok Adalat. The legal service authority should take more initiatives to spread awareness of Lok Adalat and maintain peace in society. They should also take steps to attract people's interest towards Lok Adalat. However, 10% of respondents believe that there is a compromise in decision-making, which reduces people's interest in Lok Adalat.

**Q.18. Should issues related to women's lawsuits and problems be given more priority in Lok Adalat's, in your opinion?**

**Table No. 2.7**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	4	4	1	1
100%	40	40	10	10

The results of the above question indicate a positive response, with 40% strongly agreeing and 40% agreeing that women's issues should be given importance in Lok Adalat. This is in response to the increasing crimes against women in society and the poor justice mechanism of regular courts, which often lead to delays in providing justice. The respondents suggest that women litigants should be given more importance and attention in Lok Adalat.

**Q.19. Would it be preferable to have a female lawyer or judge for the resolution of matrimonial cases?**

**Table No. 2.8**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	3	3	3	1
100%	30	30	30	10

Although positive responses suggested that having a female judge alongside other judges would be a good solution in matrimonial disputes, 30% of the respondents expressed the



opinion that it would not make any difference in providing justice, while 30% had a neutral view.

**Q.20. Has the Lok Adalat system been successful in providing prompt justice to the underprivileged?**

**Table No. 2.9**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	4	3	2	1
100%	40	30	20	10

The majority of respondents (40% strongly agreed, 30% agreed) hold the view that Lok Adalat is successful in providing justice to the poor. As there is no court or lawyer fee, it becomes easier for the poor to reach a settlement and obtain justice which they cannot easily obtain through regular courts. However, some of the respondents mentioned that due to only one sitting in a month, there are thousands of cases in front of Lok Adalat, which sometimes causes delays in justice for the poor.

**Q.21. Is there frequent financial assistance provided by the government to Lok Adalat?**

**Table No. 3**

<b>Number of respondents</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
10	1	1	5	3
100%	10	10	50	30

The majority of respondents, 50%, stated that they have not received regular assistance for organizing Lok Adalat's.

**Q.22. Are the paralegal volunteers effectively bridging the gap between the general public and the legal system?**

**Table No. 3.1**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	0	6	1	3
100%	0	60	10	30

Para-legal volunteers play a crucial role in educating people and creating awareness about their rights, as well as guiding them to understand the nature of their disputes and possible solutions for quick resolution. According to 60% of the respondents, Para-legal volunteers are fulfilling their roles properly in educating people. However, some respondents pointed out that there is a lack of responsibility among volunteers due to insufficient training.

**Q.23. Has assistance been provided to litigants regarding their case?**

**Table No. 3.2**

Number of respondents	Strongly Agree	Agree	Neutral	Disagree
10	4	3	1	2
100%	40	30	10	20

The majority of respondents (40% strongly agreed, 30% agreed) believed in providing assistance to litigants in understanding the nature of their case and fully guiding them towards achieving justice.

## **FOR DISCUSSION: HYPOTHESIS TESTING**

### **VIEWS OF THE GENERAL PUBLIC**

#### **Hypothesis 1 -**

The study conducted hypothesis testing to examine the perceptions of respondents on the role of Lok Adalat in the Indian legal system. The study analyzed various tables to draw insights and conclusions.

Table No. 1.1 revealed that a majority of respondents (23% strongly agreed and 42% agreed) believed that Lok Adalat's play a positive role in reducing the burden on regular courts. However, 22% of respondents were neutral on whether Lok Adalat's have significantly reduced the pendency of cases as there is still a huge amount of pendency in regular courts.

Table No. 1.4 showed that 32% of respondents strongly agreed and 35% agreed that the institution of Lok Adalat is easily accessible for dispute resolution. The process of Lok Adalat's is less formal than the court redressal system. In regular courts, the settlement process starts only after finishing all rules and regulations, whereas the Lok Adalat procedure is less official and based on shared cooperation with conclusiveness of results, and there is no appeal against the decision of the Lok Adalat.

Table No. 1.5 revealed that 53% of respondents gave more preference to the speedy justice mechanism of Lok Adalat's, while 27% considered economy as the preference. Some of the respondents did not agree to give preference to Lok Adalat's over regular courts. This suggests that the majority of respondents consider the mechanism of speedy justice as the main reason for their preference for Lok Adalat.

Table No. 1.6 indicated that out of 100 respondents, 45 believed proper attention is given to justice by Lok Adalat, 20% said no proper attention is given, and the remaining 35% believed

justice is delivered, but there is a compromise on equality. Thus, the maximum number of respondents favoured the proper attention given by Lok Adalat to justice.

Table No. 1.7 showed that due to the speedy justice mechanism of Lok Adalat, the majority of people (17% strongly agree and 57% agreed) preferred reaching the Lok Adalat instead of regular courts. However, 12% disagreed, and 14% were neutral on the matter. This may be due to the unawareness of Lok Adalat's in the region or people not knowing the benefits of Lok Adalat's.

Table No. 2.7 revealed that 38% of respondents showed a positive attitude towards Lok Adalat, and 9% agreed with its fulfillment of the standard. However, the majority of people held a neutral view regarding whether the mechanism of Lok Adalat fulfills the principles of justice and equality for the people. Moreover, 11% of respondents said that it did not fulfill the principle.

### **Hypothesis 2 -**

Table No. 1.3 shows that a significant number of respondents, 35% of whom strongly agreed and 40% agreed, recognize the organization of Lok Adalat as an important step taken by the Government of India. The respondents acknowledged that it was necessary to introduce such an institution to provide easy and cost-free justice to the weaker sections of society. This reflects the recognition of the Lok Adalat as an effective mechanism for providing justice to the marginalized sections of society.

Table No. 2.8 pertains to the organizing of awareness camps by the J&K State Legal Service Authority. A majority of the respondents, 8% of whom strongly agreed and 34% agreed, opined that no regular camps have been introduced to spread awareness among people. This shows that there is a lack of information and awareness among the general public about the role of Lok Adalat and its functioning. Additionally, 27% of the respondents disagreed and 31% had a neutral view, which suggests that more efforts are needed to spread awareness among the people regarding the role of Lok Adalat and the benefits of alternative dispute resolution mechanisms. Overall, the data highlights the need for greater efforts to spread awareness about

Lok Adalat and its potential for providing cost-effective and speedy justice to the marginalized sections of society.

### **Hypothesis 3 -**

Table No. 1: A significant proportion of respondents (22% strongly agreed and 28% agreed) believed that there is awareness of Lok Adalat's among the people of Srinagar. However, 20% of the respondents disagreed, indicating that there is still a need for greater awareness. Another 30% of respondents remained neutral on the matter.

Table No. 1.5: When asked about their preference for Lok Adalat's, 53% of the respondents gave more importance to the speedy delivery of justice, while 27% considered cost-effectiveness as their priority. However, some respondents did not agree to give preference to Lok Adalat's over regular courts. This suggests that the majority of respondents view the mechanism of speedy justice as the main reason for their preference for Lok Adalat.

Table No. 1.6: When asked about the justice delivery by Lok Adalat, 45% of the 100 respondents stated that proper attention is given, while 20% believed that no proper attention is given. The remaining 35% said that justice is delivered but with a compromise on equality. Therefore, it can be concluded that the maximum number of respondents are in favour of proper attention being given by Lok Adalat in the delivery of justice.

Table No. 1.7: Due to the speedy justice mechanism of Lok Adalat's, the majority of people (17% strongly agree and 57% agreed) prefer reaching Lok Adalat's instead of regular courts. However, 12% of respondents disagreed, and 14% remained neutral. This might be due to the lack of awareness of Lok Adalat's in the region or people not being aware of the benefits of Lok Adalat's.

Table No. 2.3: A majority of respondents (61%) felt that there is a lack of education regarding Lok Adalat's. 20% of respondents believed that people did not have any interest in legal matters, while 10% felt that there was a compromise in decision-making. Only 9% of respondents felt that insufficient knowledge has been provided by lawyers.

Table No. 2.6: A majority of respondents (26% strongly agreed and 39% agreed) showed a positive attitude towards the organization of Lok Adalat's every day. However, 12% of respondents disagreed, and 23% remained neutral.

Table no. 2.9: The majority of respondents (28% strongly agreed and 44% agreed) showed a positive result regarding the assistance of the legal service authority in their case. However, a small proportion of respondents (10%) did not agree, and 18% remained neutral.

## **VIEWS OF ADVOCATES**

### **Hypothesis 1 -**

Table No. 1 highlights the respondents' opinions on the idea of Lok Adalat in the established legal structure. The majority of the respondents (40% strongly agreed and 30% agreed) supported the concept of Lok Adalat in fulfilling the ideas of the rule of law, equality, and social justice. However, 20% of them held the opposite view, stating that there is a compromise in the quality of justice, and the decisions are unacceptable to the interest of the litigants.

Table No. 1.2 shows that most of the respondents (50% strongly agreed and 30% agreed) positively responded to the reduction of pendency of cases in numerous courts, which lessens the workload of the judiciary.

In Table No. 1.3, the majority of the respondents (35% strongly agreed, 30% agreed) agreed to the early settlement of disputes in Lok Adalat, as it saves a lot of time. 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 for the litigants. However, 15% of the respondents said that sometimes there is a delay in decision-making, and 25% were neutral, stating that there is a compromise in decision-making due to early resolution.

Table No. 1.4 shows that advocates believe that the Lok Adalat process would cut the expenses for litigants as well as courts because there is no court fee, and due to the early settlement of disputes, there is no extension or pendency of cases and litigation, which lessens the expenditure of courts towards infrastructure.

Table No. 1.9 highlights that the majority of the samplers (50% strongly agreed, 14% agreed) opined that most cases get successfully resolved through the Lok Adalat's in one sitting with the mutual consent of litigants. However, 20% said that sometimes there is a delay in resolution due to poor infrastructure and less manpower of Lok Adalat, and 10% were neutral.

Table No. 2.5 reports on the opinions of respondents regarding the replacement of the regular court system with Lok Adalat's. The majority of the respondents did not support the replacement of the regular court system with Lok Adalat's. Among these, 10% of the respondents disagreed with the idea and considered Lok Adalat as an alternative means to reduce the workload of regular courts. On the other hand, a minority of respondents felt that Lok Adalat may replace the regular courts in the future, while 4% had a neutral view of the matter.

Table No. 2.9 provides insights into the perception of respondents on the effectiveness of Lok Adalat in providing justice to the poor. The majority of the respondents (60%) believed that Lok Adalat was successful in providing justice to the poor. Among them, 30% strongly agreed, and 30% agreed that Lok Adalat is effective in providing justice to the poor. Respondents observed that, despite no court fee or lawyer fee, Lok Adalat provides an accessible means for the poor to reach a settlement and obtain justice, which they may not be able to afford through the regular courts. However, a small percentage of respondents believed that due to the large number of cases presented in front of Lok Adalat during a single sitting, there could be delays in providing justice to the poor.

### **Hypothesis 2 -**

Table No. 1.5 shows that there are varying opinions on the legal framework required for promoting Lok Adalat. Out of 20 respondents, 15% strongly agreed and 35% agreed that there should be a proper legal framework in place for promoting Lok Adalat. However, 20% of the respondents felt that there is an inadequate legal framework, while 30% believed that there is a legal framework in place, but it needs improvement.

Table No. 1.6 indicates that 50% of the respondents believe that incentives have been provided for the promotion of Lok Adalat, while others feel that there have been no proper incentives provided. The lack of infrastructure for Lok Adalat is cited as a hindrance to the implementation of the process.

In Table No. 1.7, 30% of the respondents strongly agreed and 25% agreed on the need for regular organizing of Lok Adalat's in Srinagar region. They felt that regular organizing of Lok Adalat's could lessen the burden of cases on regular courts and provide speedy justice to the people. However, 25% of the respondents disagreed and did not feel the need to organize regular Lok Adalat's in Srinagar, while 25% had a neutral view on the matter.

Table No. 2.1 suggests that the J&K legal service authority needs to make more efforts in organizing Lok Adalat. Out of the respondents, 20% strongly agreed, 25% agreed, and 15% disagreed that the J&K legal service authority is not doing its best in organizing Lok Adalat. Although incentives are provided for the organization of Lok Adalat, the implementation process is considered poor. The J&K legal service authority needs to take more initiatives to promote and organize Lok Adalat in Srinagar to fulfil the principles of justice, equality, and fair play.

In Table No. 3, the majority of respondents (50%) disagreed and said that no regular assistance has been given to them for organizing Lok Adalat.

Table No. 3.1 highlights the importance of para-legal volunteers in educating people and making them aware of their rights. 65% of the respondents opined that para-legal volunteers are playing their role properly in educating people. However, some respondents felt that there is a lack of responsibility due to the lack of training of volunteers.

Table No. 3.2 shows that most of the respondents (45% strongly agreed, 35% agreed) believe that litigants should be provided with assistance regarding the nature of their case and fully assist them in reaching the door to justice. This shows the importance of providing guidance and assistance to litigants to help them understand their cases better and reach a fair resolution.



### **Hypothesis 3 -**

Table No 1.1 shows that the majority of the respondents (40% strongly agreed and 50% agreed) believe that the Lok Adalat process should be preferred over the court redressal mechanism due to its growing popularity and fast settlement of disputes. Only 15% of respondents held a negative attitude towards it. The Lok Adalat process is gaining popularity among litigants because of its quick and efficient dispute-resolution mechanism. It not only reduces the workload of regular courts but also saves time and money for the parties involved.

Table No 1.8 reveals that a majority (25% strongly agreed and 40% agreed) of the respondents agreed that the Lok Adalat process is more acceptable and satisfying to the litigants than the usual court mechanism. The quick decision-making process of Lok Adalat ensures mutual consent between the parties involved in the dispute. However, 35% of respondents had a neutral view because the compromise made by Lok Adalat may not always be acceptable to the parties involved.

Table No. 2.3 discovered that a large number (40% strongly agreed, 20% agreed) of respondents were of the opinion that legal aid alone cannot help restore the downward trend in the present judicial system. The majority of the respondents suggested that a combined approach, including Lok Adalat's, would assist in bringing the structure up to the mark. Lok Adalat's should not only work as an alternative to reduce the pendency of cases in regular courts but also benefit society through its easy approachable and quick decision-making process. 10% disagreed and 30% were neutral regarding this idea.

Therefore, it is evident from these tables that Lok Adalat is gaining popularity among litigants due to its quick and efficient dispute resolution mechanism, and a combined approach including legal aid and Lok Adalat's can help in bringing the judicial system up to the mark.

### **Hypothesis 4 -**

Table No. 2 shows that a significant portion of respondents, 30% who strongly agreed and 40% who agreed, believe that advocates themselves prefer to solve their cases in Lok Adalat due to the quicker method of providing judgments without any delay in settlement. They are well

aware of the case pendency situation of regular courts and continuous litigations, which motivates them to opt for Lok Adalat's. However, 15% of respondents disagreed with this view while 15% remained neutral.

Moving on to Table No. 2, it is evident that the J&K legal service authority is not doing its best effort in organizing Lok Adalat. The table shows that 20% strongly agreed, 25% agreed, 15% disagreed, and 40% remained neutral on this issue. Despite providing incentives for the organizing of Lok Adalat, the implementation process is poor. The legal service authority should take more incentives in organizing the Lok Adalat in Srinagar and fulfill the principle of justice, equality, and fair play.

Table No. 2.2 indicates that the majority of samplers believe that legal professionals in Srinagar are not moving towards ADR instead of regular courts. 40% of respondents disagreed with this view. They believe that resolving cases through regular courts is more long-lasting, which is beneficial for their financial profit instead of resolving disputes in one sitting through ADR.

Table No. 3.1 highlights the important role played by Para-legal volunteers in educating people and making them aware of their rights. The table shows that 65% of the respondents opined that Para-legal volunteers are playing their role properly in educating people. However, few of the samplers said that there is a lack of responsibility because of a lack of training of volunteers. It is crucial to provide proper training to Para-legal volunteers so that they can carry out their role more effectively.

## **OBSERVATIONS**

1. The study shows that people in Srinagar who have dealt with legal institutions or have solved their cases through Lok Adalat are aware of the institution, while the illiterate and those from other fields may be unaware of it. The procedure followed by Lok Adalat in India, particularly in the state of Jammu and Kashmir is governed by the Jammu and Kashmir Legal Services Authority Act of 1997 (Act No. XXXIII of 1997). Legal experts provide assistance to litigants in understanding the nature of their cases and guide them through the process of registering their cases for resolution in Lok Adalat sittings.

2. The scheme of Para-legal volunteers, inaugurated by the National Legal Service Authority in 2009, plays an important role in educating people about their rights, guiding them to understand the nature of their disputes, and providing possible solutions to quickly resolve their disputes. However, the study found that some respondents felt that there was a lack of responsibility on the part of Para-legal volunteers due to inadequate training.

3. The study also found that legal experts did not give preference to Lok Adalat over regular courts due to their mindset of earning money, considering the pendency of litigation as a means for their financial benefit. However, respondents favoured settling women's problems in Lok Adalat's.

4. The lack of infrastructure and inadequate manpower are the main reasons behind the pendency of cases in Lok Adalat. Moreover, the State Legal Service Authority is not giving its best effort in organizing Lok Adalat's in the region. It is also observed during the field study that there is sometimes a compromise in the decision of Lok Adalat, which could be due to corruption.

5. The study highlights the lack of education regarding Lok Adalat as one of the key reasons for unawareness of the Lok Adalat mechanism. People prefer Lok Adalat's because of its speedy justice nature as nobody wants to wait for years without any benefit.

## **RECOMMENDATIONS**

1. Lawyers should be incentivized for their assistance in Lok Adalat so that they can give their best in making the Lok Adalat mechanism successful. The government can provide a reward system to encourage them to participate more actively in the Lok Adalat process.

2. The government should take the initiative to improve the infrastructure of Lok Adalat and increase the number of judges to enable quicker dispute resolution. The establishment of Lok Adalat comes under the state's responsibility, and it is crucial to grant a significant amount of financial assistance in the annual budget of the State for the same. Infrastructure is essential for the functioning of Lok Adalat, and the Legal Services Authorities Act, 1987, articulates that the sources for funds are largely grants from the centre and state.

3. Cases that go to Lok Adalat are genuine disputes between parties, and there should be no compromise in the outcome of the case. Sometimes, the speed of negotiation would beat the purpose's basic concept of the judiciary and its functioning. The cases should not be only taken to increase the success rate of the state but to benefit the weaker section of society without compromising the quality of justice.

4. The National Legal Service Authority should introduce more volunteer programs and encourage volunteer associations, NGOs, and social action groups to involve themselves in the proceedings of Lok Adalat and provide their help in spreading awareness camps. They should also be encouraged for their active participation.

5. The State Legal Service Committee should make efforts to make the Lok Adalat process popular among the litigants and the common people at large through audio-visual media, seminars, workshops, symposiums, etc. Pamphlets containing information and importance regarding Lok Adalat should be circulated in the courts.

6. Subjects regarding basic legal studies should be added to the syllabus of students of all streams to keep them updated with their rights and the legal system. The government should provide proper incentives for the proper training of legal students and advocates so that they can give their best in their field and provide justice to every needy person.

## CONCLUSION

In conclusion, while the people of Srinagar who have had experience with the legal system or have solved their cases through Lok Adalat are aware of its existence, there is a lack of awareness among the illiterate and those from other fields. The Jammu and Kashmir Legal Service Authority Act 1997 governs the procedure adopted by Lok Adalat in India. Legal experts provide assistance to litigants regarding the nature of their cases and assist them in registering their cases for resolution in Lok Adalat sittings.

The scheme of Para-legal volunteers has played an important role in educating people about their rights and guiding them to understand the nature of their disputes and provide possible solutions for quick resolution. However, there is a mindset among some legal experts of earning

money and considering the pendency of litigation as a means for financial benefit. There is also a lack of infrastructure and manpower, and the State Legal Service Authority is not making sufficient efforts to organize Lok Adalat's in the region.

Moreover, there have been instances of compromise in the decision-making process of Lok Adalat. The lack of education about Lok Adalat is a key reason for the mechanism's general unawareness, but people still prefer it because of its speedy justice nature. Lastly, the institution of Lok Adalat is somewhat besieged by corruption.