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## **COMMUNITY MEDIATION AS A TOOL FOR SOCIAL JUSTICE AND GRASSROOTS GOVERNANCE IN INDIA**

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### **ABSTRACT**

Community mediation has gained increasing relevance as an alternative dispute resolution mechanism that enhances access to justice and participatory governance in India. In a socio-legal landscape marked by judicial backlog, social inequality, and limited institutional reach at the grassroots level, community mediation offers a decentralized, consensual, and culturally responsive approach to conflict resolution. This paper examines community mediation as a tool for advancing social justice and strengthening grassroots governance within India's constitutional and legal framework.

The study adopts a doctrinal and analytical methodology to examine the constitutional foundations of access to justice, particularly under Article 39A of the Constitution of India, alongside statutory and judicial developments supporting alternative dispute resolution. It situates community mediation within India's traditional dispute resolution practices while analysing its contemporary relevance in addressing local disputes related to family, community relations, minor civil conflicts, and social welfare. Judicial recognition of mediation and ADR mechanisms has created a conducive legal environment, within which community mediation functions as a complementary and preventive justice mechanism.

The paper finds that community mediation contributes significantly to social justice by improving accessibility, affordability, and inclusivity in dispute resolution, particularly for marginalized and vulnerable groups. By prioritizing dialogue, consensus-building, and restorative outcomes over adversarial adjudication, community mediation helps preserve social relationships and community cohesion. Additionally, the study highlights its governance dimension by linking community mediation with grassroots democratic institutions, such as Panchayati Raj bodies, thereby promoting participatory decision-making and local accountability.

The paper concludes that community mediation, when properly regulated

and integrated with the formal justice system, has substantial potential to function as a sustainable instrument of social justice and grassroots governance in India. Policy reforms aimed at standardization, inclusivity, and institutional recognition can strengthen community mediation as a vital component of India's justice delivery ecosystem.

**Keywords:** Community Mediation, Social Justice, Grassroots Governance, Access to Justice, Alternative Dispute Resolution.

## 1. INTRODUCTION

Access to justice is a foundational pillar of any constitutional democracy, yet for large sections of Indian society, formal legal mechanisms remain distant, expensive, and procedurally complex. Despite constitutional guarantees under Articles 14 and 39A of the Constitution of India, structural inequalities, socio-economic disparities, and institutional delays continue to impede effective justice delivery at the grassroots level. In this context, community mediation has emerged as a pragmatic and participatory tool that bridges the gap between formal justice systems and community-based dispute resolution, reinforcing both social justice and grassroots governance.

India's judicial system is currently burdened with an unprecedented pendency of cases, which undermines public confidence in formal adjudicatory institutions.<sup>1</sup> Traditional litigation often escalates social conflict rather than resolving it, particularly in disputes rooted in familial, neighbourhood, or community relationships. Community mediation, by contrast, emphasizes dialogue, consensus, and restorative outcomes, enabling disputing parties to resolve conflicts in a manner that preserves social harmony and collective responsibility. Rooted in indigenous practices such as *panchayat* settlements and *lok samadhan*, community mediation aligns with India's socio-cultural traditions of participatory justice while adapting to contemporary legal norms.<sup>2</sup>

Community mediation operates on the principle that justice is not merely a legal outcome but a social process. It empowers local communities by involving trained mediators often respected community members who facilitate voluntary, non-adversarial dispute resolution. This model democratizes access to justice by reducing dependency on formal courts and legal

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<sup>1</sup> Nat'l Judicial Data Grid, Supreme Court of India, Pendency of Cases (2024).

<sup>2</sup> Marc Galanter, Justice in Many Rooms: Courts, Private Ordering, and Indigenous Law, 19 J. Legal Pluralism 1 (1981).

professionals, thereby making justice more inclusive and accessible to marginalized populations.<sup>3</sup> From minor civil disputes and matrimonial conflicts to neighbourhood and communal tensions, community mediation addresses conflicts at an early stage, preventing escalation into protracted litigation or violence.

From a governance perspective, community mediation strengthens grassroots democracy by complementing the constitutional vision of decentralized governance under the 73rd and 74th Constitutional Amendments. By fostering participatory decision-making and local accountability, mediation mechanisms contribute to responsive governance and social cohesion. The involvement of local institutions such as Gram Panchayats, Municipal Ward Committees, and civil society organizations in mediation initiatives enhances community ownership and reinforces trust in public institutions.<sup>4</sup> Moreover, community mediation aligns with the objectives of Alternative Dispute Resolution (ADR) mechanisms recognized under Indian law, particularly Section 89 of the Code of Civil Procedure, 1908, and the Legal Services Authorities Act, 1987, which institutionalize mediation as a means of achieving “equal justice.”<sup>5</sup>

Judicial recognition of mediation as an effective dispute resolution mechanism has further strengthened its legitimacy. The Supreme Court of India has consistently emphasized the need to promote mediation to reduce judicial backlog and encourage amicable settlements.<sup>6</sup> However, community mediation extends beyond court-annexed mediation by functioning independently at the societal level, thus embodying a bottom-up approach to justice delivery. It transforms citizens from passive recipients of justice into active participants in conflict resolution, thereby advancing substantive social justice.

This research paper seeks to critically examine community mediation as a tool for promoting social justice and strengthening grassroots governance in India. It analyses the theoretical foundations, legal framework, and practical implications of community mediation, while also assessing its challenges and potential for institutional integration. By situating community mediation within India’s constitutional and socio-legal landscape, the study aims to highlight its role in creating a more inclusive, participatory, and sustainable justice system.

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<sup>3</sup> Upendra Baxi, *The Crisis of the Indian Legal System* 34–36 (Oxford Univ. Press 1982).

<sup>4</sup> The Constitution of India arts. 243–243ZG.

<sup>5</sup> Code of Civil Procedure, No. 5 of 1908, S 89; Legal Services Authorities Act, No. 39 of 1987, S 4.

<sup>6</sup> *Salem Advocate Bar Ass’n v. Union of India*, (2005) 6 S.C.C. 344 (India).

## 2. LITERATURE REVIEW

Community mediation in India represents both a continuity of indigenous dispute-resolution practices and a contemporary institutional initiative aimed at enhancing social justice and grassroots governance. Academic and policy literature collectively foregrounds the evolution of mediation from customary village forums to its recent statutory recognition under the Mediation Act, 2023, emphasizing its potential to democratize access to justice and alleviate the burdens on formal courts.

Historical and sociological perspectives illustrate that informal, community-embedded conflict resolution has long functioned as a primary mode of dispute management within Indian villages, often rooted in social norms and local governance structures rather than formal legal procedures. These indigenous mechanisms resonate with restorative principles, emphasizing consensus, harmony, and relational equilibrium over adversarial adjudication. Contemporary legal scholarship positions community mediation within the broader alternative dispute resolution (ADR) and governance literature as a complementary avenue to formal judicial processes. Decentralized dispute resolution through community forums and Panchayats can widen access, reduce systemic backlogs, and embed justice within everyday social interactions. Emphasis is placed on the normative alignment of community mediation with constitutional values of participation, dignity, and equality, particularly for socially disadvantaged groups.

The Mediation Act, 2023 marks a watershed in India's dispute resolution regime by codifying mediation and explicitly incorporating community mediation as a statutory category for disputes affecting peace and harmony within localities.<sup>7</sup> This statutory innovation reflects an effort to institutionalize mediation practices that were previously informal, thus reinforcing community-level governance and resolving minor conflicts without overreliance on courts. Nonetheless, critical voices argue that formalization can also risk diluting the distinctiveness of community-driven processes if not implemented with contextual sensitivity.

Researchers underscore that effective realization of community mediation's promise depends on institutional design, capacity building, mediator training, and protective safeguards to ensure inclusivity and prevent power imbalances from undermining the fairness of mediated outcomes.

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<sup>7</sup> Mediation Act, 2023, No. 32 of 2023, §§ 1–2 (India) (assented Sept. 14, 2023),

### **3. LEGAL AND INSTITUTIONAL FRAMEWORK FOR COMMUNITY MEDIATION IN INDIA**

#### **3.1 Constitutional Foundations of Community Mediation**

The constitutional vision of India provides a strong normative basis for community mediation as an instrument of social justice and participatory governance. The Preamble to the Constitution of India emphasizes justice i.e social, economic, and political, which inherently supports non-adversarial and inclusive dispute resolution mechanisms that are accessible at the grassroots level. Community mediation aligns with this vision by promoting consensus-building, social harmony, and restorative justice within local communities.

Article 14 of the Constitution guarantees equality before law and equal protection of laws, while Article 21 ensures the right to life and personal liberty, which has been judicially expanded to include access to justice. In *Hussainara Khatoon v. State of Bihar*, the Supreme Court recognized speedy justice as a fundamental right, thereby underscoring the necessity of alternative dispute resolution mechanisms to reduce judicial delays and enhance access to justice.<sup>8</sup>

Further, Article 39A, inserted by the Forty-second Constitutional Amendment, mandates the State to ensure that the legal system promotes justice on the basis of equal opportunity and provides free legal aid. Community mediation, by minimizing procedural complexities and costs, serves as a practical realization of Article 39A, particularly for marginalized and vulnerable sections of society.

#### **3.2 Statutory Framework Governing Community Mediation**

Although community mediation is not governed by a single comprehensive statute, its legal recognition can be traced through various legislative instruments that encourage amicable settlement of disputes.

##### **a) Code of Civil Procedure, 1908**

Section 89 of the Code of Civil Procedure empowers courts to refer disputes for settlement

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<sup>8</sup> *Hussainara Khatoon (I) v. State of Bihar*, (1980) 1 SCC 81 (India).

through arbitration, conciliation, mediation, or judicial settlement. The Supreme Court in *Salem Advocate Bar Association v. Union of India* upheld the constitutional validity of Section 89 and emphasized mediation as an effective alternative to conventional litigation.<sup>9</sup> This provision has enabled courts to refer disputes to community-based mediation centers, especially in family, property, and neighbourhood conflicts.

### **b) Legal Services Authorities Act, 1987**

The Legal Services Authorities Act, 1987 institutionalizes access to justice through legal aid and alternative dispute resolution mechanisms, including Lok Adalats. While Lok Adalats primarily function as statutory forums, their community-oriented nature and emphasis on compromise reflect the ethos of community mediation. Section 19 of the Act provides for the organization of Lok Adalats to facilitate amicable settlements, particularly benefiting economically weaker sections.<sup>10</sup>

### **c) Mediation Act, 2023**

The Mediation Act, 2023 marks a significant legislative advancement by providing a structured framework for mediation in India. The Act recognizes pre-litigation mediation and promotes voluntary settlement of disputes, thereby strengthening the legitimacy of mediation practices at the community level. Although the Act focuses primarily on institutional mediation, its principles confidentiality, neutrality, and party autonomy; can be effectively adapted to community mediation models to enhance grassroots governance.<sup>11</sup>

## **3.3 Institutional Mechanisms Supporting Community Mediation**

### **a) Gram Panchayats and Local Self-Government**

The 73rd Constitutional Amendment Act, 1992 institutionalized Panchayati Raj Institutions as units of self-governance. Gram Panchayats have traditionally played a conciliatory role in resolving local disputes through informal mediation practices. While extra-constitutional bodies like Khap Panchayats have been criticized for violating constitutional values,

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<sup>9</sup> *Salem Advocates Bar Ass'n v. Union of India*, (2005) 6 SCC 344 (India).

<sup>10</sup> Legal Services Authorities Act, No. 39 of 1987, § 19, India.

<sup>11</sup> Mediation Act, No. 32 of 2023, India.

constitutionally recognized Panchayats, when functioning within legal limits, can serve as legitimate forums for community mediation that uphold rule of law and human rights.

### **b) Nyaya Panchayats and Village Courts**

Several states have established Nyaya Panchayats to resolve minor civil and criminal disputes at the village level. These institutions embody the principles of community mediation by ensuring participatory justice, cultural sensitivity, and speedy resolution. Their functioning reflects the decentralized justice delivery system envisioned under the Constitution.

### **c) Court-Annexed and Community Mediation Centers**

Under the guidance of the Supreme Court and High Courts, court-annexed mediation centers have been established across India. Many of these centers collaborate with local communities and trained mediators to resolve disputes amicably. The Mediation and Conciliation Project Committee (MCPC) of the Supreme Court has played a pivotal role in promoting mediation awareness and capacity building.<sup>12</sup>

## **4. ADVANCEMENT OF SOCIAL JUSTICE AND GRASSROOTS GOVERNANCE**

### **4.1 Advancement of Social Justice**

Social justice, as envisaged under the Preamble of the Indian Constitution, requires the State to ensure equitable access to justice and protection of rights for all citizens, particularly the socially and economically disadvantaged. Conventional judicial processes, characterized by procedural complexity, delay, and high costs, often alienate vulnerable communities from seeking redress. Community mediation addresses these systemic barriers by providing an informal, inclusive, and culturally sensitive forum for dispute resolution.

Through participatory engagement, community mediation enables individuals especially women, Dalits, tribal populations, and economically weaker sections to voice grievances without fear or intimidation. The consensual nature of mediation fosters equality between parties and discourages coercive power dynamics, thereby promoting substantive rather than merely formal justice. This approach resonates with the Supreme Court's recognition that

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<sup>12</sup> Supreme Court of India, Mediation & Conciliation Project Committee,

access to justice is a fundamental human right implicit under Article 21 of the Constitution.

Further, community mediation emphasizes restorative justice over adversarial outcomes. Instead of focusing on punishment or winner-loser determinations, it seeks to repair social relationships, restore harmony, and prevent future conflicts. This restorative dimension is particularly effective in resolving family disputes, neighbourhood conflicts, land disagreements, and minor criminal matters, where continued social coexistence is essential. The Law Commission of India has repeatedly emphasized the role of alternative dispute resolution (ADR) mechanisms in delivering speedy and affordable justice while reducing the burden on courts.<sup>13</sup>

#### **4.2 Strengthening Grassroots Governance**

Community mediation also plays a pivotal role in reinforcing grassroots governance by complementing India's constitutional framework of democratic decentralization under the 73rd and 74th Constitutional Amendments. Panchayati Raj Institutions (PRIs) and Urban Local Bodies (ULBs) are envisaged as vehicles of participatory governance; however, their effectiveness is often undermined by unresolved local disputes and social fragmentation. Community mediation provides these institutions with a constructive mechanism to manage conflicts locally, thereby enhancing their administrative efficiency and social legitimacy.

Village-level mediation initiatives, such as Nyaya Panchayats, Lok Adalats, and court-annexed mediation centres, reflect the integration of traditional dispute resolution practices with formal legal principles. The Supreme Court has acknowledged that such mechanisms promote decentralization of justice delivery and encourage community participation in governance. By enabling local stakeholders to actively participate in dispute resolution, community mediation fosters a sense of ownership, accountability, and civic responsibility within communities.

Moreover, community mediation contributes to conflict prevention and social cohesion, which are essential for effective governance at the grassroots level. Peaceful resolution of disputes reduces administrative intervention, minimizes litigation costs for the State, and allows local governments to focus on development-oriented functions. The United Nations Development

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<sup>13</sup> Law Comm'n of India, Report No. 129: Urban Litigation—Mediation as an Alternative to Adjudication (1988).

Programme has also recognized community-based dispute resolution as a critical component of inclusive governance and sustainable development.<sup>14</sup>

### **4.3 Democratic Legitimacy and Rule of Law**

Importantly, community mediation does not operate in opposition to the formal legal system but functions as a complementary mechanism that strengthens the rule of law. When conducted within a structured legal framework and guided by principles of voluntariness, neutrality, and fairness, community mediation enhances public confidence in justice delivery systems. The Supreme Court's endorsement of mediation as a preferred mode of dispute resolution underscores its institutional legitimacy within India's constitutional democracy.<sup>15</sup>

## **5. EVIDENCE, CASE STUDIES AND CONTEMPORARY PRACTICE**

### **5.1 NALSA Mediation and Training Programs**

The National Legal Services Authority (NALSA) has played a pivotal role in institutionalizing mediation as a credible alternative dispute resolution mechanism in India. Through its mediation training portals, standardized manuals, and structured capacity-building programs, NALSA has sought to professionalize mediation practice across legal services institutions at the national, state, and district levels. These initiatives reflect a conscious policy choice to move beyond ad hoc conciliation towards a uniform framework of mediator competence grounded in principles of neutrality, confidentiality, voluntariness, and procedural fairness.

NALSA's mediation manuals and training modules emphasize experiential learning, ethical standards, and context-specific dispute resolution skills, particularly in family, matrimonial, neighbourhood, and minor civil disputes. The institutionalization of mediation training under the aegis of statutory legal services authorities underpins the broader objective of ensuring minimum procedural competence and quality control among mediators, while simultaneously expanding access to justice at the community level.<sup>16</sup> By embedding mediation within the legal aid framework, NALSA has effectively linked alternative dispute resolution with the

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<sup>14</sup> U.N. Dev. Programme, *Access to Justice: Practice Note 7–9* (2004).

<sup>15</sup> *Afcons Infrastructure Ltd. v. Cherian Varkey Constr. Co. (P) Ltd.*, (2010) 8 S.C.C. 24, 34–36 (India).

<sup>16</sup> NAT'L LEGAL SERVS. AUTH., *Mediation Training Manual* (NALSA 2020); NAT'L LEGAL SERVS. AUTH., *Standard Operating Procedures for Mediation Centres* (2019).

constitutional mandate under Article 39A to ensure equal justice and free legal aid.

## **5.2 Lok Adalat Case Volume and Community Mediation Linkages**

The Lok Adalat system represents one of the most visible manifestations of mass dispute resolution in India. Data published by NALSA and State Legal Services Authorities consistently indicate that Lok Adalats dispose of millions of cases annually, involving substantial monetary settlements and the resolution of long-pending disputes relating to motor accident claims, bank recoveries, matrimonial matters, and public utility services. The sheer volume of cases settled underscores the potential of consensual dispute resolution mechanisms to deliver speedy, cost-effective relief at scale, particularly for economically and socially vulnerable litigants.

In recent years, several State Legal Services Authorities have attempted to strengthen the qualitative dimension of Lok Adalat functioning by integrating community mediation initiatives with Lok Adalat outreach programs. Trained community mediators are increasingly deployed at the pre-litigation stage to screen, counsel, and amicably resolve sensitive disputes such as family conflicts, domestic violence-related disagreements, and issues concerning senior citizens before they escalate into formal litigation.<sup>17</sup> This convergence of Lok Adalat mechanisms with grassroots mediation reflects an evolving victim-centric and participatory model of justice, wherein disputants retain agency over outcomes while benefiting from institutional support.

## **5.3 Constraints in Gram Nyayalayas and Village Forums**

Despite the progressive vision underlying the Gram Nyayalayas Act, 2008, which envisaged the establishment of village-level courts to decentralize adjudication and provide inexpensive justice at the grassroots, implementation across states has remained uneven. Empirical assessments and governmental reports reveal that the number of functioning Gram Nyayalayas falls significantly short of the projections originally contemplated by the legislation. In many states, notified Gram Nyayalayas either remain non-operational or function without adequate

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<sup>17</sup> NAT'L LEGAL SERVS. AUTH., Annual Report 2022–2023 (NALSA 2023); STATE LEGAL SERVS. AUTH. (MAHARASHTRA), Community Mediation Scheme Guidelines (2021).

infrastructure, trained personnel, or financial support.<sup>18</sup>

These shortcomings point to deeper structural constraints, including administrative apathy, fiscal limitations, and insufficient coordination between state governments and judicial authorities. The limited operationalization of Gram Nyayalayas has, in turn, weakened their potential role as effective forums for community-based adjudication and mediation. Consequently, while alternative mechanisms such as Lok Adalats and community mediation have witnessed institutional growth, village courts despite their statutory backing continue to struggle for practical relevance within India's justice delivery architecture.

## 6. SUGGESTIONS AND POLICY RECOMMENDATIONS

### • **Embedding Mandatory Safeguards in Community Mediation Frameworks**

While community mediation promises accessibility and informality, these very attributes may expose disputing parties particularly vulnerable groups to risks of coercion, misinformation, or unequal bargaining power. To address this, statutory and institutional frameworks governing mediation, including the implementation rules under the Mediation Act, 2023, must explicitly mandate procedural safeguards. These should include requirements of informed and voluntary consent, clear disclosure of legal rights and remedies, and the right to withdraw from mediation at any stage without adverse consequences. In disputes implicating fundamental rights, livelihood concerns, matrimonial property, inheritance, or substantial financial interests, safeguards should be heightened. Access to legal aid counsel either through physical presence or pre-mediation legal consultation should be treated as a minimum condition of legitimacy. Embedding such safeguards would ensure that mediation remains a facilitative, rights-respecting process rather than an informal substitute for adjudication that compromises constitutional protections.

### • **Professionalization and Certification of Community Mediators**

The sustainability and credibility of community mediation depend heavily on the competence and ethical integrity of mediators. Presently, mediator selection and training vary widely across jurisdictions, often relying on short-term workshops without standardized evaluation

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<sup>18</sup> Gram Nyayalayas Act, No. 4 of 2009, § 3, INDIA CODE (2009); LAW COMM'N OF INDIA, 245th Report on Arrears and Backlog: Creating Additional Judicial (Wo)manpower (2014).

mechanisms. To remedy this, accessible and tiered certification pathways should be developed and administered jointly by State Legal Services Authorities and the Mediation Council of India. Certification programs should include modules on constitutional values, ethics and neutrality, power asymmetry management, and language and cultural competence, especially in plural and rural contexts. Periodic re-certification and continuing professional education would further ensure accountability. Such professionalization would strike a balance between preserving community participation and ensuring minimum standards of procedural justice, thereby enhancing public trust in mediation outcomes.

- **Integrating Mediation with the Legal Aid Ecosystem**

Community mediation should not function in isolation from the legal aid system but rather as a complementary extension of it. Legal aid clinics, para-legal volunteers, and district legal services authorities must be institutionally integrated into mediation processes involving vulnerable litigants, including women, Scheduled Castes and Scheduled Tribes, children, senior citizens, and persons with disabilities. This integration may take the form of mandatory legal aid referral before mediation, on-call legal advisors during mediation sessions, or post-settlement legal review of mediated agreements. Such institutional convergence would ensure that consensual outcomes do not mask substantive injustice and that mediation reinforces—rather than dilutes—the constitutional commitment to equal access to justice under Article 39A.

- **Data-Driven Oversight and Grievance Redress Mechanisms**

A significant weakness in existing mediation frameworks is the lack of systematic data collection and oversight. To enhance transparency and accountability, standardized record-keeping of mediated settlements—while preserving confidentiality—should be mandated. Aggregated data on dispute categories, settlement rates, and referral outcomes would enable evidence-based policy evaluation and reform.

Additionally, independent grievance redress mechanisms must be established to address complaints relating to coercion, procedural irregularities, or unfair settlements. Periodic audits by legal services authorities or judicial oversight committees can further strengthen institutional credibility. Data-driven governance would ensure that community mediation evolves as a responsive and self-correcting justice mechanism rather than an opaque parallel system.

- **Capacity Building for Panchayats and Local Governance Institutions**

Gram Panchayats and other local governance bodies often function as the first point of contact for dispute resolution in rural areas. However, many local actors lack formal training in rights-sensitive dispute resolution. Targeted capacity-building programs should therefore be introduced to equip Panchayat members with skills in restorative justice, non-coercive facilitation, and constitutional awareness. Equally important is training in referral protocols, enabling local bodies to recognize disputes that are unsuitable for mediation and must be escalated to formal courts or statutory authorities. Strengthening Panchayat capacity would allow local dispute resolution to function as a supportive gateway to justice rather than an informal pressure mechanism rooted in social hierarchy.

- **Community Awareness and Legal Literacy Campaigns**

Finally, for mediation to be genuinely consensual, parties must understand it as a choice rather than an obligation. Grassroots legal literacy and awareness campaigns should be undertaken to educate communities about the nature of mediation, its advantages and limitations, and available alternatives such as litigation, statutory remedies, and appellate processes. Such campaigns should emphasize the voluntary nature of mediation, the right to legal representation, and exit options where mediation fails or becomes unfair. Investing in community awareness would empower disputants to make informed decisions and prevent the normalization of informal settlements that undermine substantive justice.

## **7. CONCLUSION**

Community mediation in India emerges not merely as an alternative dispute resolution mechanism but as a transformative instrument of social justice and participatory governance at the grassroots level. Rooted in indigenous traditions of collective problem-solving and consensus-building, community mediation resonates deeply with India's pluralistic social fabric while simultaneously aligning with contemporary constitutional values of access to justice, equality, and fraternity. By decentralising dispute resolution and empowering communities to resolve conflicts through dialogue rather than adjudication, community mediation bridges the persistent gap between formal legal institutions and marginalised populations.

The analysis undertaken in this paper demonstrates that community mediation significantly

enhances access to justice by reducing procedural complexity, costs, and delays that characterise the formal justice system. In doing so, it reinforces the constitutional mandate under Article 39A of the Indian Constitution, which obligates the State to ensure that justice is not denied due to economic or other disabilities. Moreover, the incorporation of mediation within statutory frameworks such as the Legal Services Authorities Act, 1987, and the increasing judicial endorsement of alternative dispute resolution underscore the institutional recognition of mediation as an essential component of justice delivery. Judicial pronouncements advocating consensual dispute resolution further reflect a shift from adversarial legalism towards restorative and participatory justice.

Beyond dispute resolution, community mediation serves as a vital mechanism of grassroots governance by fostering civic engagement, strengthening local institutions, and nurturing a culture of dialogue and mutual respect. It enables communities to reclaim agency over conflict management, thereby reinforcing democratic decentralisation envisaged under the Panchayati Raj system. By addressing disputes in a culturally sensitive and socially embedded manner, community mediation contributes to social cohesion and prevents the escalation of conflicts that could otherwise burden courts and disrupt communal harmony.

However, the promise of community mediation must be accompanied by safeguards to prevent coercion, power imbalances, and informal injustices, particularly in disputes involving vulnerable groups. The effectiveness of community mediation depends on adequate training of mediators, legal awareness among participants, and meaningful institutional oversight. Without such safeguards, there exists a risk of perpetuating entrenched social hierarchies under the guise of consensual resolution.

In conclusion, community mediation holds immense potential as a tool for advancing social justice and strengthening grassroots governance in India. When embedded within a robust legal framework and guided by constitutional principles, it can complement the formal justice system and contribute to a more inclusive, participatory, and humane model of dispute resolution. The future of community mediation in India lies in striking a careful balance between community autonomy and legal accountability, ensuring that justice delivered at the grassroots remains both accessible and equitable.

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