
EVALUATING THE ROLE OF MEDIATION AND CONCILIATION IN LOK ADALAT: EFFICIENCY, FAIRNESS, AND ACCESS TO JUSTICE

Tanu Yadav, LL.M., School of Law Justice & Governance, Gautam Buddha University,
Greater Noida, U.P.

Dr. Mamta Sharma, Assistant Professor, School of Law Justice & Governance, Gautam
Buddha University, Greater Noida, U.P.

ABSTRACT

Mediation and conciliation, as mechanisms of Alternative Dispute Resolution (ADR) in India, have come into prominence and are playing a significant role in the context of Lok Adalats in India as notified under the Legal Services Authorities Act, 1987. The purpose of this study is to assess the effectiveness of mediation and conciliation in Lok Adalats especially on efficiency, fairness and justice. Lok Adalats are a process of resolution, driven by participation and settlement, in which cases are decided by mutual agreement, not by opposing sides. It explores the role of mediation and conciliation in minimizing judicial backlogs, accelerating dispute resolution, and providing efficient justice delivery at an affordable cost.

In terms of efficiency, Lok Adalats are an effective measure in disposing of cases in more friendly terms, thus saving time and judicial resources. The consensual nature of settlements means that the parties have some control over the outcomes, providing some fairness in settlement; however, issues of unequal bargaining power and voluntary consent are still relevant. Lok Adalats are very effective in ensuring access to justice by providing effective, informal and speedy justice for economically and socially weaker sections of the society.

The study also examines issues of enforceability, informed consent, insufficient legal representation and lack of awareness in settlements. It states that the Lok Adalats have improved the justice delivery system in India but still there is a need for the system to be improved to provide genuine justice to the parties.

Keywords: The Lok Adalat, Mediation, Conciliation, Alternative Dispute Resolution (ADR), Access to Justice, Legal Services Authorities Act, 1987, Judicial Efficiency.

1. Introduction / Statement of Research Problem

It is a long-standing issue in the Indian judicial system and over the decades, the legal system is struggling with a heavy burden of pending cases in the different courts, high delays and a rising cost in case litigation.¹ A structural deficiency that is costing the legal system the entire promise of timely justice. The postponement of adjudication, besides an undermining effect on social trust in the judiciary, also leads to the denial of substantive justice, especially to those who are members of economically and socially marginalized sections. In most cases, the cost of seeking litigation, both financial and emotional, exceeds the projected returns and, as a consequence, discourages the resort to formal litigation.

The constitutional ideal of justice embodied in the Constitution of India especially in Articles 14 and 21, equality before law and the right to life and personal liberty has been judicially construed to encompass the right to speedy justice in spite of the fact that evidenced by practice there is now a big gap between ideals set by the law and their practical realization. This has triggered the coming up and institutionalization of alternative dispute resolution (ADR) systems that will lessen the vehicles on the courts and make justice provision more effective, close and participative.² Having a special status in the Indian legal system, Lok Adalats represent a multitude of the ADR mechanisms. Lok Adalats, formed under the Legal Services Authorities Act, 1987, are informal in nature, based on the traditional disputes resolution methods many within Indian society employ, with the exception that they have statutory status thus creating a hybrid process that introduces a sense of formality in the justice system, thereby creating one that is informal.

The structural elements in the operations of Lok Adalats are based on the values of simplicity, flexibility and accessibility. This is important because awards given by Lok Adalats are considered to possess the same status as those given by a civil court and are final and binding to the parties, where appeal is not possible.³

Mediation and conciliation have a key role in the operations of Lok Adalats. Mediation focuses on the facilitative dialogue process and therefore allows parties to work out mutually acceptable resolutions, whereas conciliation is more interventionist, and the neutral third party can suggest

¹ Nat'l Judicial Data Grid, Pending Cases in India (2024), <https://njdg.ecourts.gov.in>

² Upendra Baxi, Access to Justice and Social Action in India, 18 J. Indian L. Inst. 1, 3–6 (1976).

³ S.P. Sathe, Judicial Activism in India: Transgressing Borders and Enforcing Limits 245–48 (2d ed. 2002).

settlement terms. Practically, Lok Adalats have especially been effective in answering disputes concerns motor accidents claims, matrimonial, labour disputes, and compoundable cases.

Although those advantages exist, increasing the use of Lok Adalats poses serious concerns about the quality and impartiality of justice provided using the means of such services. Although it is a common belief that, in general, statistical data show that during Lok Adalat session, particularly during the National Lok Adalat drives, the rates of disposal are very high, this quantitative achievement may not be accompanied by qualitative justice as the parties may feel pressured to make a settlement primarily due to the mediation process causing an unfair pressure to settle on a case.

Another crucial issue appears to be connected with the power dynamics among conflicting parties. Legal results tend to favour repeat players who have more resources, experience, and compelling power, rather than one-shot litigants, who might not have the legal qualification or representation to negotiate fairly and equally, where Lok Adalats are used. Concerns have been raised over the fairness and equity of such a process. On the same issue, Upendra Baxi has highlighted that not only should access to justice be the access to mediation processes and the like but that access to justice should be substantively equitable and protective of rights.⁴

The second major problem is that there are no procedural protections or appellate remedies to a Lok Adalat proceeding. Although the informality of the process is meant to facilitate the speediness of the process, there is the possibility of it creating a situation where settlement conditions are not completely examined by parties especially in the event where there was no or minimal representation when there is no legal representation. Moreover, the closedness of Lok Adalat awards and the absence of appeal procedures limit the possibility of contesting unfair results by the parties, which leads to the problem of due process and responsibility.⁵

Based on this, the focal research question of the study is to determine whether or not Lok Adalats play their role as an instrument of accelerating the process of dispute resolution and whether they indeed play a role in ensuring equal justice and significant access to access to legal redress. The paper aims to examine how the mediation and conciliation under the Lok Adalats are in tandem with the overall vision of the Indian legal system and what problems and

⁴ Upendra Baxi, *Access to Justice and Social Action in India*, 18 *J. Indian L. Inst.* 1, 3–6 (1976).

⁵ Marc Galanter, *Why the "Haves" Come Out Ahead*, 9 *Law & Soc'y Rev.* 95, 97–103 (1974).

constraints need to be mitigated to make the process more effective.

2. Review of Literature

The theoretical discourse on the issue of access to justice in India has greatly been developed with reference to the contribution of Upendra Baxi, who understands it not as a right to access courtrooms in India but a right to access just results. Baxi says that procedural innovations such as alternative dispute resolution (ADR) systems should not obscure substantive fairness with an eagerness to expedite. His criticisms are especially applicable to the Lok Adalats, which are so focused on expediency that they start to ask whether justice is being done or whether it is being administered.⁶

On the same note, a masterful theory of repeat players and one-shot litigants, by Marc Galanter offers a critical perspective to examine power relationships in the process of resolving a dispute. Galanter states that a litigant who possesses more resources, experience and is better familiar with the domestic institutions tends to be rewarded with more positive results, than is the case with the less experienced litigant. The framework when applied to Lok Adalats brings up the issue that lack of strong procedural safeguards could cause disadvantages to parties which are economically or socially weaker when negotiating over settlement aspects.⁷

Research on mechanisms of ADR emphasizes the different yet complementary roles of conciliation and mediation. Mediation tends to be conceived of as more or less of a facilitative process wherein a neutral third party helps disputants to make an agreement which is mutually agreeable, and which does not dictate a solution; conversely, conciliation is more of an interventionist process where the conciliator may suggest terms of settlement and actually point the disputants in the direction of agreement.⁸

The role of S.P. Sathe is significant in evaluating institutional role of Lok Adalats in Indian legal system. Sathe admits that Lok Adalats have been essential in mitigating the judicial backlog and enhancing access to justices, especially among the marginalized groups. But on the other hand, he also cautions that the less formal and informal aspects of these forums can contribute to a lack of procedural rigour and scrutiny. This is a two-sided question: efficiency

⁶ Upendra Baxi, *Access to Justice and Social Action in India*, 18 *J. Indian L. Inst.* 1, 7–10 (1976).

⁷ Marc Galanter, *Why the "Haves" Come Out Ahead: Speculations on the Limits of Legal Change*, 9 *Law & Soc'y Rev.* 95, 97–104 (1974).

⁸ Law Comm'n of India, *129th Report on Urban Litigation—Mediation as Alternative to Adjudication* (1988).

versus procedural integrity, and it is a theme that is reflected in the literature.⁹

The Lok Adalats are mixedly evaluated by other empirical studies and reports by organizations like the National Legal Services Authority (NALSA) and the Law Commission of India. According to these studies, Lok Adalats have worked well especially in high volume, low complexity cases like motor accident claims, cheque dishonor cases, and simple criminal offences whose issues are usually simple to resolve and have parties that will negotiate settlements.¹⁰

Nevertheless, the literature also indicates that there are serious drawbacks in addressing complex and rights-based disputes. According to scholars, cases that involve complex legal issues or high power disparities, or long-range rights ramifications would not be better handled by Lok Adalats because of the lack of detailed adjudication and rationalized judgments that can enhance the delivery of justice. Moreover, it has also been pointed out that there is a lack of proper legal knowledge and awareness of the issues by parties and this can certainly impact on their capacity to enter into fair settlements.

The debate over the conflict between quantitative success and qualitative justice in Lok Adalats is also a recent topic of academic debate. Although it is true that (as noted by the official reports) disposition rates tend to be high during the Lok Adalat sessions, its critics say that these rates alone can never be used as indicators of success (the rest being whether the same was done voluntarily, informed consent, outcomes to be fair, and settlements lasting).¹¹

Overall, the current academic sources come along with a rather complex and contradictory perception of Lok Adalats. On the one hand, they are regarded as powerful tools to augment the access to justice and decrease judicial backlog. Alternatively, the issue of fairness, power imbalance, and procedural protections show that the balance of evaluation should be more critical and accurate. This literature serves as the backbone of the current study, which will attempt to explore whether act of incorporating mediation and conciliation in Lok Adalats is efficient in meeting the twofold goals of efficiency and fair justice.

⁹ S.P. Sathe, *Judicial Activism in India: Transgressing Borders and Enforcing Limits* 245–50 (2d ed. 2002).

¹⁰ Nat'l Legal Servs. Auth., Annual Report 2023–24, <https://nalsa.gov.in>

¹¹ Marc Galanter & Jayanth K. Krishnan, “Bread for the Poor”: Access to Justice and the Rights of the Needy in India, 55 *Hastings L.J.* 789, 800–05 (2004).

3. Study Objectives.

To assess the usefulness of the mediation and conciliation process in the Lok Adalats.

To determine whether Lok Adalats bring fair and voluntary settlements.

To discuss how Lok Adalats can enhance access to justice.

To establish procedural and structural issues in the operating of Lok Adalat.

To propose changes to promote ADR mechanisms in India.

4. Research Questions

Do Lok Adalats provide speedy and efficient dispute resolution?

Are the settlements that are reached by mediation and conciliation really voluntary?

Are there fairness and equality in Lok Adalats when there are two conflicting parties?

To what extent do Lok Adalats improve access to justice particularly to the marginalized groups?

Which reforms are needed to enhance their effectiveness?

5. Research Methodology

In the current study, the research methodology is a doctrinal research and an analytical research which is targeted on systematic study of the law, statutes and judicial interpretations concerning mediation and conciliation in the Lok Adalats. Doctrinal approach makes it possible to study the texts of laws in a detailed manner whereas the analytical approach assists in the evaluation of the effectiveness of the texts of law in the achievement of justice in a critical manner.

5.1 Nature of Research

This study is qualitative and does not involve the use of numerical or empirical evidence to examine various issues because it is based on the interpretation and analysis of legal documents. The objective of the study will be to know how the mediation and conciliation

works in Lok Adalats and whether it is effective in terms of achieving the balance of efficiency and fairness of access to justice.

5.2 Sources of Data

(a) Primary Sources

These are the major sources such as statutes, cases laws, and legal provisions controlling Lok Adalats. The main act under consideration is the Legal Services Authorities Act, 1987, according to which the system of the creation, the jurisdiction, and the work of Lok Adalats is established. Provisions relevant are also examined to learn about such aspects of the procedure, the nature of settlements and the enforceability of awards.

The Supreme Court and High Court decisions are also judicial decisions which are taken to determine the scope and limitations of Lok Adalats. Such cases help shed light on the legality of settlements and the prominence of consent and the difference between adjudication and settlement resolving of disputes.

(b) Secondary Sources

The secondary sources are books, scholarly journals, Law Commission reports and official publications. The development of a conceptual and theoretical base of the study is developed using scholarly writings on a topic of access to justice, ADR mechanisms, mediation, and conciliation. Publications and information by agencies like NALSA also aid to comprehend the real-world operation and influence of Lok Adalats.

5.3 Method of Analysis

The research is conducted in a comparative and critical analysis.

Comparative method is employed to study the roles of mediation and conciliation in Lok Adalats and the differences in their processes, the level of intervention and the effect on the resolution of the dispute outcomes are highlighted.

The critical approach is applied in assessing the actual realization of Lok Adalats purpose of efficiency, fairness and availing justice. It entails the examination of matters like voluntariness of settlements, and power inequality between parties and procedural protections.

6. Discussion / Analysis

6.1 mediation played during the Lok Adalats.

Mediation is a core aspect in the operation of the Lok Adalats, which reflects a shift in the adjudication process to where adversarial methods give way to participatory and consensus adjudication. Under Lok Adalat mediation is a facilitative process within the framework created under the Legal Services Authorities Act, 1987 where the focus lies on dialogue, cooperation and mutual understanding between the parties present in the dispute, unlike traditional court proceedings that are sometimes marked by procedural rigidity and win/lose scenario, mediation in Lok Adalat is an encouragement of parties to engage each other in identifying their interests and finding solutions that are¹²

Fundamentally mediation in Lok Adalats is facilitative as opposed to adjudicatory. The mediator who can be a judicial officer or a trained conciliator does not give a binding judgment and does not direct the parties to a settlement but assists parties to settle enabling the solution to be more legitimate and acceptable. The accentuation of party autonomy is especially critical in a legal system where litigants are likely to have a sense of alienation because of the complicated procedures and the lengthy delays.¹³

This has been particularly effective in issues that deal with continuing relationships like matrimonial, family crises, and community based issues. Preservation of relationships can be as paramount as the solution to a dispute in such cases, and through open communication and minimization of adversarial hostility, the outcome of such mediation is not only legally viable but also socially sustainable. This inter-relational aspect separates mediation to the traditional litigation which is more likely to escalate conflict instead of addressing it in its entirety.

Informality and procedural malleability is another important characteristic of mediation in Lok Adalats. Discussion is not always held with respect to rules of procedure or evidences and allows parties to make their voices without intimidation and sometimes without getting an attorney or understanding of the formalities of the court proceedings. Mediation expands access to justice and inclusivity in the legal system by reducing obstacles to involvement.

¹² Legal Services Authorities Act, 1987, No. 39 of 1987, § 19 (India).

¹³ S.P. Sathe, *Judicial Activism in India: Transgressing Borders and Enforcing Limits* 246–48 (2d ed. 2002).

Mediation plays a big role in making the justice delivery system to be efficient as far as institutional perspective is concerned. It leads to the reduction of the cases reaching the formal court system and helps reduce the level of judicial backlog by assisting in resolving high numbers of cases, particularly when there is a National Lok Adalat drive.¹⁴ This is highly attributed to the fact that mediation strategies are well employed at Lok Adalat to settle large numbers of cases. This is in line with the overall policy goal of delivering fast justice and minimizing the expenses of litigation.

Nevertheless, with all these advantages, the issue of mediation in Lok Adalats is very crucial in terms of the quality and fairness of results. The main problem is associated with the concept of voluntariness, which is the most crucial to mediation. Preferably, the settlements are meant to be on the free and informed consent of the parties. Nonetheless, practically, the institutional pressure to promptly resolve cases might create very innuendo effects on the parties to agree to a settlement, particularly when the settlement could be inaccurate to their interests.

Also, the problem of the power imbalance among conflicting sides may impact the impartiality of the mediated settlements negatively. The stronger party having higher resources, expertise, or bargaining power i.e. the repeat players are more likely to achieve more favorable results compared to less experienced parties i.e. the one-shot litigants as pointed out by Marc Galanter.¹⁵

Moreover, the minimal interventionist nature of the mediators in the process of facilitative mediation can be inefficient to handle complicated conflicts. When there are complex legal issues or prominent rights issues at play, the case may need more formal instructions on how to reach a just settlement. The lack of this can result in expediency-driven settlements rather than just settlements.

The absence of procedural safeguards in the mediation proceedings in Lok Adalats is also another issue of concern. Accessibility that is improved by informality can also lead to the lack of scrutiny of settlement conditions. Since Lok Adalat awards are final and binding, and that there is no right to appeal, any shortcomings of the mediation process may have long-term

¹⁴ Nat'l Legal Servs. Auth., Annual Report 2023–24, <https://nalsa.gov.in>.

¹⁵ Marc Galanter & Jayanth K. Krishnan, "Bread for the Poor": Access to Justice and the Rights of the Needy in India, 55 *Hastings L.J.* 789, 800–05 (2004).

effects on the parties.

6.2 Role of Conciliation

The key element of Lok Adalats is conciliation which is differentiated by the extent of interference of the neutral third party which is a dissimilarity of mediation. Although mediation is usually a facilitative process, in conciliation, the conciliator may be more active and directive in the dispute resolution process. According to the provisions of the Legal Services Authorities Act, 1987, it is usually true that the conciliator in Lok Adalats is allowed to propose the possible terms of settlement and help the parties to arrive at an amicable settlement.

This proactive position gives Lok Adalats more effectiveness especially in situations in which parties cannot make a compromise on their own. The conciliators can also be useful to help negotiate solution through deadlocks as well as speeding up the settlement process especially in cases that deal with financial claims, compensations in motor accidents and cases of cheque dishonors among other cases where solutions can be negotiated using quantifiable terms.

Conciliation also helps in promoting the effectiveness and accessibility of dispute resolution since it will ease the negotiation and save time on the settlement process. The presence of a professional who is usually a judicial official or even a legal expert makes sure that the negotiation is focused and fruitful with discussions that are often more effective when an experienced conciliator is presented, especially to parties who might be less knowledgeable on legal matters or even less effective in negotiating.¹⁶

Nonetheless, the vigorous involvement of conciliators also brings up the relevant issues of neutrality and voluntariness. Contrary to mediation, where the mediator, playing the role of facilitator, serves as a mere participant in this process, in conciliation, there is an element of persuasion, which in certain circumstances, may be viewed as covert coercion to achieve settlements among the parties.

The problem of power imbalanced is particularly important in conciliation. Parties that have less bargaining power may find it tempting to accept settlements proposed by conciliators, in particular where conciliators are in authority, like retired judges or senior legal practitioners.

¹⁶ Law Comm'n of India, 129th Report on Urban Litigation—Mediation as Alternative to Adjudication (1988).

The other issue is connected with the lack of procedural protections of conciliation proceedings. Lok Adalats are often operated in an informal environment, which reduces examination of the equity in terms of settlement. Once assent is signed it is made a binding award, not subject to appeal, which although adds to efficiency could lead to injustice in the absence of due analysis over settlements.¹⁷

In spite of such constraints conciliation is a very important element in the operations of Lok Adalats. It is essential to ADR as it allows making settlement decisions promptly and effectively resolving a conflict. Its effectiveness however has to weigh with safeguards to guarantee that settlements are voluntary, fair and reflect the actual interest of the parties.

6.3 Efficiency of Lok Adalats

One of the most recognizable and vivid benefits of Lok Adalats is efficiency. As an alternative to formal judiciary, Lok Adalats are meant to offer quick, cheap and affordable justice. This has enabled them to handle a huge volume of cases in a very brief time thus making them part of the justice delivery system in India.¹⁸

This efficiency in part is caused by simplified procedural structure of Lok Adalats. In contrast to the traditional courts, the Lok Adalats do not have any rigid procedural or evidentiary rules, which can give way to flexibility and informality of the proceedings, decreasing the delays connected with the technicalities and implementing faster dispute resolving.

The effectiveness of the Lok Adalats is clearly seen when National Lok Adalat drives are going on in which thousands of cases are resolved within a day all over the country. These drives are aimed at hearing cases, pre-litigation cases that are pending cases and are thus aimed at shortening the courts burden; case backlog.¹⁹

The second area of concern in terms of efficiency is that it reduces the cost of litigation. The proceedings in Lok Adalats are undertaken without payment of any court fees and when a case currently under court passes through Lok Adalat, the court fee is reimbursed, a factor that ensures that the process is affordable especially to the weak individuals in the society. Also,

¹⁷ Marc Galanter & Jayanth K. Krishnan, "Bread for the Poor": Access to Justice and the Rights of the Needy in India, 55 *Hastings L.J.* 789, 800–05 (2004).

¹⁸ S.P. Sathe, *Judicial Activism in India* 248–50 (2d ed. 2002).

¹⁹ Law Comm'n of India, 238th Report (2014).

the expedited way of processes reduces the indirect costs like litigation, traveling, and time lost in litigation.

Finality of awards also increases efficiency. The resolutions arrived at during Lok Adalats are treated so that the resolutions seem to be the same as those arrived at in civil courts and the parties are bound by the resolution without any right to further appeal.

But so does the focus on efficiency, which creates serious issues also. It is possible that in this case, the emphasis on clearing a significant number of cases may result in a settlement-oriented strategy, where quality of justice may be sacrificed by the desire to meet the set numerical goals.

Additionally, Lok Adalat awards may not be very transparent and accountable because of the lack of judicial reasoning. Lok Adalat settlements, unlike court judgment, are founded on compromise and do not always represent an in-depth analysis of legal rights and obligations. This can impact the sense of justice, especially in situations with complicated legal matters.

Another issue is also that efficiency does not have a real possibility to be equally spread in all types of disputes. Although Lok Adalats are effective in simple and high-volume cases, such cases cannot fit the complex and rights-based dispute well and the benefits of speedy settlement may be limited.

To sum up, Lok Adalats have turned out to be very effective methods of resolving disputes which has considerably lessened the backlog of the judicial systems and low cost litigation. Though, efficiency should not be sought at the cost of fairness, justice. There should be a happy medium that is both that of speed and sufficient protection to show that the Lok Adalats will be both effective and fair.

7. Case Laws / Case Analysis

Supreme Court judicial pronouncements have been instrumental in establishing the scope, nature and limitations of the Lok Adalats and heinous dispute resolution (ADR) in India. The subsequent landmark cases present valuable insights into the functioning of mediation and conciliation at the Lok Adalat framework.

7.1 State of Punjab v. Jalour Singh.

In this instance, the Supreme Court made it clear what Lok Adalats are at their core and what their jurisdiction entails. This Court reasoned that Lok Adalats lack the adjudicatory power, and do not have the authority to resolve disputes in merit. On the contrary, their main role is the compromise or settlement of the parties.²⁰ The Court has highlighted the consensual nature of the Lok Adalats i.e. any settlement should be made subject to the mutual consent of the parties. In case there is no compromise, then the case should be sent back to the court to be considered. Such decision upholds the principle of Lok Adalat being no alternative to courts but rather a complementary action to facilitate amicable resolution.

7.2 Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co.

This was the milestone landmark judgment that reinforced use of ADR mechanisms in Indian legal system. The Supreme Court clarified the reasonableness of Section 89 of the Code of Civil Procedure as well as the need and suitability of referring ADR processes like mediation, conciliation, arbitration and Lok Adalats to relevant cases.

The Court also gave specifications concerning what kind of disputes are appropriate to be reviewed with the help of ADR and emphasized that courts need to make the active promotion of settlement as much as possible. It realized that ADR mechanisms had the potential to lessen the court load, decrease litigation expenses and hasten the settlement of disputes.²¹

8. Findings

The discussion of the mediation and conciliation in Lok Adalats provides a complex image, with its positive and unavoidable qualities of providing efficient and fair justice.

To begin with, it is clear that Lok Adalats are very effective in dealing with high numbers of cases. Their simplistic operations, relaxed environment and focus on settlement allow them to resolve disputes in quick fashion, especially when the National Lok Adalat drives are involved. This efficiency is highly relevant towards cutting down judicial queue and ease of the burden to the courts, hence the overall efficiency of the justice delivery system. Secondly, we find mediation and conciliation as being the dominant mechanisms facilitating the resolution of

²⁰ State of Punjab v. Jalour Singh.

²¹ Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co..

disputes in Lok Adalats. Mediation promotes communication and understanding among parties, which can agree on a consensus, and conciliation assists them by offering a systematic direction with a conciliator taking an active role. A combination of these processes brings about an adaptable and interactive atmosphere that facilitates friendly resolutions and minimizes confrontation. Nevertheless, the research also reveals grave issues of voluntariness and fairness. Though settlements in Lok Adalats are to be founded on free consent, in actual experience, the parties may experience some pressure to settle their disputes on the spot. This is especially demonstrated in mass disposal environments where efficiency is a predominant goal. Also, the existence of power imbalances among parties may also affect the outcomes of negotiation procedures, which may result in settlements that do not necessarily reflect the interests of weaker parties. Another significant discovery is that Lok Adalats expose the society to a lot of access to justice, particularly to the marginalized sectors and other economically weak groups in the society. Law remedies are more accessible due to the lack of court fees, simplified procedures and quicker resolution. Lok Adalats offer an accessible and affordable alternative to formal litigation to many who may find it costly and complicated. Meanwhile, the study identifies the structural and procedural shortcomings that limit the efficiency of Lok Adalats in conflict resolution related to the complex cases. They are less applicable to cases that have complex law issues, that have substantial rights concerns, or possession of substantial disparities in power. The procedure itself provides limited procedural protections, their power to provide thorough justice in the case is hindered by the absence of detailed adjudication or even any remedies of appeal.

In general, the results indicate that although Lok Adalats are effective in enhancing efficiency and access, their efficacy in providing equity and substantive justice is not absolute. There must be a delicate strike between quick adjudication and fairness of result in order to realize their full potential in the Indian legal system.

9. Recommendations / Suggestions

Based on the results, need to make a number of reforms so that Lok Adalats can be effective but still maintain fairness and justice.

1. To enhance the quality of mediation, training should be enhanced on mediators and conciliators.

Comprehensive and standardized training on mediators and conciliators working in Lok Adalats will be in need. Such programs must involve more than just findings on negotiation techniques, but should also address ethical issues, power and touchiness with vulnerable

populations. Mechanisms of continuous professional development and certification are to be introduced to guarantee quality and consistency of the dispute resolution practices.

2. Providing Protections with regard to Voluntariness and Informed Consent.

The integrity of mediation and conciliation must be maintained by making sure that settlement is informed and free. Explicit rules must be put in place to eliminate any coercion or other undue influence. Parties should be properly informed regarding their rights under the law, consequences of settlement, and possibility of litigation in case they are dissatisfied with the suggested resolution.

3. Installing Monitoring and Evaluation Mechanisms.

There should be a systematic arrangement in the evaluation of fairness and quality of settlements made in Lok Adalats. They can form independent review/ oversight committees to conduct bi-periodic reviews to identify trends of inequity and suggest corrective actions. This would increase accountability and the confidence of the people in the system.

4. Increasing Jurisdiction and with sufficient protection.

Although Lok Adalats have been found to be effective in solving simple and high-volume disputes, the jurisdiction of Lok Adalats can still be increased gradually so as to cover other types of cases. Such expansion however should be well regulated with proper precautions such as trained facilitators, legal aid to the parties and proper guidelines in order to see to it that delicate or rights based controversies are dealt with in a careful manner.

5. Building Public awareness and legal literacy.

The lack of awareness by citizens is a major challenge impeding the successful application of Lok Adalats. The government and the governmental organs of legal services should engage in massive campaigns of notification to inform the masses about the advantages, process and constraints of Lok Adalats. Literacy programs on law, particularly in the rural and marginalized areas, can enable people to make wise choices on dispute resolution.

10. Conclusion

Lok Adalats are a major institutional breakthrough in the Indian legal system that tries to

overcome the challenges of delay, expensive nature, and inaccessibility that had been common in traditional litigation. They are founded on the Legal Services Authorities Act, 1987 which reflects the constitutional vision of providing accessible and affordable justice through the inclusion of mediation and conciliation in a systematized legal system. Their capability to clear vast amount of cases in the most time and cost efficient way has made them an unavoidable part of the alternative dispute resolution (ADR) scene in India.

The research conducted in this paper indicates that mediation and conciliation are vital in the operation of Lok Adalats as they facilitate dialogue, curb blind feud and facilitates settlements through a concession. Not only do these mechanisms make work more efficient, but also help to maintain relationships and promote participatory justice. To marginalized and weaker economic strata they have become a more accessible avenue with Lok Adalats reducing procedural and more economical obstacles to judicial redress.

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