



WORKING OF LOK ADALAT AMID COVID PANDEMIC

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Abstract : The Covid-19 pandemic accessibility of legal service authorities viral for unlocking the right for empowering people resulted in untold suffering particular for poor and marginalized for which they were not prepared. Lacs of people have lost their means of livelihood. Farmers are bearing the brunt. Daily wages have no work and hence no income. Thousand of migrants are walking hundreds of kilometers to reach their homes with their small children's, hungry and thirsty but they are still walking. Pregnant lady gave birth on the road while walking back to her village for hundreds of kilometers. Many migrants got killed in the accidents. One wonders where are the state agencies instead of findings them. Let us delve in to it from and other angle. The factor of breach of the rights and protection provided by the laws which deal directly and indirectly which the children's. There are a number of laws which deal with laborers and women. Above all here is the constitution of India providing "Right to life", which observably is much more than the mere animal's existence. Corona has caused hindrance in judicial settlement of cases as well as absolute growth of further legal disputes on account of lockdown other incidental claims. Thus it is time to further analyze the concept of alternate dispute resolution within the light of the further developed concept of Online Dispute Resolution (ODR). In the present paper an attempt has been made to through light of the impact of Covid-19 pandemic on working of Lok Adalats.

1. INTRODUCTION

The accessibility of legal service authorities due to Covid-19 pandemic has gone viral for unlocking the right for empowering people resulted in untold suffering particular for poor and marginalized for which they were not prepared. Lacs of people have lost their means of livelihood. Farmers are bearing the brunt. Daily wages have no work and hence no income. Thousand of migrants are walking hundreds of kilometers to reach their homes with their small children's, hungry and thirsty but they are still walking. Pregnant lady gave birth on the road while walking back to her village for hundreds of kilometers. Many migrants got killed in the accidents. One wonders where are the state agencies instead of findings them.

As the country gears up for lockdown 2.0, businesses and individuals reel in anxiety and stress. India Inc plans a partial exit strategy but to jumpstart a stalled economy is an onerous task in itself. It is, therefore, a valid assumption that economic disruptions caused due to a nation-wide lockdown might give rise to disputes, twofold.

Closure of courts and tribunals to curb the spread of the virus will invariably delay justice to companies and individuals alike. Although the Supreme Court is hearing important cases via video conferencing, lower courts lack infrastructure to keep up with these advancements. Therefore, in such times, traditional reliance on litigation is a far from optimal way of dealing with conflict.²

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² www.lexology.com

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Lok Adalats

Lok Adalats are being conducted by various legal services institution alongwith NALSA for the dispute resolution system in India. Lok Adalat is the legal forum in which pending cases in the courts are settled or the cases where litigation process has not yet begun. This mechanism of dispute resolution has been recognized and given strategy status under the legal service act, 1987. The decision of the lok adalat is final and legally binding on the parties and there is no option of appeal for the parties in opposition to the award given by the Lok Adalat.

COVID-19 and working of Lok Adalats

In the Lok Adalat then they cannot file an appeal in opposition to it but they can always approach the court the litigation process by just filing a case with the said procedure. The party possess the right to litigate and they are free to exercise it. There is no fees applicable for the parties who approach for litigation after the dissatisfaction of the award of the Lok Adalats. Members of the Lok Adalat are the persons who decide on the matter and gives award to the parties. They play the role of statutory conciliators and don’t possess any judicial role. Their role is to guide the parties to conclusion or a solution through which the settle their dispute outside the court room and saved from the time: consuming conventional litigation.

Let us delve in to it from and other angle. The factor of breach of the rights and protection provided by the laws which deal directly and indirectly which the children’s. There are a number of laws which deal with laborers and women. Above all here is the constitution of India providing “Right to life”, which observably is much more than the mere animal’s existence. Corona has caused hindrance in judicial settlement of cases as well as absolute growth of further legal disputes on account of lockdown other incidental claims. Thus it is time to further analyze the concept of alternate dispute resolution within the light of the further developed concept of Online Dispute Resolution (ODR).

In the post lockdown period, it is feared that the distress may manifest itself in the forum of marital disputes, issues between employers and employees, disputes between land lords and tenants, impact on rights of children as poverty may deepen. Apart from that human trafficking may also increase an important and aspect to taken care of by the public authorities. The indirect impact of the covid-19 may be more lethal than the direct effect. The problems and legal needs and issues are likely to increases.

In such a scenario, legal services authorities have an important role to play. They are mandated by legislation to provide free legal services to certain categories of people including women, children, person with disabilities industrial workmen, SC& ST and person having annual income less than the prescribed limits and to make them aware of their rights and entitlements legal service authorities have presence in each and every district across the country and have their reach till the grossroots.

The legal services authorities have to proactively enhances its visibility particularly in rural areas so as to make the public aware of their existence and they types of services being provided by them free of cost. Legal awareness camps cannot be held in the way these were held earlier. They shift is required to make more use of other toolssuch as community radios, youtube channel, television channels, local cable TV, Bulk sms messages and webinars.

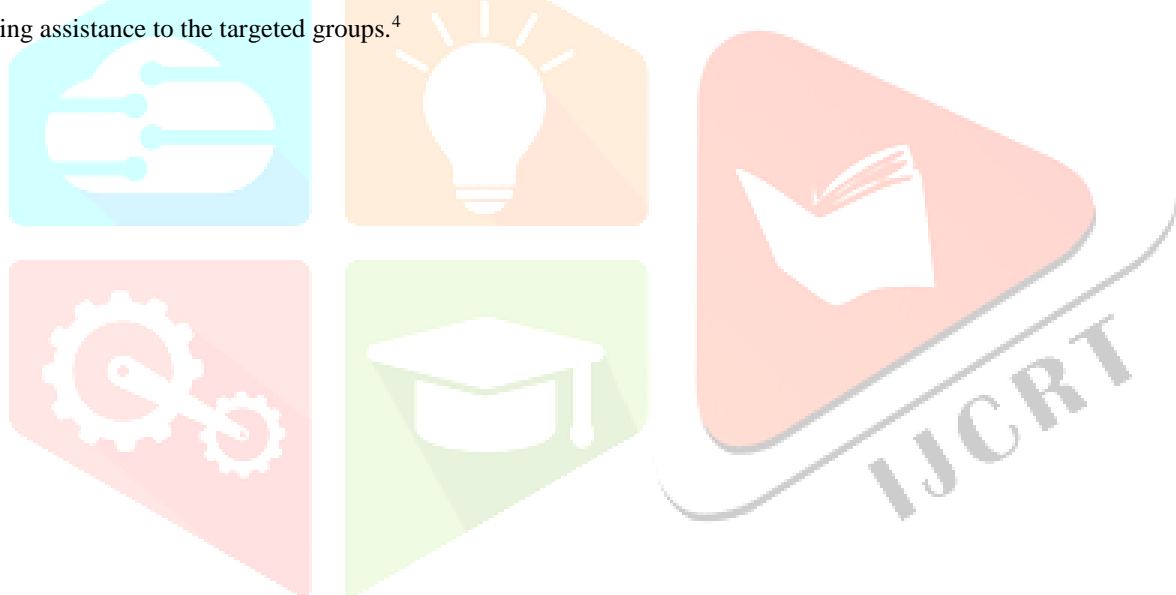
Some of these costs saving tools have reached in rural india also and hence can facility spreading of quality awareness. This in fact is also provided in section 5,8,11 of the legal service authorities Act. Better coordination will not only help in making the desired impact at the grossroots but will also reduce operational cost legal aid helpline numbers need to be strengthened and popularized by legal aid authorities.

Conclusion and Suggestions

In India, the legal services authorities are playing an important role for providing free legal services to certain categories of people including women, children, person with disabilities industrial workmen, SC & ST and person having annual income less than the prescribed limits and to make them aware of their rights and entitlements legal service authorities have presence in each and every district across the country and have their reach till the grassroots.

As long as the COVID-19 lockdown prevents the regular conduct of arbitral final hearings, participation in, virtual hearings, non-traditional must be closely considered, and if certain conditions are met implemented to outweigh the costly disadvantages of postponement and the time limit should be increased for the arbitral award. However, indeed in the post corona period, the burden of pending cases will be increased upon the courts, in a situation like this where many urgent and serious issues are yet to be addressed the further time it should be made flexible by the judiciary. After getting knowledge the current pandemic circumstances found the global.³

In collaboration with the call centers these helplines can work in a more systematic manner, national legal aid helpline number 15100 shall be the backbone during these times to relief to many and make people aware of the support system and use of social media to disseminate information about the activities and capturing the legal problems of people is needed on a large scale. The legal service authorities needs to collaborate with other government department law collages and N.G.O. working at the grossoots to maximize their reach and access and the legal authorities have to identify the target group and work with clear goals for providing assistance to the targeted groups.⁴



³ <https://viamediationcentre.org>

⁴ <https://alc.edu.in>