

## **12<sup>th</sup> November, 2022, Visit to Lok Adalat at Rangia and Amingaon**

On 12th November, 2022 the National Law University and Judicial Academy Assam under the aegis of the Center for Clinical Legal Education and Legal Aid Cell and Pro Bono, in collaboration with District Judiciary Kamrup Amingaon organised a Lok Adalat visit for the students under the guidance of Dr. Diptimoni Boruah, Associate Professor of Law and Mr. Himangshu Ranjan Nath, Assistant Professor of Law, NLUJAA. The visit was organised to provide the students a first-hand experience of the Lok Adalat system which has been devised for an expedited dispute resolution process. The Lok Adalat was organised at two places: the District and Sessions Court, Kamrup Amingaon and at the Sub-Divisional Court, Rangiya. The students were, therefore, divided into two groups. One group attended the Lok Adalat organised at Rangia under the supervision of Mr. Himangshu Ranjan Nath, and the other group visited the Lok Adalat at Amingaon under the guidance of Dr. Diptimoni Boruah.

The proceedings of the day began with the official inauguration of the event where Sri Darak Ullah, District and Sessions Judge, Kamrup Amingaon spoke on the importance of Lok Adalat as well as the importance of such a system in resolving disputes as well as addressing the grievances of the public. He also spoke about how the Lok Adalat system provides access to justice and bridges the gap in this regard. Thereafter he also elaborated on how the Lok Adalat would be handling various cases relating to Motor Accident Claims, POCSO, Matrimonial Disputes disputes relating to banks and other allied disputes.

Students had the opportunity of observing the proceedings in several court rooms. The first proceeding we observed was in the court of Shahzadi Nissat Rafiq, Judicial Magistrate First Class which dealt with matrimonial disputes, matters pertaining to the Negotiable Instruments Act and compoundable criminal offenses wherein the respondents were levied fines. It was observed that fines were levied in several cases relating to the Motor Vehicles Act part of which was to be used for cost funds of the District Legal Services Authority and a percentage reserved for the State Exchequer. The fines which were levied in the Lok Adalat were reduced for the ease of the public. In case of matrimonial disputes both parties were heard and attempts were made to check the viability of a compromise between the parties. It was also observed that parties were given time to discuss their issues personally without the supervision of the presiding judicial officer to check the scope of an amicable dispute resolution. In cases where compromise was not possible, the parties

reverted back to the litigation process. Additionally, in case one of the parties did not appear the matter was reverted back to the original litigation process.

The students also had the opportunity of attending the proceedings in the Motor Act Claims Tribunal (MACT), wherein there were cases pertaining to compensation to be provided by insurance parties to the next of kin of the victim. The MACT was very efficient in granting the much needed compensation and there was a speedy disposal of cases as the judge took into consideration the urgent need for compensation of the victims and other family members in case of deceased victims. In this regard, the claimants and the insurance companies were provided the opportunity of negotiating their compensation whilst the presiding officer also took note of the extent of the loss that occurred and followed the multiplier system which aids in determining the quantum of compensation to be received as per the extent of the injury, the multiplier which is followed across the country for granting compensation acts as a guiding element in determining the compensation for the victims. Further, the court also took into account the conditions of the people receiving the compensation and the number of family members seeking the benefits in case of deceased victims.

The Lok Adalat proceedings also included claims involving the Assam Power Distribution Corporation Limited (APDCL) and other state entities. These claims were pertaining to non-payment of electricity bills, loans and other allied aspects. In most cases involving banks and other public entities it was seen that pre litigation cases were referred to the Lok Adalat and attempts were made to resolve the dispute in the pre litigation phases in the Lok Adalat so that the parties can get their disputes resolved without having to involve in cumbersome litigation.

Overall, the proceedings were held in a very simple manner with procedural flexibility which allowed the judges to resolve the disputes and also cater to the speedy disposal of cases.