

Maharashtra State Lok Nyayalaya Rules, 1986

No. LAB-1185/(108)-XIV.--WHEREAS, Article 39A of the Constitution of India provides that the State shall secure that the operation of the legal system promotes justice, on the basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities;

AND WHEREAS, under Government Resolution, Law and Judiciary Department No. LAB-1080A208)-XIV, dated the 30th October 1980, the State Govern. went has decided to establish a programme for providing free legal service to the weaker sections of the community and for purpose of effective administration and implementation of the legal aid programmes in the State, the State Government has constituted a Board called the Maharashtra State Legal Aid and Advice Board;

AND WHEREAS, according to sub-clause (I) of clause (2) of paragraph 4 of the said Resolution, it is the duty of the said Board to arrange for holding Lok Nyayalayas in different areas for the purpose of bringing about voluntary settlement of disputes;

AND WHEREAS, the question of establishing a concrete programme in respect of setting up administration, implementation and supervision of the Lok Nyayalayas in the State was under consideration of the Government for some time past;

Now, THEREFORE, in pursuance of the provisions of Article 39A of the Constitution of India and of all other powers enabling it in that behalf the Government of Maharashtra in supersession of all the previous orders issued tily the Maharashtra State Legal Aid and Advice Board in this behalf, is pleased to make the following Rules in that respect, namely:—

CHAPTER I

PRELIMINARY

1. **Short Title.** – These Rules may be called the Maharashtra State Lok Nyayalaya Rules, 1986.
2. **Definitions.** – In these Rules, unless the context requires otherwise, -
 - 1) " Board" means the Maharashtra State Legal Aid and Advice Board;
 - 2) "Conciliators " means the persons sitting in the panels of the Lok Nyayalayas for effecting amicable settlement of disputes;
 - 3) "Committee" means the Greater Bombay Legal Aid and Advice Committee, the Nagpur Legal Aid and Advice Committee, or the Aurangabad Legal Aid and Advice Committee or the District Legal Aid advice Committee or as the case may be, the Taluka Legal Aid and Advice Committee constituted in accordance with the Maharashtra State Legal Aid and Advice Scheme, 1979 and also includes sub-committees and Legal Aid centres constituted under sub-clause (4) of clause 12 of the said Scheme;
 - 4) "Form" means the Form appended to these Rules;
 - 5) " Government Officer" or " Officer" means an Officer of Government or as the case may be of Semi-Government, Local authority, Public Undertaking, acting in his official capacity;

- 6) "Lok Nyayalaya" means the Panel or Panels of Conciliators constituted under these Rules for the purpose of bringing about voluntary settlement of disputes;
- 7) "Legal Aid Scheme" means the Maharashtra State Legal Aid and - Advice Scheme, 1979;
- 8) "Maharashtra Civil Services Rules" means the Maharashtra Civil Services Rules as in force on the date of publication of these Rules;
- 9) "Member-Secretary" means the Member Secretary of the Committee and includes the Secretary of the Sub-Committee or Legal Aid Centre constituted under sub-clause (4) of clause 12 of the Legal Aid Scheme;
- 10) "Office-bearers" means the Chairman, Vice-Chairman, Member-Secretary and the Joint-Secretary of the Committee;
- 11) "Pending cases" means legal proceedings filed in Courts, Tribunals or before any Public Authority;
- 12) "Pre-litigation cases" means legal proceedings not filed in the Courts etc.;
- 13) "Panel" means a team of conciliators constituted for one session of Lok Nyayalaya;
- 14) "Session of Lok Nyayalaya" means one programme of Lok Nyayalaya consisting of different panels of conciliators sitting separately for effecting amicable settlement of disputes brought before them on a particular day;
- 15) The words or expressions used in these Rules but not defined shall have the meanings respectively assigned to them in the Maharashtra State Legal Aid and Advice Scheme, 1979 and the Maharashtra Civil Services Rules.

CHAPTER II

PROCEDURE FOR INITIATING PROPOSALS AND OBTAINING SANCTION FOR THE CONDUCT OF LOK NYAYALAYA

3. **Organisation.** – Every District Committee shall organise Lok Nyayalaya in different areas in the District periodically with the assistance of the concerned Taluka Committees after obtaining the previous permission of the Board.
4. **Procedure for organising Lok Nyayalaya.** –
 - 1) The office-bearers of the local Committees that is the District Committee or as the case may be the Taluka Committee shall initiate the proposal to organise the Lok Nyayalaya. Then the matter shall be brought before the meeting of the concerned committee for discussion and approval.
 - 2) After the proposal is approved by the concerned committee, it shall endeavour to associate the local bar Association, social organisations, social workers and charitable trusts etc. with the proposed Lok Nyayalaya as far as possible.
 - 3) If the proposal is initiated by the Taluka Committee then the concerned District Committee shall approve the proposal and process it immediately.

5. Permission of the Board. –

- 1) Permission of the Board shall be obtained by the concerned District Committee for holding a Lok Nyayalaya.
- 2) While seeking the permission of the Board the following information shall be furnished:-
 - i) The place where the Lok Nyayalaya is proposed to be held;
 - i-a) The date or dates on which the Lok Nyayalaya is proposed to be held;
 - ii) The name of the committee under whose jurisdiction the place is included;
 - iii) Whether the agencies mentioned in sub-rule (2) of rule 4 have agreed to associate themselves;
 - iv) Financial position of the District Committee and whether additional grants are required for the proposed session of the Lok Nyayalaya;
 - v) Kinds of cases proposed to be brought before the Lok Nyayalaya that is pre-litigation cases or pending cases;
 - vi) If the pending cases are proposed to be taken up before the Lok Nyayalaya then the nature of cases that is civil, criminal, matrimonial, motor accident claims, revenue, rents, etc.;
 - vii) Total number of cases proposed to be brought before the Lok Nyayalaya;
 - viii) Previously, if any Lok Nyayalaya was held at the same place, then particulars of that Lok Nyayalaya;
 - ix) The number of Lok Nyayalayas previously held in the said Taluka and the District;
 - x) The nature of assistance proposed to be extended by the local Bar Association, local social organisations and the charitable trusts etc.;
 - xi) Whether any organisation has agreed to serve the lunch packets to the litigants and guests, etc. or agreed to share any expenditure in this connection;
 - xii) Any special assistance required from the Board;
 - xiii) Any other information relevant to the programme.

6. Period required for completion of the actions. – All the actions specified in rules 4 and 5 shall be completed well in advance of the date of holding of the Lok Nyayalaya;

7. Publicity to the proposal. – After completing the actions specified under rules 4 and 5, extensive publicity shall be given to the Lok Nyayalaya programme through the media of –

- i) television, radio, cinema slides, newspapers, posters and beating of drums, etc. in the entire area concerned.

- ii) Special circulars in respect of the Lok Nyayalaya programme shall be issued to all the offices of Government, semi-Government, public undertakings and local bodies situated in the concerned area and local social organisations, charitable trusts, etc.
- iii) Special announcements shall be made during the public meetings, dramas, tamashas, cinema shows, weekly bazars, fairs, yatras, etc.
- iv) Every available forum shall be utilised for giving wide publicity to the Lok Nyayalaya programme.

8. Role of local Bar Association in organising the Lok Nyayalaya. – The concerned committee may consult the local Bar Association and try to obtain its maximum co-operation in organising and conducting the Lok Nyayalaya.

CHAPTER III

KINDS OF CASES BROUGHT BEFORE THE LOK NYAYALAYA

9. Nature of cases brought before the Lok Nyayalaya.—The following matters may be brought before the Lok Nyayalaya for amicable settlement:-

- i) Pre-litigation cases,
- ii) Pending cases,
- iii) Legal advice in respect of any legal matters.

Explanation.—Without prejudice to the generality of the above, all matters of civil nature, criminal (excluding non-compoundable ones), revenue, Labour and industrial including matters under all Special Laws may be brought before the Lok Nyayalaya after due classification. However except the Motor Vehicle Accident Claim cases, no cases against Government, semi-Government bodies, local authorities or State -Government Undertakings shall be brought before the Lok Nyayalaya.

CHAPTER IV

PROCEDURE FOR BRINGING THE CASES BEFORE THE LOK NYAYALAYA

10. Cases brought before the Lok Nyayalaya. – The pre-litigation and pending cases shall be brought before the Lok Nyayalaya through the following sources, namely:-

- 1) Pre-litigation cases.** – The pre-litigation cases shall be detected and identified and brought before the Lok Nyayalaya by the following modes:-
 - i) When extensive publicity is given for the Lok Nyayalaya programme, applications in Form ' A ' shall be invited from the members of the public regarding the pre-litigation disputes.
 - ii) The local social organisations and social workers shall be requested to take keen interest in the Lok Nyayalaya and persuade the people to apply for settlement of the disputes to the Lok Nyayalaya.

- iii) The local officers of Government, semi-Government bodies, public undertakings, local authorities may be requested to extend their assistance in detecting and selecting the pre-litigation cases.
 - iv) Pamphlets giving information regarding the aims and objectives as well as the method of the working of the Lok Nyayalaya programme shall be distributed to the people through the Revenue Officers and Sarpanchas of nearby Gram Panchayats and they shall be requested to forward the applications from the people having disputes for securing the assistance of the Lok Nyayalaya.
 - v) (a) When the application forms are received by the concerned committee, an officer of the said committee shall examine and identify the cases and see whether the applications are made by both the sides jointly. Where an application is made by only one of the parties, a letter of request in Form ' B ' shall be issued to the other side party under the signature of the Member-Secretary of the concerned committee and the parties shall be requested to remain present before the Lok Nyayalaya on the prescribed date, time and place.

(b) A copy of the above letter shall be endorsed to the concerned Revenue Officers and Sarpanchas of the -nearby Gram Panchayats with a request to use their good offices in securing the presence of the parties and they shall also be requested to remain present in the Lok Nyayalaya and help the Lok Nyayalaya in resolving the disputes.
- 2) Pending cases. –
- i) Pending cases which are fit to be brought before the Lok Nyayalaya shall first be identified and classified and listed according to the classification specified in the Explanation under rule 9.
 - ii) Even the cases which are pending in the High Court of Judicature at Bombay, including the Benches at Nagpur and Aurangabad, both in the Appellate as well as Original Side, shall be identified and brought before the Lok Nyayalaya for amicable settlement.
 - iii) Pending cases may generally be brought before the Lok Nyayalaya by the following three methods:-
 - a) First Method.—With response to the publicity given to the Lok Nyayalaya programme, many litigants themselves may apply to the committee for bringing their pending cases before the Lok Nyayalaya for amicable settlement. Sometimes one party may apply and in such cases the committee shall invite the other party also by a Notice in Form 'C'.
 - b) Second Method.—Before holding Lok Nyayalaya, members of the Bar may be requested to refer cases to the Lok Nyayalaya. With response to this request the Advocates themselves may select some cases from their own briefs and furnish such a list to the Chairman of the Committee. On receipt of the list, the committee shall send letters to the parties in Form ' D '.
 - c) Third Method.—Suitable cases for settlement .may be selected from the file of appropriate court with the permission of the Presiding Officer.

Provided that, so far as the High Court matters are concerned, suitable matters for settlement may be selected from the High Court file with the permission of the Honourable Chief Justice.

- d) Fourth Method. — In addition to cases falling under the third method, such other High Court matters are referred to the Lok Nyayalaya by the Presiding Judge or, in the event of a Division Bench, by Judges thereof by consent of the concerned parties in person or by consent of their respective advocates may be brought before the Lok Nyayalaya.
- 3) After selecting the cases from all the above sources, a final list of cases to be taken up before the Lok Nyayalaya shall be prepared.

11. Procedure for processing the applications.—

- 1) After obtaining the list of cases from (a) the file of the Court, (b) local Advocates and (c) local social organisations, the Member-Secretary of the concerned committee shall send letters to both the parties in Form 'D'. These letters shall be signed by the Member-Secretary of the concerned committee.

Provided that, so far as the matters pertaining to the High Court are concerned the letters shall be signed and sent by an officer or officers nominated by the Honourable Chief Justice for this purpose.

- 2) The parties shall be called and asked to fill in the application in Form 'E' and told to attend to Lok Nyayalaya sitting on the prescribed date, time and place along with the necessary papers, documents, etc.
- 3) The plaintiffs and defendants shall be told that it is not necessary for them to bring the Advocates before the Lok Nyayalaya, though they are at liberty to bring them if they so choose, with the permission of the panel of Lok Nyayalaya under rule 49.

12. Preparation of summary of cases.—After receipt of the applications by the committee, they shall be forwarded to the concerned Court so as to enable it to take out the original papers of the cases and after going through the plaint, written statement and other purshis, etc. to get summaries prepared of the cases with the docket sheets in Form 'I' and enclose the same to the applications. These bunches of papers shall be treated as working papers for the Lok Nyayalaya.

13. Preparation of list of cases.—

- 1) After the work specified in rule 12 is completed, the Court shall classify all the cases in Form 'F'. These cases shall be treated as ready for taking in the Lok Nyayalaya.
- 2) Similar lists in respect of pre-litigation cases shall also be prepared in Form 'G'.
- 3) The copies of lists mentioned in sub-rules (1) and (2) shall be displayed at the entrance of the rooms where the concerned panels are sitting.

14. Appearance of parties.—The parties who have been asked to attend the Lok Nyayalaya shall remain present in the Lok Nyayalaya in time on the prescribed date and present their cases in order to enable the panels to resolve the disputes amicably.

CHAPTER V

ATTENDANCE OF GOVERNMENT OFFICERS ETC. IN LOK NYAYALAYA

15. Appearance of Government Officers etc.—

- 1) Officers of Government or semi-Government bodies or local authorities or of public undertakings who have been asked to attend the Lok Nyayalaya in connection with any case or cases shall remain present with the relevant papers in the Lok Nyayalaya in time on the prescribed date and explain the case or cases in order to enable the panels to resolve the dispute amicably wherever possible.
- 2) The attendance of the officers in the Lok Nyayalaya for the purposes mentioned in sub-rule (1) above shall be treated as duty period.

16. Attendance of Government Officers in the Lok Nyayalaya.—As far as possible, all the Heads of Departments or Officers having headquarters at the place where the Lok Nyayalaya Session is held may attend the Lok Nyayalaya and render all help required by the Lok Nyayalaya in all respects.

CHAPTER VI

ATTENDANCE OF JUDICIAL OFFICERS AND STAFF IN LOK NYAYALAYA

17. Special sitting of the Court.—A special sitting of the Court from which the pending cases have been brought before the Lok Nyayalaya shall be arranged in a separate room in the premises where the Lok Nyayalaya sitting is held.

18. Attendance of Judicial Officers.—

- 1) The Judicial Officer from whose Court pending cases have been brought before the Lok Nyayalaya shall sit in a separate room in the same premises where the Lok Nyayalaya sitting is held along with the relevant Court records and the requisite staff; and record the compromise then and there in the cases where compromise has been effected before the Lok Nyayalaya, though it is a holiday.
- 2) After recording the compromise, the papers shall be filed with the original record of the concerned case and the decree or order in terms of the said compromise shall be drawn on the next working day of the Court.

19. Absence of Judicial Officers.—If the concerned Judicial Officer intends to remain absent in the Lok Nyayalaya, he shall send information accordingly to the concerned District Judge for making alternate arrangement of posting a substitute Judicial Officer, or to give additional charge to another Judicial Officer. Accordingly, the concerned District Judge shall make the necessary arrangements immediately:

Officers who were asked to attend the Lok Nyayalaya remain absent without previous intimation, then the concerned District Judge shall make arrangement of giving additional charge to other Judicial Officers and posting them in the Lok Nyayalaya sitting:

Provided further that, if no arrangement of posting substitute Judicial Officers or giving additional charge to other Judicial Officers is possible for unavoidable circumstances, then the compromises effected during the Lok Nyayalaya sitting shall be filed before the concerned Judicial Officers in the Court on the next working day.

20. Remuneration to the Judicial Officers.—

- 1) All Officers shall be entitled to travelling allowance and daily allowance as admissible under the Maharashtra Civil Services Rules for attending a Session of the Lok Nyayalaya.

- 2) Such allowances shall be drawn by the office where the concerned officer draws his pay and allowances and the said expenditure shall be debited to the budget head to which his pay and allowances are debited.

21. Participation of Judicial Officers.— All the Judicial Officers stationed at the place where the Lok Nyayalaya sitting is held shall take part in the organization and arrangement of the Lok Nyayalaya. But they shall not take part in the actual working of the panels of the Lok Nyayalayas.

22. Staff required by Lok Nyayalaya.—

- 1) All the staff required for the Lok Nyayalaya shall be drawn from the various Courts in the vicinity.
- 2) They shall assist the panels of the Lok Nyayalaya in all respects.

23. Remuneration to Staff.—

- 1) For the purpose of carrying out the work specified in the rule 22, Class III and Class IV servants belonging to the Court where Lok Nyayalaya is held shall be paid special pay equivalent to two days daily allowance per Lok Nyayalaya sitting which they would get if they go out of station.
- 2) If Class III and Class IV servants are brought from outside the place where the Lok Nyayalaya is held, they shall be paid Travelling Allowance plus Daily Allowance as admissible under the Maharashtra Civil Services Rules.

Provided that, the daily allowance shall not be less than two days per Lok Nyayalaya.

- 3) Special pay, Travelling Allowance and Daily Allowance mentioned in sub-rules (1) and 2) shall be paid to the staff by the Court where the pay and allowances of such staff is paid and the said expenditure shall be debited to the budget head to which their pay and allowances are debited.

24. Remuneration to the sponsors of the Lok Nyayalaya programme.— The office bearers and members of the concerned committees shall not be paid any remuneration for conducting the Lok Nyayalaya:

Provided that, they shall be paid Travelling Allowance and Daily Allowance as admissible under clause 16 of the Legal Aid Scheme.

CHAPTER VII

ORGANISATION OF LOK NYAYALAYA

25. Venue of Lok Nyayalaya.— Lok Nyayalaya shall be organised in the primary or secondary schools or colleges or trust buildings, etc. If other suitable and convenient premises are not available, the Court premises may be used.

26. Working hours of Lok Nyayalaya.—

- 1) Normal Working Hours of the Lok Nyayalaya shall be from 10-00 a.m. to 6-00 p.m. with a convenient lunch break.
- 2) The Lok Nyayalaya shall be organised on Sundays or holidays.

Provided that, if any Court is not transacting judicial business on any Saturday, then the Lok Nyayalaya may be organized on such Saturday also.

27. Inauguration of Lok Nyayalaya.—A small and simple inaugural function lasting for a few minutes may be organised as a part of the publicity measure.

28. No other programmes on Lok Nyayalaya day.—

- 1) The Lok Nyayalaya shall not be preceded or followed by any other programme like camp, conference, seminar, symposium, training class or any lecture, etc. The Lok Nyayalaya shall be organised exclusively for amicable settlement of cases brought before the Lok Nyayalaya.
- 2) No other legal aid programmes shall be arranged on the Lok Nyayalaya day at the place where the Lok Nyayalaya sitting is held.

29. Presence of V.I.Ps.—As far as possible V.I.Ps. shall not be invited to the Lok Nyayalaya. If any V.I.P. is invited, he may be relieved as soon as inaugural function is concluded.

30. Language used in the Lok Nyayalaya.—Marathi language shall be preferably used in the Lok Nyayalaya:

Provided that, this rule shall not apply to the Judicial Officers sitting in the Lok Nyayalaya premises for recording the compromise effected before the said Lok Nyayalaya.

31. Eligibility for availing the facility of Lok Nyayalaya.—The limitation as to the annual income prescribed under clause 19 of the Legal Aid Scheme shall not apply to the cases of disputes brought before the Lok Nyayalaya.

CHAPTER VIII

FINANCE, CONTROL AND SUPERVISION OF LOK NYAYALAYA

32. Finance.—The expenditure required for holding Lok Nyayalaya shall be met by the District Committee from the funds placed at its disposal by the Board for the year.

33. Refreshments to the Conciliators, Guests and Staff etc.—The District , Committee shall make arrangements for serving snacks and tea to the conciliators, guests, members of the Committee and staff members who are participating and assisting the Lok Nyayalaya.

34. Lunch to the Conciliators, Guests, Staff and the Litigants.—

- 1) Lunch to the conciliators, guests, staff and lunch packets to the litigants may be served during the lunch period on the Lok Nyayalaya day.

- 2) The District Committee and the concerned Taluka Committee shall persuade the social organisations like Lions, Jaycees, Giants, Rotaries, Charitable organisations and Bar Associations, etc. to voluntarily undertake to provide lunch to the conciliators, guests, staff and lunch packets to the litigants:

Provided that, if nobody comes forward to serve the lunch, then the District Committee may make arrangements for serving lunch to the Conciliators, guests, members of the Committee and staff only from its funds.

35. Expenditure on conducting the Lok Nyayalaya.—

- 1) The District Committee may incur such other expenditure as is required for conducting the Lok Nyayalaya.
- 2) The expenditure incurred in connection with the Lok Nyayalaya programme shall be as low as possible.

36. Control and supervision of Lok Nyayalaya.—The Board shall control and supervise the Lok Nyayalaya by the following modes:—

- i) Every District Committee shall obtain the prior permission of the Board by initiating the proposal well in advance for arranging the Lok Nyayalaya by furnishing details;
- ii) Before issuing the permission, the Board shall verify the financial soundness of the District Committee, its capacity to organise the Lok Nyayalaya and scrutinize the programme submitted by the District Committee;
- iii) If the District Committee has demanded additional grants for conducting the Lok Nyayalaya, the Board, if satisfied, may sanction the additional grants in favour of the District Committee for holding the Lok Nyayalaya;
- iv) The Lok Nyayalaya shall be organised by the District Committee under the supervision of the Board;
- v) There should be at least 20 cases on the Board for each session of Lok Nyayalaya;
- vi) The number of Lok Nyayalaya shall be counted State-wise;
- vii) The Member-Secretary of the Board or other officer deputed by him may attend the Lok Nyayalaya, if possible, for supervising and guiding the organisers;
- viii) The literature of the Lok Nyayalaya may be supplied to the District Committee by the Board whenever required.

37. Role of the Chairman.—The Chairman of the District Committee and the Chairman of the concerned taluka committee that is the taluka where the Lok Nyayalaya is to be held shall personally supervise, guide, render all assistance and involve themselves in the arrangements of the Lok Nyayalaya:

Provided that, the Chairman shall not take part in 'the actual working of the panels.

38. Intimation of holding the sitting of Lok Nyayalaya.—Prior intimation of holding of sitting

of Lok Nyayalaya shall be given to the High Court by the concerned District Committee. Similarly a report of the deliberations and results of each Lok Nyayalaya shall also be forwarded to the High Court by the said Committee.

CHAPTER IX

COMPOSITION, POWERS AND FUNCTIONS OF PANELS OF CONCILIATORS

39. Formation of Lok Nyayalaya.—Each Lok Nyayalaya shall consist of different panels of conciliators constituted for that day, according to the number of cases.

40. Consent of Conciliators.—Before selecting the members of the panels, letters of request for acting as conciliators of the panels of the Lok Nyayalaya shall be sent to the proposed members of the panels well in advance and their consent shall be obtained in that respect.

41. Composition of panels.—

- 1) Each panel shall consist of three conciliators drawn from the following profession:—
 - a) Advocates from the High Court Bar,
 - b) Advocates from the local Bar,
 - c) Women lawyers,
 - d) Male and female social workers who have studied at least upto S.S.C. examination,
 - e) retired Judges of Supreme Court, High Court, District Court, Taluka Court, Statutory Tribunal or of any other court,
 - f) retired Members of the Motor Accidents Claims Tribunal,
 - g) Retired Members of any statutory Tribunal;
 - h) Government Pleaders,
 - i) retired officers of the Government or local authority,
 - j) Principals, Head-Masters, Professors, Lecturers, teachers in the local schools or colleges,
 - k) Heads of Departments or Deans of Law Faculties of Universities,
 - l) Important persons in the locality having good influence over the local people and who have studied at least upto S.S.C. examination.
- 2) The conciliators shall be socially dedicated persons imbued with a spirit of service and adept in bringing about rapprochement between the parties by appropriate guidance and persuasion.
- 3) As far as possible all the three conciliators shall not belong to the same profession.
- 4) The conciliators shall be conversant with Marathi and local language.

42. Facilities and honorarium to Conciliators.— If the Conciliators are called from the distant places then arrangements for their transport, accommodation, lunch and refreshments etc. shall be made by the District Committee:

Provided that, if no such arrangements are made by the Committee for any reason, then according to the choice of the Conciliators.—

- a) they shall, either be paid travelling and daily allowances as are admissible to Class I Officers of the State Government under clause 16 of the Legal Aid Scheme, or
- b) they shall be paid an aggregate honorarium of Rs. 100 (Rupees One Hundred Only) for the whole day on which the Lok Nyayalaya is organised.

43. Head of the panel.—

- 1) A retired Judge or an Advocate from & Court Bar or a Senior Advocate of the Local Bar shall act as the head o Panel for that day and other conciliators shall assist him in settling the matter.
- 2) After the case is concluded the Head of the panel shall state on the do sheet as to whether the matter is amicably settled or not and affix his sign with date.

44. Constitution of panels.—

- 1) The cases brought before the Lok Nyayalaya shall be classified according to the categories mentioned in the explanation under rule 9.
- 2) As far as possible separate panels shall be constituted for each class of cases specified in sub-rule (1).
- 3) The panels dealing with the matrimonial matters, shall have at least one lady conciliator as far as possible.
- 4) Each panel shall sit in separate room in the premises.
- 5) About 20 to 30 cases shall be allotted to each panel for conciliation.

45. Sitting arrangements for panels.—

- 1) There shall not be separate platform for the conciliators.
- 2) The conciliators and the litigants shall sit at the same level.

46. Public sitting.—The Lok Nyayalaya shall be open for the public. The members of the public may be allowed to seat in the rooms allotted to the panels and observe the proceedings of Lok Nyayalaya:

Provided that, in exceptional cases proceedings may be held in camera.

47. Functions of the Conciliators.—The panels of the conciliators shall try to amicably settle the cases brought before them by negotiation and persuasion.

48. Settlement of disputes.—

- 1) The Conciliators for enabling the parties to arrive at amicable settlement, may explain the implications, factual and legal, to the parties and assist in finding solutions to the problems.
- 2) As far as possible the Conciliators may follow the following procedure for settlement of disputes:—
 - (i) After the arrival of the parties they may be made to sit before the Conciliators and may be asked to explain their case in brief;
 - (ii) After hearing the case and on the basis of the summary of the case supplied to them, the Conciliators may discuss each matter with the respective parties and may try to explain the legal position in the matter.
 - (iii) On the basis of the legal position and logical conclusion, the Conciliators may spell out,—
 - a) the possible result of the case,
 - b) the delay involved in the Court decision,
 - c) the possible benefit and loss to the parties,
 - d) social and mental torture to the parties,
 - e) financial loss in continuing the case, and
 - f) other such adverse possibilities.
 - (iv) The attention of the parties may also be invited to the facts that,—
 - a) a peaceful solution is beneficial to both the parties rather than to wait for the court decision for countless years,
 - b) if the parties are prepared to wait for the court decision, they will have to attend the court on every adjourned date of hearing by leaving their work,
 - c) if the litigation is continued in the Court, the parties will have to incur further expenditure in order to approach a higher court in ascending order,
 - d) if the matter is settled amicably in the Lok Nyayalaya, there will be neither the victor nor a vanquished. But both will be the victors,
 - e) the Lok Nyayalaya gives a solution acceptable to both the parties without acrimony or heart burning with peace at heart and smile on face. If the litigation is continued, it may give rise to the anxiety and uncertainty about the result and continued hostility and animosity with the opponent,
 - f) if the case is amicably settled in the Lok Nyayalaya, the enemy disappears and an old friend or a family member reappears,
 - g) if the case is decided in the regular courts there will be victory for one and humiliation for another. But if the matter is settled amicably in the Lok

Nyayalaya, there will be injustice to none but relief to both the parties.

- v) By persuasive method, efforts may be made to elicit favourable replies from the parties.
- vi) After listening to both the parties, the Conciliators may get at the heart of the problem. By little persuasion, a compromise formula may be evolved by making a common sense approach, which may aim at a practicable solution, putting an end to the dispute with a little give and take on both the sides.
- vii) In criminal matters, the parties may be persuaded to sink their differences, forget the past enmity and to create a situation where they go out of the Lok Nyayalaya without bitterness in their hearts and in a spirit of forgive and forget.
- viii) The Conciliators shall remember that the success of settlement of disputes mainly depends upon the skill, talent, intelligence and persuasive method of the Conciliators and they shall act accordingly.

49. Appearance of Advocates.—If the parties desire that their Advocates should be allowed to take part in the discussion, the panel may in its discretion allow the Advocates to appear before them.

50. No use of coercion or force.—While effecting compromise, no coercion or force shall be used.

51. Display of list of matters.—A list of matters with the names of the Advocates of the parties shall be displayed at the entrance of the Lok Nyayalaya to facilitate the parties and their Advocates to know the panel before which their matters are being taken up for amicable settlement.

CHAPTER X

PROCEDURE FOR EFFECTING COMPROMISE

52. Effecting the compromise in pending cases.—

- 1) The compromise arrived at between the parties shall immediately be reduced to writing in Form 'H'.
- 2) After the compromise is reduced to writing the signatures of the Plaintiff and the Defendant shall be obtained on the compromise memo.
- 3) The signatures of two witnesses on the side of Plaintiff and two witnesses on the side of Defendant shall also be obtained on the compromise memo.
- 4) If the Advocates are allowed to appear before the panel then the signatures of such Advocates may also be obtained on the compromise memo.
- 5) Docket sheet in Form "I" shall be attached to compromise memo.
- 6) The head of the panel shall mention on the compromise, memo whether the matter is settled amicably or not and put his signature therein.
- 7) After completing the docket sheet and the compromise memo, the same shall be taken along with the parties to the concerned Judicial Officer sitting in a separate room in the same building for recording the compromise.

53. Recording the compromise in pending cases.—

- 1) As soon as the parties along with the compromise memo are brought to the concerned Judicial Officer he shall ascertain from the parties that-
 - i) whether the compromise is effected according to their wish;
 - ii) whether any coercion or force is used in the matter by anybody;
 - iii) whether they themselves have signed the compromise memo;
 - iv) whether they are satisfied with the terms of compromise;
 - v) whether they want to say anything about the matter;
 - vi) any other information he would like to ask.
- 2) If the concerned Judicial Officer is satisfied with the answers given by the parties he may ask his Court Clerk to take out the original Court papers relating to the case and to attach the compromise memo and place the case papers before him for recording the compromise. After verifying the case papers the concerned Judicial Officer shall immediately record the compromise after being satisfied that it is in accordance with law:

Provided that, the decree or order shall be drawn up accordingly on the next working day and the parties may be told accordingly.
- 3) The parties may be told that certified copies of decrees or orders may be obtained from the Court, if they so desire.
- 4) The parties may also be told that they may apply to the concerned Court for repayment of Court fees under section 43 of the Bombay Court Fees Act, 1959 (Bom. XXXVI of 1959).

54. Refusal to accept compromise.—If any party or both the parties while handing over the compromise memo to the concerned Judicial Officer refuses to accept the compromise then the Judicial Officer shall record the same on the compromise memo and arrange to file the same alongwith the original case papers and immediately inform the concerned panel of the Lok Nyayalaya, accordingly. No decree shall be passed in such a case.

55. Effecting the compromise in pre-litigation cases.—

- 1) The compromise in pre-litigation cases may be arrived at between the parties and immediately the compromise shall be reduced to writing in Form 'J' on non-judicial stamp paper of the value of Rs. 10.
- 2) After the compromise is reduced to writing the signatures of the applicant and the opponent shall be obtained on the compromise memo.
- 3) Signatures of two witnesses on the side of applicant and signatures of two witnesses on the side of opponent shall also be obtained on the compromise memo.
- 4) The head of the panel shall mention on the compromise memo whether the matter is settled amicably or not and put his signature thereof.
- 5) If the parties are not in a position to pay the cost of non-judicial stamp paper then the District Committee shall pay the cost of both the stamp papers.

CHAPTER XI

SPECIAL PROVISIONS FOR PENDING CASES BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNALS

56. Additional provisions.—The provisions of this Chapter shall be in addition and not in derogation to these Rules.

57. Constitution of separate Lok Nyayalaya.—Separate Lok Nyayalaya may be held for the amicable settlement of cases pending before the Motor Accident Claims Tribunals.

58. Bringing the cases before the Lok Nyayalaya.—The members of the Motor Accident Claims Tribunals (hereinafter referred to as "the claims tribunal") themselves shall scrutinize each matter pending before them and if it is found that there is no defence regarding the negligence of the victim and there is no defence under sub-section (2) of section 96 of the Motor Vehicles Act, 1939 (Act 4 of 1939) to the authorised insurer or as the case may be to the concerned Controlling Authority those matters may be placed before the Lok Nyayalaya for amicable settlement.

Explanation.—For the purposes of this Chapter "Controlling Authority" means, in respect of, exempted categories of Government Vehicles the Authority to whom the said vehicles are allotted for official use and who is having the control over the said vehicles.

59. Consent of parties.—The consent of Advocates for the applicant, Advocate for the opposite party and the Advocate for the Authorised Insurer or the concerned Controlling Authority, as the case may be, shall be obtained well in advance for placing their matters before the Lok Nyayalaya. A consent application shall also be taken from the applicant to place the matter before the Lok Nyayalaya.

60. Supply of copies of documents.—The copies of all the documents on which the applicant wants to rely upon shall be filed-in each matter well in advance• so as to give an opportunity of inspection of those documents to the Advocates of the Authorised Insurer or the concerned Controlling Authority.

61. Essential documents.—The following documents shall be considered as essential documents in the Motor Accident Claims matters:—

a) In the case of Fatal Accident—

- i) Post Mortem Report and/or Death Certificate showing the cause of death of the deceased;
- ii) Salary/Wages Certificate from the Employer of the deceased;
- iii) Age Certificate of the deceased;
- iv) Names of Dependents (legal heirs) and their ages;
- v) True copy of F.I.R. and the Panchanama;
- vi) List of expenses incurred, if any, and the copies of documents thereof;

b) In case of Personal Injury—

- i) Hospital Records and/or Medical Certificate of the Hospital showing the nature of injury sustained and the date of admission and discharge from the hospital;

- ii) Salary/wages Certificate from the employer of the injured;
- iii) Permanent/Partial disability certificate, if any;
- iv) True copy of the F.I.R. and the Panchanama;
- v) List of expenses incurred, if any, along with copies of the vouchers/ cash memos thereof.

62. Notice to the parties.—Notice under Registered Post Acknowledgement Due shall be issued to the applicant in Form 'K', to the Advocate of the Applicant in Form 'L' and to the concerned Controlling Authority or as the case may be to the Authorised Insurer concerned in Form 'M' calling upon them to remain present in the Lok Nyayalaya on the prescribed date and time.

63. Composition of panels.—Each panel shall consist of three conciliators drawn from the following categories of persons:—

- i) Retired Judges of Supreme Court;
- ii) Retired Judges of High Court;
- iii) Retired District Judges;
- iv) Retired Members of the Motor Accident Claims Tribunals;
- v) Government Pleaders;
- vi) Senior Advocates;
- vii) Local Advocates conversant with the Motor Accident Claims matters;
- viii) Principals or Professors or Lecturers of Law Colleges or Heads of Departments or Deans of Law Faculties of Universities;
- ix) Retired Officers of Legal Departments of General Insurance Corporation who are conversant with Motor Accidents Claims matters;
- x) Retired Government Officers conversant with Motor Accidents Claims matters.

64. No use of coercion or force.—There shall be no coercion or force in placing the matters before the Lok Nyayalaya. All the parties shall agree to place the matter before the Lok Nyayalaya.

65. Instructions from the Authorised Insurer etc.—When the Authorised Insurer or as the case may be the concerned Controlling Authority agrees to place his matter before the Lok Nyayalaya, he shall issue necessary instructions to his concerned Officers to extend full co-operation and co-ordination in holding Lok Nyayalayas for settling the disputes relating to Motor Accident Claims.

66. Effecting the compromise.—

- 1) Efforts shall be made to bring the parties to a fair compromise and the compromise that may be arrived at shall immediately be reduced to writing in Form 'N'.
- 2) After the compromise is reduced to writing, the signatures of the applicant and his/her Advocate and the Authorised Insurer or as the case may be the concerned Controlling Authority and his Advocates shall be obtained on the compromise memo.
- 3) The compromise memo shall then be taken to the Member of the Claims Tribunal for passing final order and apportionment of the compensation in terms of settlement.

67. Orders for investment.—The Claims Tribunal shall also pass appropriate orders regarding investment of amount according to the provisions of sub-rules (3) and (4) of rule 306 of the Bombay Motor Vehicles Rules, 1959, and the decision of the Bombay High Court in Messers Nay Bharat

Builders and another versus Smt. Pyarabai Dadu Mane and others (First Appeal Nos. 372 and 373 of 1980 and First Appeal No. 10 of 1981 decided on 22nd November 1983).

68. Attendance of Authorised Insurer etc.—Responsible Officer of the concerned Authorised Insurer or the concerned Controlling Authority as the case may be shall remain present before the Lok Nyayalaya and he shall confirm the amount agreed to be paid under the compromise before the Lok Nyayalaya on the spot. He shall be required to deposit the cheque of the amount agreed to be paid with the Claims Tribunal within four weeks from the date of the settlement :

Provided that, this rule shall apply to the concerned Controlling Authority subject to the provisions of rule 15.

69. True copy of the final order.—A true copy of the final order passed by the Claims Tribunal shall be forwarded to the concerned Authorised Insurer or the concerned Controlling Authority, as the case may be, immediately so as to enable him to draw the required cheque for the amount awarded.

70. Display of list of matters.—A list of matters with the names of the Advocates of the parties and the Authorised Insurer or as the case may be the Concerned Controlling Authority shall be displayed at the entrance of the Lok Nyayalaya to facilitate the parties and their Advocates to know the panel before which their matters are being taken up for amicable settlement.

CHAPTER XII

TRANSPORT ARRANGEMENTS ETC.

71. Utilisation of the car of District Judge.—If the Lok Nyayalaya is arranged at Taluka place, the District and Sessions Judge who is the Chairman of the District Committee may utilise the car placed at his disposal by the Government.

72. Requisition of vehicles.—

- 1) If it is necessary for the District Committee to carry conciliators, members of the Committee, Judges or invitees, etc., to the Lok Nyayalaya, the Collector of the concerned District on the request of the Chairman or the Member-Secretary of the District Committee shall requisition the vehicles of other offices of Government or of the local authorities situated at the District headquarter and place the same at the disposal of the District Committee for utilisation in connection with the Lok Nyayalaya.
- 2) If any vehicle is required by the Taluka Committee in connection with the Lok Nyayalaya, Tahsiklar of the Taluka where the Lok Nyayalaya is proposed to be held shall requisition a vehicle or vehicles of other offices of Government or of local authorities and place the same at the disposal of the concerned Taluka Committee.
- 3) The Log Book of the vehicles mentioned in sub-rules (1) and (2) shall be filled in by the Chairman or the Member-Secretary of the District Committee or as the case may be by the Taluka Committee.
- 4) The expenditure on petrol, etc., incurred on the vehicles specified in sub-rules (1) and (2) shall be borne by the concerned District Committee.

73. Hiring of vehicles.—

- 1) If the vehicles mentioned in rule 72 are not available for any reasons, the Collector shall requisition the private vehicles on hire basis and place the same at the disposal of the Chairman or the Member-Secretary of the concerned District Committee for use in connection with the Lok Nyayalaya:

Provided that, if the vehicles are not provided by the Collector, the Chairman of the District Committee shall hire the vehicles after recording the reasons in writing for doing so.

- 2) If the Government vehicles are not available in the Taluka, the Tahsildar of the Taluka where the Lok Nyayalaya is proposed to be held, with the previous permission of the Chairman of the District Committee, shall requisition the private vehicles on hire basis in the Taluka and place the same at the disposal of the Taluka Committee:

Provided that, if the vehicles are not provided by the Tahsildar, the Chairman of the concerned Taluka Committee with the previous permission of the Chairman of the District Committee shall hire the vehicles after recording the reasons in writing for doing so.

- 3) The expenditure on the vehicles hired under sub-rules (1) and (2) shall be met by the concerned District Committee from the funds placed at its disposal by the Board for the year.

74. Conclusion.—At the end of the Lok Nyayalaya a small concluding function may be arranged where the statistics relating to the Lok Nyayalaya Session shall be announced for the use of the Press and the public.

75. Report about the working of the Lok Nyayalaya.—After the end of the Lok Nyayalaya or on the next day, the District Committee shall send a report in Form 'O' to the Board positively.

76. Report about the pending cases in, the courts.—In order to enable the Board to arrange Lok Nyayalayas at different places each District and Taluka committees shall collect the figures of pending cases from the concerned court and send a report to the Board in Form 'P' before 10th of every month.

FORM 'A'

[See Rule 10(1) (i)]

Application in pre-litigation cases

To
The Chairman,

..... District/Taluka Legal Aid and Advice Committee,
.....

Sir,

Iaged son/daughter/wife/
widow of at present residing at beg to state that
there is a pre-litigation dispute between myself and the opponent

Shri..... regarding and I wish to bring my dispute before the ensuing Lok Nyayalaya Session for amicable settlement.

The particulars are given below:-

1. Name of the applicant and address:
2. Name of the opponent and address :
3. Facts of the dispute in brief—

(Note.—Please attach separate sheet, if necessary, giving the nature of dispute, claim and/or right. So talso state documents in support thereof and other relevant particulars).

4. Claim of the applicant:
5. Say of the opponent:
6. Whether the matter has been filed in any Court. If so, state the particulars and the stage of the case.
7. Whether the matter was previously brought before any Lok Nyayalaya. If so, what was the result.
8. Whether the applicant is ready to settle the matter amicably.
9. Whether the opponent is ready to settle the matter amicably.
10. Any other facts relating to the case.

I am willing to furnish such further information as may be required for the purpose of enabling the Lok Nyayalaya to consider the application.

I request you to take up my matter for amicable settlement by consent of the other side before the Lok Nyayalaya. I assure that I will remain present in the Lok Nyayalaya on

The above statements are true to the best of my knowledge and belief.

Yours faithfully,

Date:
Place:

Signature of the Applicant

I aged..... son/daughter/wife/widow of
..... at present residing at opponent in the

above matter beg to state that there is a pre litigation dispute between myself and the applicant
Shri/Smt/Kum regarding

The facts and particulars stated above are true and correct. I hereby agree to bring the said dispute
before the Lok Nyayalaya to be held on for amicable settlement. I further assure
that I will remain present in the Lok Nyayalaya on

Signature of the Opponent.

Recommended for taking the above pre-litigation matter before the Lok Nyayalaya to be held
on at.....

Date:

Place:

Signature of the Member-Secretary
of the Committee.

Recommendation accepted.

Chairman,
..... Committee

FORM 'B

[See Rule 10 (1) (v) (a)]

Notice

in Pre-litigation matter

No.

..... Legal Aid and
Advice Committee.

Dated

20....

To

Shri.....

Subject.—Pre-litigation dispute between

Shri

and Shri

regarding

Sir,

It is noticed that there is a dispute between yourself and Shri resident of..... regarding..... The applicant Shri has requested the District/ Taluka Legal Aid and Advice Committee, to take up the said matter before the Lok Nyayalaya to be held on at for amicable settlement.

You are now requested to take notice and remain present in the said Lok Nyayalaya and put your say in the matter and help the Lok Nyayalaya in resolving the said dispute amicably.

Yours faithfully,

Member-Secretary,
..... District/Taluka
Legal Aid and Advice Committee

No. Legal Aid and
Advice Committee.
Dated 20....

Copy forwarded for information to—

- 1) The Tahsildar,
- 2) The Sarpanch, Gram Panchayat

They are requested to remain present in the Lok Nyayalaya and secure the presence of the aforesaid parties in the said Lok Nyayalaya and help the Lok Nyayalaya to resolve the dispute amicably.

Member-Secretary,
.....Committee.

FORM 'C'

[See Rule 10 (2) (iii) (a) First Method]

Notice

to other party in pending litigation matter

No.

..... District/Taluka
Legal Aid and Advice Committee,
.....

Dated the 20.....

To

Shri
.....
.....

Subject.— In the matter of Case No.....

Shri

vs.

Shri
pending in the Court of

Sir,

It is noticed that there is a pending litigation matter (bearing No..... pending in the
..... Court) between yourself and Shri
resident of regarding
The applicant Shri has requested the
District/Taluka Legal Aid and Advice to take up the said matter before the Lok Nyayalaya to be held
on at for amicable settlement.

You are now requested to take notice and remain present in the said Lok Nyayalaya and put
your say in the matter and help the Lok Nyayalaya in resolving the said dispute amicably.

Yours faithfully,

Member-Secretary,

.....Committee.

No.

..... Legal Aid and
Advice Committee.

Dated 20....

Copy forwarded for information to—

- 1) The Tahsildar,
- 2) The Sarpanch, Gram Panchayat

They are requested to remain present in the Lok Nyayalaya and secure the presence of the aforesaid parties in the said Lok Nyayalaya and help the Lok Nyayalaya to resolve the dispute amicably.

Member-Secretary,
.....Committee.

FORM 'D'

[See Rule 10 (2) (iii) (b) Second Method and rule 11(1)]

Notice

**to both parties asking their consent for referring the pending
litigation matter to the Lok Nyayalaya.**

No.....
..... Committee,
.....
Dated the 20

To

Shri Plaintiff,
.....
and
Shri Defendant
.....

Subject.— In the matter of Case No.....

Shri
vs.

Shri.....
pending in the Court of

Sir,

It is noticed that a dispute between Shri and Shri
..... regarding..... is pending in the
..... Court for decision according to law.

You are, however, requested to state whether you are willing to refer your case No.....
pending in the Court, to the Lok Nyayalaya to be held on at
..... for amicable settlement. If you are willing to do so kindly contact the
undersigned on at a.m./p.m in room No..... in the
..... Court for filling the necessary Form in this respect.

Yours faithfully,

Member-Secretary,
.....Committee.

FORM 'E'

[See Rule 11(2)]

Application for referring the pending cases to Lok Nyayalaya by both parties

To
Chairman,
..... Committee,
.....

Sir,

I aged son/daughter/wife/widow of at present residing at beg to state that there is a pending litigation matter between myself and Shri regarding and I wish to bring the said matter before the ensuing Lok Nyayalaya Session for amicable settlement. The particulars are given below :—

- 1) Name of the Applicant/Plaintiff and address.
- 2) Name of the Opponent/Defendant and the address.
- 3) Facts of the case in brief

[Note.—

- (i) Please attach separate sheet, if necessary, giving the nature of dispute, claim or right and so also state documents in support thereof and other relevant particulars;
- (ii) In respect of property, land, revenue matters, survey Nos., Hissa Nos., boundary details should be given.
- (iii) In respect of other matters details in brief should be stated.]

- 4) Number and date of the case or suit.
- 5) Name of the Court where pending.
- 6) Date of pendency of the case or suit in the Court.
- 7) Claim of the Plaintiff
- 8) Say of the Defendant
- 9) If the dispute is with the Government

then state the Department to which the problem relates.

- 10) Whether the matter was previously brought before any Lok Nyayalaya. If so, what was the result.
- 11) Whether the Applicant is ready to settle the matter amicably.
- 12) Whether the Defendant is ready to settle the matter amicably.
- 13) If the Advocates are engaged, their names.
- 14) Any other facts relevant to the case.
- 15) Remarks

I am willing to furnish such further information as may be required for the purpose of enabling the Lok Nyayalaya to consider the application.

I request you to take up my aforesaid matter for amicable settlement by consent of the other side before the Lok Nyayalaya. I further assure that I will remain present in the Lok Nyayalaya sitting on

The above statements are true to the best of my personal knowledge and belief.

Date:
Place:

Yours faithfully,

Signature of the Plaintiff.

Date:

Signature of the Advocate Place:
of the Applicant / Plaintiff

I aged Son/daughter/wife/widow of at present residing at.....
Defendant in the above matter beg to state that the abovesaid statements made by the Plaintiff Shri are true to the best of my personal knowledge and belief and I hereby agree to bring the said dispute before the Lok Nyayalaya to be held on for amicable settlement.

I further assure that I will remain present in the Lok Nyayalaya sitting on.....

Date:
Place:

Yours faithfully,

Signature of the Defendant.

Date:
Place:

Signature of the Advocate of
the Defendant

Recommended for taking the aforesaid pending case before the Lok Nyayalaya to be held on
..... at

Date :
Place :

Signature of the Member-Secretary,
..... Committee.

Recommendation accepted.

Chairman,
.....Committee.

FORM 'F'
[See Rule 13 (1)]

List of pending cases brought before the First/Second/Third
Panel of Lok Nyayalaya held on at

- 1) Date
- 2) Venue
- 3) Name of Panel
- 4) Names of Conciliators (1)
(2)
(3)
- 5) Total number of cases entrusted
to the Panel.
- 6) Names of Courts from whose file and
jurisdiction the matters are taken.
- 7) Names of Assistants and staff assisting
the panel.

8) List of cases—

Serial No.	Suit or case No.	Name of the Plaintiff	Name of the Defendant	Subject matter of the suit or case	Titles of the Acts under which the case falls	Remarks
1	2	3	4	5	6	7

FORM 'G'

[See Rule 13 (2)]

List of pre-litigation cases brought before the First/Second/Third
Panel of Lok Nyayalaya held on at

1. Date
2. Venue
3. Name of Panel
4. Names of Conciliators (1)
(2)
(3)
5. Total number of pre-litigation cases entrusted to the Panel.
6. Area or areas to which the pre-litigation cases belong.
7. Names of the Assistant and other staff assisting the Panel.

8. List of cases—

Serial No.	Suit or case No.	Name of the Plaintiff	Name of the Defendant	Subject matter of the suit or case	Titles of the Acts under which the case falls	Remarks
1	2	3	4	5	6	7

FORM 'H'

[See rule 52(1)]

Compromise Memo in pending cases

Type of case:

Case No..... of 20.....

pending in the Court of at

Shri

Plaintiff/Applicant

versus

Shri

Defendant/Opponent

MAY IT PLEASE YOUR HONOUR:

Dispute in brief is that

.....

.....

We, that is Shri Plaintiff/Applicant
and Shri Defendant/Opponent in the above said case
have arrived at the compromise to settle the matter as follows:

Terms of compromise

1)

2)

- 3) -----
4) -----

We have arrived at the compromise terms willingly before the Lok Nyayalaya held on at No coercion or force is applied. Today though it is not working day for the Court, we request the Court to record the compromise today only and the aforesaid case be marked as settled accordingly.

Dated this day of 20.....

Place:

(.....)
Signature of the Plaintiff/Applicant

(.....)
Signature of the Defendant/Opponent

(.....)
Signature of the Advocate for the
Plaintiff/Applicant if any.

(.....)
Signature of the Advocate for the
Defendant/Opponent, if any.

(.....)
Signature of 1st witness
for the Plaintiff

(.....)
Signature of 1st witness for
the Defendant

(.....)
Signature of 2nd witness
for the Plaintiff.

(.....)
Signature of 2nd witness for the
Defendant.

The matter is amicably settled as above before the Lok Nyayalaya held on at

(.....)
Signature of the Head of the Panel.

FORM 'I'

[See Rule 12, 52 (5)]

Docket Sheet

Suit/Case No..... of 20..... pending in the Court of.....
at

Shri

Plaintiff/Applicant

versus

Shri

Defendant/Opponent

Regarding—

Compromise Memo of the compromise arrived at between the parties before the Lok Nyayalaya held on..... at where the compromise is effected.

The matter is amicably settled/not settled.

Date:

Place:

Signature of the Head of the Panel.

FORM ' J '

[See Rule 53(1)]

Compromise in respect of pre-litigation matter

Type of case:

Shri..... Applicant

versus

Shri..... Opponent

Dispute in brief is that.....
.....
.....

We, that is Shri..... Applicant and Shri.....
Opponent in the aforesaid case have arrived at the compromise to settle the matter as follows:—

Terms of compromise

- 1)
- 2)
- 3)
- 4)
- 5)

We have arrived at the compromise terms willingly before the Lok Nyayalaya held on at No coercion or force is applied by anybody in respect of this compromise. We hereby undertake to abide by the terms of the compromise mentioned above and undertake to treat the matter settled finally in the terms of the compromise set

out above.

Dated this day of 20

Place:

(.....)
Signature of the Applicant

(.....)
Signature of the Opponent

(.....)
Signature of the first
witness for the Applicant

(.....)
Signature of the first
witness for the Opponent

Date:

Date:

Place:

Place:

Signature of the second
witness for the Applicant

Signature of the second
witness for the Opponent.

Date:

Date:

Place:

Place:

The matter is amicably settled as above before the Lok Nyayalaya held on at
.....

Signature of the Head
of the Panel

FORM ' K '

(See Rule 62)

Notice

*to the Applicant for remaining present in the
Lok Nyayalaya in respect of M.A.C.T. Cases*

No.

To

Date:

Subject.— M.A.C.T. Application No..... of proposed
to be brought before the Lok Nyayalaya.

Sir,

'A Lok Nyayalaya' will be held on at a.m. at.....
..... to hear, discuss and to compromise the claim arising out of the motor vehicle accident occurred at in which you are involved. The above mentioned Claim Application filed by you will be placed before the said Lok Nyayalaya for hearing and final disposal. You are therefore requested to remain present along with your Advocate before the Lok Nyayalaya on at with all the necessary documents and records on which you are relying upon. You are also requested to bring the following documents as essential documents:—

(A) In case of Fatal Accident:

- (i) Post-Mortem Report and/or Death Certificate showing the cause of death of the deceased;
- (ii) Salary/Wages Certificate from the Employer of the deceased;
- (iii) Age Certificate of the deceased;
- (iv) Names of Dependents (legal heirs) and their ages;
- (v) True copy of F.I.R. and Panchanama;
- (vi) List of expenses, if any, and the documents thereof;

(B) In case of Personal Injury:

- (i) Hospital Records and/or Medical Certificate of the Hospital showing the nature of injury and the date of admission and discharge from hospital;
- (ii) Salary/Wages Certificate from the Employer of the injured;
- (iii) Permanent/Partial disability certificate, if any;
- (iv) True copy of F.I.R. and Panchanama ;
- (v) List of expenses alongwith the vouchers/cash memos thereof.

2. You are further requested to keep ready one set of zerox copies of the documents on which you are relying upon and the documents as mentioned hereinabove and hand over the same to the Advocate of the Authorised. Insurer or as the case may be the concerned Controlling Authority and/or the District Legal Aid and Advice Committee Ten days in advance, so as to help the Authorised Insurer or the concerned Controlling Authority to be ready for hearing and discussion.
3. I hope that you will co-operate with the District Legal Aid and Advice Committee so as to enable you to get your claim settled in full and) final settlement through the Lok Nyayalaya by remaining present on aforesaid date and time alongwith your Advocate with all the above mentioned documents.

Yours faithfully,

Member-Secretary,
..... District Legal Aid
and Advice Committee.

FORM 'L'

(See Rule 62)

Notice

*to the Advocate of the Applicant for remaining present in the Lok Nyayalaya
in respect of M.A.C.T. Cases*

No.

Date:

To

Subject : M.A.C.T. Application No..... of
proposed to be brought before the Lok Nyayalaya.

Sir,

A Lok Nyayalaya will be held on at a.m. at
..... to hear, discuss and to compromise the claim arising out of the
motor vehicle accident occurred at in which your client (Applicant) is involved.
The above-mentioned Claim Application filed through you will be placed before the said Lok
Nyayalaya for hearing and amicable settlement. You are, therefore, requested to remain present
along with the Applicant before the Lok Nyayalaya on at with all
the necessary documents and records on which you are relying upon. You are also requested to bring
the following documents as essential documents:—

(A) In case of Fatal Accident:

- (i) Post-Mortem Report and/or Death Certificate showing the cause of death of the deceased;
- (ii) Salary/Wages Certificate from the Employer of the deceased;
- (iii) Age Certificate of the deceased;
- (iv) Names of Dependents (legal heirs) and their ages;
- (v) True copy of F. I. R. and Panchanama;
- (vi) List of expenses, if any, and the documents thereof;

(B) In case of Personal Injury:

- (i) Hospital Records and/or Medical Certificate of the Hospital showing the nature of injury and the date of admission and discharge from hospital;
 - (ii) Salary/Wages Certificate from the Employer of the injured;
 - (iii) Permanent/Partial disability certificate, if any;
 - (iv) True copy of F. I. R. and panchanama;
 - (v) List of expenses along with the vouchers/Cash memos, thereof.
2. You are further requested to keep ready one set of xerox copies of the documents on which the applicant is relying upon and the documents as mentioned hereinabove and hand over the same to the Advocate of the Authorised Insurer or as the case may be the concerned Controlling Authority and/ or the District Legal Aid and Advice Committee Ten days in advance, so as to help the authorised Insurer or the concerned Controlling Authority to be ready for hearing and discussion.
3. I hope that you will co-operate with the District Legal Aid and Advice Committee so as to enable the applicant to get his/her claim settled in full and final settlement through the Lok Nyayalaya by remaining present on the aforesaid date and time along with the Applicant with all the above mentioned documents.

Yours faithfully,

Member-Secretary,
..... District Legal Aid
and Advice Committee.

FORM 'M'

(See Rule 62)

Notice

*to the Authorised Insurer or the concerned Controlling Authority
remaining present in the Lok Nyayalaya in respect of for M.A.C.T. Cases*

No.

Date :

To
The
.....

Subject : M.A.C.T. Application No. of
proposed to be brought before the Lok Nyayalaya.

Sir,

A Lok Nyayalaya will be held on at a.m. at to hear, discuss and to compromise the claim arising out of the motor accident occurred at District in which your orporation/Company/Department/Office is involved. The above mentioned Claim Application filed by Shri/Smt..... resident of Taluka District will be placed before the Lok Nyayalaya, for hearing and final amicable settlement.

You are, therefore, requested to issue necessary instructions to the concerned Managers or officers:—

- (i) to extend full co-operation and co-ordination in holding the Lok Nyayalaya;
- (ii) to try utmost to dispose of as many matters as possible;
- (iii) a) to remain present before the Lok Nyayalaya;
- b) to give the confirmation to the amount So compromised before the Lok Nyayalaya on the spot and;
- c) to state that the required cheque will be deposited with the Claims Tribunal within four weeks from the date of settlement.

You are further requested to instruct your Advocate to remain present in the Lok Nyayalaya on and to extend his full co-operation to the Lok Nyayalaya. A set of zerox copies of the documents on which the applicant is relying upon alongwith all essential documents will be handed over to your Advocate as early as possible so as to enable you to be ready for hearing and discussion.

I hope that you will co-operate with the District Legal Aid and Advice Committee so as to enable the Applicant to get his/her claim settled in full and final settlement through the Lok Nyayalaya by complying with the above request.

Yours faithfully,

Member-Secretary,
..... District Legal Aid
and Advice Committee.

FORM 'N'

[See Rule 66 (1)]

Compromise Memorandum in Motor Accidents Claims Tribunal Cases

LOK NYAYALAYA

Type of case:

Application No.....of 20.... pending before the Motor Accidents
Claims Tribunal at

Shri

Applicant

Shri

Opposite party/parties

And

.....

Authorised Insurer/concerned
Controlling Authority

MAY IT PLEASE YOUR HONOUR

Dispute in brief is that

.....

.....

We, that is ShriApplicant and Shri

Opposite party/parties and the Authorised Insurer/concerned

Controlling Authority in the above said matter have arrived at the compromise to settle the matter as follows:—

Terms of Compromise

1)

2)

3)

4)

We have arrived at the compromise terms willingly before the Lok Nyayalaya held on
..... at No coercion or force is applied. Today though it is not working
day for the Tribunal, we request the Members of the Tribunal to record the compromise today only
and pass appropriate award and the aforesaid matter may be marked as settled accordingly.

Dated this day of 20....

Place:

()
Signature of the Applicant.

()
Signature of the Authorised
Insurer/concerned Controlling
Authority.

()
Signature of the Advocate
for the Applicant.

()
Signature of the Advocate for
the Authorised Insurer/concerned
Controlling Authority.

The matter is amicably settled as above before the Lok Nyayalaya held on
at.....

()
Signature of the Head of the Panel.

FORM 'O '

(See Rule 75)

PART I

Report about the Lok Nyayalaya Session

1. Number of the Lok Nyayalaya
2. Name of the District Committee
who conducted the Lok Nyayalaya.
3. Name of the Taluka Committee under whose
jurisdiction the Lok Nyayalaya was held.
4. Place where held
5. Date when held
6. Number of cases in which oral
advice was given.

Pending Litigation Pre-Litigation

7. No. of cases brought before
the Lok Nyayalaya.
8. No. of cases in which parties appeared.

9. No. of cases in which parties remained absent.
10. No. of cases in which parties appeared and accepted the compromise.
11. No. of cases in which parties appeared but refused to accept the solution given by the Lok Nyayalaya.
12. Total number of cases finally compromised before the Lok Nyayalaya.
13. Approximate value of the claims settled.
14. Total expenditure incurred for the Lok Nyayalaya.
15. Number of panels formed.
16. Names of Members of the panel with their status.
17. Names of voluntary organizations, social organisations, etc. which extended help to the Lok Nyayalaya.
18. Any other relevant information regarding the Lok Nyayalaya.

Member-Secretary,
....., District Legal Aid and
Advice Committee,
.....District.

Part II
Statement showing the Details of Pending Litigation Cases brought before the
Lok Nyayalaya held on at

Serial No.	Type of cases	No. of cases brought	No. of cases in which parties appeared	No. of cases in which parties remained absent	No. of cases in which parties appeared but refused to accept the compromise	No. of cases in which parties appeared and accepted the compromise	Total No. of cases finally compromised	Acts under which cases fall	Approximate Value of the claim	Remarks
1	2	3	4	5	6	7	8	9	10	11
1.	Civil									
2.	Civil Execution									
3.	Rent									
4.	Tenancy (Land)									
5.	Matrimonial									
6.	Criminal									
7.	Accident Claims									
8.	Labour									
9.	Revenue									
10.	Municipal or Public Undertaking matters									
11.	Miscellaneous									
12.	Any other matter									

.....
Member-Secretary
..... District Legal Aid and Advice Committee,
..... District.

Part III
Statement showing the Details of Pre-Litigation Cases brought before the
Lok Nyayalaya held on at

Serial No.	Type of cases	No. of cases brought	No. of cases in which parties appeared	No. of cases in which parties remained absent	No. of cases in which parties appeared but refused to accept the compromise	No. of cases in which parties appeared and accepted the compromise	Total No. of cases finally compromised	Acts under which cases fall	Approximate Value of the claim	Remarks
1.	Civil									
2.	Civil Execution									
3.	Rent									
4.	Tenancy (Land)									
5.	Matrimonial									
6.	Criminal									
7.	Accident Claims									
8.	Labour									
9.	Revenue									
10.	Municipal or Public Undertaking matters									
11.	Miscellaneous									
12.	Any other matter									

.....
Member-Secretary
..... District Legal Aid and Advice Committee,
..... District.

Form 'P'
(See Rule 76)
Report about the Information regarding all types of cases pending in the courts

Name of the Court Period from to

Name of the Committee
collecting the Information:

Serial No.	Type of Cases	No. of cases pending during the month	No. of cases registered during the month	No. of cases disposed off during the month	No. of cases pending on the date of report	No. of cases fit to be taken before the Lok Nyayalaya	Any other relevant information	Remarks

..... Member-Secretary,
..... District Legal Aid and Advice Committee
..... District

By order and in the name of the Governor of Maharashtra

B. V. CHAVAN
Secretary to Government