

compounding the offence under Section 379 IPC is of no use at all. I do not want to discuss more about the compounding nature of Section 379 IPC because the victims will not come forward to compound the offence.

With regard to Section 354 IPC. Out raging modesty of women is serious offence it should be non-bailable, but it is to be made as compoundable then there is every possibility for the offence to be settled before

Lok-Adalath. Because after the offence the matter might have been placed before caste elders or caste panchayat in whose presence, the accused might have took plea of pardon or terms will also be imposed by the panchayath elders and if offenders under Section 354 IPC is made as compoundable, the precious time of the Court will be saved.

“Justice is not only to be done it must be seems to have been done”.

NEED OF AMENDMENT TO NATIONAL LEGAL SERVICES AUTHORITY ACT

By

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The people are approaching Courts as final resort to get the remedy for their legal rights. The National Legal Services Authority Act was introduced in the year 1986 empowers the Legal services Authorities *i.e.* District Legal Services Authority and Mandal Legal Services Authority to take up and to settle pre-litigation cases. It also empowers the Chairman of the said Legal Services Authority to pass award which can be enforceable under the law. The intention of introduction of settlement of pre-litigation case is to settle the dispute between the parties, prior to institute of suit so that institution pendency can be reduced. In order to settle the case under pre-litigation case, both parties shall attend before the said authority and the matter will be settled in between the parties as per the agreed terms took place in between them.

The compulsion presence of both parties is a must. There are so many occasions where Mandal Legal Services Authority or District

Legal Services Authority could not able to settle the pre-litigation case as respondent *i.e.* opposite party is not attended before this Court. There are no powers given to the Chairman Mandal Legal Services Authority/ District Legal Services Authority to take coercive steps in securing the presence of respondent/opposite party.

For example : A villager approached Legal Services Authority that the concern revenue people are not effecting the mutation even though he is entitled for mutation and they are not responding to his application. Naturally after entertaining the application/petition, the Chairman will issue notice to the concern revenue people to attend before the authority on a specified date but the revenue people will not or could not attend on the said specified date even though the notice is served on revenue people. If they attend before the authority, they will effect the mutation in favour of the petitioner, if the petitioner is entitled. Like so, issuance of pattedar

passbook, title deed and effect of ROR proceedings, compensation cases, removal of encroachments *etc.* In most of the pre-litigation case respondent is the concern Government if revenue people would have attend so many problems will be solved but as there is no duty casts on them or as there is no power to the authority to take coercive steps for securing their presence thereby so many petitions and problems of the litigant public could not be solved.

If such power is vested with the Chairman under Legal Services Authority Act then revenue people or any authority (opposite party) will come to the Legal Services Authority and will submit his counter or statement, the matter can be settled [or] it can be solved or otherwise the authority will advise the petitioner to approach the Court

of law or authority will appoint the advocate to fight on behalf of the petitioner. Because of lack of power to take coercive steps in securing the attendance of revenue people and police people or any other department which is under public sector undertaking the petitions could not be settled. If the act is properly amended giving powers to the Chairman Mandal Legal Services/District Legal Services Authority to take coercive steps for securing presence of people or at-least there shall be amendment to the Act that in solving the pre-litigation case revenue people and police people also must actively participated in the Lok-Adalath proceedings. Then more problems will be solved so that the real justice can be served to the needy poor people.

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“NYAYA PANCHAYATIS” — AN EFFECTIVE OF ALTERNATIVE DISPUTE DISSOLUTION. AN VILLAGE LEVEL – A PERSPECTIVE

By

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Introduction :

In Independent of India sixty five percent of the people in Indian population lives in villages. Disputes among villagers are generally of small nature, so what is needed is a simple, easy and practical way of settling disputes which is free from the technicalities involved in urban Court process. The parties involved in rural disputes are mostly poor who cannot afford long and expensive litigations. They need a judicial system with which they can identify themselves and not feel alienated. A system in which they participated be secure and have an easy and unhesitant access.

Historical Background

The idea of Panchayati justice is not new to us. Since ancient times Panchayats have played an important role in dispute resolution in villages. Village elders used to solve disputes of villagers. These elders were acquainted with the people, local conditions, language, habits, customs and practices of these people, and so they could easily find out the reason behind any dispute. Further they used to solve the problems publicly and public opinion acted as a powerful influencing factor. Evidence was present in village itself, no question of concocting evidence arose.