

PARIVARIK MAHILA LOK ADALATS (PMLA)

The National Commission for Women (NCW) has evolved the concept of Parivarik Mahila Lok Adalat, which in turn supplements the efforts of the District Legal Service Authority (DLSA) for redressal and speedy disposal of the matters pending in various courts related to marriage and family affairs.

2. Objectives of Parivarik Mahila Lok Adalat:

- To provide speedy and cost free dispensation of justice to women.
- To generate awareness among the public regarding conciliatory mode of dispute settlement.
- To gear up the process of organizing the Lok Adalats and to encourage the public to settle their disputes outside the formal set-up.
- To empower public especially women to participate in justice delivery mechanism.

3. Methodology

3.1. The Parivarik Mahila Lok Adalat functions on the model of the Lok Adalat. The Commission provides financial assistance to NGOs or State Women Commissions or State Legal Service Authority to organize the Parivarik Mahila Lok Adalat.

4. Benefits of Lok Adalat

- Cases are amicably settled by the parties in a harmonious atmosphere.
- It saves time, effort and expenses.

- Long pending disputes in the courts can be settled through the Lok Adalat expeditiously.
- Copies of decisions of the Lok Adalat are given to the parties free of cost.
- The decision of the Lok Adalt is final and there is no appeal against the same.

5. Validity of Award of Lok Adalat

- Under the Legal Service Authority Act, 1987, the decisions of the Lok Adalat have legal validity.
- The award of the Lok Adalat has the same force as a decree of the Court of Law.
- The decisions of the Lok Adalat are based on terms of mutual consent of the parties.
- The decisions of the Lok Adalat are binding on the parties.

6. How to Organise PMLA?

- The NGOs approach the DLSA or District Judge and collect information about pending cases of family disputes within the district.
- The DLSA selects women related cases which are admissible in the Lok Adalat, and makes relevant files/case papers available to the NGOs.
- It is expected that minimum 60 cases shall be taken up for handling in PMLA.
- NGOs should take written permission from DLSA to do the counselling in selected cases.

- The NGOs, through their counsellors should approach the parties and start counselling prior to the date of the PMLA to bring them to a compromise or settlement.
- The NGOs will organise PMLA on the specified date on which the cases will be brought up for settlement.
- If necessary, the NGOs may approach the DLSA to summon the parties.
- The settlement should be noted down on paper in each case and the signatures of both the parties must be obtained on the document which will be presented before PMLA for its legal authentication.
- At least 40% of the cases received from DLSA must be disposed of on the date of PMLA.
- The NGOs should approach the District Judge to appoint a Presiding Officer, for the PMLA, who should be a Judge and two or more members who can be judges, advocates or social activists.
- The Venue of the PMLA should be a suitable central place convenient to the panelists as well as the parties and preferably premises other than a Court Room.
- NGOs should ensure the presence of compromising parties on the date of PMLA.
- The panel will authenticate the settlement on the date of PMLA.
- Court decree will be issued as per the settlement and will be legally binding on both the parties.
- The settled cases will be withdrawn from the dealing courts.

- NGOs should invite media publicity.
- NGOs shall not charge any fee from the parties.

7. Role of Counselling

7.1. An important aspect of PMLA is to give patient hearing to the parties in an informal manner. Counselling plays a crucial role in settling a case. The Counsellors are required to assist the PMLA in the delivery of justice. They play positive and constructive role in the settlement of disputes. In the process the Counsellors have to win the confidence of both the parties. Normally the suffering parties open up before the Counsellors to sort out their disputes and even other problems. Though it is a time taking process, it is an important tool to bring the parties to an amicable settlement and resolve the disputes. The counsellors should be qualified and have experience to promote the settlement of disputes between the parties through conciliation and counselling. Counsellors should also have good skill of making report of settlement as Presiding Officer relies on their report.

8. Financial Assistance

8.1. The Commission provides financial assistance limited to Rs. 30,000/- (Rupees Thirty thousand only) to NGOs to organise the PMLA. The item-wise **ceiling** for incurring expenditure is given below:

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| a) | Printing of Banners, Posters and Handbills | Rs. 5,000/- |
| b) | Photography | Rs. 1,000/- |
| c) | Tea/Working Lunch | Rs. 800/- |
| | (Hospitality should be as per GOI norms of Rs. 5/- per person for Tea and Rs. 50/- per Person for Working Lunch) | |
| d) | Vehicle charges (not more than 15 days) | Rs. 6,000/- |

e)	Honorarium to Counsellors	Rs. 7,500/-
f)	TA/DA to NGOs etc	Rs. 3,000/-
g)	Refreshment etc prior to holding PMLA (Hospitality should be as per GOI norms of Rs. 5/- per person for Tea and Rs. 50/- per person for Working Lunch)	Rs. 4,000/-
h)	Miscellaneous	Rs. 2,700/-

For the North- Eastern States the financial assistance shall be of amount not exceeding Rs. 40,000/-.

9. Organisations Eligible for Assistance

9.1. Any voluntary organisation registered under the Societies Registration Act, 1860 or State Women Commission or DLSA jointly with NGOs/ Educational Institutions can apply in the prescribed Format (**Annexure – I**) with the following documents for financial assistance to hold PMLA:

- i) Certified copy of Registration.
- ii) Certified copy of Memorandum & Articles of Association with latest composition of the Boards.
- iii) Certified copy of Audited Statement of Accounts for the last three years.
- iv) Annual Report for the last 3 years (Requirement of documents at (i) to (iv) is dispensed with in the case of State Commission for Women and Government bodies.)
- v) Documents giving details of past experiences of:
 - Counselling and
 - Women related programmes.

- vi) Written permission from the District Judge/DLSA with the list of cases.
- vii) The tentative date/month for organising the PMLA (in consultation with the District Judge/ DLSA).
- viii) The details of assistance received or likely to be available from other sources including DLSA, Local Authorities, Voluntary Organizations and other Institutions.

10. Terms and Conditions

- The financial assistance given by the Commission will be used only for organizing PMLA.
- The assistance will be released in two installments:
- Rs. 15,000/- (Rupees fifteen thousand only) will be released as advance when the proposal is approved by the Commission after receiving consent of the District Judge/DLSA along with the list of the cases obtained from the District Judge/DLSA, a small write up on the proposed programme alongwith steps proposed to be taken for counseling as per instructions in Para 6, and an undertaking as per the Format (**Annexure - II.**)
- The balance amount will be released after conducting of the PMLA and on the submission of the (i) Utilization certificate from the Chartered Accountant, (ii) Statement of Account, (iii) Original vouchers of expenditure, (iv) The details of cases considered in the PMLA and the result thereof and (v) A Report/ Write-up on the function held with the photographs and copies of Banners etc.
- The utilization certificate along with other documents should be submitted within one month from the date of PMLA.

- The NGO should ensure involvement of DLSA, other organizations, public representatives, women activists etc. in the PMLA as indicated in Para 6.
- Photographs of the programme as well as the pamphlets, any other literature if published, and media reports should be sent to the Commission.
- No equipment/asset will be purchased out of the assistance given by the Commission.
- Unspent portion of the assistance will be refunded to the Commission.
- Separate accounts of the programme will be maintained and the same will be subjected to test check by the Commission through its representative or CAG.
- In the event of violation of any of the terms and conditions of sanction or non-holding of PMLA, the organisation will have to refund the entire amount of sanction to the Commission on demand or such part thereof, alongwith penal interest, as per the government rates.
- The Commission may lay down any other conditions prior to the release of the assistance.

11. Matters which can be brought before the Parivarik Mahila Lok Adalats

The following type of matters can be brought before the PMLA:

- All civil cases
- Matrimonial disputes including divorce, maintenance (of wife, parents, children etc.)

- Compoundable Criminal cases
- Disputes related to Labour Laws
- Motor Accident Claims
- Bigamy

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Proposals may be sent to :-

The Chairperson

National Commission for Women

4, Deen Dayal Upadhyaya Marg, New Delhi-110002

Ph: 091-011-23237166, 23234918

Fax: 091-011-23236154

E Mail- ncw@nic.in

ANNEXURE – I

FORM OF APPLICATION FOR GRANT OF FINANCIAL ASSISTANCE BY NCW FOR ORGANIZING PARIVARIK MAHILA LOK ADALAT (PMLA)

Note: Application is to be submitted in duplicate. Incomplete applications will not be entertained.

1. Name of the organization with complete postal address & Pin Code with Telephone No., Fax No. and E-mail ID, PAN
2. Whether registered under the Societies Registration Act, 1860, or any other Act, (to be specified) and the date of registration (please enclose a copy of the Registration Certificate)
3.
 - (i) Particulars of the present members of Executive Body / Board of Management; date on which it was constituted and tenure
 - (ii) Name of the person and his/her designation nominated/ authorized to act on behalf of the organization
 - (iii) Name of the Project Director In-charge, his Telephone Number, Fax Number, Mobile Number and E-mail ID, Address with Pin-Code.

4. Financial assistance sought with break-up of cost estimates (item-wise)
5. NGO to furnish :
 - i) Tentative Date for organizing PMLA
 - ii) Place where the PMLA will be held
 - iii) Enclose consent of DLSA/ District Judge
 - iv) Enclose a list of not less than 60 family/marriage pending cases obtained from DLSA to be taken up at the PMLA
 - v) To enclose (a) write up on the proposed programme (b) Brief statement of past experience of PMLA/women programme and (c) steps proposed for providing counseling prior to date of PMLA and Brief breakup of the budget required to organize the PMLA.
6. Is it proposed to receive grant / funds from any other source /DLSA/SLSA for the same purpose or activity to which this application pertains? If so, details thereof.

- 7. Information relating to the grants received/or likely to be received from the NCW for any other activity. (If any grant had been received in the past, details thereof with file/letter No. of the Commission – Copy).
- 8. Additional information if any
- 9. List of documents attached (vide Para 9.1)
 - i) Certified copy of the Registration
 - ii) Certified copy of the Memorandum and Articles of Association
 - iii) Audited Statement of Accounts for the last three years
 - iv) Annual Report for the last 3 years
 - v) Undertaking etc.

Signature & Designation
With seal/stamp

UNDERTAKING

I, (Name, Designation and name of the organisation) _____
_____ hereby agrees/agree to be responsible for:-

- (i) Proper administering and managing of the funds exclusively for the work for which financial assistance is granted by the National Commission for Women; and
- (ii) To refund full amount with interest thereon in case LAC/Programme is not organized or in case of misuse or unauthorized use of funds for purposes other than those indicated in the Sanction Order of National Commission for Women; or for withholding or suppressing of any information regarding the funds/grants from other official sources in respect of the project for which sanction has been awarded.

Signature

Name

On behalf of

(Name of the organization and seal)
with full address, Telephone and PAN.

Signature of Witnesses:

- 1. _____
- 2. _____



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PARIVARIK MAHILA LOK ADALATS (PMLA)



NATIONAL COMMISSION FOR WOMEN
New Delhi