

Nari Adalat: An ADR system of, for and by female

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Abstract

The Nari Adalat scheme was implemented in 2023 with an objective to empower women by providing women with a means of gender justice. Nari Adalat is an alternative to formal dispute resolution mechanisms at grassroots level in Indian society. Nari Adalat is a women-led community based, cost-effective and informal justice forum which solve issues through traditional non-adversarial means. It addresses women's related petty issues such as Family disputes, non-severe domestic violence and marital issues. Although they are minor disputes but they have a significant bearing on the physical and mental health of the women and more importantly affect the women's very existence in world. Nari Adalat try to solve this dispute through dialogue, mediation and participatory method. This study provides an in-depth evaluation of the impact of Nari Adalats. Though Nari Adalat is lacking legal authority, as it doesn't backed by any statute unlike Lok Adalat which formed under Legal Services Authorities Act, 1987, yet Nari Adalat would definitely be liked and practiced by the community and lessen the burden of the formal courts.

Keywords

Nari Adalat, Sustainable Development Goals(SDGs), Alternative Dispute Resolution (ADR), Mediation, Community driven Justice system, Traditional justice system, Conciliation, Nyaya Sakhi, Informal Justice Systems, Gender Justice, Adversarial Justice System.

Introduction

The perfect balance in society is ultimate goal of the government as it helps in ruling out chaos and injustice in the society. Gender justice is one the component to achieve this goal. Although women consist of the half of the world's population,

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yet they are the marginalized group of the society due to patriarchy, absence of female's property rights and financial independency.

United National General Assembly has launched the Sustainable Development Goals in 2015 with a target year 2030. Among the 17 Sustainable Development goals, Goal number 5 is on gender equality and women empowerment. This Goal is widely supported by country members of the United Nation. For gender equality and women empowerment, there is need of making the gender justice accessible to the women of the remotest location. This gender justice should be cost-effective, amicable, accessible and effective.

According to the National Judicial Data Grid (NJDG) data, there are 4.91 Crore pending cases in the country, with proximately 63 lakhs cases pending in High Courts and over 72,000 cases pending in the Supreme Court. In this background, there is need of an out of court and non-formal adjudication which can address the plight of women in minimum time period. As justice delayed is justice denied. So, alternative dispute system come into rescue for the women as it helps in accessible, effective and amicable dispute resolution.

The Alternative Dispute Resolution mechanisms give both the parties freedom, privacy, and control over procedure of resolving dispute in amicable manner. These procedures of the Alternative Dispute Resolution include methods like mediation, arbitration, negotiation, and conciliation.

'However, studies have shown that, in both traditional litigation and ADR, women may encounter institutionalized biases and hurdles to justice. Hon'ble Justice Pratibha M. Singh, during one of her addresses at an event on Lady Lawyers Day highlighted the fact that only 15% of the practising lawyers are women. ⁴Hon'ble CJI D.Y. Chandrachud also highlighted the fact that 'less than 10% of all Indian arbitrators on various international institutional panels are women'.⁵ Despite the long strides and uncountable achievements of women practitioners in the world of ADR, it still remains a male-dominated world. There were some major researches done analyzing the role and contribution of Women in Arbitration, which noted that

⁴ The Indian Express, <https://indianexpress.com/article/india/hc-judge-laments-huge-disparity-legal-profession-15-percent-practising-lawyers-women-8877994/> (last visited March 9, 2026).

⁵ The Hindu, <https://www.thehindu.com/news/national/less-than-10-indian-arbitrators-on-international-panels-are-women-cji/article67310733.ece> (last visited March 9, 2026).

only 6.5% of all commercial arbitrator appointments (both party appointed and institutional appointed) are women.’⁶

Beside the formal judicial system, Indian Alternative Dispute Resolution mechanism is doing quite well in the country. ‘Indian legal aid system has reached to 44.22 lakh people (2022-25) and also resolved over 23.58 crore cases through Lok Adalats. From 2022-23 to 2024-25 over 23.58 crore cases were resolved through the state, permanent and national Lok Adalats. About 2.10 crore people (as on February 28, 2025) were given pre-litigation advice, pro bono services, and legal representation and awareness through the DISHA scheme.’⁷

Still, there are lot of women who afraid to come forward in Indian society due to lack of education, lack of community backing and inherent patriarchy. So, in this background, Government of India launched Nari Adalat, a community-driven traditional justice program, which although lacks legal backing, but have sense of belongingness and address the plight of women effectively at grass-root level in the remotest corner of the country.

Literature Review

The literature highlights the importance of Alternative Dispute Resolution (ADR) mechanisms in achieving the gender justice and providing the timely solution to women whose rights are curtailed due to systemic barriers in the formal adversarial judicial system. This section reviews the various books, various research works, policy documents and governmental reports to analyse the historical evolution of Nari Adalat in the Indian society.

The requirement for gender-sensitive disputes resolution mechanisms give rise for the demand of materialization of Nari Adalat, a form of community based traditional informal judicial system. Nari Adalat was first pioneered in state of Gujarat in the 1990s under the ambit of the Mahila Samakhya, a government of the India’s scheme aimed at women's empowerment. According to Agarwal (2014), Nari Adalat assist women at village level, those who are looking for justice in the informal traditional community based justice system without fear of societal backlash.

Rajan & Menon (2020), in their analysis found that in state of Uttar Pradesh, approximate 65% of cases solved by Nari Adalat without burdening the formal

⁶ https://apcam.asia/our_services/waw/ (last visited March 5, 2026).

⁷ *Press Information Bureau,*

<https://www.pib.gov.in/PressNoteDetails.aspx?NoteId=155936&ModuleId=3®=3&lang=2> (last visited March 5, 2026).

adversarial legal system. Correspondingly, the National Commission for Women (2021) in their report find that women are more comfortable with the Nari Adalat due to its community-based traditional mediation methods and participatory approach. This report of National Commission for Women further stress on the fact that women are satisfied with the Nari Adalat, due its fair settlements unlike the formal adversarial justice system, which is expensive, tedious and time-consuming.

Objective of the Study

The major objective of study is to evaluate whether the Nari Adalat helps in promoting gender justice and can act as a catalyst for women and feminists.

Research Methodology

The present research study is mostly comparative and analytical. It is done through the analysis of secondary data by doctrinal method. Doctrinal method is appropriate to critically analyses various thoughts about Nari Adalat, a form of ADR.

The basic research tools used is the traditional legal methods of literature survey. Moreover, Statutes, Codes, case law, text books, Reports of the National Commission for women of India, official websites and journals is used as sources of information.

Nari Adalat

The National Commission for Women (NCW) through NGOs, holding Parivarik Mahila Lok Adalats (PMLAs) until the year 2014-2015 by providing financial aid to these NGOs. But afterwards the scheme has been closed by the National Commission for Women. The Government of India has at this instant adopted 'Mission Shakti' scheme, an integrated women empowerment programme. One of the components incorporated in Mission Shakti scheme is 'Nari Adalat', which is more like a 'women-court' at the local level.

The Nari Adalat scheme was implemented in 2023 with an objective to empower women by providing women with a means of gender justice. Nari Adalat is an alternative to formal dispute resolution mechanisms at grassroots level in Indian society. The concept of Alternative Dispute Resolution ADR has find its origin in the grassroots level governance, that is, Panchayats and Punch system where elder of the village solve the disputes in amicable way through informal justice systems.

Nari Adalat is a women-led community based cost-effective and informal justice forum which resolve issues through traditional non-adversarial means. It addresses

women's related petty issues such as Family disputes, non-severe domestic violence and marital issues. The Nari Adalat scheme under Mission Shakti is launched by the Ministry of Women and Child Development to solve petty disputes of women's, through use of methods like negotiation, mediation, and reconciliation at Gram Panchayat Level. The scheme is implemented by Common Service Centers (CSCs) under the ambit of Ministry of Electronics and Information Technology in collaboration with Ministry of Panchayati Raj and Ministry of Rural Development.

Nari Adalat is a 'Women-court', which are handled by the women only. So, the Nari Adalat is the Alternative Dispute Resolution system, which is of, for and by the female. It's formed to serve the gender justice with sense of belongingness. So, the Nari Adalat is the community-based traditional judicial system.

Alternative Dispute Resolution (ADR) mechanisms are out of the court settlement, which come into rescue in background of huge pendency of the cases in the courts. As justice delayed is justice denied. Alternative Dispute Resolution (ADR) mechanisms formed under the Article 14, 21 and 39A of the Indian Constitution, which helps through providing immediate and socio-economic justice by making legal aid accessible to the needy, especially the marginalized group. Among the Marginalized groups, the women amounts the largest portion of the population. Although women consist of the half of the world's population, yet they are the marginalized group of the society due to patriarchy, absence of female's property rights and financial independency.

The Nari Adalat Program is composed of 'Nyaya Sakhis', which helps in the functioning of the Nari Adalat. They are 7 to 11 female members in the committee. This committee includes both elected member as well as the nominated member. The elected members are from the Gram Panchayat. The Nominated Members of the committee are local women of the village. These nominated members have social standing like a doctor or a teacher or a social worker. The committee is headed by the 'Mukhya Nyaya Sakhi'. These local level village women are provided with the training in gender-related issues and laws for women by the Mahila Samakhya programme launched in 1988 to provide remedial solutions especially at the grassroots.

Functioning of Nari Adalats

While formal adversarial courts adhere to formal legal procedures, which are tedious, time-consuming and daunting for many women. Nari Adalats provide an informal, community-based traditional platform for dispute resolution. 'The key difference includes, firstly, Accessibility, that is, Situated within the community, Nari Adalats are easily reachable for women in rural areas. Secondly, Cost-Effectiveness, that is, operating without legal fees. So, Nari Adalat offers an affordable path to justice. Thirdly, Timely Resolution, that is, Disputes are settled more swiftly compared to the often prolonged legal proceedings in regular courts. Fourthly, Cultural Sensitivity, that is, being community-driven, Nari Adalats consider local customs and norms, ensuring culturally relevant solutions.'

However, it is imperative to note that Nari Adala is lacking legal authority, as it doesn't backed by any statute unlike Lok Adalat which formed under Legal Services Authorities Act, 1987. Nari Adalat principally works by making use of methods of Alternative Dispute Resolution mechanism like mediation and reconciliation. The methods used by the Nari Adalat are amicable, cost-effective, peer-pressure, societal backing and women friendly.

Nari Adalat helps women to fight against the social-stigma, victim blaming and survivor shaming. The Nari Adalat formed with women members chosen from the village. As the women member of the Nari Adalat come from the same community and village as of the victim's family, so, Nari Adalat have high persuasion power. Therefore, Nari Adalat can exert a lot of pressure and authority over the victim family. The village listens to them, knowing that they are better off than messing with these women.

As, these women-courts are women driven community-based traditional judicial system, it helps to inculcate in women victim a felling of "safe space" among the women survivors. In this local setting the women victim under the ambit of 'safe space' come forward and open up very easily.

In Nari Adalat, the methods of the dispensing gender justice are simple and compatible with village women. The methods of the mediation and traditional participatory used by Nari Adalat, are compatible with the local level village women. While in a formal adversarial justice system, the process is tedious, cumbersome and costly. The women, being the marginalized group of the patriarchy society are unable to understand the process of the formal courts.

Moreover, these Nari Adalat, the women-courts provide the backward and forward linkages to formal adversarial justice mechanisms, especially with the formal family courts and the police. Thus, it further helps in providing access to gender-justice to the women from villages at the grassroots level in the remotest corner of Indian society. Further, a family on one occasion addressed by Nari Adalats in the gram Panchayat, will continuously remains under the radar and they don't want to earn the rage of the community or villagers.⁸

Effectiveness of Nari Adalats

The Nari Adalat program encompasses several key components such as Women Collectives, Awareness-Building, Training, Composition of Women Collectives, Awareness and Education and Non-Legal Status. These components are crucial in laying foundation for the success of the program and result in the long term benefits to the women, especially at the local level.

Customary dispute resolution enjoys significant legitimacy at the local level. In Nari Adalat the methods of the dispensing gender justice is simple. The methods of the mediation and traditional participatory used by Nari Adalat are compatible with the local level village women. While in a formal adversarial justice system, the process is tedious, cumbersome and costly. The women, being the marginalized group of the patriarchy society are unable to understand the process of the formal courts.

Nari Adalat, community based customary dispute resolution scheme helps in restoring balance in the society. Traditional "trials" under the informal system are headed by cultural, family or other local leaders in the community, and involve a truth-telling system that is relatively informal in its organization. Often, the goal of the Nari Adalat is reconciliation and community harmony over retribution.

Conclusion

The Nari Adalat scheme was implemented with an aim to empower women by providing women with a means of gender justice. Nari Adalat is an alternative to formal dispute resolution mechanisms at grassroots level in Indian society. Nari Adalat is a women-led community based cost-effective and informal justice forum which solve issues through traditional non-adversarial means. It addresses women's related petty issues such as Family disputes, non-severe domestic violence and

⁸ <https://feminisminindia.com/2020/08/12/nari-adalat-accessible-alternative-justice-systems-structured-for-of-and-by-women/> (last visited March 5, 2026).

marital issues through use of ADR mechanism. Although they are minor disputes but they have a significant bearing on the physical and mental health of the women and more importantly affect the women's very existence in world. Although, Nari Adalat is lacking legal authority, as it doesn't backed by any statute unlike Lok Adalat which formed under Legal Services Authorities Act, 1987. Yet, the Nari Adalat had proven as an effective tool to dispense gender justice at the local level in the villages.

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In Nari Adalat the methods of the dispensing gender justice is simple. The methods of the mediation and traditional participatory used by Nari Adalat, are compatible with the local level village women. While in a formal adversarial justice system, the process is tedious, cumbersome and costly. The women, being the marginalized group of the patriarchy society are unable to understand the process of the formal courts.

Moreover, Nari Adalat, the women-courts provide the backward and forward linkages to formal adversarial justice mechanisms, especially with the formal family courts and the police. Thus, it further provides access to gender-justice to the women from villages at the grassroots level in the remotest corner of Indian society. Further, a family on one occasion addressed by Nari Adalats in the gram Panchayat, will continuously remains under the radar and they don't want to earn the rage of the community or villagers.

So, Nari Adalat is an Alternative Dispute Resolution mechanism system of, for and by female. Due to its cost-effectiveness, use of traditional participatory methods in solving disputes and use of peer-pressure in implementation of verdict, Nari Adalat would definitely be liked and practiced by the community. Moreover, Nari Adalat

will also lessen the burden of the formal courts. The goal of the Nari Adalat is reconciliation and community harmony over retribution.

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