

Q9. What are the main objectives of the establishment of Permanent Lok Adalats: Public Utility Service

Ans: The Permanent Lok Adalats were established by Chapter VIA of the Legal Services Authorities, 1987 w.e.f. 11th June 2002. The main objectives of Permanent Lok Adalats are as follows:

1. To reduce the work load of the regular courts;
2. To overcome the drawbacks of existing Lok Adalat;
3. To deal with pre-litigation, conciliation and settlement of disputes relating to Public Utility Services.

Q10. Who can file an application before Permanent Lok Adalat?

Ans: Application on simple paper with documents and without court fees may be filed before Permanent Lok Adalat. Following applicants may file an application before Permanent Lok Adalat:-

1. Any Individual;
2. Group of Individuals;
3. Company;
4. Firm or Corporation or any other entity (In person or through authorized representative.)

Q11. What are the advantages of Permanent Lok Adalat?

Ans: The main advantages of the Permanent Lok Adalats are as follows:

1. **Simple mechanism** – Any aggrieved party can appear in person;
2. **Amicable Settlement** on the consent of the parties, if the parties fails to come to any agreement, the dispute may be decided on merit;
3. Not bound by rigors of procedure Law;
4. **Cost Saving** – not to pay Court Fee or to engage an advocate;
5. **Finality** – No appeal, no revision.

Q12. "Transport Services by Air" is included in the list of Public Utility Services. What are the departments and disputes which are covered under this item?

Ans: Following departments/entities are covered under this item:-

1. All airlines- Private as well as Government;
2. Travel Agents.

Following disputes are covered under this category:-

1. Deficiency in services;
2. Delivery of goods not as per agreed terms at the time of contract or payment;
3. Delivery of goods not as per agreed terms at the time of contract or payment;
4. Loss to the customer due to negligence by service provider;
5. Cancellation/re-scheduling of flights/delays;
6. Denying boarding to the passengers having valid tickets and reported at proper check-in time at the last moment due to over booking or some unknown reasons.

Q13. "Transport Services by Road" is included in the list of Public Utility Services. What are the departments and disputes which are covered under this item?

Ans: Following departments/entities are covered under this item:-

1. Government and Private Passenger Roadways;
2. All transporters;
3. All shipping companies – Private as well as Government;
4. Travel Agents.

Following disputes are covered under this category:-

1. Transport facilities arriving late;
2. Failure of attendants to arrange for an alternative transport for passengers in case of any mishap;
3. Complaints against Drivers/Conductors flouting rules;

4. Refusal to refund money payable to passengers;
5. Dinky conditions of the transport facilities;
6. Accepting fare without giving any ticket to a traveller;
7. Delivery of goods not as agreed at the time of booking/payment and loss of goods during transit;
8. Loss caused to the customer due to negligence of service provider.

Q14. "Postal, Telegraph or Telephone Services" are included in the list of Public Utility Services. What are the departments and disputes which are covered under this item?

Ans: Following departments/entities are covered under this item:-

1. Indian postal and Telegraph Departments;
2. Private Courier Concerns/Companies;
3. BSNL/Private Cell Operators;
4. Internet Service Providers by telephone lines etc.

Following disputes are covered under this category:-

1. Wrong delivery by couriers;
2. Late or non-delivery of packages;
3. Delivery of telephone bills at wrong address;
4. Loss to a customer by delayed delivery of postal articles;
5. Loss to the customer by non-timely delivery;
6. Defects in providing proper telephone/mobile services etc.

Q15. "Supply of Power, Light or Water to the Public" is included in the list of Public Utility Services. What are the departments and disputes which are covered under this item?

Ans: Following departments/entities are covered under this item:-

1. State Electricity Boards;
2. Public Health Department;
3. Municipal Committees/Municipal Corporations;
4. Private Contactors engaged in providing these utility services;
5. Thermal Plants (Governments owned or private);
6. Central Board of Irrigation and Power;
7. Water Supply Departments.

Following disputes are covered under this category:-

1. Delay in power/Water Connection;
2. Wrong/improper bills of Water/Electricity;

3. Unlawful disconnections of Power/Water connections;
4. Improper penalties and cess charged by Electricity Boards these departments;
5. Delay in transfer of Power/Water Connections;
6. Issues like erratic supply of power/water;
7. Delay in refund of power securities.
8. Issues like non-availability of power/water;
9. Issues of street lights;
10. Unhealthy and dirty drinking water;
11. Misuse by a consumer of water in excess of the permissible limit;
12. Damage caused by a consumer to water supply lines;
13. Electrocution of human beings/animals caused by the power transmission lines hanging from electricity poles;
14. Non-payment of electricity bills by a consumer;
15. Fiddling by a consumer with the electricity meter and power supply lines.
16. Damage caused by a consumer to the departmental equipments/poles/power transmission lines etc;
17. Wrong reading by a meter-reader of electricity meter units etc.

Q16. "System of Public Conservancy or sanitation" is included in the list of Public Utility Services. What are the departments and disputes which are covered under this item?

Ans: Following departments/entities are covered under this item: -

1. Health Department;
2. Private Dust Collecting Companies/Contractors;
3. Municipal Committee/Council/Corporation/Nagar Nigam etc.;
4. Private Builders/colonizers;
5. Any Govt. Deptt./Panchayat or other agency, responsible to maintain public conservancy system/ sanitary conditions;
6. Department of Environment;
7. Factory owner/individuals causing sanitary problems.

Following disputes are covered under this category: -

1. Water logging/Sewerage problems in streets;
2. Improper dumping and collection of garbage in unauthorized prohibited areas;
3. General Sanitation or Health linked issues (Chemical spray of medicine for avoiding/killing insects e.g. Mosquitoes;
4. Illegal manholes/digging of roads;
5. No installation of garbage cans and boxes;

6. Poor sanitation of roads and drainage system;
7. Throwing by an individual of garbage etc. in public places causing health hazard;
8. Road Blockage;
9. Nuisance/damage caused due to or by stray animal on public places/highway etc.

Q17. "Service in Hospital or Dispensary" is included in the list of Public Utility Services. What are the departments and disputes which are covered under this item?

Ans: Following departments/entities are covered under this item:-

1. All Government Hospitals/Dispensaries;
2. Employees' State Insurance (ESI in short) Hospitals and Dispensaries;
3. Private Nursing Homes/Hospitals (whether Allopathic, Ayurvedic, Homeopathic, European, Bengali, Hakimi or any other category);
4. Hospitals/Dispensaries run by Other Institutions etc.

Some of Disputes or issues, which may be covered under this category of service:-

1. Medical negligence;
2. Over charging by hospitals;
3. Denial of Claims of employees by ESI Hospitals/ dispensaries;
4. Denial of services, which are reserved for weaker sections of society;
5. Inefficient staff and inexperienced doctors engaged in providing health Services;
6. Life threatening cases given in the hands of interns i.e. under trainee doctors;
7. Providing patient with wrong vaccinations/medicines;
8. Leaving patients in extreme fragile conditions unattended;
9. Defective Surgeries;
10. Negligence in treatment;
11. Faulty machines resulting in improper results;
12. Denial of medicines by hospital pharmacy;
13. Removal of organs without prior approval by the family of the deceased;
14. Refusal to treat a patient, whether involved in a criminal case or not etc.

Q18. "Insurance Service" is included in the list of Public Utility Services. What are the departments and disputes which are covered under this item?

Ans: Following departments/entities are covered under this item:-

1. All private as well as public sector undertaking Life and General Insurance Companies;
2. Insurance Advisers providing insurance services;
3. Intermediaries between Insurance Company and Hospitals for Medi-Claim Insurance;

4. Insurance sales agents/brokers/customers guides etc.

Some of Disputes or issues, which may be covered under this Insurance Services are as follows:

1. Partial or total repudiation of claims by an insurer;
2. Improper charging of insurance premiums;
3. Dispute as to the legal construction of the policies in so far as such disputes relate to claims;
4. Delay in settlement of claims;
5. Non-issue of any insurance documents to customers after receipts of premium;
6. Wrong guidance/heating by insurance advisors/agents/brokers passing of wrong claims etc.

Q19. "Banking and Finance" is included in the list of Public Utility services. What are the departments and disputes which are covered under this item?

Ans: Following departments/entities are covered under this item:-

1. Nationalized/Scheduled/Multi National Banks;
2. **Non Banking Finance Companies;**
3. Chit Fund and other mutual fund companies;
4. Private Financiers;
5. Co-operative banks;
6. Co-operative Societies engaged in the business of banking and providing credit facilities to their members/customers etc.

Some of Disputes or issues, which may be covered under this Banking Finance Services are as follows:

1. Deficiency in banking services;
2. Charging of interest in excess of the agreed rate of interest;
3. Lack of provision for insurance of lockers etc.
4. Faulty ATM services;
5. Lifting of a vehicle by a Finance Company through its musclemen upon the borrower's default in payment of installments in respect of vehicle;
6. Depositing blank cheques before sanction of loan;
7. Obtainment of post-dated cheques without there being any balance in the borrower's account as on the date of obtainment of post-dated cheques;
8. Failure of the banks to keep their customers informed of the increase or decrease of the rate of interest as also the charges as to the various services provided;
9. Change of terms and conditions in relation to the various services without proper notice to the customers;

10. Non return of pledged documents even after repayment of loan;
11. Delay in refund of Fixed Deposit (FD) amount on maturity;
12. Fraudulent withdrawal by staff;
13. Excessive deduction of process fee for loan;
14. Undue delay in releasing the sanctioned loan;
15. Deficiency in banking service etc.
16. Above list of possible disputes falling in public utility services is not exhaustive and more cases may fall in these services.

Q20. "Housing and Estates" is included in the list of Public Utility Services. What are the departments/ entities which are covered under this item?

Ans: Following departments/entities are covered under this item: -

1. UIT/State Housing Board/Corporation;
2. All private builders/ colonizers;
3. Group Housing Societies;
4. Estate Agents etc.

Some of Disputes or Issues, which may be covered under this Housing and Estate Services.

1. Improper allotment of plots/flats;
2. Property Transfer related issues between UIT, Housing Board or any other allotting authority and allottee/heirs;
3. Illegal charging by private developers like Holding Charges, non-construction charges, unreasonable interest on delayed payment;
4. Loss to customer by non-timely possession by developers;
5. Failure to develop area as per contract;
6. Use of sub-standard materials in the construction of Houses/flats/roads/water supply system, sewerage, electricity poles etc;
7. Construction involution of terms;
8. Defect in construction/delayed construction that had been booked and paid;
9. Unreasonable charges for power backup during power cut;
10. Non delivery of possession;
11. Alteration of sites etc.
12. Discrimination against a buyer who does not want to take any services from an agent, for e.g. Arranging a mortgage for insurance cover;
13. Making a false or misleading description of a property;
14. Above list of possible disputes falling in public utility services is not exhaustive and more cases may fall in these services.

Q21. "Liquefied Petroleum Gas Service" is included in the list of Public Utility Services. What are the disputes which are covered under this item?

Ans: Following type of disputes are covered under this item:-

1. LPG, Cylinder not Provided timely;
2. LPG Cylinder burst/burnt & Injuries sustained thereby;
3. Defect in equipments – Cylinder/regulator etc;
4. Short filling of gas etc.

Q22. What are the disputes related to "Education or Educational Institutions"?

Ans: Following type of disputes are covered under this item:-

1. Non refund of provisional admission fee/caution money/capitation and other fee;
2. Issuance of Incorrect certificate;
3. Non-publication of result or wrong declaration;
4. Deficiency in services – Shown in school prospectus and delivery during education;
5. Student drowned/injured during picnic/function organized for student;
6. Compulsion for issuing books from a specific shop or from school;
7. Wrong publicity/disclosure about school;
8. Non-providing of basic amenities like drinking water, toilet facilities, first aid etc.