

MEDIATION NEWSLETTER

DELHI MEDIATION CENTRE

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Hon'ble Guests visited Mediation Centre, Dwarka Courts on occasion of its inauguration on 09.02.2010 (Seen are Hon'ble Mr.Justice A.P.Shah, Hon'ble Mr.Justice Madan B.Lokur, Hon'ble Mr.Justice Sanjiv Khanna, Hon'ble Mr. Justice S.N.Dhingra, Hon'ble Mr. Justice M.C.Garg, Shri G.P.Mittal, District Judge-I Sessions Judge, Shri I.S.Mehta, Ms Pratibha Rani, Shri S.P. Garg, District Judges & Ms Deepa Sharma, Principal Judge, Family Court.)



Hon'ble Mr. Justice Sanjiv Khanna, Judge, High Court of Delhi/Chairman, Monitoring Committee to see the Functioning of all District Mediation Centers in Delhi visited Mediation Centre, Karkardooma Courts on 20.02.2010

**MEDIATION CENTRE,
TIS HAZARI COURTS**

3rd Floor, Tis Hazari
Courts Delhi

Tel: - 23961909 Ext.325

Judge In charge

Tel: 23961909 Ext. 1226

**MEDIATION CENTRE,
ROHINI COURTS**

4th Floor, Rohini Courts
Delhi

Tel: - 27555536

Judge In charge

Tel: 27554450

**MEDIATION CENTRE,
KARKARDOOMA COURTS**

Ground Floor, B-Block,
Karkardooma Courts, Delhi

Judge In charge

Tel: 23961909

**MEDIATION CENTRE,
DWARKA COURTS**

3rd Floor, Administrative Block,
Dwarka Courts, Delhi

Tel: - 28042823

Judge In charge

Tel: 28042823

INAUGURATION OF MEDIATION CENTRE AT DWARKA COURTS

A Mediation Centre was inaugurated at Dwarka Courts on 09.02.2010, by Hon'ble Mr. Justice A.P. Shah, the Chief Justice, High Court of Delhi. Hon'ble Mr. Justice Sanjiv Khanna, Judge, High Court of Delhi/Chairman, Monitoring Committee to see the Functioning of all District Mediation Centers in Delhi delivered inaugural address. His Lordship in inaugural address highlighted that mediation not only settles pending disputes but also prevents future litigation; mediation makes justice delivery system more humane. Hon'ble Mr. Justice Madan B. Lokur, Judge, High Court of Delhi emphasized that the mediation is already accepted by all stake holders including advocates; more than 18,500 cases have already been settled in mediation centers saving 30 years of judicial time which is remarkable achievement; 12%-15% instituted cases are settled in mediation centers which are likely to increase up to 20%-25% in year 2010. Hon'ble Mr. Justice A. P. Shah emphasized that the mediation work like a magic and importance of mediation in resolution of disputes. His Lordship hoped that the centre would achieve object of spreading mediation movement. Hon'ble Mr. Justice S.N. Dhingra and Hon'ble Mr. Justice M.C.Garg, Judges, High Court of Delhi/Members, Monitoring Committee to see the Functioning of all District Mediation Centers also graced occasion. Sh. I.S. Mehta, District Judge-IX, Dwarka Courts proposed vote of thanks.

Mediation Centre at Dwarka Courts is result of efforts made by Ms. Deepa Sharma, Principal Judge, Family Court under visionary guidance of Hon'ble Mr. Justice Madan B. Lokur. It comprises six mediation rooms, one reception, one room for Judge In charge, two office rooms, one training cum meeting room. Mediation centre is blend of modern architecture, designing, decor and is known for its colour combination. An informal atmosphere is being provided in centre for parties.

TRAINING PROGRAMME AT LUCKNOW

A 40 hrs Training Programme on "Techniques of Mediation" was conducted for Advocates in two phases w.e.f 12th to 14th February and 19th to 21st February, 2010 at Lucknow under aegis of Mediation and Conciliation Project Committee, the Supreme Court of India. Ms. Deepa Sharma, Principal Judge Family Courts/Master Trainer and Ms. Anuja Saxena, Advocate Trainer were invited as the Resource Persons. The Training Programme was inaugurated by Hon'ble Mr. Justice Shahibul Hushain, Judge, Lucknow Bench of Allahabad High Court. The programme was attended by 12 Advocates.

APPOINTMENT

Sh. Brijesh Sethi, an Officer of Delhi Higher Judicial Service, is appointed as Judge In charge, Mediation Centre, Tis Hazari Courts w.e.f. 11.02. 2010. He received training on Mediation in 2005 from

40-HRS. TRAINING PROGRAMME AT DWARKA COURTS

A 40 hrs. Training Programme on "Techniques of Mediation" was conducted at Dwarka Courts w.e.f. 30-01-2010 to 07-02-2010 for 20 Advocate including one Associate Professor which was inaugurated by Hon'ble Mr. Justice Sanjiv Khanna, Judge, High Court of Delhi/Chairman, Monitoring Committee to see the Functioning of all District Mediation Centers in Delhi. Ms. Deepa Sharma, Principal Judge Family Court/Master Trainer was the Coordinator of the Training Programme. Ms. Sangeeta Dhingra Sehgal, Additional District Judge/Trainer and Sh. V.K. Bansal, Additional Sessions Judge/Trainer also attended the Training Programme as observers. Hon'ble Mr. Justice Madan B. Lokur, Judge, High Court of Delhi also addressed the participants on 06-02-2010 and apprised the participants about the value of the training and various aspects of the mediation.

During the training programme w.e.f. 01-02-2010 to 07-02-2010, the participants were explained various aspects of mediation such as Barriers of Communication; Qualities of a Mediator as a Good Communicator; Negotiation-Defination, Approach to Negotiation, Barriers to Negotiations; Bargaining; Disputes which can be referred for mediation; Qualities of a Good Mediator; Impasses-Causes and Techniques to Break Impasses. The participants were also apprised about Professional Ethics, use of apology in mediation, and Mediation Management. As the participants were the Advocates, they were also introduced about the Role of Lawyers in successful implementation of Mediation. The participants were also apprised about the various others issues related to Mediation such as Role and Responsibilities of Referral Judges U/s 89 CPC, Importance of passing of Referral Order, Mediation and Conciliation Rules, 2004, Mediation and Spirituality. During the training Programme Role-Plays were



Resource persons and Participants of the 40 hrs Training Programme conducted at Dwarka Courts

conducted to give the participants practical inputs on various aspects of Mediation. The resource persons during the period w.e.f. 01-02-2010 to 07-02-2010 were Dr. Sudhir Kumar Jain, Additional Sessions Judge, Ms. Neena Bansal Krishna, Director ADR, Govt. of NCT of Delhi, Sh. Harish Dudani, Additional District Judge, Ms. Shailender Kaur, Additional Sessions Judge, all Master Trainers. Ms. Deepa Sharma, Principle Judge, Family Court also guided the participants.

Report submitted by one participant Ms. Ruhi Paul, Assistant Professor, National Law University, Delhi is as under

There is a need for training when someone's equipment in skills is not adequate for the task to be undertaken. This is generally arises when a person is called on to face a task at a different level of difficulty, or because some change in the task to undertaken leads to the need for new skill.

The Training Programme at the Dwarka Courts was an ideal blend of theoretical and practical components of mediation process. The 40-hour training schedule was comfortable and was spread over a period of ten days to give adequate time for practical components of the training. The study material and handouts provided during the course were comprehensive, easy to understand and very relevant for the participants. Each days schedule was designed to include lectures, discussions, exercise and role-plays. The curriculum design enabled the participants not only to understand the concepts but also apply the same to the specially designed role-plays for each day, drawn from many different contexts like family, matrimonial, business, etc. All the resource persons with their vast experience as judicial officers as well as mediators made the understanding of the concepts easy by supplementing it with their practical experience of mediating cases.

Mediator's Training Ingredients' And Methodology

The main emphasis in the training was on enabling the participants to effectively use the mediator's tool box of skills i.e., communication and negotiation skills. The significance of verbal and non-verbal communications skills helps in picking up non-verbal clues from the disputants which can be critical in some mediation.

Collaborative problem-solving methods are new to many participants in the training. After the training, participants experienced a shift in their personal approach to conflict and conflict resolution. This paradigm shift was facilitated because of the elements of lecturers on the principles of collaborative or win-win/problem-solving, real – life examples of unexpected but clearly optimal solutions arrived at through an interest based approach, and the use of role-plays and exercises. After each exercise, participants were told to compare their observations with rest of the participants. These reviews were used by the training faculty both to encourage the identification of useful

“lessons” by the participants themselves and, where relevant, to provide short inputs in useful ideas, concepts and methods. Apart from such inputs, the training faculty used to coach and facilitate, particularly, during the role play and review sessions to encourage the testing to ideas or theories, and to elaborate, illustrate and demonstrate points as appropriate.

By the end of the training the participants acquired an ability to use effectively the following:-

- i) A process for the Resolution of Disputes
- ii) Communication skills
- iii) Causes of Conflicts including psychological factors
- iv) To identify underlying interests of the parties
- v) Listening skills
- vi) Appropriate questioning skills
- vii) Ethical consideration
- viii) Application of spirituality in mediation.

The training was a life changing experience for the participants due to the emphasis on positive thinking and positive approach towards life.

**DELHI MEDIATION CENTRE,
ROHINI COURTS**

Awareness Programme on “Mediation as a Tool Of Responsive and Timely Justice” for 30 Advocates was conducted on 20-02-2010. Sh. Chander Shekhar, Coordinator, Mediation Centre, and Dr. Sudhir Kumar Jain were the resource persons. The participants during interactive session raised queries about Mediation and its process, objectives, and benefits which were answered and explained by the Resource Persons.



Resource Persons addressing Advocates on the occasion of Awareness Programme on “Mediation as a Tool of Responsive and Timely Justice” held on 20-02-2010 at Mediation Centre, Rohini Courts

**DELHI MEDIATION CENTRE,
KARKARDOOMA COURTS**

a) Awareness Programme on “Mediation as a Tool Of Responsive and Timely Justice” for 40 Advocates was conducted on 15-02-2010. Sh. Vinod Goel, Judge In charge, Mediation Centre, Sh. A.S. Jaychandra, Presiding Officer, Labour

Court/Mediator, Sh. Rajiv Mehra, Additional Sessions Judge/Trainer, Sh. Manmohan Sharma, Additional District Judge/Mediator and Sh. K.K.Makhija, Advocate/Trainer were the resource persons.

b) Training Programme on “Referral of Cases for Mediation and Court Management” for 50 Referral Judges was conducted on 20-02-2010. Hon'ble Mr. Justice Sanjiv Khanna, Judge, High Court of Delhi/Chairman, Monitoring Committee to see the Functioning of all District Mediation Centers in Delhi delivered Key Note Address. His Lordship emphasized that Judicial Officers be vigilant and responsive to the spirit of S.89 CPC. Sh. Vinod Goel, Judge In charge, Mediation Centre apprised His Lordship and participants about the achievements of Mediation Centre. His Lordship also visited Mediation Centre. Ms Nisha Saxena, Additional District Judge/Master Trainer was the resource person.

DELHI MEDIATION CENTRE, TIS HAZARI COURTS

a) Awareness Programme on “Mediation as a Tool Of Responsive and Timely Justice” for 20 Advocates was conducted on 06-02-2010. Sh. Dharmesh Sharma, Additional Sessions Judge/Master Trainer and Ms. Nagina Jain, Advocate/Trainer were the resource persons.

b) Training Programme on “Referral of Cases for Mediation” for 27 Officers of Delhi Higher Judicial Officers was conducted on 20.02. 2010. Sh. Brijesh Sethi, Judge In charge, Mediation Centre, and Sh. Harish Dudani, Additional District Judge/Master Trainer were the resource persons. The participants were explained about their role in mediation process; how to make objective assessment of a case before referral; a case can be referred at any stage of mediation; parties be apprised about benefits of mediation; mediation is not a tool to delay of trial; role of a referral judge after conclusion of mediation.

VISITORS

i) Hon'ble Mr. Justice Sanjiv Khanna, Judge, High Court of Delhi/Chairman, Monitoring Committee to see the Functioning of all District Mediation Centers in Delhi visited Delhi Mediation Centre, Karkardooma Courts on 20.02.2010. His Lordship appreciated the functioning of mediation centre. Sh. P.S. Teji, District Judge-VI and Ms. Sunita Gupta, District Judge-VII and Sh. Vinod Goel, Judge Incharge, Mediation Centre were also present.

ii) Hon'ble Mr. Justice M.C.Garg, Judge, High Court of Delhi/Member, Monitoring Committee to see the Functioning of all District Mediation Centers visited Delhi Mediation Centre, Rohini Courts on 20.02.2010. His Lordship had interacted with the Judicial Mediators and Advocate Mediators and addressed them about mediation process. Ms. Bimla Maken, District Judge-IX and Sh. Chander Shekhar, Coordinator, Mediation Centre were also present.

Delhi Mediation Centers till 28-02-2010 have settled 18,887 cases including 4689 connected cases amicably which reflects efficacy of Mediation in resolution of disputes.

The General Statistical Reports for the month of February, 2010 are as under:-

Mediation Centre, Tis Hazari Courts (01-02-2010 to 28-02-2010)	Mediation Centre, Rohini Courts (01-02-2010 to 28-02-2010)	Mediation Centre, Karkardooma Courts (01-02-2010 to 28-02-2010)	Mediation Centre, Dwarka Courts (01-02-2010 to 28-02-2010)
Case Referred – 357	Case Referred 154	Case Referred – 410	Case Referred – 32
Case Disposed of – 160	Case Disposed of 114	Case Disposed of – 156	Case Disposed of – 6
Cases Settled – 129	Cases Settled 98	Cases Settled – 131	Cases Settled – 4
(Settled Cases include 13 cases U/s 125 Cr. P.C., 14 cases U/s 138 N.I. Act, 20 suits of Mandatory/Permanent injunction, 05 suits of Possession and Damages, 24 Matrimonial disputes, and 70 Recovery suits besides other cases).	(Settled Cases include 05 cases U/s 125 Cr. P.C., 32 cases, U/s 138 N.I. Act, 03 suits of Mandatory/Permanent Injunction, 24 Matrimonial disputes, 17 Recovery suits, and 04 MACT cases besides other cases).	(Settled Case include 07 cases U/s 125 Cr. P.C., 55 Cases U/s 138 N.I. Act, 13 Suits of Mandatory/Permanent Injunction, 28 Labour & Management disputes, 23 Matrimonial disputes, 10 Recovery Suits, 09 MACT cases and 01 Rent Dispute besides other cases).	
Connected Cases – 59	Connected Cases 59	Connected Cases 27	Connected Cases 4
Total Cases – 188	Total Cases 157	Total Cases 158	Total Cases 8

Notes: i) Referred Cases do not include previous pendency.

ii) Disposed cases include disposal of pending cases.