

MEDIATION NEWSLETTER

DELHI MEDIATION CENTRE

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Resource Persons addressing Mediators on the occasion of Refresher Course on "Concept of Mediation" held on 23-01-2010 at Mediation Centre, Rohini Courts.

(L to R) Sh. Manoj Jain, Mediator, Sh. Chander Shekhar, Coordinator, Ms. Nagina Jain, Advocate/Trainer, Dr. Sudhir Kumar Jain, Additional Sessions Judge/Master Trainer and Sh. V.K. Bansal, Additional Sessions Judge/Trainer



Resource persons and Participants of the "Training of Trainers" (TOT) Programme concluded on 05-01-2010

**MEDIATION CENTRE,
TIS HAZARI COURTS**

3rd Floor, Tis Hazari
Courts, Delhi

Tel: - 23961909 Ext.325

Judge In charge

Tel: - 23975030 Ext. 1326

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**MEDIATION CENTRE,
ROHINI COURTS**

4th Floor, Rohini Courts,
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Tel: - 27555536

Judge In charge

Tel:- 27554459

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**MEDIATION CENTRE,
KARKARDOOMA COURTS**

Ground Floor, B-Block,
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Judge In charge

Tel:- 22301970

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TRAINING PROGRAMMES

a) Training of Trainers

Delhi Mediation Centre conducted a **Training of Trainers (TOT)** for 5 Judicial Mediators and 5 Advocate Mediators on 06.12.2009, 13.12.2009 and 05.01.2010. The objective of the Training Programme was to develop the mediators as Trainers so that they can impart training on the Techniques of Mediation to future participants.

The participants were introduced to subjects 'Trainer Role', 'Presentation', 'Facilitation', 'Coaching', 'Designing of Training Programme', 'Learning Styles'. Ms. Anu Malhotra, Director, Delhi Judicial Academy/Master Trainer, and Dr. Sudhir Kumar Jain, Additional Sessions Judge/Master Trainer were the resource persons.

b) 40 Hrs. Training Programme

Mediation Centers are already functioning at Tis Hazari Courts, Karkardooma Courts, and Rohini Courts wherein trained mediators are resolving disputes. It is necessary to extend the benefit of mediation to other District Courts for which trained mediators are required. A 40 hrs Training Programme on "**Techniques of Mediation**" was conducted at Dwarka Courts for 20 advocates who could then function as mediators.

The training programme started on 30-01-2010 at Dwarka Courts. It 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. In inaugural address, His Lordship highlighted the benefits of mediation in resolution of disputes. Sh. I.S. Mehta, District Judge- IX, Dwarka Courts, was also present. Ms. Deepa Sharma, Principal Judge, Family Court/Master Trainer was the Coordinator of Training Programme.

Dr. Sudhir Kumar Jain, Additional Sessions Judge/Master Trainer was the resource person on 30-01-2010. The participants were explained the 'Relevance of Training', 'ADR: Its Relevance with special reference to section 89 CPC', 'Different Types of ADR', 'Mediation: Definition and Components', 'Benefits of Mediation', and 'Conflict Management

Ms. Anu Malhotra, Director, Delhi Judicial Academy/Master Trainer was the resource person on 31-01-2010. The participants were introduced to 'Mediation: Different Stages', 'Communication: Definition, Pattern of Communication', 'Non Verbal Communication', and 'Verbal Communication'. Role Plays were also conducted for the benefit of participants. The participants interacted with resource persons.

Ms. Sangeeta Dhingra Sehgal, Additional District Judge/Trainer and Sh. V.K. Bansal, Additional Sessions Judge/Trainer also attended the Training Programme as observers.

AWARENESS PROGRAMMES/ REFRESHER COURSES/ REFERRAL JUDGES TRAINING PROGRAMMES CONDUCTED BY DELHI MEDIATION CENTERS

Continuous learning for mediators is essential to maintain quality of mediation process. Delhi Mediation Centers conducted several Awareness Programmes/Refresher Courses/Referral Judges Training Programmes for Advocates, Mediators, and Referral Judges. The aim of these programmes was to develop mediation as a tool of responsive and timely justice. The objectives of the programmes were to upgrade the knowledge of the Mediators, to refine their skills, to generate awareness among the advocates about mediation and its benefits and to adopt mediation for settlement of disputes, and to sensitize the referral judges about their role and responsibilities u/s 89 CPC and the appropriate referral of cases for Mediation. The details are as under :-

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 16-01-2010. Sh. O.P. Gupta, Judge In charge, Mediation Centre and Sh. Dharmesh Sharma, Additional Sessions Judge/Master Trainer were the resource persons.

b) Refresher Course on "**Concept of Mediation**" for 18 Mediators was conducted on 23-01-2010. Sh. O.P. Gupta, Judge In charge, Mediation Centre, Sh. P.K. Saxena and Ms. Aditi Chaudhary, Additional Sessions Judge/Trainers were the resource persons.

DELHI MEDIATION CENTRE, ROHINI COURTS

Refresher Course on **“Concept of Mediation”** for Mediators was conducted on 23-01-2010. Sh. Chander Shekhar, Coordinator, Mediation Centre, Dr. Sudhir Kumar Jain, Additional Sessions Judge/Master Trainer, Sh. V.K. Bansal, Additional Sessions Judge/Trainer and Ms. Nagina Jain, Advocate/Trainer were the resource persons.

DELHI MEDIATION CENTRE, KARKARDOOMA COURTS

a) Awareness Programme on **“Mediation as a Tool Of Responsive and Timely Justice”** for 50 Advocates was conducted on 18-01-2010. 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 Dr. Renu Aggrawal, Advocate/Trainer were 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 18-01-2010 at Mediation Centre, Karkardooma Courts

(L to R) Dr. Renu Aggarwal, Advocate / Trainer, Sh. A.S. Jaychandra, Mediator, and Sh. Vinod Goel, Judge In charge, Mediation Centre

b) Refresher Course on **“Concept of Mediation”** for Mediators was conducted on 23-01-2010. Sh. Vinod Goel, Judge In charge, Mediation Centre, Sh. Vinay Kumar Khanna, Additional Sessions Judge/Trainer, and Ms. Anuja Saxena, Advocate/Trainer were the resource persons.

DWARKA COURTS

Awareness Programme on **“Mediation as a Tool Of Responsive and Timely Justice”** for 50 Advocates was conducted on 16-01-2010. Ms. Deepa Sharma, Principal Judge, Family Court/Master Trainer and Ms. Anuja Saxena, Advocate/Mediator, were the resource

TRAINING PROGRAMME AT KARNAL



Resource Persons addressing Referral Judges on the occasion of **“Training Programme on Mediation Awareness for Referral Judges of the District Courts of Karnal”** held on 16-01-2010.

(L to R) Ms. Aditi Chaudhary, Sh. Vinay Kumar Khanna Additional Sessions Judges/Trainers and Sh. V.K. Jain, District Judge, Karnal.

A Training Programme on **“Mediation Awareness for Referral Judges of the District Court of Karnal”** was held on 16-01-2010 at Karnal under aegis of Mediation and Conciliation Project Committee, the Supreme Court of India. Sh. Vinay Kumar Khanna and Ms. Aditi Chaudhary, Additional Sessions Judges/Trainers were invited as the Resource Persons. It was attended by Sh. V.K. Jain, District Judge and Sh. Rajnish Bansal, Additional District Judge/Mediator and 14 Referral Judges. The Report submitted by the Resource Persons is as under:-

i) Participants were made aware of **“Mediation”** as an ADR mechanism for speedy delivery of justice and that mediation centre exists to give effect to the objects of Section 89 CPC and legislative intent was to encourage settlement of disputes through the mechanism of ADR.

ii) The District Judge was requested to make available pamphlets on Mediation in the courts for the awareness of public, litigants and advocates.

iii) The participants were apprised about their positive role in ensuring presence of parties at the Mediation Centre at the time of referring the cases. The Referral Judges can bring to the notice of the parties about the mediation process as a method of conflict resolution which is less formal and about the advantages of the mediation like self determination and confidentiality.

iv) It was highlighted to the participants that their initiative would make a positive impact on litigants and to ascertain about the elements of settlement is crucial in overcoming mental block of the litigants and advocates. They further guided that the period between the framing of issues and adducing of

evidence may be utilized to explore the possibility of settlement in the Mediation Centre.

v) The participants were apprised that the referring of cases for mediation should not be used as a delaying tactic. The cases not fit for mediation should not be referred.

Delhi Mediation Centers till 31-01-2010 have settled 18,200 cases including 4466 connected cases amicably which reflects efficacy of Mediation in resolution of disputes.

The General Statistical Reports for the month of January, 2009 are as under:-

Mediation Centre, Tis Hazari Courts (01-01-2010 to 31-01-2010)	Mediation Centre, Rohini Courts (01-01-2010 to 31-01-2010)	Mediation Centre, Karkardooma Courts (01-01-2010 to 31-01-2010)
Case Referred - 376	Case Referred - 96	Case Referred - 303
Case Disposed of - 335	Case Disposed of - 90	Case Disposed of - 200
Cases Settled - 178 (Settled Cases include 12 cases U/s 125 Cr. P.C., 27 cases U/s 138 N.I. Act, 16 suits of Mandatory/Permanent injunction, 8 suits of Possession and Damages, 16 Matrimonial disputes, 68 Recovery suits and 3 Rent disputes besides other cases).	Cases Settled - 70 (Settled Cases include 07 cases U/s 125 Cr. P.C., 16 cases, U/s 138 N.I. Act, 02 suits of Mandatory/Permanent Injunction, 18 Matrimonial disputes, 15 Recovery suits, 2 MACT cases and 3 Rent disputes besides other cases).	Cases Settled - 145 (Settled Cases include 10 cases U/s 125 Cr. P.C., 27 Cases, U/s 138 N.I. Act, 07 Suits of Mandatory/Permanent Injunction, 24 Labour & Management disputes, 30 Matrimonial disputes, 10 Recovery Suits, 17 MACT cases and 2 Rent Disputes besides other cases).
Connected Cases - 59	Connected Cases - 27	Connected Cases - 23
Total Cases - 237	Total Cases - 97	Total Cases - 168

Notes: i) Referred Cases do not include previous pendency.
ii) Disposed Cases include disposal of Pending Cases.

VISITOR COMMENTS

The litigants and advocates who settled their disputes through mediation in Mediation Centers have appreciated the functioning of Mediation Centers and the facilitation of resolution of disputes by the Mediators. The few comments made by the advocates/litigants are as under:-

I am satisfied with the mediation proceedings.

- Anita Lal, Merrut

I appreciate the initiative taken by Mediator in amicable settlement of our case.

- S.K. Chhabra,
H.R. Head, Jaipur,
Golden Co. Pvt. Ltd.

When an agency with competent mediator settled the matter within few minutes for the satisfaction of both parties, it is wonderful.

- Satish Sansi, Adv