

NEWSLETTER

DELHI MEDIATION CENTERS

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"NATIONAL CONFERENCE ON MEDIATION" (10th & 11th July 2010)



Hon'ble Mr. Justice S.H. Kapadia, Chief Justice of India delivered Inaugural Address



Hon'ble Mr. Justice Altamas Kabir, Judge, Supreme Court of India/Executive Chairman, NALSA delivered Presidential Address



Hon'ble Mr. Justice R.V. Raveendran, Judge, Supreme Court of India / Chairman, MCPC delivered Introductory Address



Hon'ble Mr. Justice Cyriac Joseph, Judge, Supreme Court of India / Member, MCPC delivered Welcome Address



Hon'ble Mr. Justice Madan B. Lokur, Chief Justice, Gauhati High Court / Member, MCPC lighting lamp



Hon'ble Mr. Justice Sanjay Kishan Kaul, Judge, High Court of Delhi addressed participants on 'Relevance of Mediation to Justice Delivery in India'.

NATIONAL CONFERENCE ON MEDIATION

Mediation & Conciliation Project Committee (MCPC), Supreme Court of India organised a '**National Conference on Mediation**' on 10th & 11th July, 2010 at Delhi. It was inaugurated by Hon'ble Mr. Justice S.H.Kapadia, Chief Justice of India and presided over by Hon'ble Mr. Justice Altamas Kabir, Judge, Supreme Court of India / Executive Chairman, NALSA. It was attended by Hon'ble Judges of High Courts who are Chairmen/Members of respective Mediation Monitoring Committees; Directors, Mediation Centers; Trainers etc.

Hon'ble Mr. Justice Cyriac Joseph, Judge, Supreme Court of India / Member, MCPC in Welcome Address explained background and purposes of conference. His Lordship referred legislative rebirth of S.89, Code of Civil Procedure which dealt with resolution of disputes outside courts; Indo-US Joint Study in 1994-1995 which suggested procedural reforms including mediation; Pilot Project Initiated at Tis Hazari Courts, Delhi under aegis of MCPC which resulted in huge success. His Lordship pointed that mediation has been accepted and emerged as a movement for providing speedy justice and also emphasized need of National Policy on Mediation, Uniform Standard of Mediation, Uniform Concept of Mediation, Common Training Manual, Uniform Minimum Qualifications of Mediators, Training to Referral Judges, Code of Conduct/Ethics.

Hon'ble Mr. Justice R.V. Raveendran, Judge, Supreme Court of India / Chairman, MCPC in Introductory Address highlighted purposes of conference to stress need and importance of mediation and to draw National Plan on Mediation. His Lordship emphasized need of establishment of National Training Academy on Mediation. His Lordship stressed that litigants must understand benefits of mediation and judicial officers should know kind of cases can be referred for mediation. His Lordship guided participants that society needs to reduce conflicts and to increase cordiality; courts need to maintain credibility, trust, and faith of judiciary.

Hon'ble Mr. Justice Altamas Kabir, Judge, Supreme Court of India / Executive Chairman, NALSA, in Presidential Address mentioned that mediation is part of Indian society to find out solutions for speedy justice. His Lordship pointed that Legal Services Authority Act, 1987 identifies external forums of disputes resolution apart from court litigation; mediation is not given such pedestal as given to arbitration, lok adalat but attempts are made to set up mediation centers in states in past years. His Lordship guided participants about various methods of mediation such as facilitative, therapeutic, evaluative methods.

Hon'ble Mr. Justice S.H.Kapadia, Chief Justice of India in Inaugural Address highlighted that settlement culture is not picked by people in India; new concepts are emerging in law; mediation is highly successful in others country. His Lordship stressed that value for time must be understood and need to develop settlement culture in country. His Lordship pointed that role of mediator is difficult than a judge; mediation should be result oriented; there is need of trained and competent mediators and for that good training programme for mediators; commercial litigants must have faith in mediation. His Lordship emphasized that a mediator must have patience, skill, confidence and ability to find solution, and wisdom. His Lordship stressed the need to have trained mediators in specialized areas.

Hon'ble Mr. Justice Madan B. Lokur, Chief Justice, Gauhati High Court/ Member, MCPC proposed Vote of Thanks. His Lordship pointed that Year 2005 was watershed in history of institutionalization of mediation, mediation is introduced as harmonious resolution of disputes, and concept of inexpensive justice. His Lordship apprised that Pilot Project initiated at Tis

Hazari Courts resulted in thumping success. His Lordship highlighted mediation as viable mechanism for disputes resolution and emphasized on need to focus on mediation. His Lordship requested the participants to take over leadership of mediation.

There were Working Sessions on subjects 'Relevance of Mediation to Justice Delivery in India', 'Training of Mediators and Referral Judges', and ' Establishment and Working of Mediation Centre' on first day; and ' Problems and Challenges faced by States in Implementing Mediation Programmes', and ' Planning Session on Future Course of Action' on second day.

Hon'ble Mr. Justice Dipak Misra, Chief Justice, High Court of Delhi also attended conference. Hon'ble Mr. Justice Sanjay Kishan Kaul, Hon'ble Ms. Justice Reva Khetrpal and Hon'ble Ms. Justice Hima Kohli, Judges, High court of Delhi/Chairman and members of Mediation and Conciliation Committee to oversee the functioning of Delhi High Court Mediation and Conciliation Centre; Hon'ble Mr. Justice Sanjiv Khanna, Hon'ble Mr. Justice S.N. Dhingra and Hon'ble Mr. Justice M.C. Garg, Judges, High Court of Delhi, chairman/members monitoring committee to see the Functioning of all District Mediation Centers in Delhi were delegates from High Court of Delhi. Hon'ble Mr. Justice Sanjay Kishan Kaul was one of the speaker in Session I on subject 'Relevance of Mediation to Justice delivery in India'. Sh. M.L. Mehta, Principal secretary (Law & Justice), Govt. of NCT of Delhi was one of speaker in session III on subject 'Establishment and working of Mediation Centre'.



Hon'ble Guests and Delegates

40 HRS. TRAINING PROGRAMME ON "TECHNIQUES OF MEDIATION"

A 40 hrs. Training Programme on "**Techniques of Mediation**" was conducted at Tis Hazari Courts w.e.f. 9th to 18th July, 2010 for 24 Officers of Delhi Higher Judicial Officers. It was inaugurated by Hon'ble Mr. Justice Dipak Misra, Chief Justice, High Court of Delhi. Hon'ble Mr. Justice Sanjiv Khanna, Judge, High Court of Delhi, Hon'ble Mr. Justice S. N. Dhingra and Hon'ble Mr. Justice M.C.Garg, Judges, High Court of Delhi/Chairman and Members, Monitoring Committee to see the Functioning of all District Mediation Centers in Delhi also graced occasion. Hon'ble Mr. Justice Sanjiv Khanna emphasized importance of training for judicial officers to learn nuances in achieving and sharpening skills of mediation. Hon'ble Mr. Justice Dipak Misra in Inaugural Address emphasized importance of learning in 'pleasure' and 'not in pressure'. His Lordship urged participants to focus at their goals and make sincere efforts for resolution of disputes and to adopt modern concepts of mediation. His Lordship reminds participants to 'keep Delhi flag high as far as mediation is concerned'. Sh. G. P. Mittal, District-I & Sessions Judge, Delhi delivered welcome address.

Sh. G. P. Mittal, District - I & Sessions Judge, Ms. Deepa Sharma, Principal Judge, Family Courts, Delhi, Ms. Anu Malhotra, Director, Delhi Judicial Academy, Dr. Sudhir Kumar Jain, Ms. Shailender Kaur, Sh. Harish Dudani, Additional Sessions Judges/ Master Trainers, Ms. Aditi Chaudhary, Mr. V.K.Bansal, Additional Sessions Judges/ Trainers were resource persons. Ms. Deepa Sharma, Principle Judge, Family Courts and Sh. Brajesh Sethi, Judge In charge, Mediation Centre, Tis Hazari Courts were Coordinator of the training programme.

During the Training Programme, the participants were explained the 'Relevance of Training', 'Relevance of ADR', 'Mediation: Definition and Components', and 'Conflict Management and Resolution'. The participants were explained various techniques of mediation such as 'Communication' 'Negotiation', 'Bargaining' and 'Impasse'. The participants were also apprised about 'Code of Ethics', 'Role and Responsibilities of Referral Judges U/s 89 CPC', and 'Mediation and Conciliation Rules 2004'. Role-Plays were also conducted to give the participants practical inputs of various techniques of Mediation. The participants were also shown slides on positive thinking and attitude.

The Valedictory Function was presided over by Hon'ble Mr. Justice S.N. Dhingra, Judge, High Court of Delhi/ Member, Monitoring Committee to see the Functioning of all District Mediation Centers in Delhi. His Lordship urged participants to work sincerely, diligently and be focused as mediator; and to develop mediation as an independent institution. All participants felt positive change in their mindset, approach, attitude and perception.

DELHI MEDIATION CENTRE, KARKARDOOMA COURTS

a) An Advance Course on 'Effective Communication During Mediation' for 38 Judicial and Advocate Mediators was conducted on 1st June, 2010 with the objective to improve communication skills. Hon'ble Mr. Justice Madan B. Lokur, Judge, High Court of Delhi delivered keynote address. Sh. Vinod Goel, Judge In charge, Mediation Centre, Karkardooma Courts apprised participants about the achievements of the centre. Sh. Man Mohan Sharma, Additional District Judge/ Mediator was resource person. Sh. P.S.Teji, District Judge-VI and Ms. Sunita Gupta, District Judge-VII also graced occasion.

b) An Awareness Programme on "Mediation as a Tool of Responsive and Timely Justice" for 25 advocates was conducted on 20th July, 2010. Sh. Vinod Goel, Judge In charge, Mediation Centre, Karkardooma Courts, Sh. Man

Mohan Sharma, Additional District Judge/ Mediator, and Ms. Anuja Saxena, Advocate/ Trainer were resource persons.

c) A Refresher Course on 'Concept of Mediation' for 20 Judicial and Advocate Mediators was conducted on 29th July, 2010. Sh. Man Mohan Sharma, Additional District Judge/ Mediator, and Ms. Anuja Saxena, Advocate/ Trainer were resource persons.

DELHI MEDIATION CENTRE, ROHINI COURTS

a) A Refresher Course on "Referral of cases for Mediation" for Referral Judges posted at Rohini Courts was conducted on 17th July, 2010. Shri Chander Shekhar, Coordinator, Dr. Sudhir Kumar Jain, Additional Sessions Judge/Master Trainer, and Shri Sanjay Kumar, Additional Sessions Judge/Trainer, were resource persons. The participants were apprised about their role and responsibilities as referral judges.

b) A Refresher Course on 'Techniques of Communication' for Mediators was conducted on 31st July, 2010 with the objective to improve their communication skills. Shri Chander Shekhar, Coordinator, Dr. Sudhir Kumar Jain, Additional Sessions Judge/Master Trainer and Sh. V.K.Bansal, Additional Sessions Judge/ Trainer were resource persons.

CONSULTATIVE MEETING

Mediation & Conciliation Project Committee, Supreme Court of India is preparing a Mediation Training Manual proposed to be used as an authoritative guide to the trainers, mediators and referral judges. Three Consultative Meetings chaired by Hon'ble Mr. Justice Cyriac Joseph, Judge, Supreme Court of India/Member, MCPC have already held on 28th November, 2009, 27th March, 2010 and 14th April, 2010 in the Supreme Court of India.

Another Consultative meeting chaired by Hon'ble Mr. Justice Cyriac Joseph was held on 5th & 6th June, 2010 at Bangalore Mediation Centre, Bangalore to finalise draft topics prepared by the Experts for Training Manual. Hon'ble Mr. Justice R.V. Raveendran, Judge, Supreme Court of India / Chairman, MCPC attended meeting on 5th June, 2010. Hon'ble Mr. Justice Madan B. Lokur, Judge, High Court of Delhi/Member, MCPC attended meeting on both days. The Experts under the guidance of Hon'ble Judges discussed and deliberated Topics 'Concept of Mediation', 'Types of Mediation', and 'Differences between Mediation, Arbitration, and Judicial Process', 'Advantages of Mediation' and 'Stages of Mediation'.

Delhi Mediation Centers have settled 22,152 cases including 5668 connected cases till 30-06-2010 . General Statistical Reports for the month of June, 2010 are as under:-

Delhi Mediation Centre, Tis Hazari Courts	Delhi Mediation Centre, Rohini Courts	Delhi Mediation Centre, Karkardooma Courts	Delhi Mediation Centre, Dwarka Courts
Referred Cases - 112	Referred Cases - 132	Referred Cases - 59	Referred Cases - 59
Disposed of Cases - 133	Disposed of Cases - 96	Disposed of Cases - 99	Disposed of Cases - 60
Settled Cases - 94	Settled Cases - 64	Settled Cases - 87	Settled Cases - 37
Connected Cases - 44	Connected Cases - 17	Connected Cases - 42	Connected Cases - 13
Total Cases - 478	Total Cases - 81	Total Cases - 130	Total Cases - 50

Training Programme on "Techniques of Mediation" (9th to 18th July, 2010)



Hon'ble Mr. Justice Dipak Misra, Chief Justice, High Court of Delhi delivered Inaugural address



Hon'ble Mr. Justice Sanjiv Khanna addressed the Participants



Hon'ble Mr. Justice S. N. Dhingra with Resource Persons and the Participants at Valediction.

Delhi Mediation Centers have settled 22,997 cases including 5914 connected cases till 31-07-2010. General Statistical Reports for the month of July, 2010 are as under:-

Delhi Mediation Centre, Tis Hazari Courts	Delhi Mediation Centre, Rohini Courts	Delhi Mediation Centre, Karkardooma Courts	Delhi Mediation Centre, Dwarka Courts
Referred Cases - 350	Referred Cases - 338	Referred Cases - 287	Referred Cases - 158
Disposed of Cases - 278	Disposed of Cases - 258	Disposed of Cases - 196	Disposed of Cases - 155
Settled Cases - 179	Settled Cases - 167	Settled Cases - 174	Settled Cases - 78
Connected Cases - 69	Connected Cases - 45	Connected Cases - 107	Connected Cases - 25
Total Cases - 248	Total Cases - 212	Total Cases - 281	Total Cases - 103

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

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