



FACULTY OF LAW

UNIVERSITY OF DELHI

&

DELHI SCHOOL OF PUBLIC POLICY &
GOVERNANCE

INSTITUTION OF EMINENCE, UNIVERSITY OF DELHI

in association with

Mediation and Conciliation Project Committee
SUPREME COURT OF INDIA

organises

3RD INTERNATIONAL CONFERENCE
ON

MEDIATION

9th-10th April, 2022

Virtual Mode

PATRON IN CHIEF
PROF. YOGESH SINGH
HON'BLE VICE CHANCELLOR,
UNIVERSITY OF DELHI

PATRON
PROF. (DR.) USHA TANDON
HEAD & DEAN, FACULTY OF LAW

CONFERENCE DIRECTOR
DR. ASHUTOSH MISHRA
ASSISTANT PROFESSOR,
FACULTY OF LAW

ABOUT THE CONFERENCE

Alternative Dispute Resolution (ADR) is a tool to achieve goal of speedy, equitable and adequate justice. This becomes pertinent because we have lost the way of resolving our disputes as was done earlier in our traditional ways and have adopted modern approach borrowed from alien societies.

In this regard, ADR is one such creative approach which will help in achieving justice through securing faster and adequate justice for the masses so that the true meaning of justice is realized.

A variety of disputes are amenable to mediation including commercial, contractual, business, corporate, employment, intellectual property, matrimonial disputes etc. Mediation as a mode of Alternative Dispute Resolution is playing a pivotal role in providing justice to common people. It is empowering common people in the society and imparting justice in a cost effective and expeditious manner.

The thought that has necessitated for organizing such a conference is that the awareness of people regarding their rights has increased in recent times. Such increase has boosted the confidence of common man and enhanced his willingness to undertake litigation. Unfortunately, the infrastructure with the state has not increased commensurately resulting in backlog of cases. The increment and presence of backlogs have been causing an excruciating delay in the administration of justice.

It was reported that millions of cases are pending in various courts across the country and India is facing unprecedented "litigation explosion". As per the Census data of Ministry of Law and Justice, Government of India, on One Million Population here in India, we have only 17.48 Judges. However, a noble course of action is required as a remedy to this malaise which serves as a compliment to the traditional judicial system, there by helping to reduce the heavy burden of litigation and at the same time not compromising with the standards of equity, justice and good conscience.

ABOUT THE CONFERENCE

Mediation as an ADR mechanism is a process of resolving disputes with the help of a third neutral person who assists the parties at dispute to reach a negotiated resolution. It is voluntary, party centered and structured negotiation process in which a third neutral person assists the parties in amicably resolving their disputes. In a country like India, where the course of development is skewed and affecting each and every citizen, the demand for justice is increasing at greater pace given the fact that major chunk of our population still remains marginalized, deprived and destitute. However, the cost of litigation has risen exponentially, threatening these sections of society to claim what is their legitimate right.

The concept of ADR is not new to India and has existed since ancient times. The tribes and villages in India are still pursuing such traditional methods of dispute resolution. Thus, mediation as a process of dispute resolution is not new to our nation, what is required in the changed social scenario is an effective adaptation of the traditional methodology to the new conditions. This calls for untiring efforts and devotion to be dutifully put into this process, right from its inception to its culmination into an effective practice.

Therefore, innovative methodology of ADR can help to secure justice to the masses. Other advantages such as cost minimization and peaceful resolution of the dispute without bitterness can also be achieved which may not be possible in the traditional litigation approach as well as other ADR methods.

The conference intends to sensitize and aware all stakeholders and create an atmosphere where the effective practice of mediation can be strengthened. The conference shall not only provide way forward in structured manner but shall also help in ensuring its acceptability amongst masses.

The conference also becomes pertinent in the light of new Draft Bill on Mediation introduced in 2021. The Draft Bill aims to facilitate and promote mediation in India, particularly institutional mediation for the resolution of disputes, encourage community mediation, and make online mediation an acceptable and cost effective process and therefore this conference is a small step to achieve a greater good for the society.

ABOUT FACULTY OF LAW, UNIVERSITY OF DELHI



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UNIVERSITY OF DELHI

Faculty of Law, University of Delhi is the time tested legal institution of par excellence. It offers a 3 year LL.B. course; LL.M. course and Ph.D. course. The department has been a leader in producing many legal luminaries, Supreme Court and High Court judges, leading advocates, political leaders, policy makers and trend-setters in all walks of life. The department is endowed with elitist alumni even though it is an egalitarian institute providing practically free legal education at a negligible cost. With the unparalleled expertise of faculty members, multicultural environment and its seat at the heart of the national capital, the department attracts brilliant students from all over the country and abroad. The faculty members are drawn with diversified knowledge and experience. Professors from other Universities including foreign Universities visit on various fellowship programs and conduct research in this institution. A number of delegations from foreign universities visit the department to share their knowledge and benefit the students. The department is in the constant process of improving its infrastructure with state of the art facilities.

ABOUT MEDIATION AND CONCILIATION PROJECT COMMITTEE (MCPC) SUPREME COURT OF INDIA



**Hon'ble Mr. Justice N.V. Ramana, The Chief Justice of India,
Patron-in-Chief, MCPC**



**Hon'ble Mr. Justice Uday Umesh Lalit
Executive Chairman, NALSA
Judge, Supreme Court of India**



**Hon'ble Mr. Justice L. Nageswara Rao,
Chairman, MCPC
Judge, Supreme Court of India**



**Hon'ble Mr. Justice Sanjay Kishan Kaul,
Member, MCPC
Judge, Supreme Court of India**



**Hon'ble Mr. Justice M.R. Shah,
Member, MCPC
Judge, Supreme Court of India**

Keeping in view the legislative mandate and the spirit of Section 89 of Code of Civil Procedure, the Mediation and Conciliation Project Committee [MCPC] was constituted by Supreme Court of India to oversee the effective implementation of Mediation and Conciliation in the country. Hon'ble Mr. Justice R.C. Lahoti, the then Chief Justice of India, by an Administrative Order, set up the Mediation and Conciliation Project Committee on 9th April, 2005, under the Chairmanship of Hon'ble Mr. Justice N. Santosh Hegde. MCPC ensures the regulated growth and evolution of mediation as dispute resolution mechanism in the country by laying down policies, monitoring their implementation and suggesting course correction measures.



The work of MCPC includes conducting Mediation Training Programmes, Referral Judges Training Programmes, Awareness Programmes, coordinating with different Mediation Centres/State Legal Services Authorities/Judicial Academies, deputing trainers in coordination with Mediation Centres through out the country, compilation of statistics received from various States, maintaining accounts and also maintaining the data of each trainer in the database software etc. The work also includes carrying out research, coordinating with International Organisations, accrediting mediators and holding of Seminars/Conferences for popularization, encouragement and evolution of mediation as an alternative dispute resolution mechanism.

ABOUT DELHI SCHOOL OF PUBLIC POLICY AND GOVERNANCE (DSPPG)



Prof. Yogesh Singh

Hon'ble Vice Chancellor,
University of Delhi



Hon'ble Mr. Justice Dipak Misra

Former Chief Justice of India
Chairperson, Governing Body
DSPPG



Prof. Maharaj K. Pandit

Co-Chairperson, DSPPG
CEO, Institution of Eminence



Prof. Ashutosh Bhardwaj

OSD, Institution of Eminence



Prof. (Dr.) Ram Singh

Director, DSPPG



Prof. (Dr.) V.K. Ahuja

Joint Director, DSPPG
Vice Chancellor, NLUJAA



Dr. Ashutosh Mishra

OSD, Delhi School of Public Policy
& Governance, IoE

The Delhi School of Public Policy and Governance (DSPPG) at the University of Delhi has been established under the Institution of Eminence (IOE) of the University. The University of Delhi has got the privilege to be declared as an Institution of Eminence by the Ministry of Education, Government of India. It aims to serve as the key platform to promote and foster excellence in Public Policy and Governance studies, research and outreach, and policy making. The School shall be the University's interface for engaging with the wider community of academics and practitioners in initiating, developing and sharing ideas to address various emerging domestic and international public policy challenges. More important, the School shall fill the existing void in building a specialized and efficient cadre of professionals dedicated to public service in India.

A well-designed public policy and effective governance are crucial for a country to realize its socio-economic objectives. The Delhi School of Public Policy and Governance (DSPPG) is the University's endeavor to contribute to the quality of policymaking and governance in an increasingly complex and challenging world. The vision of the school is to provide an interdisciplinary platform for learning and research on Public Policy and Governance. The School will serve as forum where the academic rigour blends with empirical evidence and the practical experience to promote the knowledge about processes of policymaking and governance. The objective is to contribute to the design and implementation of the public policy by providing context relevant policy inputs to the policymakers. The School will serve as a springboard of purposive discourse on effective and equitable governance from the developing world view-point.

Along with the formal rules and regulations, the research and learning programmes at the DSPPG will cover the informal social institutions, which are salient features of the governance in a developing country like India. Accordingly, the School is envisioned as a world class institution on Public Policy and Governance in the context of developing countries. The objective is to equip the lawmakers, policymakers and researchers with the knowledge and skill-sets to address the Public Policy and Governance challenges of the developing world.



1ST INTERNATIONAL CONFERENCE ON MEDIATION, 2019

1st International Conference on Mediation was organised by the University of Delhi in association with Mediation and Conciliation Project Committee, Supreme Court of India & Indian Council of Social Science and Research, Government of India from 6th & 7th April 2019 at Conference Hall, University of Delhi, New Delhi. Hon'ble Justice Shri Sanjay Kishan Kaul, Supreme Court of India was the chief guest of the conference. Hon'ble Ms. Justice Indu Malhotra was the chief guest for valedictory session. The conference was graced by Supreme Court judges, High Court judges from different states and 150 judges from all over the country, ambassadors, civil servants, world-renowned meditation experts, international organisations officials, etc. The conference intended to sensitize and aware all stakeholders and create an atmosphere where the effective practice of mediation can be strengthened. The conference not only provided a way forward in a structured manner but also helped in ensuring its acceptability amongst the masses.

2ND INTERNATIONAL CONFERENCE ON MEDIATION, 2021

2nd International Conference on Mediation was organised by the Law Centre-II, Faculty of Law, University of Delhi in association with the Samadhan: Delhi High Court Mediation Center and Delhi School of Public Policy & Governance under The Action Research Project By Department of Justice, Ministry of Law and Justice, Government of India from 22nd-24th April 2021 in the virtual mode. This conference was organized in association with Ministry of Law and justice, Government of India. The then Minister for Law and Justice, Minister of Communications, IT and Electronics Hon'ble Shri Ravi Shankar Prasad Ji was the Chief Guest. This conference through its 3-day online sessions on various different nature & aspects of disputes has tried to create awareness and encourage parties to use mediation as an alternative dispute settlement mechanism.

ABOUT THE BOOK

The first edition of the book titled "Mediation" was published in 2019 in relation to the 1st International Conference on Mediation. The book was forwarded by Hon'ble Mr Justice S.A. Bobde (The then Chief Justice of India) and was released by Hon'ble Mr Justice Sanjay Kishan Kaul, Judge, Supreme Court of India. The book consists of 15 chapters covering different facets of mediation were published in this book. The book was edited by Prof. (Dr.) V.K. Ahuja, Dr. Ashutosh Mishra & Dr. Ashutosh Acharya.

In order to continue the legacy and to provide stakeholders apropos material on mediation, we call papers that will be published in the form of book chapters in the 2nd Edition of the book. The Editor-in-Chief of the book will be Prof. (Dr.) Usha Tandon & Editor will be Dr. Ashutosh Mishra.



**Chief Guest, Hon'ble Justice Sanjay Kishan Kaul,
Supreme Court of India, Releasing the Book**

CALL FOR PAPERS

THEME: MEDIATION

SUB THEMES

- Differences in the conceptual framework of mediation and litigation.
- Importance of mediation from the perspective of ease of doing business.
- Transformative role of mediation in community conflicts.
- Mediation in family disputes - dialogue versus debate.
- Developing India as a hub for international mediations.
- Prescribing standards for and accreditation of mediators, mediation training institutions and mediation service providers.
- The Draft Mediation Law and its potential role in mainstreaming mediation.
- Singapore Convention and what it means for cross border mediations.
- Mediation in Civil Disputes
- Role of Mediation in Oil Sector: An International Perspective
- Enforcement Agencies involved in Mediation: Challenges and Remedies
- Role of Mediation in IPR (Copyright, Patent, Trademark, Geographical Indication, Traditional Knowledge and Industrial Designs)
- Mediation in Industrial Dispute and Labour Law
- Mediation in Environmental Laws: National and International perspective
- Indigenous form of Dispute Settlement: Relevance in the present perspective
- Mediation in Multinational Dispute cases: National and International perspective
- Online mediation in India: Future Prospects
- Pre-Institution mediation in India: Future prospects
- Mediation in consumer disputes cases
- Mediation in the Tribal justice system
- Mediation and Conciliation in Real Estate Dispute in India
- Negotiation and Mediation in Banking Sector
- Effectiveness of Mediation in Present Justice Delivery System
- Role of Lok Adalats: Achievements, Failure and improvement
- Commercial Mediation and impact of Companies Amendment Act 2019

GUIDELINES FOR PAPER SUBMISSION

Original, unpublished papers (4000 – 6000 words) must be submitted; that may be empirical, doctrinal, theoretical, or a case study basis.

Every entry must be accompanied by a 300-word abstract and a separate cover page with the following requirements:

1. Title of the paper
2. Name of the author/ co-author(s)
3. Designation
4. Name and Address of the Institution
5. Contact Number and email ID

RULES FOR PUBLICATIONS

- Submissions should be in Times New Roman, the font size 12 with 1.5 line spacing, justified text and 1-inch margins on all sides of the A4 sheet. (page number)
- Footnotes should be in Times New Roman, the font size 10 with 1.0 line spacing. End notes are not allowed.
- All headings must have uniform formatting.
- The first page of the manuscript should only contain the name of the paper followed by an abstract. The main body of the manuscript must begin from the second page. Submissions must be emailed at icm3mediation@gmail.com (in docx format) along with a covering letter. The covering letter should include the author's contact information and a short abstract that outlines the main questions or themes addressed in the paper.
- Co-authorship of up to two co-authors is allowed.
- Any form of plagiarism will lead to disqualification for publication in the Review. Similarity should not be more than 10%, excluding footnotes.
- All footnotes/references in the submission must conform to the bluebook (20th Edition).
- All submissions must be made in docx format. No pdf format shall be entertained.
- Copyright over the published material shall vest with the Faculty of Laws ONLY.
- Further, an edited book (2nd Volume) shall be published in furtherance of the 3rd International Conference. These papers shall be published in a peer-reviewed book bearing ISBN.

ELIGIBILITY

The organizers invite Judges, Faculty members, Advocates, Research Scholars, Entrepreneurs and other professionals etc. to submit papers on the above topic.

KEY DATES

1. Last Date of Registration for Conference: 7th April, 2022
2. Last Date for Submission of Abstract: 28th March, 2022
3. Intimation of Confirmed Abstracts: 2nd April, 2022
4. Last Date for submission of paper: 20th April, 2022
5. Confirmation of Selected Papers: 10th May, 2022
6. Date of conference: 9th-10th April, 2022

PARTICIPATION AND REGISTRATION FEE

- Registration for research scholars Rs. 500
- Registration for academicians Rs. 1000
- Registration for advocates, law firms and other professionals Rs. 1500
- Registration for Foreign Scholar and Foreign Academicians: \$50
- Kindly make the payment to this account the details of which are given below:
- Email: icm3mediation@gmail.com

TWO STEP REGISTRATION

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Branch Name : Delhi University, Delhi

Above charges will be credited to University of Delhi account as an operational charges on no profit-no loss basis and MCPC, Supreme Court of India is associated as a knowledge partner.

STEP 2

After making the payment UPLOAD the RECEIPT and fill in the details to the below given registration links.

- **Registration Link for Judges**

<https://forms.gle/qfxLyn3iejmNf2aw5>

- **Registration Link for Faculty members, Advocates, Research Scholars, Entrepreneurs and other professionals etc.**

<https://forms.gle/BSVhCjXwudr3okJc7>

For any queries contact - icm3mediation@gmail.com / +91 99538 52788

ORGANISING COMMITTEE



Prof. (Dr.) Usha Tandon
Head & Dean, Faculty of Law,
University of Delhi



Mr. Yajuvender Singh,
Member Secretary, MCPC,
Supreme Court of India



Ms. Sonal S. Patil,
OSD, MCPC,
Supreme Court of India



Dr. Ashutosh Mishra,
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Himani Mishra

TENTATIVE SESSIONS FOR THE CONFERENCE

Day: 1

Session-I Inaugural Session

Session-II Role of Mediation in Family & Matrimonial Dispute

Session-III Jurisprudence of Mediation: Current Scenario & Path ahead

Session-IV Community mediation from historical perspective

Session-V Role of Mediation in Infrastructure & Environmental Dispute

Day: 2

Session-VI Online mediation: Future prospects

Session-VII Challenges in implementation of cross border mediation & Role of Singapore Convention

Session-VIII The draft mediation bill and it's potential role in mainstreaming mediation

Session-IX Role of mediation in intellectual property rights & commercial disputes.

Session X- Valedictory Session