



LAW CENTRE -II
FACULTY OF LAW
UNIVERSITY OF DELHI

in association with

MEDIATION AND CONCILIATION PROJECT COMMITTEE
SUPREME COURT OF INDIA

organizes

INTERNATIONAL CONFERENCE
on
MEDIATION

6-7 APRIL, 2019

Venue: Conference Hall, University of Delhi
and Umang Bhawan, Faculty of Law, University of Delhi

Conference Director
Dr. Ashutosh Mishra
Assistant Professor

Patron-in-Chief
Dr. V.K. Ahuja
In-charge, Law Centre-II

ABOUT LAW CENTRE-II



With a glorious past of 48 years, Law Centre-II made a humble beginning in 1971. The alumni of Law Centre-II include Governor, Union Ministers, Judges, Bureaucrats, Entrepreneurs. The Centre had the privilege of being headed by some of the most reputable law scholars of India such as Prof. Upendra Baxi, a well-known jurist and former Vice-Chancellor of University of Delhi; Prof. Tahir Mahmood, who subsequently became Chairperson, Minority Commission; Prof. A.K. Kaul, who was elevated as Vice-Chancellor, National Law University, Jodhpur and National Law University, Ranchi; Prof. B.T. Kaul, who has been the Chairperson, Delhi Judicial Academy and Prof. Poonam Pradhan Saxena, who is presently Vice-Chancellor, National Law University, Jodhpur. And many more of such stature.

The Centre takes its responsibility to further the knowledge base of our country and its modern legal system very seriously. Having a solid record of organizing multiple legal programmes, we now wish to invite international participation for better understanding of the Alternative Dispute Resolution Mechanisms through a two-day International Conference on Mediation-2019. The Conference shall be a platform for knowledge sharing with respect to best practices adopted internationally regarding mediation as a popular dispute settlement mechanism.

In order to promote a robust discussion with a cluster of views, we are also inviting articles from all around the globe on dispute resolution through mediation. An active participation at the conference is herewith solicited from students, legal practitioners, academicians and scholars.

ABOUT THE CONFERENCE



Alternative Dispute Resolution (ADR) is a tool to achieve goal of speedy, equitable and adequate justice. This becomes pertinent because traditional approach has failed to solve the chronic problem of delayed justice. In addition to above, a welfare state like India, where justice occupies uncompromising stature, it calls for greater and focused attention. 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 last census by Ministry of Law and justice the ratio of judges million 17.48%. However, a novel 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.

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.(IAST).

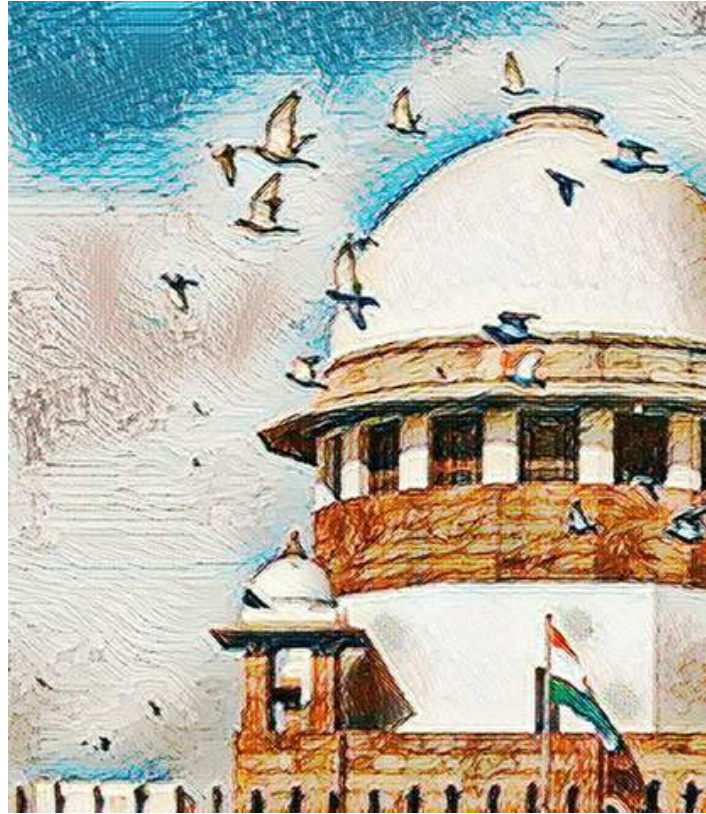


In a country like India, where the course of development is skewed and affecting each and every citizen, the demand for justice is increasing at greater pace given the fact that major chunk of our population still remains marginalized, deprived and destitute. However, the cost of litigation has risen 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.





Probable Outcome..

The role of mediation is indigenous to societal development. As mentioned earlier, mediation provides an alternative to conventional dispute resolution mechanism. Since its results are far more satisfactory than the prolonged methods of court, it is aimed that the conference shall provide a platform to various stakeholders to come together and identify issues to be addressed.

It is further identified that the preambular goal of 'Fraternity' cannot be achieved if there is lack of awareness and practice of using mediation as a method resolving dispute. In this light the organizers believe that, be it consumers' grievance, matrimonial dispute, corporate dispute and intellectual property disputes etc., a group of experts can contribute to resolve in a better fashion. Productivity of any society can be at zenith if maximum number of citizens will contribute their valuable time in societal and national development.

Therefore, it is argued that peoples' most time is wasted in resolution of disputes. No corporate body in contemporary times wishes to approach the courts as for them, time is money. Thus, more work and less wastage of personal and professional time and resources leads to more growth. It is lastly stated that the conference shall come out with a result with practical implications to be culminated in to policy framework of this country.





MEDIATION AND CONCILIATION PROJECT COMMITTEE (MCPC)

SUPREME COURT OF INDIA

Chairman MCPC

Hon'ble Mr. Justice Arjan Kumar Sikri

Judge Supreme Court Of India

Executive Chairman NALSA

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.

Presently, the constitution of the MCPC is as follow:

| | |
|---|------------------------|
| • Hon'ble Mr. Justice A.K. Sikri | Chairman |
| • Hon'ble Mr. Justice R.F. Nariman | Member |
| • Hon'ble Ms. Justice Indu Malhotra | Member |
| • Shri P.S. Narasimha (Senior Advocate) | Member |
| • Shri Alok Agarwal (Member Secretary, NALSA) | Member |
| • Sh. Dharmender Rana | Member Secretary, MCPC |

CORE ACTIVITIES OF MCPC :

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 INDIAN COUNCIL OF SOCIAL SCIENCE RESEARCH (ICSSR)

GOVERNMENT OF INDIA

In the last 50 years, the Indian Council of Social Science Research (ICSSR) has strategically worked towards mapping the trajectory of social sciences in our country and ensuring its evolutionary progress. Through research, scholarship, publication and training, ICSSR has promoted social sciences in general and an interdisciplinary approach towards resolving social crises in particular .

It's partnership with Law Centre-II in bringing this conference to life will pave the way for future deliberations with regards to mediation as a dynamic tool in reconciling the legal backlog in India. Through its international character, the conference aims to successfully bring together a fellowship of people who can be trusted to expand the idea behind this project to new paradigms.



TENTATIVE SESSIONS

Day One

1. INAUGURAL SESSION

Inaugural session - (10:00 - 11:00 A.M.)

Tea Break - 30 Minutes

2. Mediation in Consumer Dispute

Contemporary International Perspective

(11:30 - 01:00 P.M)

Lunch (01:00 - 02:30 PM)

3. Mediation in Matrimonial Dispute

a Global Scenario (02:30 P.M. - 04:00 P.M.)

4. Mediation in Disputes Pertaining to Multinational Corporations

(04:00 - 05:30 P.M.)

Tea - 30 Minutes

Day Two

5. Mediation in Intellectual Property Matters

An International Perspective

(11:00 A.M.- 12:30 P.M.)

6. Online Mediation

(12:30 - 2:00 PM)

Lunch (02:00 - 03:00 PM)

7. Pre Institution Mediation and Rising Trend

(03:00 PM - 4:30 PM)

8. VALEDICTORY SESSION & VOTE OF THANKS

Valedictory session & Vote of Thanks

(04:30 PM - 5:00 PM)



CALL FOR PAPERS

Theme: International Conference On Mediation.

SUB THEMES

- 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 Labor Law
- Mediation in Environmental Laws: National and International perspective
- Indigenous form of Dispute Settlement: Relevance in present perspective
- Mediation in Multinational Dispute cases: National and International perspective
- Mediation in Matrimonial Disputes
- Online mediation in India: Future Prospects
- Pre-Institution mediation in India: Future prospects
- Mediation in consumer disputes cases
- Mediation in 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

There shall be no paper presentation in this event*

Facebook: https://www.facebook.com/International-Conference-on-Mediation-395099661223599/?update_status=3&admin_role=1



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 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. Endnotes 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 **icm.Lawcenter2@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 up to two co-authors are allowed.
- All works must be original and unpublished, and must not be previously published or currently under review at any other journal/conference/book etc. and should not be submitted to any other journal/conference while in process of review with us.
- 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 Law Centre-II ONLY.
- Further, an edited book shall be published in furtherance of the International Conference. These papers shall be published in a peer reviewed book bearing ISBN.



ADVISORY BOARD

1. Hon'ble Mr. Justice R.V Raveendran, Former Judge Supreme Court of India
2. Hon'ble Mr. Justice Arijit Pasayat, Former Judge Supreme Court of India

ELIGIBILITY

The organizers invite Judges, Faculty members, Advocates, Research scholars, Entrepreneur, Student, Faculty members, and other professionals to submit papers on the above topic.

KEY DATES

- A. Last Date of Registration for Conference: March 10th, 2019
- B. Last Date for submission of abstract: March 10th, 2019
- C. Last Date for submission of paper: 20th April, 2019
- D. Confirmation of Selected Papers: 30th April, 2019
- E. Date of conference 6-7th April, 2019

PARTICIPATION AND REGISTRATION FEE

- Registration for Delhi University Student (*Preference will be given to third year students*) **250Rs.**
- Registration for non DU Students and Research Scholar **500 Rs.**
- Registration for Academicians **1000 Rs.**
- Registration for Advocates and Law firms **2500 Rs.**
- Registration for Foreign Scholar and Foreign Academicians **35.04 \$**
- Limited seats are available and preference will be given on first come first serve basis.
- Lunch and High tea will be given.
- No TADA will be given.
- Certificates shall be issued only to those who will attended all the sessions.
- Kindly make the payment to this account the details of which are given below:-

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TWO STEP REGISTRATION

STEP 1

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STEP 2

After making the payment **UPLOAD** the **RECEIPT** and fill in the details to the below given registration link. <https://goo.gl/forms/YYiWOINI8ZNSSdCu2>

<https://goo.gl/forms/YYiWOINI8ZNSSdCu2>



Or Scan the QR code to open the link



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