

CALL FOR PAPERS
Edited Book
on
Emerging Dimensions of Mediation Law in
India

Edited by:
Dr. Manoj Kumar
Volume- I, 2024



Theme of the Book: Mediation Law in India

Editor: Dr. Manoj Kumar

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Full Paper Submission Deadline: 31.08.2024

CONCEPT NOTE:

In recent years, India has witnessed a paradigm shift in its approach to dispute resolution. As the country's legal system grapples with an overwhelming backlog of cases and increasing litigation costs, alternative dispute resolution methods have gained significant traction. Among these, mediation has emerged as a promising solution, offering a more collaborative, cost-effective, and expedient way to resolve conflicts.

Mediation involves a non-binding procedure under which an impartial third person to a dispute assists the parties to reach amicable settlement of such dispute. The Mediation Act of 2023 marks a watershed moment in the country's legal landscape. This groundbreaking legislation not only formalizes the practice of mediation but also establishes a comprehensive framework for its implementation across various sectors. By providing statutory recognition to mediation, the Act aims to alleviate the burden on courts, promote amicable settlement of disputes, and foster a culture of peaceful conflict resolution.

This book seeks to demystify the Mediation Act, 2023 and explore its far-reaching implications for India's legal system and society at large. We will delve into the historical context that led to the Act's inception, examining the evolution of mediation in India from its traditional roots to its modern-day application. By analysing the key provisions of the Act, we aim to provide readers with a clear understanding of its scope, procedures, and potential impact.

As we navigate through the pages of this book, we will try to address critical questions:

1. How does the Mediation Act differ from previous mediation practices in India?
2. What are the potential benefits and challenges in implementing this Act?
3. How does it compare to international standards and best practices in mediation?
4. What role will mediators play under the new framework, and how will their qualifications be regulated?
5. How will the Act affect various sectors, including commercial disputes, family matters, and community conflicts?
6. What mechanisms are in place for enforcing mediated settlements?
7. How might this Act shape the future of dispute resolution in India?

Through a combination of legal analysis, case studies, and expert insights, this book aims to serve as a comprehensive guide for legal professionals, mediators, policymakers, and anyone

interested in understanding the transformative potential of mediation law in India. We will explore both the opportunities and challenges presented by this legislation, offering practical insights into its implementation and potential impact on India's legal and social fabric.

As India steps into this new era of dispute resolution, it is crucial to understand the nuances of the Mediation Act and its implications for all stakeholders. This book endeavours to be a valuable resource in that journey, promoting a deeper understanding of mediation and its role in creating a more harmonious and efficient system of justice in India.

Moreover, this book will explore the broader societal implications of the Mediation Act. As India continues to modernize and globalize, the need for efficient and culturally sensitive dispute resolution mechanisms becomes increasingly crucial. The Act not only addresses the practical concerns of an overburdened judicial system but also aligns with India's rich tradition of community-based conflict resolution. We will examine how this legislation could potentially bridge the gap between formal legal processes and traditional methods of dispute settlement, creating a hybrid system that respects both modernity and cultural heritage. By encouraging dialogue and mutual understanding, mediation has the potential to strengthen social bonds, reduce hostility in disputes, and promote a more peaceful society. This book will investigate how the Act might influence public perception of conflict resolution, potentially shifting the paradigm from an adversarial approach to a more collaborative one. Through this exploration, we aim to paint a holistic picture of the Mediation Act's role in shaping India's legal, social, and cultural landscape in the years to come.

ABOUT THE AUTHOR:

Dr. Manoj Kumar is an Assistant Professor of Law, Senior Scale at Dr. Ram Manohar Lohiya National Law University, Lucknow. He Completed his LL.B. from Campus Law Centre, Faculty of Law, University of Delhi in the year 2005 and his LL.M. from Faculty of Law, University of Delhi in the year 2008. He has also completed his Ph.d. from Faculty of Law, University of Delhi in the year 2016. His research title for Ph.d. is "Role of Regulators: Constitutional and Legal Framework." He has served as Assistant Professor in Faculty of Law, University of Delhi for around four years. He has taught various subjects like Law of Contract, Law of Partnership, Company Law, Commercial Transactions, Law of Torts, Law of Evidence, Administrative Law, Pleadings, Conveyancing and Professional Ethics etc. He has published many books and articles on various socio-legal issues. He has published some book reviews

and worked as member in Editorial Board of National Capital Law Journal, 2011 published by Law Centre-II, Faculty of Law, University of Delhi. He has participated and presented papers in various national and international seminars and conferences. He has also assisted in various administrative works.

His area of research and interest is Administrative Law and Commercial Laws. The author has more than 13 years of teaching and research experience and presently, he has been serving in Dr. Ram Manohar Lohia National Law University, Lucknow from October, 2013.

SUGGESTED THEMES:

The core theme of the book is “Emerging Dimensions of Mediation Law in India.” Some of the broadcategories of themes under it are as follows:-

- Historical Evolution of Mediation in India
- Development of modern mediation practices and laws
- Constitutional and Legal Framework for Mediation in India
- The Mediation Act, 2023: Salient Features and Implications, Implementation Challenges and Solutions
- Institutional Mediation in India
- Role of Mediation Centers and Institutions (e.g., MCIA, ICADR)
- Mediation procedure under the Act
- Enforcement of mediated settlement agreements
- Institutional Rules and Procedures
- Court-Annexed Mediation
- Supreme Court and High Court initiatives for Mediation
- Mediation in Matrimonial Disputes, Commercial Mediation, Mediation in commercial Disputes
- Mediation in Labour and Employment Disputes, Consumer Disputes, Environmental Conflicts etc.

- International and Cross-Border Mediation
- Role of Mediation in Insolvency and Bankruptcy Cases
- Community and Grassroots Mediation
- Mediation in Rural and Semi-Urban Areas
- Role of Panchayats and Local Bodies
- Mediation Training and Accreditation
- Certification and Accreditation Processes
- Role of Educational Institutions in Promoting Mediation
- Ethics and Professional Conduct in Mediation
- Confidentiality and Neutrality Issues
- Integration of Technology in Mediation, Online Mediation
- International Legal Frameworks impacting Mediation in India (e.g., Singapore Convention)
- Future of Mediation in India
- Modernization of Dispute Resolution
- Balancing Tradition and Innovation
- Access to Justice
- Cultural Shift in Conflict Resolution
- Social and Economic Implications of Mediation
- Professionalization of Mediation
- Challenges in enforcing International Mediated Settlements
- Challenges and Future Directions for Mediation in India
- Barriers to the Growth of Mediation
- Policy Recommendations for Enhancing Mediation Practice
- Future Trends and Potential Reforms
- Comparative Analysis of Mediation Laws

- Role of Judiciary in Enforcing & Promoting Mediation

Note: The abovementioned list of themes is illustrative and not exhaustive. The authors are welcome to submit their papers on any topic which is related to the core theme.

The book aims to provide a comprehensive analysis of mediation law in India, its potential to transform dispute resolution, and practical guidance for legal professionals, mediators, and the public.

SUBMISSION PROCEDURE:

1. Academicians, Judges and professionals are invited to submit an abstract of 300- 350 words clearly explaining the topic and objectives of the proposed research paper on or before 20th July, 2024 to email:- "mediationlaw.2024@gmail.com".
2. Receipt of submission will be intimated to the authors within two weeks of submission.
3. Submissions must be made in .doc/ .docx formats only.
4. Authors will be notified by **31st July, 2024** about the status of their abstract.
5. Full papers are expected to be submitted by on or before **31st August, 2024**.
6. All manuscripts will be accepted based on a double-blind peer review editorial process.
7. There shall be a rigorous review process comprising of 2 stages. The editorial board will ensure a greater standard of review and identification of quality academic writing. The authors shall be intimated about the status of their manuscript at every stage.
8. The decision of the Editors shall be final and binding regarding the manuscript. They reserve the sole right to the publication of the selected articles in addition to; inter alia, any edits/amends/reproduction.

PUBLISHER:

This edited book is scheduled to be published by Reputed International/ National Publisher with an ISBN number.

IMPORTANT NOTE:

There are **no submission or acceptance fees** for manuscripts. This publication is anticipated to be released on **31st October, 2024**.

IMPORTANT DATES:

July 20, 2024: Abstract Submission Deadline

July 31, 2024: Notification of Acceptance of Abstract

August 31, 2024: Full Paper Submission

September 15, 2024: Review Results Returned

September 30, 2024: Final Chapter Submission

October 15, 2024: Final Acceptance

PUBLICATION GUIDELINES:

Contributors please carefully note and follow the guidelines mentioned below. Any manuscript not meeting these guidelines will be returned to the author(s) for correction, which may cause significant delays in the publication process.

- Word Count for the book chapter- 4000 to 8000 (excluding footnotes)
- Only ORIGINAL submissions will be accepted for publication. Manuscripts may not have been previously published or be submitted for publication elsewhere. Manuscripts should be submitted in Times New Roman, with font size 12, line spacing 1.5'; justified, with sufficient margins of 1.5' to the left and 1.0' on all sides. Manuscripts can be in the form of articles. 'Article' refers to a comprehensive and thorough analysis of issues related to the theme.
- Co-authorship is permitted but there can be a maximum of two authors.
- Footnotes should be numbered sequentially in Indian Law Institute, New Delhi Mode of Citation (available on ILI website) or Harvard Bluebook 19th Edition style.
- The Papers shall go through strict plagiarism check and the plagiarism shall not be more than the permitted limit by the University Grant Commission Rules. The author shall be solely responsible for plagiarism if it is detected before or after publication of book chapter.

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