

THE MEDIATION BILL, 2021

In News:

- The Mediation Bill, 2021 was introduced in the Rajya Sabha in December, 2021, with the Parliamentary Standing Committee being tasked with a review of the Bill.
- The Bill aims at **institutionalising mediation** and establishing the **Mediation Council of India**.
- In its report, submitted to Rajya Sabha, the Committee recommends substantial changes to the Mediation Bill.

Need for mediation bill

- The Mediation and Conciliation Project Committee of the Supreme Court of India describes mediation as a tried and tested alternative for conflict resolution.
- While there is no standalone legislation for mediation in India, there are several statutes containing mediation provisions. This includes:
 - Code of Civil Procedure, 1908,
 - Arbitration and Conciliation Act, 1996,
 - Companies Act, 2013,
 - Commercial Courts Act, 2015, and
 - Consumer Protection Act, 2019.
- India is a signatory to the **Singapore Convention on Mediation** (formally the United Nations Convention on International Settlement Agreements Resulting from Mediation).
- Hence, it is appropriate to enact a law governing domestic and international mediation.

Key Features of the Bill:

- **Pre-litigation mediation:**
 - Parties **must** attempt to settle civil or commercial disputes by mediation before approaching any court or certain tribunals.
 - Even if they fail to reach a settlement through pre-litigation mediation, the court or tribunal may at any stage refer the parties to mediation if they request for the same.

- **Disputes not fit for mediation:**

- The Bill contains a list of disputes which are not fit for mediation.
- These include disputes: (i) relating to claims against minors or persons of unsound mind, (ii) involving criminal prosecution, and (iii) affecting the rights of third parties. The central government may amend this list.

- **Applicability:**

- The Bill will apply to mediations conducted in India: (i) involving only domestic parties, (ii) involving at least one foreign party and relating to a commercial dispute (i.e., international mediation), and (iii) if the mediation agreement states that mediation will be as per this Bill.
- If the central or state government is a party, the Bill will apply to: (a) **commercial disputes**, and (b) other disputes as notified.

- **Mediation process:**

- Mediation proceedings will be confidential, and must be completed within 180 days (may be extended by 180 days by the parties).
- A party may withdraw from mediation after two sessions.
- Court annexed mediation must be conducted as per the rules framed by the Supreme Court or High Courts.

- **Mediators:**

- Mediators may be appointed by: (i) the parties by agreement, or (ii) a mediation service provider (an institution administering mediation).
- They must disclose any conflict of interest that may raise doubts on their independence.
- Parties may then choose to replace the mediator.

- **Mediation Council of India:**

- The central government will establish the Mediation Council of India.
- The Council will consist of a chairperson, two full-time members (with experience in mediation or ADR (Alternative dispute resolution)), three ex-officio members (including Law Secretary, and Expenditure Secretary), and a part-time member from an industry body.
- Functions of the Council include: (i) registration of mediators, and (ii) recognising mediation service providers and mediation institutes (which train, educate, and certify mediators).

- **Mediated settlement agreement:**

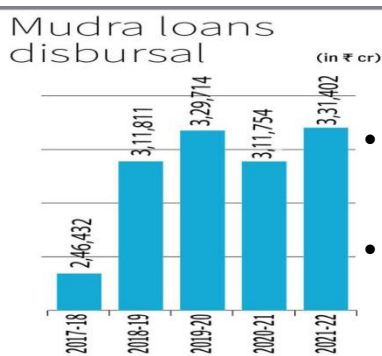
- Agreements resulting from mediation (other than community mediation) will be final, binding, and enforceable in the same manner as court judgments.
- They may be challenged on grounds of: (i) fraud, (ii) corruption, (iii) impersonation, or (iv) relating to disputes not fit for mediation.

- **Community mediation:**

- Community mediation may be attempted to resolve disputes likely to affect the peace and harmony amongst residents of a locality.
- It will be conducted by a panel of three mediators (may include persons of standing in the community, and representatives of resident welfare associations).

PRADHAN MANTRI MUDRA YOJANA (PMMY)

The disbursement of small business loans under Pradhan Mantri Mudra Yojana (PMMY) logged a record 30 per cent growth in the first half of the current fiscal ended September compared to the same period last year.



About:

- It is a flagship scheme of the Ministry of Finance, Government of India, launched on 8th April, 2015.
- It is a Financial Inclusion (FI) programme in the country based on three pillars - Banking the Unbanked, Securing the Unsecured and Funding the Unfunded.

Types of loans:

- Shishu - Covering loans up to Rs 50,000;
- Kishor - Covering loans above Rs 50,000 and up to Rs 5 lakh;
- Tarun - Covering loans above Rs 5 lakh and up to Rs 10 lakh.

Eligibility:

- Any Indian Citizen who has a business plan for a non-farm sector income generating activities such as manufacturing, processing, trading or service sector.
- They can avail from all Public Sector Banks, Regional Rural Banks and Cooperative Banks, Private Sector Banks, Foreign Banks, Micro Finance Institutions (MFI) and Non-Banking Finance Companies (NBFC) up to Rs 10 lakhs Micro Units Development & Refinance Agency Ltd. (MUDRA) loans under PMMY.

PRADHAN MANTRI AWAS YOJANA (GRAMIN)

According to the government data, 69% houses under PMAY in rural India are owned by women.



About:

- Over 69% of houses constructed under the Prime Minister's special housing scheme are either wholly or jointly owned by women in rural areas.
- As on September 29, 2022, a total of two crore houses had been constructed out of the 2.46 crore houses that were sanctioned.
- The Pradhan Mantri Awas Yojana (Gramin) was launched by the Prime Minister in 2016 with the aim of constructing 2.95 crore houses.
- Beneficiaries are identified using parameters from Socio-Economic and Caste Census (SECC) 2011 data and verified by Gram Sabhas.
- **Concerned Ministry:** Ministry of Rural Development.

SASTRA Ramanujan Prize for 2022

The SASTRA Ramanujan Prize for 2022 will be awarded to Yunqing Tang.



About:

- Yunqing Tang is an Assistant Professor with the University of California, Berkeley, U.S.A.
 - According to SASTRA Ramanujan Prize Committee Ms. Yunqing's works display a remarkable combination of sophisticated techniques, in which the arithmetic and geometry of modular curves and of Shimura varieties play a central role, and her results and methods are bound to have major impact on future research in this area.
 - The award, instituted by the Shanmugha Arts, Science, Technology & Research Academy (SASTRA) in 2005 with a cash prize of \$10,000, is presented annually to individuals aged 32 and below, who made outstanding contributions in the field of mathematics, influenced by Srinivasa Ramanujan in a broad sense.
-

NOBEL PRIZE IN PHYSIOLOGY, 2022

Swedish scientist Svante Pääbo has been awarded the Nobel Prize for Physiology for the year 2022 “for his discoveries concerning the genomes of extinct hominins and human evolution”.



About:

- He has spearheaded the development of new techniques that allowed researchers to compare the genome of modern humans and that of other hominins — the Neanderthals and Denisovans.
- He spent decades trying to extract DNA from 40,000-year-old bones, culminating in the unveiling of the Neanderthal genome in 2010.
- The research helped establish that modern humans and Neanderthals share a common ancestor that lived some 600,000 years ago. Paabo and his team also found genetic evidence that, during periods of coexistence, modern humans and Neanderthals had children together.
- His seminal research gave rise to an entirely new scientific discipline; paleogenomics.

- His research led to the understanding that archaic gene sequences from our extinct relatives influence the physiology of present-day humans.
 - One such example is the Denisovan version of the gene EPAS1, which confers an advantage for survival at high altitude and is common among present-day Tibetans.
 - Other examples are Neanderthal genes that affect our immune response to different types of infections.
-

WORLD HABITAT DAY 2022

The United Nations observes the first Monday of October as World Habitat Day.



About:

- This year, World Habitat Day will be observed on October 3.
- Theme: “Mind the Gap. Leave No One and Place Behind”.
- It seeks to draw attention to the growing inequalities and vulnerabilities in cities and human settlements that have been exacerbated by the triple ‘C’ crises — COVID-19, climate and conflict.

History:

- The day came into existence with a resolution by the UN General Assembly in 1985.
 - World Habitat Day was first celebrated in 1986 in Nairobi, Kenya, with the theme ‘Shelter is my right’.
-