

Chapter IV - Mediators - One-page Cheat Sheet

Commencement gate: do not use any statutory consequence without checking S.O. 4384(E) and later Gazette notifications.

Chapter in 2 Minutes

- Use a neutral appointment process, written disclosures, conflict monitoring, replacement protocol and documented authority.
- Provision-level commencement is the first legal gate: only 21 sections were commenced by S.O. 4384(E) on 9 October 2023 in the reviewed official record.
- Use the India Code Act and the Department of Legal Affairs Gazette files as controlling sources.
- Separate the Mediation Act from existing Commercial Courts, consumer, company, court-annexed and special-statute mediation rules.

Provision / control map

Gate	Status	Meaning	Action
Section 8	Not commenced under S.O. 4384(E) in reviewed official record	Sets the mediator-appointment pathway and institution/service-provider interface.	Use a neutral nomination sheet, written acceptance, conflict questionnaire, continuing disclosure log and replacement SLA.
Section 9	Not commenced under S.O. 4384(E) in reviewed official record	Honours party preference on mediator nationality/ qualification subject to law and suitability.	Use a neutral nomination sheet, written acceptance, conflict questionnaire, continuing disclosure log and replacement SLA.
Section 10	Not commenced under S.O. 4384(E) in reviewed official record	Requires continuing disclosure of circumstances that may raise justifiable doubts about independence or impartiality.	Use a neutral nomination sheet, written acceptance, conflict questionnaire, continuing disclosure log and replacement SLA.
Section 11	Not commenced under S.O. 4384(E) in reviewed official record	Provides grounds and process for ending a mediator mandate.	Use a neutral nomination sheet, written acceptance, conflict questionnaire, continuing disclosure log and replacement SLA.

Decision flow



Critical file

Contract, commencement/special-law memo, invitation/service, mediator disclosure, authority, protected and independent evidence indexes, settlement, stamp/tax, payment and enforcement records.

Canonical: <https://finin2min.com/laws/mediation-act-2023/chapters/04-mediators.html>
Sources: India Code Mediation Act, Department of Legal Affairs instruments and current Gazette. Verify event-date law.