

Chapter IX - Mediation Service Providers and Mediation Institutes - 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

- Due-diligence the provider, rules, panel, case administration, fees, security and recognition status before incorporation by reference.
- 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 40	Not commenced under S.O. 4384(E) in reviewed official record	Identifies categories of mediation service providers, subject to operative regulations and recognition.	Due-diligence the institution/provider, recognition status, panel, rules, fee schedule, data security, complaints and reporting before engagement.
Section 41	Not commenced under S.O. 4384(E) in reviewed official record	Lists provider functions including administration, panels, facilities, records and reporting.	Due-diligence the institution/provider, recognition status, panel, rules, fee schedule, data security, complaints and reporting before engagement.
Section 42	Not commenced under S.O. 4384(E) in reviewed official record	Provides for mediation institutes and training-related recognition.	Due-diligence the institution/provider, recognition status, panel, rules, fee schedule, data security, complaints and reporting before engagement.

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/09-providers-institutes.html>
Sources: India Code Mediation Act, Department of Legal Affairs instruments and current Gazette. Verify event-date law.