

HIGH COURT OF DELHI: NEW DELHI

NOTIFICATION

No. 83/Rules/DHC

Dated: 09.10.2025

In exercise of the powers conferred by Section 7 of the Delhi High Court Act, 1966 (Act 26 of 1966) read with Section 3 of the Destruction of Records Act, 1917 and all other powers enabling it in this behalf, the High Court of Delhi, with the prior approval of the Lt. Governor of the Government of National Capital Territory of Delhi, hereby makes the following amendment in Chapter 16 of Volume IV of Delhi High Court Rules & Orders:

New Part G shall be inserted after the existing Part F of Chapter 16 of Volume IV of Delhi High Court Rules & Orders, as follows :-

RULES MADE BY THE HIGH COURT OF DELHI UNDER SECTION 3 OF THE DESTRUCTION OF RECORDS ACT 1917, WITH THE PREVIOUS SANCTION OF THE STATE GOVERNMENT, FOR THE DISPOSAL, BY DESTRUCTION OR OTHERWISE, OF SUCH DOCUMENTS IN THE POSSESSION OR CUSTODY OF THE MEDIATION CENTRES OF THE DELHI DISTRICT COURTS, SUBORDINATE TO THE HIGH COURT AS ARE, IN THE OPINION OF THE HIGH COURT, NOT OF SUFFICIENT PUBLIC VALUE TO JUSTIFY THEIR PRESERVATION.

WHEREAS in exercise of the rule making power under Part X of the Code of Civil Procedure 1908 (5 of 1908) and clause (d) of sub-section (2) of Section 89 of the said Code and all other powers enabling it in this behalf, the High Court of Delhi has framed the **MEDIATION AND CONCILIATION RULES, 2004** to regulate mediations in the Delhi District Courts Mediation Centres.

AND WHEREAS the existing Rules in Volume IV, Chapter 16 Part F of the Rules for destruction of records of civil and criminal subordinate courts under Section 3 of Destruction of Records Act, 1917 do not specifically provide for destruction of records of the Mediation Centres of the Delhi District Courts.

AND WHEREAS timely destruction of records and registers of the District Courts Mediation Centres is required.

The High Court of Delhi, with the previous sanction of the State Government hereby frames the “The Destruction / Weeding Out of Records of Delhi District Court Mediation Centres Rules, 2025”.

RULES

1. Timely destruction of records – All records and registers of the Delhi District Courts Mediation Centres, which, under these rules, become liable for destruction, shall be destroyed as soon as the period for their retention has expired.

Provided that the Judge Incharge of the Mediation Centre of the District may order, for reasons to be recorded in writing, that any particular paper or record may be preserved beyond such period.

2. The manner of destruction and disposal of waste paper – The destruction of such records and registers shall be carried out under the supervision of the Branch Incharge of the Mediation Centre or Record Room, as the case may be and be effected by tearing of the record. The waste paper shall then be sent to the nearest paper-making jail, after ascertaining from the jail concerned whether it does require the waste paper. The paper should be sold in the open market if the reply of the jail is in the negative; the sale proceedings being credited to the account as specified in Rule 2 of the “Rules under Section 3 of Destruction of Records Act, 1917” contained in Volume IV, Chapter 16 Part F.

Arrangement of Record

3. Records to be arranged into three parts– All records and proceedings of Mediation conducted in each District Court Mediation Centre shall be arranged in three Parts – A, B and C.

Part-A shall include:- (a) A file of mediation process containing:-

- (i) The index of papers
- (ii) The Referral Order
- (iii) The proceeding sheets written by Mediators during Mediation Process.
- (iv) Photocopy of document(s) filed if any by the parties.
- (v) Photocopy of the settlement arrived between the parties on the conclusion of the Mediation Process (No original document / settlement of the parties is attached in this part as no original document is received in Mediation Process).

Part-B shall contain original registers used in Mediation Centre which are as follows:-

- a) Institution Register
- b) Settled Cases Register
- c) Not Settled Cases Register
- d) Not Fit for Mediation Cases Register
- e) Settled Connected Case Registers
- f) Settlement True Copy Issuance Registers
- g) Old Registers – Paying Remuneration to the Mediators

- h) Files – Paying Remuneration to the Mediators.
- i) Dak Register (Miscellaneous)
- j) Dak Register (Order Wapsi to concerned courts – Tis Hazari)
- k) Dak Register (Order Wapsi to concerned courts – Other premises)
- l) Dak Register (Order Wapsi – Hon’ble Supreme Court of India/High Court of Delhi)
- m) Attendance Registers
- n) Feedback Register (for inputs regarding the overall experience of parties in the Mediation Centre including the role of the Mediator)

Part-C shall contain:-

- a) Daily Cause List
- b) Record of daily pendency of number of cases with each Mediator.
- c) Newsletters of Mediation Centre
- d) Files/Records pertaining to Mediation Trainings/Functions/Conferences/Other Activities & Sanction Orders etc.
- e) Files pertaining to Panel of Mediators.
- f) Files pertaining to official correspondence with Hon’ble Mediation & Conciliation Project Committee, Hon’ble Delhi High Court, Ld. District & Sessions Judge and Judge Incharges of other Mediation Centres.

Period of Retention of Records and Destruction

4. Part-A - Part-A of the Mediation records shall be consigned to the Record Room at the end of every quarter and be preserved for five years in respect of settled cases and one year in respect of unsettled cases in the Record Room from the date of consignment.

5. Part-B –

Register (a) shall be consigned to the Record Room at the end of every **calendar year** and be preserved for five years in the Record Room from the date of consignment.

Registers (b) to (f) shall be consigned to the Record Room at the end of every Calendar Year and be preserved for 3 years in the Record Room from the date of consignment.

Registers/Files (g) to (h) shall be consigned to the Record Room at the end of every Calendar year and be preserved for five years in Record Room from the date of consignment.

Registers (i) to (l) shall be consigned to Record Room at the end of every Calendar Year and be preserved for five years in the Record Room from the date of consignment.

Register (m) shall be consigned to General Branch at the end of every Calendar Year and be preserved for five years from the date of consignment.

Register (n) shall be consigned to record room at the end of every Calendar Year but it shall be preserved in perpetuity.

6. Part-C –

(i) Cause Lists shall be destroyed after one year in the Mediation Centre by the Branch Incharge of the Mediation Centre in the District.

(ii) Records of daily pendency of number of cases with each Mediator shall be consigned to Record Room at the end of every Calendar year and be preserved for one year in the Record Room.

(iii) Newsletters etc. shall be consigned to Record Room at the end of every Calendar year and be preserved for one year in the Record Room.

(iv) Files pertaining to Mediation Trainings, Panel of Mediators (d), (e) and (f) and official communications shall be consigned to Record Room at the end of every Calendar year and be preserved for five years from the date of consignment.

(v) All official circulars received in Mediation Centre and copies of circulars issued by Mediation Centre shall be consigned to Record Room at the end of every **calendar year** and be kept in the Record Room in perpetuity if the same pertains to any policy decision, otherwise the same be destroyed after one year.

7. Digitization of Record – Before consignment of the Record to the Record Room, all Records shall be scanned and stored in an external hard disc till arrangements for pushing the digitized record to a server is made available. A certification shall be appended by the Branch Incharge appointed by the Judge In charge of the respective Mediation Centre of the District on the physical record that such record has been duly scanned.

8. Notes of destruction–

(i) When under the above rules, the whole of the papers of Part-A, Part-B and Part-C of the record are destroyed, a note to the effect shall be made by the official maintaining the record at the time of destruction, against the entry in the Goshwara.

(ii) In the case of the record where no Goshwara are kept, the note shall be made by the official maintaining the record against the entry of the case in a special Register earmarked for this purpose.

(iii) All notes made under the above instructions (i) and (ii) shall be attested by the Branch Incharge of the Mediation Centre and where the record shall be destroyed in Mediation Centre by the official authorized by Judge Incharge.

9. Mode of calculating period of preservation:-

Subject to any instructions, the period for which a paper to be preserved shall be reckoned from the 1st of January following the date which it bears, e.g., papers of 2019, which under these rules have to be retained for one year, will become liable to destruction after 31st December, 2020.

10. Exercise of destruction of records to be taken up in the month of December:-

Subject to any instruction being issued, every year, destruction of records of District Court Mediation Centres shall be carried out in the month of December every year under the supervision of the Branch In charge of the Mediation Centre or Record Room, as the case may be.

11. Authority competent to grant approval for destruction:-

The Judge In charge of the District Court Mediation Centre shall approve the destruction of records of the respective Mediation Centre.

12. Identification of records to be destroyed:-

Every Branch of the District Court Mediation Centre shall have the record identified and entered in the registers maintained relating to the records to be destroyed, in the month of November, to be destroyed in the following month of December respectively subject to final approval by the Judge In charge of the Mediation Centre.

13. Records need to be preserved for future reference:-

The Branch In-charge before entering the details of the record shall make an assessment whether the record proposed to be destroyed is required for future reference or is likely to be required for future reference. In case, where the Branch In-charge is of the view that such record needs to be preserved for said reasons, she/he shall place such record before the Judge In Charge of the Mediation Centre giving reasons in detail for its preservation. Judge In Charge of the Mediation Centre shall pass such orders as to the preservation of record so placed before him, as may be considered appropriate.

14. Destruction of Records retained in electronic form:-

Notwithstanding any period of preservation prescribed in these Rules, any administrative record may be destroyed after being retained in electronic form, in accordance with Section 7 of the Information Technology Act, 2000.

Explanation I: According to Section 7 of the Information Technology Act, 2000, where any law provides that documents, records or information shall be retained for any specific

period, then, that requirement shall be deemed to have been satisfied if such document, records or information are retained in the electronic form.

Explanation II:- However, the record preserved in the electronic form may also be deleted after it reaches the period of preservation in its hard form as mentioned in Schedule I appended with these rules.

15. Identification of record required to be digitized:-

Every Branch In-charge of the District Court Mediation Centre shall have the record identified which in his opinion needs to be retained in digital form and shall obtain the approval of the Judge In Charge of the respective District Court Mediation Centre, in this regard.

16. Supervision of conversion of record into electronic form before destruction:-

The conversion of mediation centre records, in electronic form, shall be carried out from time to time, before their destruction, in accordance with Rule 15, as may be necessary and shall be supervised by such officer as may be appointed by the Judge In Charge of the respective District Court Mediation Centre for the purpose and authenticated by affixing his or her digital signatures.

17. Residuary clause:-

Period of preservation of any record which is not covered under Rule 3 of these rules shall be decided by the respective Judge In Charge of the District Court Mediation Centre.

NOTE: THIS AMENDMENT SHALL COME INTO FORCE FROM THE DATE OF ITS PUBLICATION IN THE GAZETTE.

BY ORDER OF THE COURT
Sd/-
(ARUN BHARDWAJ)
REGISTRAR GENERAL