

**No. C4-6136/2021/PHQ**  
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Dated: 09/01/2021

**Circular No. 01/2021**

**Sub: Police Dept. - Janamaithri Suraksha Project - Constitution of Community based Dispute Resolution Mechanism - Community Mediation Centre (CMC) at Police Stations – Reg.**

**Read:** 1) Ltr No. A1-23/JMSP/2020 dtd 19/03/2020 of IGP CB & SNO, JMSP.  
2) Ltr No: CMP/P-1/2020/KSMCC dtd 05/02/2020 of Kerala State Mediation and Conciliation Centre, High Court of Kerala.

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Consequent to the interaction with the Hon'ble judges of the High Court and the Director, Kerala State Mediation and Conciliation Centre (KSMCC); the Director, KSMCC has given us a proposal for **Community Mediation** which is mandated by the National Legal Service Authority (NALSA) and proposed to be followed up by the Hon'ble High Court of Kerala and NALSA. Collaboration of this initiative with the Community Policing initiatives of Kerala Police, i.e., Janamaithri Suraksha Project (JMSP) has been proposed by the KSMCC. The KSMCC proposes to train Community Mediation Volunteers (CMVs) from Sponsoring Social Organizations (SSOs) and train them for twenty hours in the concepts, theories and practice of mediation. The Sponsoring Social Organization which can be any voluntary organization or the Police. Janamaithri Suraksha Project shall establish Community Mediation Centre's (CMCs) at their own expenses with adequate enclosed space to conduct interaction between the parties in mediation, at the behest of the Community Mediation volunteer.

**02.** The Janamaithri Suraksha Project has 70 Community Police Resource Centres (CPRCs) and 64 Janamaithri Kendras which can effectively function as Community Mediation Centre's as envisaged by the KSMCC. All petitions, which do not reveal cognizable offences, can be dealt with by the SHO concerned, with the assistance of Community Mediation Volunteers who would be our Janamaithri Beat Officers in the Janamaithri Kendrams/CPRCs which could be designated as Community Mediation Centres by the KSMCC.

**03.** The Hon'ble Supreme Court mandates registration of FIRs for all petitions revealing cognizable offences, if submitted to a Police Station. In reality, in Kerala, the situation encountered is that, many a petition though revealing cognizable offences, in actuality, may be non-cognizable or a civil dispute, at best. This, at present, is being revealed only after investigation/enquiry. Mediation on such petitions would render lessening of the workload at the Police Stations, warranting registration of FIRs for only those petitions deserving investigation beyond mediation. Hence, as per the proposal of KSMCC, it is decided to establish Community Mediation Centre's at the behest of Janamaithri Suraksha Project in all Janamaithri Kendrams/CPRCs.

**04.** The KSMCC will facilitate training to all our Beat Officers on the basics and techniques of mediation, thereby rendering them capable and efficient Community Mediation Volunteers. This would go a long way in reducing unnecessary litigation related works in Police Stations and

litigation in the courts. Community Police relations also stand to benefit with positive Police interference in all minor disputes not warranting a detailed investigation and prosecution. The pending under investigation cases on compoundable offences may also be attempted to be settled through the Mediation Centre's.

05. Necessary permission has been granted to spruce up the existing Janamaithri Centre's, facilitating their effective existence as Community Mediation Centre's in due course. All the District Police Chiefs are hereby directed to effectively implement the programme in all Police Stations of the respective districts.

06. Community Mediation Centre's (CMC) and its constitution:-

Community Mediation Centres can be constituted in all Police Stations comprising of the following members;

- i) Inspector SHO – Chairman
- ii) Community Relations Officer (CRO) – Member & Facilitation Officer
- iii) Beat Officers – Member & Community Relation Volunteer
- iv) Invitees from KELSA/KSMCC – Member/Counsellor

#### **STANDARD OPERATING PROCEDURE**

- The Community Relations Officers (CROs) and Beat Police Personnel of Janamaithri Suraksha Project (JMSP) may be selected and sent for the Mediation Training of Kerala State Mediation and Conciliation Centre, Kochi.
- Community Police Resource Centres (CPRCs)/Janamaithri Kendras and its infrastructure shall be utilized for the project implementation. Upgradation of these infrastructures is possible using the funds earmarked for JMSP.
- The SHOs shall refer complaints to mediate and conciliate before the Community Mediation Centre to provide a balanced and neutral evaluation of the dispute. The SHOs shall mediate at the CMC's with the assistance of the trained mediation volunteers (CROs and Beat Officers) and resolve disputes amicably, unless they reveal cognizable offences.
- The committee shall convene its weekly meeting of Community Mediation Programme at the Centre's for amicably settling the issues through mediation and conciliation.
- CMC's shall not have jurisdiction on matters related to cognizable offences.
- Personal grievances such as family matters, marriage, divorce, parenting, matrimonial cases, partition suits, neighborhood disputes, workplace & everyday life issues and the processes designed to manage community tension, facilitating community development etc. may be included into the agenda of Community Mediation Centre's (CMC).