

**CENTRE OF EXCELLENCE ON ALTERNATIVE
DISPUTE RESOLUTION**
(School of Law, Manav Rachna University)

Presents

6 DAY MEDIATION TRAINING WORKSHOP

In collaboration with

SAMADHAN
(Delhi High Court Mediation and Conciliation Centre)

26, 27 August, 2022
02, 03 September, 2022
09, 10 September, 2022

Resource Persons



Advocate Veena Ralli

Organizing Secretary,
Samadhan, Delhi High Court
Mediation & Conciliation Centre



Sr. Advocate J.P. Sengh

Member
Overseeing Committee,
Samadhan, Delhi High Court
Mediation and Conciliation Centre

CENTRE OF EXCELLENCE ON ALTERNATIVE DISPUTE RESOLUTION

The Centre of Excellence on Alternative Dispute Resolution (CADR) is a functional entity within Faculty of Law, MRU. The Centre's mission is to conduct and promote research in the field of alternative conflict resolution methods, as well as to generate and disseminate information. The CADR not only offers training and seminars, but also simulates conflict resolution by arbitration, mediation, and other alternative dispute resolution methods. The training workshops are planned and curated to meet the needs of participants who want to learn how to use the ADR mechanism. The Centre of Excellence is dedicated to achieving the goals for which it was established, in the best interests of the University and in accordance with the legal requirements of the country.

Highlights of few CADR Activities

Event Date & Type	Topic	Speakers
18 Feb 20 <i>Guest Lecture</i>	Career in Arbitration https://manavrachna.edu.in/latest/guest-lecture-by-mr-abhinav-bhushan/	- Mr Abhinav Bhushan, South Asia Director, International Chamber of Commerce Arbitration & ADR
29 Apr 20 <i>Webinar</i>	Appointment of Arbitrators https://manavrachna.edu.in/latest/webinar-on-appointment-of-arbitrators/	- Justice Sanjay K Kaul - Justice Rajiv Shakdher
02 May 20 <i>Webinar</i>	Arbitration in India: The Good, Bad and the Ugly https://manavrachna.edu.in/latest/webinar-on-arbitration-in-india/ https://www.youtube.com/watch?v=BMjAUOxJLqQ	- Justice Ms. Indu Malhotra - Salim Moollan QC - Adv. Gourab Banerji
01 Aug 20 <i>Webinar</i>	Mediation and Arbitration: Friends or Foes? https://manavrachna.edu.in/latest/mediation-and-arbitration-friends-or-foes/ https://www.youtube.com/watch?v=a3rkj-HEK08	- Sriram Panchu - Judge Srdan Simac - Justice Moushumi Bhattacharya - Professor Lawrence Boo
20 Mar 21 <i>Masterclass</i>	Effective Management of Complex Construction Arbitrations	- Justice A.K. Sikri, Former Supreme Court Judge - Mr. Nusrat Hassan, Co-Managing Partner, Link Legal - Mr. Anand Srivastava, Partner, Link Legal - Mr. Mohan R Pillay, Partner, Pinsent Masons Mpillay - Mr. Ang Wee Jian, Partner, Pinsent Masons Mpillay - Mr. Kevin Nash, Deputy Registrar & Centre Director, SIAC - Mr. Atul Sharma, Managing Partner, Link Legal - Mr. Shashank Garg, Partner, Advani & Co - Ms. Padmaja Kaul, Partner, IndusLaw
15 June 21 to 21 Aug 21 <i>Ten-week Certificate Course</i>	Practice of International Arbitration https://www.barandbench.com/news/online-certificate-course-on-practice-of-international-arbitration	- Nakul Dewan, Senior Advocate, Supreme Court of India - Sharan Jagtiani, Senior Advocate, Bombay High Court - Rajendra Barot, Senior Partner, Azb & Partners - Promod Nair, Founding Partner, Arista Chambers - Shreyas Jayasimha, Founding Partner, Aarna Law - Sheila Ahuja, Partner, Allen & Overy - Shashank Garg, Partner, Advani and Co. - Moazzam Khan, Partner, Nishith Desai Associate - Sonali Mathur, Partner, Azb & Partners
05 April 22	Relevance of the New Mediation Bill	- Ms. Sakshi Vijay, Associate Professor, Jindal Global Law School

Webinar	https://manavrachna.edu.in/latest/webinar-on-relevance-of-new-mediation-bill-organized-by-school-of-law-mru/	
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SAMADHAN

The Delhi High Court Mediation and Conciliation Centre, known as Samadhan, was established in May 2006. It was the result of the joint initiative of the Bench and the Bar of the Delhi High Court. It is run by the Bar and is co-ordinated by an Organizing Secretary. A panel of Delhi High Court judges and advocates oversee the work of this Centre. The Samadhan Centre handles cases referred to it by the Delhi High Court, its subordinate courts and the Supreme Court of India and also handles Pre-Litigation Mediations. A wide range of disputes in the nature of intellectual property rights, disputes relating to matrimony, real estate transactions, construction agreements, employment and services disputes, industrial disputes, banking and insurance disputes and many other commercial disputes are mediated by more than 300 trained mediators of Samadhan.

Ms. Veena Ralli

Ms. Veena Ralli is a practising advocate at the High Court of Delhi, with about four decades of experience. A veteran in mediation related disputes, Ms. Ralli also holds the position of the Organising Secretary and Senior Mediator at Samadhan, Delhi High Court Mediation and Conciliation Centre. She has been trained in both rudimentary and advanced mediation, the latter from the University of Utah and the University of Pepperdine, both in the USA. She has been recognized as an accredited Mediator at the Singapore International Mediation Institute (SIMI) in Singapore and the Chartered Institute of Arbitrators (CI Arb) in London.

Mr. J.P Sengh

Mr. J.P Sengh is a name synonymous with mediation in India. He took it up as a cause, as he wanted to do something good for society. He is continuing with his mission and is putting all his efforts to accomplish it. He is the founder organizing Secretary of the Delhi High Court Mediation and Conciliation Centre and has received his training in India and abroad in United States of America where he has undergone Training of Trainer program at S.J. Quinners College of Law, Utah. Completed Advance Mediation Master Class conducted by Maddhyam in collaboration with SIMC, Singapore, Strauss Institute for Dispute Resolution, California, USA. He has been a part of the training programs for mediators, lawyers and judicial officers held within India and abroad. He has been appointed by the Mediation and Conciliation Project Committee of the Supreme Court of India as an observer of several training programs.

Mediation Training Workshop

The workshop is aimed at enabling participants to acquire comprehensive understanding of mediation concepts which need to be used keeping in view the requirements of Section 89 of CPC and other statutory enactments requiring use of mediation as an effective tool for dispute resolution. Trainers will be focusing on teaching and equipping the student to various mediation techniques which would benefit them in deal with intricate issues while dealing with conflicting parties. The programme will impart all necessary skills and techniques to the participants for conducting mediation. The training is a blend of theory and practice and designed in manner so as to have active participation. The methodology of the training includes role plays, problem-based learning and group discussions.

PRACTICAL INFORMATION

Expected Participants

3rd / 4th / 5th year students enrolled in a 5-year integrated law degree, 2nd / 3rd year students enrolled in a 3-year law program, recent law graduates, young academics, ADR professionals and other who want to develop their skills in mediation.

No. of Seats

45 seats

Registration Fee

2,000 INR – MRU Students

2,500 INR – Other Law Students

3,000 INR – Graduates & Others

Registration Link & Fee Payment

<https://forms.gle/Ebo4VmYrM78UWKGQ8>

Contact

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SCHOOL OF LAW



CADR

CENTRE OF EXCELLENCE ON ALTERNATIVE DISPUTE RESOLUTION

Mentors at the Law School



Prof. (Dr.) IK Bhat
Vice-Chancellor MRU



Prof. (Dr.) DS Sengar
Pro-Vice Chancellor & Director, School of Law MRU
Fulbright Fellow (USA); SICI Fellow (Canada);
EXEdu (Harvard Law School)
Former Director, Indian Law Institute, New Delhi



Bharatendu Agarwal
Assistant Professor and
Faculty Coordinator- CADR, MRU
Former Asst. Director, SARCO

EXECUTIVE COMMITTEE

Ratan K. Singh Founder Chairman, Society of Construction Law,	Kunal Vajani BlackRobe Chambers (India)
Veena Ralli Mediator & Advocate, Delhi HC	Sameer Jain PSL Chambers
Aseem Chaturvedi Khaitan & Co.	Moazzam Khan Nishith Desai Associates
Omar Ahmad Cyril Amarchand Mangaldas	Abhinav Bhushan Chief Executive for Asia, 39 Essex Chambers

DRAFT SCHEDULE

DAY-1 (26.08.2022- Friday)
Inaugural and Welcome
<u>SESSION – I</u>
INTRODUCTION Meet and Greet
• Learning • Training • Challenges
TEA BREAK
<u>SESSION – II</u>
The Mediation Landscape in India • Historical Perspectives • Legislative and Judicial Approach • ADR Mechanisms • Differences Between Judicial Process and ADR • Relevance of Section 89 of Code of Civil Procedure
LUNCH BREAK
<u>SESSION – III</u>
Conflict in the Context of Mediation • Conflict Ladder • Causes and Sources of Conflict
TEA BREAK
<u>SESSION – IV</u>
• Understanding, Addressing and Transforming Conflict • Conflict Cycle

DAY-2 (27.08.2022 - Saturday)
Recapitulating Day 1
<u>SESSION – V</u>
Philosophy of Mediation
The Classical Mediation Process
1) Introduction & Information Gathering • Mediator's Opening Statement • Parties' Initial Statement and Mediator Summary
2) Clarification - Agenda Setting - Option Generation
3) Construction • Private Sessions • Joint Sessions - Importance of Joint and Private Sessions - Number of Joint and Private Sessions to be conducted - Caucus Management
4) Resolution • Finalizing the terms • Drafting the Settlement
TEA BREAK
<u>SESSION – VI</u>
The Six Stages of the Mediation Process
The four essential ingredients of the Mediation Process go through the following stages.
Stage 1 - The Mediator's Opening Statement Stage 2 - Gathering Information Stage 3 - Problem Identification and Agenda Setting Stage 4 - Generation and Evaluation of Options Stage 5 - Selection of Options Stage 6 - Agreement or no Agreement
LUNCH BREAK
<u>SESSION – VII</u>
Elements of Opening Statements
Demonstration of Opening statement by the Trainers
TEA BREAK
<u>SESSION – VIII</u>
Role Play – Participants (Opening Statement)

DAY - 3 (02.09.2022 – Friday)
Recapitulating Day 2
<u>SESSION - IX</u>
Negotiation - The Foundation for Mediation • What is Negotiation? • Why do we Negotiate? • Basic Criteria in Negotiation
TEA BREAK
Negotiation Exercise
LUNCH BREAK
<u>SESSION - X</u>
Negotiating Styles
Barriers to Negotiation
TEA BREAK
<u>SESSION - XI</u>
Bargaining – the sub text of Negotiation • Positional Bargaining • Distributive Bargaining • Interest-Based Bargaining • Integrative Bargaining
Interest Based Bargaining Exercise

Recapitulating Day- 3
<u>SESSION - XII</u>
Communication – the Lifeline of Mediation • What is communication? - Types of communication (Verbal and non-verbal) • Body Language
TEA BREAK
• Mediation Techniques - Active Listening - Summarizing - Reframing - Paraphrasing - Acknowledging - Deferring - Directing - Setting the atmosphere - Setting an agenda • Asking the Right Questions (Questioning Skills) - Open Ended questions - Close Ended Questions - Hypothetical Questions - Evaluative Questions - Empathy/Sympathy
BATNA / WATNA / Reality Testing
LUNCH BREAK
<u>SESSION – XIII</u>
• Practicing Questioning Skills through Role Play
TEA BREAK
<u>SESSION - XIV</u>
Addressing Parties' Expectations • The Role of the Mediator • The Role of the Parties • Role of Third Parties • Role of Lawyers

DAY-4 (03.09.2022 – Saturday)

DAY-5 (09.09.2022 - Friday)
Recapitulating Day 4
<u>SESSION - XV</u>
• Lateral Thinking and Brainstorming • Understanding through Exercises
TEA BREAK
<u>SESSION – XVI</u>
Impasse When parties are in a deadlock, it is important to move them away from entrenched positions, restore trust and achieve closure. This session will deal with: • Types of Impasse • Causes of Impasse • Techniques and Tips to break the Impasse
LUNCH BREAK
<u>SESSION – XVII</u>
Role Play by Participants On (Options / BATNA / WATNA / Reality Testing)
TEA BREAK
<u>SESSION - XVIII</u>
Private Mediation & Appointment of Mediator
Co-Mediation
Settlement Writing
Agreement: The Do's and Don'ts of Agreement
<u>SESSION - XIX</u>
• Ethics • Confidentiality • Voluntariness • Neutrality • Impartiality • Parties Right of Self-determination • Punctuality • Competence of the Mediator

DAY-6 (10.09.2022 – Saturday)
Role Play in a Fish Bowl by the Participants
TEA BREAK
Debriefing of the Role Play
Open House
LUNCH
Validatory