

HIGH COURT OF MADHYA PRADESH, JABALPUR

ORDER

No. 900 /Confdl /2021
II-2-74/2009 (Pt-5)

Dated 22nd September, 2021

The Mediation and Conciliation Committee (MCPC), Supreme Court of India, New Delhi is organizing "40hrs Mediation Training Programme for the Advocates of Punjab & Haryana" from 1st to 5th October, 2021 at Chandigarh Judicial Academy, Chandigarh.

Judicial Officer/ Potential Trainer whose name and posting figure in the endorsement is directed to participate in the aforesaid training programme.

BY ORDER OF HON'BLE THE CHIEF JUSTICE


(RAJENDRA KUMAR VANI)
REGISTRAR GENERAL

Endt. No. 901 /Confdl /2021
II-2-74/2009 (Pt-5)

Dated 22nd September, 2021

Copy forwarded to :-

1. The Principal Secretary, Government of M.P., Law & Legislative Affairs Department, Vindhyachal Bhawan, Bhopal for information.
2. **Smt. Giribala Singh, Principal District & Sessions Judge, Bhopal (Mobile No. 094251 63277)**

with a direction to participate in the "40hrs Mediation Training Programme organized for the Advocates of Punjab & Haryana" scheduled to be held from 1st to 5th October, 2021 at Chandigarh Judicial Academy, Chandigarh.

The nominated Judicial Officer is directed to observe following instructions :-

- To fully prepared with the topics and should discuss the schedule and responsibilities with the Senior Trainer and also review the performance at the end of the each day of training.
- Travel arrangements of the Potential Trainers shall be made by Madhya Pradesh State Legal Services Authority/ High Court Mediation Committee.
- Lodging, boarding and local transport arrangements of the Potential Trainers shall be made by the Mediation and Conciliation Centre, Punjab & Haryana High Court/ High Court Mediation Committee.
- For further information regarding the programme, please contact Shri Amit Sharma, Director, Mediation and Conciliation Centre, Punjab & Haryana High Court on :-

Mobile No.088148 75888 E-mail ID : supdt. Mcc-phc@aij.gov.in

- To go through the instructions as mentioned in the letter No.259/MCPC/2021, dated 18.09.2021 of the Member Secretary, Mediation and Conciliation Project Committee (MCPC), New Delhi (copy enclosed).
 - To intimate the Registry after attending the aforesaid training programme.
3. The Member Secretary, Mediation and Conciliation Project Committee (MCPC), Supreme Court of India, New Delhi for information in reference his letter No.262/MCPC/2021, dated 18.09.2021.
 4. The Member Secretary, Haryana State Legal Services Authority for information and necessary action.
 5. The Member Secretary, M.P. State Legal Services Authority, Jabalpur for information in reference to his letter No.3103, dated 20.09.2021.
 6. The Director, M.P. State Judicial Academy, Jabalpur for information.

Encl. :- Curriculum of the above
training programme.


(RAJENDRA KUMAR VANI)
REGISTRAR GENERAL



MEDIATION AND CONCILIATION PROJECT COMMITTEE (MCPC)

Mrs. Mezivolu T. Therieh,
Member Secretary, MCPC
&
OSD (Registrar),
Supreme Court of India
Telephone: 011-23115621

Address:
Room No. 127, 1st Floor, B-Block,
New Additional Complex Building,
Supreme Court of India,
New Delhi-110001.
E-mail: mcpc@sci.nic.in

259 /MCPC/2021

Date: 18th September, 2021

To,
The Director,
Mediation and Conciliation Centre,
P&H High Court.

Sub: Approval and deputation of Senior Trainers and Potential trainers for conducting 40hrs MTP.

Ref: Your office letter No. 2449-Spl (Med. & Con. Cell) dated
14th September, 2021

Sir,

With reference to the above captioned letter, the proposed dates i.e. 1st to 5th October, 2021 for conducting the 40hrs MTP for 107 Advocates to be held at Chandigarh Judicial Academy, Chandigarh has been approved. The names of the Senior Trainers and Potential Trainers of MCPC for conducting the 40hrs MTP simultancously in 5 batches are as follows:

| S.No. | Date of Programme | Name of Senior Trainer /Observer/Trainer | Name of the Potential Trainers |
|--------------|---|---|---|
| 1. | 1 st to 5 th Ocotober, 2021 (Batch I) | Dr. Sudhir Kumar Jain (Judge-Trainer, Delhi) Mobile No. 9910384693 E-Mail ID: jainjsudhir@yahoo.co.in | Sh. Shahid Mohd., Social Worker (Madhya Pradesh) Sh. S.N. Bhavsar, Judicial Officer (Maharashtra) |

| | | | |
|-----------|---|---|---|
| 2. | 1 st to 5 th October, 2021 (Batch II) | Sh. Atul Lakhanpal (Advocate Trainer, P&H High Court) Mobile No. 09417033630 | Sh. Yashpal Singh Dahiya, Advocate (Haryana) Ms. Giribala Singh, Judicial Officer (Madhya Pradesh) |
| 3. | 1 st to 5 th October, 2021 (Batch III) | Sh. Surender Singh (Advocate Trainer, Delhi) Mobile No. 09868276033; 08800533855 E-mail ID: surender2507@gmail.com | Ms. Punceta Sethi, Advocate (P&H High Court) Sh. A.A. Nandgaonkar, Judicial Officer (Maharashtra) |
| 4. | 1 st to 5 th October, 2021 (Batch IV) | Ms. Jaya Goyal (Advocate Trainer, Delhi) Mobile No. 09811131012 E-mail ID: govaljaya@yahoo.co.in | Sh. Deepak Dhingra, Advocate (Delhi) Ms. Archana Mishra, Judicial Officer (Rajasthan) |
| 5. | 1 st to 5 th October, 2021 (Batch V) | Ms. Anupam Dhingra (Advocate Trainer, Delhi) Mobile No. 09811422603 E-mail ID: anud03@gmail.com | Ms. Balbir Kaur Gandhi, Advocate (Haryana) Sh. S.D. Jagmalani, Judicial Officer (Maharashtra) |

As mentioned in the above mentioned table, you are requested to depute Sh. Atul Lakhanpal, Senior Trainer of MCPC from P&H High Court for conducting the said training and assessing the performance of the Potential Trainers of his batch. Further you are also requested to depute Ms. Punceta Sethi, Potential Trainer of MCPC from P&H High Court for conducting the said training programme and for gaining experience.

Travel Arrangements (Air/Train) of the **Senior Trainers** shall be made by Mediation and Conciliation Centre, Punjab & Haryana High Court/High Court Mediation Committee. Travel arrangements of the **Potential Trainers** shall be made by respective State Legal Services Authority/State Mediation Centres/High Court Mediation Committee.

Lodging, boarding and local transport arrangements of the Senior Trainers and Potential Trainers shall be made by Mediation and Conciliation Centre, Punjab & Haryana High Court/High Court Mediation Committee.

Before the programme starts, the Potential Trainers should be fully prepared with the topics and should discuss the schedule and responsibilities with the Senior Trainers and also review the performance at the end of the each day of Training.

For smooth functioning of the Programme, you are requested to inform the Potential Trainers to get in touch with the other Potential Trainers who shall be conducting the above mentioned programmes.

Curriculum for the training programme is enclosed herewith as attachment. Further, you are requested to inform Sh. Atul Lakhanpal to assess the performance of the Potential Trainers of his batch in the evaluation sheet of MCPC which is also enclosed as attachment. Upon receiving the Evaluation Sheet from Sh. Atul Lakhanpal, you are requested to send the same to MCPC.

For information pertaining to the Potential Trainers from Haryana, Maharashtra, Madhya Pradesh, Delhi & Rajasthan you are requested to direct the officer/official concerned to get in touch with the following:

1. Sh. Sunil Kumar Aggarwal, Judge In-Charge, Delhi Mediation Centre, Mobile No. 9910384726, E-mail: sunil5967@yahoo.co.in
2. Sh. Parmod Goyal, Member Secretary, Haryana State Legal Services Authority, Mobile No. 07837871999, E-mail: hslsa.haryana@gmail.com
3. Sh. Dinesh P. Surana, Director/Coordinator, Main Mediation Centre, High Court of Bombay, Mobile: 09423432221, E-mail: main.mediation@bhc.gov.in
4. Sh. Dharmindar Singh, Member Secretary, Madhya Pradesh State Legal Services Authority, Mobile: 08989899900, E-mail: mpjsajab@nic.in

5. Sh. Brajendra Kumar Jain, Member Secretary, Rajasthan State Legal Services Authority, Mobile: 08003395819, E-mail ID: rslsajp@gmail.com

This is for your kind information.

Regards,

Sd/-

Mezivolu T. Therich

Copy to:

1. The Judge In-charge, Delhi Mediation Centre, for information and necessary action please.
2. Member Secretary, Haryana State Legal Services Authority, for information and necessary action please.
3. Director, Main Mediation Centre, High Court of Bombay, for information and necessary action please.
4. The Member Secretary, Madhya Pradesh State Legal Services Authority, for information and necessary action please.
5. The Member Secretary, Rajasthan State Legal Services Authority, for information and necessary action please.

CURRICULUM FOR 5 DAYS "INTENSIVE TRAINING PROGRAMME"

Duration: 5 Days

Dates:

Venue:

Day 1

| | | |
|----------------------|--|--|
| 09.00AM TO 9.30 AM | REGISTRATION | |
| 9.30 AM TO 9.45 AM | INAUGURAL [Welcome of the participants and dignitaries] (9.30 am to 9.35 am) Lighting of Lamp (9.35 am to 9.37 am) Inaugural Address (9.38 am to 9.44 am) National Anthem (9.44 am to 9.45 am) Tea Break (9.45 am to 10.10 am) | |
| | SESSIONS | STUDY TOPICS |
| 10.10 AM TO 11.30 PM | Session-I | ICE – BREAKER <ul style="list-style-type: none"> • Introduction by Participants and ice breaker exercise • Why they want to be trainers? • Overview of the Programme • Participants should demonstrate ice breaker exercise for 5 minutes each |
| 11.30 PM TO 1.00 PM | Session - II | <ul style="list-style-type: none"> • Ice Breaker exercise continues with trainer's feed back • Attributes and skills of a trainer • Use of PPT do's and don'ts • How to structure a presentation • Each participant will make a presentation on any one of the topics mentioned in Annexure-1 for 40 mins each. Topics will be chosen by drawing of lots. Participants will be asked to use any one of the tools (PPT/facilitation/lecture) indicated by the trainers. Trainers will be giving on the spot feedback after each presentation |
| 2.30 PM 3.45 PM | Session – III | Presentation continues |

| | | |
|-------------------|--------------|------------------------|
| 4.00 PM – 5.30 PM | Session – IV | Presentation continues |
|-------------------|--------------|------------------------|

Note : Tea Breaks : 9.55 AM to 10.00 AM & 3.45 PM to 4.00 PM
 Lunch : 1.30 PM to 2.30 PM

Day – 2

| TIME | SESSIONS | STUDY TOPIC |
|----------------------|--------------|---|
| 10.00 AM TO 11.15 AM | Session -I | <ul style="list-style-type: none">• Knowledge & Preparation Required of a Mediator Trainer• Challenges in Mediator Training• Presentation continues |
| 11.30 AM TO 1.00 PM | Session – II | <ul style="list-style-type: none">• Presentation continues |
| 2.00 PM TO 3.45 PM | Session –III | <ul style="list-style-type: none">• presentation continues |
| 4.00 PM to 5.30 PM | Session -IV | <ul style="list-style-type: none">• Presentation continues |

Note : Tea Breaks : 11.15 AM to 11.30 AM & 3.45 PM to 4.00 PM
Lunch : 1.30 PM to 2.30 PM

Day - 3

| TIME | SESSIONS | STUDY TOPIC |
|----------------------|--------------|--|
| 10.00 AM TO 11.15 AM | Session -I | <ul style="list-style-type: none">• Presentation continues |
| 11.30 AM TO 1.30 PM | Session – II | <ul style="list-style-type: none">• Presentation continues |
| 2.30 PM TO 3.45 PM | Session –III | <ul style="list-style-type: none">• Presentation Continues• Briefing and De-briefing skills• Role Play coaching skills |
| 4.00 PM TO 5.30 PM | Session-IV | <ul style="list-style-type: none">• Role Play coaching skills |

Note : Tea Breaks : 11.15 AM to 11.30 AM & 3.45 PM to 4.00 PM
Lunch : 1.30 PM to 2.30 PM

Day 4

| TIME | SESSIONS | STUDY TOPIC |
|----------------------|--------------|--|
| 10.00 AM TO 11.15 AM | Session -I | Role play coaching skills continues |
| 11.30 AM TO 1.30 PM | Session – II | Role Play Coaching skills continues Each participant will be asked to make a presentation on any of the topic mentioned in Annexure B for 15 minutes. The topics will be chosen by draw of lots. Participants will be asked to use any one of the tools (PPT/facilitation/lecture) indicated by the trainers. Trainers may be giving on the spot feedback for each presentation |
| 2.30 PM TO 3.45 PM | Session –III | 15 minutes Presentation continues |
| 4.00 PM TO 5.30 PM | Session-IV | 15 minutes Presentation continues |

Note : Tea Breaks : 11.15 AM to 11.30 AM & 3.45 PM to 4.00 PM
Lunch : 1.30 PM to 2.30 PM

Day 5

| TIME | SESSIONS | STUDY TOPIC |
|----------------------|--------------|---|
| 10.00 AM TO 11.15 AM | Session -I | <ul style="list-style-type: none">• 15 min. presentation continued |
| 11.30 AM TO 1.30 PM | Session - II | <ul style="list-style-type: none">• Discussion with all participants and general feedback between trainers and participants in plenary session• Individual feedback with each participant in private session |
| 2.30 PM TO 3.45 PM | Session -III | <ul style="list-style-type: none">• Individual feedback with each participant in private session |
| 3.45 PM TO 5.30 PM | Session-IV | <ul style="list-style-type: none">• Private session continues• Valedictory session |

Note : Tea Break : 11.15 AM to 11.30 AM
Lunch : 1.30 PM to 2.30 PM

Annexure 'A'

| Sl No. | Topics |
|--------|--|
| 1. | Learning & Training <ul style="list-style-type: none"> a. Learning b. Principles of Learning c. Adult Learning d. Training e. Mediation Training |
| 2. | Conflict Management and Resolution <ul style="list-style-type: none"> a. Perception b. Conflict: Definition, Causes c. Management & Resolution |
| 3. | ADR : Relevance with special reference to Section 89, Code of Civil Procedure, 1908 Types of ADR |
| 4. | Mediation : Definition Components Difference between mediation and judicial process Difference between Mediation and Arbitration Difference between Mediation and Lok Adalat Difference between Mediation and Panchayat Benefits of Mediation Role of Mediators |
| 5. | Mediation : Process Single Session |
| 6. | Joint Session |
| 7. | Single Session |

| | |
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| | |
| 8. | Closing Session |
| 9. | COMMUNICATION <ul style="list-style-type: none"> a. Definition and Process b. Effective and Ineffective Communication, Benefits c. Types of Communication d. Modes of Communication <ul style="list-style-type: none"> i) Verbal Communication ii) Non-Verbal Communication |
| 10. | Communication Skills <ul style="list-style-type: none"> A. Active Listening <ul style="list-style-type: none"> a. Paraphrasing b. Summarizing c. Neutral reframing d. Setting an agenda |
| 11. | Body Language Questioning Empathy with neutrality |
| 12. | Bargaining <ul style="list-style-type: none"> a. Positional b. Distributive c. Integrative d. Interests based |
| 13. | Negotiation: <ul style="list-style-type: none"> a) Definition b) Negotiation Styles <ul style="list-style-type: none"> i) Competitive ii) Co-operative |

| | |
|-----|---|
| | |
| 14. | Barriers to Negotiations <ol style="list-style-type: none"> Strategic Principal and agent Cognitive Reactive Devaluation Effective and ineffective Negotiator Role of Mediator in negotiation |
| 15. | IMPASSE : Understanding and Management Definition CAUSES <ol style="list-style-type: none"> Emotional Substantive Procedural |
| 16. | STAGES OF IMPASSE AND MEDIATOR'S REFLECTIONS & MANAGEMENT AND STRATEGIES <ol style="list-style-type: none"> Assessment Strategies <ol style="list-style-type: none"> Reality Testing Role Reversal Options Generation Strategies <ol style="list-style-type: none"> Lateral thinking Brainstorming |
| 17. | Role and responsibilities of a Referral Judge U/s. 89 Code of Civil Procedure, 1908 |
| 18. | Ethical principles for a mediator : |

Annexure 'B'

| Sl. No. | Topics |
|---------|---|
| 1 | Understanding and Resolution of Conflict |
| 2 | Definition, Components and Philosophy of Mediation |
| 3 | Phases of Mediation <ul style="list-style-type: none"> • The Opening Statement • The Joint Session • The Single (Pvt.) Session • The Wrap up Session • Writing of Settlement Agreement |
| 4 | Communication in Mediation & Barriers to Communication |
| 5 | Explain the Technique of Neutral Reframing, Prepare an Exercise and Demonstrate the Technique |
| 6 | Explain the Technique of Asking Effective Questions, Prepare an Exercise and demonstrate the technique |
| 7 | Use of Verbal Communication in Mediation |
| 8 | Role of Mediator – Controlling the Process |
| 9 | Important Techniques for Impasse Management |
| 10 | Role of Parties and Advocates in Mediation |
| 11 | Negotiation Process and Effective use of Bargaining phase in the Process |
| 12 | Relevance of Integrative Bargaining in Mediation |
| 13 | Role of Referral Judge U/s. 89 CPC |

| | |
|----|--|
| 14 | Importance of ADR in Justice Delivery System |
| 15 | Can there be Competitive and Co-operative Negotiations |
| 16 | Understanding the types of Impasse |
| 17 | Use of Non Verbal Communication in Mediation |
| 18 | Use of Positional and Interest Based Bargaining in Mediation |
| 19 | Importance of Empathy with Neutrality |
| 20 | What is fake impasse and how to identify it? |
| 21 | Important elements of Negotiation |

Note :

1. The participants are requested to follow the curriculum of this training programme strictly and with complete dedication. Annexure 'A' & 'B' are annexed with the Training Curriculum for preparation by the participants in advance before joining the training.
2. The participants are requested to come prepared with all the topics mentioned in the Annexures. During training, they will be requested to make presentation on any one topic mentioned in Annexure 'A' and Annexure 'B'.

Programmes conducted under the Aegis of MCPC

| TRAINING EVALUATION SHEET | | | | | | |
|----------------------------------|---|-------------------------------|-------------------------------|----------------|-------------|------------------|
| Name of Potential Trainer | | | | | | |
| Name of High Court/SLSA | | | | | | |
| Name of Programme | | | | | | |
| Name of Observer(s) | | | | | | |
| Date | | | | | | |
| Place | | | | | | |
| No. of Participants | | | | | | |
| Topic | | | | | | |
| Parameters | Description | Needs further Training (1) | Requires more exposure (2) | Average (3) | Good (4) | Very Good (5) |
| 1. Opening | How confident was the presenter in making the opening remarks | | | | | |

| | | | | | | |
|--|---|-------------------------------|-------------------------------|----------------|-------------|------------------|
| 2. Aim and Objectives | Was the aim and objective of the training clearly stated | | | | | |
| 3. Atmosphere | Was there a relaxed and friendly atmosphere (Ambience Management) | | | | | |
| 4. Techniques and Skills of Trainer | Did the trainer use different skills of training (Lecture, Facilitative, Coaching, briefing/debriefing- demonstrations) | | | | | |
| 5. Keeping to the subject | How well did the trainer manage to keep the training on the topics (Subject Management) | | | | | |
| 6. Preparation | How satisfactory was the preparation (handouts, materials, role play etc.) | | | | | |
| 7. Clarity and Presentation | How were the communication skills of the presenter, whether presenter was able to convey knowledge and learning to the trainees | | | | | |
| 8. Questions | Were they well designed, did they stimulate discussion | | | | | |
| 9. Control of session (s) | How well did the presenter control the questions/ arguments/ private chats etc. of the trainees | | | | | |
| 10. Final Summary | How adequate was the closing of the presentation | | | | | |
| 11. Achievement of Objective | Was the objective of the training achieved | | | | | |
| 12. Coverage of Topics | Were all the topics covered within the allotted time (Time Management) | | | | | |
| Final Remarks of the Observer (with overall Grading) [Please give full details without space constraints] | | | | | | |
| Overall Grading | | Needs further Training | Requires more exposure | Average | Good | Very Good |
| | | (1) | (2) | (3) | (4) | (5) |
| | | | | | | |