



**NLUO - CENTRE FOR CONSUMER LAW**  
**IN COLLABORATION WITH**  
**DELHI HIGH COURT MEDIATION AND CONCILIATION CENTRE**  
**“SAMADHAN”**

**PRESENTS**  
**45 HOURS MEDIATION TRAINING PROGRAMME**

**26<sup>th</sup> – 31<sup>st</sup> December 2021**  
**At NLUO Campus, Cuttack, Odisha**

**RESOURCE PERSONS**



**Advocate Veena Raali**

Organising Secretary,  
Samadhan, Delhi High Court  
Mediation and Conciliation Centre



**Advocate J.P. Singh**

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

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## ABOUT THE CENTRE FOR CONSUMER LAW, NLUO

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National Law University Odisha (NLUO), Cuttack was established by Act 4 of 2008 by the Odisha State Legislature and started imparting education in Law from the Academic Year 2009-10. NLUO was established keeping in mind a clearly enunciated vision of advancement of learning, teaching, research, diffusion of knowledge in the field of law and catering to the needs of society by developing the professional skills of those intending to take up the professions of Advocacy, Judicial Services, Legal services, and so on.

NLUO has significantly catered to the needs of the research in various legal fields by paving way for various dedicated research centers. *Centre for Consumer Law* is one of the centers established in 2014. Its primary purposes are to promote research and study in the field of Consumer Law from a domestic as well as global perspective; to create awareness among consumers about the law and its implementation, to support implementation of the law by the State; to guide students towards policy-oriented study and research on issues impacting corporate regulation, governance, and competition law in the context of emerging national and international trends and opportunities.

The Centre successfully conducted the **“1st Intra University Essay Writing Competition”** and organized a **“Two Day Certificate Course on Consumer Justice in the era of Globalization in collaboration with Chair of Consumer Law and Practice, NLSIU, Bengaluru.”** The Centre had organized **“Brainstorming Session on the Odisha Direct Selling Guidelines”** and a workshop on **“Framing of Draft State Rules: Consumer Protection Act,2019”** in collaboration with Department of Food Supplies and Consumer Welfare, Government of Odisha. **The Centre has successfully completed a project on Drafting of Rules for the protection of consumers in the State of Odisha as per the Consumer Protection Act,2019. The project was granted by the Food Supplies and Consumer Welfare Department , Government of Odisha.**

With the capitalist tendencies of the market on the rise, it is essential to protect the rights and interest of the consumers. The Centre in association with the State Government and firms across the nation has been conducting many research activities and has identified the gaps in the domain. The Centre has conducted both primary and secondary research to propose concrete resolutions to resolve issues at hand. It aims to perform, facilitate and promote better protection of Consumers’ rights and interests with special reference to Indian consumer base. The Centre now is working towards expanding its scope of work to provide support to consumers at various stages of legal proceedings under the Consumer Protection Act, 2019.

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## **ABOUT SAMADHAN**

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The Delhi High Court Mediation and Conciliation Centre, known as “*SAMADHAN*”, were established in May 2006. It is the result of the joint initiative of the Bench and the Bar of the Delhi High Court who have committed themselves to Mediation as an appropriate method of Alternate Dispute Resolution. It is run by the Bar and is co-ordinated by an Organizing Secretary. A panel of judges and advocates oversee the work of this Centre. The Centre is proud to have highly qualified and experienced Mediators who are members of the Delhi High Court Bar Association. In the past 10 years, Samadhan has woven a change in the perception of conflict, the treatment of disputes and the dispensation of justice. It has come to occupy pride of place in the Delhi High Court where referrals come to it not only from the Delhi High Court but also from the Supreme Court and other fora.

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## **ABOUT THE MEDIATION TRAINING PROGRAMME**

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India has an existing demand and need for competent and professional mediators. A recognized mediator requires minimum 40 hours of training from trained counselors and Mediators. NLUO – Centre for Consumer Law in collaboration with Delhi High Court Mediation and Conciliation Centre “*SAMADHAN*” is organising the training programme at National Law University Odisha .The programme will provide 45 hours of training to all the participants. The aim is to equip the participants with fundamentals of mediation and its related procedures. The programme will build a foundation for basic skills and knowledge required for mediation which will help the participants in becoming efficient and recognized mediators.

The programme has been planned as per the Mediation Training Manual of India and Bar Council of India (Circular dated 13.08.2020). The objective of the programme is to impart all necessary skills and techniques to the participants for conducting mediation. The methodology of the training includes role plays, problem-based learning, group discussion - in short, doing by learning. Mediation is a skill and technique better learnt through training and experience. The training will also include assessment through observation by the resource persons during exercises. It would enable the participants to pursue a career in mediation.

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## **OBJECTIVES OF THE TRAINING PROGRAMME**

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The objectives of the programme are to enable participants to:

1. Identify dispute and its development
2. Learn the mediation procedure and practice
3. Learn and develop competencies, techniques, and methods to mediation like active listening, reframing, reflecting-back, summarizing and paraphrasing, etc.
4. Identify deadlocks and how to deal with them
5. Improve their skills in writing mediation agreements and related matters for settling disputes through mediation.

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## **LEARNING OUTCOMES**

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It is hoped that at the end of the training, the participants will be able to:

1. Recognize and analyse disputes and their causes
2. Identify the underlying interest beneath their positions
3. Assist the parties to find a mutually acceptable solution to their disputes
4. Conduct mediation
5. Maintain minutes of the meetings and record mediation agreements

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## **SUBJECTS TO BE COVERED**

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1. The principles of mediation
2. The role of the mediators, parties, and lawyers
3. Confidentiality and ethical codes of conduct for mediators
4. Cognitive biases that impact decision making
5. Power dynamics involved in the mediation process
6. Drafting mediation agreements

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## **EXPECTED PARTICIPANTS**

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Academicians, Scholars, Advocates, Government officers, VCOs and professional from various sectors, Entrepreneurs who want to develop their skills in mediation.

Strength of participants = 50

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## TRAINING OUTCOME

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After completion of the training programme, the participants will be able to enrol themselves as professional mediators and also become trainers.

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## FEES AND PAYMENT DETAILS

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**The fee structure for the participants is as follows:**

INR 7,000 (without accommodation)

INR 10,000 (with accommodation)

**The payment details are as follows:**

### National Law University, Odisha

Name of the Account Holder	Registrar, National Law University, Odisha
Name of the Bank	State Bank of India
Address of the Bank	National Law University, Cuttack. Sector-13 CDA, Cuttack-753015
Account No	33807919875
Type of Account	Saving
MICR No.	753002034
RTGS/NEFT IFSC	SBIN0017678
SWIFT Code	SBININBB768

### OTHER DETAILS

PAN No.	AAAJN0728J
GST No.	21AAAJN0728J1DP

- The participants not availing accommodation will be provided tea and snacks (2 times) and lunch during the training programme.

- The participants availing accommodation at NLUO Campus will be provided breakfast, tea and snacks, dinner at hostel and tea snacks and lunch during the training programme.

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## REGISTRATION LINK

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Following is the registration link for the event:

<https://forms.gle/Q5hfAW4CwLaWu9km6>

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## FACULTY ADVISORS

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Dr Mayank Tiwari – [mayank.tiwari@nluo.ac.in](mailto:mayank.tiwari@nluo.ac.in)

Dr Sudatta Barik – [sudatta.barik@nluo.ac.in](mailto:sudatta.barik@nluo.ac.in)

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## STUDENT CO-ORDINATORS

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Tanuj Sharma – + 91 9650060523

Sachin Jain – + 91 9617247766

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## CONTACT US AT

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Email: [cfcl@nluo.ac.in](mailto:cfcl@nluo.ac.in)

Phone: +91 9617247766

# **PROGRAMME SCHEDULE FOR THE TRAINING PROGRAMME**

## **45 HOURS' TRAINING PROGRAM IN MEDIATION**

### **GOALS OF TRAINING**

- Understanding why people have conflicts.
  - Understanding interests, priorities and goals of conflicting parties.
  - Blending mediation theory and techniques with practice.
  - Learning to deal with difficult people so as to build relationships.
  - Transforming competition into cooperation for resolution of disputes.
  - Learning through role-plays based on real life experiences.
  - Understanding the relevance of good communication & negotiation skills.
  - Equipping yourself for the role as a Mediator.
- ❖ **Accreditation will be provided to the Participants based on their process and management skills acquired through the training, which shall be observed throughout the training program.**

## PROGRAMME FLOW

### DAY-1

Timings	Particulars
9.30 AM to 10.00 AM	Inaugural and Welcome
<b><u>SESSION – I</u></b>	
10.00 AM to 10.30 AM	<b>INTRODUCTORY</b> Meet and Greet (An ice breaking session in getting to know each other)
10.30 AM to 11.00 AM	<ul style="list-style-type: none"><li>• Learning</li><li>• Training</li><li>• Adult Learning</li><li>• Challenges</li></ul>
11.00 AM to 11.15 AM	<b>TEA BREAK</b>
<b><u>SESSION – II</u></b>	
11.15 PM to 1.30 PM	<b>The Mediation Landscape in India</b> (Tracing the evolution of mediation from pre-Vedic times to the Singapore Convention 2019 and beyond) <ul style="list-style-type: none"><li>• Historical Perspectives</li><li>• Legislative and Judicial Approach</li><li>• ADR Mechanisms</li><li>• Differences Between Judicial Process and ADR</li><li>• Relevance of Section 89 of Code of Civil Procedure</li></ul>
1.30 PM to 2.30PM	<b>LUNCH BREAK</b>
<b><u>SESSION – III</u></b>	
2.30 PM to 3.45 PM	<b>Conflict in the Context of Mediation</b> (An interactive session to know and appreciate what makes human beings clash) <ul style="list-style-type: none"><li>• Conflict Ladder</li><li>• Causes and Sources of Conflict</li></ul>
4.00 PM to 4.15 PM	<b>TEA BREAK</b>
<b><u>SESSION - IV</u></b>	
4.15 PM to 5.30 PM	<ul style="list-style-type: none"><li>• Understanding, Addressing and Transforming Conflict</li><li>• Conflict Cycle</li></ul>



## DAY-2

Timings	Particulars
<b>9.30 AM to 10.00 AM</b>	<b>Recapitulating Day 1</b>
<b><u>SESSION – V</u></b>	
<b>10.00 AM to 11.00 AM</b>	<p><b>The Classical Mediation Process</b> (The four essential ingredients of the structured mediation that flows from start to finish)</p> <ol style="list-style-type: none"> <li><b>1) Information Gathering</b> <ul style="list-style-type: none"> <li>• Mediator’s Opening Statement</li> <li>• Parties’ Initial Statement and Mediator Summary</li> </ul> </li> <li><b>2) Clarification</b> <ul style="list-style-type: none"> <li>- Agenda Setting</li> <li>- Option Generation</li> </ul> </li> <li><b>3) Construction</b> <ul style="list-style-type: none"> <li>- Private Sessions</li> <li>- Joint Sessions</li> </ul> </li> <li><b>4) Resolution</b> <ul style="list-style-type: none"> <li>• Finalizing the terms</li> <li>• Drafting the Settlement</li> </ul> </li> </ol>
<b>11.00 AM to 11.15 AM</b>	<b>TEA BREAK</b>
<b><u>SESSION – VI</u></b>	
<b>11.15 AM to 1.30 PM</b>	<p style="text-align: center;"><b>The Six Stages of the Mediation Process</b></p> <p>(The four essential ingredients of the Mediation Process go through the following stages. This will be illustrated through an enacted Role Play)</p> <p><b>Stage 1 - The Mediator’s Opening Statement</b>  <b>Stage 2 - Gathering Information</b>  <b>Stage 3 - Problem Identification and Agenda Setting</b>  <b>Stage 4 - Generation and Evaluation of Options</b>  <b>Stage 5 - Selection of Options</b>  <b>Stage 6 - Agreement or no Agreement</b></p>
<b>1.30 PM to 2.30 PM</b>	<b>LUNCH BREAK</b>
<b><u>SESSION – VII</u></b>	
<b>2.30 PM to 3.30 PM</b>	<b>Elements of Opening Statements</b>
<b>3.30 PM to 4.00 PM</b>	<b>Demonstration of Opening statement by the Trainers</b>
<b>4.00 PM to 4.15 PM</b>	<b>TEA BREAK</b>

<b><u>Session - VIII</u></b>	
<b>4.15 PM to 4.30 PM</b>	<ul style="list-style-type: none"> <li>● Importance of Joint and Private Sessions</li> <li>● Number of Joint and Private Sessions to be conducted</li> <li>● Caucus Management</li> </ul>
<b><u>SESSION - IX</u></b>	
<b>4.30 PM to 5.30 PM</b>	<b>Role Play – Participants (Opening Statement)</b>

**Note: Homework: Participants to make a video of their opening statement and share.**

### DAY - 3

Timings	Particulars
9.30 AM to 10.00 AM	Recapitulating Day 2
<b><u>SESSION - X</u></b>	
10.00 AM to 11.00 AM	<b>Negotiation - The Foundation for Mediation</b> <ul style="list-style-type: none"><li>● What is Negotiation?</li><li>● Why do we Negotiate?</li><li>● Basic Criteria in Negotiation</li></ul>
11.00 AM to 11.15 AM	<b>TEA BREAK</b>
11.15 AM to 1.30 PM	<b>Negotiation Exercise</b>
1:30 PM to 2:30PM	<b>LUNCH BREAK</b>
<b><u>SESSION – XI</u></b>	
2.30 PM to 3.15 PM	<b>Negotiating Styles</b>
3.15 PM to 4.00 PM	<b>Barriers to Negotiation</b> (The need to understand why negotiations fail)
4.00 PM to 4.15 PM	<b>TEA BREAK</b>
<b><u>SESSION - XII</u></b>	
4.15 PM to 4.45 PM	<b>Bargaining – the sub text of Negotiation</b> (Understanding the differences and relationship between Negotiation and Bargaining) <ul style="list-style-type: none"><li>● Positional Bargaining</li><li>● Distributive Bargaining</li><li>● Interest-Based Bargaining</li><li>● Integrative Bargaining</li></ul>
4.45 PM to 5.30 PM	<b>Interest Based Bargaining Exercise</b>

## DAY-4

Timings	Particulars
<b>9.30 AM to 10.00 AM</b>	<b>Recapitulating Day- 3</b>
<b><u>SESSION - XIII</u></b>	
<b>10.00 AM to 11.00 PM</b>	<p><b>Communication – the Lifeline of Mediation</b></p> <ul style="list-style-type: none"> <li>● <b>What is communication?</b> <ul style="list-style-type: none"> <li>- Types of communication (Verbal and non-verbal)</li> </ul> </li> <li>● <b>Body Language</b></li> </ul>
<b>11.00 AM to 11.15 AM</b>	<b>TEA BREAK</b>
<b>11.15 AM to 1.15 PM</b>	<ul style="list-style-type: none"> <li>● <b>Mediation Techniques</b> <ul style="list-style-type: none"> <li>- Active Listening</li> <li>- Summarizing</li> <li>- Reframing</li> <li>- Paraphrasing</li> <li>- Acknowledging</li> <li>- Deferring</li> <li>- Directing</li> <li>- Setting the atmosphere</li> <li>- Setting an agenda</li> </ul> </li> <li>- Asking the Right Questions (Questioning Skills) <ul style="list-style-type: none"> <li>- Open Ended questions</li> <li>- Close Ended Questions</li> <li>- Hypothetical Questions</li> <li>- Evaluative Questions</li> </ul> </li> </ul>
<b>1.15 PM to 1.30 PM</b>	Reality Testing
<b>1.30 PM to 2.30 PM</b>	<b>LUNCH BREAK</b>
<b><u>SESSION – XIV</u></b>	
<b>2.30 PM to 4.00 PM</b>	<ul style="list-style-type: none"> <li>● <b>Practicing Questioning Skills through Role Play</b></li> </ul>
<b>4.00 PM to 4.15 PM</b>	<b>TEA BREAK</b>
<b><u>SESSION - XV</u></b>	
<b>4.15 PM to 5.30 PM</b>	<p style="text-align: center;"><b>Addressing Parties' Expectations</b> (This session underlines that the disputants get the best results when all stakeholders play their respective parts well)</p> <ul style="list-style-type: none"> <li>● The Role of the Mediator</li> <li>● The Role of the Parties</li> <li>● Role of Third Parties</li> <li>● Role of Lawyers</li> </ul>

## DAY-5

Timings	Particulars
<b>9.30 AM to 10.00 AM</b>	<b>Recapitulating Day 4</b>
<b><u>SESSION - XVI</u></b>	
<b>10.00 AM to 11.00 AM</b>	<ul style="list-style-type: none"> <li>● Lateral Thinking and Brainstorming</li> <li>● Understanding through Exercises</li> </ul>
<b>11.00 AM to 11.15 AM</b>	<b>TEA BREAK</b>
<b>11.15 AM to 12.00 PM</b>	<ul style="list-style-type: none"> <li>● <b>BATNA and WATNA</b></li> </ul>
<b><u>SESSION – XVII</u></b>	
<b>12.00 PM to 1.30 PM</b>	<p style="text-align: center;"><b>Impasse</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>● Types of Impasse</li> <li>● Causes of Impasse</li> <li>● Techniques and Tips to break the Impasse</li> </ul>
<b>1:30 PM to 2:30 PM</b>	<b>LUNCH BREAK</b>
<b><u>SESSION – XVIII</u></b>	
<b>2.30 PM to 4.00 PM</b>	<b>Role Play by Participants (On Options / BATNA / WATNA / REALITY TESTING)</b>
<b>4:00 PM to 4:15 PM</b>	<b>TEA BREAK</b>
<b><u>SESSION - XIX</u></b>	
<b>4.15 PM to 4.30 PM</b>	Private Mediation & Appointment of Mediator
<b>4.30 PM to 4.45 PM</b>	<b>Co-Mediation</b>
<b>4.45 PM to 5.15 PM</b>	<p style="text-align: center;"><b>Settlement Writing</b></p> <p>(This session emphasizes the importance of drafting a Settlement Agreement at the end of Mediation when the terms have been finalized. Settlement Writing is a very specialized skill that draws on the legal knowledge, experience and domain knowledge of the Mediator)</p> <p style="text-align: center;">Agreement: The Do's and Don'ts of Agreement</p>

## SESSION - XX

**5.15 PM to 5.45 PM**

This session draws attention to the credibility, dignity and neutrality of the Mediator which are of the essence in effective mediation before, during and after the process

- Ethics
- Confidentiality
- Voluntariness
- Neutrality
- Impartiality
- Parties Right of Self-determination
- Punctuality
- Competence of the Mediator

## DAY-6

Timings	Particulars
<b>09.30 AM to 11.15 AM</b>	Role Play in a Fish Bowl by the Participants (GROUP – A)
<b>11.15 AM to 11.30 AM</b>	<b>TEA BREAK</b>
<b>11.30 AM to 1.15 PM</b>	Role Play in a Fish Bowl by the Participants (GROUP – B)
<b>1.15 PM to 1.30 PM</b>	<b>Closing Ceremony followed by Lunch</b>

- **Participants will be observed by the Trainers throughout the training sessions while doing their Role Plays and applying skills of Mediation to help people solve real life problems.**