

**REPORT ON THE 40 HOURS MEDIATION TRAINING PROGRAMME  
CONDUCTED BY THE MEGHALAYA STATE LEGAL SERVICES AUTHORITY IN  
COLLABORATION WITH THE MEDIATION & CONCILIATION PROJECT  
COMMITTEE, SUPREME COURT OF INDIA W.E.F. 9<sup>TH</sup> – 11<sup>TH</sup> OCTOBER AND  
FROM 30<sup>TH</sup> OCTOBER – 1<sup>ST</sup> NOVEMBER, 2015**

A 40 Hours Mediation Training Programme was conducted by Meghalaya State Legal Services Authority in collaboration with the Mediation Conciliation Project Committee(MCPC) of the Supreme Court of India. The Programme was conducted in two phases viz:

1<sup>st</sup> Phase with effect from 9<sup>th</sup> to 11<sup>th</sup> October, 2015

2<sup>nd</sup> Phase with effect from 30<sup>th</sup> October, 2015 to 1<sup>st</sup> November, 2015.

A total number of 18 Mediators from the State participated in the training programme. The Mediation Conciliation Committee Project had deputed the following Master Trainers to conduct the training programme;

**1<sup>st</sup> phase**

1. Dr Sudhir Jain, DHJS
2. Smti Anuja Saxena, Advocate

**2<sup>nd</sup> phase**

1. Dr Sudhir Jain, DHJS
2. Smti Pushpa Gupta, Advocate.

The first day's programme started with the welcome address by Shri W. Diengdoh, Member Secretary, Meghalaya state legal services Authority who welcomed all the participants and especially the Master Trainers from MCPC. Thereafter, the sessions were handed over to the Master Trainers. The Training programme was conducted as per the training manual of the Supreme Court of India and the topics were taken up in the six (6) day programme are as follows:

DAY -1

TIME	SESSIONS	STUDY TOPIC
<p>TIME 10.00 AM TO 11.00 AM</p>	<p>SESSION - 1</p>	<p>A. Ground Rules B. Learning &amp; Training 1. Learning 2. Principles of Learning 3. Adult Learning 4. Training 5. Mediation Training</p>
<p>TIME: 11.15 AM TO 1.15 P.M</p>	<p>SESSION - II</p>	<p>C. Conflict Management and Resolution 1. Perception 2. Conflict: Definition, Causes 3. Management &amp; Resolution  ROLE PLAY - 1 (Savitri V Lokesh Chander)</p>
<p>TIME: 1.45 PM TO 3.15 P.M</p>	<p>SESSION - III</p>	<p>ADR : Relevance with special reference to Section 89, Code of Civil Procedure, 1908: Types of ADR Mediation: Definition Components Difference between mediation and judicial process Difference between Mediation and Arbitration Difference between Mediation and Lok Adalat Difference between Mediation and Conciliation Difference between Mediation and Panchayat Benefits of Mediation Role of Mediators</p>

## Day 2

<b>TIME</b>	<b>SESSIONS</b>	<b>STUDY TOPIC</b>
TIME: 10.00 AM TO 11AM	SESSION - 1	C CAUCUS D CLOSING Settlement Non- Settlement ROLE PLAY - III (Anita V Suresh)
TIME: 11.15 PM TO 5 P.M	SESSION - II	A. COMMUNICATION 1. Definition and Process 2. Effective and Ineffective Communication, Benefits 3. Types of Communication 4. Modes of Communication a) Verbal Communication b) Non-Verbal Communication 5. Communication in Mediation ROLE PLAY - IV (Meena V Sudhir) B. Communication Skills 1. Active Listening a) Paraphrasing b) Summarizing c) Neutral reframing d) Setting an agenda 2. Body Language 3. Questions 4. Empathy with neutrality ROLE PLAY - V (Mohan V Soft Drinks)

### DAY - 3

TIME	SESSIONS	STUDY TOPIC
TIME: 10 AM TO 4.00 PM	SESSION - 1	<p>BARGAININGS</p> <p>Positional</p> <p>Distributive</p> <p>Integrative</p> <p>Interests based</p> <p>NEGOTIATION :</p> <p>a) Definition</p> <p>b) Negotiation Styles</p> <p>i) Competitive</p> <p>ii)Co-operative</p> <p>c) Negotiation Skills</p> <p>d) Barriers to Negotiations</p> <p>Strategic</p> <p>Principal and agent</p> <p>Cognitive</p> <p>Reactive Devaluation</p> <p>e) Effective and ineffective Negotiator</p> <p>f) Role of Mediator in negotiation</p> <p>ROLE PLAY - VI</p> <p>(Ram V Sunil)</p>

**DAY - 4**

TIME	SESSIONS	STUDY TOPIC
TIME: 10.00 AM TO 11 A.M.	SESSION - 1	IMPASSE : Understanding and Management Definition CAUSES i. Emotional ii. Substantive iii. Procedural
11.15 AM to 5 PM	SESSION - II	STAGES OF IMPASSE AND MEDIATOR'S REFLECTIONS MANAGEMENT AND STRATEGIES Assessment Strategies Real Testing Role Reversal Options Generation Strategies Lateral thinking\ Brainstorming Re-directing Mediation process Use of external resources Reshape physical control of Mediation process Social skills Last resorts False impasse & Impasse avoidance ROLE PLAY - VII (Ram Lal V Management of Rolling

		Shutter Company)
<b>DAY - 5</b>	<b>SESSIONS</b>	<b>STUDY TOPIC</b>
TIME: 10.00 AM TO 11 AM	SESSION - I	Role of Lawyers Mediation and Conciliation Rules Mediation and Spirituality
TIME : 11.15 AM TO 5 PM	SESSION – II	Role and responsibilities of a Referral Judge U/s. 89 Code Of Civil Procedure, 1908.  PROFESSIONAL ETHICS A Ethical principles for a mediator : i. Self – determination ii Impartiality iii Conflict of Interest iv Competences v Confidentiality vi Quality of the process vii Termination of mediation viii Recording settlement ix Publicity and Advertising x Fees xi Legal Advice xii Duties to third parties

## DAY - 6

TIME	SESSIONS	STUDY TOPIC
TIME: 10.00 AM TO 4 PM	SESSION - I	B Ethical Principles for Judicial Mediators C. Ethical Principles for Advocate Mediators DOCUMENTARY INTERACTIVE SESSION / CONCLUDING REMARKS

Hon'ble Justice T.N.K. Singh, Executive Chairman, Meghalaya State Legal Services Authority attended the programme on the 10<sup>th</sup> October, 2015 and met the Mediators and the Master Trainers. His Lordship also addressed the participants on the importance of mediation in the world today. His Lordship so informed that mediation is not a new thing in Meghalaya. In fact mediation has been practiced in the State since time immemorial and is deeply ingrained in the traditional institutions of the State. However, with the evolution of the modern world Mediation requires special techniques to be adopted by the Mediators in order to have successful mediation.. His Lordship hope that the training programme will be able to equip all the Mediators in the State with the necessary skill to enable them to function as good Mediators for amicable settlement of disputes. His Lordship wished the programme a grand success.

Overall the programme was a huge success. The sessions were interactive . The Master Trainers were able to explain everything clearly in simple language. Doubts raised by the participants were clarified by the Master Trainers. Apart from the lectures and the presentations, role plays were conducted in which all the Mediators actively participated. At the conclusion of the Programme, the Vote of Thanks was offered by Smt. M. Kharkongor who thanked the organizers and especially the Master Trainers for sparing their valuable time to come all the way from Delhi to impart training to them.