



LAW COLLEGE DEHRADUN  
FACULTY OF UTTARANCHAL UNIVERSITY

**2-DAY 1<sup>st</sup> NATIONAL SEMINAR ON ALTERNATIVE DISPUTE  
RESOLUTION**

**(MEDIATION & NEGOTIATION)**

**17<sup>th</sup> & 18<sup>th</sup> November 2018**

*in collaboration with*

**PACT**



The Peacekeeping and  
Conflict Resolution Team

*Organized by*

**Centre for Alternative Dispute Resolution**

*Administered by*

**Training & Recruitment Division (TRD)**

**Law College Dehradun, Uttaranchal University**

## ***OBJECTIVE OF THE SEMINAR***

Law College Dehradun, Faculty of Uttaranchal University in association with Peace Keeping and Conflict Resolution Team (PACT) organized a "National *Seminar on Alternative Dispute Resolution*", to enable the participants to understand the principles, basic elements, and legal framework governing Consensual Dispute Resolution (CDR). This seminar aims to provide the participants with a toolbox of mediation and negotiation skills, tactics and its core methodology. It will highlight the principles underlying the Counsel's role and the practical ways in which those principles apply in actual mediations/negotiations and will promote a new awareness for how effective communication and negotiation improve the outcome in dispute scenarios.

### **WHAT WE'LL LEARN FROM THE SEMINAR:**

- Learn the Concept of CDR
- Sharpen Mediation Skills
- Improve Negotiation skills
- Learn To Preserve Value and Relationships
- Insight into the Role of Lawyer

### **Resource Persons**

***Mr. Jonathan Rodrigues*** is the co-founder and partner at PACT. He is a certified civil and commercial mediator listed with the Indian Institute of Corporate Affairs (IICA), and is currently serving as a continental advisor with the SCMA (London). He is also an accredited and empanelled mediator with the Indian Institute of Arbitration and Mediation (IIAM) and was a former advisor to the World Mediation Organization (Berlin). He has obtained the membership of the Young Mediators Initiative (YMI, Hague) and the South Asian Society of Criminology and Victimology (SASCV). He has also trained in restorative facilitation under the guidance of Easy Justice (Australia). An award winner at the CDRC (Vienna) and ICCMW (Paris), he has coached competing teams at international mediation competitions. Currently he is engaged as a mediation consultant with a dispute management platform - Presolv360 (Mumbai).

**Mr. Nisshant Laroia** is an accredited mediator from the Indian Institute of Corporate Affairs (IICA), registered by Ministry of Corporate Affairs (MCA) Government of India and Indian Institute of Arbitration and Mediation (IIAM). He is a certified mediator by the Charles University in cross border dispute resolution and is also the recipient of the Charles IV Scholarship at the Prague Summer Mediation Academy (cross border disputes), Charles University. He has trained close to 1,000 participants in consensual dispute resolution through various Mediation boot camps, organized by The PACT. He was a part of the Local Organizing Committee at the Global Pound Conference (GPC) India 2018 and co-created the Global Academy for Advocacy in Dispute Resolution (GAADR) 2018. He is an active coach for student teams participating in ADR tournaments and takes capacity building sessions for law students across the country.

### ***Day-1***

Law College Dehradun in association with (PACT) Peace Keeping and Conflict Resolution Team organized a two day National *Seminar on Alternative Dispute Resolution* on 17<sup>th</sup> & 18<sup>th</sup> of November 2018. PACT is a team of like-minded professionals who share the vision of promoting the use of consensual dispute resolution. The chief guests of the occasion were Hon'ble Chancellor of the University Shri Jitender Joshi and Vice Chancellor Prof. (Dr.) N. K. Joshi while the key note speakers were Mr. Jonathan Rodrigues, a civil and commercial mediator associated with Indian Institute of Corporate Affairs (IICA) for the western region, under the aegis of the Ministry of Corporate Affairs (Govt. of India), and Mr. Nisshant Laroia, from Institute of Corporate Affairs (IICA). The program was inaugurated with the lighting of auspicious lamp by the dignitaries. Chancellor Shri Jitender Joshi presented bouquet & memento to the Key note speakers and this was followed by the University Anthem.



The event commenced with an inaugural address by Principal & Dean Prof. (Dr.) Rajesh Bahuguna where he briefed the students by giving an extensive background of the Keynote Speakers of the day. His address enlightened the students about the need of Alternate Dispute Resolution in the current scenario which is an alternative to the conventional method of dispute settlement by courts. He also assured that the series of session would enhance the knowledge, understanding and scope of ADR and enable them to explore and expound the emerging trends of ADR.



### ***Session – 1***

The session was started by Mr. Jonathan where in length he discussed the need of Mediation and Negotiation and the art of applying it. He also stated Mediation as an important tool for the present generation and the changing approach of lawyers towards dispute resolution. Following him Mr. Nishant differentiated Litigation with Mediation and explained the pros and cons of them and why is it important to prefer Mediation, Negotiation, and Conciliation to Litigation. He very well explained the secret to resolving conflict lies in the *acceptance* of its existence, the strategy which we adopt and the capability of generating solutions with mutual value.

### ***Session – 2***

This second session was more practical than theoretical where Mr. Jonathon through an example showed how we are more into assuming things on our own rather than rationalizing things in the right manner. Mr. Nisshant differentiated Bargaining with Negotiation through *Ice Berg Model of Negotiation*, he further explained the roles of a mediator and how a mediator should know the position and interest of the parties.



## *Day – 2*

### *Session -3*

The session began at 9 a.m. with lots of enthusiasm. Mr. Jonathan began it in full fervor and took the topic to a whole new level, as he differentiated and explained all the aspects of Mediation, Negotiation, Arbitration & Conciliation. He elucidated why to start as a private Conciliation rather than private Mediation as it has more chances of settlement and how the Court of Law refers to Mediation and not Conciliation. Further, he told the steps to be followed for a successful negotiation like interest, option, alternatives, standards, commitment, relationship, and communication. These steps were further elaborated vividly and dealt with the laws governing dispute resolution in India, strategies to adopt in breaking down conflicts and the scope of mediation in India.

After a break of 15 minutes the session transformed into a practical session that allowed every student to experience the ambiance of the mediation session and the art of negotiation, it was the time when everyone had to apply the acquired knowledge. Students were divided into groups of 3, where one was the mediator and other 2 were representing disputing parties. The proposition was provided to everyone, which covered the brief detail of the case. To the speakers surprise everyone participated with the utmost enthusiasm and potential.

#### ***Session – 4***

This session started at 2 pm. The speakers finally concluded whatever they have enlightened the students with, in these 2 Days. All the topics covered were summarized and the students were instructed to keep themselves updated regarding any Mediation Competition being organized in any part of the country and any latest news or law made on Mediation. The sessions were successfully winded up with a Question-Answer session, where the participants raised their queries on the topics discussed and this was responded in a lucid way by the professionals.

#### **Valedictory Ceremony**

The 2 day National Seminar on '*Alternative Dispute Resolution*' (*Mediation and Negotiation*) was concluded successfully in the gracious presence of Principal & Dean Prof. (Dr.) Rajesh Bahuguna and the Resource persons as dignitaries. Principal in his address extended his heartfelt thanks to the Chancellor and Vice Chancellor for their moral support in organizing the event. He also appreciated the resource persons who created an awareness and importance amidst the students on ADR as part of justice delivery system. It was also asserted that the sessions equipped the students with practical aspects of ADR. Further on he applauded Dr. Vijay Srivastava, the convener of the event who

eminently guided the students in organizing the event successfully. This was followed by a formal vote of thanks by Dr. Vijay Srivastava who in turn thanked the Dean for his able guidance and also expressed his gratitude for the Resource persons and the organizing team.



## ***Organisers***

The 1<sup>st</sup> National Seminar on ADR, turned out to be a great success and eminently convened by ***Dr. Vijay Srivastava*** along with student coordinators Ms. Bhawana Keshwani (Convener), Mr. Rahul Kumar (Co-Convener), Mr. Rajat Gaur (Co-Convener), Ms. Deepsi Rawat (Student Secretary), Ms. Anshuka Bhandari (Student Secretary), and Mr. Saharsh Shubham (Student Secretary) Dr. Rajesh Bahuguna gave a *Token of Appreciation* to them for their enduring dedication and work.

The 1<sup>st</sup> National Seminar on ADR, saw participation from various colleges and states across the country such as Symbiosis Law School (Hyderabad), BR. Ambedkar College of Law (Andhra Pradesh), Maharishi Dayanand Law College (Jaipur), School of Law (UPES) (Dehradun) Law College Dehradun and ICFAI University (Dehradun).