### **Proposal**

Advocating for Mediation education in India

In the era of

The Singapore Convention on Mediation

'Certificate Course on Awareness of Mediation & Introduction to the Singapore Convention on Mediation.'

Or

'Certificate Course on Mediation for problem solving & Introduction to the Singapore Convention on Mediation'

(For recognition by the University Grants Commission of India)

## Drafted by

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### This proposal is:

For persons reading up on Alternate Dispute Resolution methods/concept of Mediation for resolution/of/conflicts;and/the/Singapore/Convention/on/Mediation(August2019),in/which/ India /is/a/signatory.

For/readers/from/foreign/countries/to/get/a/better/perspective/and/understanding/of/the/Mediation/ scene/in/India.

For Chairperson and Members of the Supreme Court of India Committee on Mediation Law

Dr. Bharati/Rao, Founder, Snehi Mediation & Counseling, Bangalore, India. www.snehimediation.org



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Acknowledgements are due to Laila Olapally, Founder, Centre for Advanced Mediation Practice, Bangalore, from whom I first came to know of 'Mediation' when she spoke of Mediation and the role of Counseling in mediation in a Counselor's Conference in Bangalore in 2015. The journey of Anil Xavier, President, Indian Institute of Arbitration and Mediation, Cochin is truly inspirational.

My regards are due to David Lim, District Judge, Supreme Court Singapore, Shanti Abraham of Malaysia, and See Chern Yang, under whom I trained in 2015 at the Singapore Mediation Centre- for sharing their learning and insights in the workshop. Thanks due to Loon Seng Onn too.

#### About the Author

The proposal for introducing a 'Certificate Course on Awareness of Mediation for problem solving' is drafted by Dr. Bharati Rao, Founder, Snehi Mediation & Counseling, Member on the Panel at Singapore International Mediation Institute (SIMI)

### Education:

- Masters in Industrial Psychology from Delhi University in 1981
- Diploma in Counseling from St.Francis College, Secunderabad in 2004
- Diploma in Counseling, The Open International University in 2009
- Attended Strategic Conflict Resolution for professionals Workshop on mediation at Singapore Mediation Centre in 2015, among the 1sts from India to Certify as Mediator at Singapore Mediation Centre (2017). I am on the Panel of Singapore International Mediation Institute since January 2018.
- Doctorate in Management from Mother Teresa University, Kodaikanal, Tamilnadu, India in 2018

### Work experience:

- 18+ years as a bank officer in a nationalized bank in various capacities (2<sup>nd</sup> Officer, Branch Manager, Currency Chest In-charge, Officer in Administrative Office)
- 6+years as a Student Counselor/Psychologist in a prominent Business School
- Visiting Faculty in Alliance University, Bangalore, India from 2015.

### Others:

- Assisted in settling a US \$ 80, 000/- health insurance claim with American Medical Security in the United states in 1991
- Authored "Women's Story" on social change in India as more and more women go out of home to work in 2001
- Authored 'On to the Highway' a motivational book for self improvement for young adult students- during recession time in 2007
- Developed the Behavioral Attributes for Employability Scale- the 1st such scale in India for Undergraduate students
- At 60, Bharati Rao is mother to a daughter and son, both employed and married. She is the daughter of Sri Bhaskara Rao (86), Chief Arbitration Consultant who successfully

handled civil construction cases between India, Nepal & Sri Lanka. Her mother is Smt. Subbalakshmi (83) a Carnatic Classical musician.

## Firsts-

- 1<sup>st</sup> Counselor in Army Public School, Bolarum, Secunderabad, Telangana, (2004)
- 1<sup>st</sup> Counselor/Psychologist in a Business School in India (Icfai Business School)

I am among the 1sts from India to certify as Mediator at the Singapore Mediation Centre (2017).

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Chapter I: Introduction What is Mediation?

Mediation is an alternate dispute method for resolving conflicts or disputes that is increasingly being used across the world. Mediation picked up traction in the 1980s in the United States. Professor Sanders from Harvard University proposed that mediation be given equal status as other methods for resolving disputes. In the last decade, mediation caught up in a big way and is spreading fast in Asia and South of Asia, Australia. Significant in this context is the Singapore Convention on Mediation of August 2019, of which India is a signatory.

As an dispute resolution method Mediation is attractive because- it can be done out of court-in a place of party's choice, at a time convenient and mutually agreed upon by the two disputants, online as well, and it can be closed/stopped once the two parties are satisfied with the solution or the way the things have moved/ problem was resolved. Mediation helps parties settle their issues in a mutually agreeable way. It gives both participants control over the process of looking for a solution and facilitates a solution acceptable to both. Confidentiality is maintained throughout. Mediation therefore ends up being a less expensive, less time-consuming way of resolving conflicts. In mediation intangibles like anger, hurt, hate, shame, etc. which are sometimes the chief underlying cause of the conflict are addressed. In this way healing happens and harmony comes about facilitating improvement of communication (which often fails in a conflict situation) -between the two warring participants.

In this way, Mediation gives control or power to resolve the issue in the manner the parties feel best, in the place they feel best, at the time they feel best, to the parties having differences. It gives the parties complete autonomy.

The mediator is a neutral person whose role it is to facilitate the communication between the parties in a dispute situation. The aim of this communication should be to get to an amicable solution acceptable to both parties. It is called a 'win-win' situation, meaning through a settlement by mediation it is possible for both parties to get to be satisfied and happy with the solution. Mediators encourage participants to share their version of the story and assist

participants to identify the problem from their perspective. Empathy is the chief criteria in mediation, as it helps disputing parties to understand other's viewpoint.

The aim of mediation is not to solve a problem; it is for the participants to feel empowered that they can handle it themselves. It is not for the mediator or lawyer to decide. It is for the parties to decide if they are satisfied-thereby feeling empowered. This in itself is a big takeaway. Such an approach brings about a feeling of wellness, peace, forgiveness, friendship and stability in society as well.

Such a feeling of wellness is not always possible in other legal methods such as Protest/Military action, Mini Trial, Litigation (Party gives their version, judge decides), Arbitration (This is private version of Litigation), Neutral Evaluation (3<sup>rd</sup> Party decides), and Negotiation.

Mediation has come to be because with changing social and professional circumstances and increasingly high pressure lifestyles, scope for conflict has increased. Conflicts can start with small skirmishes and end in intense rivalry, culminating even in court battles.

It is here that skill in counseling comes in. Through counseling, venting of strong emotions such as hatred, anger, grief etc. happens and the true reason for conflict and the solution to the problem surfaces. No other legal dispute resolution method addresses intangibles like emotions, pride, and ego and so on like Mediation. This is the reason that mediation is effective in bringing about healing and forgiveness. The focus of mediation is therefore on solving the problem as well as on building relationships.

Therefore mediation for resolving disputes is significant for today's business scenario too. Business requires building of relationships and sorting of disputes in an amicable way, so that the business can sustain, and be an ongoing process. We look at disputes in international business through the lens of mediation in the Singapore Convention on mediation.

The Government of India through its legal arm-the Supreme Court of India- has set up a Committee to pass the Mediation Law in India to give equal status to Mediation as to other

methods of resolving disputes. India was one of the 52 signatories across the world to ratify the Mediation Law in the Singapore Convention held in August 2019 in Singapore.

Therefore there is need to create greater awareness of this method among all in India, so that people can make the choice. There is need for tutoring of the basics of this method to a wider populace in India. In time mediation can become part of our culture.

Spread of Mediation will reduce the workload on courts in India; bring down the pending and long drawn cases. Simultaneously this will retain existing opportunities for lawyers as also create jobs for many as mediators. It will work towards more harmony and peace in society.

Chapter II: Singapore Convention on Mediation Scope:

Singapore Convention on Mediation is a landmark in the history of Mediation. 52 countries including India signed and ratified Mediation, thereby giving it equal stature as other forms of dispute resolution. This was signed and ratified in August 2019 in Singapore. Subsequently, Indian set up the Supreme Court of India Committee on Mediation Law to enforce Mediation and the Singapore Convention on Mediation in India.

The Singapore Convention on Mediation is a Multilateral Treaty, Legal framework for facilitating international Mediation settlements across national borders, establishes a system for recognition and enforcement of 'Commercial International Mediation Settlement Agreements.'

## The Convention applies to:

The Singapore Convention on Mediation is valid when Agreement to be resulting from Mediation, to be in writing (Settlement Agreement), Is International –in that

- ✓ At least two parties to the settlement agreement have their place of business in separate States
- ✓ The State in which the parties to the settlement agreement have their places of business is different from either:
- A. The State in which substantial part of obligations under the settlement is performed
- B. The State with which the subject matter of the settlement agreement is most closely connected.

## This Convention does NOT apply to:

- A. Mediation relating neither to consumer transactions nor to family, inheritance or Employment law;
- B. Settlement agreements:
- ✓ That have been approved by a Court or concluded in the course of proceeding before a Court; and
- ✓ That is enforceable as a judgment in the State of that Court.
- C. Settlement agreements that have been recorded and are enforceable as an Arbitral Award.

### The Difference:

- New York Convention-Convention on the Recognition and Enforcement of Foreign
  Arbitral Award (1958) United Nations Commission on Trade Law. This was the United
  Nations Conference on International Commercial Arbitration, New York in 1958.
   .(UNCITRAL). The central obligation imposed on parties is to recognize all arbitral
  awards within the scheme as binding and. enforce them, if requested to do.
- Hague Convention-The Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters (1971) is a multilateral treaty governing the enforcement of judgments entered by one nation's legal authorities in other signatory nations.

Chapter III: Executive Summary

What is the context?

### A) Globalization and Western Norm

With increasing globalization, liberalization veering towards a western norm, advances in technology- a new social structure is emerging in India that does not offer the kind of cushioning it earlier offered. Society is now slowly getting to be individualistic with the benefits as also problems associated with it.

In this context the Singapore Convention on Mediation of which India is one of the signatories is significant. Its importance is in its use chiefly in the international commercial settlement agreements context. Therefore, globalization and the Singapore Convention on Mediation go together. The convention though ratifying mediation law in August 2019, enforcement comes into effect only in August 2020. The Supreme Court of India thereafter set up a committee <sup>1</sup> for putting a law in place for mediation in 2019.

## B) History of Mediation in India

Mediation is not new to India. We had our own method of mediation through agencies like the Panchayat Raj<sup>2</sup> and Lok Adalat<sup>3</sup>All it requires is to be nursed back again and revitalized for community development by reaching out to the masses.

An effort in this direction was the launching of the Community Mediation Service by IIAM CMS<sup>4</sup> nationally by the Chief Justice of India on 17th January 2009. The motto of the Community Mediation Service is similar to the Panchayat Raj system. It means neighbors helping neighbors to solve problems and resolve disputes. These clinics would empower and create stable families and healthier societies for our future young. Community Mediation Clinics require the expertise of trained mediators from the community with awareness of mediation as a problem solving tool. Our future young therefore have to be trained in this area. Already Indian

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<sup>&</sup>lt;sup>1</sup> An-i, Annexure 1: Supreme Court of India forms committee to draft mediation law, will send to government.

<sup>&</sup>lt;sup>2</sup> https://www.youtube.com/watch?v=KB7R8QTHJgw , Please watch this You tube video of actor Madhavan at Harvard University about India 2030.

<sup>&</sup>lt;sup>3</sup> http://sclsc.nic.in/lok\_adalat/100026,Site for Lok Adalat

<sup>&</sup>lt;sup>4</sup> http://www.arbitrationindia.org/cms.html

Institute of Arbitration and Mediation -IIAM, Cochin under the stewardship of Anil Xavier has made efforts in this direction.

With the country marching into 2020- with India having the largest number of employable young adults(in 2020), there is need to prepare them for participation in dialogue and problem solving at home, in the workplace and in the community. In the words of Ashok Panikkar (of Meta Culture) 'We are an electing democracy, but not a participatory one. We have to equip our society to solve big problems'. Awareness of Mediation and also awareness of the Singapore Convention on Mediation can therefore go a long way and benefit everyone in a democracy like India.

Similarly there is need to inculcate the spirit of living together amicably from childhood itself among- in the words of actor Madhavan<sup>5</sup>.

## C) Old Mechanisms giving way

With the old mechanisms such as shift in focus from joint /extended family system in India to nuclear families, two parents going out to work families, families with lesser number of elderly siblings, less of encouragement/need for attitude of sharing among children because of more disposable income, not having someone to listen to them when in stress/fights/quarrels-we require new methods to take over to solve problems. Mediation is relevant in this context.

## D) Maximum number of employable young across the world in India in 2020

By 2020, India is set to become the world's youngest country with 64 % of its people in the working age group. By 2020 India is projected to have a population of 726 million people aged below 2020. This has resulted in unprecedented increase in the working age population. (COVID has compounded the numbers). With this there is need to prepare them for participation in dialogue and problem solving at home, in the workplace and in the community.

<sup>&</sup>lt;sup>5</sup> You tube video of actor Madhavan at Harvard University about India 2030.

<sup>&</sup>lt;sup>6</sup> 'State of Urban Youth, India 2012: Employment, Livelihood, Skills', a report published by IRIS Knowledge Foundation in collaboration with UN-HABITAT. Retrieved from http://www.thehindu.com/news/national/india-is-set-to-become-the-youngest-country-by-2020/article4624347.ece

## E) Lack of awareness/ No Courses in Mediation certified by the University Grants

Commission of India (UGC)<sup>7</sup>. There are no courses in Mediation at any level for students or for anyone in India- recognized by the UGC. (UGC is the statutory Organization of the Government of India, for all courses in Higher Education in India in accordance to the UGC Act 1956 under Ministry of Human Resource Development. It is empowered for coordination, determination and maintenance of standards of higher education and teaching, examination, and research in university education- as well as to start new courses).

F) A brief overview of the current scenario in India: Anil Xavier, President of Indian Institute of Arbitration and Mediation is doing pioneering work in the field of mediation in India. Laila Olapally8, Senior Counsel, Fellow at Stanford, has set up Center for Advance Mediation Practice in Bangalore, the first lawyer driven center for mediation in India. Concord Mediation, which offers services in mediation and mediation -arbitration is set up by Sriram Panchu<sup>9</sup>, Senior Advocate. He is the President of the Association of Indian Mediators and a director on the board of the International Mediation Institute (IMI). He set up India's first court - annexed mediation centre in 2005, and has been instrumental in making mediation a part of India's legal system. Meta Culture, South Asia's first specialized organization dedicated to the field and practice of conflict resolution, relationship management and dialogue by Ashok Panikkar. 10 CEO, Certified Mediator on the Panel of Singapore International Mediation Institute. Prachi<sup>11</sup> Home by ADR Consultant Advisor in Mediation / Conciliation, Conciliator Trained & Accredited as a Mediator by LEADR (a Dispute Resolution organization in Australia), Certified as Mediator by IMI (International Mediation Institute), Mediation Trainer Legal consulting (Counsel, Bombay High Court)-Prathamesh Popat is engaged in several activities to spread the culture and skills of Mediation.

In the last two years, there is an increase in the number of mediators in India- though the number is not perceptibly more.

<sup>&</sup>lt;sup>7</sup> An-ix, Annexure: University Grants Commission of India (UGC)

<sup>&</sup>lt;sup>8</sup> http://www.campmediation.in/camp-team/

<sup>9</sup> http://whoswholegal.com/profiles/72787/0/panchu/sriram-panchu/

https://yourstory.com/2014/02/meta-culture/

<sup>&</sup>lt;sup>11</sup>https://www.mediate.com/member/Prathamesh-D-Popat/14568

Chapter IV: Market Analysis

A) <u>Awareness/of/Mediation/restricted/to/Senior/Members/of/Legal/Community/and/Mediators/Awareness/Lacking/less/among//general/public/and/among/citizens/of/tomorrow/the/students</u>

In India even today there is not as much awareness or training of mediation as an ADR method. Other than among senior members of legal fraternity and among mediators. Almost all efforts by the government/otherwise, are restricted in access and in enforcement to this group. Members selected to Committees, norms for mediators, guidelines for recruitment, training programmes, setting up of mediation centers- are all only by the group of very senior lawyers who are mediators as well. People- who are the primary users- do not know there is such a method as mediation existing for solving disputes. Therefore, Awareness of mediation needs to percolate downwards.

Pertinent to mention here, the following annexure:

An-i: Mediation & Conciliation Projects Committee <sup>12</sup>(2005)

An-ii: Report on 40 hours Mediation Training <sup>13</sup> Programme conducted by Meghalaya State Legal Services (2015)

An-iii: Mediators for Company Disputes in India (2016) - Norms / Criteria <sup>14</sup> for Mediators

An-iv: Supreme Court Legal 15 Services Committee Purposes & Goals (2018)

An-v: Mediation Centers<sup>16</sup> set up in Bangalore in the last two years

An-vi: Supreme Court of India forms Committee <sup>17</sup> to draft Mediation law will send to Government.

An-vii: Supreme Court Mediation Committee Members List<sup>18</sup>/ Contacts

An-viii-Faculty <sup>19</sup>at Indian Institute of Corporate Affairs

<sup>&</sup>lt;sup>12</sup> An-i, Annexure: Mediation and Conciliation Projects Committee

<sup>&</sup>lt;sup>13</sup> An-ii: Annexure: Report on 40 hours Mediation Training programme by Meghalaya Government

<sup>&</sup>lt;sup>14</sup> An-iii, Annexure: Mediators for Company Disputes in India – How effective will this be? (for Norms or Criteria)

<sup>&</sup>lt;sup>15</sup> An-iv, Annexure: Supreme Court Legal Services Committee

<sup>&</sup>lt;sup>16</sup> An-v, Annexure: Mediation Centers set up in Bangalore in the last two years

<sup>&</sup>lt;sup>17</sup> An-vi: Annexure: Supreme Court forms Committee to draft Mediation law, will send to Government

<sup>&</sup>lt;sup>18</sup> An-vii, Annexure: Supreme Court of India forms committee to draft Mediation law

<sup>&</sup>lt;sup>19</sup> An-viii, Annexure: Indian Institute of Corporate Affairs, under aegis of Ministry of Corporate Affairs

People are not aware that this method has been accepted and is used extensively in the West. People do not know that resolution of problems through mediation is- informal (no courts or the drama), less legalistic, voluntary, faster, can be convened at short notice, at a place convenient/suitable to the participants, issues can be restated, less of formalities/rules, cheaper, not in public glare, confidential, that Mediation does not have the stigma associated with counseling.

B) Norms set by Government encourage Court annexed mediation and persons trained on adversarial adjudication and not on facilitative amicable resolution

Please refer An-iii: Mediators for Company Disputes in India (2016) by Anil Xavier.

As per Rule 4, a person shall not be eligible to be on the panel as a mediator unless he:

- (a) has been a Judge of the Supreme Court of India; or
  - (b) has been a Judge of the High Court; or
  - (c) has been a District & Sessions Judge; or
  - (d) has been a Member or Registrar of a Tribunal constituted at the National level under any law for the time being in force; or
  - (e) has been an officer in the Indian Corporate Law Service or Indian Legal Service with fifteen years experience; or
  - (f) is a qualified legal practitioner for not less than ten years; or
  - (g) is or has been a professional for at least fifteen years of continuous practice as Chartered Accountant or Cost Accountant or Company Secretary; or
  - (h) has been a member or President of any State Consumer Forum; or
  - (i) is an expert in mediation or conciliation who has successfully undergone training in mediation or conciliation.

Point to note-

Out of the nine eligibility criteria,

The first six categories are not required to have/get formal training in facilitative mediation (as per Rules) and those who would be eligible under these criteria would in all probability not follow facilitative mediation as prescribed under the Rules. Facilitative mediation is a science and an art-requiring knowledge of the subject of the case, skills of mediation, dealing with human behavior and so on. It is a point to ponder whether retired Judicial and Quasi-Judicial

officers (criteria a to f above) who have been trained in adversarial adjudication can handle facilitative mediation-wherein the skillsets are very different.

Therefore immense care needs to be taken while putting in place guidelines for qualifications and training for practice as Mediators (Please refer Chapter on Recommendations in this proposal -dealing with crafting of courses for Assessment).

## C) <u>Less number of organizations/trained mediators</u>

- ➤ Unfortunately for a country of the size of India (population 138 crores), there are very few organizations/trained mediators promoting and vigorously trying to create awareness of mediation. Some of them are-
- The Indian Institute of Arbitration and Mediation headed by Anil Xavier, which has done pioneering work in this field that is truly commendable. Till recently this was the only organization for holding (QAP) quality assessment programmes for certification at the International Mediation Institute (IMI), Hague, Netherlands.
- Center of Advanced Mediation Practice (CAMP), Founder Laila Olapally is continuously training judges and lawyers on this important ADR method nationally and internationally.
- Concord Mediation, which offers services in mediation and med-arbitration, is set up by Sriram Panchu, Senior Advocate. He is the President of the Association of Indian Mediators and a director on the board of the International Mediation Institute (IMI). He set up India's first court annexed Mediation Centre in 2005, and has been instrumental in making mediation a part of India's legal system.
- Meta Culture, South Asia's first specialized organization dedicated to the field and practice of conflict resolution, relationship management and dialogue by Ashok Panikkar, CEO, Certified Mediator on the Panel of Singapore International Mediation Institute. "We are an electing democracy, but not a participatory one. We have to equip our society to solve big problems" says Panikkar
- Prachi Home by ADR Consultant Advisor in Mediation / Conciliation, Conciliator Trained & Accredited as a Mediator by LEADR (a Dispute Resolution organization in Australia), Certified as Mediator by IMI (International Mediation Institute), Mediation Trainer Legal consulting (Counsel, Bombay High Court) is engaged in several activities to spread the culture and skills of Mediation.

- Snehi Mediations and Counseling, Bangalore, India- Training, Mediation and Counseling
  Centre for students and young adults visualized by Bharati Rao,
  Psychologist/Counselor/Teacher & Certified Mediator from Singapore Mediation Centre.
- Federation of Conflict Management (FICM), New Delhi

## D) Fees for Mediation training beyond reach of many

Other issues that are pertinent are –

- A cursory look at the above indicates that almost all mediators (including the author) have had training in foreign countries. This is expensive-beyond the reach of many. A need to have an organization within our country within the reach of all/many was perhaps felt by the Government.
  - Hence the Indian Institute of Corporate Affairs under the aegis of the Ministry of Corporate Affairs introduced a 40 hours training on Commercial Mediation and Negotiation in 6 days in the five metros, for about twenty participants. This course was introduced under the flagship of the Company Act 2013. The Indian International Mediation Center the first of its kind in India is to be set up by this Ministry in Guru gram.
- The Indian Institute of Corporate Affairs under the aegis of the Ministry of Corporate Affairs introduced a 40 hours training on Commercial Mediation and Negotiation The 5-day courses are charged anywhere between 55000/-or 850 US Dollars Entry is limited (about 20 participants only).
- ii) Professional Mediator Training Program @ the Indian Institute of Arbitration & Mediation. (IIAM) (Code: ITP05) (5 days: 40 hours)

  https://www.arbitrationindia.com/about\_us.html
- iii) Centre for Advanced Mediation Practice in Bangalore (CAMP)
- ➤ Most above programmes seek certification from foreign bodies like IMI, SIMI, so on. These certificates by foreign bodies are sometimes not recognized within India by UGC-to practice in our courts- recognition by the University Grants Commission of India is mandatory in India.

- Sometimes even lawyers/advocates even in senior cadres in India are not aware of mediation, or they do not know the dynamics of mediation, many are not able to train in mediation skills -for whatever reasons-money, access to the training, lack of availability of training centre, lack of encouragement (in case they are working for someone), lack of opportunity to practice, and so on. Therefore mediation remains a niche area even among lawyers to whom people go to in case of a dispute.
- All of the above organizations are conducting programmes for Assessment of Mediator skills, *i.e.* only after the participant comes to know/knows of mediation as a dispute resolution method. There is NO course for basic awareness/introduction to the concept of mediation for common populace or for students to get to know what mediation is all about.
- Most programmes are privately run, (except the course by the Ministry of Corporate Affairs which conducts Mediation Training for 40 hours programmes). This makes overheads high, programmes expensive-beyond the reach of many.
- Although educational <sup>20</sup> institutions are often eager and curious about this course, interested in introducing it for their students, in the absence of recognition by UGC, it becomes difficult/ often impossible for them to sell it to students who are the chief stake holders. Students do not accept or enroll in courses with no recognition/sanction by the UGC. Therefore UGC recognition is mandatory/essential for any course on Mediation, especially a Certificate Course to create awareness of mediation -catering to the masses.
- Therefore in most cases the Government sponsors the training of their participants, and this training is often restricted to the higher echelons-the Senior Advocates, Higher judiciary working in High Courts /Supreme Courts. (Except the course by the Ministry of Corporate Affairs which conducts Mediation Training for 40 hours programmes).
- Presently, Mediation in India is mostly court annexed-though technically it is not considered to be so. This is because people are often not aware of Mediation and Mediators. People are not aware that disputes can be settled outside of court and by specialists who are called 'mediators' who are trained to assist them in dispute resolution outside of court as well.(In this context, please refer An-iii: Mediators for Company

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<sup>&</sup>lt;sup>20</sup> An-xiib, Annexure: Invite for talk at RV Institute of Management, 1<sup>st</sup> Talk in a B school in Karnataka

Disputes in India (2016) –Refer point- i. Therefore, mediation in India can be said to be court annexed. That is why Training to be Mediator is not encouraging to many Certified Mediators though they may be well qualified /interested /capable of mediating.

E) No mechanism-such as Education<sup>21</sup>,<sup>22</sup>for spread of distinguishing features and positive effects of mediation among general populace (In this connection please refer to Chapters V Recommendation for a Certificate Course on Mediation with UGC <sup>23</sup>sanction/recognition mentioned in Chapter III Executive Summary as well)

In this context, the path for enforcement of the Singapore Convention of Mediation, and the Mediation Law proposed in India- is indeed uphill. An aggressive approach to create awareness of mediation education is therefore strongly recommended. For enactment/enforcement of (i) Singapore Convention on Mediation (ii) Mediation within the country (to cover the clauses where Singapore Convention is not applicable) basic awareness of mediation is essential among the peoples of India, so that they can exercise their choice. Else both mediation and SCM remain on paper.

Therefore, a big push for Mediation as a method for resolving disputes is required in India. This push can be through educating the citizens (and the citizens of tomorrow-the students)

## F) Present situation of COVID

Mediation and the Singapore Convention have relevance specially during the present pandemic of COVID, with almost complete breakdown of transport, business going slow, uncertainty and most importantly the need to share –the thought of 'You can have- I can have as well', use of technology and online business communication and mediation.

G) Spread of Mediation will reduce the workload on courts in India, bring down the pending and long drawn cases. Simultaneously this will retain existing opportunities for lawyers as also create jobs for many as mediators. It will work towards more harmony and peace in society.

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<sup>&</sup>lt;sup>21</sup> An-xiia, Annexure: Appreciation Letter from SSMRV College, 1<sup>st</sup> talk in Karnataka in Undergraduate College

<sup>&</sup>lt;sup>22</sup> An-xiib, Annexure: Invite for talk at RV Institute of Management, 1<sup>st</sup> Talk in a B school in Karnataka

<sup>&</sup>lt;sup>23</sup> An-ix, Annexure: University Grants Commission of India (UGC)

## Chapter V: Recommendations

A) Given the backdrop, the primary goal of this proposal is to introduce a 'Certificate course for Awareness of Mediation & Introduction to Singapore Convention on\_Mediation' recognized by the (the U G C<sup>24</sup>) in India.

### Mission of the Certificate Course:

#### Course to be at-

- ✓ An affordable cost, preferably subsidized, or free and online, with only a written test.
- ✓ reaching out to the masses
- ✓ Explain the framework and how mediation works to general public; so that this concept gets their attention as a dispute resolution method with equal status as other methods of dispute resolution like arbitration, other court annexed methods.
- ✓ To create awareness of the Singapore Convention on Mediation (where such information is required- based on the target audience.)

### The aim of this initiative is

- (i) To make as many people as is possible in present circumstances aware of mediation for resolving conflicts.
- (ii) For people to know/understand that resolution of a conflict is possible without going to court.
- (iii) For people to know that there is a process of conflict resolution where/when conflicts are resolved with both parties feeling satisfied at the end of it, where emotions are addressed, and improvement in communication is possible.
- (iv)For people to understand that settlement of conflict in international business context is possible by mediation.

### Vision of the Certificate Course:

This is to bring justice to the doorstep of people by empowering them, to bring a stable healthy society.

- B) This Certificate Course to be made mandatory for All Lawyers in India.
- ✓ As on date the awareness & knowledge of mediation in India is restricted to `Senior Counsels, High Court & Supreme Court luminaries, Lawyers specially trained in expensive and prestigious institutions mostly outside of India.

<sup>&</sup>lt;sup>24</sup> An-ix, Annexure: University Grants Commission of India

- ✓ This certification on awareness of mediation-inclusive of brief preview of the Singapore Convention on Mediation to be made mandatory to all lawyers in India, practicing or otherwise. Only then will Mediation and the Singapore Convention on Mediation, receive the stature of other methods under Law and be available as an option for choice among the dispute resolution methods.
- ✓ As a professional requirement, the fee for this basic course on awareness of mediation as an ADR method- should be specially waived for all lawyers.
- ✓ This has to be taken up at Governmental level, by a body such as U G C (University Grants Commission) on a policy level-for spread throughout the country.
- C) Subsequent to Certificate Course in Mediation,
- ✓ Diploma Course in Mediation (dealing with the Singapore Convention on Mediation)
- ✓ Post Graduate Diploma Course in Assessment to certify as Mediator (for Practice) may be put in place. Mediation (with practice sessions, Practical assessments, Putting agreements in place, Mediation in different businesses-with Case studies/examples) can be taken up at this stage.

### Other ways to promote mediation are-

- A) A body 'Mediation Body' be set up by the Government to oversee all of the above Recommendations. It is to be headed by a Director/Chairman- with a passion to spread Mediation (Age 50 years). Individuals alone / private run institutions alone find it an Uphill task to take it forward, overheads are not cost effective..
- B) A Common Policy for Mediation/All Mediators.
- C) Mediation Training Centers/Spaces & Centers for Mediation are established in institutions of Higher learning by the Government.
- D) Setting up of Mediation Training Centers to be tied up with CSR responsibility as per Company's Act of India (2013).
- E) Rotary Clubs and Lion's Clubs can be roped in.
- F) Pool of Certified Mediators is made available to public in public domain on common Government platform.

G) Crafting for setting guidelines/ qualifications for participants for courses meant for Assessment i.e. for Certification as Mediators to be done taking into account both - Mediation skills as well as Law background/Industry experience.

Classification of participants can be based on two categories-

- a) Persons not holding qualification in Law need to possess a minimum of 10 years of industry experience to train and qualify as Mediators.
- b) Persons qualified as Lawyers require having Degree in Arts (Languages, Human behavior related subjects such as Psychology, Sociology, Anthropology, and Social Work) to train and qualify as Mediators.
  - This will cover Mediation skills as well as Law background/Industry experience to train as a Mediator. An understanding of legal aspects as well as human behavior-both is required of a mediator. Mediation is not adversarial like other methods of resolving conflict. Facilitative mediation is a science and an art that is a highly skilled profession requiring quality, skill and efficiency as well as knowledge of Law. (Refer An-iii, Annexure: Mediators for Company Disputes in India).
- H) Press<sup>25</sup> and Media be more participative and encouraging in educating the people about this collaborative method of resolving conflicts (With front page news, social media, and on TV). Encourage publicity of non-disclosure/confidentiality aspects of mediation. Eminent personalities- (both Indian and International) to impress on the people through press, TV and other social media. Organizations such as IMI, SIMI to introduce this method to the public through the Press.
- I) If possible a request can be made to United Nations Secretary General to give a statement on mediation-which can be published unilaterally across the world. This will bring some positivity in the present backdrop of COVID.
- J) More Conferences on topics relating to Mediation can be held. Very few or no conferences on mediation have been conducted in India as on date. The Law Centre of Delhi University in partnership with Mediation and Conciliation Projects Committee, Supreme Court of India and Indian Council of Social scientific research (ICSSR) organized an International Conference on Mediation in April 2019. Topics of relevance to the Singapore Convention covered in this conference are-

22

<sup>&</sup>lt;sup>25</sup> An-xx, Annexure: Prominent Newspapers in India with contact details

- Role of Mediation in Oil Sector: An International Perspective
- Enforcement Agencies involved in Mediation: Challenges and Remedies
- Role of Mediation in IPR (Copyright, Patent, Trademark, Geographical Indication, Traditional Knowledge and Industrial Designs)
- Mediation in Environmental Laws: National and International perspective
- Mediation in Multinational Dispute cases: National and International perspective
- Commercial Mediation and impact of Companies Amendment Act 2019

Such conferences if held regularly in different parts of the country by various organizations, can go a long way in creating more awareness of Mediation as well as the Singapore Convention on Mediation clauses.

- K) Research Journals on Mediation can be published.
- L) Other methods to encourage spread of the concept of Mediation are-
- ✓ Given the current situation with COVID- Webinars, Internships, Essay writing, Case writing, making videos on mediation, Online mediation, starting journals for topics relating to mediation- can be attempted online.

At a later stage, once there is improvement-the following are recommended.

- ✓ Encouraging Campus Ambassadors in Mediation Centers
- ✓ Training/ Assistance in Scholarships/ International Conferences/Internships
- ✓ Opportunity to meet distinguished personalities of the field
- ✓ Opportunity to appear in consumer forums trying to mediate
- ✓ Free training on legal drafting of Mediation Agreements
- ✓ Grass root volunteers to be encouraged

Spread of Mediation will reduce the workload on courts in India; bring down the pending and long drawn cases. Simultaneously this will retain existing opportunities for lawyers as also create jobs for many as mediators. It will work towards more harmony and peace in society.

## Chapter VI: The Road Map

- A) Proposal to be put up for review and comments by:
  - ➤ The Chairman and the Members of University Grants Commission of India (the U G C<sup>26</sup>).
  - ➤ Padma Vibhushan Venkatachalaiah, <sup>27</sup>Former Chief Justice of India and Formerly Chancellor, Satya Sai University of Higher Learning.(Age-90 years +)
  - Advocate Niranjan Bhat and other august team members of the Supreme Court Committee<sup>28</sup> on Mediation Law.
  - ➤ Proposal to be put up for comments, suggestions, relevance and introduction <sup>29</sup> of this course <sup>30</sup> to education <sup>31</sup> sector. Many Colleges are equipping students under the STAR scheme. Could this course come under the STAR scheme of the National Skill Development Corporation of India (NSDC)?
  - ➤ The Chairman<sup>32</sup> and the Members of Union Public Service Commission
  - > Secretaries (Administrative Services Officers) reporting to Ministers (Ministries<sup>33</sup>),
  - A joint effort by ALL the functionaries mentioned above together- can precipitate the sanction for a UGC certified course for awareness of mediation.
- B) Awareness of Mediation will reduce the workload on courts in India, bring down the pending and long drawn cases, and simultaneously this will create jobs for many as mediators.

### C) Operating Plan-

a) This course will be conducted in the initial phase by trained and certified mediators only. The number of certified mediators in India is very small, and almost all are certified from foreign countries only. Almost all have independent practice. Hence a common policy is required.

<sup>&</sup>lt;sup>26</sup> An-ix, Annexure: University Grants Commission, of India (UGC)

<sup>&</sup>lt;sup>27</sup> An-viia, Annexure: Luminaries of India

<sup>&</sup>lt;sup>28</sup> An-vi, Annexure: Supreme Court of India Committee on Mediation Law

<sup>&</sup>lt;sup>29</sup> An-xiia, Annexure: References from education sector

<sup>&</sup>lt;sup>30</sup> An-xiib, Annexure: RV Institute of Management invite

<sup>&</sup>lt;sup>31</sup> An-xii, Annexure: Appreciation letter SSMRV College

<sup>&</sup>lt;sup>32</sup> An-xiii, Annexure: Union Public Service Commission of India

<sup>&</sup>lt;sup>33</sup> An-xiv, Annexure:Site for Ministries (& Secretaries who are Indian Administrative Service Officers)

- b) If accepted to be introduced in a big way by the HRD Ministry, there is need to teach this method to the teaching fraternity at grass root level. For this the Mediation Body may be convened to look into two aspects-
- ✓ Whether grooming of all teachers to be done by existing Certified Mediators only?
- ✓ Whether a separate training programme/agency be thought of for training of Master Trainers in Mediation who can take it to teachers at grass root levels.
- ✓ Modalities will have to be worked out.
- c) The course content/format for this Certificate Course is included in the appendix of this proposal.
- d) No special equipment other than LCDs and video/movie camera is required for this course.
- e) Course material and cases will be customized according to target audience.

## For whom is the Certificate Course in Mediation geared to in India/ who is the Target audience?

- > All Lawyers.
- ➤ In Education Sector
- For senior functionaries in education sector responsible for policy making, for Principals/Heads of institutions/for Career & Guidance Counselors to guide students.
   (With special reference to Singapore Convention on Mediation)
- Final year B-School students as an add-on in their CV/ profile (vis a vis Company Act 2013 requirements, to make their CV more attractive), to make them aware of Singapore Convention on Mediation.
- Final year Law School students to get in depth awareness of this emerging ADR method
  for pursuing it further if they so wish, to make them aware of Singapore Convention on
  Mediation.
- Mental health professionals for enhancing/ betterment in their counseling skills
- Young Adult Students-at Undergraduate/Postgraduate levels, preparing for jobs and for life to help them learn/train to solve simple everyday problems on their own, to make them aware of Singapore Convention on Mediation.(given 2020 will be the year for maximum employable young in the country)
- School students at high school level to take charge of their issues as they grow up

- Anyone interested to take mediation forward as a career
- For students planning international business and international careers ( Awareness of Singapore Convention on mediation can be of use when required, based on the target audience)
- > For Recruiters
- The Union Public Service Committee (UPSC) of India Chairman & Panel Members of UPSC – for policy making & training –taking into account various aspects of mediation, inclusive of the basic introduction on the Singapore Convention of mediation, (Refer to Annexure-)
- Senior functionaries of Public and Private sector undertakings in India
   for policy making –taking into account various aspects of mediation, inclusive of the introduction to the Singapore Convention.
- Human Resources Development functionaries- based on targeted jobs/functions to be attended to.
- For use in Assessment Centers (Especially when dealing with jobs that involve international business, careers- awareness of Singapore Convention will be relevant).
- For Policy makers & functionaries in Government
- For smooth functioning of its various departments/wings
- For seamless access of/to government to/of various members of society
- For effective formulation of guidelines
- For senior functionaries in the government at the rank of Secretaries to Ministers, Secretaries dealing with issues relating to international business and international careers, awareness of Singapore Convention on mediation will be of relevance.
- Functionaries & Officers of Indian Foreign Service will be better equipped with awareness that there is something like the Singapore Convention on mediation.
- ➤ For Psychologists/Students in Arts- Planning Careers in business
- At Post Graduate level, students of Psychology/Languages should be made aware that
  mediation is a dispute resolving method wherein the intangibles of a conflict situation are
  addressed, where emotions are addressed, where language plays a part and so on.

- ➤ For Training Centers
- For designing and introducing programmes based on target audience.

(Refer An-xv, Annexure- 40 hour training under Ministry of Corporate Affairs)

- For Entrepreneurs & Businessmen (specially international)
- To understand the dispute resolution process on their own, to be aware that a choice of the method for resolving the dispute amicably is existent. In case of disputes involving international, awareness that it can be solved through mediation too (under the Singapore Convention of Mediation)
- ➤ For Functionaries in Multinational Companies & serving Offshore

(Target audience to be decided as required by the organization)

- ➤ For Consumer Activists
- To be aware of mediation & Singapore Convention on Mediation, so as to be equipped to assist consumers.

(Refer An-xvi, Annexure: Consumer Protection Organizations)

- > For Intellectual Property Organizations
- Such as IP Assisto (Refer An-xvii, Annexure: IP Assisto)
- > For Society
- To make justice available to its members in a cheap, easy, fast, accessible, transparent way to its members
- To train its members to become participating citizens in the democracy
- For a healthy stable society
- ➤ For Family
- Those wanting to find solutions to domestic squabbles amicably without resorting to courts
- To make members of the family responsible (as mediation gives power and control to the disputants to solve their issue)
- > For Teachers
- To find out new ways to reach out to problem students and to all students, to assist students in making career choices

- ➤ For Parents
- To understand and solve problems/issues coming of generation gap –if parents planning international careers for their children, awareness of mediation and the Singapore Convention on mediation will be of relevance.
- ➤ For NGOs
- For functioning effectively/smoothly with governmental agencies/ society/CSR compliant companies
- ➤ For Corporate
- HR Professionals for solving minor issues in-house
- to cater to its wide audience and problems of employees-both at the workplace and at home.
- > For Researchers
- to get awareness of this new field of problem solving for further/future research
- ➤ For CSR initiatives
- For Compliant officials working in Company Act 2013 jobs on CSR initiatives
- ➤ For Community Welfare activities
- For Senior Citizens/Community workers/Anyone with a passion to serve society

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An-i, Annexure: Mediation and Conciliation Projects Committee

This topic is 3 pages on P D F (Page 2, 3, 4). The PDF files are included separately.

Look for Annexure An-ia on Page-33

An-i, Annexure: Mediation and Conciliation Projects Committee –continuation of next topic on page 33. Look for Annexure An-ia on Page-33

An-i, Annexure: Mediation and Conciliation Projects Committee –continuation of next topic on page33.Look for Annexure An-ia on Page-33

An-ia, Annexure: Guidelines for Recruitment, (Mediation and Conciliation Projects Committee) This is a PDF file. Page 1 & Page 3 (two pages) will be included. To make note-point 3a on Page 3 of PDF file.

An-ia, Annexure: Guidelines for Recruitment, (Mediation and Conciliation Projects Committee), continued

This is a PDF file. Page 1 & Page 3 (two pages) will be included. To make note-point 3a on page 3 of PDF file.

An- ib, Annexure: Following are Sites relating to Mediation and Conciliation Projects Committee (MCPC)

Members at all levels performing all functions (founding of MCPC, conduct of programmes, performing recruitment functions, criteria for recruitment) are from legal profession.

- a) https://main.sci.gov.in/pdf/mediation/Brochure%20-%20MCPC.pdf
  Site for reading up on Mediation and conciliation Projects Committee (MCPC) as on 2015
- b) http://sonitpurjudiciary.gov.in/DLSA/Acts%20&%20Rule/Mediation\_and\_Concillation\_ Project\_Committe0001.pdf

Site for founding of Mediation and Conciliation Project Committee (MCPC) in 2005

- c) http://mslsa.gov.in/sites/default/files/t1.pdfSite for conduct of Mediation Training programme in Meghalaya
- d) http://sclsc.nic.in/assets/pdfs/recruitment\_05072018\_1608\_01.pdf
   Site for advertisement for position of consultant in MCPC

An-ii, Annexure: Report on 40 hours Mediation training programme by Meghalaya This is a PDF file. 1<sup>st</sup> page includes participant profile.

An-iii, Annexure:

Mediators for Company Disputes in India – How effective will this be?

Anil Xavier (Indian Institute of Arbitration & Mediation (IIAM))/

September 30, 2016 /3 Comments

The Ministry of Corporate Affairs (MCA), Government of India, notified the "Companies (Mediation and Conciliation) Rules, 2016" on September 9, 2016. With the publication of these Rules, Central Government introduces a structure of setting up of a panel of mediators or conciliators who will have the role to communicate the view of each party in a dispute, identify issues, reduce misunderstanding, clarify priorities and facilitate voluntary resolution of the dispute based on the consent of parties.

These Rules were made to implement the provisions in Section 442 of the (Indian) Companies Act, 2013. As per the said section, the Central Government has to maintain a panel of experts to be called as the Mediation and Conciliation Panel for mediation between the parties during the pendency of any proceedings before the Central Government or the Tribunal or the Appellate Tribunal under the Companies Act. It provides that any of the parties to the proceedings may, at any time during the proceedings before the Central Government or the Tribunal or the Appellate Tribunal, apply to the Central Government or the Tribunal or the Appellate Tribunal, as the case may be, for the matter pertaining to such proceedings to be referred to the Mediation and Conciliation Panel. It also makes provision for the Central Government or the Tribunal or the Appellate Tribunal before which any proceeding is pending to *suo-motu* refer any matter pertaining to such proceedings to the Mediation and Conciliation Panel.

It makes sense to provide a structure to resolve disputes under the Companies Act by way of mediation where the parties could take the responsibility of finding a resolution themselves.

The Rules stipulate that the mediation shall be facilitative. Rule 17 says that the Mediator shall attempt to facilitate voluntary resolution of the dispute by the parties, emphasizing that it is the responsibility of the parties to take decisions which affect them and the mediator shall not impose any terms of settlement on the parties. Rule 18 also reiterates this mode of mediation, stating that the parties shall be made to understand that the mediator will facilitate the parties in arriving at a resolution and the mediator shall not and cannot impose a settlement or decision on them. This is in tune with the international style and mode of mediation – viz., facilitative mediation.

But when we look at the qualifications prescribed for admission as a mediator to the Mediation & Conciliation Panel, which is provided under Rule 4, one may probably question whether the Rule-makers really understood the meaning, mode and style of facilitative mediation and whether they confused the process of mediation with arbitration.

As per Rule 4, a person shall not be eligible to be on the panel as a mediator unless he:

- (a) has been a Judge of the Supreme Court of India; or
- (b) has been a Judge of the High Court; or
- (c) has been a District & Sessions Judge; or
- (d) has been a Member or Registrar of a Tribunal constituted at the National level under any law for the time being in force; or
- (e) has been an officer in the Indian Corporate Law Service or Indian Legal Service with fifteen years experience; or
- (f) is a qualified legal practitioner for not less than ten years; or
- (g) is or has been a professional for at least fifteen years of continuous practice as Chartered Accountant or Cost Accountant or Company Secretary; or
- (h) has been a member or President of any State Consumer Forum; or
- (i) is an expert in mediation or conciliation who has successfully undergone training in mediation or conciliation.

Out of the nine eligibility criteria,

#### Point to note-

the first six require no formal training in facilitative mediation and those who would be eligible under these criteria would in all probability fail to follow facilitative mediation as prescribed under the Rules. Facilitative mediation is a science and an art and trained mediators would know that it is a highly skilled profession.

It would have been better if the Rule-makers had understood the science of mediation and determined eligibility based on the mediators' quality, skill and efficiency, rather than establishing a panel of retired Judicial and Quasi-Judicial officers who have been trained on adversarial adjudication and not on facilitative amicable resolution. Let us see how effective mediation will be under these Rules.

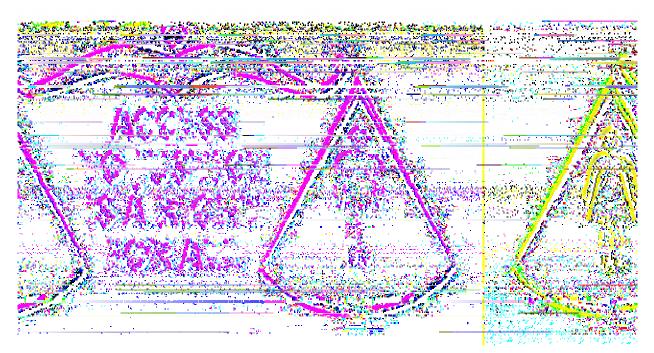
An-iv, Annexure: Supreme Court Legal Services Committee

http://sclsc.nic.in/about\_us/100001

Site for Supreme Court legal Services Committee

As per Article 39-A of the Indian Constitution, the State shall secure that the operation of the legal system promotes justice on the basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

Supreme Court Legal Services Committee is an effort to provide legal aid and assistance to the marginalized and weaker sections of the Society. Supreme Court is the last Court of Justice in the country. It is the Court of Law and people look up to it as being the temple of justice. Approaching the Supreme Court is itself a daunting task, not to mention that today's legal system has become such that the fees and other expenses are exorbitant.



Large number of India's population cannot afford to approach Honorable Supreme Court for justice. These masses sometimes feel left out in their effort to seek justice. In order to remove

this feeling of being deprived, of the right to approach Honorable Supreme Court, on grounds of lack of funds, social or economical backwardness or any other disability, whole concept of providing legal aid through SCLSC was envisioned. The aim of providing free legal aid to the people at large would have remained unaccomplished, if this right was unavailable to the masses for approaching the highest Court of Justice – the Supreme Court. With a purpose of providing free legal aid to the persons (eligible under Section 12 of Legal Service Authorities Act, 1987), (hereinafter referred to as Act for brevity) Supreme Court Legal Services Committee (hereinafter referred to as SCLSC for brevity) was constituted, to approach Honorable Supreme Court.

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An-v, Annexure: Mediation Centers set up in Bangalore in the last two years

Consultants in almost all the following are lawyers.

- 1. R&B Centre for Arbitration and Mediation
- 2. Bangalore Mediation Centre
- 3. Bangalore International Mediation And Arbitration Conciliation Centre (BIMACC)

An-vi: Annexure: Supreme Court forms committee to draft Mediation law, will send to Government

The panel, to be headed by mediator Niranjan Bhat, will recommend a code of conduct for mediators, who are legal experts. On January 12, the committee met in Hyderabad to consider suggestions for a legislation put forth by mediators from all over India. The mediators emphasized on confidentiality, the voluntary nature of the process, neutrality etc.

By

Ajmer Singh, January 19, 2020

"It is essential to have diploma and degree courses in mediation in national law universities. I have already had a talk with the Bar Council of India and the chairman thought it could be included in the syllabus for LLB for mediation. When we have this, we could have lawyers qualified as mediators through a degree. They could form a mediation bar," he had earlier told ET. (Justice Bobde)

### Read more at:

https://economictimes.indiatimes.com/news/politics-and-nation/supreme-court-forms-committee-to-draft-mediation-law-will-send-to-

government/articleshow/73394043.cms?utm\_source=contentofinterest&utm\_medium=text&utm campaign=cppst

An-viia, Annexure: Prominent Luminaries of India for Special References

(I met him both in 2018 in connection with my proposal for courses on mediation for students in India)

Designation	Name	Address	Phone Number	Email id
Former-	Padma	Present Address-	+91	mnvenkatachaliah@
Chief	Vibhushan	5A, Sri.	080 26572626	gmail.com
Justice of	MN	M.N.Krishna Rao		
India	Venkatachaliah	Road,		
&		Basavanagudi,		
Previously	(Age 90 + years,	Bangalore		
Chancellor,	is a living legend)	560 004.		
Sri Satya		Tel: 080 26572626		
Sai Institute	(Padma			
of Higher	Vibhushan is 2 <sup>nd</sup>			
Learning,	highest civilian			
Anantapur,	honor bestowed			
Andhra	by the President			
Pradesh,	of India)			
India				

An-viib, Annexure: Supreme Court of India forms committee to draft Mediation law, will send to Government. Following are the members of the Supreme Court of India Committee set up to draft mediation law

Designation	Name	Address	Phone Number	Email id
Chief Justice, Supreme Court of India	S.A.Bobde	Supreme Court of India, Tilak Marg, New Delhi- 110001 India	Tel: +91 011- 23388922-24, 23388942. Fax:+91 011- 23381508,2338 1584	e-mail: supreme court[at]nic[dot]in.
Founder and the Managing	Niranjan Bhat, Advocate			
Trustee of the Institute for Arbitration Mediation Legal Education and Development (AMLEAD) & Convener of the Ahmadabad Mediation Centre	(Heading the above committee)	Mediate.com		
Former Judge, Punjab & Haryana.  Former	Justice K Kanan	Ambassador, Centre for Advanced Mediation Practice.		kannan@madhyastham. com
Chairman of the Railways Claims Tribunal, Principal Bench, New Delhi.		Mediate.com		

Designation	Name	Address	Phone Number	Email id
Chairman,	A.S. Chandok	AS Chandok,	Contact No:	Email:
National	Advocate	C-524,	+91 011	contact@insolindia.com
Committee for		Defence	49785744	
Regional		Colony,		achandhiok@gmail.com
Affairs,		New Delhi-		
New Delhi		110 024	Tel: +91 011-	
D 11 . C		India	24339071/	
President of			24339074	
Maadhyam, Council for			Eov. 011 2422	
Conflict			Fax: 011 2433 9075	
Resolution,			9073	
New Delhi				
New Dellii				
Member,	PS Narasimha,	373, Sector-	Res-Tel:	psnarasimha@gmail.com
Supreme Court	Advocate	15-A,	+91 0120-	
of India Bar		NOIDA-	4295757	
Association,		201301, UP,		
Membership		India		
No: 00047				
		Office:	+91 011	
		AB-21,	23386204	
		Tilak Marg,		
		New Delhi-		
		110002		
		India		
		Ch-127,	+91 011	
		Old lawyer's	23070662	
		Chambers,	Mob:	
		Supreme	9810141510,	
		Court of	9560600510	
		India,		
		New Delhi-		
		110001		
		India		

Designation	Name	Address	Phone Number	Email id
1. Senior Advocate and Mediator. 2. Founder of Concord Mediation. 3. President of Mediators India. 4.Director on the Board of the International Mediation Institute ( IMI )	Sriram Panchu, Advocate	Sriram Panchu, The Mediation Chambers E 110, 16th CrossStreet Besant Nagar Chennai 600090 India	+91 44 42075155	srirampanchu@gmail.
Vice President of Delhi High Court Bar Association,	JP Singh, Advocate	J.P. SINGH Lawyer Practice Location: Patiala House Court, New Delhi- 110001 India	Mobile: 9811695921	
Serial No:108 in the List of Panel of Advocates of Bangalore Rural	Susheela S Advocate	S Susheela, Anjaneya Extension, Chintamani Pincode- 563125 Near Bangalore, Karnataka, India	Mobile: 9845228434 +91 085152-252216	Branch/es to which the Advocate is attached.  DibburahalliChintamani KaiwaraKyalanurIragam palliGanjigunteMurugam alla

Designation	Name	Address	Phone Number	Email id
Supreme Court	Sadhana	D-99,Sector-	Tel: 95120-	ramachandran.sadhana@
of India Bar	Ramachandran	26, NOIDA-	2550578	gmail.com
Association,	Advocate	201301, UP,	Fax: 95120-	
Membership No: 00048		India	2521845	
110.00040		Ch-07,		
		Lawyer	Tel: +91 011	
		Chambers,	23383265	
		Supreme	Fax: 23388367	
		Court of		
		India,	Mobile:	
		New Delhi-	9810064306	
		110001		
Founder,	Laila Olapally,	CAMP	+91	mail@campmediation
Centre for	Advocate	Arbitration	080 2668 3578	
Advanced		and		lailaollapally@hotmail.co
Mediation		Mediation		m.
Practice		Practice	+91	
(CAMP)		Private		
		Limited, #46,	080 2678-5565	
		36th Main,		
		BTM Dollar		
		Scheme,		
		Bangalore		
		560068,		
		India.	0.1	
President,	Anil Xavier,	Anil Xavier,	+91	anilxavierindia@gmail.co
Indian Institute	Advocate	Dr. George	484 2346880	m
of Arbitration & Mediation		Road, Kaloor -	+91	
		Kadavanthar	9249416731	
(IIAM)		a Rd,	9249410731	
		Kathrikadavu		
		Kalinikadavu Kaloor,		
		Kaiooi, Kochi,		
		Kerala		
		682017		
		India		
		IIIGIA		

Designation	Name	Address	Phone Number	Email id
Professor,	Joel Lee,	ETS-02-14	Office Tel:	lawleej@nus.edu.sg
National	Advocate	Faculty of	(65)6516-3571	
University of		Law,	Office Fax:	
Singapore		National	(65) 6779-0979	
(Law)		University of		
(Expert member		Singapore,		
from Singapore		Eu Tong Sen		
in the drafting		Building		
committee set		469G Bukit		
up by Supreme		Timah Road		
Court of India,		Singapore		
to draft		259776		
mediation laws				
in India)				

# An-viic, Annexure: International Mediators coaching at Singapore Mediation

Designation	Name	Address	Phone Number	Email id
District	David LIM	JUDICIARY,	67217700	Legal Service Commission
Judge		STATE		1 Supreme Court Lane, Level
David LIM	(David Lim	COURTS	Tel	4,
Hock	was my	Address:	1800-JUSTICE	Supreme Court, Singapore
Choon,	coach in the	1 Havelock	(1800-5878423)	178879
PBS,	Dispute	Square	Fax	website: www.lsc.gov.sg
Singapore	Resolution	Singapore	64355913	email: lsc_sec@lsc.gov.sg
8.1	workshop	059724	(Corporate	
	held in		Services)	District Court is part of Legal
	SMC in		64355935 (Civil	Service Commission
	November		Justice Division)	
	2015, along		64355122	
	with Shanti		(Criminal Justice	
	Abraham		Division)	
	from		http://www.statec	
	Malaysia)		ourts.gov.sg	
Founder,	Shanti	Shanti	T: +603 6203	shantiabraham@saaas.com.my
Shanti	Abraham	Abraham &	1988	
Abraham &	(was my	Associates	<b>T</b> : +6016	shantidaa@gmail.com
Associates,	coach in	Advocates &	7702759	g
Malaysia	SMC in	Solicitors	<b>F</b> : +603 6203	
	Nov 2015	Unit 10-04,	5909	
	workshop	Bangsar Utama		
	on	9		
	mediation	Bangsar		
	for dispute	Utama,		
	resolution)	59000, Kuala		
	,	Lumpur,		
		Malaysia		
		Office Address		
Former	Loong Seng			
Executive	Onn			E-mail Address
Director,				loongsengonn@hotmail.com
Singapore	I got my			
Mediation	certification			Secondary E-mail Address
Centre	At SMC in			loong_seng_onn@sal.org.sg
(in 2017,	Nov 2017,			
November)	when he			
	was ED,			
	SMC.			
L	L	l	<u> </u>	

# An-viii, Annexure:

The Indian Institute of Corporate Affairs, under aegis of Ministry of Corporate Affairs.

Given below is the site http://www.mediationiica.in/

Faculty is all Lawyers

An-ix, Annexure: University Grants Commission of India (UGC)

The University Grants Commission of India (UGC India) is a statutory body set up by the Government of India in accordance to the UGC Act 1956 under Ministry of Human Resource Development, and is charged with coordination, determination and maintenance of standards of teaching, higher education,. Examinations and research in higher education /University- in India

Headed by-Prof. DP Singh, Chairman, University Grants Commission (UGC) Bahadur Shah Zafar Marg, New Delhi - 110002. India

Tel: +91 011-23604446, +91 011-23604200

Email id: webmaster.ugc.help@gmail.com

Website: ugc.ac.in

#### An-xi. Annexure:

Proposed Syllabus for 26 hour module for 4 day's workshop/ Three month course

On

'Certificate Course on Awareness of Mediation & Introduction to Singapore Convention on Mediation.'

Or

'Certificate Course on Mediation for problem solving & Introduction to Singapore Convention on Mediation'

## Methodology:

- Lectures, simulations, role plays, case studies, and visuals.
- Live examples customized to each group to be collected before start of each session and discussed in class. New examples to be added continuously in the course content. Cases to be solved/ discussed to be given as home work to the participants.
- Mediation clubs to be popularized.
- Pledge for mediation can be taken.

For this course the Harvard Model of mediation will be used.

Hour1: Introduction of Coach, Participants, Expectations from the workshop/course, Overview of history and need for mediation

Hour 2: Approaches to a problem/ Spectrum of problem solving, frames to approaching a problem, Interests/Needs/Rights/Power, Transaction Costs & Benefits to resolving a problem, levels of party control and party participation

Hour 3: Why of benefits, why of party participation, why of party Control, When does mediation work, when does it not work?

Hour 4: Simple exercises on understanding of the concept

Hour 5: Corporate exercise

Hour 6: Interests, People, Process, Problem, Types of interests, Interests of importance from mediator perspective, Levels of interests, Positions, How to convert Positions to Interests?

Hour 7: Case study for identifying interests + Role Play

Hour 8: Options-zooming in-zooming out, Guidelines for generating options, how can mediator facilitate.

Hour 9: Watching a video clipping and discussion on identifying interests & options

Hour 10: Criteria, Importance of criteria, Standards, Procedures, Areas of discussion, Mapping out 'possible impact of each option'

Hour 11: Alternatives, BATNA, WATNA, Discussion of a Case

Hour12: Mid-training evaluation

Hour 13: Preparing worksheet for Interest based mediation for issues and interests

Hour 14: Preparing Worksheet for Options and Criteria

Hour 15: Preparing Worksheet for Alternatives and Communication

Hour 16: Preparation Worksheet for 'Relationship' and 'Commitment'

Hour 17: Relationship Issues, Perception, Emotion, Communication, Discussion of a Case for relationship issues

Hour 18: Communication skills in mediation, Listening and Active listening

Hour 19, Hour 20, Hour 21: Format for Mediators to facilitate as per the SMC Model- Opening Statements, Party statements, Agenda setting, Options generation and Criteria

Hour 22: Caucus, rules for Caucus, When tactics get stuck (Impasse), Exercise on Personal Approach to problem solving, the mediation way

Hour 23, Hour 24: Written Assessment, Feedback, Queries & doubts from participants

Hour 25, Hour 26: Introduction to Singapore Convention on Mediation

### Text Books Used is:

- 1) Getting to YES negotiating an agreement without giving in by Roger Fisher & William Ury and Bruce Patton, www.randomhouse.co.uk, In India by Replika Press Pvt.Ltd
- 2) Study material given by the Singapore Mediation Centre
- 3) The Mediator's Handbook, Jennifer E Beer & Caroline C Packard with Eileen Stief By New Society Publishers (Printed in Canada)
- 4) Mediation: Principles and Practice by Kimberlee K Kovach, by West Publishing Co (Printed in United States of America)
- 5) Mediation in a Nutshell, Kimberlee K.Kovach, Thomson West (Printed in United States of America)

- 6) 5-Day Basic MIT Trainer's Manual, Caril Orma-Johnson & Mark Cason Snow (Printed in United States of America)
- 7) Dialogue for Difficult Subjects, A Practical, Hands On Guide, by Lisa & David Campt by Goodbooks, an imprint of Sky horse Publishing, Inc, New York
- 8) Articles on Conflict resolution and Mediation published in Internet (Source of each article mentioned as foot note)
- 9) Singapore Convention on Mediation-A Commentary; Nadja Alexander & Shouyu

Designation	Name	Address	Telephone	Email id
Former Chancellor, National Law School of India University, P.O. Bag 7201, Nagarbhavi, Bangalore - 560 072, Karnat aka, India.	Prof. Venkata Rao  Met him in Bangalore in 2018 in connection with this proposal	Present Address- Vivekananda Institute of Professional Studies, AU Block, Outer Ring Road, Pitampura, New Delhi- 110034 India	Mobile: 97405 60111	
Principal, SSMRV College	Dr.S Anil Kumar	(S S M RV College), #17, 26 <sup>th</sup> Main, 36 <sup>th</sup> Cross, 4 <sup>th</sup> T Block, Jayanagar, Bangalore- 560041, Karnataka, India.	Tel: +91 080 22453665	Email id: ssmrv_1982in@yahoo.co.in, anilsrirv@yahoo.co.in Website-www.ssmrv.ac.in
Associate Professor Department of Human Resource Management	Dr.A. Narasima Venkatesh	Associate Professor Department of Human Resource Management R V Institute of Management Bangalore - 560 041	+91 911046438 0.	dr.a.narasimavenkatesh@gmail .com
Director, EPGDM, Alliance University	Prof. Arunabha Bose	19 <sup>th</sup> Cross Road, 7 <sup>th</sup> main Road, N S Palya Stage-2, Bangalore- 560076, Karnataka,India	+91 80 2678 6021, +91 98456 35921	arunabhas.bose@alliance.edu.i n

An-xii, Annexure: References from Academics

An-xiia, Annexure: Appreciation Letter

From Sivananda Sharma Memorial RV College

(S S M RV College), #17, 26<sup>th</sup> Main, 36<sup>th</sup> Cross, 4<sup>th</sup> T Block, Jaya nagar, Bangalore-560041,

Karnataka, India.

Tel: +91 080 22453665, Email id: ssmrv\_1982in@yahoo.co.in, anilsrirv@yahoo.co.in

Website-www.ssmrv.ac.in

(The following talk was the first talk on mediation as an ADR method in an Under Graduate College in Bangalore, and in Karnataka. It was the result of two years of effort/struggle by Dr. Bharati Rao)

Appreciation Letter was typed on official letterhead of the College and signed by the Principal Dr.Anil Kumar. Following is the text of the letter:

To,

Dr. Bharati Rao,

Panel Member,

Singapore International Mediation Institute

With reference to the above subject we would like to thank you for conducting the seminar on "Mediation for Conflict Resolution" for the UG students of SSMRV College, Bangalore, India on 7<sup>th</sup> November 2019, at the College Seminar Hall.

The seminar was informative and interesting and created awareness of this concept for resolving conflicts in an amicable manner amongst the student fraternity. This initiative becomes even more relevant since India would have the highest number of employable youth by 2020.

As such, the concept of mediation as a tool for conflict resolution is at its infancy stage in India.

This seminar is the first of its kind in the education sector in Bangalore, India.

I, on behalf of the College and my personal self, appreciate the time and effort that you have dedicated for this.

We look forward to associate with you in our future endeavors.

Thanking you,

Regards, -signed-Dr. S Anil Kumar Principal

8<sup>th</sup> Nov, 2019 Bangalore An-xiib, Annexure: Invite for talk at RV Institute of Management

(The following talk was the first talk on mediation as an ADR method in a Business School in Bangalore, and in Karnataka. It was the result of two years of effort/struggle by Dr. Bharati Rao)

Dr.A.NARASIMA VENKATESH dr.a.narasimavenkatesh@gmail.com +91 91104 64380

Dear Madam,

With reference to our telephonic conversation, we would like to invite you for an Industry-Institute Interface (3i) on the

topic "Mediation as an Alternative Dispute Resolution (ADR) Mechanism" for our I Semester MBA Students (180 Students) in the Seminar Hall at R V Institute of Management, Bangalore between 10:30 am to 11:30 am on Tuesday, 21st January 2020.

Audio-Video facilities and PPT Projection facilities are available at our institute.

Request you to send your confirmation by replying to this email and to send your brief profile.

Warm Regards,
Dr.A.Narasima Venkatesh
Associate Professor
Department of Human Resource Management
R V Institute of Management
Bangalore - 560 041
+91 9110464380.

## An-xiii, Annexure:

Union Public Service Commission for Government recruitments in India

Union Public Service Commission stationed in New Delhi India is the nodal agency that is responsible for recruitment for government positions, in India. It is enshrined in the Part XIV of Constitution of India and is also an advisory to the President of India .It is headed by the Chairman and a team of panel members.

The present Chairman is Sri Arvind Saxena.

Address for contact-Sri Arvind Saxena, Chairman, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi 110069 India Tel: +91 011-2381145 Email id: chairman-upsc@gov.in

Other members on the panel of UPSC also be contacted through addresses on the site given below-

http://www.upsc.gov.in/about-us/

General Telephone numbers:

+91 011-23098543, +91 011-23385271, +91 011 23381125, +91 23098591

#### Functions of UPSC

Under Article 320 of the Constitution of India, the Commission is, inter-alia, required to be consulted on all matters relating to recruitment to civil services and posts. The functions of the Commission under Article 320 of the Constitution are:

- 1. Conduct examinations for appointment to the services of the Union and the State respectively.
- 2. Direct recruitment by selection through interviews.
- 3. Appointment of officers on promotion / deputation / absorption.
- 4. Framing and amendment of Recruitment Rules for various services and posts under the Government.
- 5. Disciplinary cases relating to different Civil Services.
- 6. Advising the Government on any matter referred to the Commission by the President of India.

An-xiv, Annexure: Site for Ministries given below

http://goidirectory.nic.in/union\_categories.php?ct=E002

It is suggested that Secretaries (who are IAS or Indian administrative Services Officers) in each Ministry reporting to Minister do the course.

An-xv, Annexure: 40 Hours Training on Commercial Mediation & Negotiation in 6 days

A) Under Ministry of Corporate Affairs, Government of India/Be/a/Commercial, Consumer/and/Financial/Mediator/40 Hours Training on Commercial Mediation & Negotiation in 6 days

Indian Institute of Corporate Affairs, a think tank of the Ministry of Corporate Affairs, Government of India conducts trainings specialized in corporate and commercial mediation for promotion of Section 442 of Companies Act, 2013, mandatory mediation under Section 12A of Commercial Courts Act, 2015 and mediation under Consumer Protection Act, 1986. Types of Disputes suitable for mediation:

- Company Law
- Real estate
- Labor disputes
- IPR disputes
- Start-up industry
- Banking & Finance
- Sports Law
- Entertainment law
- Contractual
- Partitions, etc.

### Course Outline:

- Negotiation (Commercial and Cross Cultural)
- Mediation (Pre and Post Litigation Mediation)
- Status of Mediation across the Globe
- Understanding Disputes
- Understanding Effective Communication
- Psychology and Body Language in Dispute Resolution
- Mock mediation practice and examination

#### Address-

Sameer Sharma, CEO, IndianInstituteofCorporateAffairs, Plot No. 6, 7, 8, Sector-5, IMT Manesar, Gurgaon- 122050 Haryana, India

Tel: +91 9560439503, + 91 8586074575 Email ids: mediation.iica@gmail.com

Site: https://superlawyer.in/indian-institute-of-corporate-affairs-mediation-project/

Website: Wikipedia, Fees is 55000/- or 850 dollars

# Who can attend?

Judges

Advocates

In house counsels

**Chartered Accountants** 

**Company Secretaries** 

Cost & Work Accountants

Bureaucrats & public servants

Members of National Tribunals

Members of National, State and District Consumer Forums

**Professional Students** 

Faculty (Law, CA, CS, Management, Commerce etc.)

Bankers

Members and employees of various sector regulators

Social Workers

**Entrepreneurs & Working Professionals** 

HR and Management Professionals

Active and Retired Professionals are welcome

https://knowledgesteez.wordpress.com/category/online-certificate-courses/free/

Site for free Online Courses

An-xvi, Annexure: Consumer Protection Organizations

Following is the site for Consumer Assisto. 'Consumer Assisto' as the name suggest assisting the consumers in every possible approach. The ideology behind this project is to provide legal assistance to consumers and build content of all the legislations and case laws which shall be accessed by everyone. Purpose is to create awareness midst general public. It is a unit of Knowledge steezEduHub (LLP AAM 8237).

The project aims to help people and also provide pro-bono services. With the help of this project we will try to reach out general public who need legal assistance and create awareness and reduce exploitation of consumers.

Contact Tel:

Shruti Gupta +91 8360870921

S. Ravi +91 8826621766

Email Address: srm@comsumerassisto.com

Given below is the site for Consumer Assisto:

http://consumerassisto.com/legal-services-not-included-under-consumer-protection-act/

Given below is the site for Team at Consumer Assisto

http://consumerassisto.com/founding-team/

Given below is the site for Site on Advisory Board at Consumero Assisto

http://consumerassisto.com/advisory-board/

An-xvii-Annexure: Intellectual property rights

## About IP Assisto

IP Assisto is committed to disseminate awareness and promote IPR in India. The center encourages creativity and innovation which may eventually lead to generation of new Intellectual Property Rights. The aforementioned vision will be accomplished by providing support and guidance to every person in need of protecting their invention and creations. The center will familiarize all stakeholders with the importance of Intellectual Property laws in today's technology driven society and provide them a platform for interaction.

# An-xviii, Annexure: Addresses of United Nations Offices

Designation	Name	Address	Phone Number	Email id
	United Nations Office in India	Field Office, New Delhi: 73, Lodhi Estate, New Delhi, 110003 India	+91-11- 24690401,24691401 +91-11- 24627521,24691410	india@unicef.org
Secretary General, United Nations	António Guterres,	Office of the Spokesperson for the UN Secretary- General United Nations, S-233 New York, NY 10017 United States	(All other enquiries) Tel. 212-963-1234	

United Nations Secretary General (2020) - Antonio Manual de Oliveira Guterres

An-xix, Annexure: Resume

Dr. Bharati Rao

R-001, Mantri Paradise,

Bannerghatta Road, Near IIM, Arekere,

Bengaluru-560076, India

Email:

bharatiraomediation@gmail.com, snehimediation@gmail.com

Phone: +91 (80) 26092273, +91 9535219976



# **Experience**

- Oct 2019 Founder, Snehi Mediation & Counseling www.snehimediation.org
- April 2018 Drafted proposal + Course content for a 'Certificate Course on Awareness Of Mediation' in B-schools/ Colleges/Corporate in India. This project was visualized by me.
- Nov 2017 Certified as Mediator, Singapore Mediation Center, among the 1<sup>st</sup> from India to Train in SMC. I am on the Panel Member Singapore International Mediation Institute.

(http://www.mediation.com.sg/workshops/)

- 2013- 2018 Doctoral Research in Management at Mother Teresa University, Kodaikanal
  - As part of Doctoral Research work, designed a Questionnaire and Scale (Behavioral Attributes for Employability Scale- the BAE Scale) to study the Inherent Behavioral attributes of Undergraduate students and their influence on Employment preparedness. This is the first such scale in India.
- 2014- 2018 Laqsh Job Skills Academy, Bangalore working for NSDC with the Governments of Telangana, Kerala and Karnataka
  - Master Trainer in Banking Training sessions for trainers and vocational teachers in banking

- Content Development for Central Board of Secondary Education (CBSE) text books in Banking, including course evaluation and suggesting interactive aids for teaching banking in English and Hindi.
- 2015-to date/ Teaching at Alliance University, Bangalore (Private University) as Visiting Faculty. (English & HRM subjects)
- 2004-2010 Counseling Psychologist, ICFAI Business School, Hyderabad & Bangalore
- 1982-2001 Officer, Indian Bank
  - Posts Held: Joined as Probationary Officer, 1982. Worked in different parts of India-both metros and rural, officiated in various capacities (Officer, Accountant, Currency Chest In-Charge, Branch Manager, and Officer in Zonal Office). Worked in Chennai, Delhi and Hyderabad zones.

Took Voluntary Retirement in 2001: Retired as Scale-1 Officer

### Other Professional Activities

#### 2010-13 Writer

- 'A Women's Story' dealing with women's issues & social change in India
- 'On to the Highway' a collection of motivational articles written for Management students in Icfai Business School (1 B S)
- 2009 Certification in Counseling by Indian Hospitals Association

2006 Certified practitioner of Thomas Profile Analysis for work related behavior

#### **Education**

- August 2018 Mother Teresa University for Women, Kodaikanal, Doctorate in Management (PhD).
- Nov, 2017 Certification as Mediator, Singapore Mediation Centre.
- 2010-2012 Pondicherry University, Masters in Business Administration (MBA) (Human Resources Management) under Distance learning mode.
- The Open International University (Institute for Behavioral and Management Sciences) Certification in Student Counseling
- 2004 Osmania University (St. Francis College)

Post Graduate Diploma in Psychological Counseling (PG Dip in Counseling)

1979-1981 Delhi University, Master of Arts (MA in Industrial Psychology)

Age-60 years

# An- xx, Annexure: Names of some prominent Newspapers in India, Their Addresses & Contacts

Newspaper
of India   91 011 3312277   7, B.S.Z. Marg   New Delhi   110002    Hindustan   editor@hindustantimes.com   +91-11-3361234,
(phone)       New Delhi 110002         Hindustan       editor@hindustantimes.com       +91-11-3361234, Hindustan Times         Times       +91 011 3704589       House, 18-20 Kasturba Gandhi Marg, New Delhi-110001         The Hindu       thehindu@vsnl.com       +91-044-8415325       The Hindu 1/5, INS Building, Rafi Marg, New Delhi-110001         Malayala       +91 080 2286 7050       29, 2nd Floor, Building Empire,         Manorama       (Bangalore)       Building Empire,
Hindustan   editor@hindustantimes.com   +91-11-3361234,   Hindustan Times   House,   18-20 Kasturba   Gandhi Marg,   New Delhi-110001   Hehindu   thehindu@vsnl.com   +91-044-8415325   The Hindu 1/5,   INS Building,   Rafi Marg,   New Delhi-110001   Malayala   Hendu   Hendu
Hindustan
Times
18-20 Kasturba   Gandhi Marg,   New Delhi-110001
Gandhi Marg, New Delhi-110001  The Hindu thehindu@vsnl.com +91-044-8415325 The Hindu 1/5, +91 011 3718158 INS Building, (Delhi) Rafi Marg, New Delhi-110001  Malayala Manorama +91 080 2286 7050 29, 2nd Floor, (Bangalore) Building Empire,
New Delhi-110001
The Hindu thehindu@vsnl.com
+91 011 3718158 INS Building, (Delhi) Rafi Marg, New Delhi-110001  Malayala +91 080 2286 7050 29, 2nd Floor, (Bangalore) Building Empire,
(Delhi) Rafi Marg, New Delhi-110001  Malayala H91 080 2286 7050 29, 2nd Floor, (Bangalore) Building Empire,
Malayala +91 080 2286 7050 29, 2nd Floor, Manorama (Bangalore) Building Empire,
Malayala +91 080 2286 7050 29, 2nd Floor, Manorama (Bangalore) Building Empire,
Manorama (Bangalore) Building Empire,
+91 481 258 Infantry Rd,
7244(Kottayam) Bengaluru,
Karnataka 560001
The Editor@The Tribune +91 011 3234892 Dayal Singh Library,
Tribune Delhi 1, D.D. Upadhya
Marg,
New Delhi-
110002
+91 (172) 2655066 The Tribune House
(Chandigarh) Sector 29C
Chandigarh: 160030
Chandigarh ,India

The	calaaa12@giascl01.vsnl.net.in or	+91 011 331 5295	Statesman House,
Statesman	thestatesman@vsnl.com	(Delhi)	4 Chowringhee
			Square
			Calcutta
			700 001
The	Fax Number: 033-	Phone Number:	The Telegraph Head
Telegraph	22253143(Corporate)	+91 033-22345374 /	Office Address:
		+91 033-2216600 /	ABP Pvt. Limited,
	Head Office Email ID:	+91 033-2237800	6 Prafulla Sarkar
	ttedit@abpmail.com		Street,
			Calcutta – 700001,
			India.
Rajasthan	publication@epatrika.com	+91-141-39404142,	Rajasthan Patrika
Patrika	(Publications)	Fax Number:	Private Limited,
		+91-141-2566011	Kesargarh,
			J.L.N. Marg,
			Jaipur – 302004,
			Rajasthan
Economic	contactus@etcio.com.	+91 011 3492148	Times House, 7,
Times			B.S.Z. Marg,
			New Delhi-2
			Postal Address: Times
			Internet Limited
			(Times Center),
			FC - 6, Sector 16 A,
			Film City,
			Noida – 201301
			Uttar Pradesh, India
Deccan	editor@deccanmail.com	+91 (011)	Corporate Office,

Chronicle	info@deccan.com	26530001/2/3	Deccan Chronicle
		Fax: (040)	Holdings Limited
		27803870/5392/5207	36,Sarojini Devi
			Road,
			Secunderabad –
			500 003
The Indian	editor@expressindia.com	91-11-6511615	The Indian Express
Express			Online Media (Pvt)
			Ltd,
			C-6, Qutab
			Inst. Area,
			New Delhi-110016
The New	writetous@newindianexpress.com	Phone:	Executive Editor of
Indian		+91-44-2345 7601 /	newindianexpress.com
Express		07	Express Network
		Fax: +91-44-2345	Private Limited,
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			No.29, 2nd Main
			Road,
			Ambattur Industrial
			Estate,
			Chennai - 600 058,
			India.
Deccan	editor@deccanmail.com	+91 (80) 5586443	The Printers (Mysore)
Herald			Private Ltd. 75,
			Mahatma Gandhi
			Road,
			Post Box No 5331,
			Bangalore - 560001

e a	assamtribunedelhi@gmail.com,	+91 0361 2661	Assam Tribune,
sam (	delhi@assamtribune.com.	359/360	Tribunes Building,
bune			MRD Road,
			Guwahati-781003,
			India
nt 1	leslie.d@livemint.com or		
5	sanjay.g@livemint.com		
lia 1	Email Address:	3316180	F-14/15, Connaught
day	factcheck@intoday.com	India Today Office	Place,
		Telephone Number:	New Delhi-
		0120-4807100	110001,
			India
lia 1	sanjay.g@livemint.com Email Address:	India Today Office Telephone Number:	F-14/15, Connau Place, New Delhi- 110001,