

SCHEME FOR TRAINING UNDER MEDIATION AND CONCILIATION PROJECT COMMITTEE

The Supreme Court of India has constituted Mediation and Conciliation Project Committee (MCPC) to oversee the effective implementation of Mediation and Conciliation in the Country. The Mediation and Conciliation Project Committee (MCPC) was constituted by the then Chief Justice of India Hon'ble Mr. Justice R.C. Lohoti by order dated 9 th April, 2005. Hon'ble Mr. Justice N. Santosh Hegde was its first Chairman. It consisted of other Judges of the Supreme Court and High Court, Senior Advocates and Member Secretary of NALSA.

1. COMPOSITION

At present the constitution of MCPC is as under :

1. Hon'ble Mr. Justice J.S. Khehar ... Chairman
2. Hon'ble Mr. Justice Madan B. Lokur ... Member
3. Mr. E P. Rao, Senior Advocate Member
4. Ms. Asha Menon, Member Secretary, NALSA. ... Member
5. Ms. Nisha Saxena ...Member Secretary

2. ELIGIBILITY FOR TRAINING

The following persons are eligible for training as Mediators:

- (a) (i) Retired Judges of the Supreme Court of India,
(ii) Retired Judges of the High Court;
(iii) Retired District and Sessions Judges or retired Judges of the City Civil Court or Courts of equivalent status.
- (b) Judicial Officers or legal practitioners with atleast-10 years' standing at the bar at the level of the Supreme Court or the High Court or the District Courts of equivalent status;

- (c) Experts or other professionals with at least fifteen years' standing; or retired senior bureaucrats or retired senior executives;

3. TRAINING OF MEDIATORS

The Mediators are trained as per the curriculum approved by the MCPC contained in the manual known as Mediation Training Manual of India. The Mediation Training Manual was prepared under the guidance of Hon'ble Mr. Justice Cyriac Joseph, former member, MCPC and Chairman, Sub-Committee. Any person to be trained as a Mediator has to undergo compulsory 40 hours' mediation training imparted by trainers of MCPC as per the curriculum laid down in Mediation Training Manual. Mediation Training Manual of India can be down loaded from the Supreme Court of India website - sci.nic.in

4. ACCREDITION

A person must have undergone 40 hours of mediation training programme under the aegis of MCPC as per curriculum approved by MCPC from the trainers of Mediation and Conciliation Project Committee. After having undergone 40 hours training only those mediators who have completed atleast 10 successful mediation resulting in settlement and atleast 20 mediation in all, are eligible to be accredited as qualified mediator.

The Committee also resolved that the Mediators who have undergone training programme conducted by institution other than MCPC shall not be accredited as Mediator under MCPC.

5. TRAINING OF TRAINERS PROGRAMME

Master trainers of Mediation have devised a 20 hour programme for training of trainers and only those mediators accredited by MCPC who have completed atleast 50 mediations resulting in settlement and atleast 60 mediations in all, are eligible to undergo Training of Trainers (ToT) programme. The training of trainers programme is also followed by advanced training programme to further crystallize the concept of mediation and skill development.

6. HONORARIUM TO MEDIATORS ACCREDITED BY MCPC

S.No	Nature of case	Honorarium
1	On settlement through mediation of a matrimonial case [including criminal], custody, guardianship, probate, partition and possession.	Rs.3000/- per case [with two or more connected cases, the maximum would be Rs.4000/-]
2	All other matters.	Rs. 2000/- per case [with two or more connected cases, the maximum would be Rs.3000/-]
3	Connected case	Rs.500/- per case subject to a maximum of Rs.1000/- [regardless of the number of connected cases]
4	In case of no settlement	No honorarium.

The scheme of training under MCPC has been devised in such a way so as to ensure uniformity in the curriculum of the Mediation training and also to maintain quality control of mediators throughout the country.

The endeavor of the Mediation and Conciliation Project Committee is to give a boost to the Court annexed mediation and to help mediation in growing not as an Alternative Dispute Resolution Mechanism but as another effective mode of dispute resolution.

