

**MAHARASHTRA NATIONAL LAW
UNIVERSITY MUMBAI**

**M.A. (EXECUTIVE)
IN MEDIATION AND CONFLICT
RESOLUTION**



**An ounce of mediation is
worth a pound of
arbitration and a ton of
litigation.
-Joseph Grynbaum**

FROM THE VC's DESK

The M.A. (Executive) Program in Mediation and Conflict Resolution owes its genesis to our former Chancellor and the former Chief Justice of the Supreme Court of India, Hon'ble Mr Justice S.A. Bobde. He has been insistent that India should develop its own degree Program in Mediation, and we are deeply grateful to him for spurring us. Mediation and Conflict Resolution are essential skills to learn not just for the legal community but also for any working professional who intends to learn to handle workplace conflict.

I am glad to oversee this Program's development at the hands of Ms Tanu Mehta, our Director of the Centre for Mediation and Research at MNLU Mumbai. At the same time, I am heartened by the response from the professional community and how efficiently the Program took off last year in September 2020 on a trajectory of sustained academic excellence.

I wish all success to our first batch and look forward to inviting our second batch of participants!

Prof. Dr. Dilip Ukey
Vice-Chancellor



FROM THE REGISTRAR'S DESK

Mediation as a cost-effective and speedy means of dispute resolution mechanism has grown both in volume and importance in all jurisdictions across the globe. Though mediation as a process is deeply rooted in our history and culture, we are still evolving effective mediation principles. However, the post-liberalisation approach towards result-oriented conflict resolution has opened up new challenges in the field of mediation. We should not forget that there is dearth of professionally trained mediators to meet the challenges of our country. To build a skilled conflict resolution professional, we need to combine traditional methods of teaching with contemporary methods of pragmatic and holistic learning. . Keeping this in mind, the MNLU Mumbai has launched a unique Post Graduate programme in Mediation and Conflict Resolution. The programme has received tremendous response in the first year of launching itself with the excellent work done by the team of Centre for Mediation and Research and under the dynamic leadership of our Hon'ble Vice-Chancellor. I wish all success to the programme to train its second batch of learners.

Prof. (Dr.) Anil G. Variath
M.A., LL.M., Ph.D
Registrar (I/C),
MNLU Mumbai



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ABOUT MNLU MUMBAI

Maharashtra National Law University Mumbai, established under the Maharashtra National Law University Act 2014 is one of the premier National Law Universities in India. The University imparts legal education by nurturing diversity, equity, ethics and inclusiveness. It recognizes that education should inculcate passion for creative and critical thinking and a commitment to transformative solutions. The University encourages service to society and lifelong learning.

MNLU's academic programmes began in 2015, and it now offers B.A., LL.B. (Hons.), LL.M. and Ph.D. degrees to its students. MNLU Mumbai has progressively set up 8 Centres, which include the Centre for Research in Criminal Justice, Centre for Maritime Studies, Centre for Good and Services Tax and Training, and Centre for Mediation and Research, amongst others.

The Centre for Mediation and Research (CMR) at MNLU Mumbai took off in January 2019. It is headed by Ms Tanu Mehta, Counsel and Mediator practicing in the High Court of Bombay. Under her stewardship, it has developed the MA (Executive) Program in Mediation and Conflict Resolution. It is India's first such postgraduate degree program in Mediation, and hopes to set the standards of Mediation education across the country.



M.A. (Executive) in Mediation and Conflict Resolution

It is a unique program dealing with the whole gamut of conflict resolutionary practices , with a primary focus on Mediation. The course is for all professionals, both legal and non-legal. It incorporates learnings from psychology, sociology, law, business, religion, culture, diplomacy, neurology, philosophy, international relations, cognitive sciences, artificial intelligence, technology. The faculty consists of subject experts (Indian and International) from the above mentioned fields of study. The Program would benefit professionals in equipping themselves with the required knowledge and expertise in dealing with all kinds of disputes. From managing contractual disputes to handling workplace quarrels, from negotiating personal deals to striking collaborative agreements, from building the ability to remain neutral to building the ability to resolve longstanding problems, the course is set to develop brilliant leadership, communication, and conflict resolution skills in every participant. The M.A. (Exe.) in Mediation and Conflict Resolution is divided into 16 subjects (Papers), to be taught (virtually) over 4 semesters, in two years. However, a compulsory physical contact program of 7 days shall be conducted in MNLU Mumbai Campus in the latter part of the Course. The schedule for the physical contact program shall be announced well in advance.



Board of Mentors

Hon'ble Smt. Justice Bharati Dangre

Justice Bharati Dangre is a sitting Judge of the Bombay High Court and is a Trained Mediator. Before being appointed as a judge, Smt. Justice Dangre was a Government Pleader and Counsel, Nagpur Improvement Trust, MSRDC and Special Counsel for Forest Department. Justice Dangre has also been a keen educator and given Contributory Lectures in Law & Management Studies. Justice Dangre has been enthusiastic about the development of this MA Program and it is to her credit that this Program was launched even in the difficult times of Covid lockdown last year.

Mr. Sriram Panchu

For almost thirty years, Mr. Sriram Panchu has been at the forefront of the Mediation movement in India and is an internationally recognized Indian Mediator. In 2005 he set up India's first court-annexed Mediation centre at the Madras High Court and has assisted the Supreme Court and other High Courts to do so. Mr. Panchu is President of Mediators India, a national association of Mediators, also a member of the National Legal Services Authority of India, (NALSA) and one of the Directors of the International Mediation Institute (IMI). He has authored three books on Mediation.

Dr. Aman Hingorani

Dr. Hingorani is an Advocate and Mediator in the Supreme Court; Arbitrator; Advocacy & Mediation Trainer; Author, 'Unravelling the Kashmir Knot,' a SAGE bestseller. He, as adjunct faculty, has been engaged in teaching and developing content and pedagogy. He has prepared the mediation rules for FICCI and PHD Chambers, and the ADR module for All India Bar Examination. He has taught in programmes at National Judicial Academy, State Judicial Academies, Indian Law Institute, Oxford University UK, Warwick Law School, South Asian Institute of Advanced Legal and Human Rights Studies Bangladesh and many more.



APPLICATION PROCEDURE

1. *Download and fill the application form available at: <https://mnlumumbai.edu.in/Mediation.php>*
2. *Email the application form to info.mediation@mnlumumbai.edu.in. An acknowledgement email will be sent within 24 hrs of the submission.*

ELIGIBILITY

The Program is open to graduates from all disciplines, with a minimum of two years of work experience desirable.

ADMISSION TIMELINE

- Release of Admission Notice / Application Form: **15 June 2021**
- Last Date for Submitting Application Form: **30 July 2021**
- Release of shortlisted candidates: **14 August 2021**
- Last date of Payment of Fees and submission of all admission documents: **25 August 2021**
- Final release of the List of all successfully admitted candidates: **31 August 2021**
- Inauguration and Orientation of the Degree Program. (Online): **4 September 2021**

SYLLABUS/SUBJECTS

SEMESTER - I

- Basics of Mediation
- Socio-Philosophical Roots of Mediation and Conciliation
- Online Mediation and use of Artificial Intelligence
- Research of Conflict Resolution Practices

SEMESTER - II

- Types of Mediation
- Legal Status of Mediation
- Indian Studies in Dialogue and Dispute Resolution
- Communication Skills

SEMESTER - III

- Neuro-Psychological Analysis of Conflict
- Specific Negotiations
- Conflict Management and Decision Making
- International Negotiations and Diplomacy

SEMESTER - IV

- Restorative Justice
- Conflict Resolution from the Religious Lens
- Personal Bio-Cognitive Development of a Conflict Resolver
- Observational and Reflective Practice

MEDIATION

Note: Papers may be swapped between the semesters.

However, they will not be cancelled from the curriculum.

Process of Evaluation and Examinations for Award of Degree

The evaluation of participants in the course will be continuous. Each paper will be evaluated for 100 marks as under:

Internal (50 marks):

*Class Participation/Presentation/Projects/Roleplays/
Reflections*

External (50 marks):

End Term Examination

Note: Participants shall have an opportunity to write a research project under the direct supervision of the university's academic staff in the fourth semester of the two-year Program. The research project will be for 100 marks which will entail submitting a 5000 to 7000 words research project. A subject on 'Basic Research and Methodology of Research' at the M.A level will be taught before submitting it.

Degree & Accreditation

At the end of the two-year program, the participants will be conferred the degree of 'M.A. (Executive) in Mediation and Conflict Resolution.' At the end of the first year, participants will be granted a certificate of completion of paper comprising 45 hours of basic mediation skills, which they can use to accredit themselves as mediators in their respective institution (as per their respective rules). Participants will be accredited as Mediators at the end of a two-year program with MNLU's Centre for Mediation and Research (CMR). We will endeavour to get our participants' maximum accreditation with affiliated organisations of CMR.

Academic Calendar and Attendance

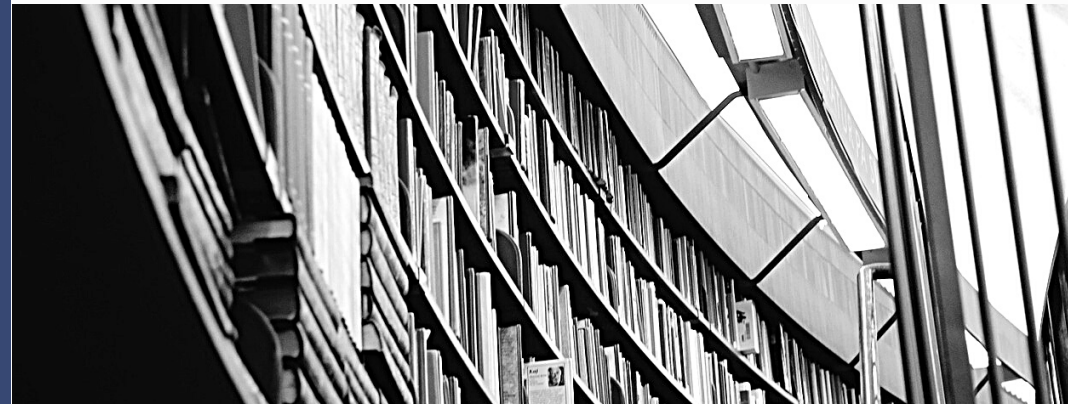
Participants are expected to be present in all classes. Classes will be held for a limited number of days per month, for limited hours per day, at times that are suitable for the working professional. For each semester, the academic calendar will be shared with the participants well in advance.

Every student has to secure a minimum of 75% attendance in all the subjects taken individually in each semester to be eligible for appearing in the end term examination.

NOTE

In case a participant does not attend a particular class, the class recording shall be available for viewing. To be eligible for attendance for that class, class reflection question(s) will have to be answered.

However, this option will be available in exceptional cases with the prior permission of the Course Director/Coordinator.



Career Prospects

The M.A. in Mediation and Conflict Resolution is introduced to equip working professionals with an array of skills and expertise in the world of dispute resolution, as conflict is an inevitable element of our life and work. Besides mastering practical skills, and developing academic insights on theory, successful post-graduates will also be recognized as 'Accredited Mediators' with MNLU's Centre for Mediation and Research (CMR). It will be our endeavour to get our participants maximum accreditation with affiliated organizations of CMR.

Upon completion of the program, participants will be able to:

- a. deal with challenges of managing conflicts within their departments.*
- b. critically evaluate complexities of organizational conflicts and resolve them amicably.*
- c. deploy appropriate dispute resolution mechanisms for settling contending claims in legal and other disputes.*
- d. cultivate leadership skills for managing large and diverse human resources.*
- e. amicably settle community hostilities, public conflicts and daily disputes.*

Regardless of one's professional calling, Mediation can be a significant game changer in dealing with life issues. With the skill sets it promises, the post-graduate course will bolster participants' social and professional standings and make them more valuable personnel to the organizations and brands they represent.

Reviews about the Program from the Faculty



“Prevention is better than cure, as the old adage goes. Mediation is a process of resolution of a dispute by elimination of the cause for dispute. Hence, it is most effective and enduring. That is my reason for recommending this course.”

-Justice B.N. Srikrishna

Retired in 2006 as Judge of the Supreme Court of India, a scholar of Indian jurisprudence and philosophy, and a deeply respected Mediator and Negotiator



"This is an intensive program for understanding and learning Mediation in its myriad perspectives. Formal Mediation policies in India are recent, and it's adoption even more so. This program delves into the history, the many pathways in mediation and an understanding of the issues that might arise in a private dispute resolution process in its interaction with older and more institutionalised dispute resolution processes. This is an important course for persons interested in learning about mediation"

-Ms Chitra Narayan

Mediator & Co-founder of the Foundation for Comprehensive Dispute Resolution

Reviews about the Program from the Faculty



"Mediation has seen success across the world in settling disputes that are often dismissed by the formal legal system as 'unresolvable'. Mediation helps the processing of disputes through mechanisms that are practical and context-sensitive and arrive at settlements that are sustainable. This course is designed to equip aspiring mediators with holistic learning of dispute processing helping them develop a skill set necessary to meet the dynamic conditions within which disputes often arise. "

-Dr Kalindi Kokal

Author of 'State Law, Dispute Processing and Legal Pluralism: Unspoken Dialogue from Rural India' (Routledge 2020) Postdoctoral fellow at the Centre for Policy Studies (IIT Bombay)



"I am extremely privileged to be a guest faculty in this course. I would like to congratulate Tanu Mehta for conceiving and curating this course to include every conceivable element of knowledge that a mediator needs to possess. The course curriculum highlights the truism that the universally accepted 40-hour training is only the beginning of a mediator's journey. Kudos to her excellent team, specially Nausha Naik, Course Coordinator, and the faculty she has assembled for making this course one of its kind in the world"

- A.J. Jawad

Mediator & Global Faculty for ADR ODR International, U.K. Mediation Trainer with the MCPC, Supreme Court of India. Partner and Head of ADR Services at KDLex Chambers

Reviews about the Program from the Participants



Mrs Brindha Nandakumar
(Mediator at Bangalore Mediation Centre)

"The program has been a very enjoyable and enriching experience for me. The course is very comprehensive and includes not only the Mediation concept, process, techniques, Conflict Resolution, Decision making but also subjects like philosophy, psychology, Online technology, Artificial intelligence which impart in-depth knowledge and skills, much needed for a Mediator. The course is excellent and rich with content themes, assessments, information presentations, case studies, role plays, projects, personalized learning, self-motivation and other activities. In a nutshell, it has been designed in a manner that will help not only beginners but also experienced mediators like myself to understand Mediation in a real and thorough manner.

The Faculty members are highly competent and innovative. The Course Director and the Course Coordinator are very supportive and created an environment which is most conducive to the spirit of Mediation."



Adv. Ashvin Bhalekar
(Practicing Advocate at Bombay High Court)

"This course will give you a wholesome learning experience; as meaningfully explained in Bhagawad Gita – “सर्व द्वारेषु देहे अस्मिन् प्रकाश उपजायते” meaning ‘the illuminating light of knowledge will radiate in your bodies through all the doors and will enhance your wisdom & sensibilities’. The course is designed thoughtfully to cover a wide sphere of subjects related to conflict resolution, dialogue and decision making. It will help you develop a non-adversarial mindset by introducing novel perspectives in a structured manner. It will provide a wonderful opportunity to learn from and interact with esteemed faculty consisting of scholars and luminaries from India and abroad. It will enrich you and will let you expand your own abilities to enrich others; as aptly said in Gita – “बोधयन्तः परस्परम्”. "

Reviews about the Program from the Participants



Vaibhavi Khuthia
(Assistant Manager
(legal & compliance) Mumbai)

"Honestly, I had doubts before joining the course because it would be online, and mediation specifically requires that physical interaction. But I am amazed at how well this course has been conducted online. Our batch is a mixture of participants across India and abroad. Despite the course online being, the batch is as connected as any offline college. Anyone can become a mediator by doing 40hour training, but you won't grow as a mediator in those 40 hours. I have seen changes in myself, learning and developing every smallest skill required to become a mediator. This two-year course allows you to experience that change by taking one step at a time. The subjects of the course are extremely interesting. The faculties are hand-picked and fabulous. I am the youngest in the batch and I love the interaction with my classmates who are experienced professionals. I would recommend that the younger generations like me take this course because these two years will give the skills on managing conflict in any career that you choose."



Dineshwar Gaur
(Project Manager in
Public Sector, Delhi)

"M.A. (Mediation and Conflict Resolution) course of MNLU, MUMBAI is unique, first in India. It imparts the skills of Professional Mediation and Conflict resolution in a career as well as personal life. I would recommend it to lawyers and Non-lawyers alike as Mediation is poised to be the next big thing in Conflict Resolution around the globe. The course adds calmness and peacemaking skills to the learners, making them grow as future peace agents in society. The course content, administration and faculty are truly world-class and high point of the course."

Reviews about the Program from the Participants



C.G. Daithankar
(Spl. Inspector-General of Police
(Retd.) Pune)

"MA in Mediation and Conflict Resolution course is not just for people interested in pursuing Mediation as a career. Still, it is for anyone interested in becoming a better communicator, conflict resolver and ultimately, a better human being. The course looks at conflict resolution from historical, philosophical, legal, analytical and psychological perspectives. It also gives futuristic insights into Alternate Dispute Resolution. It backs theoretical knowledge with practical tips by analyzing carefully curated sets of case studies. In a nutshell, I would say this is our chance to work towards a peaceful society and a more empathetic, compassionate world."



Prabhat Gupta
(Branch Manager, Expeditors
International India Pvt. Ltd
Kolkata)

"I am a supply chain and logistics professional with 15 years of experience, and this course brings a lot of value to my day-to-day work directly. Negotiations, Contracts, Liaison with different parties, Resolving difference, and coming to a consensus have all become easy, effortless, and efficient. MNLU has drawn the pedagogy from the inter-disciplinary field, and the diverse and dynamic background of Faculties infuse tremendous value to the course and offer insight for all the participants. Most of the Cohorts themselves have a rich and diverse background, giving another perspective and exposure. We are learning, enriching, and enjoying every bit of it! Thanks to our Course Director and MNLU University for offering, first-of-its-kind program, which fits practically for everyone who believes in driving value in personal and professional well being!"

Course Fees

The fees for the full two-year program is ₹ 1, 75,000 (Rs. 95,000 for I year & Rs. 80,000 for II year). The Course fees is inclusive of admission fees, tuition fees and library. It does not include lodging and boarding charges for the compulsory 7 days contact classes which shall be held at the MNLU, (Powai) Mumbai campus. The course fees may be paid in full at the time of admission, or in two instalments with the permission of Hon'ble Vice-Chancellor on a case to case basis. The admission fees of ₹15,000 is non-refundable.

If the candidate decides to opt out of the program after paying the admission fee of ₹15,000 and the first instalment of ₹80,000 towards the Course fees, then only ₹80,000 shall be refundable in full, if notified within 7 days of payment. However, after 7 days of such payment, no refund shall be made. The request for refund is to be made by sending an email at info.mediation@mnlumumbai.edu.in

Sr. No.	Deadline for the payment	Amount (₹)
1.	25/08/2021	80,000 + 15,000 = 95,000
2.	25/08/2022	80,000



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