

S. No.	2
PROGRAM	Mediation & Conciliation for Resolution of Construction Disputes
CATEGORY	Constr Engg & Mgmt
DURATION	2 Days

OBJECTIVE

Disputes are common in the Indian Construction Industry. Lakhs of crores of rupees are locked in construction related disputes. This has adversely affected several contractors, developers, consultants, vendors and owners in the public and private sectors.

Until now, construction disputes have been referred to adjudicative processes such as litigation or arbitration, which have their own limitations. On the other hand, being quick and inexpensive, Mediation or Conciliation is fast emerging as the preferred Alternate Dispute Resolution (ADR) method. Due to its consensual nature, it puts the parties in control and holds the potential for a win-win solution!

Due to its benefits, Mediation/Conciliation is fast gaining acceptance. Even Courts have started referring disputes to mediation. It is also recognized by the Govt. of India as can be seen from the RERA or MCA Act, under which expert panels are formed.

The Program will provide a good understanding of construction disputes and will present Mediation/Conciliation as an ADR Method to resolve them. Participants will be actively involved in role plays on various types of Construction Disputes.

PROGRAM CONTENT

- Technical sessions in the Program shall cover the following aspects:
- ❖ Causes & Nature of Construction Disputes
 - ❖ ADR Methods – Types & Advantages
 - ❖ Negotiation:
 - Prerequisites, Goals, Types
 - BATNA, Tactics & Strategy
 - ❖ Mediation & Conciliation:
 - Key Aspects, Advantages, Styles
 - Mediator’s Role & Key Qualities
 - Dispute Resolution – The Six Stage Process
 - Conciliator’s Proposal
 - Settlement Agreement
 - Code of Conduct & Duties of Mediator
 - ❖ Role Plays on Construction Disputes

BENEFITS

- ❖ **Interactive Program by industry expert**
- ❖ **Understanding of nature of construction disputes**
- ❖ **Use of ADR methods in Construction Industry**
- ❖ **Variety of Role plays based on disputes faced by consultants, contractors, developers and owners**