

1

MEDIATION AND CONCILIATION PROJECT COMMITTEE
SUPREME COURT OF INDIA

New Delhi

30.11.2017

Subject : Procedure and guidelines for engagement of Consultant in the office of the Mediation and Conciliation Project Committee, Supreme Court of India

The Supreme Court of India constituted *Mediation and Conciliation Project Committee* [MCPC] to oversee the effective implementation of Mediation and Conciliation in the country on 9th April, 2005,

The MCPC is conducting the following programmes all over the country:

- a) ARCM Programme (Awareness, Refresher, Critiquing and Mentoring programmes), which includes awareness programmes for Judicial Officer and Advocates, Coaching/Mentoring of the mediators; Critiquing programme for the mediators and Referral Judges' training programme for judicial officers with a purpose to improve the quality of referrals and increase the number of referrals.
- b) 40 hours Mediation Training Programme for judicial officers, lawyers, etc.
- c) Refresher Course
- d) Advanced Training Programme for Mediators.
- e) Training of Trainers (ToT) Programme.
- f) Training Skills Programme
- g) Referral Judges Training Programme.

Since 1st January, 2016 till 31st October, 2017, the MCPC has conducted the following programmes :

Awareness Refresher Coaching and Mentoring (ARCM)	Mediation Training Programme	Refresher Programme	Advanced Training Programme	Training of Trainers	Teaching Skills	Awareness and Sensitization Programme/ Referral Judges Training Programme
(a)	(b)	(c)	(d)	(e)	(f)	(g)
4	13	116	16	8	2	53

It is further submitted that, since inception, the nature of work of MCPC includes conducting Mediation Training Programmes, Referral Judges Training Programmes, Awareness Programmes, communicating with various Mediation Centres, arranging Mediation Programmes, coordinating with various Mediation Centres/State Legal Services Authorities/Judicial Academics, deputing trainers in coordination with Mediation Centres in different parts of the country, arranging for the travel of trainers, compilation and analysis of statistics received from various States, maintaining accounts and also maintaining the data of each trainer in the databased software, making accreditation certificates of mediators, booking of mediators tickets etc.

To streamline and improve the functioning and efficiency of the MCPC, it is proposed to engage two Consultants to be paid from the resources of the MCPC.

1. General Conditions for engaging Consultant:-

- (i) Consultant will be engaged, for a fixed period, for providing high quality services in the field of mediation

research, Administration, etc. to the MCPC or for attending to specific and time bound requirements including assisting in organizing seminars, mediation related programmes etc., compilation and analysis of data and preparation and analysis of reports etc.

- (ii) Consultant will be engaged initially for a fixed period of one year. Extension beyond one year will be considered, with the approval of MCPC.
- (iii) The appointment of Consultant would be on full-time basis and he/she will not be permitted to take up any other assignment during the period of Consultancy with the MCPC .
- (iv) The appointment of Consultant is of a temporary (non-official) nature and the appointment can be cancelled at any time by the MCPC , without assigning any reason.

2. Number of Consultant :

The total number of Consultants to be engaged by the MCPC shall depend on the actual requirement at a particular point of time, and as directed, by the MCPC.

3. Qualifications and experience:

- (a) Consultant must be a law graduate (as on the date of applying) having a Bachelor Degree in law (three years professional course), Five years (including Integrated Degree Course in Law) from any School/College/University/ Institution established by Law in Indian and recognized by the Bar Council of India for enrolment as an Advocate.

The candidate must have knowledge of computer including retrieval of desired information from various search engines/processes such as Manupatra, SCC Online, LexisNexis, Westlaw. etc.

- (b) Candidate should have one year experience in the field of Law.

4. Period of engagement:

The initial period of engagement of Consultant will be one year and the subsequent extension, if any, shall be decided depending upon the specific job and the time frame for its completion, under directions of the MCPC.

5. Age-limit:

The maximum age limit for appointment of Consultant shall not be above 25 years on the date of applying for the post.

6. Procedure:

Procedure to be followed for selecting candidates for engagement as Consultant:-

- (i) The selection of Consultants shall be made in accordance with the provisions contained in GFR 2005 Rule 163, 165, 166, 170, 176 and 177 and Chapter 7 – *Selection of Individual Consultant* (para 1.2.1, para 7.1 and para 7.2) of Manual of Policies and Procedure of Employment of Consultants.
- (ii) The requirement of MCPC will be advertised on the website of the SCLSC as well as Supreme Court of India.
- (iii) All the applications received in response to the vacancies advertised, will be scrutinized and shortlisted by the MCPC. Incomplete application shall be straight away rejected.
- (iv) A Selection Committee of three members shall be nominated by the Hon'ble Chairman, MCPC, Member Secretary, MCPC being head of the Selection Committee.
- (v) Selection of Consultant shall be made on the basis of personal interview by the Selection Committee, who

shall submit their recommendations to the Hon'ble Chairman, MCPC for final approval.

7. Remuneration:

- (i) The maximum amount of monthly consolidated fee payable to Consultant shall be Rs.40,000/- per month.

8. Allowances:

Consultant shall not be entitled to any allowance such as Dearness allowance, Residential Telephone, Transport Facility, Residential Accommodation, Personal Staff, CGHS and Medical Reimbursement etc. etc.

9. Leave:

The Consultant shall be eligible for 8 days' leave in a calendar year on pro-rata basis. Therefore, a Consultant shall not draw any remuneration in case of his/her absence beyond 8 days in a Year (calculated on a pro-rata basis). Also un-availed leave in a calendar year cannot be carried forward to next calendar year. The MCPC would be at liberty to terminate the services, in case of absence of a Consultant, for more than 15 days, beyond the entitled leave in a calendar year.

10. TA/DA:

No TA/DA shall be admissible for joining the assignment or on its completion. Consultants will not be allowed foreign travel at Government expenses. However, Consultants, shall be allowed only TA for their travel inside the country only in connection with the official work.

11. Conflict of Interest:

He/she will be expected to display utmost honesty, secrecy of office and sincerity while discharging his/her duties. In case the services of the Consultant are not found satisfactory or found in conflict with the interest

of the MCPC, his/her service will be liable for discontinuation without assigning any reason.

12. Termination Notice:

The MCPC can cancel the appointment at any time without providing any reason for and without any prior notice. The Consultant can also seek for termination of the contract, upon giving one month's notice to the MCPC .

13. Relaxation:

Under exceptional circumstances and in the case of meritorious candidates, the above guidelines may be relaxed with the approval of the Hon'ble Chairman, MCPC .

14. Verification:

The Police verification of the Consultants shall be done as per the latest instructions issued by the Ministry of Home Affairs.

15. The Consultant shall not publish a book or a compilation or articles or participate in radio broadcast or contribute an article or write a letter in any newspapers or periodical, either in his/her own name or anonymously or pseudonymously in the name of any other person, if such book, article, broadcast or letter relates to subject matter assigned to him/her by MCPC, except with the consent of the MCPC.

*(Jasmine
30/11/17.*

(Jasmine Sharma)
Member Secretary
Mediation and Conciliation Project Committee