



NAVI MUMBAI

**REGISTRATION
ENDS:
3RD AUGUST, 2021**

RACHNA

1st Virtual National Negotiation-
Mediation Competition



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PREFACE

Mediation is most aptly described as “mediation without a dispute”. It is a unique format that will help students understand interest-based negotiation from a practical and commercial perspective. In Mediation, the role of a mediator is not just to facilitate conversation and encourage interest-based negotiation, but to be more pro-active in employing the process of mediation to maximise value for the negotiators and those whom they represent. The negotiators will have the opportunity to test their negotiation skills in a non-conflict environment to secure their interests and at the same time, negotiate the finer details of the deal to prevent future conflict and preserve relationships. To this effect, the Dispute Resolution Committee [“Organizing Committee”] of Narsee Monjee Institute of Management Studies, Navi Mumbai [“NMIMS”] is organising the 1st National Negotiation-Mediation Competition, 2021 [“Competition”] to offer law students across the country an opportunity to cultivate and enhance their mediation and negotiation skills.



DEFINITIONS

1.1 "Caucus" refers to a separate meeting between the Mediator and a Competing Team.

During the Caucus the overall time of the Session continues to run.

1.2 "Clarifications" refer to procedural order(s) and/or any clarification(s) issued by the organizing committee.

1.3. "Client" is the student of a Negotiating Team who plays the role of the Client in a Session of the Competition.

1.4. "Competition" means the 1st National Negotiation-Mediation Competition.

1.5. "Organizing Committee" means the person(s) in-charge of organising and managing the Competition.

1.6. "Competition Rounds" means the Preliminary Rounds, the Quarter-Final Rounds, the Semi-Final Rounds, the Final Round and any other rounds that the organizing committee may so designate.

1.7 Counsel" is the student of each Negotiating Team who plays the role of Attorney in a Session of the Competition.

1.8 "Confidential Information" means certain factual information containing confidential/hidden elements to be taken into account in determining the strategy and tactics of the Negotiator Teams in a given Session.



DEFINITIONS

1.9. "General Information" means the factual information in relation to a Negotiation Proposition that is provided to both the parties.

1.10. "IST" means Indian Standard Time.

1.11. "Mediator" is the student of the participating team who plays the role of an impartial third party in a Session of the Competition.

1.12. "Negotiation Team" are the 2 students representing a team that have been admitted to act as Client and Counsel in the Competition.

1.13. "Requesting Party" is the party to which the Competition has assigned the role of the party which has requested the negotiation.

1.14. "Responding Party" is the party to which the Competition has assigned the role of the party which has to respond to the request for the negotiation



KEY DATES

3.1 The following key dates shall be adhered to:

- a. Provisional Registration Starts: 6th July, 2021
- b. Last Date for Registration: 3rd August, 2021
- c. Release of Competition Proposition: 17th August, 2021
- d. Last Date for Seeking Clarifications: 20th August, 2021
- e. Release of Answers to Clarifications: 23rd August, 2021
- e. Date of Competition Rounds: 27th – 29th August, 2021
 1. Inaugural Ceremony: 27th August, 2021
 2. Preliminary Rounds I & II: 27th August, 2021
 3. Quarter-Final & Semi-Final Rounds: 28th August, 2021
 4. Final Round: 29th August, 2021
 5. Validation Ceremony: 29th August, 2021

3.2 Unless specified otherwise, the dates mentioned shall refer to 11:59 PM (IST) on that date. For e.g., the last date for registering is May 5, 2021, which shall be interpreted as May 5, 2021, 11:59 PM (IST).

3.3 The organising committee retain the authority to change the deadlines for any individual team, subject to the satisfaction of the organising committee.



INTERPRETATION OF RULES

The administrators will have exclusive authority to interpret the Rules in the interest of fairness and equality. The interpretation placed upon these Rules by the administrators shall be conclusive and in case of any doubt in the understanding or interpretation of any matter concerning the Competition, the decision of the organizing committee will be final and binding.



ELIGIBILITY

4.1 The Competition is open to all students, who are pursuing five-year undergraduate law courses are eligible to participate in the Competition. Each participating team shall comprise of three eligible students, and they shall not be permitted to change the composition of the team once the same has been communicated to the Organizing Committee.

4.2 For the purpose of eligible students, it is hereby clarified that all the students in one team shall belong to one university and college only.

4.3 All institution shall be entitled to send only one team to the competition.

4.4 Notwithstanding anything herein contained in point 4.1, for the purpose of preliminary rounds point 5.1 & 13.5.4 shall prevail.



TEAM COMPOSITION

5.1 NEGOTIATION ROUNDS:

5.1.1 In a round, each Negotiation Team shall be comprised of three eligible students shall play the role of “Client” and “Counsel”. However, the team composition shall not be the same for both the preliminary rounds.

Explanation: if XYZ Team comprises of A, B and C. If in 1st preliminary round A and B participates then in 2nd preliminary round the pair A and B shall not be allowed to participate however, any other composition is allowed to participate i.e., B and C; A and C.

5.2 MEDIATION ROUNDS:

5.2.1 In a round, each Team will be represented by no more than two eligible students shall play the role of “Client”, “Counsel”. The third eligible student playing role of “Mediator” in advanced rounds shall not be considered as a part of the team.



TEAM COMPOSITION

5.2.2 The Mediator, Client and Counsel of a team shall be scored in two different scorecards where the criteria of Mediator shall be different from Client and Counsel, the organizer reserves the right to pair the Mediator and Client-Counsel team of the advanced round in any format.

5.2.3 In no way it is to be construed that if a Mediator of XYZ team qualifies for the next round/ subsequent rounds its team's (Client and Counsel) shall qualify for next/subsequent rounds.

5.2.4 Certificates for participating team members will be prepared from the team lists submitted. The certificates of participation will show the names of the team members exactly as they have been submitted. It is therefore incumbent on teams to ensure that names are spelled and presented correctly.



REGISTRATION

6.1. GENERAL

6.1.1 Each team shall register for the competition by filling the online registration form latest by 31st June, 2021. The online google form that needs to be filled available soon: The teams are strongly encouraged to complete the registration form at the earliest possible.

6.1.2 The registration form requires teams to specify the roles of each individual member. Once registered, a team will not be permitted to vary the composition of the team in any manner, especially for advanced rounds.

6.1.3 The registration is restricted to a maximum of thirty-two teams for this competition.

Registration Link - <https://forms.gle/RJN1mUDHtASWUE5A8>

6.2. REGISTRATION FEE:

6.2.1 The registration fee for the competition of a team is INR 1,500. This fee is non- refundable and has to be paid by all teams.

**CLICK HERE
TO REGISTER**



REGISTRATION

6.3. PAYMENT OF REGISTRATION FEE:

6.3.1 The registration fee for the competition is to be paid within a period of 48 hours, the details of which are contained in Rule 7.1, the deadline for payment of registration fee is 3rd August,2021.

6.3.2 All teams must email a scanned copy of the e-transfer receipt at adr.sol@mims.edu.in along with attaching the screenshot in google form. The transfer receipt must be emailed to the organisers within 24 hours of the expiry of the deadline of payment.

6.3.3 After the confirmation mail, Once a team is registered, a team code shall be assigned to it by the organizing committee. This team code will serve as their unique identifier throughout the competition. Any team that fails to send the details of the payment of fees shall not be allocated a team code.

6.3.4 There shall be no refund of the registration fee under any circumstance, unless the competition is called off.

6.3.5 The organizing committee reserve the absolute discretion to refuse or cancel the registration of any team.



PAYMENT DETAILS

7.1 The registration fee payable for the competition as per Rule 6.2 is **INR 1,500 per team**. Teams must transfer the amount to:

1. The participants can send the money through any supported app, i.e., Google pay on the number – **+91 7021215310**.
2. UPI ID – **awasthi.kartikeya89@okicici (QR Code Below)**
3. They can also transfer the money online through NEFT or any other possible way on the account:

Account number – 1012 0100 2413

IFSC CODE – ICIC0001012.

Name of the Account Holder – Kartikeya Awasthi



COMPETITION PROPOSITIONS

8.1 GENERAL:

8.1.1 All Competition Propositions will be sent to all Teams.

8.1.1.1 Release of the proposition shall be at least 10 days prior to competition scheduled.

8.1.1.2 The first proposition shall be used for both the preliminary rounds. The other proposition shall be used for advanced rounds quarter-final & semi-finals.

8.1.1.3 All Participating Teams will receive only General Information for the Preliminary Round, the Quarter Finals, the Semi-Finals.

8.1.2 Mediation Proposition will consist of

- a. General information for all parties; and
- b. Confidential information for each party in dispute. (shall be shared at least 2 hours prior to the competition subject to the teams qualifying to quarter finals)

8.1.3 The teams will be assigned the side they are representing in advance rounds through the

release of the Confidential Information (pertaining to the interests of the party they will be representing during the rounds). However, for both the preliminary rounds they shall be informed via mail at least one day prior to the competition.

It is pertinent to note that mediation proposition for final round shall be disclosed at least 48 hours prior to the final round and confidential data shall be given at least 1 hour prior to the round.



COMPETITION PROPOSITIONS

8.2 INTERPRETATION OF THE COMPETITION PROPOSITIONS:

8.2.1 Except during a Mediation Session (to the extent they consider necessary or appropriate), the participating teams shall not disclose the Confidential Information to any member of another participating team or their own team member participating as a mediator in the same round at any time between the receipt of this information and the conclusion of the Competition. Such disclosure shall lead to disqualification.

8.2.2 Whilst the Participating Teams are not allowed to create new facts, the Competition Propositions are subject to reasonable interpretation and the Participating Teams may draw reasonable conclusions from them. Whether a Participating Team's Interpretation is reasonable is a matter entirely within the discretion of the Assessors.

8.2.3 Failure to stay within a reasonable interpretation of the Competition Proposition may result in a Penalty in accordance with the Competition Rules. In case of any doubt in the understanding or interpretation of any matter concerning the Competition, the decision of the Organising Committee will be final and binding.



CLARIFICATIONS TO THE PROPOSITION

9.1 All requests for clarifications to the Proposition must be emailed to-
adr.sol@nmims.edu.in , latest by 20th August, 2021 (11:59 P.M. IST).

9.2 The request for clarifications should be clear and related to the
facts of the case.

9.3 Requests will be answered at the discretion of the Organizing
Committee. Requests that do not comply with the rules, in particular
requests without a sufficient explanation of their significance, may
remain unanswered. All answers to requests for clarification will be
distributed by email to all Teams selected to participate in the
Competition.



PARTICIPANT ROLES

10.1. MEDIATORS

In each session, the co-mediators must make opening statements of not more than three minutes each. The co-mediators may decide the order and manner of coordinating opening statements. When a caucus is called, each co-mediator shall lead one caucus each with either party during the mediation. The co-mediator not conducting the caucus shall observe and may ask clarifying questions at the end of the caucus.

10.2. CLIENTS AND COUNSELS

The clients and counsels shall each deliver their opening statements specifying their interests and goals for the negotiation session. Thereafter, the counsels and clients are expected to work together and coordinate with the mediators to achieve their goals. All negotiators must act pragmatically and professionally throughout the Mediation Sessions keeping in mind their respective roles.



PERMISSIBLE MATERIALS AND PROPERTY

11.1 No pre-prepared materials such as graphs, charts, power-point presentations etc. shall be brought into the rounds to be presented either to the Judges or the other team. Only competition supplied material (General Information and Confidential Information) and personal notes are allowed.

11.2 Mediators are permitted to use their personal white boards, notepads and markers.

11.3 There shall no be memorial submission.



DISQUALIFICATION

12.1 Subject to the discretion of the Organizing Committee, the following may result in disqualification of a participating team:

1. Change in the composition of the participating team once communicated to the Organizing Committee;
2. Disclosure, except in the course of the Mediation Session, of Confidential Information relating to a Proposition;
3. Violation of rule regarding anonymity during the Mediation Session;
4. Violation of rule regarding participation of each member of a team as client, counsel and mediator in one preliminary round each;
5. Causing delay in the commencement of rounds;
6. Any attempt by a participating team or any person associated with a participating team to observe or gather information about another participating team to gain unfair advantage; and
7. Non-compliance with the Official Rulebook.



ROUNDS

13.1 GENERAL:

13.1.1 The Competition shall consist of preliminary round and advance rounds. Each Participating Team will be required to take part in Preliminary round which shall be Negotiation, on the basis of which the Participating Team may proceed to the Advance Rounds. The Advance Rounds shall be in form of Mediation, unless otherwise specified, consist of three-Quarter Finals, Semi-Finals and the Final Round.

13.1.2 The whole competition shall be conducted through an online platform Zoom Meeting and each and every team is required to download the application for the smooth functioning of the competition.

13.2. CAUCUS:

13.2.1 Caucus refers to a private session between any of the parties and the mediators, whereas a conference refers to the negotiations and mediation in presence of both parties. The mediators or either party may call for a caucus.

13.2.2 Provided, that in the quarter-final rounds, the Mediator may call as many caucuses as he/she deems fit, for a cumulative total period of 8 minutes.

13.2.3 Provided, that in the semi-final rounds, the Mediator may call as many caucuses as he/she deems fit, for a cumulative total period of 12 minutes.

13.2.4 Provided, that in the final round, the mediator may call as many caucuses as he/she deems fit, for a cumulative period of 15 minutes.

13.2.5 It is hereby clarified the Client-Counsel pair in advance rounds can only ask for one caucus.

13.3. TIME LIMIT:

Each participating team will get a Session time which will be inclusive of Opening Statements, Deliberations, Caucus and Settlement by each team.



ROUNDS

13.3.1 In the Preliminary Rounds, each Negotiation Session will consist of 45 minutes, a break-up of which is as follows:

- A. 40 minutes for the actual negotiation;
- B. 5 minutes for feedback by the Assessors. (However, feedback session shall be sole discretion of the adjudicating body.)

13.3.2 In the Quarter-final Rounds, each Mediation Session will consist of 45 minutes, a break-up of which is as follows:

- A. 40 minutes for the actual negotiation;
- B. 5 minutes for feedback by the Assessors.

13.3.3 In the Semi-finals Rounds, each Mediation Session will consist of 50 minutes, a break-up of which is as follows:

- A. 45 minutes for the actual Mediation (Look 13.7.5 for detailed bifurcation);
- B. 5 minutes for feedback by the Assessors.

13.3.4 In the Finals Round, the Mediation Session will consist of 60 minutes, a break-up of which is as follows:

- A. 55 minutes for the actual negotiation;
- B. 5 minutes for feedback by the Assessors.

13.4. ANONYMITY

13.4.1 Participating Teams must not disclose the names of the team members or institution to the Judge/s during the Session.



ROUNDS

13.5. PRELIMINARY ROUNDS:

13.5.1 There shall be two Preliminary Rounds that will be conducted in the form of Negotiation herein after referred as Negotiation Sessions.

13.5.2 Both the Preliminary Rounds will be conducted on the same day with a time gap of three to four hours.

13.5.3 All negotiating teams shall participate in both of the preliminary rounds compulsorily.

13.5.4 For the Negotiation Session only, each team shall comprise of two students only (one as Client and another as Counsel). However, the team composition for Preliminary Round II shall not be the same as that of Preliminary Round I. Therefore, all the three participants from a team are compulsorily required to participate in both Negotiation Sessions, though only two at a time.

Explanation: if XYZ Team comprises of A, B and C. If in 1st preliminary round, A and B participate then in 2nd preliminary round the pair A and B shall not be allowed to participate however, any other composition is allowed to participate i.e., B and C; A and C.

13.5.5 Each Negotiating Team shall represent the Requesting Party once, and the Responding Party once, in the course of the two the Preliminary Rounds.

Explanation: If Team ABC represents the Requesting Party in Round, I imply that Team ABC shall represent the Responding Party in Round II.



ROUNDS

13.5.6 The preposition for the Negotiation Session shall remain the same for both the Preliminary Rounds and shall be provided to the parties on the date of release of competition preposition as per Rule 3.1.

13.5.7 No Confidential Information for the Negotiation Sessions (both Preliminary Rounds I & II) shall be released.

13.5.8 Each Negotiation Session will last for 35 minutes and will consist of following stages:

13.5.8.1 3 minutes of Opening statement by both the client and counsel

13.5.8.2 30 minutes of Negotiation Main Round (inclusive of the opening statement).

13.5.8.3 5 minutes of Feedback Session for the participants by the Assessors. (However, Feedback timing shall be sole discretion of the adjudicating body.)

13.5.9 A total of only 8 participating teams shall proceed to the Advance Rounds on the basis of the Negotiation Sessions. These top 8 teams who shall qualify for the Advance rounds will be judged and ranked according to provisions given in Rule.



ROUNDS

13.6. QUALIFICATION FOR ADVANCED ROUNDS:

13.6.1 The top 8 Teams in the preliminary round shall qualify for the quarter finals. The teams shall be ranked according to the following criteria:

- a. First, the team with the higher Score in the preliminary round shall be ranked higher;
- b. Secondly, if there is a tie in the total score, the team with the higher number of marks in the opening statement will be ranked higher;
- c. Lastly, for teams that have the same marks in the opening statement, the team with the higher marks in "Co-ordination" shall be ranked higher;

13.6.2 Qualification from the Quarter-finals to Semi-finals, and from Semi-finals to Finals shall be based on the number of Judge/s adjudicating a participant as a winning team in each room, notwithstanding the scores.

13.7. ADVANCE ROUNDS:

Mediator will be randomly matched with a Co-mediator in a way that the students from same university shall not participate in the same room in a particular round (not applicable to Final Round).

13.7.1 The 8 highest scoring Negotiating Teams and Mediators from the Preliminary Rounds will proceed to the Advance Rounds which will consist of the following Mediation Sessions:

- A. Quarter Final Rounds
- B. Semi Final Round
- C. Final Round

The format of Mediation Sessions shall remain the same for all the sessions as specified below:



ROUNDS

13.7.2 The team composition for Mediation session shall comprise of three members, i.e., a mediator, a client and a counsel. These participants shall not be allowed to switch roles at any time during the mediation session.

13.7.3 To avoid any conflict of interest, Mediator will be randomly matched with a Co-mediator in a way that the students from same university shall not participate in the same room in a particular round. And that the Host Institution shall reserve all the rights to make any changes to the fixtures in order to avoid the Mediator and Negotiating Team from the same Institution in the same Mediation Room.

13.7.4 Mediator of a team shall be scored in a different scorecard then the Client and Counsel where the criteria of Mediator shall be different from Client and Counsel.

13.7.5 Each Mediation Session will last for 45 minutes and will consist of following stages:

- a. 3 minutes of Opening statement by both the mediators.
- b. 20 minutes of Joint Mediation Session (inclusive of opening statement).
- c. 8 minutes of Caucus (Private Session) for each of the negotiating party. Extra one minute shall be provided on the discretion of the judge on request. For Semi Final round it shall be 12 Minutes; for final round it shall be 15 minutes.
- d. 10 Minutes of joint Mediation Session post caucus. (drawing amicable solution and conclusion of the session)
- e. 5 minutes of Feedback Session for the participants by the Assessors. (However, Feedback timing shall be sole discretion of the adjudicating body.)



ROUNDS

13.7.6 The session shall begin with the opening statement by the co-mediators followed by a discussion of general information. The participants are not allowed to discuss/ share any confidential information at this stage.

13.7.7 Caucus can be initiated by any of the participating members, i.e., any of the mediators or client/ counsel of any of the responding or requesting party. In the private session, the participants are compulsory required to disclose and make use of the confidential information that shall be provided to them thereof.

13.7.8 Each of the Negotiating Teams can call for ONE Caucus only. More than one request of Caucus by the teams hence shall not be entertained.

13.7.1 QUARTER FINAL ROUNDS

a. The matchups of the quarter final rounds will be based on the ranking in the preliminary rounds and shall be as follows:

- Quarter Final 1: Rank 1 v. Rank 5
- Quarter Final 2: Rank 2 v. Rank 6
- Quarter Final 3: Rank 3 v. Rank 7
- Quarter Final 4: Rank 4 v. Rank 8

13.7.2 SEMI FINAL ROUND

a. The matchups in the semi-final rounds shall be as follows:

- Semi Final 1: Winner of Quarter Final 1 v. Winner of Quarter Final 3
- Semi Final 2: Winner of Quarter Final 2 v. Winner of Quarter Final 4

13.7.3 FINAL ROUND

a. The matchups in the semi-final rounds shall be as follows:

- Final Round: Winner of Semi Final 1 v. Winner of Semi Final 2



JUDGING CRITERIA

14.1 The Mediator shall be judged on the following criteria:

- a. Opening Statement
- b. Co-ordination between Mediators
- c. Caucus
- d. Understanding parties, diffusing conflict and non-judgmental
- e. Analysis of Relevant Interests. Disposition and Demeanour of the Mediator
- g. Retracting Confidential Information

14.2 The Negotiation Team shall be judging on the following criteria:

- a. Opening Statement
- b. Co-ordination among team members
- c. Identifying the Key-Issues of dispute
- d. Consideration of Best Interest of Party
- e. Relationship building with the other Party

14.3 However, the above-mentioned criteria are not exhaustive in nature and depends on the discretion of the Judge/s and Organizing Committee.

14.4 The Committee shall float a whole Google form which shall be exhaustive in nature and will be used as a template for judging criteria. This measure has been taken by the Committee to mitigate any potential miscarriage of fair and equal Judging parameters.



PRIZES AND AWARDS

15.1 The Winning Negotiating Team of the Final Round will be declared the “Best Negotiators”, which will include the cash prize of INR 10,000; while.

15.2 The Winning Mediator of the Final Round will be declared the “Best Mediator”, which will include the cash prize of INR 5,000/-; while.

15.3 The losing Negotiating Team of the final round will be declared the “Runners-Up Negotiators”, which will include the cash prize of INR 4,000/-; while,

15.4 The losing Mediator of the final round will be declared the “Runners-Up Mediator”, which will include the cash prize of INR 2,000/-.

15.5 E-Certificate of Merit shall be given to the Winners, Runners-ups and all the teams qualifying to Quarter final and Semi-final Rounds.

15.6 An E-certificate of participation shall be provided to all the participants.



CONSEQUENCE OF NON-PARTICIPATION

In case of withdrawal from the competition or non- participation, registration money shall not be refunded to the team under any circumstances

MISCELLANEOUS

17.1 It is pertinent to note that the dress code shall be strict formals. White shirt and black blazer. Violation of the same will bar the contestants from appearing in the oral rounds. The dress code is applicable to all the participants participating in the competition.

17.2 All communication in rounds shall be in English only. All the rounds shall be held through online mode (Zoom meeting)

17.3 The Action of gathering information shall be strictly prohibited.

17.4 The participants have to ensure that they have a stable network. If any technical glitches or network issues is from the participant's end then it shall be the sole responsibility of them.

17.5 Participant have to make sure that they adhere to the time limits.

17.6 There shall be no written submission.

17.7 The member/s of the organising committee shall get in touch with the team/s and they shall inform any changes or other important details.



CONTACT US

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Social Media



dispute_resolution_committee



Dispute Resolution Committee, NMIMS, Navi Mumbai

