

# SYAR

## 3<sup>RD</sup> NATIONAL MEDIATION & NEGOTIATION COMPETITION

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15<sup>TH</sup> – 16<sup>TH</sup> May, 2021

*Organised by*

**Society for Young Advocates and Researchers**

*Our Supporting partners*



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## **NMNC RULEBOOK**

These are the rules for the 3<sup>rd</sup> National Mediation & Negotiation Competition. The Rules of the Competition are reviewed edition wise and are subject to change. Reliance on any past Rules or practice will not in itself be an acceptable excuse for the failure to comply with the rules of the current competition.

### **1. DEFINITIONS**

1.1. "Caucus" refers to a separate meeting between the Mediator and a Competition 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 administrator(s).

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 3<sup>rd</sup> National Mediation & Negotiation Competition.

1.5. "Competition Administrator(s)" 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 Competition Administrator may so designate.

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

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

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

1.10. "IST" means Indian Standard Time.

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

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1.12. “Negotiation Team” are the 2 students representing a team that have been admitted to act as Client and Attorney 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.

## **2. 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 Competition Administrator will be final and binding.

## **3. KEY DATES**

3.1. The following key dates shall be adhered to:

Last Date for Provisional Registration: April 23, 2021

Last Date for Registration: May 5, 2021

Release of Competition Proposition: May 7, 2021

Last Date for Seeking Clarifications: May 10, 2021

Training Sessions: May 13 – 14, 2021

Date of Competition Rounds: May 15 – May 16, 2021

3.2. Unless specified otherwise, the dates mentioned shall refer to 11:59 PM (Indian Standard Time/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 administrators retain the authority to change the deadlines for any individual team.

#### **4. ELIGIBILITY**

4.1. The Competition is open to all students, enrolled bonafide on a regular basis in an Undergraduate LL.B. Degree Course or its equivalent conducted by any recognized institute.

4.2. A recognized institution shall be entitled to send only two teams to the competition.

#### **5. TEAM COMPOSITION**

5.1. In a round, each Participating Team will be represented by no more than three eligible students shall play the role of "Client", "Attorney" and "Mediator". Provided, that the negotiating team and a mediator from the same university shall not participate in the same room in a particular round. In the event that a client- attorney pair representing the same college have been matched for a round, the organizer reserves the right to change the pairing of the mediator and client-attorney team for the round.

5.2. The client-attorney pair and mediator representing a university shall be considered to be two distinct teams and qualifications of one does not guarantee or depend the qualifications of the other.

5.3. 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.

#### **6. REGISTRATION**

##### **6.1. GENERAL**

6.1.1. Each team shall register for the competition by filling the online registration form latest by May 5, 2021. The online google form that needs to be filled is available at: <https://forms.gle/vbhW2FX7PEifgXJD9>. 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

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team in any manner. Changes, if any, may only be made with the express permission of the administrators (at their discretion), if due reason is shown for the same.

6.1.3 The registration is restricted to a maximum of 32 teams for this competition.

#### **6.2. REGISTRATION FEE**

6.2.1. The registration fee for the competition is INR 3,000. This fee is non-refundable and has to be paid by all teams.

#### **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 May 7, 2021.

6.3.2. All teams must email a scanned copy of the e-transfer receipt at info.syarindia@gmail.com. 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 payment of the registration fees, an email must be sent to info.syarindia@gmail.com, with the details of the transaction. This is mandatorily required. Once a team is registered, a team code shall be assigned to it by the administrators. 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 administrators reserve the absolute discretion to refuse or cancel the registration of any team.

### **7. PAYMENT DETAILS**

7.1. The registration fee payable for the competition as per Rule 6.2 is Rs. 3000 (three thousand) per team. Teams must transfer the amount to:

- a. The participants can send the money through any BHIM-UPI supported app, like Google pay or Phone Pay on the number – 9389360355.

- b. They can also transfer the money online through NEFT or any other possible way on the account:

Account number – 544002010076291

IFSC CODE – UBIN0554405

Name of the Account Holder – Rohit Pant

## **8. COMPETITION PROPOSITIONS**

### **8.1 GENERAL**

8.1.1. Four Competition Propositions will be sent to all Participating Teams before the start of the Competition at a date communicated by the Competition Administrator. All Participating Teams will receive General Information for the Preliminary Round, the Quarter Finals, the Semi-Finals and the Final Round.

8.1.2. Each Proposition will consist of

- a. General information for all parties; and
- b. Hidden information for each party in dispute.

8.1.3. The Hidden Information shall be provided to the negotiation team 30 minutes prior to the sessions.

### **8.2. INTERPRETATION OF THE COMPETITION PROPOSITIONS**

8.2.1. 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.

8.2.2. 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 Competition Administrator will be final and binding.

## **9. CLARIFICATIONS TO THE PROPOSITION**

9.1. All requests for clarifications to the Proposition must be emailed to info.syarindia@gmail.com, latest by May 10, 2021 (11:59 P.M. IST).



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9.2. The request for clarifications should be clear and related to the facts of the case. Any one team can only submit 10 questions.

9.3. All clarifications issued in the form of a procedural order shall be released by May 13, 2021.

9.4. The clarifications as and when issued become a part of the Competition Proposition.

9.5. Requests will be answered at the discretion of the Competition Administrator(s). 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.

## **10. ROUNDS**

### **10.1 GENERAL**

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

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

### **10.2. CAUCUS**

10.2.1. 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.

10.2.2. Provided, that in the preliminary rounds, each mediator may call as many caucuses as they deem fit, for a cumulative total period of 5 minutes each.

10.2.3. 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 10 minutes.



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

10.2.5. Provided, that in the final round, the mediator may call as many caucuses as he/she deems fit, for a cumulative period of 20 minutes.

### **10.3. TIME LIMITS**

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

10.3.1. In the Preliminary Rounds, each Negotiation Session will consist of 60 minutes, a break-up of which is as follows:

- (A) 50 minutes for the actual negotiation;
- (B) 10 minutes for feedback by the Assessors.

10.3.2. In the Quarter-final Rounds, each Negotiation Session will consist of 70 minutes, a break-up of which is as follows:

- (A) 60 minutes for the actual negotiation;
- (B) 10 minutes for feedback by the Assessors.

10.3.3. In the Semi-finals Rounds, each Negotiation Session will consist of 90 minutes, a break-up of which is as follows:

- (A) 70 minutes for the actual negotiation;
- (B) 20 minutes for feedback by the Assessors.

10.3.4. In the Finals Round, the Negotiation Session will consist of 120 minutes, a break-up of which is as follows:

- (A) 90 minutes for the actual negotiation;
- (B) 30 minutes for feedback by the Assessors.

### **10.4. ANONYMITY**

10.4.1. Participating Teams must not disclose the names of the team members or institution to the Assessors during the Session.

## **10.5. QUALIFICATION FOR ADVANCED ROUNDS**

10.5.1. The top 8 Negotiating Teams and Mediators 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;

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

## **10.6. 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.

### **10.6.1. 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:
  - i. Quarter Final 1: Rank 1 (Requesting) v. Rank 5 (Responding)
  - ii. Quarter Final 2: Rank 2 (Responding) v. Rank 6 (Requesting)
  - iii. Quarter Final 3: Rank 3 (Requesting) v. Rank 7 (Responding)
  - iv. Quarter Final 4: Rank 4 (Responding) v. Rank 8 (Requesting)

### **10.6.2. SEMI FINAL ROUND**

- a. The matchups in the semi-final rounds shall be as follows:
  - i. Semi Final 1:  
Winner of Quarter Final 1 (Requesting) v. Winner of Quarter Final 3 (Res.)

- ii. Semi Final 2:  
Winner of Quarter Final 2 (Responding) v. Winner of Quarter Final 4 (Req.)

### **10.6.3. FINAL ROUND**

- a. The matchups in the semi-final rounds shall be as follows:
  - i. Final Round:  
Winner of Semi Final 1 (Requesting) v. Winner of Semi Final 2 (Res.)

## **11. JUDGING CRITERIA**

11.1. 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
- f. Disposition and Demeanour of the Mediator
- g. Retracting Confidential Information

11.2. 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
- f. Originality in Suggested Alternative Courses of Action

## **12. TRAINING SESSIONS FOR PARTICIPANTS**

12.1. The Competition will also provide an opportunity for the participants to develop the requisite mediation and negotiation skills through various training sessions conducted by industry professionals.

### **13. PRIZES AND AWARDS**

13.1. The Winning Negotiating Team of the Final Round will be declared the “Best Negotiators”, which will include the cash prize of INR 10,000 and an internship opportunity with CAMP Mediation; while

13.2. The Winning Mediator of the Final Round will be declared the “Best Mediator”, which will include the cash prize of INR 5,000 and an internship opportunity with CAMP Mediation; while

13.3. The losing Negotiating Team of the final round will be declared the “Runners-Up Negotiators”, which will include the cash prize of INR 7,000.

13.4. The losing Mediator of the final round will be declared the “Runners-Up Mediator”, which will include the cash prize of INR 3,000.

13.5. The Participating team with the highest score at the end of preliminary will be declared as the “Best Team in Preliminary Round”, which will include a cash prize of INR 5,000.

13.6. E-Certificate of Merit shall be given to the Winners, Runners-ups and all the teams qualifying to Advance Rounds.

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