



विधि और न्याय मंत्रालय
**MINISTRY OF LAW &
 JUSTICE**



AMITY
 UNIVERSITY
 RAJASTHAN



AMITY LAW SCHOOL
 ADR COMMITTEE
 IN COLLABORATION WITH PRO - BONO
 CLUB AND MINISTRY OF LAW AND JUSTICE
 PRESENTS

2nd EDITION NATIONAL MEDIATION COMPETITION

20th
 SEPTEMBER,
 2024

KNOWLEDGE PARTNER



AEKOM
 LEGAL



MEDIA PARTNER

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Assistant Professor
Amity Law School

ADR COMMITTEE

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ABOUT OUR DIRECTOR



Prof. Dr

Anil G. Variath

is a legal professional with over 33 years of experience in law including litigation pertaining to the Civil, Criminal, and Banking sectors as well as in the Academic field with teaching and research experience. Before joining AUR, Prof. Anil G. Variath served as Registrar of the Maharashtra National Law University Mumbai. He also served as the Director of the Centre for Research in Criminal Justice and the Chair Professor of Justice M.L. Pendse Chair in Environmental Laws at the Institute. He was also the Director of the Centre for Law and Management at MNLU Mumbai. He has also served as the Professor, Head of the Institution and Deputy Director at Amity University's Law School, Mumbai. He has also held various other positions like Professor, Officer on Special Duty & Controller of Examination etc. He has also served as Adjunct faculty at various law colleges in Mumbai. Before joining academics, he also has industrial experience of working as a Partner (Litigation) at SNG Associates and MV Kini Associates.



THE ORGANIZERS

AMITY UNIVERSITY RAJSTHAN & AMITY LAW SCHOOL

Established by Amity University Rajasthan Act 2008, notified by Government notification No F.2 (10) vidhi/2, the university offers education in various streams as per global standards. AUR stands with a baton to illuminate and guide the aspirants of all educational streams.

- Rated Gold by 'The Leed Green Building Rating System' established by 'The US Green Building Council and verified by Green Business Certification INC'. (2017)
- ASSOCHAM awarded AUR for 'Best University Campus' (2014)
- World Education Summit honored AUR for excelling in Digital Learning and awarded the University with the title of 'Best North India Private University' (2014)

AMITY LAW SCHOOL

Amity Law School has been established under Amity University Rajasthan to achieve world -class legal education in the state and the country. In its constant pursuit of excellence, it is always endeavouring to create a legacy of leadership, professional acumen, and excellence.



The Amity Law School (ALS), Amity University, Rajasthan has been established in the year 2008. ALS is offering courses in Ph.D., LL.M, BA.LL.B(H), B.Com.LL.B(H), B.B.A.LL. B(H). Amity Law School with its holistic approach to legal education provides impetus to law students to evolve into not only legal professionals but also as responsible and socially empathetic citizens of the State.



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THE ADR COMMITTEE & THE PRO BONO CLUB



ADR COMMITTEE
AMITY LAW SCHOOL

The ADR Committee, Amity School of Law, Rajasthan, was established to promote cognition and welfare of the students in various alternative dispute resolution methods, such as Negotiation, Mediation, Conciliation, Arbitration, and Lok Adalat. The Committee is mainly oriented on ensuring professional competence among the nascent lawyers, instilling Negotiation and Mediation crafts.

Introduced under the Nyaya Bandhu Scheme, the Pro Bono Club of Amity University Rajasthan established under the "Ministry of Law and Justice, has been conceptualized to strengthen the existing pro bono programme, by integrating law schools and students within its fold. The primary objective of this scheme is to improve the efficiency and quality of pro bono legal services by providing assistance to pro bono advocates through competent law students.



PRO BONO CLUB
AMITY LAW SCHOOL





ABOUT THE COMPETITION

The 1st National Mediation Competition, organized by the ADR Committee, was a resounding success, witnessing participation from 40 teams representing renowned institutions nationwide. This event marked a significant milestone in the realm of alternative dispute resolution (ADR) in our country. With diverse participation from esteemed law schools, the competition underscored the growing interest in mediation within the legal community and highlighted the event's reputation as a prestigious platform for talent showcase and skill enhancement.

The meticulous planning and execution by the ADR Committee ensured smooth conduct and fair judging, contributing to the overall success and credibility of the competition. As we eagerly anticipate the 2nd National Mediation Competition hosted by Amity Law School, we expect another enriching and rewarding experience for all participants. The 2nd National Mediation Competition, hosted by Amity Law School, stands as a prestigious event offering law students a platform to demonstrate their mediation prowess. Scheduled for September 20th, 2024, the event welcomes participation from law school students nationwide who harbor an interest in honing their communication and negotiation competencies while acquainting themselves with the mediation process. Structured to emulate real-life scenarios, participants assume the role of mediators, endeavoring to facilitate resolution to hypothetical disputes. Through this competition, students are afforded an opportunity to showcase their proficiency in active listening, innovative problem-solving, and impartial adjudication.





PERTINENT DATES

EVENT	DATE
COMMENCEMENT OF REGISTRATION	5th August
LAST DATE FOR SEEKING CLARIFICATIONS	8th September
LAST DATE OF REGISTRATION	10th September
LAST DATE FOR SUBMISSION OF SOFT COPY OF MEDIATION PLAN	17th September
INAUGURAL CEREMONY & COMPETITION	20th September

ELIGIBILITY

To be eligible to sign up, students must be registered as full-time law students in the academic year of 2023-2024. Only Law Colleges/Universities recognized by the Bar Council of India are eligible to participate. Only bonafide students pursuing 3-year/5-year LLB degree programs, during the current academic year are eligible to participate. No Cross University teams shall be eligible to participate in this competition

VENUE

Moot Court Room, Block D, Amity Law School.

GENERAL CLAUSES

Clarifications

Refers to the queries arising from the mediation problem that would only be accepted and reverted in the prescribed timeline.

Competition

Refers to the 2nd National Mediation Competition, 2024.

Conference Room

Refers to the venue of the Mediation Session.

Mediating Pair

Refers to the client and counsel pair of the participating Team.

Judge

Refers to a professional selected by the Organizing Committee to evaluate and score the Team's performance during a mediation session following the judging criteria.

Mediator

Refers to the third member of the mediating team who has applied and registered for the Competition as a Participant.

PRIZES

Exciting Cash prizes upto - ₹18,000





REGISTRATION DETAILS

All teams that desire to participate in the competition shall fill the registration form. Participation will be on a first-come, first-served basis only. Confirmation of team will be on the basis of early registration through email on or before **15th September, 2024**.

REGISTRATION FEE

The Registration fee for a participating team is **₹1500 + ₹270/- GST**.

Additional fee will be charged for accommodation **i.e ₹450 + 18% GST**.

REGISTRATION PROCESS

STEP 1:

PAY ON THE LINK BELOW -

PAYMENT LINK: -

<https://amity.edu/jaipur/paymentgateway/semc2024>

OR

SCAN THIS QR:



STEP 2:

**AFTER PAYMENT REGISTER THROUGH THE LINK BELOW
REGISTRATION LINK: -**

https://docs.google.com/forms/d/1_R2kGqKlwxZ7uriKjTPT0N6n_Rmfz-tAnuPcRcbM2Do/edit

TEAM COMPOSITION

DRESS CODE

Participants should be appropriately attired for the rounds of the competition. The dress code for all the functions at the competition will be Western formals for Gentlemen and Western or Indian formals for Ladies. Robes are not permitted. The teams should make their own provisions to comply with the dress code of the competition.

Each team shall comprise three students consisting of one Mediator and two team members acting as the negotiating pair (referred to as the "Mediating Pair"). One team member will be designated as Mediator, whose role shall remain unchanged throughout the Competition. The other two team members will form the Mediating pair, representing a client and his/her Counsel. The respective roles though not interchangeable within a round, are changeable in different rounds. Mediators will be referred as M1 and M2 for a mediation session and the teams will be allotted a team code on registration.





RULES AND REGULATIONS

Following are the general rules and regulations of the 2nd National Mediation Competition

- The three team members should be divided into sub-teams: a Negotiating Team comprising two members who shall play the roles of client and counsel and a single Mediator.
- The Mediating Teams and Mediators from each team would compete separately. Each round shall be a mediated negotiation with two mediating teams and two mediators.
- There shall be two preliminary rounds followed by semifinals, and finals.
- The team should be divided into the following two subteams - a mediating Team, comprising two members who shall play the roles of client and counsel, and a single Mediator.
- There shall be **Two Preliminary Rounds** and the preliminary rounds shall be of **20 minutes each**, exclusively for deliberation. For the preliminary round, the judges may question and evaluate the reasons of settlement after the completion of the exercise for not more than 3 minutes. **There is no provision for private caucus in preliminary rounds.** Please note that the draw of lots for the preliminary rounds 1 and 2 will take place on **18th September, 2024** at **3PM** and the platform for the same shall be "google meet"
- The **Semi-final Round** will be of **30 minutes**, exclusively for deliberation. Furthermore for the Semi- Final round, the judges may question and evaluate the reasons of settlement after the completion of the exercise for not more than 5 minutes.
- The **Final Round** will be of **50 minutes**, exclusively for deliberation.
- The Team(s) may carry and use relevant notes for use and may, if need be, make notes during the Mediation Session. No audio or videotaping of Mediation Sessions is permitted. Carrying electronic devices to the Conference Room during the session is strictly prohibited.
- The Mediation Problem has been provided and appended in this brochure itself.



- The confidential information for each team shall be shared **10 minutes** before each round of the Competition. The teams will be assigned the side they will be representing in advance, by the draw of lots before releasing the confidential information.
- Participants shall not disclose confidential information to any other Participant throughout the Competition. Any such disclosure made to other Participants before or after their round shall lead to immediate disqualification from the Competition without the scope of appeal.
- Participants shall restrict the interpretation of the problem to reasonable conclusions and are not allowed to create additional facts.

PRIVATE CAUCUS

- During the session, it is solely the discretion of the Mediator(s) to call for caucuses or conferences, whichever he/she may want.
- A caucus is a private meeting between one party and the Mediators, while a conference is a joint session between the parties and a Mediator.
- However, the Mediator(s) shall call for at least one caucus or conference to facilitate the mediation process.
- Whenever the Mediator(s) calls for a caucus, the other party shall leave the room. The caucus shall take place between the Mediator and one party at once.
- During the call for a conference by the Mediator(s), both parties shall be present in the room.
- The Mediator(s) are permitted to call for both caucuses and conferences, whichever he/she may deem fit in the interest of the parties— provided that the disputing parties may request the Mediator(s) to conduct a caucus.

MEDIATION PLAN

The mediation plan is a written strategy adopted by the parties during the mediation proceedings. Each team needs to prepare a Mediation Plan from both the sides i.e. Requesting as well Responding Party.





FORMAT OF MEDIATION PLAN

The Headings under the mediation plan shall reflect the following headings: -

- **Mediation Strategy:** The Competing Party's Strategy with its goal and objectives and its likely success for achieving a good outcome should be mentioned.
- **Division of Roles and Responsibilities between Client and Counsel:** Explain the division of roles and responsibilities between the Client and Counsel during the Mediation. Also, explain briefly why the Competing Party chose that particular responsibility sharing by reference to the problem.
- **The Competing Party's Underlying Interests:** Mention in brief the interests that the Competing Party has planned to advance in the Mediation session with reference to the problem.
- **The Competing Party's BATNA:** Mention about the Best Alternative to Negotiated Agreement of the Competing Party.
- **The Other Party's likely Underlying Interest:** Describe what could be the likely underlying interest of the other party with reference to the problem.
- **The Other Party's likely BATNA:** Describe what could likely be the Best Alternative to the Negotiated Agreement from the other party

Note: The mediation plan would be made for the preliminary round as well and there would be no formulation of mediation plan for further rounds i.e. Quarter Finals, Semi-Finals and Finals.

GENERAL RULES OF SUBMISSION

- The Mediation Plan for the Preliminary Rounds must not be more than 5 pages in Times New Roman Font, 12-Font Size and 1.5 spacing. Any deviation from this format will not be accepted.
- All the Mediation Plans will be scored individually and the highest scoring team will be rewarded with the Best Mediation Plan at the end of the Competition.
- The last date to submit the mediation plan is **17th September, 2024**.





INTERPRETATION OF RULES

The Organizing Committee shall reserve the right to interpret the rules as it may deem fit in the interests of the participants and the organizers to maintain fairness and equality in the Competition. The interpretation placed upon these Rules & Procedures shall be conclusive, and the decision of the Organizing Committee regarding the application of these Rules & Procedures shall be final. Any such decision shall be binding on all the stakeholders and Participants. No mediator will mediate for their own institute in any round

MARKING CRITERIA: - MEDIATOR

Serial No.	Criteria	Marking Score
1.	Opening Statement (It includes explaining mediation as a concept, explaining the roles of mediators, laying down ground rules and explaining the process effectively.)	20
2.	Cooperation with co-mediator (Coordinating with co-mediator throughout the session, facilitating the co-mediator.)	20
3.	Use of Mediator's skills (It includes empathic listening, building trust during joint and private sessions, use of questions effectively in the session, understanding of parties' interests, maintenance of neutrality throughout the session.)	20
4.	Conduct Private and Joint Session (It includes emphasizing on confidentiality, information gathering, separating interests from positions, and conducting the joint session.)	20
5.	Progress made during the session.	20





MARKING CRITERIA: - MEDIATING PAIR

Serial No.	Criteria	Marking Score
1.	Opening Statement (It includes articulation of facts, setting out interests, goals, and agenda.)	20
2.	Negotiation Skills (It includes problem- solving skills, the use of mediation service to resolve the impasse, information gathering, effective use of questions.)	20
3.	Negotiation Strategy (It includes disclosure and use of confidential information, prioritization of the interests of the client, use of service of private caucus.)	20
4.	Creativity in Solution (It includes creativity in option and solution generation, reality testing of the prospective the solution, the extent of collaboration with the opposite party.)	20
5.	Team Coordination (It includes teamwork of client and counsel, effective communication between the mediating pair, no overlapping of roles.)	20

GROUNDS FOR DISQUALIFICATION

- Misconduct, whether behavioural or otherwise, is not allowed and, if indulged, shall result in disqualification of the team.
- Any discussion with Judges before the Competition.
- Cheating or using unfair means.
- Intimidation in any form is prohibited and, if found indulged, shall result in the team's disqualification.





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- Change the composition of the participating team once communicated to the Organizing Committee.
- Disclosure, except during the Mediation Session, of Confidential Information relating to a Proposition; Violation of the rule regarding anonymity during the Mediation Session.
- Violation of the rule regarding the participation of each team member as client, counsel and Mediator in one preliminary round each.
- Causing delays in the commencement of rounds.

CONTACT DETAILS

For more details and information pertaining to the 2nd National Mediation Competition,

Contact us at: -

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STUDENT CONVENORS :

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MEDIATION PROBLEM



The SolarVista Urban Solar Project Dispute presents a multifaceted conflict between Isolartech Pvt. Ltd., a prominent renewable energy entity, and the City Council of Indicana, arising from a contractual agreement to bring about an ambitious renewable energy initiative aimed at transforming Indicana into a sustainable urban model. Awarded the tender by the City of Indicana, Isolartech embarked upon the SolarVista Urban Solar Project with a commitment to install and integrate solar panels across public infrastructure, including buildings, parks, and roadways, with the overarching goal of curbing carbon emissions and promoting clean energy utilization. Initiated on the 5th of October, 2023, the project was slated for completion within a six-month timeframe. However, despite the initial optimism surrounding the SolarVista project, tensions swiftly emerged between Isolartech and the Indicana City Council, stemming from a series of challenges encompassing project delays, cost escalations, and discrepancies in design specifications. Isolartech contends that the bureaucratic procedural requirements, indecisiveness, and delayed approvals on the part of the City Council have impeded project progression, leading to costly setbacks. Conversely, the City Council levies accusations against Isolartech, alleging substandard labor practices, design flaws, and budgetary overruns, thereby casting doubts upon the project's viability and efficacy in meeting sustainability objectives.

The widening rift between Isolartech and the City Council has not only strained their commercial relationship but has also endangered their public perception and apprehension among local residents, environmental advocates, and stakeholders regarding the project's future trajectory. The protracted delays and uncertainties surrounding the SolarVista initiative have elicited concerns regarding its long-term feasibility and the potential ramifications for Indicana's standing as an environmentally conscious municipality.

In response to the escalating dispute, both the parties have opted to pursue legal recourse, citing breaches of contract, negligence, and financial losses. Isolartech contends that the City Council's failure to adhere to stipulated timelines and project specifications has led to substantial financial repercussions and tarnished the company's reputation. Conversely, the City Council contends that Isolartech's purported performance deficiencies and lack of transparency have compromised the project's integrity, damaging public trust and, consequently, the council's reputation. Given the impasse and the looming threat of project abandonment, Isolartech has proactively offered a proposal for mediation, which the City Council has acceded to, thereby initiating a formal process aimed at resolving the contentious dispute amicably.

