

SYAR

2ND NATIONAL ONLINE NEGOTIATION COMPETITION

2ND – 4TH October, 2020

Organised by

Society for Young Advocates and Researchers

In collaboration with



About Society for Young Advocates and Researchers

Society for Young Advocates and Researchers is a youth organization, focused on building opportunities for law students for a much better learning experience, driven by a sense of excellence and talent in the young minds, a variety of mediums are provided to help students achieve perfectionism in every domain of the legal field.

About Presolv360

Presolv360 is a technology-enabled platform specializing in online dispute resolution. It offers disputing parties quick and effective resolutions while drastically reducing the costs and resources involved in resolving them. Presolv360 is a platform that puts into practice a unique approach to resolve commercial disputes with a drastic reduction in costs and efforts involved. This is possible by blending technology, human expertise and innovation to provide a quick, effective and enforceable outcome.

About Centre for Mediation and Conciliation (CMC)

The Centre for Mediation and Conciliation (CMC) is an initiative of Bombay Chamber of Commerce and Industry, the oldest operating chamber of commerce in India. CMC aims to create a harmonious business environment with enduring business relationships by encouraging resolution of disputes through aided dialogue and concluding them swiftly, economically, confidentially and amicably. CMC provides a much-needed neutral, institutional platform for resolving commercial disputes and wishes to promote an efficient, sustainable and solution oriented dispute resolution process for resolving commercial disputes.

The Centre is affiliated with the High Court of Bombay and the City and Sessions Court, Mumbai as a Mediation Centre and successfully administers court referred commercial mediations. The centre is also recognised by the Ministry of Law & Justice and Ministry of Micro, Small and Medium Enterprises, Government of India.

About The Negotiation Academy

The Negotiation Academy is an Austrian Training and Consulting Firm providing global services in Negotiation and Communication. Negotiation Academy equips today's lawyers and business professionals with the skills and tools to master the changing challenges of the new economy.

The Negotiation Academy run interactive online trainings that allow participants to study, interact and practice negotiation skills in a global community, as well as in-person workshops for companies around the world.

NONC RULEBOOK

These are the rules for the 2nd National Online 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 “Clarifications” refer to procedural order(s) and/or any clarification(s) issued by the administrator(s).

1.2 “Client” is the student of a Negotiating Team who plays the role of the Client in a Session of the Competition.

1.3 "Competition" means the 2nd National Online Negotiation Competition.

1.4 "Competition Administrator(s)" means the person(s) in-charge of organising and managing the Competition.

1.5 "Competition Rounds" means the Preliminary Rounds, the Octa-Final Round, the Quarter-Final Rounds, the Semi-Final Rounds, the Final Round and any other rounds that the Competition Administrator may so designate.

1.6 “Counsel” is the student of each Negotiating Team who plays the role of counsel in a Session of the Competition.

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

1.8 "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.

1.9 “IST” means Indian Standard Time.

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

1.11 “Requesting Party” is the party to which the Competition has assigned the role of the party which has requested the negotiation.

1.12 “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 Registration: September 15, 2020

Release of Negotiation Proposition: September 17, 2020

Last Date for Seeking Clarifications: September 24, 2020

Date of Negotiation Rounds: October 2 – October 4, 2020

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 September 15, 2020, which shall be interpreted as September 15, 2020, 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 Negotiation Session, each Participating Team will be represented by no more than two Eligible Students with one taking the role of "Counsel" and the other taking the role of "Client".

5.2 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 September 15, 2020. The online google form that needs to be filled is available at: <https://forms.gle/CD6erVdikrwBERw49>. 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. 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 1,000. 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 September 17, 2020.

6.3.3. 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.

6.3.4. 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.

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

6.3.6. 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. 1000 (one 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. CLARIFICATIONS TO THE PROPOSITION

8.1. All requests for clarifications to the Proposition must be emailed to info.syarindia@gmail.com, latest by September 24, 2020 (11:59 P.M. IST).

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

8.3. All clarifications issued in the form of a procedural order shall be released by September 30, 2020.

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

8.5 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.

9. COMPETITON PROPOSITIONS

9.1 GENERAL

9.1.1 Five Negotiation 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 Octa Finals, the Quarter Finals, the Semi-Final and the Final Round.

9.1.1 Each Proposition will consist of

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

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

9.2 INTERPRETATION OF THE COMPETITION PROPOSITIONS

9.2.1 Whilst the Participating Teams are not allowed to create new facts, the Negotiation 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 Judges.

9.2.2 Failure to stay within a reasonable interpretation of the Negotiation 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.

10. NEGOTIATION SESSION

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 four knock-out rounds – Octa Finals, 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 TIME LIMITS

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

10.2.1 In the Preliminary Rounds, each Negotiation Session will consist of 50 minutes, a break-up of which is as follows:

- (A) 40 minutes for the actual negotiation;
- (B) 10 minutes (5 minutes per Participating Team) for feedback by the Judges.

10.2.2 In the Octa-final 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 (5 minutes per Participating Team) for feedback by the Judges.

10.2.3 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 (5 minutes per Participating Team) for feedback by the Judges.

10.2.4 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 (10 minutes per Participating Team) for feedback by the Judges.

10.2.5 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 (15 minutes per Participating Team) for feedback by the Judges.

10.3 ANONYMITY

10.3.1 Participating Teams must not disclose the names of the team members or institution to the Judges during the Negotiation Session.

10.4 QUALIFICATION FOR ADVANCED ROUNDS

10.4.1 The top 16 teams in the preliminary round shall qualify for the octa 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 originality in suggested alternative courses of action shall be ranked higher;

10.5 ADVANCE ROUNDS

10.5.1. OCTA FINAL ROUNDS

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

- i. Octa Final 1: Rank 1 (Requesting) v. Rank 16 (Responding)
- ii. Octa Final 2: Rank 2 (Responding) v. Rank 15 (Requesting)
- iii. Octa Final 3: Rank 3 (Requesting) v. Rank 14 (Responding)
- iv. Octa Final 4: Rank 4 (Responding) v. Rank 13 (Requesting)
- v. Octa Final 5: Rank 5 (Requesting) v. Rank 12 (Responding)
- vi. Octa Final 6: Rank 6 (Responding) v. Rank 11 (Requesting)
- vii. Octa Final 7: Rank 7 (Requesting) v. Rank 10 (Responding)
- viii. Octa Final 8: Rank 8 (Responding) v. Rank 9 (Requesting)

10.5.2. 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:
Winner of Octa Final 1 (Responding) v. Winner of Octa Final 5 (Requesting)
- ii. Quarter Final 2:
Winner of Octa Final 2 (Requesting) v. Winner of Octa Final 6 (Responding)
- iii. Quarter Final 3:
Winner of Octa Final 3 (Responding) v. Winner of Octa Final 7 (Requesting)
- iv. Quarter Final 4:
Winner of Octa Final 4 (Requesting) v. Winner of Octa Final 8 (Responding)

10.5.3. 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.)

11. JUDGING CRITERIA

11.1 The Negotiation Session shall be judged 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

11.2 The judging criteria shall be applied to the performance of both: the counsel as well as the client.

12. PRIZES AND AWARDS

12.1. The winner of the Final Round will be declared the “Winning Team”, which will include the cash prize of INR 5,000 and an internship opportunity with the Centre for Mediation and Conciliation (CMC); while

12.2 The losing finalists will be declared the “Runners-Up”, which will include the cash prize of INR 3,000.

12.3 The Team with highest score in Preliminary Round will be adjudged as the “Best Negotiating Team”, which will include a cash prize of INR 2,000.

12.4 E-Certificate of Merit shall be given to the Winners, Runners-up, Best Negotiating Team and all the teams qualifying to Advance Rounds.

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