



AMITY
UNIVERSITY
JAIPUR

Amity Law school,
presents

**1st NATIONAL
VIRTUAL MED-ARB
COMPETITION
2022**



**Dates: - 11th March -
13th March 2022**



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ORGANISING TEAM

CHIEF PATRON

Dr. Aseem Chouhan
Chancellor

PATRON

Prof. Dr. Rakesh Bhatnagar
Vice Chancellor, Amity University Rajasthan

Prof. Dr. Amit Jain
Pro Vice Chancellor, Amity University Rajasthan

CHAIRPERSON

Prof. Dr. Saroj Bohra
Director, Amity Law School

FACULTY CONVENORS

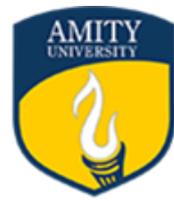
Dr. Ashu Maharshi
Associate Professor, Amity Law School

STUDENT CONVENORS

Deepesh Katariya
B.Com LL.B.(Hons) 10 th Semester

Harshvi Chaumal
BBA LL.B.(Hons) 10 th Semester





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About the University

Amity University Rajasthan is one of the latest proud additions in the legacy of the 25 yearsold Amity Education Group of India, set up with a vision to contribute in nation-building through excellence in higher education, research and innovation. Amity University is ranked among top 3% Universities globally by QS- 2018 ranking Amity University Rajasthan is a part of Amity India's leading education group with more than 1,50,000 students, 11 universities, 150 institutions, 25 schools & pre-schools, 10 overseas campuses in Singapore, Mauritius, USA, Beijing, Nanjing, South Africa, London, Dubai, Abu Dhabi & Romania. Amity University Rajasthan is built on a foundation which embodies all the qualities that have made Amity institutions world class over the last two decades. Located in a sprawling 150 acre green campus on Delhi Jaipur Highway, the University with its state of- the-art infrastructure has instituted global standards in education, training and research with focus on the latest teaching methodologies.





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About Amity Law School

The School has been established under Amity University Rajasthan to achieve world-class legal education in the state and the country. In its constant pursuit to excellence, it is always endeavoring 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 PhD, LL.M (1Year), BA-LL.B(H), B.Com-LL.B(H), BALL.B(H). Amity Law School trains a new cadre of legal professionals through comprehensive and contemporary body of integrated knowledge, rigorous educational practices and research programs. The institute has a well-qualified, experienced and dedicated faculties who are committed to the cause of quality legal education. ALS is affiliated to Amity University and approved by the Bar Council of India.

The methods of teaching in the Law School include lecture discussions, case law analysis, moot court training, project assignment and placement programmes. In addition, the School organizes seminars on contemporary legal issues, conducts clinical courses and trains students in legal research and legal writing. By the time a student completes the programme, he/she will be fully equipped with the required theoretical knowledge and practical experience in the field of law to become a full-fledged responsible member of the legal profession.





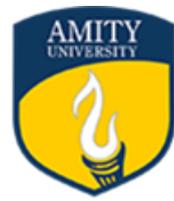
About the Competition

The ADR Committee at ALS is proud to organize the first ever online Med-Arb Competition as its flagship event for the Academic Year 2022-23. The goal is to offer a forum for like-minded people interested in alternative dispute resolution to compete in an intellectual and thought-provoking mediation and arbitration simulation. The competitions will be held from the 11th of March 2022 to the 13th of March 2022. The brochure holds detailed information regarding the competition. The rounds for the competition will be comprise of two ADR mechanisms - Mediation and Arbitration.

MEDIATION : - Mediation is a non-conventional technique of settling conflicts that avoids the use of the traditional judicial system. It is a structured, voluntary, and participatory negotiating process in which a neutral third-party facilitator employs specialized communication and negotiation strategies to assist the parties in achieving their intended outcomes. As a party-centered procedure, it focuses on the parties' interests, needs, and rights.

ARBITRATION: - Arbitration is a method in which a dispute is presented to one or more arbitrators by consent of the parties, who then issue an arbitral decision that is binding on the parties. Instead of going to court, the parties choose arbitration as a private dispute settlement mechanism.





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“Ambition is the path to success. Persistence is the vehicle you arrive in.”

From the Desk of Director, ALS

Greeting from Amity Law School, Amity University Rajasthan,

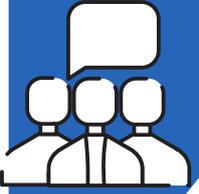
Amity Law School, Rajasthan aims at imparting theoretical as well as practical knowledge of Law programs. The course structure has been designed to be at par with the international academic standards. Eminent jurists, judges, policy makers, and senior advocates form a part of regular interaction with the contemporary Legal scenario. Students receive practical exposure through Moot Court, Court Visits and Legal Aid Camps to understand nitty-gritty of Law programs. Using law as a tool to bring social change the University has been supporting fight for justice for land rights, social and gender empowerment and against hate speech and moral policing.

After, the successful completion of MUN 1.0, National Trial Advocacy Competition, Youth Parliament, National Moot court competition 2021 and various other national level competitions we are delighted to organize Amity National Mediation - Arbitration Competition 2022. A mediation competition simulates a out of court hearing, in which participants analyse a problem, research the relevant law, prepare written submissions, and present oral argument. Mediation and arbitration court is the paramount activity of a Law college. It provides practical knowledge of Law and gives a first-hand experience of the court craft and etiquettes. It helps greatly in inculcating skills of advocacy. Amity Law school offers a congenial environment for the development and enhancement of the personality of students with these opportunities to be utilized in the best interest and overall development. With a spirit as enthused, it seeks to progress and endeavors to achieve distinguished results and set new benchmarks of success.

Looking forward for active participation of your institution in the competition

Prof (Dr.) Saroj Bohra
Director, Amity Law School,
Amity University Rajasthan





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Message from the Faculty Convenor

I am glad to announce that Mediation and Arbitration committee of Amity School of Law, is organizing its Virtual National Med- Arb Competition from 11th -13th March 2022. Amity Law School has a vibrant mediation culture. The main goal of organizing this competition is because mediating helps in overall development of an individual as a good and proficient lawyer by enhancing practical knowledge, teamwork, research and writing skills and building confidence. Mediation is very important for law students as it provides immense knowledge and practical aspects of our legal system. It is a proud feeling to be a part of ALS med- arb Society which strives for raising the standards of research and innovation and creating a platform for the future pioneers of legal field who are globally competent and technologically skilled to respond to the future challenges of emergent national and international scenarios. Therefore, we are expecting teams from various reputed and prestigious institutions across the country. There is a proverb that practice makes a man perfect. The closest experience that a law student can get to appearing in a court is mooting. I hope that participants shall make use of logically compulsive reasoning to demolish the arguments of their opponents. I wish the participants all the luck for the competition and a wonderful opportunity to learn and grow.”

We are looking forward to host your team in this competition. The Amity Law School hopes to create a strong tradition of successful mooting for years to come for the students

Dr. Ashu Maharshi
Faculty Convenor
Amity Law School





Message from the Student Convenors

Argument is an art by itself and a skillful argumentative quality proves to be a boon, to an advocate and a judge, both. True Advocacy skills helps the judicial system in emerging out with the best judgments, which serves as a guiding principle for the future generations to come. Mediation event provides a forum to the law students to show and sharpen their legal skills. Mediation helps in overall development of an individual as a good and proficient lawyer by enhancing practical knowledge, teamwork, research and writing skills and building confidence. Amity Law School has a vibrant mooting culture and a proactive Mediation Society which regularly organizes workshops on arbitration, client counselling and mediation competitions

Admission into a professional course is not an achievement but an opportunity to hone one's professional skills and one must not let it pass by. Mediation is the best way a law student can develop their advocacy skills during their journey in a law school. The students are practically taught honesty of purpose, industrious engagement rendering justice as a judge, and helping to render justice as an advocate, serving of the society and philosophical free thinking and solving legal problems independently. It improves your ability to think on your feet. Most students find mediation and arbitration to be intellectually rewarding and highly enjoyable. It can be nerve-wracking but it is a lot of fun for the experience that you gain from it. Above that, given the extraordinary amounts of preparatory work involved in organizing a Mediation and Arbitration Competition,.

Looking forward to welcoming you in our event.

Deepesh Katariya, Harshvi Chaumal

Student Convenors

1st Amity National Med-Arb Competition





Important Dates

EVENTS

IMPORTANT DATES

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← Commencement of Registration →	20th JAN 2022
Release of Rules and Regulations	20th JAN 2022
Release of Problem	20th JAN 2022
Deadline for Seeking Clarifications	20th FEB 2022
Release of clarifications	23th FEB 2022
Deadline for Registration along with Payment of Fees and Email of Proof of Payment	20th FEB 2022
Deadline for Submitting Soft Copy of Arbitration	28th FEB 2022



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Important Dates

EVENTS

IMPORTANT DATES

Dates for Oral Arguments

11th - 13th MARCH 2022

Inauguration

11th MARCH 2022

Valedictory ceremony

13th MARCH 2022



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AMITY NATIONAL VIRTUAL MED ARB COMPETITION RULES

The rules mentioned herewith shall be called the National Med Arb Competition Rules, 2021 (hereinafter referred as “The Rules”). The Rules mentioned herewith are not exhaustive and shall be strictly adhered to. Any deviation from the same shall result in immediate disqualification. All decisions made by the Organizers in case of any disputes or doubts, shall be final and binding on all the participating teams. The Organizers reserve the right to alter, amend or add rules herein at any point of time. In case the Rules are not adhered to by the Participating teams, Organizers reserve the right to impose penalty

NOTICE

Kindly note that that thr organising Team, at any time of the competition will hold the right over any dispute and incase of any discrepancy and any issue irrespectice of the nature, the say of the Organsing team shall be deemed final.

I. Background

This competition consists of two separate rounds of Mediation and Arbitration. The team portraying the role of Client- Counsel in the Mediation rounds will become the Counsels in the Arbitration rounds. The participant portraying the role of a Mediator in the Mediation rounds will become the Arbitrator in the Arbitration Rounds. All the participants will be judged by a separate panel of Judges in both the rounds.

II. DEFINITIONS

- A.** “Clarifications” refers to procedural order(s) and/or any clarification(s) issued by ADRC.
- B.** “Competition” refers to the 1 st Amity National Med- Arb Competition, 2022.
- C.** “Competition Room” refers to the online meeting room on the MS Teams Platform that shall be used for conducting the Competition rounds.
- D.** “Oral Rounds” refers to a team’s pleadings submitted by both the speakers before the panel of arbitrators/ arbitral tribunal on behalf of one of the parties against the opponent party.
- E.** “Penalty” refers to the deductions imposed on the participating team/individual in breach of any rules, as provided by ADRC.
- F.** “Plagiarism” refers to the direct or substantial duplication of the work from the memorial of any other team through offline or online source(s).

G. “Preliminary Rounds” refers to the initial oral rounds for the purpose of determining the scores and ranks of the participants based on the average scores in both mediation and arbitration competition.

H. “Scouting” refers to the act of a person observing the sessions/oral rounds of a team other than the team he/she is a part of.

I. “Selected Team” refers to Applicant Teams selected to participate in the Competition Rounds of Amity National Med-Arb 2022, who have completed the Final Registration and paid the Registration Fees.

J. “Session Supervisor’ & ’ refers to member/s of Amity University, Rajasthan designated as such, in charge of overseeing the smooth conduct of every Competition Session.

K. “Speaker” refers to a participant who presents oral arguments in any given round of the arbitration competition.

L. “Tribunal” means a collective reference to the arbitrators present at the oral round, where an “arbitrator” is an adjudicator of the oral rounds.

M. “Written submissions” means the written arguments submitted by each team participating in an arbitration competition, according to these Rules.



III. LANGUAGE & FLEXIBILITY

The competition will be solely conducted in English language. All the law students currently pursuing three-year LL.B. or five-year LL.B. are eligible to participate in the competition. However, all the recognized universities are allowed to send only one team for the event.

IV. APPLICATION AND REGISTRATION PROCESS

- A.** Registration by interested teams must be done by way of filling in the Google Form, on or before 11.59 PM, 28th February 2022.
- B.** University/College/Institutional Approval is not necessary for registration
- C.** The registration link is at the end of the brochure
- D.** Final registration shall be done by the Participating team by submitting the Registration form and sending proof of payment to arbmedamityjaipur@gmail.com. The deadline for payment and final registration is 28th February 2022.
- E.** Payment procedure: Teams shall pay a registration fee of Rs. 3,500/- before the deadline mentioned above through NEFT mode. Details of the account shall be notified to selected teams.

V. CLARIFICATIONS

Clarifications shall be sent to arbmedamityjaipur@gmail.com. The subject line should be “Clarifications: Problems or Rules”.

VI. GENERAL RULES OF THE COMPETITION

- A.** Scouting is strictly prohibited. Violation of this rule shall result in disqualification after an immediate enquiry. Participants shall not attend any of the sessions of other teams or individuals during the competition or receive information from any person who has attended any previous rounds.
- B.** In cases of plagiarism or any such activities, ADRC reserves the right to disqualify the team(s) after an immediate enquiry.
- C.** Participants shall not reveal their identity to the panel of arbitrators/Mediators or Judges.
- D.** Teams are not allowed to switch their roles during the competition. The participant portraying the role of a mediator shall be the arbitrator in the arbitration rounds and the client-counsel team in the mediation round will portray the role of counsels in the arbitration rounds.
- E.** If any team fails to be present for the oral rounds/mediation sessions, for more than 10 minutes even after the commencement of the session, they shall be not allowed to appear for that particular round. Teams are requested to ensure they have proper internet connectivity before they appear for the competition rounds.

F. The ADRC shall serve as the final authority for the implementation and interpretation of these Rules and of any Supplementary Rules or clarifications.

G. If there is any situation which is not contemplated in the rules, the ADRC's decision on the same shall be final and binding.

VII. DRESS CODE

Participants are required to be dressed in black and white formals during their rounds in the competition.

VIII. WRITTEN SUBMISSIONS FOR ARBITRATION ROUNDS

A. Submission of the written submission

- i.* Each participating team must prepare written submissions on behalf of the Claimant and Respondent of maximum 20 pages.
- ii.* All the teams are requested to send a soft copy of both the written submissions in the PDF format titled "Claimant (Team Code)" and "Respondent (Team Code)" before 11.59PM on (Date).

B. Structure of the written submissions

i. Each Written submission must contain all of, and only, the following components in the following order:

- Cover page;
- Table of Contents;
- Table of Abbreviations;
- Index of Authorities;
- Statement of Jurisdiction;
- Statement of Facts
- Issues Raised;
- Summary of Arguments;
- Arguments Advanced/Pleadings;
- Prayer.

C. Format of written submissions

i. Text font for the Arguments Advanced and Prayer, including that of all headings and subheadings, must be Times New Roman, size 12 with 1.5 line spacing and the text must be justified.

ii. The footnote style to be followed must be 20th Edition Bluebook Citation and the font of the footnotes must be Times New Roman, size 10 with 1.0 line spacing and the text must be justified.

iii. There must be no additional space between two footnotes. Character spacing should not be condensed in any manner.

Note: The Memorial scores will be taken into consideration while selecting the teams qualifying to the Semi Finals. The qualification from the Semi Finals to the Finals will be on Knock Out basis.

D. Format of Arbitral Awards

The arbitrators are required to draft an award, in accordance with the Arbitration and Conciliation Act, 1996 (Act) after each arbitration session. The award shall be prepared by the participants, who have registered as Mediator/Arbitrator after the oral submissions of both the parties in the Arbitration Preliminary Rounds. However, the arbitral award shall broadly contain the following (page limit 2-6 pages):

- Heading
- Date, Identification of the parties and method of appointment of arbitrator
- Nature of award
- Brief on nature of the dispute
- Brief on procedure adopted
- Issues of facts and law
- Summary of both parties contentions
- Relevant facts and laws applicable
- Reasons and Conclusion
- Interest and liability if, with cost
- Finality and Enforceability

Note: Arbitral Award Includes an Interim Award, as defined under the Arbitration and Conciliation Act, 1996. However, unless required, Arbitrators are not expected to draft interim awards.

Condonation of delay

Delay in submission of memorials will not be condoned on grounds like failure connection, network issues, etc. However, the organizers shall have final discretion in case of application for condonation of delay. Decisions could range from full condonation to deduction of marks as it may deem fit.

IX . ORAL ROUNDS

A. Team composition:

Each participating team shall consist of 3 members - 2 members shall act as a client and counsel pair and 1 member as Mediator/Arbitrator. The role of the members shall not be changed (i.e., the participant in the role of Mediator/Arbitrator shall continue to play the role throughout the competition). No team shall be accompanied by a Coach/Instructor.

B. Structure of the rounds:

i. The structure of the competition is as follows: -

- Preliminary Round I
- Preliminary Round II
- Semi-Final (Qualification to the Semi Finals will be on basis of average of Oral rounds and Memorial Submission Scores for the Client Counsel and Oral rounds and Arbitral Award for the Mediator-Arbitrator)
- Finals (Qualification to the Finals will be on a knock-out basis).

ii. All the teams shall participate in both the sessions (a Mediation Session followed by an Arbitration session) in all the rounds (Prelims, Semi-Finals & Finals).

- There will be two preliminary rounds with each round consisting of a Mediation session followed by an Arbitration session.
- The participants acting as Arbitrators for a particular session shall individually prepare an arbitral award within the allotted time after the Arbitration session.
- Time Allotted:
 1. Mediation Session – 40 Minutes + 5 Minutes Post Discussion & Evaluation
 2. Arbitration Session – 40 Minutes + 2 minutes for Rebuttals and Sur-rebuttal per team.
 3. Preparation of Arbitral Award by the Arbitrators – 45 Minutes

C. A Mediation Session Comprises of:

i. Opening Statement of Mediators

ii. Opening Statement of Advocate-Client Team

iii. Caucuses and Conferences

- **A caucus may be called by either party or the mediator. Each party can call for a maximum of one caucus session.**

iv. Closing Statement of Advocate- Client Teams.

v. Closing Statement of Co-Mediators.

vi. Post-Mediation Session

- **During this session, the judges may ask questions to the teams.**

D. Caucuses and Conferences:

i. A caucus session will be conducted by the mediators with one Advocate - Client Team at a time in the absence of the other team. Here, the parties in the caucus session can freely share their interests, position, strategies and goals with the Mediator. Sharing any information with any other team(s) will lead to immediate disqualification. It is not mandatory to conduct a caucus session during the rounds. A caucus may be called by either party or the mediator, and no party can call for more than one caucus session during the mediation session.

ii. During the conference session, both the parties shall remain in the room and shall try to resolve the dispute through negotiation.

E. Release of confidential information:

i. Confidential information for the mediation session shall be released 20 minutes before the commencement of the session.

X. EVALUATION CRITERIA

A. Evaluation Criteria for the Mediator

- Opening Statement
- Establishing Working Atmosphere
- Mediation Process
- Effective Communication and Mediation Skills
- Profiling Parties Interests
- Comprehending Party's Apprehension
- Eliciting Information
- Facilitating Option Generation
- Sensitivity to ethical and cross cultural issues
- Closing Statement

B. Evaluation Criteria for the Client-Counsel

- Opening Statements
- Relationship-building and Problem Solving
- Advocating Interests
- Information Gathering
- Mutually Generating Creative Options
- Collaborating with the Other party
- Teamwork and Coordination
- Use of Mediator
- Effective Negotiation Skills
- Negotiation Strategy

C. Evaluation Criteria for Arbitrators

i. Oral Rounds

- Efficiency in Organizing and Controlling the Process of Arbitration.
- Knowledge and application of Relevant Laws, Rules and Policies.
- Consideration and Analysis of Exhibits or any such evidence put before the Arbitrator.
- Code of Conduct as an Arbitrator (Neutrality, Independence, and Impartiality, Role of Disclosure of Information, Ensuring Fairness and Expediency, Maintenance of Confidentiality and Other Ethical Roles).

ii. Arbitral Award

- Structure of the Award (Compliance with the Act)
- Proper inclusion of parties, identification of issues and nature of relief sought
- Originality in presentation
- General impression and clarity of thought
- Grammar and style of presentation
- Cogent, Completeness, Certainty, Finality, Enforceability
- Knowledge of Relevant Laws and Policies

D. Evaluation Criteria for Counsels in Arbitration

i. Oral Rounds

- Knowledge of Facts and evidence on record
- Proper articulation of the Issues, Knowledge of law, its interpretation and application
- Skill of advocacy, persuasiveness, and response to questions
- Use of authorities and Exhibits in Persuading the Arbitrators
- General Impression and Mannerism

E. Memorial

- **Proper inclusion of parties, identification of issues and nature of relief sought – 10 marks**
- **Knowledge and Application of facts and law – 15 marks**
- **Quality of Analysis and organization – 10 marks**
- **Persuasiveness of argument– 10 marks**
- **Use of authorities and Exhibits/Other relevant evidence – 15 marks**
- **Proper citation and correct format – 10 marks**
- **Originality in presentation – 10 marks**
- **General impression and clarity of thought – 10 marks**
- **Grammar and style of presentation - 10 marks**

XI. PENALTIES

A. Any violation of the rules will be penalized by the Organizing Committee, either by way of deduction of points or by disqualifying the whole Team from the Competition.

B. Non-compliance with the instructions of a Session Supervisor by the member/s of any Selected Team shall result in a penalty, which will be decided by the Judges assessing the respective Main Round.

C. Any Penalty for any violation of the rules may be imposed on Teams by the Organizing Committee. The concerned Team will be given a fair chance to show cause why penalty should not be imposed on it. The decision of the Organizing Committee shall be final.



XII. AWARDS

Participation certificates will be given to all the participants. Following awards will be distributed during the valedictory ceremony:

- a. Winners, Client-Counsel**
- b. Best Mediator-Arbitrator**
- c. Runners Up, Client- Counsel Pair**
- d. Runners Up, Mediator-Arbitrator**
- e. Best Client-Counsel Team from Preliminary Rounds**
- f. Best Mediator-Arbitrator from Preliminary Rounds**
- g. Best Memorial**
- h. Best Arbitral Award (Preliminary Rounds).**

XIII. CONTACT PERSONS

Email us at: - arbmedamityjaipur@gmail.com

https://www.instagram.com/arbmedamityj_

Dr. Ashu Maharshi	Faculty Convenor	+91 9413343775
Deepesh Katariya	Student Convenor	+91 9119210883
Harshvi Chaumal	Student Convenor	+91 9829522551

LINK TO THE MOOT PROBLEM:

<https://drive.google.com/file/d/1jvXVQjV0Sm3-OM2kQoUTPCqUEt7SWHla/view?usp=sharing>



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REGISTRATION LINK

PARTICIPANTS MAY REGISTER THEMSELVES USING THE LINK GIVEN BELOW: -

<https://forms.gle/kZ3MbKc5fteN6Qqa8>

REGISTRATION FEE

REGISTRATION FEE FOR "1ST AMITY NATIONAL ARBITRATION AND MEDIATION COMPETITION" IS Rs. 3500/-

FEES ONCE PAID WILL NOT BE REFUNDED

PAYMENT DETAILS

BANK DETAILS ARE AS FOLLOWS: -

Name & address of the institute/Payee: -	Amity University Rajasthan
Bank Name & Address:	Axis Bank Ltd. O-15, Green House, Ashok Marg, C-Scheme , Jaipur-302001(Raj)
Branch Code:	010
IFS Code:	UTIB0000010
Swift Code:	AXISINBB010
Account No.	010010100496797
MICR No.	302211002
Type of Account:	Savings

NOTE:- SUBMIT THE PROOF OF PAYMENT ON THE FOLLOWING MAIL:

- arbmedamityjaipur@gmail.com



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