

ILSCA -ILS ADR Cell

Report - ADR Cell (Mediation Segment)

2021-22

The ILSCA- ILS ADR Cell was founded with the objective of giving students an insight into and generate an interest in the emerging and ever expanding field of Alternate Dispute resolution (ADR). Throughout the year, the Cell under the guidance of the Faculty Coordinator, Ms. Sathya Narayan, organizes a host of events, which include guest sessions on relevant topics, mock sessions (which give students an insight into the particular ADR mechanism), as well as intra college and national competitions.

The Following activities were conducted by the ILSCA- ILS ADR Cell for the Academic Year 2021-2022.

I. 4th ILS Intra College Mediation Competition in Association With ILSCA

Faculty Co-ordinator – Ms. Sathya Narayan

About the Competition: The 4th edition of the ILS Intra College Mediation Competition was held on 9th & 10th October 2021. The competition was organised in association with the prestigious ILS Centre for Arbitration and Mediation for the fourth consecutive year. The annual competition received an overwhelming response from the students, with 108 participants from the three year as well as five-year law stream. This Competition aims to educate the young and fresh students who have entered the law stream about mediation as an alternative dispute resolution mechanism.

Problem Propositions for the Competition: Four distinct problem propositions were drafted for the competition, with two problem propositions for the preliminary rounds, and one problem proposition for the semi-final and one for the final round. These problem propositions aimed at showcasing the role of mediation in disputes ranging from inter-state agreements to tenancy problems and commercial and celebrity agreements.

Both the problems for the preliminary rounds involved public disputes in the entertainment industry. One of the problems involved a dispute between a record label and its estranged artist, and the streaming and promotion of musical soundtracks. The second problem for the

preliminary rounds revolved around couples in the entertainment industry and their dispute with a popular magazine which was hired as a wedding photographer.

The problems were randomly assigned to the participants and a total of 36 participating teams, including a Client-Attorney pair and an independent mediator, participated in the preliminary rounds held on 9th October, 2021. Further, one team from each conference room, i.e. 6 teams qualified for the semi final rounds held on 10th October, 2021. The problem for the semi-final rounds was inspired by the Russian Doping Scandal in the Tokyo Olympics, and focusing on the need of achieving peace between a country and the International Olympic Committee and involved issues of international relations. Out of the 6 teams, 2 teams qualified for the final rounds held on the same day.

The problem for the final rounds was based on the current dispute between the designed Sabyasachi Mukherjee and the Dastakari Haath Samiti. The problem dealt with mediation involving commercial contracts in the field of design and apparel and the round was judged by Ms. Anupama Ahluwaia, an advocate and an accredited mediator in the United States of America and India and is empanelled as a mediator with the Supreme Court of India; Ms. Krishna Thacker, Founder and Managing Partner at M.T. Thacker and Associates, and an accredited mediator with IIAM; and, Mr. Prathamesh Popat, founder of the Professional Resolutionary, Academic & Conflict handling Initiatives Mediation Chambers.

All of the problems were very well received by the participants as well as the judges of the competition. The competition witnessed overwhelming enthusiasm and participation of the students of the college in understanding the techniques of mediations as a method of alternative dispute resolution, making it a huge success.

The 108 participants were further divided into 36 participating teams, consisting of Client-Attorney pair and an independent mediator. The 36 teams participated in the preliminary round held on 9th October 2021. One of the problems for the preliminary was based on contractual issues between music entertainment company and music band. The second problem for the preliminary rounds was based on contractual dispute between an event management company and their clients.

Out of these 36 teams one team from each courtroom, i.e., 6 teams qualified for the semi-final round which was held on 10th October 2021. The problem for the semi-final round was based on a dispute between an international sports organization and a member country, focusing on the need of achieving peace between the two parties.

Out of the 6 teams, 2 teams qualified for the final rounds held on the same day. The problem for the final rounds was based on a labour dispute between a fashion house and its workers.

The problem propositions for the competition were drafted by the Organising Committee consisting of Sneha Kulkarni, Onjula Chatterjee, Nirali Hamirwasia (V B.A. LL.B.); Ashbi George Aryapurath (III LL.B.); and Arundhati Patkar, Titiksha Narkhede (IV B.A. LL.B.), Pratyusha Susarla, Sanika Paithankar, Manva Khojare (III B.A.LL. B). All the problems were very well received by the participants as well as the judges of the competition.

Judges: The Judges for the Preliminary round-were Dr. Banu Vasudevan, Ms. Ninawari Ware, Ms. Ria Jariwala, Mr. Milind Soman, Dr. Shaila Daware, Mr. Harsh Vardhan, Dr. Deepa Paturkar, Mr. Rohit Bokil, Ms. Gitanjali Prabu, Ms. Anwita Dinkar, Ms. Pooja Kannurkar and Ms. Viddulata Gawade. The Semi Final Round was judged by Ms. Leena Patil and Mr. Parvez Khan. The final round was judged by Mr. Prathamesh Popat, Ms. Krishna Thacker and Ms. Anupama Ahluwalia.

Final Result: The winning Client-Attorney pair consisted of Sanaya Khadiwala (III B.A. LL.B.) and Gautam Garg (III B.A. LL.B.) while the runners up were Nihareeka Ghadage (II B.A. LL.B.) Khushi Patel (II B.A. LL.B.)

The award for best mediator was bagged by Rushika Bakshi (IV B.A. LL.B.) while the second-best mediator was Anoushka Jyoti Narayan Singh (II B.A. LL.B.).

Feedback: The competition witnessed overwhelming enthusiasm and participation of the students of the college in understanding the techniques of mediations as a method of alternative dispute resolution, making it a huge success.

II. Guest Session on Basics of Mediation by Ms. Anupama Ahluwalia

ILS ADR Cell Mediation Team organized a guest session by Ms. Anupama Ahluwalia, on 'Basics of Mediation', on 20th November 2021.

The session was moderated by the Core Committee members of Mediation Team ILS ADR Cell and was attended by mediation enthusiasts of the ILS fraternity.

The session started with an informative presentation, with Ms. Anupama Ahluwalia going over the concept of conflicts and explaining the role that mediation as a process can play in resolving conflicts.

Ms. Anupama Ahluwalia then elucidated on the process of Mediation as an assisted negotiation, while also differentiating it from other methods such as arbitration and litigation. Elaborating on the important role played by the mediator, she explained the procedural aspect of an 'opening statement' of a mediator.

She also shared anecdotes from her experiences in this field which was extremely interesting and insightful for the participants.

The session was followed by an interactive Q&A session, where the participants asked questions on careers in mediation and clarified their doubts regarding a mediator's role and overall appearance of participants in the mediation competitions. all the queries were beautifully answered by Ms. Anupama Ahluwalia.

Following the interactive segment, the session ended with a Vote of Thanks.

III. Intra College Mock Mediation Session

ILS ADR Cell Mediation Team organized an Intra college Mock Mediation Session on 8th January 2022. The session was held virtually on Google Meet, from 11AM-2:30PM. The objective of the session was to give the participants an insight into the process of mediation as well as appraise them of the skills and techniques of the process which would help them excel in various Mediation Competitions.

The Session was very well received with over 40 students participating. It was judged by the students of V BALLB batch of ILS Law College. Each session had 2 participants being co-mediators, and 2 students representing each party to the dispute in the fictional problem. The mediators were evaluated on their facilitation skills, coordination between each other, communication skills, building trust and being neutral etc. while the negotiating parties were assessed on how well they advanced their interest, communicated with the mediator, their teamwork, relationship building etc.

After the Mock concluded, the participants were given a detailed feedback on their performance by the judges. The judges also took questions from the participants.

The event concluded with the members of the Organizing Committee thanking the judges and participants. The event was a great success, with participants taking back valuable inputs and tips on how a mediation should be approached and the points they must remember in order to ace Mediation Competitions.

IV. INTERCESSIONIS (5th Ed.) 2022: The National Mediation Competition by ILSCA

Dates - 8th -10th April 2022

Faculty Co-ordinator – Ms. Sathya Narayan.

About the Competition-

INTERCESSIONIS is an annual national mediation competition organized by ILSCA and held at ILS Law College, Pune. We at ILSCA have successfully conducted four Editions of the Competition, with the previous one being conducted virtually in March 2021. This competition is organised to educate law students about the growing importance of ADR, particularly to expose them to the skills of mediation and negotiation. ILSCA's INTERCESSIONS is a perfect platform for this exposure to the law students. The goal is to develop and inculcate in students practical lawyering skills, communication skills, sensitize their commercial aptitude, and encourage collaborative thinking. This is a one of a kind competition facilitating the participant teams of students representing various renowned Law Colleges in the country to showcase their skills and put theory into practice. A bonus to the participants is that they get an opportunity to interact with some of the world's top mediators.

Having successfully conducted 4 previous editions, we are back with the 5th Edition of INTERCESSIONIS, 2022, being held in association with ADR ODR International.

This year, ILS Centre for Arbitration and Mediation (ILSCA) successfully conducted the 5th National Mediation Competition, INTERCESSIONIS 2022, in association with ADR ODR International and KD Lex Chambers, from 8-10th April, 2022. Recognising the growing sphere of Online Dispute Resolution (ODR), the competition was held online this year. The competition was supported by CAMP, SAMA, EBC- SCC Online, Centre for Mediation and Conciliation, Bombay Chambers of Commerce and Industry and Dialogue Den.

18 teams from various universities and colleges all across India participated in the competition, putting their best foot forward, mediating on well drafted Mediation propositions drafted by industry experts.

The first day saw a day long workshop conducted by Mr Jawad AJ, a global faculty for India and digital Dispute Resolution specialist at ADR. The workshop covered the basics of mediation and negotiation, which gave the participants an insight into the intricacies of the process as well as prepared the participants for the competitive rounds to be held in the following 2 days.

The 18 teams competed in 2 Preliminary Rounds held on 9th April 2022. After the Preliminary Rounds, 8 teams qualified to the Quarter Final Rounds held on the same day. The Semi- Final Rounds held on 10th April 2022 saw 4 teams, out of which 2 teams made it to the Final Rounds of the Competition.

Problem Propositions for the Competition: Five distinct problem propositions were drafted for the competition, with two problem propositions for the preliminary rounds, and one problem proposition for the quarter final round, one for the semi-final and one for the final round. These problem propositions aimed at showcasing the role of mediation in disputes ranging from workplace disputes, commercial disputes to international disputes.

The problem propositions for Preliminary Rounds were drafted by Mr. Sahil Likhar and Ms. Tanuja Tridib each. Ms. Ameer Dharmashi drafted the problem for the Quarter Final Round. The problems for the Semi Final was drafted by Mr. Mohit Mokal. The Final Round problem was co- drafted by Mr. Parvez Khan and Ms. Leena Patil.

The first Preliminary Round Problems dealt with a dispute between two companies, while the second Preliminary Round problem revolved around an employment related dispute. The Quarter Finals problem was about a workplace conflict between colleagues. The Semi Final Round problem was an international dispute. The Final Round problem was a commercial dispute.

Judges- The rounds of the competition were judged by Indian as well as international experts in the field of mediation.

The judges for the Preliminary Rounds were- Mr. Amit Sanduja, Mr. Shahid Mohammed, Mr. Gunaseelan Arokiasami, Ms. Nidhi Modi, Mr. Rajesh Hazra, Mr. Milind Soman, Mr. Raghavendra Kumar, Ms. Jayeeta Das, Ms. Viddulata Gawade, Mr. Sahil Kapoor, Ms. Suhani Bali, Ms. Saumya Malviya, Ms. Neha Chaturvedi, Ms. Anhita Tiwari, Ms. Ramapriya Gopalakrishnan and Ms. Anchal Singhaniya.

The Quarter Final Rounds were judged by Mr. Maruf Abir, Ms. Valeria De Sousa, Mr. Abhiraaj Kulkarni, Mr. Vishal Subhas, Mr. Ankit Yadav, Mr. Sravan Unnam, Ms. Gotanjali Prabhu and Mr. Anilesh Tewari.

The judges for the Semi Final Rounds were- Ms. Manisha Unnam, Mr. Mohit Mokal, Mr. Roar Thun Wægger and Mr. Patrick McPhilamy.

The final rounds were judged by Mr. Prathamesh Popat, Ms. Gandha Sahu, Ms. Anupama Ahluwalia, Mr. Parvez Khan.

The Competition ended with the Valedictory Ceremony and a Vote of Thanks by Ms. Pooja Kannurkar, on behalf of ILSCA.

Final Result - , Deepshikha Bagauria from National Law University, Odisha took home the Winning prize in the Mediation segment while the winners in the Negotiating Segment were Maushmi Vidyadhar Wagle and Ranak Banerji, from National University of Juridical Sciences [NUJS], Kolkata. Aditi Gupta from NLU, Delhi and Prashasti Mathur and Perna Hedge (MNLU, Nagpur) finished as the runners up in the respective segments. The Winners and Runners-Up took home cash prizes from ILSCA, internships at SAMA and CAMP respectively and other rewarding incentives from the sponsors.