



SYMBIOSIS LAW SCHOOL, NAGPUR

Constituent of Symbiosis International (DEEMED UNIVERSITY), Pune

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Founder: Dr. S.B. Mujumdar, M.Sc. Ph.D. (Awarded Padma Bhushan and Padma Shri by President of India)

Report on the Two-day Bootcamp organized on “ADR and how to participate in ADR Competitions”

September 24th-25th, 2022

The Two-Day Bootcamp turned out to be a great success for the students of SLS Nagpur and for ADRC as well. The Two-day Bootcamp was conducted by the members of ADRC and faculty in-charge of Alternative Dispute Resolution Cell, Symbiosis Law School Nagpur Dr. Shilpa Sharma. The Bootcamp was very well planned and attended by a significant number of students and the response from the attendees was great. The speakers for the Bootcamp were **Adv. Vivek Joshi, Adv. Rohan Gulati and Adv. Vatsala Pandey (alumni of Symbiosis Law School, Hyderabad)**. They were very knowledgeable, professional and friendly which made the learning easy, effective and interesting.

About the resource persons:-

1. Adv. Vivek Joshi, Associate at PSL Advocates & Solicitors (Litigation and Dispute Resolution team).
2. Adv. Rohan Gulati, Associate at PSL Advocates & Solicitors (Dispute Resolution team).
3. Adv. Vatsala Pandey, Judicial Law Clerk- cum- Research Assistant at the Supreme Court of India under Hon'ble Mr. Justice JK Maheshwari.

The speakers with the help of interactive sessions, presentations and mock problems prepared by them helped the students to have a better understanding about Alternative Dispute Resolution and how to participate in ADR Competitions.

The Bootcamp helped the students to be introduced to the idea, nuances and skills pertaining to the field of ADR and understand the execution of the same.

The schedule of the Bootcamp was as follows:-

Session 1:- 01:30 P.M.- 03:30 P.M. (24th September 2022)

Session 2:- 10:30 A.M. - 12:30 P.M. (25th September 2022)

Session 3:- 01:30 P.M.- 03:30 P.M. (25th September 2022)

SESSION 1

The session started with the formal introduction of the Guest Speakers which was delivered by: Ms. Mahak Agrawal, Ms. Vaibhvee Jangid and Ms. Maanavi Kapoor. The main focus of the session was to make the students know what Alternative Dispute Resolution is in the first place and discussed the important provisions of Arbitration and Conciliation Act, 1996.

The main topics which were discussed in session I were: -

1. Brief introduction on ADR and different types of ADR:
 - a. Arbitration
 - b. Mediation
 - c. Conciliation
 - d. Negotiation
 - e. Lok Adalat

2. Advantages of ADR:

1. Multi-Jurisdictional dispute- helps to determine the seat
2. Cost effective
3. Flexibility
4. Less complicated
5. Privacy

3. Historical development of Arbitration in India:

- a. Bengal Regulation 1772- where India got first hand experience of Arbitration for settlement of accounts.
- b. India's first Arbitration law which was based on the British Law was "Indian Arbitration Act 1899".
- c. India's first substantive law on Arbitration was the "Arbitration Act 1940" which was criticized a lot because only dealt with Domestic Disputes (No international or foreign awards could be enforced)- but was a significant push towards a dedicated effort towards Arbitration.
- d. The Arbitration and Conciliation Act 1996 which includes International Commercial Disputes with Domestic Disputes and is based on UNICITRAL model law on International Commercial Arbitration (1985).

4. Discussion and explanation of the important provisions of the Arbitration and Conciliation Act, 1996:

- a. Section 7:- Arbitration clause in the Agreement which is a sine qua non for Arbitration.
- b. Section 8:- deals with the power to refer parties to arbitration where there is an arbitration agreement. Which is also termed as "Pre-emptory clause".
- c. Section 9 and 17:- Interim measures by court and by arbitral tribunal, respectively.
- d. Section 10 and 11:- dealing with the number of arbitrators and their appointment
- e. Section 23:- Statement of Claim and defence

- f. Section 16:- deals with Competency of arbitral tribunal to rule on its jurisdiction
- g. Section 34:- deals with the application for setting aside arbitral awards
- h. Section 36:- enforcement of the award

5. Adhoc and Institutional Arbitration.

The speakers that is Adv. Vatsala Pandey, Adv. Rohan Gulati and Adv. Vivek Joshi divided the topics amongst themselves and with the help of interactive session helped the students to know everything about Arbitration in India and the amendment to the Arbitration and Conciliation Act, 1996 happened in the year 2021.

SESSION 2

The day two of the bootcamp started with the second session of the event. The main motive of the second session was to explain the theoretical concepts of arbitration and mediation through the conventions and statutory provisions.

The session began with Vivek Sir explaining the procedure that is to be followed in Arbitration. He guided the members as to how the Arbitration hearings are processed, right from the statement of claim till the hearing. He gave the students a clear theoretical idea of the process of arbitration and how the domestic awards are granted.

Further, Rohan Sir gave a brief idea about the foreign awards granted by the process of arbitration. He explained the concept of International Commercial Arbitration. He guided the students in differentiating it with the domestic method of Arbitration.

Later, both Vivek Sir and Rohan Sir explained how to draft an arbitration clause. They disclosed the basic requirements needed in the arbitration clause and made the students participating in the camp, draft one with the help of the requirements provided by them. There was active participation in the audience and the activity turned out a great success.

Further, Vatsala Ma'am explained the theoretical aspect of mediation and explained how the process of mediation works in the actual practice. She also compared the process of mediation to arbitration, conciliation, and negotiation. That gave a clear idea to the students about the process.

Lastly, the session was concluded when Rohan Sir further explained the process of mediation through the convention of Singapore promoting mediation.

With this, the second session of the bootcamp was concluded.

SESSION 3

The main object of the session 3 was to show the students how the process of Mediation and Client-Counselling works.

The mock problem which was given by the guest speakers was based on Mediation between the parties and for the same 2 teams i.e. Requesting party and Responding Party were made. All the participants performing the mock drill were ADRC members:-

Roles	Requesting Party	Responding Party
Client	Milind	Maanavi
Counsel	Shruti	Vaidehi
Mediator	Naina	Mahak

Rohan Sir explained the mock problem to all the students. During the mock mediation, Vatsala Ma'am, Vivek Sir and Rhan Sir guided the members on how things are to be done and gave the tips and helped the attendees to perform better and understand the process effectively. They gave their valuable suggestions to both the teams and explained each and every role properly like what the mediators need to do, how to set the agenda, how and when to call for a private caucus and what to do if settlement doesn't happen in one mediation session. All this helped the members as well as the students attending the bootcamp to understand the roles of client, counsel and mediator and how the process of mediation in a competition works.

After this, there was a mock simulation of how a Client-Counselling Competition works. The mock drill was conducted with the constant guidance of all the guest speakers. Apurva Pandey was the client and Saksham Bhatnagar & Sakshi Tolani were the counsels. It was conducted in the same manner as the mock mediation session was conducted so as to make the students understand the process of client-counselling competition effectively.

The Bootcamp ended with a quiz on everything that was taught during the three-sessions spanning out in the two days i.e. 24th and 25th September 2022. There was active participation from all the students. They were divided into three groups and the activity turned out to be a great success. Also the feedback from all the students attending the 2-day Bootcamp was great.

Lastly the Vote of thanks was delivered by:- Ms. Sakshi Tolani (3rd Year Student/ ADRC member). And the student in-charge for this event was:- Mr. Mounish chanukya Suryedevara (4th year student).

Photo Gallery



[During the bootcamp]



[ADRC members during the bootcamp and with the guest speakers]



[During the Mock Simulation of Client-Counseling Session]



[During the Mock simulation of the Mediation Competition]




[All the attendees clicking a photo with the guest speakers]



[During the conclusion of the Bootcamp]




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