



# TAMIL NADU NATIONAL LAW UNIVERSITY

## 2<sup>nd</sup> NATIONAL MEDIATION – ARBITRATION COMPETITION

31<sup>st</sup> JANUARY-2<sup>nd</sup> FEBRUARY 2020

### PROPOSITION

1. Cricket is one of the most popular sports in the world. It creates a frenzy among fans each time there is a match. International cricket is governed and regulated by the Global Cricket Council (hereinafter referred to as ‘GCC’) headquartered at Arasia which is a developing country with the second highest population in the world and where cricket is followed almost as a religion. The individual cricket teams are governed by their own cricket board in their respective countries.
2. GCC is recognised all the over the world to be the apex body governing cricket. It supervises each country’s cricket board and has its own rules and regulations (*Refer Annexure I: GCC Playing Conditions for Men’s ODI*), based on which, the matches organised by GCC are played.
3. ‘GCC’ organises ‘GCC Cricket World Cup’ once in every four years where the teams play to get hold of the most prestigious ‘World champions trophy’. The nature of the tournament is a “One day International format” i.e. a 50 overs cricket match, where 10 teams from different countries participate and battle for the ‘GCC World Champions Trophy’.
4. The format of the ‘GCC Cricket World Cup’ is that the top 8 teams based on the rankings announced by GCC play the league stage i.e., a format of game in which each team has to play against rest of the teams. The top 4 teams which score the highest points will automatically be qualified for the semi-finals. A team earns 2 points when it wins the game and gets 1 point when the match has been tied. If the league match gets cancelled due to ‘act of god’<sup>1</sup> (eg. heavy rain, unfavourable weather

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<sup>1</sup> An act of god is such an event which is beyond human control.

conditions), each team earns 1 point. In cases where, a situation of ‘act of god’ arises in the finals, the match will be conducted the next day called the ‘reserve day’. But in situations where the match cannot be conducted on the ‘reserve day’ as well, then the Cup has to be shared between the two teams who play the finals. This has happened twice in the GCC’s history, one in the year 1993 and another in 2001.

5. The ‘GCC Cricket World Cup 2019’ was hosted by Europeana from November 25<sup>th</sup> 2019 to December 25<sup>th</sup> 2019. The European Team was a strong contender given that it had a formidable side. The locals in Europeana were rooting for their team primarily because Europeana had never won the World Cup.
6. Out of all the World Cup matches conducted over the past 50 years, the ‘GCC Cricket World Cup 2019’ witnessed the highest viewership from fans across the globe cheering for their team. In context of sponsorships, ‘GCC Cricket World Cup’ 2019 attracted huge number of sponsors. Each match of this edition was full of drama and action.
7. The top 8 teams (*See Exhibit –I*) battled against each other and the top four teams i.e., Orania, Arasia, Europeana and Oceanio qualified for the semi-finals. The first semi-final between Orania and Arasia turned out to be a nail-biting one, where 10 runs were required off the last over. Arasia won the match by 5 runs, making it to the final for the 3<sup>rd</sup> time. The other semi-final was played between the home team Europeana and defending champions Oceanio. Europeana defeated Oceanio by 2 runs in a thrilling semi-final.

## “IT’S ALL SET”

### 8. THE FINAL MATCH- 25<sup>th</sup> DECEMBER, 2019; KING’S GROUND :

People’s favourite & Home team Europeana which leads the points table take on Arasia. Arasia won the toss and decided to bat first. The team captains shook their hands and exchanged the playing XI list (*See Exhibit –II*). After winning the toss, Arasia had put up a massive total of 280 runs, with Rashid Patel, a young talented cricketer scoring his first International ODI Hundred (102\* not out) and Richard Robbins taking his 3<sup>rd</sup> 5-wicket haul in International cricket.

9. **THE DRAMA BEGINS HERE** : Europeana started off well, Arasia couldn’t find a break. In the 8<sup>th</sup> over, Arasia took the first wicket and the well settled Jonas Breaker

was out for 34 from 12 balls. Thereafter the match was evenly balanced where both the teams had equal chances of winning. We now take you to the final nail biting over that would go down in cricketing history as one of the most dramatic play of cricket ever! 15 runs required from final 6 balls.

**10. *HERE WE GO!*: COMMENTATOR 1: ROGER TO COMMENTATOR 2: RAFA**

**Over 49.1:** *“Bismah, the Arasian star bowler comes to bowl the thrilling over and the European captain Wakes takes the crease. No run, yorker just outside off”.*

**Over 49.2:** *“Bismah to Wakes, no run, mighty full and outside off, not quite a perfect yorker”.*

**Over 49.3:** *“Bismah to Wakes, **SIX** runs, Whacked over the boundary line. The crowd at the King's ground raises itself to a massive roar. Slower ball in the slot. Wakes drops down to one knee and smokes a slog-sweep over midwicket”.*

**Over 49.4:** *“Bismah to Wakes, Full-toss on the middle, smeared away to the 30-yard circle fielder. Arasian Captain Lohesh Sen takes the ball and sets himself up for a direct hit. It might have well been a direct hit hadn't Wakes inadvertently (or deliberately) deflected it away with his outstretched bat, diving forward to save himself from being run-out. The deflection ensures the ball tickles away to the boundary. It's six runs in the end. Wouldya believe it? It's ridiculous”.* (**See Exhibit III**)

11. Tension mounting, the Arasian team started shouting that what the European captain Wakes has done here was *“obstructing the field”*. Meanwhile the Arasian captain Sen claimed that the ball hit the bat before Wakes touched the line, which ultimately ran away for a four. Sen claimed that it was a deliberate act done by the batsman just to save his wicket and to take charge of the next ball.

12. After going for the 3<sup>rd</sup> umpire review, the on -field umpires used their discretion as per the GCC Rules, 1974 amended in 2018 and declared it as 6 runs (4+2 runs) and that the ball had accidentally ricocheted off the bat and granted the 2<sup>nd</sup> run to the European team to be a valid run. Thereby, 2 runs required from 2 balls.

**13. COMMENTATOR 1: ROGER TO COMMENTATOR 2: RAFA**

**Over 49.5:** *“Bismah to Wakes, full length delivery, misses the ball.*

**Over 49.6:** *“Bismah to Wakes, 1 run taken, running for the second and it's a run out, **OUT, Holy Moly! It's a freaking tie.** We're not done yet. We will have a*

*Super Over to decide the winner of the 2019 World Cup. **CRAZY SCENES AT KINGS'S EUROPA***

**14.** Europa batted first in the super-over and scored 15 runs and put the target as 16 runs for the Arasia team to lift the trophy. Thereafter the Arasian batsman Amarthiyasen and Captain Lohesh Sen came to the crease to bat the super over against the European fast bowler Edmud.

**15. COMMENTATOR 1: ROGER TO COMMENTATOR 2: RAFA**

**Over 0.1:** *Edmud to Amarthiyasen, a wide delivery*

**Over 0.1:** *Edmud to Amarthiyasen, 2 runs, in the blockhole close to off stump, stabbed down towards long-off, rolls slowly through the outfield and they can take two.*

**Over 0.2:** *Edmud to Amarthiyasen, short ball pulled it for a majestic **SIX** runs, HITTTTTTTTTTTTTTT MANNNNNNNNNN!!!!, but this time he doesn't nail the yorker.*

**Over 0.3:** *Edmud to Amarthiyasen, 2 runs, fullish outside off, swiped away to the left of deep midwicket. Arasia need five off three!*

**Over 0.4:** *Edmud to Amarthiyasen, 2 runs, full, pretty close to the blockhole, clipped to the right of deep midwicket this time, and they run two again!*

**Over 0.5:** *Edmud to Amarthiyasen, 1 run, digs it in short. Swings too early through the pull, and he only manages an inside-edge into his body. They sneak the single. Lohesh Sen is on strike.*

**Over 0.6:** *Edmud to Lohesh Sen, full length Yorker **OUT. EUROPA HAVE WON THE 2019 WORLD CUP. CAN'T SAY ARASIA HAVE LOST!!***

**16.** The whole World Cup was an epic battle. Arasia gave it all, still Europa were lucky enough to lift the world cup for the first time in the history. The European captain made a tweet subsequently thanking all those who have helped him in his cricket career which finally culminated in lifting the world cup.



17. Subsequent to the World cup win, on 26<sup>th</sup> December, 2019, the winning captain of the European team and the “Man of the Match” Ren Wakes was picked up by the “Rising Star Team”, a team in an upcoming K-Bosch domestic T-20 league for a whopping \$ 2.4 million as against his base price of \$ 400,000. This led to signing of various personal endorsements with giant companies like ‘Zilo’ and ‘Bestle’ in the fitness product sector for Ren Wakes.



18. On 27<sup>th</sup> December 2019, the Arasian Captain challenged in front of the GCC, the umpire’s decision of declaring 6 runs as arbitrary citing the 49.4<sup>th</sup> over and the GCC Playing Conditions for Men’s ODI.
19. The GCC referred the matter to the Grievance Redressal Committee (GRC) of the GCC. The GRC concluded on 31<sup>st</sup> December 2019 (*Refer Exhibit IV-Press Release*) that it was a mistake on the part of the umpires in the 49.4<sup>th</sup> over and therefore decided that the GCC trophy shall be shared between the two teams.
20. The GCC also released a statement stating that since the trophy was to be shared, the ‘Man of the Match’ award was also to be shared.



21. After the press release on 31<sup>st</sup> December 2019, an enraged European team Captain Ren Wakes, released a tweet from his official account:



22. Following the press release, Ren Wakes was stripped off his captaincy and lost his place in the team in the domestic league and also lost the endorsements that he had signed on the personal front. Thereafter, he was put back in the auctioning process but this time the base price was reduced from \$ 400,000 to \$200,000.
23. ‘Garcia’, a cola brand and the official sponsor of the GCC World Cup 2019 (as well as the Official Team Sponsor of the ‘Rising Star Team’), had a contract with the GCC that it would appoint the ‘Man of the Match’ in the finals as their Brand Ambassador. The brand ambassador would get to sign a deal worth \$ 6 million for a three-year period. However, since the Man of the Match Award was shared, Ren Wakes was no longer eligible for the deal.
24. The European captain challenged the decision of the GCC on 3<sup>rd</sup> January 2020 citing the umpire fiasco as a big mistake which had negative repercussions on European team and its captain. Subsequent to the challenge, the GCC calls for dispute resolution through a Med-Arb as per the GCC Playing Conditions between Ren Wakes representing the entire European team and the GCC. A Mediation-Arbitration agreement is entered into by the parties (***Refer Annexure II: Mediation-Arbitration Agreement***). Both the parties decide to conduct the Med-Arb at TNNLU on 31<sup>st</sup> January-2<sup>nd</sup> Feb 2020 as per the TNNLU NMAC 2020 Rules subject to the GCC Men’s ODI Playing Conditions and the Arbitration and Conciliation Act, 1996 of Arasia.
25. Each party to the dispute appointed one arbitrator and the third neutral arbitrator had to be decided and fixed as per the guidelines prescribed under the GCC Rules. Mr. Pat

Rafter, ex-chairman of the GCC was appointed as the 3<sup>rd</sup> arbitrator by the other two arbitrators as he fulfilled the criteria for requisite expertise and experience as per GCC Rules. However, GCC challenges the appointment of Mr. Pat Rafter as third arbitrator while the other side defends the appointment to be a correct one.

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NOTE: LAWS IN ARASIA IS PARI MATERIA WITH LAWS IN INDIA

**EXHIBIT – I**

The top 8 teams which qualified for the ‘GCC Cricket World Cup 2019’ are as follows:-

<b>RANK</b>	<b>TEAM NAME</b>	<b>POINTS</b>
1.	Europeana	878
2.	Oceanio	870
3.	Orania	865
4.	Arasia	860
5.	Amazinia	857
6.	Uzubenian	850
7.	Besnian	845
8.	Kratosian	840

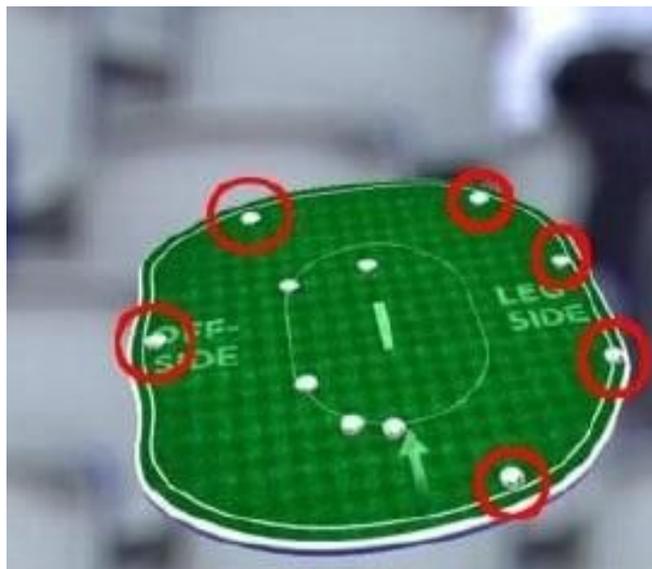
**EXHIBIT – II**

The playing XI of each team are as follows:-

<b>S.No</b>	<b>TEAM EUROPAEA</b>	<b>TEAM ARASIA</b>
1	Ren Wakes (c)	Lohesh Sen (c)
2	Jonas Breaker (wk)	Kapil Singh
3	Chris Dexter	Amarthiyasen (wk)
4	Micheal Cowdrey	Pankaj Nandha
5	Jonny Star	Rashid Patel
6	Lil Kingwood	Bipin Chowdry
7	Franks Trueman	BC Negi
8	Donald Allen	Ramakant Desai
9	Tim Clood	Bismah
10	Gramy Pullar	Syed Ali
11	Richard Robins	Venkataramhavan

**EXHIBIT – III (BELOW ARE THE PHOTOGRAPHS TAKEN DURING OVER 49.4)**





## EXHIBIT-IV

### GCC MEDIA RELEASE

**CORAM: RAJEEV GUPTA, SUNIL SHARMA, HARISH KHANNA**

**DECISION: CUP SHALL BE SHARED**

**DATE & TIME: 31ST DECEMBER 2019 8.30 AM**

**SHARING OF THE CUP IS THE ONLY RESORT FOR THE GRAVE MISTAKE ON PART OF  
ALL THE PERSONS SITUATED ON THE FIELD**



The Spirit of the Cricket has to be meted out in every situation. Thereby given the toughest situation in hand which has not happened over the past 50 years of GCC cricketing history and looking at the grave mistakes and confusions surrounding the entire cricket regime, it is hereby concluded that, according to Rule No. 5.3 of the GCC Playing Conditions for the Men's ODI, the **GCC Trophy should be shared between the two teams**

#HeartyCongratulations to the fighting spirit.

#SoFarYetSoClose



**GCCOFFICIAL** ✓  
@GCCOfficial

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#Hearty Congratulations to the fighting spirit.  
#So Far ... So Close

8:58 AM - 31Dec 2019

221956 Retweets 1154549 Likes



251K 221K 1M

(**NOTE:** The above problem including the names used are all hypothetical one and does not resemble any person or association. Also the copyright of the above pictures rest with the copyright holder and the same is used only for the educational purpose.)

THE PROPOSITION HAS BEEN DRAFTED BY MISS MRINMOYEE MUKHERJEE, ASSISTANT PROFESSOR OF LAW, TNNLU; MRS DEEPIKA SHIVAKUMAR, EX-FACULTY, TNNLU; MR KIRUBAKAR RADHAKRISHNAN, V YEAR STUDENT, TNNLU; MR VIGNESHWARAN, V YEAR STUDENT, TNNLU; MR NILANJAN KOLAY, III YEAR STUDENT, TNNLU AND THE STUDENT MEMBERS OF THE ADRC. THE ADRC, TNNLU WOULD LIKE TO THANK MISS PRIYADARSHINI NATARAJAN, ASSOCIATE AT HSB PARTNERS FOR HER TIMELY AND VALUABLE INPUTS.

## **ANNEXURE I**

### **GCC PLAYING CONDITIONS FOR MEN'S ODI**

#### **PREAMBLE: THE SPIRIT OF CRICKET**

Cricket owes much of its appeal and enjoyment to the fact that it should be played not only according to the Laws (which are incorporated within these Playing Conditions), but also within the Spirit of Cricket. The major responsibility for ensuring fair play rests with not only the captains, but extends to all players, umpires and, especially in junior cricket, teachers, coaches and parents. Respect is central to the Spirit of Cricket. Respect your captain, team-mates, opponents and the authority of the umpires and GCC. Play hard and play fair. Create a positive atmosphere by your own conduct, and encourage others to do likewise. Show self-discipline, even when things go against you. Congratulate the opposition on their successes, and enjoy those of your own team. Never regret to accept the mistakes which are carried out by the team during the match. Thank the officials and your opposition at the end of the match, irrespective of the nature of result. Cricket is an exciting game that encourages leadership, friendship and teamwork, which brings together people from different nationalities, cultures and religions, especially when played within the Spirit of Cricket.

#### **1. EXPLANATION CLAUSE**

##### **1.1 THE MATCH**

1.1.1. The game is used in these Playing Conditions as a general term meaning the Game of Cricket.

1.1.2. A match is a single One Day International between two teams, played under these Playing Conditions.

1.1.3. ODI is an abbreviation for One Day International Format, which comprises of each team to play a 50 over game.

1.1.4. The toss is the toss for choice of innings, which means which team is willing to bat first and which is willing to bat next.

1.1.5. Playing time is any time between the call of Play and the call of Time. (*Refer 1.2*)

1.1.6. Conduct of the match includes any action relevant to the match at any time.

1.1.7. Home Board is the GCC member responsible for the home team and the hosting of the match.

1.1.8. Visiting Board is the GCC member responsible for the visiting team.

1.1.9. A Reserve Day is, where scheduled, an additional day for the completion of the match.

1.1.10. The Spirit of Cricket refers to the values of respect and fair play that underpin the game of cricket, as set out in the Preamble to these Playing Conditions.

##### **1.2. START OF PLAY & CESSATION OF PLAY**

1.2.1. **Call of Play:** The bowler's end umpire shall call Play before the first ball of the match and on the resumption of play after any interval or interruption.

1.2.2. **Call of Time:** The bowler's end umpire shall call Time, when the ball is dead, at the end of any session of play or as required by these Playing Conditions.

1.2.3. **Removal of bails:** After the call of Time, the bails shall be removed from both the wickets.

1.2.4. **Starting a new over:** Another over shall always be started at any time during the match, unless an interval is to be taken.

1.2.5. **Completion of an over:** An over shall be considered completed when six legitimate balls have been delivered.

1.2.6. **Super Over:** A Super Over, also called a one-over eliminator or officially a one over per side eliminator, is a tie-breaking method used in limited-overs cricket matches, where both teams play a single, additional over of six balls to determine the winner of the match.

1.2.7 **Conclusion of Match:** The match is concluded as soon as a result is reached or as soon as the prescribed number of overs have been completed or if, without a conclusion having been reached, the players leave the field for adverse conditions of ground, weather or light, or in exceptional circumstances, and where no further play is possible.

### 1.3. **THE PLAYING AREA**

1.3.1 The field of play is the area contained within the boundary.

1.3.2 The square is a specially prepared area of the field of play within which the match pitch is situated.

1.3.3 The outfield is that part of the field of play between the square and the boundary.

### 1.4. **RUNS**

1.4.1. The score shall be reckoned by runs.

1.4.2. A run is scored so often as:

1.4.2.1. The batsmen, at any time while the ball is in play, have crossed and made good their ground from end to end; or

1.4.2.2. When a boundary is scored.

1.4.2.3. When Penalty runs are awarded.

1.4.3.1 A run to be not calculated is one that in these playing conditions should not have been taken or should not be counted as a run due to some act of the batsman which is not a bona fide one or is against the spirit of the game.

On the other hand, a run is to be awarded to the batting team in situation where there is a mistake on part of the opponent side.

1.4.3.2 When there is an act on the part of the batsman which is not a bonafide one or is against the code of conduct or spirit of the game, then the batsmen will not secure the runs for that particular act which is not bonafide and will not be returned to their original ends on that account.

1.4.4. **Over throw:** An overthrow (sometimes called a buzzer) is an additional run scored by a batsman as a result of the ball not being collected by a fielder in the field or collected and

thrown at stumps thereby missing out to hit the stumps or either failure to collect the overthrow by any other fielder.

#### **1.4.5 Runs scored from boundaries:**

1.4.5.1. A boundary will be scored if and only if the ball has been struck by the bat and is first grounded beyond the boundary without having been in contact with the ground within the field of play. This shall apply even if the ball has previously touched a fielder.

1.4.5.2. A boundary will be scored when a ball that is grounded beyond the boundary whether struck by the bat or not, was first grounded within the boundary, or has not been struck by the bat.

1.4.5.3. When a boundary is scored because of an over throw, the batting side, shall be awarded the allowance for the boundary plus the runs completed by the batsmen together with the run in progress if they had already crossed at the instant the boundary is scored.

1.4.5.4. The scoring of Penalty runs because of the over thrown by the opponent is not affected by the scoring of a boundary.

#### **1.5. THE BALL**

1.5.1 The ball is struck/strikes the ball unless specifically defined otherwise, means ‘the ball is struck by the bat’/‘strikes the ball with the bat’.

1.5.2 Rebounds directly/strikes directly and similar phrases mean ‘without contact with any fielder’ but do not exclude contact with the ground.

1.5.3 Full-pitch describes a ball delivered by the bowler that reaches or passes the striker without having touched the ground. Sometimes described as non-pitching

1.5.4 Contact with the ball: Reference to the bat in contact with the ball shall imply that the bat is held in the batsman’s hand or a glove worn on his hand, unless stated otherwise and contact between the ball and the bat itself. The batsman’s hand holding the bat, any part of the gloves worn on the batsman’s hand holding the bat, any additional materials permitted shall be regarded as the ball striking or touching the bat or being struck by the bat.

#### **1.6 THE UMPIRES**

1.6.1. The following rules for the selection and appointment of ODI umpires shall be followed as far as it is practicable to do so:

1.6.1.1. The umpires shall control the game as required by these Playing Conditions, with absolute impartiality and shall be present at the ground at least two hours before the scheduled start of the first day’s play, and at least 1.5 hours before the scheduled start of play.

1.6.1.2. The GCC shall establish an ‘Elite Panel’ of umpires who shall be contracted to the GCC.

1.6.1.3. Each Full Member shall nominate from its panel of first class umpires up to four umpires to an ‘International Panel’.

1.6.1.4. The GCC shall appoint one umpire to stand in each ODI match. Such umpire shall not be from the same country as the participating teams and shall be selected from the ‘Elite Panel’ or the ‘International Panel’.

1.6.1.5. As early as possible before each ODI Match, the GCC will advise the Home Board of the names of its appointees and the Home Board will advise the Manager of the visiting team of all umpires' names.

1.6.1.6. In ODI matches where the DRS is used, the GCC will appoint a third umpire who shall act as the emergency on-field umpire and officiate in regard to the DRS. Such third umpire shall not be from the same country as the participating teams and shall be appointed from the 'Elite Panel' or the 'International Panel'.

1.6.1.7. In all other ODI matches, the third umpire will be appointed by the Home Board and shall act as the emergency on-field umpire and officiate in regard to TV replays. Such appointment shall be made from the 'Elite Panel' or the 'International Panel'.

1.6.1.8. The 3<sup>rd</sup> Umpire will be called for in case of any discrepancy or divergent opinion or when the on-field umpires could not finalize the issue in hand with regard to run outs or boundary or over throw issue.

1.6.1.9. The GCC shall appoint the match referee for all matches. The Match Referee shall be responsible for keeping a record of any indiscipline shown by the players and to report to GCC about the same.

1.6.1.10. The GCC Match Referee shall not be from the same country as the participating teams.

## **RULES ON PLAYING ODI**

### **2. Fielding:**

2.1. **Limitation of fielders:** At the instant of delivery (depending on the power play rules as mentioned in rule 2.4), there may not be more than the specified fielders outside the circle, at the time of delivery of the ball.

2.2. At the instant of the bowler's delivery there shall not be more than two fielders, other than the wicket-keeper, behind the popping crease on the on-side. A fielder will be considered to be behind the popping crease unless the whole of his person whether grounded or in the air is in front of this line.

2.3. In the event of infringement of the above clause by any fielder, the umpire shall call and signal it as "No ball". Meaning that ball should not be counted irrespective of the consequences.

### **2.4 Restrictions on the placement of fielders:**

2.4.1 In addition to the restrictions contained above, further fielding restrictions shall apply to certain overs in each innings. The nature of such fielding restrictions and the overs during which they shall apply are set out in the following paragraphs. The following fielding restrictions shall apply:

2.4.2 Two semi-circles shall be drawn on the field of play. The semi-circles shall have as their center the middle stump at either end of the pitch. The radius of each of the semicircles shall be 30 yards (27.43 meters). The semi-circles shall be linked by two parallel straight lines drawn on the field. The fielding restriction areas should be marked by continuous painted white lines or 'dots' at 5 yard (4.57 meters) intervals,

each 'dot' to be covered by a white plastic or rubber (but not metal) disc measuring 7 inches (18 cm) in diameter.

2.4.2.1 Power Play 1 (PP1) – No more than two (2) fielders shall be permitted outside this fielding restriction area. In an innings of 50 overs, these are overs 1 to 10 inclusive.

2.4.2.2 Power Play 2 (PP2) – No more than four (4) fielders shall be permitted outside this fielding restriction area. In an innings of 50 overs, these are overs 11 to 40 inclusive.

2.4.2.3 Power Play 3 (PP3) – No more than five (5) fielders shall be permitted outside this fielding restriction area. In an innings of 50 overs, these are overs 41 to 50 inclusive.

### **3. FAIR AND UNFAIR PLAY**

3.1. The umpires shall be the judges of fair and unfair play. They indeed have the power to judge the conduct of the player also.

3.2. The umpire shall review the acts of the player and monitor them accordingly as per the rules.

3.3. An umpire may alter any decision provided that such alteration is made promptly.

3.4. An umpire's decision shall be final unless it is found to be against the rules of the GCC.

3.5. An appeal from the umpire's decision shall lie with the grievance redressal committee (GRC) of the GCC. The GRC shall review the decision of the Umpire on the basis of the playing conditions.

### **4. CORRECTNESS OF SCORES**

4.1. Consultation between umpires and scorers on doubtful points is essential and should be done with utmost due diligence keeping in view the genuineness and honesty of both the cricket teams act and conduct. The umpires shall, throughout the match, satisfy themselves as to the correctness of the number of runs scored, the wickets that have fallen and, where appropriate, the number of overs bowled, the fielders that are placed according to the powerplay rules.

4.2. The umpires shall ensure that they are able to contact the scorers at any time during the match and at its conclusion to address any issues relating to the correctness of the scores.

4.3. Position of umpires: The umpires shall stand where they can best see any act upon which their decision may be required. Subject to this over-riding consideration, the bowler's end umpire shall stand in a position so as not to interfere with either the bowler's run-up or the striker's view. The striker's end umpire may elect to stand on the off-side instead of the on-side of the pitch, provided he/she informs the captain of fielding side, the striker and the other umpire.

### **5. THE RESULT**

5.1. **Winning Team:** The side which has scored in its one innings a total of runs in excess of that scored by the opposing side in its one completed innings shall win the match.

5.2. **A Tie:** In cases, where the above clause was not satisfied.

The result of a match shall be a Tie when all the innings have been completed and the scores are equal. If the scores are equal, the result shall be a tie and no account shall be taken of the number of wickets that have fallen. A tie in the knockout stages of a tournament shall lead to a super-over wherein an additional six balls shall be delivered and the team scoring higher runs with the help of maximum three batsmen shall win. A tie in the super over shall be decided by the higher number of boundaries scored by the playing teams.

5.3. **Sharing of the Cup:** In case of any unforceable situation or an event or act/ conduct of any of the persons situated on the field, for which a certain result could not be ascertained due to which it appears that the benefits should be given to both the sides, then the cup should be shared.

## **6. CORRECTNESS OF RESULT**

6.1 Any decision as to the correctness of the scores shall be the responsibility of the umpires. It should be in consonance with rule 4 of the GCC rules.

6.2. After completion of the match and subject to Rule 7, no result shall be altered unless the result is found in contravention of the playing conditions for ODI and grossly unjust to any of the team.

6.3. The correctness of the result after completion of the match can be reviewed and can be raised before the Grievance Redressal Committee.

6.4. In cases of doubts pertaining to the correctness of the result, the result shall not be changed and the benefit of doubt shall be given to the team which has been declared winner.

## **7. MISTAKES IN SCORING**

7.1 If, after the players and umpires have left the field in the belief that the match has been concluded, the umpires discover that a mistake in scoring has occurred which affects the result then, they shall adopt the following procedure:

7.1.1. If, when the players leave the field, the side batting last has not completed its innings and:

Either the number of overs to be bowled in that innings has not been completed, or the end of the innings has not been reached, then, unless one side concedes defeat, the umpires shall order play to resume. Unless a result is reached sooner, play will then continue, if conditions permit, until the prescribed number of overs has been completed. The number of overs shall be taken as they were at the call of Time for the supposed conclusion of the match. No account shall be taken of the time between that moment and the resumption of play.

7.2. If, at this call of Time, the overs have been completed and no Playing time remains, or if the side batting last has completed its innings, the umpires shall immediately inform both captains of the necessary corrections to the scores and to the result.

## **8. OVERTHROW OR WILLFUL ACT OF FIELDER**

- 8.1. If the boundary results from an overthrow or from the wilful act of a fielder, the runs scored shall be any runs for penalties awarded to either side and the allowance for the boundary and the runs completed by the batsmen, together with the run in progress if they had already crossed at the instant of the throw or act. (Batsman returning to wicket he has left) shall apply as from the instant of the throw or act.
- 8.2. **When out of his ground:** A batsman shall be considered to be out of his ground unless some part of his body or bat is grounded behind the crease line at that end.
- However, a batsman shall not be considered to be out of his ground if, in running or diving towards his ground and beyond, and having grounded some part of his body or bat beyond the crease line, there is a subsequent loss of contact between the ground and any part of his person or bat, or between the bat and person, provided that the batsman has continued movement in the same direction.
- 8.4. **Which is a batsman's ground:** If only one batsman is within the ground, it is his ground and will remain so even if he is later joined there by the other batsman.
- 8.5. If both batsmen are in the same ground and one of them subsequently leaves it, the ground belongs to the batsman who remains in it.
- 8.6. If there is no batsman in either grounds, then each ground belongs to whichever batsman is nearer to it, or, if the batsmen are level, to whichever batsman was nearer to it immediately prior to their drawing level. If a ground belongs to one batsman then the other ground belongs to the other batsman, irrespective of his position.

## 9. **OBSTRUCTING THE FIELD**

### 9.1. **Obstructing the field:**

9.1.1. Either batsman is out obstructing the field if, except in the circumstances of 9.2, and while the ball is in play, he wilfully attempts to obstruct or distract the fielding side by word or action.

9.1.2. The striker is out obstructing the field if, in the act of receiving a ball delivered by the bowler, he wilfully strikes the ball with a hand not holding the bat or holding the bat in one hand and obstructing the ball saving him from either bowled out or run out.

9.1.3. For the avoidance of doubt, if an umpire feels that a batsman, in running between the wickets, has significantly changed his direction without probable cause and thereby obstructed a fielder's attempt to affect a run out, the batsman should, on appeal, be given out, obstructing the field. It shall not be relevant whether a run out would have occurred or not, if the change of direction involves the batsman crossing the pitch.

9.2. **Not out Obstructing the field:** A batsman shall not be out obstructing the field if obstruction or distraction is accidental, or obstruction is in order to avoid injury, or in case where it is a wilful act of the fielder to hit him, then such obstruction is lawful.

9.3. **Returning the ball to a fielder:** Either batsman is out Obstructing the field if, at any time while the ball is in play and, without the consent of a fielder, he uses the bat or any part of his person to return the ball to any fielder.

9.4 **Runs scored When either batsman is dismissed Obstructing the field:**

Unless the obstruction prevents a catch from being made, any runs completed by the batsmen before the offence shall be scored, together with any runs awarded for penalties to either side. If the obstruction prevents a catch from being made, any runs completed by the batsmen shall not be scored but any penalties awarded to either side shall stand.

#### **10. RUN OUT**

10.1. Either batsman is out Run out if, at any time while the ball is in play, he is out of his ground and his wicket is fairly put down by the action of a fielder even though “no ball” has been called and whether or not a run is being attempted.

10.2. When the act is due to rule 9.1. the batsman, who tries to take a run will be called off and no run will be awarded and further action due to the act will be decided.

10.3. **Batsman not out on run out:** Apart from any other act specified in rule 10.1., the batsman is not considered to be run out.

#### **11. PENALTY CLAUSE**

11.1. If it is possible to identify the player(s) responsible for changing the condition of the ball (ball tampering), the umpires shall change the ball forthwith.

11.2. If the umpires together agree that the condition of the ball has been unfairly changed by a member or members of the fielding side, the batsman at the wicket shall choose the replacement ball from a selection of six other balls of various degrees of usage (including a new ball) and of the same brand as the ball in use prior to the contravention.

11.3. If the umpires together agree that the condition of the ball has been unfairly changed by a member or members of the batting side, the umpires shall select and bring into use immediately, a ball which shall have wear comparable to that of the previous ball immediately prior to the contravention.

11.4. Additionally, the bowler’s end umpire shall award Penalty runs to the opposing side. If appropriate, inform the batsmen at the wicket and the captain of the fielding side that the ball has been changed and the reason for their action. Inform the captain of the batting side as soon as practicable of what has occurred.

11.5. The umpires shall then report the matter to the GCC Match Referee who shall take such action as is considered appropriate against the player(s) concerned.

11.6. If it is not possible to identify the player(s) responsible for changing the condition of the ball, the umpires shall change the ball forthwith. The umpires shall choose the replacement ball for one of similar wear and of the same brand as the ball in use prior to the contravention. The bowler’s end umpire shall issue the captain with a first and final warning, and advise the captain that should there be any further instances of changing the condition of the ball by that team during the remainder of the series, the captain shall be deemed to be the player responsible for the contravention

11.7. If any batsman is found by the umpires to have deliberately obstructed the field, the same shall be deemed to be unfair and penalty runs shall be granted.

11.8. The umpires can report the same to the Match Referee for appropriate actions against the concerned player.

11.9. In the event of umpires' failure to take notice of ball tampering or obstruction of the field, the aggrieved party can approach the GCC Grievance Redressal Committee (GRC) which shall take appropriate action after hearing the umpires, match referee and the captains of the concerned teams.

11.10. While determining whether there has been obstruction of the field, the benefit of doubt may be given to the batsman.

## **12. UMPIRES AND DECISION-MAKING**

12.1. **Umpire:** where the description the umpire is used on its own, it always means 'the bowler's end umpire' though this full description is sometimes used for emphasis or clarity. Similarly the umpires always means both on field umpires and does not include the third umpire unless expressly mentioned.

Each umpire will be bowler's end umpire and striker's end umpire in alternate overs. Bowler's end umpire is the umpire who is standing at the bowler's end for the current delivery. Striker's end umpire is the umpire who is standing at the striker's end, to one side of the pitch or the other, depending on his/her choice, for the current delivery.

On-field umpires shall mean, collectively, the bowler's end umpire and the striker's end umpire.

Third umpire is the umpire who may use television evidence and other available technology in order to review a decision of the on-field umpires, by way of an Umpire Review. The decision of the third umpire shall be advisory in nature.

Umpire Review is the process by which an on-field umpire has the discretion to refer a decision to the third umpire or under certain circumstances, to consult with the third umpire before making a decision.

## **13. APPEALS, POST MATCH REVIEW AND DISPUTE RESOLUTION**

13.1. If any playing team is aggrieved by any decision of the umpire, an appeal can be made to the GRC of the GCC. The GRC shall look into the grievance of the team and take appropriate decisions.

13.2. Unless gross injustice is done to any team or player, the decision of the umpire shall be upheld.

13.3. The GCC has the power to refer a matter suo moto to the GRC to be looked into.

13.4. If any decision of the GCC or any of its committee is not acceptable to any of the parties to the decision or a dispute arises between GCC and any of its member cricket teams or its players, the same shall be resolved through mediation and in case of failure of the mediation, through arbitration.

13.5. If the parties go for arbitration, as per the practice of GCC, there shall be three arbitrators and the third arbitrator shall be an ex-chairman of the GCC who-

- i. Is familiar with the functioning of GCC and appreciates the spirit of cricket.
- ii. Has an expertise on cricket for the past 30 years.
- iii. Should not hold any personal interest in the dispute or have any personal relationship with any of the parties to the dispute.

## ANNEXURE II

### MEDIATION-ARBITRATION AGREEMENT

1. This MEDIATION-ARBITRATION AGREEMENT (MED-ARB) made on 20<sup>th</sup> day of January 2020 between Mr. Ren Wakes representing his personal interest (Claimant) and Global Cricket Council, hereinafter referred to as GCC (Respondent) collectively called as “Parties” and includes-
2. An agreement that the disputes that have arisen between the parties shall be first subjected for resolution through mediation by mediators appointed as per GCC Playing Conditions for Men’s ODI and the TNNLU NMAC Rules 2020 by mutual consent of the parties.
3. In the event of failure of the mediation to resolve the dispute, the same shall be subjected to arbitration whereby each party shall appoint one arbitrator each and the two appointed arbitrators shall appoint the third arbitrator. The appointment of the arbitrator shall be in accordance with the GCC Playing Conditions for Men’s ODI and the Arbitration and Conciliation Act, 1996 of Arasia.
4. The seat of the mediation-arbitration shall be Tamil Nadu National Law University, Tiruchirappalli and the proceedings shall take place on 31<sup>st</sup> January- 2<sup>nd</sup> February 2020.
5. It is anticipated that during sessions, the parties may be required by the mediator/arbitrator any information necessary in order for him/her to perform the

services. It shall be necessary for the parties to timely provide such copies of documents and briefs dealing with the issues and such other items as specifically identified from time to time.

6. All communications, negotiations or settlement discussions by and between the parties in the course of a mediation/arbitration or a consultation shall remain confidential.

IN WITNESS WHEREOF, Claimant and Respondent have executed this Agreement at GCC Headquarters, Arasia.

**Counsel**

Counsel for Claimant

By: \_\_\_\_\_

By: \_\_\_\_\_

**Client**

Claimant

Counsel for Respondent

By: \_\_\_\_\_

By: \_\_\_\_\_

Respondent

Witness 1

Witness 2