



JAIPURIA INSTITUTE OF MANAGEMENT, NOIDA

FIFTH TRIMESTER (Batch 2019-21)

END TERM EXAMINATION, JANUARY 2021

Course Name	Negotiation Skills	Course Code	NS- 502
Max. Time	2 Hours	Max. Marks	40 MM

INSTRUCTIONS:

Adhere to the word limit

Adhere to the time limit

Use of SMS language is discouraged and will be penalized.

Attempt all questions

Read the given CASES carefully. Answer the question following them in not less than 500 words each)

2021

CASE ONE: THE BREXIT DEAL



Theresa May, U.K. prime minister, and Jean-Claude Juncker, president of the European Commission

In November 2018, Britain's Prime Minister Theresa May and EU commission President Jean-Claude Juncker presented a 585-page withdrawal agreement.

This was over two years after the British had voted to leave the EU (June 23, 2016) with a slim margin (51.9 percent).

Even though Brexit secretary Dominic Raab (who had taken over from David Davis not long back) resigned over the withdrawal agreement, the cabinet passed the agreement.

To be ratified, it was required to face Parliament. The vote was scheduled for December 11 but the Prime Minister, Theresa May had postponed it to happen sometime in mid-January 2019, as she was aware of its slim chance of getting passed: the entire opposition and even part of her own party are against it.

Many thought that it is a bad deal for the UK.

Crucial negotiation points included the 'divorce bill', around \$45bn. and the immigration laws of EU and UK expats.

A point of fierce discussion within the UK was how to go about the 310-mile land border between Northern Ireland and the Republic of Ireland (still a EU member) – a national trauma.

If Parliament rejected the deal, May would have had three weeks for a second attempt.

May warned that a no deal option would lead to a long transition period with the EU still ruling. And if May were removed through either a no-confidence vote in parliament with subsequent general election or because her own party replaced her, there could be a re-negotiation with the EU.

The crucial negotiation mistakes, however, was made by former UK Prime Minister David Cameron, who had decided to hold the Brexit referendum. He wanted to re-negotiate a "special" status with the EU after the referendum. If he wanted to change the terms of the EU-UK relations, he should have done so before scheduling the Brexit or before the referendum.

This would have given him great leverage as the EU would have been very generous to keep the UK a member state.

Then there would have been the "Norway option". The Scandinavian country is a member of the single market and agreed the free movement of the people. However, Norway had never been a member of the EU.

The EU was a tough negotiator because it did not allow this be a precedence for other European countries who would only want the perks of membership.

According to the European Court of Justice passed on December 10 2018, "the UK could cancel Brexit".

Certainly, the EU would do anything to keep the UK in the Union.

There could be a "hard" Brexit, with no deal and the rules of the World Trade Organisation coming into effect, the minimum trade imperatives, with tariffs on goods and border checks. London's role as a financial hub would be at risk.

Question 1:

What options do you think, the two parties had on the table for the negotiations? Justify your answer applying the BATNA of each party involved and suggest how ZOPA could be reached. (20 Marks)

Word Limit: 500 Words

Time limit: 60 Minutes

CASE TWO: *PIHU'S* VIRAL MARKETING

Pihu was a 2018 Indian drama thriller film. The film starred Myra, a two-year-old girl in the title role who gets trapped inside her house with no escape.

Directed by	Vinod Kapri
Produced by	<u>Ronnie Screwvala</u> <u>Siddharth Roy Kapur</u> Shilpa Jindal
Written by	Vinod Kapri
Starring	Myra Vishwakarma Perna Sharma
Music by	Vishal Khurana
Cinematography	Yogesh Jaini
Edited by	Irene Dhar Malik Sheeba Sehgal Archit D Rastogi
Production company	RSVP Movies Roy Kapur Films
Distributed by	Kirshnam Media Bhagirathi Films

Release date	16 November 2018
Country	India
Language	Hindi

Pihu was premiered at the 2017 International Film Festival of India in the Panorama section and was screened at the Fajr International Film Festival. It won the Grand Prize for Best Feature Film in the International Competition category and the People's Choice award for Best Film at the 14th Trans-Saharan International Film Festival.

In India, it was released theatrically on 16 November 2018.

National Award-winning director Vinod Kapri said that the idea behind making the film was with the question of "what does a toddler do when she is left alone at home?" He also based it on a real-life incident that he read in 2014 in a national daily about a four-year-old girl who was left alone at home.

He decided to have minimal dialogues in the film and depended on "how the girl behaves" and felt that "every shooting schedule [was] unpredictable." He also mentioned that the film explores the issue faced by a married couple, compulsions about the concept of family and children. Kapri also spent four months with the kid getting to know her and familiarise her with the other crew members.

The girl had never acted before and Kapri was close friends with her parents, so they agreed for her to act on this project. The film was shot for two hours a day with three cameras placed on the set since Kapri felt "you can't ask a two-year-old to give another take." Kapri made some changes in the script based on Myra's behavioral patterns. Myra moved to the flat for two months that was rented for shoot.

Kapri had to wait for six months after he had finalised Myra for the film due to production issues. Later, his friend Kishen Kumar came on board as a producer. With a budget of ₹45 lakh (US\$63,000), they started shooting the film but Kumar got a cardiac arrest later and Kapri had to again seek help for the film's post-production budget.

The film's official trailer was released on 24 October 2018 and several Bollywood stars such as Amitabh Bachchan, Swara Bhaskar and Bhumi Pednekar have raved about the film's 'gut-wrenching,' 'outstanding' story line.

In what appears to be an ill-conceived viral marketing campaign, the makers of *Pihu* decided to promote the movie by 'prank calling'.

The campaign got backlashed with several unsuspecting Twitter users complaining of getting a phone call from a crying child, only to receive a link to the film's trailer after they tried calling the number back in a panic.

Given below are some responses of the potential viewers of this film:

Journalist Sudhir Srinivasan wrote on Twitter that he had received "a call from an anonymous number. A baby wailed about her mother and dad, and hung up. Disturbed, I tried calling back in vain. Got a message with a link to help the child. A link, as it turns out, of #Pihu's trailer. A horrible idea, a disgusting invasion of privacy."



Chuman Das
@chumandas

Did I just get a call from a hysterical child called Pihu asking for help ???? And this is a film promotion? The no is 7024820657 totally disgusting. I am so traumatised

4:54 PM - Oct 26, 2018 · Mumbai, India

See Chuman Das's other Tweets

Karan Bhardwaj
@journalkaran

I just got a call from a child named Pihu who wanted desperate help. No. was 7024720657. THIS KIND OF MOVIE PROMOTION IS DISGUSTING TO SAY THE LEAST.

5:07 PM - Oct 26, 2018

Shreemi Verma
@shreemiverma

I loved the trailer of Pihu, but like calling people up from an unknown number as a part of a movie promotional strategy is fucking annoying. Especially when the phone call is of a baby crying for her parents. Movie marketing has reached absurd levels.

6:30 PM - Oct 26, 2018

See Shreemi Verma's other Tweets

Sudhir Srinivasan
@sudhirsrinivasan

Got a call from an anonymous number. A baby wailed about her mother and dad, and hung up. Disturbed, I tried calling back in vain. Got a message with a link to help the child. A link, as it turns out, of #Pihu's trailer. A horrible idea, a disgusting invasion of privacy.

5:03 PM - Oct 26, 2018

1,706 1,357 people are talking about this

Another person wrote that while they loved the film's trailer, which was released earlier this week and has amassed close to 4 million views already, they were disturbed at the marketing. "Movie marketing has reached absurd levels," they wrote.

“I am so traumatised,” wrote another.

Question:

What in your viewpoint is the CONFLICT in this ‘out-of-the-box’ (disruptive) marketing strategy adopted in the promotion of the film *Pihu*? Which of the **FIVE Modes of Conflict Resolution** would you apply in this situation?

Substantiate your viewpoints with relevant examples. (20 Marks)

Word Limit: 500 Words

Time limit: 60 Minutes

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END TERM RE-APPEAR EXAMINATION, FEBRUARY 2021

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Read the given CASES carefully. Answer the question following them in not less than 300 words each.

CASE ONE

Shikha, a young woman of 25, works with an NGO in Rajasthan that provides support and rehabilitation to abused women. Shikha hails from a middle-class family with humble beginnings. Her father, a chemistry teacher in Bhopal, *raised her with strong values and a sense of social responsibility.* Shikha's mother, a homemaker, is a confident lady who instilled tremendous courage and confidence in Shikha.

While students her age were deciding which stream to choose among science and commerce, Shikha had already envisaged a career path for herself. As a child, she would accompany her father for volunteer work in social service organizations reluctantly. As time passed, she began enjoying the various

activities and opportunities such experiences gave her. Most importantly, it made her happy. A smiling face, a small gesture, chatting or sometimes just listening to an old lady who just wants to be heard, this is what she loved doing. Her career choice was clear, she aimed for a master's degree in social work, and then aspired to join an International Agency like the UN, which strives to create a better world.

While Shikha could afford the luxury of taking a break for a year after her under graduation in political science, she preferred to move out of her home in Bhopal and get a hands-on experience of working with people at the grassroots level for a cause dear to her, Woman and Child Development.

The NGO she works with has a wide presence all over India and is headquartered in Delhi. The NGO is renowned for its phenomenal work in raising awareness among women about their rights, the legal recourses available to them, helping them fight and report abuse, and rehabilitate and empower them to start their lives afresh. The NGO has partnered with the Government of India on various initiatives successfully and has also received various prestigious awards for its contribution.

Shikha, impressed by the body of work the NGO has accomplished, saw the tremendous opportunity and experience it would offer her and decided to apply for a position there. Her eagerness to serve landed her in their branch office in Rajasthan 8 months back.

In the village where she worked, her NGO and their staff were always viewed with colored lenses. The sarpanch of the village seemed unhappy with the new organization that was spoiling, corrupting and eroding the essential sanskars of bahu and betis, by slowly empowering them with a voice. Shikha and a few of her other colleagues won the hearts of the people with their charming ways and the villagers welcomed them home with open arms.

Things were however, turning quite sour. In a recent case of domestic violence, the husband abused his wife, Santosh, who had suffered considerable injuries. She finally decided that she had had enough and wanted legal recourse. She approached the NGO with her pleas for help and followed their usual procedure and helped her in the legal processes involved, beginning with the filing of the FIR. Shikha, who knew her well, appreciated her courage, supported and assisted her throughout.

Shravan, a Member of Parliament from Rajasthan, received a call from his chacha ji in the village, who apprised him of the situation and requested him to

use his means to suppress the issue altogether, as it would not only affect the family reputation but also put his son's life in jeopardy. Shravan wields considerable power in the administration and was reputed for his wanton abuse of power during the earlier days of his political career.

Shikha began receiving veiled threats and messages, which were slowly getting nastier. She began feeling extremely uncomfortable and could sense a cold vibe from the very same people who always invited her for tea, with a warm smile. She could sense that something was wrong. Santosh was suddenly behaving abnormal. There was a growing sense of unease and she began wondering what might have gone wrong.

Question 1: Is there a conflict situation emerging? At what level is the conflict emerging? (10 Marks)

Question 2: What are the power equations involved? While the muscle power of the other party is evident, what are the leverages available to Shikha, with which she can help Santosh? (10 Marks)

CASE TWO

ABC is a public sector enterprise in the business of oil marketing. They cater to what is typically referred to in the industry as downstream operations. ABC is one of the country's most valued and respected oil marketing company and has been in the business for almost 60 years. The government commissioned it in 1957, in order to cater to the refining, distribution and marketing of oil produced in the country. The wholly owned government entity went public in the year 1993. 57 per cent of ABC's shares are still held by the government, and institutional investors hold a majority of the shares.

ABC, being in a crucial sector for the country's economy, has traditionally been under the administrative control of its ministry. The top management of ABC has to work in accordance with the directives from the government, exercised through the respective Ministry. Targets in terms of refining capacity, crude output, sales and distribution, new projects, safety management, CSR initiatives are jointly set by the top management in coordination with the Petroleum Ministry through a Memorandum of Understanding signed between them on a yearly basis. An instruction or requirement set forth by the Government would be accorded top-most priority and would be implemented on war footing. The meeting of MoU targets is linked directly with performance-related pay of the

whole organization. In the case of the top management, meeting the MoU targets directly affect transfers, promotions and performance based pay and therefore, there is tremendous effort expended towards meeting the mandates set forth by the Government.

An important MoU target, gaining renewed significance and importance is the Corporate Social Responsibility of Corporations. The Indian Government, through Section 135 of the Companies Act and through subsequent amendments to the Act, has set forth a clear mandate on CSR targets for corporations based on their net worth, turnover or net profit. Every company having net worth of ` 500 crore or more, or turnover of ` 1,000 crore or more or a net profit of ` 5 crore or more, should spend at least 2 per cent of its average net profit for the immediately preceding three financial years on CSR activities.

ABC Ltd. has a net profit of ` 10,000 crore and has been steadily growing year on year. By mandate, they have to achieve a minimum CSR spending of ` 200 crore for this financial year. ABC has a separate CSR division with its corporate team based out of New Delhi, which coordinates CSR activities across regions where ABC operates. Each region has a CSR team, which reports its progress to the corporate team. The corporate CSR team hands the targets down the line to the regional teams. The targets flow from the top to the bottom and information in the form of reports or feedback is sent from the bottom to the top.

Parth joined ABC in 1989 and has been in the corporation for over 25 years, serving in various capacities as a Human Resource Personnel across various locations. Parth is renowned for his reputation as a hard taskmaster and an achiever par excellence. He was known for having his way in most circumstances and had earned a lot of friends as well as enemies over the years. Parth's undying thirst for power and challenge catapulted him into the echelons of the top management and the ministry and he took over as the chief of the CSR activities across the organization about nine months ago.

Known for his stellar ability at turning a situation over, Parth took over an under-achieving, poorly managed, under-motivated team and within a period of eight months he managed to turn it into an energetic, streamlined entity. His frequent interactions with the top management and the ministry had gained him the confidence of both and he was considered a close and reliable aide of the right people in the right places. There were whispers in the corridors of power that there were chances of him being promoted shortly and also being considered for the post of Director of Human Resources.

The main drawback being faced by the team and the organization, as Parth understood it was the lack of focused manpower for the CSR section. There was a low sensitization on CSR issues and most of the employees handling CSR were overburdened with other work. CSR was an additional chore allotted to their already existing job profiles. A lot needed to be achieved on this front and it involved a lengthy process of discussion and layers of approvals.

During the ninth month of Parth's leadership, there was an emergency meeting with the ministry. The government's focus towards Clean India Project was intensifying and there was pressure on the Ministries to produce results immediately. Representatives of CSR teams from various corporations were invited to an emergency meeting and targets were being set. Parth knew his section was overburdened and under-staffed; there was severe manpower shortage and nothing in excess of ` 30 crore could ideally be accepted as a target in terms of projects to be achieved. Their projects were spread across India, and apart from the spending the allotted sum of money, the process of implementation and follow up was long and cumbersome. There was little or no focused manpower for the follow up activities and a lot more manpower and team building was needed before any unrealistic target could be accepted.

However, there were other corporations falling under the ministry, which also had the might and the resources to achieve the overall target set forth. Also playing on Parth's mind was his closeness with the ministry, his career, which was ready to reach its zenith before he retires, his reputation as an aggressive go-getter and his insatiable appetite for power.

As the meeting progressed, the personal reputations of the representatives preceded them. The members of the ministry, being in close association with all the organizations, clearly knew the performers from the non-performers, the achievers from the non-achievers. They were aware of the professional and personal stake involved for each member in the meeting. Being in the position of power that they were, they were willing to stop at nothing to offload the target on to easy targets.

There were some corporations that immediately communicated their inability to meet an unrealistic target, clearly delineating their constraints and their limitations in terms of the organizational capacity. By the end of the meeting, Parth had signed on the paper for a target expenditure of ` 100 crore to be spent within the next one month on a project focusing specifically on the Clean India Initiative.

Parth was aware that there was a tremendous resource constraint in terms of manpower and the target would place his team under undue duress for the next one month. He had, however, in his opinion, managed to salvage his reputation and the various power equations he had built over time.

Question 3: While negotiating, Parth was torn between his personal and professional ambitions and lost the bigger picture of negotiating a better deal for the organization from the point of view of resources. Should Parth have instead simply assumed the role of the Company's representative and put forth the situation more in terms of facts and figures? **(10 Marks)**

Question 4: While the other party in this case was ready with enough information on the needs and abilities of the corporations and their representatives and were ready to arm twist the chosen representatives, could Parth have been better prepared and used his personal influence instead to request for a collaboration with other corporations with more might, thereby reducing the burden on his team alone? From an organizational perspective, is Parth's acceptance of the target a healthy sign in the long run? Substantiate your viewpoints with relevant examples. **(10 Marks)**
