

Subject : Law Relating to Arbitration and Conciliation in India

Day : Monday

Date : 21/05/2012



Time : 02.30 PM TO 05:30 PM.

Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt ANY SIX questions including Q. No. 1 which is **COMPULSORY**.
- 2) Q. No. 1 carries 20 marks and others carry 12 marks each.

Q.1 Write short notes on ANY FOUR of the following:

- a) Important features of Arbitration
- b) Settlement Agreement
- c) Role of conciliators
- d) Set aside Arbitral Award
- e) Need of professional Arbitration
- f) Powers of Arbitrators

Q.2 "The purpose of Arbitration Act is to provide quick redressal to Domestic, Commercial and International dispute by private Arbitration". Comment

Q.3 Enumerate provisions relating to "Conduct of Arbitral Proceedings" under the Arbitration and Conciliation Act, 1996

Q.4 What is an Arbitration Agreement? How the Arbitral Award can be enforced?

Q.5 What are the advantages of conciliation and how it differs from the normal court proceedings?

Q.6 "Arbitral Award can be used as an evidence in court proceedings but, settlement agreement under conciliation is not used as evidence". Discuss.

Q.7 Write notes on :

- i) Commencement of conciliation proceedings.
- ii) Nature of appointment of conciliators

Q.8 "The Arbitration and conciliation Act is not an alternative to the court but it is an alternative to the court procedure". Explain.

Q.9 "Arbitral Award is binding on the parties and no second appeal shall lie from an order passed in appeal". Discuss the appeal provisions in the Arbitration and Conciliation Act, 1996.

Q.10 How conciliation is different form Arbitration and mediation? Is the method of conciliation more convenient than other methods of settlement of disputes?

Subject : Comparative Study of Arbitration Laws

Day : Thursday
Date : 24/05/2012



Time : 02.30 PM TO 05:30 PM.
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any **SIX** questions including **Q. No. 1** which is **COMPULSORY**.
- 2) **Q. No. 1** carry **20** marks & all other questions carry **12** marks each.

- Q.1** Write short notes on Any **FOUR** of the following:
- a) Foreign Court
 - b) Intervention by Courts in UK
 - c) Historical background of the USADRs
 - d) Enforcement system of ADRS in New Zealand
 - e) Corporate use of ADR
 - f) Arbitration in India
- Q.2** Discuss the background of the American Dispute Resolution system.
- Q.3** "Article -51(d) of the Indian constitution encourages settlement of international dispute by arbitration". Elucidate.
- Q.4** "Many corporate sectors have developed and implemented ADR programmes to handle complaints and disputes involving customers employees and others". Comment.
- Q.5** Draw a comparative chart of International Arbitration position in India and U. K.
- Q.6** The enforcement of foreign award is governed by specific legislation. Discuss.
- Q.7** Indian law in regard to International Commercial Arbitration has followed UNCITRAL model. Comment.
- Q.8** Discuss in brief the statutory systems of ADR in New Zealand.
- Q.9** Write notes on:
- i) Community based dispute resolution
 - ii) Federal Courts
- Q.10** Arbitration is more advantageous than the litigation still it faces many problems. Discuss.

Subject : International Law Relating to Arbitration

Day : Tuesday
Date : 22/05/2012



Time : 02.30 PM TO 05:30 PM.
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt ANY SIX questions including Q. No. 1 which is **COMPULSORY**.
- 2) Q. No. 1 carries 20 marks and others carry 12 marks each.

Q.1 Write short notes on ANY FOUR of the following:

- a) Foreign Award
- b) Need for international law on Arbitration
- c) Enforcement of foreign Award in India
- d) Concept of International Arbitration
- e) Ground for refusing enforcement
- f) Conflict of laws

Q.2 Does the Indian constitution support the concept of international arbitration for settlement of dispute? Discuss and support your answer with landmark judgments.

Q.3 "The foreign award are enforced by a special law through a specific machinery". Elucidate.

Q.4 Discuss UNCITRAL Model Law on International Commercial Arbitration.

Q.5 Explain the salient features of New York Convention Award.

Q.6 Discuss the compositions and powers of Arbitral Tribunal.

Q.7 "An appeal is the right of entering a superior court and invoking its aid to redress an errors of the court below". Comment.

Q.8 Write notes on"

- i) Geneva Convention Award
- ii) Making of an award

Q.9 Explain the composition and jurisdiction of Arbitral Tribunal.

Q.10 Justify the need of international law on arbitration.

Subject : Alternative Dispute Resolution System

Day : Wednesday

Date : 23/05/2012



Time : 02.30 PM TO 05:30 PM.

Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt ANY SIX questions including Q. No. 1 which is **COMPULSORY**.
- 2) Q.No. 1 carries 20 marks and all other questions carry 12 marks each.

- Q.1** Write short notes on ANY FOUR of the following:
- a) Object of ADRS
 - b) Domestic Tribunals
 - c) Mediation
 - d) Administrative Tribunals
 - e) District Forum
 - f) Ombudsman
- Q.2** The National Commission hears appeals and exercises supervisory jurisdiction over all the State Commission in the country. Comment.
- Q.3** Litigation and arbitration, are methods of resolving disputes one in a court of law while other through a private Tribunal. Comment.
- Q.4** Critically evaluate the role of Family Court in settling the matrimonial disputes and ensuring the harmonious atmosphere of family.
- Q.5** The Consumer Protection Act, 1986 aims at protection of consumer from deficiency in goods and services. Discuss with the help of recent leading cases.
- Q.6** The Lok Adalat in India supplements the objectives of speedy and free cost justice to the poorest of poor. Comment and explain functioning of Lok Adalat in India.
- Q.7** "Conflict of interest is a part of life". In civil law they are resolved and settled through negotiations or through conciliation or through arbitration and finally through Court. Discuss.
- Q.8** What is Administrative Tribunal? Discuss the functions of Administrative Tribunals.
- Q.9** Describe the importance of the ADR in the light of advantage and disadvantages of formal adjudication by judiciary of disputes according to law.
- Q.10** Write notes on:
- a) Fast track arbitration
 - b) Legal aid