

Diploma in Alternative Dispute Resolution System (D.A.D.R.S.) :
SUMMER - 2019

SUBJECT: ALTERNATIVE DISPUTE RESOLUTION SYSTEM

Day : Thursday
Date : 09/05/2019

S-2019-1902

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

N.B.:

- 1) Attempt **ANY SIX** questions out of which **Q. No. 1** which is **COMPULSORY**.
 - 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.
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- Q. 1** Write short note on **ANY FOUR** of the following:
- a) Village Courts
 - b) Mini Trial
 - c) Fast Track Arbitration
 - d) Mediation
 - e) Who is Consumer?
 - f) Administrative Tribunal
- Q. 2** Elaborate the impact of Geneva Convention Award on the growth of International Arbitration Law.
- Q. 3** Critically evaluate the role of family courts as one of the important modes of alternative disputes resolution system in India.
- Q. 4** "The aim to enact Industrial Disputes Act, 1947 is to settle the industrial dispute by alternative methods." Discuss the alternative dispute resolution system provided in the Industrial Dispute Act, 1947.
- Q. 5** "Ombudsman is a watch dog which barks but cannot bite." Comment.
- Q. 6** What is Alternative Dispute Resolution System? State the importance of Alternative Dispute Resolution System in today's globalised world.
- Q. 7** "Foundation of Consumer Protection Act, 1986 is to safeguard the rights of the consumer." Enumerate the important provisions of the Consumer Protection Act, 1986.
- Q. 8** "The main object of creation of Lok Adalat is to provide speedy justice to the poor and needy people at less expense." Explain the working of Lok Adalat.
- Q. 9** Critically analyse the role of National Commission of Consumer Forum as redressal agency in India.
- Q.10** Write a detail note on the importance of legal aid camps in India.

Diploma in Alternative Dispute Resolution System (D.A.D.R.S.) :
SUMMER - 2019

SUBJECT: COMPARATIVE STUDY OF ARBITRATION LAWS

Day : Tuesday
Date : 07/05/2019

Time: 02.00 PM TO 05.00 PM
Max. Marks: 80

S-2019-1903

N.B.:

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

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- Q.1** Write short note on **ANY FOUR** of the following:
- i) Historical background of Alternative Dispute Resolution in New Zealand
 - ii) Community base dispute resolution
 - iii) Appointment of arbitrators in New Zealand
 - iv) Federal agency in U.S.A.
 - v) Foreign awards in United Kingdom.
 - vi) Corporate use of Alternative Dispute Resolution.
- Q.2** What are the general principles of Alternative Dispute Resolution in New Zealand?
- Q.3** Discuss intervention by courts in United Kingdom and in India.
- Q.4** Compare the Alternative Dispute Resolution System in United Kingdom and India.
- Q.5** Discuss powers of higher judiciary relating to arbitration in India and U.S.
- Q.6** Discuss historical development of Alternative Dispute Resolution in United Kingdom.
- Q.7** Critically examine provisions relating to international arbitration in U.S.
- Q.8** What is the procedure for appointment of arbitrators with reference to International arbitration in United Kingdom?
- Q.9** "The Arbitration and mediators of New Zealand have credentials for solving disputes." Discuss.
- Q.10** "Multinational companies prefer arbitration instead of Courts". Elucidate.

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Diploma in Alternative Dispute Resolution System (D.A.D.R.S.) :
SUMMER - 2019
SUBJECT : INTERNATIONAL LAW RELATING TO ARBITRATION

Day : Saturday
Date : 04/05/2019

S-2019-1901

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

N.B.:

- 1) Attempt **ANY SIX** questions and Question number 1. which is **COMPULSORY**
 - 2) Question Number 1. Carries **20 Marks** and all other Questions carry **12 Marks** each.
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- Q.1** Write short notes on (**ANY FOUR**) of the following:
- a) Commercial relationship in respect to foreign awards
 - b) Remedy against award
 - c) Domestic award
 - d) Disadvantages of resolution of dispute by arbitration
 - e) Domestic tribunals
 - f) Procedure conducted before an arbitrator
- Q.2** Discuss in detail the concept of ADR and how it helps the Judicial system in justice dispensation.
- Q.3** Explain how the Geneva Convention has impacted the growth of International Arbitration Law.
- Q.4** Elaborate the concept of 'Foreign Arbitration' with reference to recent judgments.
- Q.5** "The appointment of Arbitrators is vital for the effective functions of the Alternative Dispute Resolution System." Discuss.
- Q.6** Discuss the salient features of the UNCITRAL Model Law on Arbitration and explain the relevance to the Indian Scenario.
- Q.7** Write a detailed note on the New York Convention award.
- Q.8** Write short notes on:
- a) Conflict of laws in relation to ADR
 - b) Quantum of award
- Q.9** "The recent amendments in the Arbitration Act in India are meant to expedite the arbitration proceedings." Discuss.
- Q.10** Bring out the difference between 'Domestic' and 'Foreign' awards.

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Diploma in Alternative Dispute Resolution System (D.A.D.R.S.) :
SUMMER - 2019

SUBJECT: LAW RELATING TO ARBITRATION AND CONCILIATION IN INDIA

Day : Friday
Date : 03/05/2019

Time: 02.00 PM TO 05.00 PM
Max. Marks: 80

S-2019-1900

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 Attempt **ANY FOUR** short notes from the following:

- a) Qualification of Arbitrator
- b) Kinds of Arbitration
- c) Arbitrational Tribunal
- d) Insolvency of a party to an arbitration agreement
- e) Litigation v/s Arbitration
- f) Interim measures by Court

Q.2 What is Conciliation? Elaborate the powers and functions of conciliator with the help of relevant provisions of the Arbitration and Conciliation Act 1996.

Q.3 "Arbitration and Conciliation Act is not only to consolidate and amend the law relating domestic arbitration but also seek to define law relating to conciliation." Elaborate the nature and scope of the Arbitration and Conciliation Act 1996.

Q.4 "The provisions of the Arbitration Act 1940 were widely failed to ches the contemporary requirements of settlement of disputes rather new Act of 1996 makes it more responsive". Explain the above statement with the help of appropriate provisions of the Arbitration and Conciliation Act 1996.

Q.5 "Arbitral award is binding upon the parties and no second appeal shall lie from an order passed in appeal". Elaborate the provisions relating to appeal under the Arbitration and Conciliation Act,1996.

Q.6 "The Lok Adalat is a significant mode of alternative dispute resolution mechanism. It is an old form of adjudicating system prevailed in India whose validity has not been taken away even in modern days too." Write a critical note on Lok Adalat in India.

Q.7 Discuss the important features of the UNICITRAL model law on arbitration in the light of appropriate provisions.

Q.8 Trace the historical development of the laws relating to Arbitration and Conciliation in India.

Q.9 How Conciliation is different from Arbitration and Mediation? Whether the method of Conciliation is more convenient than other methods of settlement of dispute.

Q.10 Write a note on ;
a) Domestic Commercial Arbitration
b) International Commercial Arbitration

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