

MURUD: Oct/Nov-2009
SUBJECT: ALTERNATIVE DISPUTE RESOLUTION SYSTEM

Day : *Wednesday*
Date : *16-12-2009*

Time: 2:30 P.M.-TO 5:30 P.M.
Max. Marks: 80.

N.B.:

- 1) Attempt **ANY SIX** questions including **Q.No.1** which is **COMPULSORY**.
 - 2) **Q.No.1** carries **20** marks and remaining questions carries **12** marks.
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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Meaning of Alternative Dispute Resolution System
 - b) Conciliation
 - c) Limitations of ADR system
 - d) Administrative and tribunal
 - e) Legal literacy
 - f) Impact of ADR
- Q.2** Explain the importance of the Alternative dispute resolution system.
- Q.3** Give a comparative analysis between the litigation method and arbitration method.
- Q.4** Discuss the mini-trial, fast track arbitration method.
- Q.5** Explain negotiation method of alternative dispute resolution.
- Q.6** Write a brief note on family courts.
- Q.7** Explain the concept of 'Consumer Councils'.
- Q.8** Explain the role of Lok Adalat as an Alternative Dispute Resolution in solving the disputes.
- Q.9** Discuss the hurdles involved in the Alternative Dispute Resolution.
- Q.10** Explain as to how the public awareness helps the Alternative Dispute Resolution System.

MURUD : Oct/Nov-2009
SUBJECT: LAW RELATING TO ARBITRATION
AND CONCILIATION IN INDIA

Day: Monday
Date: 14-12-2009

Time: 2:30 P.M. TO 5:30 P.M.
Max Marks: 80

N.B.:

- 1) Attempt **ANY SIX** questions including question No 1 which is **COMPULSORY**.
 - 2) Question No. 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) Salient features of Arbitration and Conciliation Act, 1996.
 - b) Insolvency of a party to an arbitration agreement.
 - c) International commercial arbitration under Arbitration and conciliation Act, 1996.
 - d) Appointment of conciliator.
 - e) Jurisdiction of arbitration.
 - f) Challenge procedure under Arbitration and Conciliation and Act, 1996.
- Q.2** "The Arbitration and Conciliation Act, 1996 is not only to consolidate and amend the law relating to domestic arbitration but also seeks to define the law relating to conciliation". Discuss the nature and scope of the Act.
- Q.3** Evaluate the process of appeal and revision under the provisions of Arbitration Act, 1996.
- Q.4** Elucidate the powers, duties and liabilities of an arbitrator.
- Q.5** What is International Commercial Arbitration? Distinguish it from Domestic Commercial Arbitration.
- Q.6** Write a critical note on UNICITRAL model law.
- Q.7** Discuss in detail the composition of arbitral tribunal.
- Q.8** What is an Award? Explain the provisions of an award with the help of significant judgments.
- Q.9** Discuss the importance of the Arbitration and conciliation Act, 1996. Distinguish it from Arbitration Act, 1940.
- Q.10** Enumerate the provisions of appointment of arbitrators with reference to the Arbitration Act, 1996.

MURUD Oct/NOV-2009

SUBJECT: COMPARATIVE STUDY OF ARBITRATION LAWS

Day: Thursday
Date: 17-12-2009

Time: 2:30 P.M. TO 5:30 P.M.
Max Marks: 80.

N. B.

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

- Q.1** Write short note on **ANY FOUR** of the following.
- a) Historical background of the USADRs
 - b) Community based dispute resolution of US
 - c) Appointment of arbitrations in UK
 - d) Intervention by courts in UK
 - e) Procedure in ADR in New Zealand
 - f) Enforcement in ADR in New Zealand
- Q.2** Explain the dispute resolution in judicial system in America.
- Q.3** Discuss the corporate use in ADR system in America.
- Q.4** Discuss the Federal agency use of ADR.
- Q.5** Write a brief note on international Arbitration in UK.
- Q.6** Discuss 'foreign awards' in England.
- Q.7** Explain the alternative dispute resolution system in New Zealand.
- Q.8** Discuss the role of the arbitrations in the ADRs of New Zealand.
- Q.9** Discuss the ADRs of Zealand and US.
- Q.10** Give a comparative analysis of the ADR systems of England and India.

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MURUD : Oct/NOV-2009

SUBJECT: INTERNATIONAL LAW RELATING TO ARBITRATION

Day: Tuesday
Date: 15-12-2009

Time: 2:30 P.M. TO 5:30 P.M.
Max Marks: 80

N.B.:

- 1) Attempt **ANY SIX** questions including question No 1 which is **COMPULSORY**.
 - 2) Question No. 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) Need for international arbitration.
 - b) Recourse against Award.
 - c) Arbitration agreement.
 - d) Jurisdiction of arbitral tribunal.
 - e) Arbitral Proceedings.
 - f) Award under UNICITRAL Arbitration Rules.
- Q.2** "The Foreign Award is as much final and binding on the parties to it as the Domestic Award". Discuss the statement with reference to recent case laws.
- Q.3** Explain the measures for recognition and enforcement of awards in India.
- Q.4** Elucidate the impact of Geneva Convention award on the growth of arbitration law.
- Q.5** Evaluate the UNICITRAL model law on International Commercial Arbitration.
- Q.6** What in International Arbitration law? Discuss the nature and scope of International Arbitration laws.
- Q.7** Enumerate the impact of international Arbitration in Indian laws.
- Q.8** Evaluate the salient features of New York Convention Award.
- Q.9** Discuss the composition of the Arbitral Tribunal.
- Q.10** Examine the ground for refusing enforcement of award under international law relating to arbitration.