

MURUD: SUMMER – 2015

SUBJECT: LAW RELATING TO ARBITRATION AND CONCILIATION IN INDIA

Day: Friday
Date: 15.05.2015

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

N.B.:

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

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

- a) Litigation and Vs Arbitration
- b) Power of conciliator
- c) Appeal against Award
- d) Lok Adalat
- e) Commercial Dispute
- f) Settlement Agreement

Q.2 What is Arbitration? Explain the nature, scope and object of Arbitration and Conciliation Act, 1996.

Q.3 "The wills of the contractual parties are dominant to decide the territory and law of the land for the settlement as dispute". Discuss.

Q.4 "Powers of civil courts are curtailed under Arbitration and Conciliation Act, 1996". Critically examine the above statement.

Q.5 What is International Commercial Arbitration? Distinguish it from Domestic Commercial Arbitration.

Q.6 Explain the composition and functions of Arbitral Tribunal.

Q.7 Discuss when Arbitration and Conciliation proceedings are terminated.

Q.8 "An appeal is continuation of proceeding which commence at the lower court". Comment.

Q.9 "Arbitration in none advantages than the Litigation of still it face the problems". Discuss.

MURUD: SUMMER – 2015
SUBJECT: INTERNATIONAL LAW RELATING TO ARBITRATION

Day: Saturday
Date: 16-05-2015

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

N.B.:

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

- Q.1** Write short notes on any **FOUR** of the following:
- a) Salient features of New- York convention
 - b) Jurisdiction of Arbitral Tribunal
 - c) Domestic Award
 - d) Need for International Arbitration
 - e) Procedure before court and procedure before Arbitrator
 - f) Recourse against Award
- Q.2** Critically evaluate the importance of arbitration agreement and explain how it affects in making of Award.
- Q.3** Define the International Arbitration Law and explain the nature and scope the International Arbitration Law.
- Q.4** Discuss the impact of Geneva Convention award on the growth of International Arbitration Law.
- Q.5** "The appointment of arbitrators plays a vital role for the functioning of any ADR system". Comment.
- Q.6** "The foreign award is as much final and binding on the parties to it as the domestic award is". Discuss the statement with reference to recent case laws.
- Q.7** "The term 'conflict of Laws' does not apply to commercial transaction. It applies only to personal and other laws which are not commercial". Discuss.
- Q.8** Does the Indian Constitution support the concept of International Arbitration for settlement of disputes? Discuss and substantiate your answer with landmark judgments.
- Q.9** Write notes on:
- i) Making of Award
 - ii) Advantages of resolution of disputes in arbitration
- Q.10** What are the features of UNICITRAL model law on arbitration?

MURUD: (SUMMER – 2015
SUBJECT: ALTERNATIVE DISPUTE RESOLUTION SYSTEM

Day: Monday
Date: 18.05.2015

Time: 2.30 P.M. To 5.30
Max. Marks: 80 P.M.

N.B.:

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

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

- a) Importance of ADR
- b) Fast Track Arbitration
- c) Village Court
- d) Lok Nyalaya
- e) Mini Trial
- f) Labour Courts

Q.2 What is Administrative Tribunal? Explain the reasons and need for establishment of Administrative Tribunal.

Q.3 "The main purpose of the passing of the Industrial Dispute Act and investigation and settlement of Industrial Dispute". Discuss.

Q.4 Write a detail note on Legal Aid Camps in India and discuss the importance of Legal Aid.

Q.5 Explain the concept of Legal Literacy and discuss how it helps in solving the problems and hurdles in the alternative settlement of dispute.

Q.6 "Foundation of Consumer Protection Act, 1986 is to safeguard the right of the innocent consumers". Comment.

Q.7 "Ombudsman is a watchdog which barks but cannot bite". Comment.

Q.8 Write notes on:
i) Limitation and necessity
ii) Impact of ADR

Q.9 "National Commission under Consumer Protection Act, in the Highest Redress Agency in the country". Anal size the jurisdiction of national commission in India.

MURUD: () : SUMMER – 2015
SUBJECT: COMPARATIVE STUDY OF ARBITRATION LAWS

Day: Tuesday
Date: 19.05.2015

Time: 2.30 P.M. To 5.30
Max. Marks: 80 P.M.

N.B.:

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

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

- a) Object of Comparative study
- b) Federal Court
- c) Historical background of US ADRS
- d) Law firm response in America
- e) Corporate use of ADR
- f) ADR techniques

Q.2 Discuss the nature and scope of comparative study of arbitration law and explain how it helps in understanding and improving law in India.

Q.3 Elaborate the procedure for enforcement of Foreign Award in Indian with reference to Indian Arbitration Laws in India.

Q.4 Explain the procedure for the appointment of arbitrators with reference to International arbitration in U.K.

Q.5 "The general Assembly of U. N. recommended in 1985 to all states to give considerations to the model Law on International Arbitration in view of the desirability of uniform Law of Arbitral procedure and practice". Comment.

Q.6 Write a detail note on:
i) Foreign awards
ii) Community based dispute resolution

Q.7 "The Arbitrator and mediators of New Zealand have credentials for solving dispute though Arbitration". Comment.

Q.8 What is International Mediation? Explain in brief the types in International Mediation.

Q.9 "Arbitration is more advantages than the Litigation still it faces many problems in India". Discuss.

Q.10 Critically analyze the arbitration system in U.K., U.S. and New Zealand.