

MURUD : Oct. Nov-2010  
SUBJECT: INTERNATIONAL LAW RELATING TO ARBITRATION

Day: *Tuesday*  
Date: *07-12-2010*

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

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**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.
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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Domestic Arbitration Agreement
  - b) Geneva Convention
  - c) Salient features of New York Convention
  - d) Composition of the Arbitral Tribunal
  - e) Application for setting Aside Award
  - f) Making of Award
- Q.2** "The foreign Award is as much final and binding on the parties to it is as the Domestic Award". Explain the statement with reference to recent case laws.
- Q.3** Discuss the detail the conduct of arbitral proceeding and its importance under international arbitration.
- Q.4** Explain the provisions relating to the composition and jurisdiction of the arbitral tribunal and conduct of the proceeding.
- Q.5** Elucidate the concept of "Conflict of Laws". Draw a comparative chart of International Arbitration and Domestic Arbitration.
- Q.6** Critically evaluate the growth of International Arbitration in the light of UNICITRAL Model law.
- Q.7** Elaborate the present scenario for resolving commercial disputes with the help of International Arbitration.
- Q.8** Write notes on:
- i) Intervention by courts in concern of International Arbitration.
  - ii) Commercial Dispute
- Q.9** What is Award? Explain it's forms and content. Prescribe the various enforcement measures.
- Q.10** "The wills of the contractual parties are dominant to decide the territory and

MURUD : Oct. Nov. 2010  
SUBJECT: COMPARATIVE STUDY OF ARBITRATION LAWS

Day: Thursday  
Date: 09.12.2010

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** carry **20** marks & all other questions carry **12** marks each.

- Q.1** Write short notes on Any **FOUR** of the following:
- a) Mediator Institutes in New Zealand
  - b) Techniques in ADR
  - c) Federal agency use of ADR
  - d) Corporate use of ADR
  - e) Object of comparative study
  - f) International Arbitration
- Q.2** Explain the circumstances under which the courts can intervene in an ADR matter in U. K. and India.
- Q.3** What does the present Indian Arbitration Law provide for enforcement of Foreign Award in India?
- Q.4** "The General Assembly of the United Nations recommended in 1985 to all the states to give consideration to the model law on International Arbitration, in view of the desirability of uniform law of arbitral procedure and practice". Comment.
- Q.5** "The multi door approach in U. S. A. poses immense challenges and opportunities for lawyers and law firms". Comment.
- Q.6** The Arbitrators and mediators of New Zealand have credentials for solving dispute through Arbitration. Comment.
- Q.7** The appointment of arbitrator is crucial for functioning of any ADR system. Comment.
- Q.8** Draw a comparative chart of ADR system in America and U. K.
- Q.9** Critically evaluate the International Arbitration law in U. K.
- Q.10** Discuss in brief the statutory systems of ADR in New Zealand.
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MURUD : Oct. Nov. 2010  
SUBJECT: ALTERNATIVE DISPUTE RESOLUTION SYSTEM

Day : Wednesday  
Date : 08-12-2010

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

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**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.
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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Litigation versus arbitration
  - b) Impact of ADR
  - c) Legal aid camps
  - d) Negotiation and conciliation
  - e) Lok Ayukta
  - f) Public awareness
- Q.2** Elucidate the constitution and powers of District Forum under the Consumer Protection Act, 1986 with the help of recent case-laws.
- Q.3** Explain the purpose and importance for the establishment of Lok Adalat.
- Q.4** "Ombudsman is a watch dog which barks but cannot bite"? Comment.
- Q.5** Critically evaluate the hurdles in implementing the ADRS system in India.
- Q.6** Evaluate the proceedings of Family Court in India.
- Q.7** What are the modern concepts that have been incorporated in the Arbitration and Conciliation Act, 1996?
- Q.8** What is ADR? Discuss the importance of ADR in India.
- Q.9** Explain the concept of legal literacy and discuss how it helps in solving the problems and hurdles in the alternative settlement of disputes.
- Q.10** Write notes on:
- a) Mini trial
  - b) Village Courts

MURUD : Oct. Nov. 2010  
SUBJECT: LAW RELATING TO ARBITRATION  
AND CONCILIATION IN INDIA

Day: Monday  
Date: 06-12-2010

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

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**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.
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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Appointment of Arbitrators
  - b) Commercial Dispute
  - c) Jurisdiction of Arbitral Tribunal
  - d) *Litigation V. Arbitration*
  - e) Termination and conciliation proceedings
  - f) Ground for reference
- Q.2** "Resolution of disputes in an essential element of social peace and harmony from prehistoric time". Explain
- Q.3** "The provisions of Arbitration Act- 1940 were widely failed to chase the contemporary requirements of settlement of disputes, rather new Act of 1996 makes it more responsive". Examine the statement in light of Arbitration and conciliation Act, 1996.
- Q.4** "Appointment of conciliator is in the discretion of the parties". Discuss the nature and limitations for the appointment of conciliations.
- Q.5** "If Arbitral Award is challenged in court by way of set aside or by way of an appeal, does it mean that the object of the Arbitration and conciliation Act is Frustrated". Explain
- Q.6** "Arbitration and conciliation Act, 1996 is in instrument for the settlement of disputes outside the court". Discuss.
- Q.7** How Arbitration differs from the conciliation? Explain and justify the best method for the settlement of disputes.
- Q.8** Discuss the various kinds of Arbitration.
- Q.9** Can all disputes be submitted to Arbitration or conciliation? Explain the nature of disputes which can be settled through Arbitration and Conciliation