

MURUD - .: APRIL /MAY 2009 SUBJECT: LAW
RELATING TO ARBITRATION AND CONCILIATION
IN INDIA

Day: *Monday*
Date: 01/06/2009

Time: .. 2-30 f. \>1 ·To S· 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.

- Q.1 Write short notes on ANY FOUR of the following:
- a) Qualification of arbitrator
 - b) Limitation under the Arbitration and Conciliation Act, 1996
 - c) Powers of conciliator
 - d) Grounds for setting aside awards
 - e) Waiver of right to object under UNICITRAL :t)
- Concept of Arbitration
- Q.2 Critically examine the nature and scope of Arbitration and Conciliation Act, 1996.
- Q.3 Trace the history and development of the law relating to arbitration and conciliation in India.
- Q.4 Write an essay on essentials of award and time limit for making the award.
- Q.5 What is Conciliation? Distinguish it from Arbitration.
- Q.6 Write a detail note on the role of Conciliator.
- Q.7 "The Arbitration must be a person, who is impartial and having good faith in the parties to the dispute". Evaluate the role of an arbitrator.
- Q.8 Discuss the features on UNICITRAL model law on arbitration.
- Q.9 Examine the provision relating to jurisdiction of arbitration.
- Q.10 "An Appeal is continuation of proceedings which commence at the lower court", Comment.

Day: 1h U'6SdCl Y

Time: 2:30 R M 'O S· 3 0 P. M-

Date: 04/06/2009

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.

SECTION -I

Q.1 Write short note on **ANY FOUR** of the following.

- a) Federal agency use of ADR
- b) Corporate use of ADR
- c) Foreign awards in UK
- d) Enforcement system in ADRs New Zealand
- e) Position of US ADRs system
- t) International Arbitration in UK

Q.2 Discuss the background of the America Dispute resolution system.

Q.3 Explain the community based dispute resolution system .

... **Q~4** Write a brief note on dispute resolution system.

Q.5 Discuss the methods of appointment of arbitrations in UK.

Q.6 Explain the concept of 'Intervention by courts' in UK.

Q.7 Discuss the procedure involved in the ADR system in New Zealand.

Q.8 Discuss the role of arbitrations mediators in New Zealand.

Q.9 Discuss the ADRs of UK to that of ADRs of New Zealand.

Q.10 Compare the ADRs systems of UK and India.

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MURUD: APRIL / MAY 2009
SUBJECT: ALTERNATIVE DISPUTE RESOLUTION SYSTEM

Day : **Wednesday**
Date : **03/06/2009**
N.B.:

Time: 2'30 R tn ,10 s,sc R M
Max. Marks: 80.

- 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.

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

- a) Importance of ADR
- b) Litigation versus arbitration
- c) Consumer councils
- d) Mini trails
- e) Legal aid camps
- f) Public awareness

Q.2 Explain the meaning of alternative dispute resolution system.

Q.3 Describe in short the various models of dispute settlement.

Q.4 Discuss the methods of conciliation and mediation as modelsofArternative Dispute Resolution.

Q.5 Discuss the impact of Alternative dispute resolution.

Q.6 Write a brief note on Administrative Tribunal.

Q.7 Explain in detail the institutions ofLok Adalat and Lok Nyalaya.

Q.8 Discuss the problems and hurdles involved in the Alternative Dispute Resolution System.

Q.9 Explain the role of legal literacy in promoting the Alternative dispute resolution system.

Q.10 Discuss family courts as important models of Alternative Dispute Resolution System in India.

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MURUD - APRIL /MA Y 2009
SUBJECT: INTERNATIONAL LAW RELATING TO ARBITRATION

Day: Tuesday

Date : 02/06/2009

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.

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

- a) Domestic Award.
- b) Composition of the Arbitral tribunal.
- c) Choice of law.
- d) Application for setting aside award.
- e) Conflict of laws.
- t) Making of award.

Q.2 Discuss the concept, nature and scope of International Arbitration laws.

Q.3 What is Award? Explain its form and content.

Q.4 Write a critical note on New York Convention Award.

Q.5 Enumerate the provisions of UNICITRAL Model Law on International Commercial Arbitration.

Q.6 Examine the law relating to foreign arbitration and foreign award.

Q.7 Evaluate the provisions relating to the composition, jurisdiction of the arbitral tribunal and conduct of the proceeding.

Q.8 Elucidate the regulations on Lok Adalats under UNICITRAL Arbitration Rules.

Q.9 "The constitutional law promotes international arbitration but it is a part of directive principles". Discuss the impact of international arbitration in Indian laws.

Q.10 Write an essay on Geneva Connection.