

Subject : Comparative Study of Arbitration Laws

Day : Tuesday

Date : 23/05/2017



35125

Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

N. B. :

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

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

- a) ADR Act of 1990
- b) Arbitration in India
- c) Object of comparative study
- d) mediation
- e) Appointment of arbitrator in New-Zealand
- f) Federal Court

Q. 2 Discuss the advantages of arbitration over litigation and point out the problems arbitration is facing.

Q. 3 Discuss the nature and scope of comparative study of arbitration law. How it helps India in improving the system or arbitration.

Q. 4 "ADR is well established in New-zealand." Comment what are the general principles relating to arbitration litigation?

Q. 5 Discuss the difference between arbitration law in UK with that of India.

Q. 6 "The multi door approach in USA poses challenges for lawyers and law firms". Comment.

Q. 7 Write short notes on the following:

- a) Foreign Award
- b) Community based dispute resolution

Q. 8 "UNICITRAL model is the basis of arbitration law in many countries". Comment.

Q. 9 Explain the term 'International mediation' what are the various types of International mediation?

Q. 10 "ADR movement requires social, legal education and political order for its development". Discuss.

Subject : Alternative Dispute Resolution System

Day : Monday

Date : 22/05/2017



35124

Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

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) Industrial Tribunal
 - b) Conciliation
 - c) Lok Nyayalya
 - d) Fast Track Court
 - e) Mini Lok Adalat
 - f) Village Courts
- Q.2** What is Administrative Tribunal? Explain the Powers and Function of Administrative Tribunal.
- Q.3** "The parties to a dispute can, on their own motion. Start a process of negotiation through correspondence or through one or two mediators with a view to finding a mutually acceptable solution of the problem." Explain the above statement with the help of appropriate provision.
- Q.4** "Lok Adalat" as an alternative destitute resolution forum not only minimizes expenses on litigation but it saves valuable time of the parties and their witnesses and their facilities to the satisfaction of the parties". Elaborate the powers of Lok Adalat.
- Q.5** "Consumer Protection Act aims at protection of consumer from defecting in goods and services". Explain the above statement in the light of relevant case laws.
- Q.6** Critically evaluate the role of family court in setting the matrimonial dispute and ensuring a harmonious atmosphere at family.
- Q.7** Explain the concept of Alternative Dispute Resolution System and how its is aiding the judicial system to import justice to the needy people in India.
- Q.8** Critically examine the powers and functions of disputes forum and the State Commission under Consumer Protection Act, with the help of landmark Judgments.
- Q.9** "Litigation and Arbitration are both methods of resolving disputes. One in court of law and other through a private tribunal". Evaluate the statement with the help of landmark decisions.
- Q.10** Enumerate the concept of legal literacy and discuss how it helps in solving the problems and hurdles in the Alternative Settlement of Disputes in India.

Subject : International Law Relating to Arbitration

Day : Saturday

Date : 20/05/2017



35123

Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

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** Write short notes on any **FOUR** of the following:
- a) Need for International arbitration
 - b) Conduct of arbitral proceeding
 - c) Salient features of New York convention
 - d) Marking of award
 - e) Commercial dispute
 - f) Application for setting Aside Award
- 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** The wills of the contractual parties are dominant to decide the territory and law of land for settlement of dispute". Discuss
- Q.4** Explain the composition and Jurisdiction of Arbitral tribunal under the UNCITRAL model law on International Commercial Arbitration.
- Q.5** Critically evaluate the importance of arbitration agreement and explain how it affects in making of award.
- Q.6** Explain the enforcement measures and grounds for refusing enforcement under UNCITRAL model Law in International Commercial Arbitration.
- Q.7** What are the grounds for refusing recognition or enforcement of Arbitration Award under International Law?
- Q.8** Discuss the impact of Geneva Convention award on the growth of arbitration law with reference to Recent Case Law.
- Q.9** Does the Indian constitution support the concept of International arbitration for settlement of dispute? Discuss and support your answer with landmark judgments.
- Q.10** Elucidate the concept of 'conflict of Laws'. Draw a comparative chart of International Arbitration and Domestic Arbitration.

Subject : Law Relating to Arbitration and Conciliation in India

Day : Friday

Date : 19/05/2017



35122

Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

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 Write short notes on **ANY FOUR** of the following:

- a) Litigation v Arbitration
- b) Need for Professional Arbitration
- c) Power of Conciliator
- d) Interim measures by court
- e) Set aside Arbitral Award
- f) Ground for reference

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". Evaluate the statement with nature and scope of the said Act.

Q.3 "The Arbitration and Conciliation Act, 1996 is based on the UNCITRAL model law". Explain with the help of relevant provision.

Q.4 Elaborate the scope of Arbitration agreement. Is it possible to execute or arbitrate on agreement once the dispute is being adjudicated for? Explain the binding effect of Arbitration agreement when parties to the dispute are not same as parties to the agreement.

Q.5 "Appointment of Conciliator is in the discretion of the parties". Critically examine the nature and the provisions relating to limitation for the appointment of Conciliator.

Q.6 Explain the important provisions of the Arbitration and Conciliation Act, 1996 in relating to composition and jurisdiction of Arbitral Tribunal.

Q.7 "Arbitral award can be used as an evidence in court proceedings but, settlement agreement under conciliation is not used as evidence". Discuss the above statement.

Q.8 Critically examine the conduct of Arbitral proceeding and discuss the importance of arbitral proceedings under International Arbitration.

Q.9 "Justice delayed is justice denied". Discuss the above statement in the light of pending case in courts.

Q.10 Discuss the process of appeal and revision under the provisions of Arbitration and Conciliation Act, 1996.