

**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM  
(D.A.D.R.S.) : SUMMER - 2018**

**SUBJECT : ALTERNATIVE DISPUTE RESOLUTION SYSTEM**

Day : **Monday**  
Date : **07/05/2018**

Time **02.30 PM TO 05.30 PM**  
Max. Marks : 80

**S-2018-1536**

**N.B.**

- 1) Attempt any **SIX** questions including Q.1 which is **COMPULSORY**.
- 2) Q.1 carries 20 marks and all other questions carry 12 marks each.

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

- a) Labour Court
- b) Impact of Alternative Dispute Resolution System
- c) Domestic Tribunals
- d) Legal Literacy
- e) E-court
- f) Public Awareness

**Q.2** 'The parties to a dispute can, on their own motion, state a process of negotiations through correspondence or through one or two mediators with a view to finding a mutually acceptable solution of the problem'. Comment.

**Q.3** Discuss the historical development of Alternative Dispute Resolution and state its importance in modern era.

**Q.4** "In India several states have passed the laws for creating the institution of Lok Adalat. Critically evaluate the role of Lok Adalat in Maharashtra.

**Q.5** Critically evaluate the role of family court in settling the matrimonial dispute and ensuring a harmonies atmosphere at family.

**Q.6** Discuss the need for the establishment of Administrative Tribunals.

**Q.7** Critically evaluate the institution of "Ombudsman".

**Q.8** Explain the concept of Legal Aid and discuss how it helps in solving the problems and hurdles in the Alternative Dispute Settlement of disputes.

**Q.9** Discuss the problems and hurdles faced by the Alternative Dispute Resolution System while implementing its provisions.

**Q.10** Write short notes on:

- a) District Consumer Redressal Forum
- b) Monitory jurisdiction of District, State and National Commission

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**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM**

**(D.A.D.R.S.) : SUMMER - 2018**

**SUBJECT: COMPARATIVE STUDY OF ARBITRATION LAWS**

Day: **Tuesday**  
Date: **08/05/2018**

**S-2018-1537**

Time: **02.30 PM TO 05.30 PM**  
Max. Marks: 80

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**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 question carry **12** marks each.
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**Q.1** Write short notes on Any **FOUR** of the following:

- a) Foreign Awards in India
- b) Intervention by court in U.K.
- c) Appointment of arbitrators in New Zealand
- d) Federal Agency use of ADR
- e) Intervention by court in New Zealand
- f) Federal court

**Q.2** Discuss in brief statutory provisions of ADR in New Zealand.

**Q.3** Discuss in brief concept of federal and state courts under ADR system in U.S.

**Q.4** Draw a comparative chart of ADR system in U.S.A and U.K.

**Q.5** Compare legal provisions of arbitration in India and New Zealand.

**Q.6** Discuss the procedure for enforcement of foreign award in Indian under arbitration law.

**Q.7** Critically evaluate development of International Arbitration in U.S.A

**Q.8** Discuss legal provisions of appointment of arbitrator in America.

**Q.9** Discuss the nature and scope of comparative study of arbitration law and explain how it helps in improving existing law in India.

**Q.10** Discuss the procedure for the appointment of arbitrations in U.K.

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**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM  
(D.A.D.R.S.) : SUMMER - 2018  
SUBJECT: INTERNATIONAL LAW RELATING TO ARBITRATION**

Day: **Saturday**  
Date: **05/05/2018**

**S-2018-1535**

Time: **02.30 PM TO 05.30 PM**  
Max. Marks: 80

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**N.B.:**

- 1) Attempt any **SIX** question including Question No. 1 which is **COMPULSORY**
  - 2) Question No. 1 carry **20** marks all other carry **12** marks each.
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**Q.1** Write short notes on any **FOUR** of the following:

- a) Arbitration Agreement
- b) Conflict of Laws
- c) Grounds for refusing Enforcement
- d) Procedure before court and procedure before arbitrator
- e) Domestic Arbitration Agreement
- f) Making of Award

**Q.2** "The arbitration is governed by the law of the place where it is held and that is the seat or forum or locus arbitri of arbitration is well established both in theory and practice of International Arbitration". Comment.

**Q.3** "The Foreign Award" are enforced by a special law through a specific machinery". Explain.

**Q.4** Evaluate the salient features of New York Convention Award.

**Q.5** Critically evaluate the importance of arbitration agreement and explain how it affects in making of Award.

**Q.6** Elaborate the present scenario for resolving commercial disputes with the help of International Arbitration.

**Q.7** Explain and distinguish the concept of 'Domestic Award' and 'Foreign Award'.

**Q.8** Describe the formation and regulation of Lok Adalats under UNICITRAL Arbitration rules.

**Q.9** Discuss the composition and powers of Arbitral Tribunal.

**Q.10** Discuss the impact of Geneva Convention Award on the growth of Arbitration Law.

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**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM**

**(D.A.D.R.S.) : SUMMER - 2018**

**SUBJECT: LAW RELATING TO ARBITRATION AND  
CONCILIATION IN INDIA**

**Day: Friday**  
**Date: 04/05/2018**

**S-2018-1534**

**Time: 02.30 PM TO 05.30 PM**  
**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: **(20)**
- a) Costs and deposits
  - b) Commercial dispute
  - c) Grounds for reference
  - d) Litigation v/s Arbitration
  - e) Historical Background of Arbitration
  - f) Professional Arbitration
- Q.2** Define the term 'Arbitration'. Discuss the essentials of 'Arbitration Agreement' under the Arbitration and Conciliation Act, 1996. **(12)**
- Q.3** Explain how the appointment of the conciliator is done? Discuss the role of Conciliator in settlement of dispute under the Arbitration and Conciliation Act, 1996. **(12)**
- Q.4** Elaborate the provisions relating to 'Making of an Arbitration Award' under the Arbitration and Conciliation Act, 1996. **(12)**
- Q.5** What is extent of judicial intervention permitted in matters relating to Arbitration under Arbitration and Conciliation Act, 1996? **(12)**
- Q.6** Explain the procedure for the appointment of an Arbitrator. How many Arbitrators can be appointed in the proceedings? **(12)**
- Q.7** "An Appeal is continuation of proceedings which commence at lower court". Comment. **(12)**
- Q.8** What are the features of UNICITRAL model law on Arbitration? **(12)**
- Q.9** Elaborate the provisions relating to composition and functions of Arbitration Tribunal. **(12)**
- Q.10** "Success of Arbitration and conciliation depends upon degree of acceptability of claims and defenses". Comment. **(12)**