

Subject : Law Relating to Arbitration and Conciliation in India

Day : Monday

Date : 13/05/2013



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 other carry **12** mark each.

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- Q.1** Write short notes on any **FOUR** of the following
- a) Commercial dispute
 - b) Qualification of arbitrators
 - c) Need for lok adalat in India
 - d) Insolvency of a party to an arbitration agreement
 - e) Waiver of right to object under UNICITRAL
 - f) 'Dispute' under Arbitration and Conciliation Act 1996
- Q.2** What is ADR? Discuss the importance of ADR in India.
- Q.3** What are the advantages of seeking arbitration? Discuss in detail arbitration Vs Litigation.
- Q.4** The present Act of 1996 is base on UNICITRAL model law? Comment.
- Q.5** 'An arbitrator has no authority or jurisdiction beyond that defined by the terms of the contract' Evaluate the rules relating to jurisdiction of arbitral tribunal.
- Q.6** 'If arbitral award is challenge 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.7** 'The Arbitration and Conciliation Act, 1996 is not only to consolidate and amend the law relating to domestic arbitration but also seeks to define to law relating to conciliation'. Discuss the nature an scope of the act
- Q.8** Write an essay on essentials of award and time limit for making the award.
- Q.9** Discuss the nature and scope of lok adalat in India.
- Q.10** Write short notes on
- a) Award making enforcement
 - b) Appeal and revision
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Subject : International Law Relating to Arbitration

Day : Tuesday

Date : 14/05/2013



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 other carry **12** mark each.

- Q.1 Write short notes on any **FOUR** of the following
- a) Composition of the Arbitral Tribunal
 - b) Lokadalat under UNICITRAL Arbitration rule.
 - c) Foreign awards
 - d) Choice of law
 - e) Recourse against Award
 - f) Grounds for refusing enforcement
- Q.2 Discuss the detail the conduct of arbitral proceeding and its importance under International Arbitration.
- Q.3 "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 Arbitration is frustrated", Explain.
- Q.4 Explain the concept of foreign Arbitration with reference to recent case laws
- Q.5 The New law has brought a sea change in the law of Arbitration in India and appears to be an improvement on the UNICITRAL model law. Discuss.
- Q.6 "The concept that arbitration is governed by the law of the place where it is held & that this is the seat or forum or locus arbitri of arbitration, is well established both in theory & practice of International Arbitration". Comment.
- Q.7 "An appeal is the right of entering a superior court and invoking its aid and interposition to redress an error of the court below". Comment.
- Q.8 Most Arbitration laws states that the arbitral procedure, including the construction of arbitral tribunal shall be governed by the will of the parties and the law of the country in whose territory the arbitration takes place. Comment.
- Q.9 Does the Constitution support the concepts of International Arbitration for settlement of dispute? Discuss & supports your answer with landmark judgements.
- Q.10 Elaborate the salient features of New York Convention Award.

Subject : Alternative Dispute Resolution System

Day : Wednesday

Date : 15/05/2013



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 other carry **12** mark each.

- Q.1 Write short notes on any **FOUR** of the following
- a) Mini Trial
 - b) Family Court
 - c) Public Awareness
 - d) Domestic Tribunals
 - e) Village Courts
 - f) Mediation
- Q.2 Discuss the problems and hurdles faced by the ADR system while implementing its Provisions.
- Q.3 Analyse the role of the National Commission of Consumer forum as redressal agency in India.
- Q.4 Lok Adalat can follow a procedure of its own and is guided by the principles of justice, Equity and fair play and other legal principles in disposing of matters before it. Discuss the statement with recent case laws.
- Q.5 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.6 In India several states have passed the laws for creating institution of Ombudsman called 'Lok Ayukta'. Critically evaluate the Lok Ayukta in Andhra Pradesh.
- Q.7 Explain Arbitration, arbitration agreement and arbitral tribunal.
- Q.8 'ADR is the need of the today's society but which cannot be flourished properly due to hurdles in its development'. Discuss.
- Q.9 Write a detail note on legal Aid camps in India.
- Q.10 "The concept of ADR is found in the Indian history". Discuss the historical development of ADR and state its importance in modern era.

Subject : Comparative Study of Arbitration Laws

Day : Thursday

Date : 16/05/2013



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 other carry **12** mark each.

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- Q.1 Write short notes on any **FOUR** of the following
- a) Federal Agency use of ADR
 - b) ADR Act 1990
 - c) Appointment of arbitrators in New Zealand.
 - d) Private use of ADR procedure in New Zealand.
 - e) Appointment of arbitration in U.K.
 - f) Corporate use of ADR
- Q.2 Arbitration is more advantages than the litigation still if face the problem. Discuss.
- Q.3 "Under Article 51 (d) Indian constitution encourages settlement of International dispute by arbitration" Elucidate.
- Q.4 How arbitration law in U.K. different than arbitration law prevailed in India?
- Q.5 The multi-door approach in USA poses immense challenges & opportunities for lawyers & law firms. Comment.
- Q.6 Make a comparative analysis of the arbitration system in U.S. & New Zealand.
- Q.7 "UNICTRAL model law is the basis of arbitration laws in many countries" Comment.
- Q.8 What is International mediation? Explain in brief the types in international mediation.
- Q.9 "Arbitration are judges chosen by the parties to decide the matter submitted to them finally and without appeal" Comment on the American experience of ADR.
- Q.10 "ADR movement required social, legal education & political order for the development". Discuss.