

**Subject : Law Relating to Arbitration and Conciliation in India**

Day : Monday

Date : 17/11/2014



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 others carry **12** marks each.

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

- a) Arbitration Agreement
- b) Importance of ADR
- c) Enforcement of Arbitral Award
- d) Conciliation
- e) Appeal against Award
- f) Lok Adalat

**Q.2** What is Arbitration and Explain the nature, scope and object of Arbitration and conciliation Act, 1996.

**Q.3** Explain the composition and functions of Arbitral Tribunal?

**Q.4** Explain the conciliation proceedings. Also state the powers and functions of conciliator.

**Q.5** Examine the difference between Arbitration Act, 1940 and Arbitration and conciliation Act, 1996.

**Q.6** "Success of Arbitration and conciliation depends upon degree of acceptability of claims and defenses". Discuss.

**Q.7** Explain the Qualifications and the Qualities of an Arbitrator.

**Q.8** "Powers of civil courts are curtailed under Arbitration and conciliation Act". Critically examine the above statement.

**Q.9** Discuss when Arbitration and conciliation proceedings are terminated?

**Q.10** "Award made by Arbitral Tribunal seems to be the decree passed by the Civil Court". Discuss.

# Subject : International Law Relating to Arbitration

Day : Tuesday

Date : 18/11/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

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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 other carry **12** mark each.
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- Q.1** Write short notes on any **FOUR** of the following
- a) Conflict of laws
  - b) Recourse against Award
  - c) Form & contents of arbitral Award
  - d) grounds for refusing enforcement
  - e) Challenge of arbitrators
  - f) The advantages of Conciliation
- Q.2** Elucidate the concept of 'Conflict of laws'. Draw a comparative chart of International Arbitration and Domestic Arbitration.
- Q.3** Elaborate the present scenario for resolving commercial disputes with the help of International Arbitration.
- Q.4** Critically evaluate the importance of arbitration agreement and explain how it affects in making of Award.
- Q.5** 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.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** What are the conditions for enforcement of foreign award given under the Act of 1996? On what grounds the enforcement of foreign award can be refused?
- Q.8** Writ notes on:  
a) Conflict of laws,  
b) Making of Award
- Q.9** 'International arbitration has its unique features', Discuss with its nature, Scope & applicability.
- Q.10** Explain the ground on which the recognition or enforcement of an arbitration award may be refused under UNICITRAL model law on International Commercial Arbitration.

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**Subject : Alternative Dispute Resolution System**

Day : Wednesday  
Date : 19/11/2014



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) Consumer
  - b) Fast track arbitration
  - c) Objects of ADRS
  - d) Lok Nyalaya
  - e) Negotiation and conciliation
  - f) Mini Trial
- Q.2** "Family courts are meant to establish to settle the matrimonial disputes as early as possible" Is these courts are successful in their object? Comment.
- Q.3** The main purpose of the passing of the industrial dispute act is investigation and settlement of industrial dispute. Discuss.
- 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 Literacy and discuss how it helps in solving the problems and hurdles in the alternative settlement of dispute.
- Q.6** "Ombudsman is a watch dog which barks but cannot bite"! Comment.
- Q.7** National Commission under Consumer Protection Act, is the highest redress agency in the country analysis the jurisdiction of national Commission In India.
- Q.8** Evaluate the provisions regarding arbitration & conciliation as one of the oldest ADR technique.
- Q.9** Explain the Concept of ADR and state its importance in present era.
- Q.10** What are Tribunals? Discuss the function of Administrative Tribunals.



**Subject : Comparative Study of Arbitration Laws**

Day : Thursday

Date : 20/11/2014



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 question carry **12** marks each.

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

- a) Mediators
- b) Utility of comparative study
- c) Historical background of ADR in America
- d) Law firm response in America
- e) Private use of ADR procedure in New Zealand
- f) Foreign awards in U.K.

**Q.2** Critically evaluate the development of International Arbitration in U.K.

**Q.3** 'ADR' is well-established in New Zealand. Discuss in detail general specific legislation relating to ADR.

**Q.4** Explain in brief the concept of development of the Federal and the state courts under the ADR system in U.S.

**Q.5** Write a note on the Arbitrators and mediators Institute of New Zealand.

**Q.6** Draw a comparative chart of ADR system in U.S.A and U.K.

**Q.7** The multidoor approach in U.S.A. poses immense challenges and opportunities for lawyers and law firms. Comment.

**Q.8** There are many advantages of arbitration as against litigation, then also its growth is very slow in India. Explain. The reason and suggests how it can be remedied.

**Q.9** The appointment of arbitrators is crucial for functioning of any ADR system comment.

**Q.10** Discuss the nature and scope of comparative study of arbitration law and explain how it helps in understanding and improving existing law in India.