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**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM (2008
COURSE)**

D.A.D.R.S. :SUMMER- 2022

SUBJECT : COMPARATIVE STUDY OF ARBITRATION LAWS

Day : Friday

Time : 10:00 AM-01:00 PM

Date : 24-06-2022

S-4319-2022

Max. Marks : 80

N.B.:

- 1) Attempt **ANY SIX** questions of which **Q. No. 1** is **COMPULSORY**.
 - 2) **Q. No. 1** carries **20** Marks and all other questions carry **12** marks.
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- Q.1** Write short note on **ANY FOUR** of the following:
- i) Object of Comparative study
 - ii) Foreign awards in India
 - iii) Historical background of Alternative Dispute Resolution in U.S
 - iv) Corporate use of Alternative Dispute Resolution.
 - v) Intervention by court in U.K.
 - vi) Alternative Dispute Resolution Act, 1990.
- Q.2** Comparatively discuss arbitration laws in U.K. with that of India.
- Q.3** What are the differences and similarities in Alternative Dispute Resolution system in U.S. and U.K.
- Q.4** "Appointment of Arbitrator is crucial for any A.D.R. System." Discuss.
- Q.5** Discuss historical background of arbitration in New Zealand.
- Q.6** Discuss in detail powers of higher judiciary relating to arbitration in New Zealand.
- Q.7** Discuss general principles of A.D.R. in New Zealand.
- Q.8** Write a note on Arbitration and Mediators Institute of New Zealand.
- Q.9** "UNICITRAL model law is the basis of arbitration law in many countries". Comment.
- Q.10** Discuss provisions relating to enforcement of foreign award in India and New Zealand.

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**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM (2008
COURSE)**

D.A.D.R.S. :SUMMER- 2022

SUBJECT : LAW RELATING TO ARBITRATION & CONCILIATION IN INDIA

Day : Tuesday
Date : 21-06-2022

S-4316-2022

Time : 10:00 AM-01:00 PM
Max. Marks : 80

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.

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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Settlement Agreement
 - b) Waiver of right to object under UNICITRAL
 - c) Litigation V. Arbitration
 - d) 'Dispute' under Arbitration and Conciliation Act 1996
 - e) Arbitration Agreement
 - f) Interim measures by Court
- Q.2** "The Arbitrator must be a person, who is impartial and having good faith in the parties to the dispute". Explain the role of an Arbitrator.
- Q.3** "Arbitral Award is binding on the parties and no second appeal shall lie from an order passed in appeal". Critically evaluate the appeal provisions in the Arbitration and Conciliation Act, 1996.
- Q.4** How conciliation is different from Arbitration and mediation? Is the method of conciliation more convenient than other methods of settlement of disputes?
- Q.5** "The Arbitration and Conciliation Act, 1996 is based on UNICITRAL model law." Evaluate the above statement with the help of relevant illustrations.
- Q.6** Enumerate the process of appeal and revision under the provisions of Arbitration and Conciliation Act, 1996 with reference to relevant examples.
- Q.7** Who can modify an Award? Explain and analyse the grounds of setting aside an Award.
- Q.8** Critically evaluate the nature and limitations for the appointment of Conciliator with respect to relevant provisions of the Act.
- Q.9** "Arbitration and Conciliation Act, 1940 were widely failed to chase the contemporary requirements of settlement of disputes; rather new Act of 1996 makes it more responsive". Examine the statement in the light of Arbitration and Conciliation Act, 1996.
- Q.10** Write note on:
- a) International Commercial Arbitration
 - b) Domestic Commercial Arbitration

**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM (2008
COURSE)**

D.A.D.R.S. :SUMMER- 2022

SUBJECT : INTERNATIONAL LAW RELATING TO ARBITRATION

Day : Wednesday

Time : 10:00 AM-01:00 PM

Date : 22-06-2022

S-4317-2022

Max. Marks : 80

N.B.:

- 1) Attempt **ANY SIX** questions, including Q. No.1 which 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) Choice of law
 - b) Application for setting aside award
 - c) Making of Award
 - d) Challenge of arbitrators
 - e) Domestic Award
 - f) New York Convention
- Q.2** “The concept that an arbitration is governed by the law of the place where it is held and that this is the seat or forum or locus of arbitration, is well established both in theory or practice of Internal arbitration”. Elucidate.
- Q.3** “The appointment of arbitrators is crucial for functioning of any ADR system”. Comment
- Q.4** Discuss the impact of Geneva Convention award on the growth of arbitration laws with reference to recent case laws.
- Q.5** Enumerate the provisions of UNCITRAL Model Law on International Commercial Arbitration.
- Q.6** “The Constitutional law promotes international arbitration but it is a part of directive principles”. Discuss the impact of International Arbitration on Indian laws.
- Q.7** Evaluate the provisions relating to the composition, jurisdiction of the arbitral tribunal and conduct of the proceeding.
- Q.8** Explain the measures for recognition and enforcement of awards in India.
- Q.9** “The Wills of contractual parties are dominant to decide the territory and law of land for the settlement of dispute”. Explicate.
- Q.10** “The Indian law of Arbitration, 1996 has significant feature of restricting the role of the court and even more limited than that envisaged under the model law”. Elucidate.

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DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM (2008 COURSE)

D.A.D.R.S. :SUMMER- 2022

SUBJECT : ALTERNATIVE DISPUTE RESOLUTION SYSTEM

Day : Thursday
Date : 23-06-2022

S-4318-2022

Time : 10:00 AM-01:00 PM
Max. Marks : 80

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 each.

- Q. 1** Write short notes on **ANY FOUR** of the following:
- a) Public Awareness
 - b) Negotiation
 - c) Lok Nayalaya
 - d) Ombudsman
 - e) Mini-Trial
 - f) Fast Track Arbitration
- Q. 2** Alternative Dispute Resolution System provides various modes of settlement including arbitration, conciliation, mediation and negotiation." Discuss the modes of Alternative Dispute Resolution System.
- Q. 3** "Alternative Dispute Resolution System is the need of the hour but has some limitation." Discuss the limitation on alternative dispute resolution system in India.
- Q. 4** What is Administrative Tribunals? Explain the power and function of Administrative Tribunals.
- Q. 5** State the importance of legal literacy and legal aid camps in India which aid in solving the problems.
- Q. 6** Define Industrial Dispute. How does Alternative Dispute Resolution System help to solve industrial dispute.
- Q. 7** Critically evaluate the role of Family Courts in settling the matrimonial disputes with the help of alternative dispute resolution system.
- Q. 8** Elaborate the power and function of the District Forum and State Commission provided under the Consumer Protection Act, 1986.
- Q. 9** "The concept of Lok Adalat is an innovative Indian contribution to the world of jurisprudence." Comment.
- Q.10** Enumerate the causes and hurdles in Alternative Dispute Resolution System in India.

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