

DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM (2008 COURSE)

D.A.D.R.S. :SUMMER : 2023

SUBJECT : LAW RELATING TO ARBITRATION & CONCILIATION IN INDIA

Day : Thursday

Time : 10:00 AM-01:00 PM

Date : 1/6/2023

S-4316-2023

Max. Marks : 80

---

**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) Set aside Arbitral Award
  - b) Insolvency of a party to an Arbitration Agreement
  - c) Termination of Conciliation proceedings
  - d) Need of professional Arbitration
  - e) Ground for reference
  - f) Statutory Arbitration
- Q.2** What is Arbitration Agreement? Define the concept of arbitration agreement with its important features.
- Q.3** Trace the history and development of the law relating to Arbitration and Conciliation in India.
- Q.4** Can all dispute be submitted to arbitration or conciliation? Explain the nature of disputes which can be settled through Arbitration and Conciliation.
- Q.5** Enumerate provisions relating to “conduct of Arbitral proceedings” under the Arbitration and Conciliation Act, 1996.
- Q.6** “Arbitral Award is binding on the parties and no second appeal shall lie from an order passed in appeal.” Discuss the appeal provisions in the Arbitration and Conciliation Act, 1996.
- Q.7** “The present Arbitration and Conciliation Act, 1996 is based on UNICITRAL Model Law.” Comment.
- Q.8** Evaluate the process of “appeal and revision” under the provisions of Arbitration and Conciliation Act, 1996.
- Q.9** “The purpose of Arbitration Act is to provide quick redressal to Domestic, Commercial and International dispute by private Arbitration”. Comment.
- Q.10** What is Conciliation? Explain the role of Conciliator with the help of relevant provisions of the Arbitration and Conciliation Act, 1996.

\* \* \* \*

**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM (2008 COURSE)**  
**D.A.D.R.S. :SUMMER : 2023**  
**SUBJECT : INTERNATIONAL LAW RELATING TO ARBITRATION**

Day : Friday

Time : 10:00 AM-01:00 PM

Date : 2/6/2023

**S-4317-2023**

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) Jurisdiction of Arbitral Tribunal
  - b) Salient features of New York Convention
  - c) Award under UNCITRAL Arbitration Rules
  - d) Conflict of laws
  - e) Procedure before court and procedure before arbitrator
  - f) Geneva Convention
- Q.2** “The foreign award is as much final and binding on the parties as the Domestic Award”. Explain
- Q.3** Define the concept of ‘International Arbitration’ and explain its nature, scope and utility in India with suitable case laws.
- Q.4** “An appeal is the right of entering a superior court and invoking its aid to redress an error of the court below”. Comment.
- Q.5** Does the Indian Constitution support the concept of International Arbitration for settlement of dispute? Discuss and support your answer with landmark judgments.
- Q.6** Elucidate the composition and power of Arbitral Tribunal.
- Q.7** Critically evaluate the growth of International Arbitration in the light of UNCITRAL Model Law.
- Q.8** Explain the meaning of term ‘Award’ with its form and content and with various enforcement measures.
- Q.9** Expound the present scenario for resolving commercial disputes with the help of International Arbitration.
- Q.10** Explicate the concept of Foreign Arbitration with reference to recent case laws.

\* \* \* \* \*

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

**D.A.D.R.S. :SUMMER : 2023**

**SUBJECT : ALTERNATIVE DISPUTE RESOLUTION SYSTEM**

Day : Saturday

Time : 10:00 AM-01:00 PM

Date : 3/6/2023

**S-4318-2023**

Max. Marks : 80

---

**N. B. :**

- 1) Attempt **ANY SIX** 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 note on **ANY FOUR** of the following:

- a) Village Courts
- b) Importance of ADR
- c) Lok Nayalaya
- d) Fast Track Arbitration
- e) Labour Courts
- f) Family Courts

**Q. 2** Explain the various models of alternative dispute resolutions and its limitations.

**Q. 3** 'The main purpose of passing of the Industrial Disputes Act, 1947 is investigation and settlement of Industrial Disputes.' Discuss.

**Q. 4** Explain the reasons and need for establishment of Administrative Tribunal.

**Q. 5** "In India several states have passed the law for creating the institution of Lok Adalat." Critically evaluate the role of Lok Adalat in Maharashtra.

**Q. 6** 'The objective of Consumer Protection Act, 1986 is to safeguard the rights of the innocent consumers.' Comment.

**Q. 7** State the legislative history of Lokpal in India.

**Q. 8** Write a detail note on Legal Aid Camps in India and discuss the importance of legal aid.

**Q. 9** Examine the causes for hurdles in ADR with appropriate illustrations.

**Q.10** Discuss the significance of legal literacy in solving the problems in alternative settlement of dispute.

\* \* \* \* \*

**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM (2008 COURSE)**  
**D.A.D.R.S. :SUMMER : 2023**  
**SUBJECT : COMPARATIVE STUDY OF ARBITRATION LAWS**

Day : Monday

Date : 5/6/2023

**S-4319-2023**

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.
- 

- Q.1** Write short notes on **ANY FOUR** of the following :
- i) Procedure for appointment of arbitrators in UK
  - ii) Community base dispute resolution
  - iii) Dispute resolution in the judicial system in USA
  - iv) Federal agency in USA
  - v) Foreign awards in UK
  - vi) Procedure for appointment of arbitration New Zealand
- Q.2** 'New Zealand was an early adapter of Alternative Dispute Resolution Processes.' Discuss.
- Q.3** 'Arbitration is an alternative to litigation and any dispute of civil nature can be adjudicated through it.' Explain the process of intervention by Courts in the UK and India.
- Q.4** Bring out the differences and similarities between the ADR mechanism in UK and India.
- Q.5** Write a detailed note on commercial and other forms of contract arbitration in USA.
- Q.6** 'ADR is now widely used in many sectors in the UK including the energy and finance sectors.' Discuss the postural development of ADR in the UK.
- Q.7** 'Despite its size and complex dual federal and state legal system the United States is a favorable town for international arbitration.' Discuss.
- Q.8** 'International Arbitration is the preferred method of reporting cross border disputes.' Explain the procedure for appointment of arbitrators for the sake of international arbitration in the UK.
- Q.9** Critically examine provisions relating to international arbitration in US.
- Q.10** Explain in detail why multinational companies across the globe prefer arbitration over regular courts.

\*\*\*\*\*