

**Diploma in Alternative Dispute Resolution System (D.A.D.R.S.) :
SUMMER - 2019**

SUBJECT: LAW RELATING TO ARBITRATION AND CONCILIATION IN INDIA

Day : Friday
Date : 03/05/2019

Time: 02.00 PM TO 05.00 PM
Max. Marks: 80

S-2019-1900

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 Attempt **ANY FOUR** short notes from the following:

- a) Qualification of Arbitrator
- b) Kinds of Arbitration
- c) Arbitrational Tribunal
- d) Insolvency of a party to an arbitration agreement
- e) Litigation v/s Arbitration
- f) Interim measures by Court

Q.2 What is Conciliation? Elaborate the powers and functions of conciliator with the help of relevant provisions of the Arbitration and Conciliation Act 1996.

Q.3 “Arbitration and Conciliation Act is not only to consolidate and amend the law relating domestic arbitration but also seek to define law relating to conciliation.” Elaborate the nature and scope of the Arbitration and Conciliation Act 1996.

Q.4 “The provisions of the Arbitration Act 1940 were widely failed to chess the contemporary requirements of settlement of disputes rather new Act of 1996 makes it more responsive”. Explain the above statement with the help of appropriate provisions of the Arbitration and Conciliation Act 1996.

Q.5 “Arbitral award is binding upon the parties and no second appeal shall lie from an order passed in appeal”. Elaborate the provisions relating to appeal under the Arbitration and Conciliation Act,1996.

Q.6 “The Lok Adalat is a significant mode of alternative dispute resolution mechanism. It is an old form of adjudicating system prevailed in India whose validity has not been taken away even in modern days too.” Write a critical note on Lok Adalat in India.

Q.7 Discuss the important features of the UNICITRAL model law on arbitration in the light of appropriate provisions.

Q.8 Trace the historical development of the laws relating to Arbitration and Conciliation in India.

Q.9 How Conciliation is different from Arbitration and Mediation? Whether the method of Conciliation is more convenient than other methods of settlement of dispute.

Q.10 Write a note on ;
a) Domestic Commercial Arbitration
b) International Commercial Arbitration

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