

DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION SYSTEM

(D.A.D.R.S.) : SUMMER - 2018

**SUBJECT: LAW RELATING TO ARBITRATION AND
CONCILIATION IN INDIA**

Day: Friday
Date: 04/05/2018

S-2018-1534

Time: 02.30 PM TO 05.30 PM
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: **(20)**
- a) Costs and deposits
 - b) Commercial dispute
 - c) Grounds for reference
 - d) Litigation v/s Arbitration
 - e) Historical Background of Arbitration
 - f) Professional Arbitration
- Q.2** Define the term 'Arbitration'. Discuss the essentials of 'Arbitration Agreement' under the Arbitration and Conciliation Act, 1996. **(12)**
- Q.3** Explain how the appointment of the conciliator is done? Discuss the role of Conciliator in settlement of dispute under the Arbitration and Conciliation Act, 1996. **(12)**
- Q.4** Elaborate the provisions relating to 'Making of an Arbitration Award' under the Arbitration and Conciliation Act, 1996. **(12)**
- Q.5** What is extent of judicial intervention permitted in matters relating to Arbitration under Arbitration and Conciliation Act, 1996? **(12)**
- Q.6** Explain the procedure for the appointment of an Arbitrator. How many Arbitrators can be appointed in the proceedings? **(12)**
- Q.7** "An Appeal is continuation of proceedings which commence at lower court". Comment. **(12)**
- Q.8** What are the features of UNICITRAL model law on Arbitration? **(12)**
- Q.9** Elaborate the provisions relating to composition and functions of Arbitration Tribunal. **(12)**
- Q.10** "Success of Arbitration and conciliation depends upon degree of acceptability of claims and defenses". Comment. **(12)**