

**DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION
SYSTEM (D.A.D.R.S.) : WINTER - 2017
SUBJECT: LAW RELATING TO ARBITRATION AND
CONCILIATION IN INDIA**

Day: Monday
Date: 27/11/2017

Time: 02.30 PM TO 05.30 PM
Max. Marks: 80

W-2017-1397

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.

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- Q.1** Write short notes on ANY FOUR of the following: (20)
- a) Waiver of right to object under UNICITRAL
 - b) Commercial dispute
 - c) Historical background of Arbitration in India.
 - d) Need of Professional Arbitration
 - e) Ground for reference
 - f) Commencement of conciliation proceedings
- Q.2** What is Arbitration? Explain the nature scope and object of Arbitration and Conciliation Act, 1996. (12)
- Q.3** Examine the difference between Arbitration Act, 1940 and Arbitration and Conciliation Act, 1996. (12)
- Q.4** Enumerate the provisions relating to appointment and role of Conciliator under Arbitration and Conciliation Act, 1996. (12)
- Q.5** 'Award passed by Arbitral Tribunal seems to be the decree passed by the Civil Court'. Comment. (12)
- Q.6** What is Arbitration Agreement? Define the concept of Arbitration Agreement with its important features. (12)
- Q.7** "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. (12)
- Q.8** Who can modify an Award? Explain and evaluate the grounds of setting aside an award. (12)
- Q.9** "Arbitration is more advantages than litigation still it face the problems". Comment. (12)
- Q.10** What is extent of judicial intervention permitted in matters relating to arbitration under Arbitration and Conciliation Act, 1996? (12)