

**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