

2021

LAW

(Arbitration, Conciliation And Alternative Dispute Resolution)

Paper No. 5:5 (OLD COURSE)

Full Marks : 100

Pass Marks : 40

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

Answer questions No. 1 and any five from the rest.

1. Write short notes on **any four** of the following **4x5**
- International commercial arbitration
 - Extent of judicial intervention in arbitral process
 - Finality of arbitral awards
 - Disputes (any ten) which cannot be settled by arbitration
 - Distinction between domestic award and foreign award
 - Ex-parte order by Lok Adalat.
2. What are the advantages of arbitration? Explain the different types of arbitration. **16**
3. Explain arbitration agreement and arbitral award. Mention the essential elements of an arbitration agreement. Cite court rulings. **16**

4. When can the court invoke statutory provisions dealing with interim measures? Discuss court's jurisdiction to grant interim reliefs. Cite rulings. **16**
5. Discuss the amendments in the Arbitration and Conciliation Act, 1996, dealing with time limit for arbitral award and the fast track procedure in order to achieve fast track arbitration. **16**
6. What is a settlement awarded by an arbitral tribunal with the agreement of the parties in dispute? Discuss Supreme Court's power to enforce a settlement. **16**
7. State the composition of the arbitral tribunal and explain the rules for the conduct of arbitral proceedings. **16**
8. State the procedure for commencement of a conciliation proceedings. Highlight the differences between conciliation, arbitration, mediation, negotiation and judicial settlement. **16**
9. Briefly discuss the background to the passing and the object of the Legal Services Authorities Act, 1987. Who are entitled to the legal services? **16**
10. Discuss the organization, jurisdiction, powers and awards of the Lok Adalat. State the amendments of 2002 to the Legal Services Authorities Act, 1987 to enlarge the scope of the Lok Adalats. **16**

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(Please turn over)

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LLB-5:5/21