

**GOA UNIVERSITY**

**G.R. KARE COLLEGE OF LAW, MARGAO, GOA**

**LL.B. DEGREE SEM V**

**ARBITRATION AND CONCILIATION AND ALTERNATE DISPUTE  
RESOLUTION SYSTEM**

April 2012,  
OCT 2011,  
APRIL 2011,  
OCT 2010,  
APRIL 2010,  
OCT 2009,  
APRIL 2009,  
OCT 2008,  
OCT 2007,  
APRIL 2007,  
OCT 2006,  
OCT 2005  
APRIL 2005,  
APRIL 2005 (OLD),  
OCT 2004,  
APRIL 2004 (OLD),  
OCT 2003 (OLD)  
APRIL 2003 (OLD),  
2002(OLD),  
2001 (OLD),  
2000V(OLD),



**LL.B. (Degree) (Semester – V) Examination, April 2012**  
**ARBITRATION AND CONCILIATION AND ALTERNATE**  
**DISPUTE RESOLUTION SYSTEM** 13/04/12

Duration : 3 Hours

Total Marks : 100

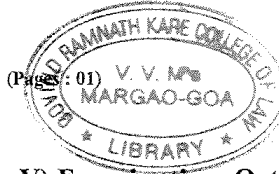
**Instructions :** 1) Answer **any 5** between Q. No. 1 - 8.  
2) Question No. 9 **compulsory**.

1. Discuss elaborately the conciliation proceedings given under Arbitration and Conciliation Act.
2. What is Foreign Award ? Discuss its enforcement.
3. Discuss
  - a) Place of Arbitration
  - b) Commencement of Arbitral Proceedings.
4. Discuss form and contents of arbitral award.
5. Who is competent to decide on jurisdiction of Arbitral Tribunal ? Elucidate.
6. List the grounds on which Arbitral Award can be challenged. Discuss with the help of case laws.
7. What is interim measure ? Discuss the role of court in granting interim measure.
8. 'A right created bilaterally cannot be abrogated unilaterally'. Discuss.
9. Write short note on **any five** : **(5×5=25)**
  - a) Arbitration
  - b) International Commercial Arbitration
  - c) Dispute
  - d) Chief Justice Under Sec. 11
  - e) Equal treatment of parties
  - f) Settlement
  - g) Termination of Arbitral Proceedings.

21/10/11  
(Friday)

B - 451

[Total No. of Questions : 9]



TNY - 94

LL.B. (Degree) (Semester-V) Examination, October - 2011

ARBITRATION AND CONCILIATION ACT

Arbitration and Conciliation & Alternate Dispute Resolution System

Duration : 3 Hours

Total Marks : 100

Instructions : 1) Answer any 5 between Q No. 1-8.  
2) Question No.9 compulsory.

[5 × 15 = 75]

- Q1) What is settlement ? Discuss the procedure to arrive at settlement in Conciliation.
- Q2) Discuss the importance of UNCITRAL model law in bringing uniform arbitration law.
- Q3) Discuss.  
a) Hearing and written proceeding  
b) Default of a party.
- Q4) Write a note on.  
a) Reasoned decision  
b) Cost and interest over an award
- Q5) What are grounds on which mandate of the Arbitral Tribunal can be terminated ?
- Q6) Discuss the procedure for appointment of an Arbitrator.
- Q7) Elucidate the role of Judicial Authority under Arbitration and Conciliation Act.
- Q8) What is Arbitration Agreement ? Discuss its importance under Arbitration process.
- Q9) Write short notes on any five :- [5 × 5 = 25]  
a) Award  
b) Court  
c) Interim measures  
d) Settlement during Arbitral Proceedings  
e) Expert  
f) Public policy  
g) Foreign award.

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G - 194

[Total No. of Questions : 9]



07/04/2011 (Thursday)

TNY - 94

**LL.B. (Degree) (Semester - V) Examination, April/May 2011**  
**Arbitration and Conciliation and Alternate Dispute Resolution System**

Duration : 3 Hours

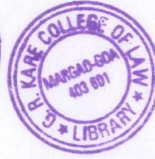
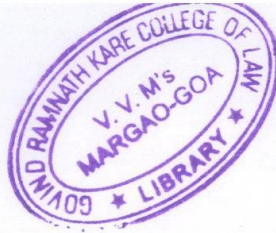
Total Marks : 100

- Instructions : 1) Answer any 5 questions from Q.No. 1 to 8.  
2) Question No.9 is compulsory.

[5 × 15 = 75]

- Q1) Define Arbitration Agreement. Explain the law relating to it.
- Q2) What is interim measure. Explain power of court to grant interim measures.
- Q3) Explain the competence of an arbitral tribunal to rule on its own jurisdiction.
- Q4) Explain the grounds on which appointment of arbitrator can be challenged.
- Q5) Discuss the role of chief justice in appointment of arbitrator.
- Q6) Explain the procedure to enforce foreign awards under the New York convention.
- Q7) What is International Commercial Arbitrations. Discuss the special procedure prescribed to deal with such arbitration.
- Q8) Discuss the law relating to conciliation.
- Q9) Answer any five of the following : [5 × 5 = 25]
- a) Appealable orders.
  - b) Public policy.
  - c) Court assistance in taking evidence.
  - d) Interests.
  - e) ADRS.
  - f) UNCITRAL Model Law.
  - g) Principles of Natural justice in Arbitral proceedings.

XXXXX



15/10/2010

TNY - 94

**LL.B. (Degree) (Semester - V) Examination, October 2010**  
**ARBITRATION AND CONCILIATION ACT AND ALTERNATE**  
**DISPUTE RESOLUTION SYSTEM**

Duration : 3 Hours

Total Marks : 100

*Instructions : 1) Answer any 5 questions from Q. No. 1 to 8.*  
*2) Q. No. 9 is compulsory.*

(5×15=75)

1. Explain the power of judicial authority to refer parties to arbitration.
2. Write a note on the appointment of arbitrators.
3. What is jurisdiction ? Who can rule on jurisdiction of arbitral tribunal ?
4. Explain grounds for setting aside an arbitral award.
5. Explain elaborately the conduct of arbitral proceedings.
6. State the procedure to enforce foreign awards under New York Convention.
7. Discuss the procedure to choose substantive law in International Commercial Arbitration.
8. Discuss the law relating to conciliation.

9. Answer **any 5** of the following :

(5×5=25)

- a) Dispute
  - b) Reasoned decision
  - c) Arbitration agreement
  - d) Settlement in arbitral proceedings
  - e) Termination of mandate of arbitrator
  - f) ADRS
  - g) UNCITRAL Model Law.
-



S/4/10

TNY - 94

**LL.B. (Degree) (Sem. - V) Examination, April 2010**  
**ARBITRATION AND CONCILIATION AND ALTERNATE DISPUTE**  
**RESOLUTION SYSTEM**

Duration : 3 Hours

Total Marks : 100

*Instructions : 1) Answer any 5 questions from Q. No. 1 - 8.*  
*2) Q. No. 9 is compulsory.*

(5×15=75)

1. Explain power of Judicial Authority to refer parties to Arbitration.
2. What is Interim Measure ? Explain the power of court to grant interim measures under Arbitration and Conciliation Act 1996.
3. Discuss in detail, the procedure for appointment of Arbitral Tribunal.
4. What is Jurisdiction ? Who can rule on the jurisdiction of Arbitral Tribunal.
5. What is International Commercial Arbitration ? Elucidate the procedure to choose Substantive Law to govern Arbitral Proceedings.
6. Discuss the grounds on which an Arbitral Award can be set aside.
7. New York Convention lays down the procedure to enforce foreign awards. Explain.
8. What is settlement Agreement ? How a settlement of dispute can be achieved under Arbitration and Constitution Act.

9. Answer any 5 of the following :

(5×5=25)

- a) Arbitration
  - b) Dispute
  - c) Reasoned decision
  - d) Equal treatment of parties
  - e) Termination of proceedings
  - f) Deposits.
-



TNY - 94

LL.B. (Degree) (Semester - V) Examination, October 2009  
ARBITRATION AND CONCILIATION AND ALTERNATE DISPUTE  
RESOLUTION SYSTEM

Duration: 3 Hours

Total Marks: 100

- Instructions:* 1) Answer any 5 questions from Q. No. 1-8.  
2) Q. No. 9 is compulsory.

(5×15=75)

1. "Arbitration Agreement shall be in writing". Explain.
2. What is Court? Explain its power to grant interim measures.
3. Who is Chief Justice? Explain his role in arbitral proceedings.
4. Explain the procedure to challenge the appointments of arbitrator.
5. Explain the following :
  - a) Expert appointed by arbitral tribunal
  - b) Court assistance in taking evidence.
6. Discuss form and contents of arbitral award with special reference to "Reasons for Award".
7. What is foreign award? Explain the procedure to enforce it.
8. Explain elaborately the process of conciliation.
9. Write short notes on any 5 :
  - a) Mediation
  - b) Legal representative
  - c) Splitting of cases
  - d) Place of arbitration
  - e) Additional award
  - f) Settlement under Sec. 30.

(5×5=25)



TNY - 94

Dated: 06/04/09

LL.B. (Degree) (Semester - V) Examination, April 2009  
ARBITRATION AND CONCILIATION AND ALTERNATE DISPUTE  
RESOLUTION SYSTEM

Duration : 3 Hours

Total Marks : 100

*Instructions : 1) Answer any 5 questions from Q. No. 1 to 8.  
2) Question No. 9 is compulsory.*

(15×5=75)

1. Explain the salient features of Arbitration and Conciliation Act, 1996 ?
  2. Examine fully the effects of Arbitration Agreement.
  3. Explain the procedure for challenging an Arbitrator.
  4. Examine various instances under which an Arbitration Award be set aside.
  5. Explain the contents of New York convention with reference to foreign Award.
  6. Discuss the Rules regarding conciliation as laid down under Arbitration and Conciliation Act, 1996.
  7. Explain :
    - a) Statement of claim and defence
    - b) Principles governing exparte proceedings.
  8. Discuss the provision of appeal against the orders of Arbitrary Tribunal and Court.
  9. Answer **any five** of the following : (5×5=25)
    - a) Appointment of Arbitrators by Chief Justice.
    - b) Court Assistance in Taking Evidence
    - c) Jurisdiction of Arbitrary Tribunal
    - d) Refusal of Enforcement of Foreign Award
    - e) Appointment of Arbitrators
    - f) International Commercial Arbitration.
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**LL.B. (Degree) (Semester – V) Examination, 2008**  
**ARBITRATION AND CONCILIATION AND ALTERNATE DISPUTE**  
**RESOLUTION SYSTEM**

Duration : 3 Hours

Total Marks : 100

**Instructions :** a) Answer any six from Q. No. 1 to 9. (15×6=90)  
b) Q. No. 10 is compulsory.

1. Discuss fully the different kinds of Alternate Dispute Redressal system and state its advantages over judicial system ?
2. Define Arbitration Agreement and explain the effects of Arbitration Agreement.
3. Examine the Jurisdiction of Arbitrary Tribunal.
4. What is Award ? Explain the important requirements of the award ?
5. What is Foreign Award and explain finality and enforcement of Foreign Award ?
6. Explain in detail the important Powers of Arbitrator.
7. Examine in detail the conduct of Arbitral Proceedings.
8. Explain the followings :
  - a) Procedure for challenging an arbitrator
  - b) Exparte Awards.
9. Discuss the provision of appeal against the orders of Arbitrary Tribunal and Court.
10. Write short note on **any two** : (5×2=10)
  - a) Appointment of Arbitrators by Chief Justice.
  - b) Termination of Arbitral Proceedings.
  - c) Objectives of Arbitration and Conciliation Act, 1996.

**LL.B. (Degree) (Sem – V) Examination, October 2007**  
**ARBITRATION AND CONCILIATION AND ALTERNATE DISPUTE**  
**RESOLUTION SYSTEM**

Duration : 3 Hours

Total Marks : 100

*Instructions : 1) Answer any six from Q. No. 1 to 9.*  
*2) Question No. ten is compulsory.*

1. Explain the term Arbitration and state what are the salient features of Arbitration and Conciliation Act, 1996. (15×6=90)
2. What is misconduct ? Explain the mode of substitution of Arbitrator in case of successful challenge.
3. Discuss fully the conduct of Arbitral proceedings.
4. State and explain the Geneva Convention Award.
5. Explain the conciliation proceedings under Arbitration and conciliation Act, 1996.
6. Explain these **two** :
  - a) Effect of Arbitration Agreement
  - b) Termination of mandate
7. Examine various instances under which arbitral award can be set aside.
8. Discuss fully the powers of Arbitrator.
9. Discuss the provision of appeal against the orders of Arbitrator Tribunal and Court.
10. Answer **any two** of the following : (5×2=10)
  - a) ADR
  - b) Interim Measures
  - c) Valuer and Expert.

**LL.B. (Degree) (Sem. - V) Examination, 2007**  
**ARBITRATION AND CONCILIATION AND ALTERNATE DISPUTE**  
**RESOLUTION SYSTEM**

Duration : 3 Hours

Total Marks: 100

*Instructions: 1) Answer any six from Q. No. 1 to 9.*  
*2) Q. No. 10 is compulsory.*

(15×6=90)

1. What is meant by arbitration ? State and explain what matters be referred to arbitration and state exceptions if any.
  2. Define Arbitration agreement and explain the essentials of arbitration agreement in detail.
  3. Examine fully the Jurisdiction of Arbitrary Tribunal.
  4. What is misconduct ? Explain the mode of substitution of Arbitrator in case of successful challenge.
  5. Discuss various instances under which arbitral award can be set aside.
  6. What is foreign award and explain finality and enforcement of Foreign award ?
  7. Explain the rules regarding conciliation under Arbitration and conciliation Act.
  8. Discuss the composition of Arbitrary Tribunal in detail.
  9. Discuss the importance of UNCITRAL model law in alternative dispute settlement.
  10. Answer any two : (5×2=10)
    - a) Valuer
    - b) Termination of arbitral proceedings
    - c) Interim measures.
-

**MAH – 94**

**LL.B. Degree (Semester – V) Examination, October 2006  
ARBITRATION AND CONCILIATION AND ALTERNATE DISPUTE  
RESOLUTION SYSTEM**

Duration : 3 Hours

Total Marks : 100

*Instructions: 1) Answer any six from Q. No. 1 to 9.  
2) Q. No. 10 is compulsory.*

1. Explain the main objectives of Arbitration and Conciliation Act, 1996. (15×6=90)
  2. What is Interim measures ? Explain the role of Arbitrator and Court in granting Interim measures.
  3. Who is an arbitrator and state when his appointment can be challenged ?
  4. Explain in detail the grounds for setting aside Arbitral Award.
  5. Explain about Geneva convention with reference to foreign award.
  6. What is conciliation ? Explain the salient features of conciliation.
  7. Explain the competence of Arbitral tribunal to rule its own Jurisdiction.
  8. Explain in detail the conduct of Arbitral proceedings.
  9. Answer the following:
    - a) Alternative Dispute Redressal System
    - b) Finality and enforcement of Foreign Award.
  10. Answer any two: (5×2=10)
    - 1) Features of Arbitration agreement.
    - 2) Court assistance in taking evidence.
    - 3) Powers of Arbitrator.
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**LL.B. Degree (Semester – V) Examination, 2006**  
**ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE (New)**

Duration : 3 Hours

Max. Marks : 100

*Instructions: 1) Answer any six from Q. No. 1 to 9.*  
*2) Question No. 10 is compulsory.*

1. Arbitration is a contractual right cannot be abrogated unilaterally. Explain. (15×6=90)
2. What is court ? Explain its power to grant interim measures.
3. Explain procedure for appointment of Arbitrator.
4. Explain :
  - a) Ex acquo et bono
  - b) Amiable compositor.
5. Explain correction, interpretation and additional award.
6. Explain grounds on which award can be set aside.
7. Arbitration and Conciliation Act is influenced by UNCITRAL model law. Discuss.
8. What is foreign award ? Explain its bindingness and enforcement.
9. Explain conciliation procedure under Arbitration and Conciliation Act.
10. Write short notes on **any two** : (5×2=10)
  - a) Speaking award.
  - b) Termination of arbitral proceedings.
  - c) Courts assistance in taking evidence.

**LL. B ( Degree) Sem. – V Examination October 2005**  
**Arbitration and Conciliation Act**

Time : 3 Hrs.

Max. Marks : 100

Instruction : 1) Answer any SIX from Q.No. 1 to 9  
2) Question No. 10 is compulsory

15 x 6 = 90

- Q.1 Arbitration agreement has to be in writing. Explain with special reference to contents of arbitration agreement.
- Q.2 What is interim measure ? Explain power of court to grant interim measure.
- Q.3 Explain role Chief justice in appointment of arbitrator.
- Q.4 Discuss the grounds on which appointment of arbitrator can be challenged?
- Q.5 Explain conduct of Arbitral proceeding.
- Q.6 What is Conciliation ? Explain procedure of Conciliation under Arbitration and Conciliation Act. 1996.
- Q.7 Explain :  
a) Statement of claim and defence  
b) Default of party.
- Q.8 Explain procedure of choosing substantive law in Domestic arbitration and International Commercial Arbitration.
- Q.9 Explain procedure for enforcing foreign award by New York Convention .
- Q.10 Write short notes on Any TWO 5 x 2 = 10  
a) Insolvency of a party  
b) Jurisdiction  
c) Public policy

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**LL.B. (Degree) Sem-V Examination April 2005**  
**Arbitration and Conciliation Act (NEW)**

Time : 3 Hrs.

Max. Marks : 100

Instructions : 1) Answer any SIX from Q.No.1 to 9  
2) Question No. 10 is compulsory

15 x 6 = 90

- Q.1 Explain various powers and duties of Arbitrator
- Q.2 What is an Award ? Explain its forms and contents
- Q.3 Discuss all the grounds on which appointment of Arbitrator can be challenged
- Q.4 What is interim measure? Explain courts and Arbitrators power of granting interim measure.
- Q.5 Explain the conduct of arbitral Proceedings . Distinguish with conciliation proceedings.
- Q.6 Explain general supervisory role of court in conciliation proceedings .
- Q.7 Explain the procedure of enforcement of foreign Award under New York Convention
- Q.8 What is settlement ? Explain the procedure of attaining settlement
- Q.9 Explain the procedure of fixing substantive law in Arbitral proceedings
- Q.10 Write short notes on any TWO ( 5 x 2 = 10 )
- a) Correction and interpretation of Award
  - b) Finality and Enforcement of Award
  - c) Death of a party

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**LL.B. (Degree) Sem-V Examination April 2005**  
**Arbitration and Conciliation Act ( OLD)**

Time : 3 Hrs.

Max. Marks : 75

Instruction : 1) Q.No.7 and 14 are compulsory  
2) Answer any FOUR questions from Q.No.1 to 6 and Q. No. 8 to 13

**SECTION - I**

- Q.1 Explain Arbitration agreement with special reference to its requirements. (8)
- Q.2 Explain forms and contents of Arbitral Award. (8)
- Q.3 Discuss the grounds of challenging the appointment of arbitrators. (8)
- Q.4 Explain the concept of conciliation (8)
- Q.5 Discuss the courts power to grant interim measures. (8)
- Q.6 Explain Duties and Powers of Arbitrator (8)
- Q.7 Write short notes on any TWO : (6)
- a) Amicable compositor
  - b) ADR
  - c) Place of Arbitration

**SECTION - II**

- Q.8 Explain the provisions relating to the setting aside Arbitral Award (8)
- Q.9 Define 'Court'. Explain the power of the Court to refer the parties back to Arbitration. (8)
- Q.10 Explain : (8)
- a) Arbitral Tribunal
  - b) Appointment of Experts by Arbitral Tribunal.
- Q.11 Define Foreign Award. Explain the provisions relating to enforcement of foreign Award under New York Convention. (8)
- Q.12 Explain provisions relating to correction and interpretation of Arbitral Award. (8)
- Q.13 Explain Appointment of Arbitrator in International Commercial Arbitration. (8)
- Q.14 Write Short notes on any TWO (5)
- a) Finality of Arbitral Award
  - b) Appealable Orders
  - c) De jure defect.

\* \* \* \* \*



ASM - 109

LL.B. (3 Years) (V Semester) Examination, October 2004  
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE  
(New)

Duration: 3 Hours

Total Marks: 100

*Instructions: 1) Answer any six from Q. No.s 1 to 9.  
2) Question No. 10 is compulsory.*

(15×6=90)

1. What are the essentials of arbitration agreement ? Explain.
2. "Arbitrator can rule on its own jurisdiction". Explain.
3. Explain the provisions relating to the setting aside arbitral award.
4. Explain :
  - a) Additional award.
  - b) Costs in award.
5. Explain the procedure of appointment of arbitrator.
6. Explain the conduct of arbitral proceedings.
7. Explain the procedure of obtaining settlement in conciliation proceedings.
8. Define foreign award. Explain the procedure of enforcement.
9. What are the functions and objects of UNCITRAL model law and how far it has been achieved in India ?
10. Write short notes on **any two** :
  - a) Settlement in arbitral proceedings.
  - b) Reference by court under Sec. 34.
  - c) Interim measures by arbitrator.

(5×2=10)

**LL.B. (DEGREE) SEM.V. EXAMINATION APRIL, 2004**  
**ARBITRATION AND CONCILIATION ACT**

Time : 3 Hrs.

Max.Marks: 75.

*Instructions :*

1. Q.No. 7 and 14 are compulsory
2. Answer any four from 2 to 6 and any four from Q.No. 8 to 13.

**SECTION - I**

- Q.1. Explain power of court to refer back to arbitration and compare with 1940 Act. (8)
- Q.2. What is Arbitration ? Evaluate role of arbitrator in comparison with valuer and expert. (8)
- Q.3. What is International Commercial Arbitration? Explain mode of appointment of Arbitrator in International Commercial Arbitration. (8)
- Q.4. What is misconduct? Explain mode of substitution of Arbitrator in case of successful challenge. (8)
- Q.5. What is Interim Measures ? Explain the role of Arbitrator and Court in granting of Interim Measure. (8)
- Q.6. Explain right of parties to seek assistance of code in obtaining attendance of witness. (8)
- Q.7. Write short notes on any TWO. (6)
- a) Amicable Compositure
  - b) number of Arbitrator
  - c) ADR.

**SECTION - II**

- Q.8. Explain : (8)
- a) Termination of Arbitral Proceedings
  - b) additional award.
- Q.9. Explain grounds for setting aside Arbitral Award. (8)
- Q.10. Explain finality and enforcement of Foreign award. (8)
- Q.11. Discuss the provisions of appeal against the orders by Arbitrator and Court. (8)
- Q.12. Explain the impact of UNCITRAL Model law on Arbitration and Conciliation Act. (8)
- Q.13. Explain conciliation proceeding with special emphasis on role of conciliator. (8)
- Q.14. Write short notes on any TWO. (5)
- (a) number of conciliation
  - (b) de jure defect
  - (c) Court.



SRN - 163

LL.B (3 yrs) Sem.V Examination October, 2003  
ARBITRATION & CONCILIATION

Time : 3 hrs.

Max.Marks: 75

**INSTRUCTIONS:**

1. Q. No. 7 and 14 are compulsory
2. Answer any four from Q. No. 2 to 6 and any four from 8 to 13.

**SECTION - I**

1. What is Arbitration Agreement. Explain its effects. (8)
2. Explain party's right to seek Interim Measures under Arbitration and Conciliation Act, 1996. (8)
3. Explain composition of Arbitral Tribunal and mode of appointment. (8)
4. Explain challenge of appointment of Arbitrator by parties and its consequences. (8)
5. Define Jurisdiction. Explain the process of fixing of jurisdiction by arbitration in case of controversy (8)
6. Who is an expert ?. Explain appointment of expert. (8)
7. Write short notes on any two (6)
  - (a) Number of Arbitrator
  - (b) Exparte proceedings
  - (c) ADR

**SECTION - II**

8. What is International Commercial Arbitration. How a substantive law is chosen in case of International Commercial Arbitration. (8)
9. Explain contents of Arbitral Award. (8)
10. Explain : (8)
  - (a) Misconduct
  - (b) Lack of proper notice in Arbitral Proceeding
11. Explain the effect of death and Insolvency on Arbitral Proceedings. (8)
12. Explain the binding nature of Foreign award and conditions for enforcement. (8)
13. Compare between conduct of Arbitral Proceeding and conciliation proceedings under the Act of 1996. (8)
14. Write short notes on any two (5)
  - (a) Ex equo et bono
  - (b) Additional award
  - (c) Hearing and written proceedings.





LL.B (Degree) Sem. V, Exam. April 2003

**Arbitration and Conciliation Act**

Time : 3hrs.

Max.Marks:75

- N.B. 1) Question no. 7 and 14 are compulsory  
2) Answer any four questions from No. 1 to 6 and any four from No.8 to 13.

**SECTION - I**

- Q.1 Explain Arbitration Agreement and its Requirements. (8)
- Q.2 Who can make an application for reference ? What is the time limitation ? (8)
- Q.3 Explain interim measures by Court. (8)
- Q.4 Who can appoint Arbitrator ? Explain its procedure. (8)
- Q.5 Explain grounds for challenge and Elucidate consequences of Challenge. (8)
- Q.6 What is the meaning of word 'Mandate' ? When it can be terminated? (8)
- Q.7 Answer any two of the following : (2 x 3 = 6)  
a) Doctrine of severability  
b) Expert and Valuer  
c) Place of Arbitration .

**SECTION - II**

- Q.8 Explain Competence of Arbitral Tribunal to rule its own jurisdiction. (8)
- Q.9 Explain the power of Arbitrator to appoint Expert and his power to take assistance of court in taking evidence. (8)
- Q.10 Define foreign award under New York Convention. What is the object of New York Convention ? (8)
- Q.11 What is Conciliation ? Explain its complete procedure given under the Act. (8)
- Q.12 Elucidate impact of UNCITRAL Model Law on Indian Arbitration Laws. (8)
- Q.13 Explain the following. (8)  
a) Ex aequo et bono  
b) Amiable compositor
- Q.14 Answer any Two of the following: (2 x 2 ½ =5)  
a) Termination of Conciliation Proceedings  
b) Default of Party  
c) Additional award

SRN – 162

**LL.B. 3 Years Sem. V Examination, 2002**  
**ARBITRATION, CONCILIATION & ALTERNATE DISPUTE**  
**RESOLUTION SYSTEM**

Duration: 3 Hours

Total Marks: 75

- Instructions:** 1) *Question No. 7 and 14 are compulsory.*  
2) *Answer any four questions from Nos. 1 to 6 and any four from Nos. 8 to 13.*

**SECTION – I**

1. What is Arbitration? Explain Arbitration agreement in separate document. **(4×8 = 32)**
2. Explain judicial authorities power to refer when judicial authority can exercise it?
3. Explain interim measures by court. Compare with the power of Arbitrator to take interim measures.
4. Who can appoint Arbitrator? Explain role of chief justice.
5. Explain all grounds of termination of mandate. What is the procedure of substitution?
6. Explain duties of arbitrator.
7. Answer **any two** of the following: **(2×3 = 6)**
  - a) Waiver of right to object.
  - b) Language.
  - c) Dispute.

**SECTION – II**

8. Explain procedure and grounds of setting aside of Arbitral Award. **(4×8 = 32)**
  9. Explain conditions of enforcement of foreign award.
  10. What is conciliation? Explain its procedure.
  11. What are the functions and objects of UNCITRAL model law and how far it has achieved in India.
  12. Explain international Commercial Arbitration. How substantive law to be applied is decided in International Commercial Arbitration.
  13. Explain the procedure of settlement and award in Arbitration.
  14. Answer **any two** of the following: **(2×2½ = 5)**
    - 1) ADRS.
    - 2) Death of a party.
    - 3) Expert and valuer.
-

RPN - 52

LL.B. (3 Years) (Sem. - V) Examination, 2001  
ARBITRATION CONCILIATION AND ALTERNATE DISPUTE  
RESOLUTION SYSTEM

Duration: 3 Hours

Total Marks: 75

- Instructions:* 1) Answer Section I & II separately.  
2) Questions number 7 and 14 are compulsory.  
3) Answer any four questions from Nos. 1 to 6 and any four from Nos. 8 to 13.

SECTION - I

1. Explain the provision of 'Waiver of right to object' in the light of Arbitration and Conciliation Act, 1996. 8
  2. Elucidate the incorporation of arbitration agreement by reference to a document. 8
  3. Describe the interim measures to secure the amount in dispute in the arbitration. 8
  4. Explain the grounds for challenge the appointment of arbitrators. 8
  5. Explain the principles which should guide the arbitrator in arriving at his decision. 8
  6. Explain the Arbitral proceedings under UNCITRAL Law. 8  
(4×8=32)
7. Answer any two of the following: (2×3=6)
- a) De facto disability of an arbitrator.
  - b) Forum of arbitration.
  - c) Doctrine of comity.

SECTION - II

8. Explain the conditions for applicability of the conventions of Geneva and New York. 8
  9. Explain 'Foreign Awards' in the eyes of Indian Court. 8
  10. Model Arbitration Law framed by UNCITRAL is indeed International Law of Arbitration. Comment. 8
  11. "Conciliation means the settling of disputes without litigation". Explain the statement in the light of Provisions of Arbitration and Conciliation Act, 1996. 8
  12. 'Comparative analysis of arbitration and conciliation in connection with procedural aspects. 8
  13. Explain the admissibility of evidence in conciliation proceedings. 8  
(4×8=32)
14. Answer any two of the following: (2×2 1/2=5)
- a) Principle of Pacta Sunt Servanda.
  - b) Appointment of conciliators.
  - c) Termination of conciliation proceedings.



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**T.Y. LL.B. Sem. V Examination, 2000**  
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2) Questions number 7 and 14 are compulsory.  
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**SECTION – I**

1. Explain the existence, validity and effect of arbitration agreement. 8
  2. Explain the commencement of arbitral proceedings. 8
  3. "The arbitral award shall state reasons". Explain the statement with Case Laws. 8
  4. 'Recourse to a court against an arbitral award may be made only by an application for setting aside such award'. Explain. 8
  5. 'Existence of difference or dispute is an essential condition for the arbitrators jurisdiction to act under arbitration clause. Comment. 8
  6. UNCITRAL model law is a key to explain the change in arbitration law in India. 8
- (4 × 8 = 32)
7. Answer any two of the following:
- a) Exparte Hearing.
  - b) Forum selection clause.
  - c) Domestic Award.

(2 × 3 = 6)

**SECTION – II**

8. Explain the change in provision in respect of law as to 'stay of proceedings'. 8
  9. Explain the enforceability of Geneva Convention Award. 8
  10. Explain the condition for recognition and enforcement of an arbitral award. 8
  11. Explain the procedural difference of Arbitration and Conciliation in connection with settlement of disputes. 8
  12. Explain the scope of application of Part III of Arbitration and Conciliation Act, 1996. 8
  13. Explain the comparative aspects of termination procedure of arbitration and conciliation. 8
- (4 × 8 = 32)
14. Answer any two of the following: (2 × 2½ = 5)
- a) Number of conciliators.
  - b) Disclosure of information.
  - c) Foreign Award.