REV-01
BLB/01/05

2025/12

SET A

BA LLB
SEVENTH SEMESTER
ALTERNATIVE DISPUTE RESOLUTION
BLB – 704 [REPEAT]

[USE OMR FOR OBJECTIVE PART]

Duration: 2 hrs. **Full Marks: 60**

(**Objective**)

Time: 15 min. **Marks: 15**

Choose the correct answer from the following: ***1X5=5***

1. In which year was the United Nations Commission on International Trade Law (UNCITRAL) established?
   a. 1956 b. 1966
   c. 1976 d. 1986

2. Under Article 253 of the Indian Constitution, Parliament has the power to:
   a. Amend the Constitution
   b. Conduct foreign trade
   c. Enact laws for state subjects only
   d. Legislate on any matter for implementing international agreements

3. Under the Hindu Marriage Act, 1955, which section mandates the court to make every effort to bring about a reconciliation between parties before granting relief?
   a. Section 9 b. Section 14
   c. Section 13B d. Section 23(2)

4. In which of the following types of cases can a matter not be referred to a Lok Adalat in India?
   a. Compoundable Criminal Offences b. Non-Compoundable Criminal Offences
   c. Family Disputes d. Consumer Disputes

5. Which landmark Supreme Court case upheld the constitutional validity of Section 89 of the Code of Civil Procedure and emphasized the mandatory exploration of Alternative Dispute Resolution (ADR) methods like mediation, conciliation, and arbitration before proceeding to trial?
   a. Salem Advocate Bar Association v. Union of India b. Afcons Infrastructure Ltd v. Cherian Varkey Construction
   c. Maneka Gandhi v. Union of India d. Kesavananda Bharati v. State of Kerala

Answer the following: (Use descriptive answer sheet) *2×5=10*

1. Mention two advantages of Alternative Dispute Resolution.
2. What do you mean by Arbitration?
3. Mention two significant benefits of aligning India's Alternative Dispute Resolution (ADR) laws with international standards.
4. Mention two limitations of Lok Adalat as an ADR method.
5. Name four common methods of ADR.

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Descriptive

Time : 1 hrs. 45 min. **Marks: 45**

[Answer question no.1 & any 4 from the rest]

1. Discuss the provisions relating to Alternative Dispute Resolution (ADR) under the Code of Civil Procedure, 1908 with reference to Section 89 and relevant case laws. 9
2. Discuss the role of UNCITRAL in harmonizing international ADR mechanisms. Highlight key UNCITRAL instruments and their impact on the global dispute resolution landscape. 4+5=9
3. Discuss the provisions relating to Alternative Dispute Resolution (ADR) under the Constitution of India. 9
4. Explain the powers and duties of a conciliator under the Arbitration and Conciliation Act, 1996. How does the conciliator facilitate a fair settlement between the parties? 9

5. Discuss the origin and mandate of the United Nations Commission on International Trade Law (UNCITRAL). 9

6. Explain the concept of an arbitration agreement under the Arbitration and Conciliation Act, 1996. What are its essential elements and forms as per Section 7 of the Act? 3+6=9

7. Critically discuss the effectiveness of Lok Adalats as an ADR mechanism under the Legal Services Authorities Act, 1987. 9

8. Explain the significance of Articles 51 and 253 of the Indian Constitution in relation to India's obligations under international trade law. 9

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