

Write the following information in the first page of Answer Script before starting answer

ODD SEMESTER EXAMINATION: 2020-21

Exam ID Number _____

Course _____ Semester _____

Paper Code _____ Paper Title _____

Type of Exam: _____ (Regular/Back/Improvement)

Important Instruction for students:

1. Student should write objective and descriptive answer on plain white paper.
2. Give page number in each page starting from 1st page.
3. After completion of examination, Scan all pages, convert into a single PDF, rename the file with Class Roll No. **(2019MBA15)** and upload to the Google classroom as attachment.
4. Exam timing from 10am – 1pm (for morning shift).
5. Question Paper will be uploaded before 10 mins from the schedule time.
6. Additional 20 mins time will be given for scanning and uploading the single PDF file.
7. Student will be marked as ABSENT if failed to upload the PDF answer script due to any reason.

**BA LLB
SEVENTH SEMESTER
ALTERNATIVE DISPUTE RESOLUTION SYSTEM
BLB-705P₁**

Duration : 2 hrs.

Full Marks : 60

(**PART-A : Objective**)

Time : 15 mins.

Marks : 15

Choose the correct answer from the following:

1X5=5

1. In which Articles Alternative Dispute Resolution was found on the Indian Constitution?
 - a. 14 and 21
 - b. 12 and 27
 - c. 14 and 23
 - d. 13
2. The Acts which deals with Alternative Dispute Resolution are Arbitration and Conciliation Act, 1996 and the:
 - a. Legal Services Act,1987
 - b. Civil procedure code, 1908
 - c. Criminal procedure Code, 1973
 - d. None of these
3. The main purpose of the Arbitration and Conciliation Act, 1996 is to:
 - a. Comprehensively cover international and commercial arbitration and conciliation as a whole too
 - b. Covers only domestic arbitration and conciliation
 - c. Covers only arbitration
 - d. None of these
4. What does the Act Legal Services Authorities Act, 1987 establish for the settlement of disputes cheaply and expeditiously?
 - a. ADR system
 - b. Lok Adalat system
 - c. Both A & B
 - d. None of these
5. Objective of Arbitration is:
 - a. Speediness
 - b. Cheapness
 - c. Mutual relations between disputants
 - d. All of the above

Answer the following: (Use descriptive answer sheet)

2X5=10

1. What is Fast Track Arbitration?
2. What is conciliation Settlement?
3. What do you mean by negotiation?
4. What is meant by International Commercial Arbitration?
5. What is Pure Legal Process?

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(PART-B : Descriptive)

Time : 1 hr. 45 min.

Marks : 45

[Answer the following questions]

1. Discuss the procedure for the conduct of arbitral proceedings. What are the powers of an arbitral Tribunal to proceed ex parte? Answer with the help of a case law. 5+4=9
- Or
- Write short notes on: 9
- a) Interim measures and Arbitral Tribunal.
b) ADR provisions under the Civil procedure code, 1908.
2. Define Arbitral Tribunal. Discuss the provisions relating to composition of Arbitral Tribunal and appointment of arbitrators. 3+3+3=9
- Or
- Explain the following: 4.5+4.5=9
- a) Doctrine of waiver.
b) Domestic and foreign award.
3. Define conciliation. Discuss the commencement and termination of conciliation proceedings as provided under the arbitration and conciliation Act, 1996. 3+3+3=9
- Or
- Mention the salient features of the Act of Arbitration and Conciliation Act, 1996. 9
4. Explain the significance of the UNCITRAL model Law, 1985 in the growth and development of the international commercial arbitration. 9
- Or
- Write short notes on: 4.5+4.5=9
- a) New York Convention
b) Geneva Convention
5. Briefly outline the evolution of Lok Adalats in India. Distinguish between permanent Lok Adalats and ad hoc Lok Adalats. 5+4=9
- Or
- Discuss the organization, powers and cognizance of Lok Adalats established under the Legal Services Authorities Act, 1987. 9

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