

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (ACADEMIC LAW)
(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION : MAY-JUNE - 2022

THIRD/SEVENTH SEMESTER

Sub.: Arbitration, Conciliation and Alternative Disputes, Resolution System
(LW - 304/LW - 7004)

Date : 26/05/2022

Total Marks : 60

Time: 2.00 pm to 4.30 pm

Instructions: 1) All questions are compulsory. 2) Figure indicate to the right full marks.

Q. 1. Choose correct option from the following. (10)

- 1) "Arbitral Tribunal" means:
 - a) Only panel of arbitrators
 - b) A sole arbitrator or a panel of arbitrators
 - c) More than one arbitrator
 - d) Only a sole arbitrator
- 2) The purpose of Arbitration Act is to provide quick redressal to _____ by private arbitration.
 - a) family disputes
 - b) service disputes
 - c) commercial disputes
 - d) political disputes
- 3) Unless otherwise agreed by the parties, a party with notice to the other party may request, from the receipt of the arbitral award, the arbitral tribunal to make an additional arbitral award as to claims presented in the arbitral proceedings but omitted from the arbitral award.
 - a) Within 30 days
 - b) Within 45 days
 - c) Within 60 days
 - d) Within 15 days
- 4) When an arbitral proceedings shall be terminated:
 - a) Final arbitral award
 - b) Interim award
 - c) Where the arbitral tribunal issue an order for the termination
 - d) Only A and C are correct.
- 5) What is application and scope of the conciliation:
 - a) The disputes arising out of legal relationship, whether contractual or not and to all proceedings relating thereto.
 - b) The disputes arising out of business relationship, whether contractual or not and to all proceedings relating thereto.
 - c) The disputes arising out of love relationship, whether contractual or not and to all proceedings relating thereto
 - d) The disputes arising out of family relationship, whether contractual or not and to all proceedings relating thereto.
- 6) The arbitral tribunal may fix the amount of the deposit or supplementary deposit, as an advance for the costs. What are the rules relating to such deposit:
 - a) Where one party fails to pay his share of the deposit, the other party may pay that share.
 - b) Where the other party also does not pay the aforesaid share in respect of the claim or the counter-claim, the arbitral tribunal may suspend or terminate the arbitral proceedings in respect of such claim or counter-claim, as the case may be.
 - c) The deposit shall be payable in equal shares by the parties.
 - d) All of the above.

- 7) Correction and interpretation of award can be made _____from the receipt of the arbitral award:

| | |
|-------------------|-------------------|
| a) Within 30 days | b) Within 60 days |
| c) Within 15 days | d) Within 45 days |

- 8) What should be language in the arbitration proceedings:

| | |
|--|---|
| a) The language should be Hindi | b) The language should be Regional Language |
| c) The parties are free to agree upon the language or languages to be used in the arbitration proceedings. | d) The language should English |

- 9) In conciliation the decision is known as:

| | |
|---------------|-------------------|
| a) Decision | b) Opinion |
| c) Settlement | d) Arbitral award |

- 10) In arbitral proceedings where there more than one arbitrator the decision of the arbitral tribunal:

| | |
|--|---|
| a) Shall be made by a majority of all its members. | b) Shall be made by the chief arbitrator. |
| c) Shall be made by a 2/3rd majority of its members. | d) Shall be made by all its members. |

Q. 2. Answer the following in short. (up to 30 words) (10)

1. Define the term Arbitration under the Arbitration and Conciliation Act 1996.
2. Explain the term Negotiation.
3. Define the Term Conciliation
4. Define Arbitral Tribunal
5. Explain International Commercial Arbitration under the Arbitration and Conciliation Act 1996.

Q. 3. Short Notes. (any four) (20)

1. Salient Features of Arbitration and Conciliation Act 1996.
2. Form and Content of Arbitral award
3. Panchayat System
4. Family Court
5. Lokadalat
6. Advantages of ADR

Q. 4. Answer the following questions. (Any two) (20)

1. Explain in detail the provisions related to appointment of arbitrators and grounds and procedure for challenge to arbitrators
2. Explain in detail conduct of Arbitral proceeding
3. Discuss the composition & Jurisdiction of State Commission under the Consumer Protection Act,1986
4. Explain the appointment and role of a Conciliator