

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 : DECEMBER - 2022

SEVENTH SEMESTER/THIRD SEMESTER

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

Date : 08/12/2022

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. Answer the following question. (15)

A) State the importance of Arbitration agreement in Arbitration proceedings.

OR

B) Describe in brief the object and development in India of Arbitration and Conciliation Act, 1996

Q. 2. Answer the following question. (15)

A) Explain the composition and jurisdiction of an 'Arbitration Tribunal under Arbitration and Conciliation Act, 1996

OR

B) What is the nature and scope of a Conciliation proceeding? Give the provisions regarding number and appointment of Conciliators.

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

- a) Institutional Arbitration
- b) Termination of Arbitral proceeding
- c) Difference between arbitration and conciliation
- d) Need of alternate dispute resolution
- e) International Commercial Arbitration
- f) Methods of conciliation proceeding

Q. 4. Answer the following questions. (10)

A) Mr. Joshi's name was mentioned as an arbitrator in the arbitration agreement between the parties. After having a dispute parties appointed Mr. Arun as an arbitrator. After few months Mr. Arun shows his unwillingness to work so both parties appointed Mr. Sharma as an arbitrator.

- 1) Can Mr. Joshi take any action against parties? Why?
- 2) Can Mr. Arun submit his resignation during arbitration procedure?
- 3) Whether Mr. Sharma has to work from initial stage of arbitration?

OR

B) Parties in a dispute willing to appoint a conciliator for settlement of dispute but they have some queries, advise them.

- 1) Who is conciliator?
- 2) What is settlement agreement? What is judicial status of Settlement agreement