

**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 - 2024**  
**SEVENTH/THIRD SEMESTER**

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

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**Date : 06/12/2024**

**Total Marks : 60**

**Time: 2.00 pm to 4.30 pm**

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

**Q. 1. Answer the following question. (15)**

A) Explain the various types of Alternative Dispute Resolution (ADR) mechanisms available in India. Discuss the key features.

OR

B) Explain the process of appointment of Arbitrator and functions of an Arbitrator in the arbitration process.

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

A) Define Arbitral Award. Discuss the grounds on which an arbitral award can be challenged under the Arbitration and Conciliation Act, 1996.

OR

B) Discuss the provisions under the Arbitration and Conciliation Act, 1996, related to the conciliation process and the role of the conciliator.

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

- a) Content of Arbitration Agreement
- b) Difference between Ad hoc Arbitration and Institutional Arbitration
- c) Enforcement of foreign arbitral awards in India.
- d) Role of courts in promoting ADR mechanisms in India.
- e) Power of Costs conferred on Arbitral Tribunal
- f) Difference between Arbitration and Conciliation Act 1940 and 1996

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

A) A road accident case involving a motor vehicle results in severe injuries to the victim. The victim files a claim for compensation with the Motor Accident Claims Tribunal (MACT). During the proceedings, the tribunal suggests referring the matter to a Lok Adalat for an amicable settlement.

The insurance company representing the vehicle owner agrees to participate, but the victim raises concerns about receiving an inadequate settlement amount. The victim argues that accepting a settlement would waive the right to appeal, whereas the insurer insists on resolving the matter expeditiously.

**What is the jurisdiction and procedure of Lok Adalats in resolving such disputes under the Legal Services Authorities Act, 1987?**

OR

B) "A businessman, frustrated by years of delayed court proceedings, says, 'I went to court for justice, but all I got was a date after date! Now I hear Arbitration is quicker. But is it really the knight in shining armor, or just another detour?'

Analyze this statement in the context of the Arbitration framework in India. Discuss the advantages of arbitration over traditional litigation, the challenges faced in implementing arbitration effectively, and the impact of recent amendments to the Arbitration and Conciliation Act, 1996, in addressing these concerns."

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