



TNY – 86

LL.B. (Hons.) (Semester – X) Examination, October 2013
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE

Duration : 3 Hours

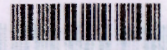
Total Marks : 75

Instructions : a) Answer **any 8** questions from Q. No. 1 to 12. (8×8=64)

b) Q. No. 13 and 14 compulsory.

1. Explain the main features of Arbitration Agreement.
2. State and explain the object and scope of Arbitration and Conciliation Act.
3. Examine at what circumstances Interim measures can be granted ?
4. State and explain the procedure of appointing of Arbitrators.
5. What is Conciliation ? Examine the procedure followed while conducting the conciliation proceedings.
6. Examine the steps under which Arbitration Award can be set aside ?
7. State and explain the Jurisdiction of Arbitral Tribunal.
8. Explain Enforcement and Foreign Award in detail.
9. Write note on :
 - a) Appeal procedure
 - b) Exparte orders.

P.T.O.



10. Examine the defects in existing dispute resolution system.
11. All matters can't be referred to Arbitration – elucidate.
12. State and explain Newyork Convention in relation to International Commercial Arbitration.
13. Write note on **any two** : 6
- a) Valuer
 - b) Substitution of Arbitrator
 - c) Negotiation.
14. Write note on **any two** : 5
- a) Settlement
 - b) Voild Agreement and Arbitration
 - c) Termination of Arbitration Proceedings.



TNY – 86

LL.B. (Hons.) (Semester – X) Examination, April 2013
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE

Duration : 3 Hours

Total Marks : 75

Instructions: a) Answer any 8 questions from Q. No. 1 to 12.
b) Q. No.13 and 14 compulsory.

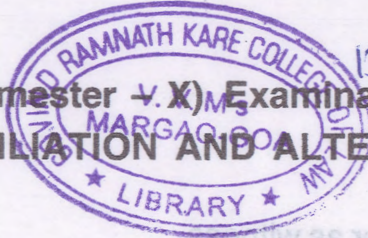
1. Examine the main features of Arbitration and Conciliation Act. (8×8=64)
2. State and explain the powers of Arbitrators.
3. Examine the main effects of Arbitration Agreement.
4. State and explain the jurisdiction of Arbitrary Tribunal.
5. What is International Commercial Arbitration and State Enforcement of Award ?
6. Explain under what circumstance Award is going to be set aside.
7. Explain correction and interpretation of Arbitral Award.
8. State and explain composition of Arbitral Tribunal.
9. Write note on :
 - a) Commencement of Arbitral proceedings.
 - b) Procedure to make claim and defence.
10. Explain the main procedure to conduct conciliation proceedings.
11. Examine the procedure to challenge arbitrators.
12. State and explain when interim measures are granted.
13. Write note on **any two** : (2×3=6)
 - a) Deposit of cost of arbitration
 - b) Mediation
 - c) Settlement.
14. Write note on **any two** : (2×2.5=5)
 - a) Appeals
 - b) Valuer
 - c) Substitution of Arbitrator.

TNY – 83



LL.B. (Hons) (Semester V.X) Examination, October 2012

ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE



Duration : 3 Hours

Max. Marks : 75

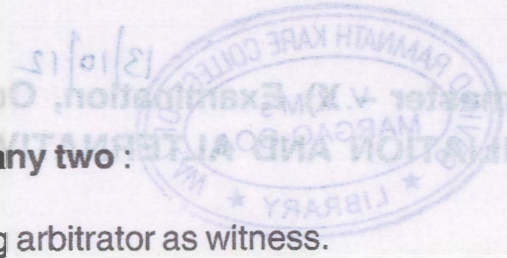
Instructions : 1) Answer **any 8** questions from Q. No.1 to 12.

2) Question No.13 and 14 are **compulsory**.

(8x8=64)

- I. Discuss the advantages of arbitration over litigation.
- II. What do you mean by Arbitration Agreement ?
- III. State the duties of a person who is approached for appointment as an arbitrator.
- IV. What are the grounds on which the authority of an arbitrator can be terminated ?
- V. Explain the principles governing ex-parte orders.
- VI. What do you mean by 'Costs' of an arbitration under Arbitration and Conciliation Act ?
- VII. State the circumstances where an Arbitral Tribunal passes additional award.
- VIII. State the limitations for filing application for setting aside an award.
- IX. When parties can file appeal to court against an order of the Arbitral Tribunal ?
- X. Discuss the binding force of foreign award.
- XI. State the rules for appointment of conciliators.
- XII. Write explanatory note on :
 - a) Performed contract.
 - b) Void agreement and arbitration.

P.T.O.



L.L.B. (Hons) (Semester V) Examination, October 2012

XIII. Write note on any two : (2x3=6)

- a) Summoning arbitrator as witness.
- b) Deposit of costs of arbitration.
- c) Arbitral award.

Duration : 3 Hours

XIV. Write note on any two : (2x2.5=5)

- a) Death of Arbitrator.
- b) Substitute Arbitrator
- c) Place of Arbitration.



TNY – 83

LL.B. (Hons.) (Sem. – X) Examination, April 2012
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE

25/04/12 Wed.

Duration: 3 Hours

Total Marks: 75

Instructions : 1) Answer **any 8** questions from Q. No. 1 to 12.
2) Q. No. 13 and 14 are **compulsory**.

(8×8=64)

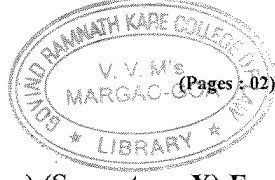
- I. 'Law encourages parties, as far as possible, to settle their differences privately either by mutual concessions or by the mediation of a third person'. Comment.
- II. Define and distinguish between 'arbitration agreement' and 'reference'.
- III. When it is mandatory for the judicial authority to refer the dispute to an arbitrator ?
- IV. When the mandate of an arbitrator shall terminate ?
- V. Why CPC and Evidence Act does not strictly apply to arbitration proceedings ?
- VI. State the different types of award contemplated under Arbitration and Conciliation Act.
- VII. When can an order for the termination of arbitral proceedings can be passed by the Arbitral Tribunal ?
- VIII. Discuss the effect of award beyond scope of reference.
- IX. Explain grounds of appeal to court against an order of the arbitral tribunal.
- X. What do you mean by 'International Commercial Arbitration' ?
- XI. Distinguish between arbitration and conciliation.
- XII. Write explanatory note on :
 - a) UNICITRAL Model Law
 - b) Disputes which can be referred to arbitration.
- XIII. Write note on **any two** :
 - a) Non-speaking award
 - b) Award for extra work
 - c) Arbitrator as witness.

(2×3=6)
- XIV. Write note on **any two** :
 - a) Number of arbitrators
 - b) Appointment of agreed arbitrators
 - c) Appointment of arbitrator by Chief Justice.

(2×2.5=5)

B - 32

[Total No. of Questions : 14]



05/10/2011
(Wednesday)

TNY - 83

LL.B. (Hons.) (Semester - X) Examination, October - 2011
ARBITRATION, CONCILIATION & ALTERNATIVE DISPUTE

Duration : 3 Hours

Total Marks : 75

- Instructions :* 1) Answer any 8 questions from Q.No.1 to 12.
2) Q.No. 13 & 14 are compulsory.

[8 × 8 = 64]

- Q1)* Discuss the salient features of Arbitration Agreement.
- Q2)* "A right created bilateral cannot be abrogated unilaterally". Discuss.
- Q3)* Elucidate the role of chief justice in smooth functioning of Arbitration.
- Q4)* Analyse the grounds on which appointment of arbitrator can be challenged.
- Q5)* Define Jurisdiction? Who can rule on jurisdiction of Arbitral tribunal.
- Q6)* Discuss conduct of Arbitral Proceedings.
- Q7)* Discuss the forms and contents of Arbitral Award with special reference to Interim Award.
- Q8)* Enumerate grounds for setting aside an arbitral Award.
- Q9)* What is foreign Award? Discuss the procedure for enforcement of foreign Award.
- Q10)* Discuss the role of UNCITRAL in bringing uniform Arbitration law throughout the world.
- Q11)* What is conciliation? Discuss its procedure given under Arbitration and conciliation Act.

P.T.O.

Q12) Discuss:

- a) Settlement during Arbitral proceedings.
- b) Deposits.

Q13) Write short notes on any two:

[2 × 3 = 6]

- a) Interim measure.
- b) Court.
- c) Number of Arbitrators.

Q14) Write short notes on any two:

[2 × 2.5 = 5]

- a) International commercial Arbitration.
- b) Dispute.
- c) Receiver.



TNY - 83

LL.B. (Hons.) (Semester - X) Examination, October 2010
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE

Duration: 3 Hours

Total Marks: 75

Instructions: 1) Answer any 8 questions from Q. No. 1 - 12.
2) Q. No. 13 and 14 are compulsory.

1. Discuss definition and form of arbitration agreement. **(8×8=64)**
2. Explain duty of judicial authority to refer parties to arbitration, when it can be refused?
3. What is the procedure for appointment of arbitrator?
4. Discuss the different grounds on which appointment of an arbitrator can be challenged.
5. What is jurisdiction? Who can rule on the jurisdiction of arbitral tribunal.
6. Explain :
 - a) Place of arbitration.
 - b) Commencement of arbitral proceedings.
7. Discuss the form and contents of arbitral award.
8. Explain the grounds on which an award can be set aside.
9. UNCITRAL model law is part of globalisation agenda of international community. Explain.
10. Explain :
 - a) Settlement during arbitral proceedings
 - b) Termination of arbitral proceedings.
11. Define foreign award. How it can be enforced?

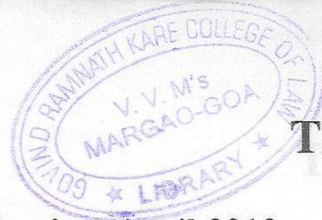
P.T.O.



12. What is conciliation ? Explain its procedure under Arbitration and Conciliation Act.
13. Write short notes on **any two** : (3×2=6)
- Default of party
 - Court
 - Costs.
14. Write short notes on **any two** : (2.5×2=5)
- Negotiation
 - Interim award
 - Language.



15/4/10



TNY - 83

LL.B. (Hons.) (Sem. - X) Examination, April 2010
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE

Duration : 3 Hours

Total Marks : 75

Instructions : 1) Answer any 8 questions from Q. No. 1- 12.
2) Q. No. 13 and 14 are compulsory.

1. Discuss the requirements of Valid Arbitration Agreement. (8×8=64)
2. What is interim measure ? Discuss the role of court in granting interim measure.
3. Define Chief Justice. Explain his role in appointment of arbitrator.
4. Explain the procedure available for challenging the appointment of arbitrator.
5. "Arbitral Tribunal rule on its own jurisdiction". Explain.
6. Discuss the procedure to choose substantive law in Arbitral proceedings.
7. How an arbitral award is formed ? Discuss its contents elaborately.
8. Discuss the recourse available against an illegal award under Arbitration and Conciliation Act, 1996.
9. "Arbitration and Conciliation Act, 1996 is modelled on the basis of UNCITRAL Model Law". Explain.
10. Explain :
 - a) Correction, interpretation of arbitral award
 - b) Decision making process by Arbitrators.

P.T.O.



- 11. Discuss the role of New York Convention in enforcement of Foreign Award.
- 12. Discuss complete procedure of conciliation under Arbitration and Conciliation Act.

Total Marks : 75

Duration : 3 Hours

- 13. Write short notes on **any two** : (2×3=6)

- a) Modification of award
- b) Number of Arbitrator
- c) Misconduct.

- 14. Write short notes on **any two** : (2.5×2=5)

- a) Deposits
- b) Lien on award
- c) Insolvency.



TNY - 83

LL.B. (Hons.) (Semester - X) Examination, April 2009
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE

Duration: 3 Hours

Total Marks: 75

Instructions : 1) Answer any 8 questions from Q. No. 1 - 12.
2) Q. No. 13 and 14 are compulsory.

1. "A right created bilaterally cannot be abrogated unilaterally" Explain. (8×8=64)
2. What is interim measure ? Who can grant interim measure under Arbitration and Conciliation Act ?
3. Who is chief justice ? Discuss whether his action under section 11 is of judicial or administrative nature.
4. Explain the procedure for challenging the appointment of arbitrator.
5. Discuss importance of court during arbitral proceedings.
6. Explain :
 - a) Language
 - b) Statement of claim and defence.
7. Explain forms and contents of Arbitral Award.
8. Explain powers enjoyed by arbitral tribunal after pronouncing of the arbitral award.
9. Explain the role of UNCITRAL model law in passing of Arbitration and Conciliation Act.
10. Explain :
 - a) Decision making by Arbitral Tribunal
 - b) Termination of Arbitral Proceedings.
11. Explain New York Convention in the light of enforcement of Foreign Award.
12. "Conciliation is an advanced form of assisted negotiation process" Explain.
13. Write short notes on any two : (3×2=6)
 - a) Legal representative
 - b) Splitting of cases
 - c) Hearing and written proceedings.
14. Write short notes on any two : (2.5×2=5)
 - a) Court assistance in taking evidence
 - b) Jurisdiction
 - c) Mediation.



TNY - 83

LL.B. (Hons.) (Sem. - X) Examination, 2008
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE

Duration : 3 Hours

Total Marks : 75

Instructions : 1) Answer *any 8* questions from Q. No. 1-12.
2) Q. No. 13 and 14 are *compulsory*.

1. Explain the main features of the Arbitration and Conciliation Act, 1996. (8×8=64)
2. What are the implied conditions in an arbitration agreement ? When can the court appoint an umpire ?
3. State the circumstances in which an arbitrator may be removed.
4. Explain the provisions as laid down in the Arbitration and Conciliation Act, 1996 regarding the powers, duties and functions of the arbitral tribunal.
5. State the circumstances in which the court may order modification and correction of the award.
6. State the procedure to be adopted under the Arbitration Act in the event of death of one of the parties to the arbitration agreement during the pendency of arbitral proceedings.
7. State the circumstances under which a conciliator is appointed and explain the powers and duties of such conciliator.
8. Write a brief note the object and purpose of the New York Convention, 1958.
9. Explain the meaning and concept of alternative dispute resolution systems.
10. What is meant by mediation ? Is it an effective alternative dispute resolution ?

P.T.O.



11. Distinguish between the arbitration and conciliation.
12. On what grounds are principles can an award of an arbitrator be set aside ? (3x2=6)
13. Write short notes on **any two** :
- a) Salus Populi Supreme Lex.
 - b) Iterim Award.
 - c) Appealable Orders.
14. Answer **any two** : (2x2.5=5)
- a) Reasoned decision of arbitral tribunal.
 - b) Geneva convention awards.
 - c) Advantages of ADRS.



LL.B. (Hons) (Sem. – X) Examination, April 2008
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE

Duration : 3 Hours Total Marks : 75

Instructions : 1) Answer any 8 questions from Q. No. 1 to 12.
2) Q. No. 13 and 14 are compulsory.

(8×8=64)

1. What are the recommendations of the Law Commission of India in relation to the Arbitration and Conciliation ?
2. What are the essentials of an arbitration agreement ? State whether matters of criminal nature be could referred to arbitration.
3. Discuss the duties of an arbitrator. What is the period prescribed for disposal of the reference by the arbitrator ?
4. Under what circumstances can a court pass interim orders ? When can the court pass orders to supercede an arbitration ?
5. On what grounds can an award be set aside by the court ?
6. Explain the powers of a court and also explain the circumstances under which a court can modify, correct and remit the award.
7. What are the orders which are appealable under the Arbitration Act ? Does a second appeal lie from order passed in appeal.
8. Explain the provisions regarding Power of Judicial Authority to refer parties to arbitration.
9. Is an arbitral tribunal bound to follow the Limitation Act, 1963.

TNY - 83



10. Discuss the law relating to appointment and removal of conciliators under the Arbitration and Conciliation Act, 1996.
11. An arbitration agreement is not discharged by the death of any party thereto. Discuss.
12. State the powers of an arbitrator.
13. Write short notes on **any two** : (3×2=6)
 - a) Enforcement of foreign award.
 - b) Form and contents of arbitral award.
 - c) Lien on arbitral award and deposits as to costs.
14. Answer **any two** : (2×2.5=5)
 - a) Settlement agreement.
 - b) Legal representative.
 - c) Waiver of right to object the arbitrationship.

LL.B. (Hons.) (Sem. – X) Examination, 2006
ARBITRATION AND CONCILIATION ACT, 1996
(Arbitration, Conciliation and Alternative Disputes)

Duration : 3 Hours

Total Marks : 75

Instructions: 1) Answer any four questions from Q. No. 1 to 6.

2) Answer any four questions from Q. No. 8 to 13.

3) Q. No. 7 and 14 are compulsory.

SECTION – I

(4×8=32)

1. Explain the influence of UNCITRAL model law on Indian arbitration law.
2. Discuss the different kinds of ADRS. Explain its advantages and disadvantages over judicial system.
3. Discuss elaborately the role of chief justice in arbitration proceedings.
4. Discuss foreign awards.
5. What are the grounds available to parties to challenge the appointment of arbitrator ? Explain.
6. Explain the interim measures by the court.
7. Write short notes on any two: (2×3=6)
 - a) Termination of conciliation.
 - b) International commercial arbitration.
 - c) Deposits and costs in arbitration proceedings.

SECTION – II

(4×8=32)

8. Explain the forms and contents of arbitration award.
9. Explain the jurisdiction of arbitral tribunal.
10. Explain the conciliation proceedings under Arbitration and Conciliation Act 1996.

11. What is an arbitration agreement? Explain its effects.
12. What is Court? Explain how courts assistance can be used during arbitration proceedings.
13. Explain the conduct of arbitral proceedings.
14. Write short notes on **any two**: (2×2¹/₂=5)
- 1) Appealable orders.
 - b) Public policy.
 - c) Expert.

LL.B. (Hons.) (Sem. – X) Examination, April 2006
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTES

Duration: 3 Hours

Max. Marks: 75

- Instructions:** 1) Answer any four questions from Q. No. 1 to 6.
2) Answer any four questions from Q. No. 8 to 13.
3) Q. No. 7 and 14 are compulsory.

SECTION – I

(4×8=32)

1. Explain the main objectives of Arbitration and Conciliation Act, 1996.
2. How conciliators are appointed ? And when can there be termination of Conciliation Proceedings ?
3. State the procedure for appointment of Arbitrators.
4. State and explain the New York Convention Award.
5. When arbitral award can be set aside ? State the procedure.
6. What is arbitration agreement ? What are its essentials ?
7. Write short notes on any two: (2×3=6)
 - a) Interim measures.
 - b) Termination of mandate.
 - c) Cost.

SECTION – II

(4×8=32)

8. Explain correction, interpretation and additional award.
9. Explain:
 - a) Place of arbitration.
 - b) Language of arbitration.
10. State the procedure of selecting substantive law in arbitral proceedings.

PTO.

11. Explain the role of court in arbitration proceedings.
12. Explain the standard form and contents of arbitral award.
13. Discuss concept of ADRS with special reference to its advantages and disadvantages.
14. Write short notes on **any two**: (2×2½= 5)
 - a) Substitution of arbitrator.
 - b) Provisions in case of insolvency.
 - c) Number of arbitrator.

(4×8=32)

SECTION - I

1. Explain the main objectives of Arbitration and Conciliation Act, 1996.
2. How conciliators are appointed? And when can there be termination of Conciliation Proceedings?
3. State the procedure for appointment of Arbitrators.
4. State and explain the New York Convention Award.
5. When arbitral award can be set aside? State the procedure.
6. What is arbitration agreement? What are its essentials?

(2×3=6)

7. Write short notes on any two:

- a) Interim measures.
- b) Termination of mandate.
- c) Cost.

(4×8=32)

SECTION - II

8. Explain correction, interpretation and additional award.
9. Explain:
 - a) Place of arbitration.
 - b) Language of arbitration.
10. State the procedure of selecting substantive law in arbitral proceedings.

P.T.O.

**LL.B. (Hons) (Sem. - X) Examination, 2003
ARBITRATION AND CONCILIATION**

Duration: 3 Hours

Max. Marks: 75

*Instructions: 1) Answer any four from Q. No. 1-6.
2) Q. No. 7 is compulsory.*

SECTION - I

4×8 = 32

1. What is arbitration ? What is the importance of arbitration in Alternative Dispute Resolution System ?
2. Arbitration is a contractual right. It cannot be abrogated unilaterally - Elucidate the statement and compare the position under Arbitration Act of 1940.
3. What is International Commercial Arbitration ? Critically evaluate the role of Chief Justice in appointment of arbitrators.
4. Discuss various grounds on which appointment of arbitrator can be challenged.
5. The arbitral tribunal may rule on its own jurisdiction - Explain.
6. Explain the conduct of arbitral proceedings.
7. Write short notes on any two of the following: 2×3 = 6
 - a) Number of arbitrators
 - b) Substitution
 - c) Waiver of right to object

SECTION - II

*Instructions: 1) Answer any four from Q. No. 8-13
2) Q. No. 14 is compulsory.*

4×8 = 32

8. What is the form and contents of Arbitral Award ?
9. What is settlement ? When settlement can be achieved during Arbitral proceedings ?
10. Explain the conditions for applicability of the Conventions of Geneva and New York.
11. Conditions for enforcement of Foreign Award under New York Convention.
12. Conciliation is a voluntary process - Explain.
13. Explain the comparative approach of initiation and termination proceedings of Arbitration and Conciliation.
14. Write a short note on any two of the following: 2×2½ = 5
 - i) Amiable compositer
 - ii) Interim Award
 - iii) Appealable orders