

(3 Hours)

[Total Marks : 100

- N.B.** (1) Write each answer on the **separate** page.
 (2) **Figures to right** indicates maximum marks to answer.

1. Answer the following in **not more than two sentences** ? 20
 - (a) What is conciliation ?
 - (b) When arbitration proceeding are deemed to have commenced ?
 - (c) What is UNCITRAL ?
 - (d) What is the status of Arbitration clause in a void Agreement ?
 - (e) What you mean by foreign Arbitration ?
 - (f) When Arbitration Conciliation Act, 1996 came into force ?
 - (g) How many minimum and maximum number of arbitrators are permitted to be appointed on an Arbitrary Tribunal.
 - (h) What should be the place of arbitration ?
 - (i) State the extent of judicial intervention u/s 5 of the Act.
 - (j) Stages in which the court can grant interim measures in Arbitration.

2. Write short notes on any **four** :— 20
 - (a) New York Convention
 - (b) Arbitration Agreement
 - (c) International Commercial Arbitration
 - (d) Lokadalat
 - (e) Settlement agreement u/s 73 of the Act
 - (f) Arbitration Award.

3. Answer any **two** out of the following situational problems :— 12
 - (a) The dispute arose between the parties as regards to the venue of the arbitration under the Arbitration Agreement. The Decision is to be given by the Joint Arbitration committee on such issue.
 The question before the court was whether such a decision is appellable —
 - (i) Do you think that such a decision is appellable ?
 - (ii) The decision given by the Joint Arbitration Committee be considered as an Interim Award is award ? Explain.
 - (b) The Arbitration agreement was rendered on 8th November, 1995 thereafter due to dispute one party addressed the letter to the other requesting to refer the matter to arbitration which was received by the other parties on 19th January 1996. Thereafter arbitrator was appointed on 3rd February, 1996 to commenced the arbitration on 4th March, 1996. Explain in details as to which is govern these proceedings.
 - (c) A mediator in process of mediation as received the documents which may Mr. P. a partial mediation was not aware which will helping to prove his Case. After meditation failed Mr. P. has applied to court to issue summons to the Mediator to produce the said documents before the court.
 Can the Court issue summons and applied ? Substantiate your answer with reasons.

4. Answer any **four** of the following :— 48
 - (a) What is meant by Lokadalat ?
 What are the reasons and object of establishing Lokadalat ?
 - (b) Conciliator is the role of complete trust and confidence which is maintained by legal provisions — Discuss.
 - (c) Discuss the salient features of Arbitration and Conciliation Act, 1996.
 - (d) Arbitrator can get assistance of court but not interference. — Discuss.
 - (e) What are the interim measures that the court may grant u/s 9 before or during the arbitration proceedings.

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