

End Semester/ Reappear (Semester V) Examination December, 2024

Programme: LLB

Course: Law of Arbitration & Alternative Dispute Resolution

Course Code: 24D.301

Enrolment no. _____

Full Marks: 50

Time: 2 Hrs.

Section I

1. Short Answer type questions. Answer any four.

4 x 5 = 20

- a. Explain the significance of Section 7 of the Arbitration and Conciliation Act, 1996, in the context of arbitration agreements?
- b. Propose a new form of ADR that could be effective for resolving disputes in the digital marketplace and explain its key features.
- c. Explain the general steps involved in the conduct of arbitral proceedings.
- d. Explain the nature and evolution (genesis) of Alternative Dispute Resolution (ADR) as a method for resolving disputes outside of traditional court systems.
- e. Explain the key features of international commercial arbitration and why it is preferred for resolving cross-border commercial disputes.
- f. How would international commercial arbitration be applied in resolving a dispute between two multinational corporations from different countries?

Section II

Application based questions. Answer any two.

2 x 15 = 30

2. Analyze the significance of the amendments made to the Arbitration and Conciliation Act, 1996, particularly in terms of enhancing the effectiveness and recognition of ADR in the Indian legal system.
3. Do you believe that international commercial arbitration is a more effective means of resolving disputes than traditional litigation? Justify your viewpoint, considering factors like speed, cost, and enforcement of awards.
4.
 - a. Explain the significance of the Doctrine of Res Judicata.
 - b. Analyze the role of courts under Section 89 of the CPC in referring disputes to arbitration.
5.
 - a. Explain the significance of determining the seat and venue of arbitration in the context of the Arbitration and Conciliation Act, 1996.
 - b. How can the historical evolution of international commercial arbitration be applied to resolve disputes in the modern global economy?
