

SCHOOL OF LAW
HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH (HILSR)
JAMIA HAMDARD, NEW DELHI
Even Semester Theory Examination, May 2025
B.A.LL.B. Xth Semester
Subject: Alternative Dispute Resolution (B.A.LL.B -1003)
Set-A

Date: 14-05-2025

Time: 10:00 AM to 01:00 PM

Maximum Marks-75

Instructions

- I. Write your Roll Number on the top immediately on receipt of this question paper.
- II. Attempt five questions selecting one from each Unit. All questions carry equal marks.

Unit -I (15 marks)

1. Write a detailed note on the Legal Services Authorities Act, 1987 with special reference to Lok Adalats.

OR

2. Explain the evolution and objectives of the ADR system in India. How does it address the limitations of traditional litigation?

Unit-II (15 marks)

3. Define negotiation. Discuss its types, stages, and the qualities required of a good negotiator.

OR

4. What are the essential features and techniques of conciliation? During a contractual dispute, parties choose conciliation under the Arbitration and Conciliation Act, 1996. The respondent, however, withdraws mid-process. Analyze the legal validity of the process and termination of conciliation proceedings in this context.

Unit- III

5. Analyze the salient features of the Mediation Act, 2023 and its significance in institutionalizing mediation in India. What are the challenges and benefits of Online Dispute Resolution (ODR) in the context of mediation?

OR

6. A divorce petition is pending before the Family Court. The judge refers the matter to mediation. Evaluate how the Mediation Act, 2023, safeguards confidentiality and voluntariness during such family dispute mediations.

Unit -IV (15 marks)

7. Two business entities enter into a partnership agreement with an ambiguous arbitration clause. When a dispute arises, one party seeks court intervention to stay proceedings. Analyze the court's role in such arbitration references, focusing on judicial intervention and severability.

OR

8. What are the essential elements of an arbitration clause? Illustrate your answer by drafting at least four different types of arbitration clauses, including:
 - (a) Domestic Arbitration Clause
 - (b) Simple Arbitration Clause
 - (c) Multi-Tier Dispute Resolution Clause
 - (d) Standard Arbitration Clause under the UNCITRAL Model Law.

Unit-V (15 Marks)

9. "Alternative Dispute Resolution (ADR) mechanisms have been increasingly recognized as suitable methods for resolving sensitive family disputes due to their non-adversarial nature." Critically analyze the effectiveness of mediation and conciliation in resolving family law disputes such as divorce, custody, and maintenance. Discuss the legal framework, challenges, and practical considerations involved.

OR

10. "In recent years, sports disputes have increasingly been resolved through Alternative Dispute Resolution (ADR) mechanisms such as arbitration and mediation, owing to the need for confidentiality, expertise, and timely resolution." Critically examine the role of ADR in resolving sports related conflicts in India and internationally. Analyze the legal and institutional challenges involved in enforcing arbitral awards in sports disputes.