

B.A.LL.B – 1003

Roll No.

**SCHOOL OF LAW
HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH (HILSR)
JAMIA HAMDARD, NEW DELHI**

End Semester Theory Backlog Examination, May/June 2024

B.A.LL.B. Xth Semester

Subject: Alternate Dispute Resolution (B.A.LL.B –1003)

Time: 3 Hours

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. Considering the current landscape of case pendency and the resolutions facilitated by Legal Services Authorities, do you view Alternative Dispute Resolution (ADR) as an alternate or additional approach to resolving disputes in the context of the legal system? Mention the objectives of Legal Services Authority Act, 1987.

OR

2. What were the origins of ADR and Legal Aid Movement in India, and how has Lok Adalat played a significant role as an effective tool for resolving disputes outside the court system.

Unit II (15 Marks)

3. What are the core concepts including Best Alternative to a Negotiated Agreement (BATNA) encompassing negotiation, including its meaning, theories, and types with Illustrations?

OR

4. What are the distinctive features of the Mediation Act of 2023? Also elaborate on the exceptions outlined under Schedule I of the Act that fall outside the purview of mediation proceedings.

Unit III (15 Marks)

5. Define conciliation and discuss its key features as outlined in the Arbitration Act of 1996.

OR

6. Discuss the essential roles and duties of conciliators in conciliation proceedings.

Unit IV (15 Marks)

7. In the landmark case Oil & Natural Gas Corporation Ltd vs Saw Pipes Ltd AIR 2003 Supreme Court 2629, how did the court interpret and apply the relevant provisions of the Arbitration and Conciliation Act, 1996?

OR

8. Write a note on the following:
 - a. Arbitral Award
 - b. Recent Amendments to the Arbitration and Conciliation Act, 1996.

Unit V (15 Marks)

9. Discuss the New York and Geneva Convention for the enforcement of Arbitral Award. Refer relevant provisions and judicial interpretation.

OR

10. Elaborate the procedure of domestic/foreign awards and decrees execution in India citing relevant case laws.
