


<b>Name:</b>	
<b>Enrolment No:</b>	

**UPES**  
**End Semester Examination, December 2023**

<b>Course: Alternate Dispute Resolution System</b>	<b>Semester: IX</b>
<b>Program: BTech LLB</b>	<b>Time: 03 hrs.</b>
<b>Course Code: CLCC 3026</b>	<b>Max. Marks: 100</b>

**Instructions: All the questions are compulsory.**

S. No.	State True or False:	Marks	CO
Q 1	Execution of a domestic arbitral award is governed by Sec 34 of Arbitration and Conciliation Act, 1996	2	CO1
Q.2	An interim relief application be made before the court under s 8 of the Arbitration and Conciliation Act, 1996 only during arbitration proceedings.	2	CO1
Q.3	Parties can only appoint Arbitrators from a pre-set list given by the High Courts of each state	2	CO1
Q.4	Arbitrator cannot decide his own jurisdiction	2	CO1
Q.5	Arbitral tribunal has no jurisdiction to issue Interim Award	2	CO1

**SECTION B**  
**(4Qx5M= 20 Marks)**

S. NO	Answer the following questions in not more than 300 words.		
Q. 6	Permanent Lok Adalat takes conciliation proceedings between parties considering circumstances of the dispute. Discuss	5	CO2
Q. 7	Differentiate between Mediation and Negotiation.	5	CO2
Q. 8	Mr. Aman is appointed as an Arbitrator by Mr. B and C to settle their dispute. Mr. Aman and his wife invest in B's company. Aman gives a verdict in favour of Mr. B. Mr. C discovers this after 2 weeks of the Award being granted. Can C ask for setting aside of the award? Elaborate	5	CO2
Q. 9	Mention the rules applicable to sustain a dispute.	5	CO2

**SECTION-C**  
**(2Qx10M=20 Marks)**

S. NO	Answer the following questions in detail.		
			CO3

Q. 10	Arbitration is a procedure in which a dispute is submitted, by agreement of the parties, to one or more arbitrators who make a binding decision on the dispute. Discuss the term Arbitration and also mention the amendments in the Arbitration and Conciliation Act of 2015	10	CO3
Q. 11	The concept of two-tier arbitration has been introduced to bring transparency, fairness and speedy remedy to the parties. Elucidate the validity of two-tier arbitration with relevant case laws and also whether the appellate arbitrator has the power to set-a-side the award of the arbitrator on merit?	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
S. NO	Answer the following questions in detail		
Q. 12	<p><b>Read the following facts and then answer:</b></p> <p>Two business partners, Alex and Jordan, have been running a successful software development company for several years. However, they recently encountered a disagreement over the direction of the company's future projects. Alex believes the company should focus on expanding its services to new markets, while Jordan is adamant about investing more in research and development for cutting-edge technologies. The disagreement has reached a point where it's affecting the company's operations and team morale.</p> <p>In this scenario, propose a suitable alternative dispute resolution method that Alex and Jordan could use to address their differences and find a resolution. Explain the key steps involved in implementing this ADR process and how it might benefit both parties using the relevant laws.</p>	25	CO 4

<p>Q.13</p>	<p>Read the following facts and then answer:</p> <p>Sarah, an employee at a medium-sized marketing agency, has been consistently exceeding her performance targets and contributing significantly to the success of various campaigns. However, she feels that she is not receiving the recognition and compensation she deserves. Sarah has raised the issue with her supervisor, but they couldn't reach a satisfactory resolution. Frustrated, Sarah is considering pursuing alternative dispute resolution (ADR) to address her concerns about fair compensation and recognition.</p> <p>In this situation, propose an alternative dispute resolution method that Sarah could use to seek resolution for her compensation and recognition concerns. Draft an Award for the same in relevance to the current Arbitration and Conciliation Act.</p>	<p>25</p>	<p>CO4</p>
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