

*Total number of printed pages-3*

**19 (III) ADR 3-5**

**2020**

*( Held in 2021 )*

**ALTERNATIVE DISPUTE RESOLUTION**

Paper : 3-5 P1

*Full Marks : 42*

Time : Two hours

***The figures in the margin indicate  
full marks for the questions.***

**GROUP-A**

1. Fill in the blanks with appropriate answer :  
1×3=3

(a) Alternative Dispute Resolution in India was founded on the Constitutional basis of Articles \_\_\_\_\_ which deal with Equality before Law and Right to life and personal liberty, respectively.

*[ 14 and 22 / 14 and 21 ]*

*Contd.*

(b) The four methods listed in the section \_\_\_\_\_ of the Code of Civil Procedure and known as court-ordered or court-annexed ADRs is a statutory alternative to litigation for settlement of disputes and legally enforceable. [89/92]

(c) Section 53 of the Arbitration and Conciliation Act, 1996 has limited application because it applies to the jurisdiction of different parties to the \_\_\_\_\_.

[New York Convention/  
Geneva Convention]

2. Write short answer : 2×2=4

(a) Distinguish between Arbitration and judicial adjudication.

(b) What is 'Pure Legal Process' ?

3. Discuss the need and importance of ADR in the Indian Legal System. 7

**Or**

Write short notes on :

(a) UNCITRAL Law

(b) Fast Track Arbitration.

4. How do you distinguish between mediation and conciliation? Discuss strategies that could be adopted for a successful conciliation in an industrial dispute. 7

**Or**

Explain the role of Conciliator under the Arbitration and Conciliation Act, 1996.

**GROUP-B**

5. What is the role of Courts in arbitration proceedings? 10

**Or**

Explain the scope and extent of judicial intervention under the Arbitration and Conciliation Act, 1996.

6. Critically examine the provisions of Legal Services Authority Act, 1987. 11

**Or**

Discuss the various modes of Alternative Dispute Resolutions (ADR).

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