DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION

SEMESTER I

DADR-3: NATIONAL AND INTERNATIONAL PERSPECTIVE OF ADR

Max. Marks: 100

External: 70

Internal: 30

Pass: 40%

Credits: 6

INSTRUCTIONS FOR THE PAPER SETTER/ EXAMINER:

1. The syllabus prescribed should be strictly adhered to.
2. The Question Paper will have 70 Multiple Choice questions (MCQs) and four choices of answers will be there covering the entire syllabus. Each question will carry 1 mark. All questions will be compulsory; hence candidates will attempt all the questions.
3. Paper-setters/Examiners are requested to distribute the questions from section A and Section B of the syllabus equally i.e., 35 questions from section A and 35 questions from Section B.
4. The examiner shall give clear instructions to the candidates to attempt questions.
5. The duration of each paper will be two hours.

INSTRUCTIONS FOR THE STUDENTS

The question paper shall consist of 70 Multiple Choice questions. All questions will be compulsory and each question will carry 1 mark. There will be no negative marking. Students are required to answer using OMR (Optimal Mark Recognition) sheets.

Module I

Evolution of ADR mechanisms in India and globally.

Overview of ADR in comparative jurisdictions (USA, UK, Singapore, China)

Module II

UNCITRAL. Model Law on International Commercial Arbitration, 1985 (amended 2006) Adoption, Key features and the significance of 1985 Model Law.

New York Convention, 1958-Recognition and enforcement of foreign arbitral awards.

Module III

Geneva Protocol 1923

Geneva Conventions - 1927 and 1937-Historical relevance

Module IV

Role of key international institutions in ADR. UNCITRAL - Legislative framework and promotion of International Trade Law, International Chamber of Commerce (ICC) - ICC Court of Arbitration,

World Bank and ICSID (International Centre for Settlement of Investment Disputes) - Investment treaty Arbitration (ICSID Convention, 1965)

Suggested Readings

- Dr. Avtar Singh: Law of Arbitration and Conciliation
- Myneni, S.R. - Alternative Dispute Resolution
- Dr. Avtar Singh Law of Arbitration and Conciliation
- O.P. Tiwari - The Arbitration and Conciliation Act, 1996
- Justice R.S. Bachawat - Law of Arbitration & Conciliation, Vol. I & II (LexisNexis)
- P.C. Markanda - Law Relating to Arbitration and Conciliation (LexisNexis)
- N.V. Paranjpe - Law Relating to Arbitration and Conciliation in India, 7th Ed. (Central Law Agency)
- Dr. Nidhi, Dr. Mohit Saini- Alternative Dispute Resolution, 2nd Ed. (University Book House (Pvt.) Ltd.