

Name. _____		Printed Pages:01		
Student Admn. No.: _____				
<b>School of Law</b> <b>Summer Term Examination – July - August 2024</b> <b>[Programme: LL.M. [Semester: ]][Batch:]</b>				
<b>Course Title: Commercial Arbitration</b>		<b>Max Marks: 100</b>		
<b>Course Code: J1PE103B</b>		<b>Time:3 Hrs.</b>		
<b>Instructions:</b>	1. All questions are compulsory. 2. Assume missing data suitably, if any.			
		K Level	COs	Marks
<b>SECTION-A (15 Marks) 5 Marks each</b>				
1.	What is an arbitration agreement? Bring out the differences between an arbitration agreement and an arbitration clause.	K 1	CO 1	5
2.	Compare dispute resolution by arbitration with dispute resolution through litigation.	K 1	CO 1	5
3.	What is arbitrability? What is its 'Objective Criterion'?	K 2	CO 2	5
<b>SECTION-B(40 Marks) 10 Marks each</b>				
4.	Explain the role of the United Nations Commission on International Trade Law (UNCITRAL) in the development of international commercial arbitration.	K 2	CO 2	10
5.	Write a note on finality and enforcement of arbitral awards.	K 2	CO 2	10
6.	Elucidate the powers and duties of the arbitrator.	K 3	CO 3	10
7.	Explain the distinction between the Arbitration Act, 1940 and Arbitration and Conciliation Act,1996.	K 3	CO 3	10
<b>SECTION-C (45 Marks) 15 Marks each</b>				
8.	Discuss the law laid down by the Supreme Court in 'Bharat Aluminum Co. v. Kaiser Aluminum Technical Services (2012) and explain in what manner it has overruled the judgement in Bhatia International v. Bulk Trading (2002).	K 5	CO 5	15
9.	What are the grounds available under Section 34 of the Arbitration and Conciliation Act, 1996 to challenge the validity of arbitral award.	K 5	CO 5	15
10	Justice P.N. Bhagwati has clearly stated "that legal aid means providing an arrangement in the society which makes the machinery of administration of justice easily accessible and in reach of those who have to resort to it for enforcement of rights given to them by law". Elucidate the statement.	K 4	CO 4	15