



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR
FACULTY OF LAW

TENTH SEMESTER BACHELOR OF ARTS AND LAWS INTEGRATED

PAPER – III (PAPER CODE – **BAL1003**): (PAPER NAME - **ALTERNATIVE DISPUTE RESOLUTION**)
X – SEMESTER

M.M 80

Part – A

1. The Arbitration and Conciliation Act, 1996 :

- (A) General Provisions – Arbitration Agreement Arbitral Tribunals (Composition and Jurisdiction) – Conduct of Arbitral Proceeding – Arbitral Awards – Termination of Proceeding – Setting Aside of Arbitral Award – Enforcement of Arbitral Awards. Enforcement of Foreign Awards. (Sec 9 -13) – Scheme of Appointment of Arbitrators
- (B) Conciliation – Conciliators – Procedure of Conciliation – Relationship of Conciliator with Parties – Settlement – Agreement – Termination of Conciliation Proceeding Resort to Arbitral of Judicial Proceedings – Costs and Deposits.
- (C) Mediation – Understanding Conflict and Disputes: Modes of Dispute Resolution, need for ADR & the importance of Mediation, Mediation and Restorative Justice: Theory of restorative justice and its application, Gandhian principles of non-violent conflict resolution, traditional mediation practices in India and abroad, Mediation Laws in India: Judicial interpretation and relevant case law, dispute resolution institutions in India, Key Concepts in Mediation: Essential elements, process and stages, approaches to Mediation, role of the mediator, Importance of Communication: Elements of verbal and non-verbal communication, effective and ineffective communication techniques, Conducting Effective Mediation: Decision-making techniques, problem-solving tactics, ensuring positive outcome, Qualities and Skills of Mediators: Developing mediation skills, code of ethics, confidentiality requirements, Status of Mediated Agreements: Drafting of agreements, sanctity of mediated agreements, enforcement laws and procedures, Important Developments in Mediation: Growth of virtual dispute resolution, Pre-Institution Mediation, UNCITRAL Model Law, Singapore Convention

2. Lok Adalat : Organisation of Lok Adalats, Jurisdiction and Power of Lok Adalats Procedure for determination of Dispute before the lok Adalat, Permanent Lok Adalat.

Part – B

VIVA-VOCE

Students are required to write two arbitration proceeding/ Lok Adalat on the Subject Further they have to attend Lok Adalat/arbitration proceeding and have to report the same in their diary.

The Viva-voce examination shall be conducted by a committee of three persons. In the Committee, there shall be two Internal Examiners and one External Examiner.

The Committee shall award marks on the basis of written submission by the students and performance in the Viva-Voice examination.

SUGGESTED READINGS:

1. The Arbitration and Conciliation Act, 1996.
2. Bakshi, P.M. : Arbitration Law.
3. Paruck, P.L. : Indian Arbitration Act.
4. Singh, Avtar : Law of Arbitration and Conciliation