

**DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

Post-Graduate Diploma in Alternative Dispute Resolution (Batch 2019 – 2020)

Take Home – Supplementary Examination (January, 2021)

Paper I – 1.1. Alternative Dispute Resolution Systems

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions for Take Home Examination carefully and adhere to the same.
 - b) *Please mention your name, ID No., subject name and total number of pages on the Answer Sheet.*
 - c) *Clearly indicate the question numbers while answering them.*
 - d) *Answer all the four questions and each question carries 25 marks.*
 - e) *The answer for the 25 marks question should be written in 1200 - 1500 words and for the 10 marks / 15 marks question it should be 800 – 1000 words.*
 - f) *Since this is a take home exam, we expect your answers to be analytical rather than straight answers.*
 - g) Copying from any source including from other students is strictly prohibited. Plagiarism is considered as a serious academic mis-conduct and the University will take action as it deems fit.
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1. Answer the following questions:

- a. Explain Negotiation as a method of dispute resolution and how it differs from other modes of dispute resolution. **(15 marks)**
- b. Explain in brief conciliation under Arbitration and Conciliation Act, 1996. **(10 marks)**

2. State the statutes and provisions under Indian law which gives reference to mediation as method of conflict management. What are the issues facing mediation as a dispute resolution mechanism? Explain the significance of Singapore Mediation Convention that recently came into force? **(25 marks)**

3. Give your opinion on the following questions:

- a. What is ODR? Is it necessary to have a legislation on ODR in India? **(15 marks)**
- b. Two brothers are disputing regarding the partition of their ancestral land. A wants 55 % of the divided property as he is receiving a portion of land that is used by both brothers commonly as a right of way. State what method of ADR is most appropriate in this case and substantiate your answer with reasoning. **(10 marks)**

4. Answer the questions given below:

- a. Briefly mention the different methods of ADR and describe the evolution of ADR in India with relevant case laws. **(15 marks)**
- b. What is Expert Determination? Explain its characteristics and advantages. **(10 marks)**