


Name:			
Enrolment No:			
<b>UPES</b> <b>End Semester Examination, December 2023</b>			
<b>Course: Workshop on Mediation</b> <b>Program: BA.LLB Criminal Law</b> <b>Course Code: CLPP4102</b>		<b>Semester: VII</b> <b>Time: 03 hrs.</b> <b>Marks: 100</b>	
<b>Instructions: All the questions are compulsory.</b>			
S. No.	Answer the following questions in not more than 100 words.	Marks	CO
Q 1	Section 89 of Civil Procedure Code only deals with _____. a. Mediation with arbitration b. Pre-litigation mediation c. Appellate mediation d. Court referred mediation.	2	CO1
Q.2	An informal dispute resolution method where the two parties discuss the issues before a neutral third party who will assist the parties to reach an agreement. a. Mediation b. Arbitration c. Conciliation d. Judicial determination	2	CO1
Q.3	The Arbitration and Conciliation laws in India have been largely influenced by significant movements of judicial reforms and conflict management across the world. The Indian Arbitration and Conciliation Act, 1996 is modelled on which laws? a. Universal Declaration of Human Rights b. United Nations Commission on International Trade Law Model law on International Commercial Arbitration c. United Nations Commission on International Trade Law Model law on Arbitration d. Vienna Convention	2	CO1
Q.4	Differentiate between Mediation and Negotiation.	2	CO1
Q.5	Differentiate between Mediation and Conciliation	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
S. NO	Answer the following questions in not more than 300 words.		
Q. 6	Explain the relevance of World Trade Organization (WTO) in today's world with a specific reference to its dispute settlement process citing the relevant cases(s)	5	CO2
Q. 7	The declining quality of judicial service and inability of judges to properly effectuate the stipulated judicial workload has been attributed to lower wages.	5	CO2

	Explain.		
Q. 8	Mr. Akash stood as an independent candidate in the State Assembly elections. On losing, he raised an objection to the counting of the votes and thus an election dispute arose. He brought the dispute before a mediator, Mr. Verma, but Mr. Verma expressed his incapacity to mediate the matter. For the given situation, elaborate the mediation process.	5	<b>CO2</b>
Q. 9	Election disputes are expressly excluded from the scope of mediation. Discuss	5	<b>CO2</b>
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
S. NO	Answer the following questions in detail.		<b>CO3</b>

Q. 10	Mrs. Mala, an employee in the State Telecom Department, aggrieved by the denial of promotion by the department, approached the State Administrative Tribunal. The Tribunal ruled in favour of the department. Mrs. Mala wants to appeal against the order of the Tribunal. Which forum can she approach to resolve her dispute? Elaborate.	10	CO3
Q. 11	Write short notes on any two of the following: a. Fast track procedure under the Arbitration and Conciliation Act, 1996 b. ADR in Family Disputes	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
S. NO	Answer the following questions in detail		
Q. 12	<b>Read the following facts and then answer:</b>  Emily and James are co-workers in a small software development company. They have been collaborating on a project for the past few months, but a disagreement has arisen regarding the division of credit for the project's success. Emily believes that her contributions have been undervalued, while James thinks that they have both played equal roles. The tension between them is affecting team dynamics and project productivity. To resolve the issue, they are contemplating the use of alternative dispute resolution (ADR) methods. In this situation, propose an appropriate ADR method that Emily and James could utilize to address their disagreement over credit for the project's success.  Outline the key steps involved in implementing this ADR process and discuss the potential benefits of using ADR in a workplace setting. Consider any factors specific to the workplace environment that might influence the choice of ADR method and how it can contribute to a more harmonious and productive work environment	25	CO 4

Q.13	<p><b>Read the following facts and then answer:</b></p> <p>Two business partners, Alex and Jordan, have been running a successful software development company for several years. However, they recently encountered a disagreement over the direction of the company's future projects. Alex believes the company should focus on expanding its services to new markets, while Jordan is adamant about investing more in research and development for cutting-edge technologies. The disagreement has reached a point where it's affecting the company's operations and team morale.</p> <p>In this scenario, propose a suitable alternative dispute resolution method that Alex and Jordan could use to address their differences and find a resolution. Explain the key steps involved in implementing this ADR process and how it might benefit both parties using the relevant laws.</p>	25	CO4
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