


Name: Enrolment No:	
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UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, May 2023

Course: Mediation (with Conciliation) **Semester: IV**

Program: LLB **Time: 03 hrs.**

Course Code: CLCC2032 **Max. Marks: 100**

Instructions: All questions are compulsory.
Word Limit- Section A- 50 words, Section B- 150 words, Section C- 250 words, Section D- 250 words

SECTION A
(5Qx2M=10Marks)

S. No.		Marks	CO
Q 1	Conciliator would independently investigate into the dispute and draft his report indicating the method of settlement of disputes. A. The conciliator would take help from the court on the settlement of the method B. The conciliator would rely on the application filed by the parties C. The conciliator would take help from the disputing parties on the settlement of the method D. The conciliator will hear both the parties separately	2	CO1
Q 2	A Mediated Settlement Agreement _____? A. has to be in writing but need not be signed B. has to be in writing and signed by the members of the arbitral tribunal C. may be oral D. may be in writing but no signature required	2	CO1
Q 3	Negotiation is a procedure. A. Binding procedure B. Non-binding procedure C. Prospective binding D. Retrospective binding	2	CO1
Q 4	The mediator is A. Judge. B. Advisor.	2	CO1

	C. Expert. D. Facilitator.		
Q 5	The ADR mechanism of dispute resolution in India, mainly comprise of the following: A. Arbitration and litigation; B. Litigation, Negotiation and Arbitration; C. Mini Trials, Early Neutral Evaluation and Mediation; D. Arbitration, Mediation, Conciliation and Negotiation.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	Critically analyze the role of mediator stipulated in the mediation bill.	5	CO2
Q 7	“Krunches are to be used in a sensible way during a negotiation” Comment.	5	CO2
Q 8	Discuss how the outcomes of different ADR mechanisms differ.	5	CO2
Q 9	Mediation techniques are different from Negotiation. Comment.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Discuss the role of Mediation Council of India as per the Mediation Bill.	10	CO3
Q 11	Do you agree that the mediation bill will increase and boost commercial mediation processes in India. Discuss.	10	CO 3
SECTION-D (2Qx25M=50 Marks)			
Q 12	Draft the key clauses in a conciliation agreement. Also advise on the important aspects of a settlement agreement.	25	CO 4
Q 13	Analyze the qualifiers for taking a dispute to mediation as per the mediation bill. Also, critically analyze the mediation bill and suggest changes in the said bill.	25	CO 4