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**3 Year LL.B. IV Semester/5 Year B.A.LL.B./B.B.A.LL.B. Semester VIII (Old)
Examination, December 2018
ALTERNATE DISPUTE RESOLUTION SYSTEMS
(Clinical Course II)**

Duration : 2 Hours

Max. Marks : 60

Instructions :

1. Answer Question No. 9 and **any five of the remaining**.
2. Question No. 9 carries 15 marks and the remaining questions carry 9 marks each.
3. Answer should be written **either** in English or Kannada **completely**.

మొచెసెగళు :

1. ప్రత్యే న్ను ఉత్తరిసి కాగూ ఉండ యాపుదాదరూ 5 ప్రత్యేగళిగే ఉత్తరిసి.
2. ప్రత్యే 9 క్షే 15 అంకగళు ఉండ ప్రతి ప్రత్యేగళిగే 9 అంకగళు.
3. ఉత్తరవన్ను సంపూర్ణవాగి ఇంగ్లీష్ అథవా కన్నడదల్లే బరయబేచు.

Q. No. 1. Examine the advantages and disadvantages of alternate methods of Dispute Resolution Systems.

Marks : 9

ఏవాద బగేవరిసలు ఇరువ పర్యాయ విధానాగళ అనుకూల కాగూ అనానుకూలవన్న పరితీలిసి.

Q. No. 2. Who is a conciliator ? Explain the duties of a conciliator.

Marks : 9

సంధానగార ఎందరే యారు ? సంధానగారన కెంప్యుగళన్న వివరిసి.

Q. No. 3. Discuss the provisions relating to conduct of arbitral proceedings under Arbitration and Conciliation Act, 1996.

Marks : 9

మధ్యస్థగారికి మత్తు సంధానగారికి 1996ర అధియల్లి మధ్యస్థగారికి ప్రక్రియ నడెసల్లు సంబంధిసుపా ఉపబంధగళన్న చబ్బిసి.

Q. No. 4. Examine the scope and importance of conciliation.

Marks : 9

సంధానగారికియ వ్యాప్తి మత్తు ప్రాముఖ్యతేయన్న పరితీలిసి.

Q. No. 5. What is Negotiation ? Enumerate the essentials of negotiation.

Marks : 9

అనుసంధానగారికి ఎందరేను ? అనుసంధానగారికియ ఆవ్యాకతిగళన్న తెలిసి.

P.T.O.



Q. No. 6. Who is a Negotiator ? Examine the phases of negotiation. Marks : 9

ಅನುಸಂಧಾನಗಾರ ಎಂದರೆ ಯಾರು ? ಅನುಸಂಧಾನಗಾರಿಕೆಯ ಹಂತಗಳನ್ನು ಪರಿಶೀಲಿಸಿ.

Q. No. 7. Explain the code of conduct for mediators. Marks : 9

ಮಧ್ಯವರ್ತಿಕೆಯ ನೀತಿ ಸಂಹಿತೆಯನ್ನು ವಿವರಿಸಿ.

Q. No. 8. "Success of mediation depends upon the role of the mediator". Discuss. Marks : 9

"ಮಧ್ಯವರ್ತಿಕೆಯ ಯಶಸ್ವಿ ಮಧ್ಯವರ್ತಿಕೆಯ ಪಾತ್ರದಲ್ಲಿ ಅವಲಂಬಿತವಾಗಿರುತ್ತದೆ." ಚರ್ಚಿಸಿ.

Q. No. 9. Solve **any two** of the problems. Marks : 15

ಕೆಳಗಿನ ಯಾವುದಾದರೂ ಎರಡು ಸಮಸ್ಯೆಗಳಿಗೆ ಉತ್ತರಿಸಿ.

(a) Rakesh and Ramesh have appointed a conciliator to resolve their dispute and the conciliation proceedings are in progress. Now Rakesh decides to approach the judiciary relating to the same dispute. Give suggestions to Rakesh.

ರಾಕೇಶ್ ಮತ್ತು ರಮೇಶ್‌ನು ಅವರ ವಿವಾದವನ್ನು ಬಗೆಹರಿಸಲು ಸಂಧಾನಗಾರನನ್ನು ನೇಮಕ ಮಾಡಿಕೊಂಡಿದ್ದಾರೆ. ಸಂಧಾನಗಾರಿಕೆ ಪ್ರಕ್ರಿಯೆಯು ನಡೆಯುತ್ತಿದೆ. ಈಗ ರಾಕೇಶ್‌ನು ನಾನ್ಯಾಯಾಂಗದಲ್ಲಿ ಅದೇ ವಿವಾದವನ್ನು ಬಗೆಹರಿಸಿಕೊಳ್ಳಲು ನಿರ್ಧರಿಸಿದಾಗ್ನೆ. ರಾಕೇಶ್‌ನಿಗೆ ಸೆಲಹೆ ನೀಡಿ.

(b) Nagesh and Umesh have appointed a conciliator regarding their dispute. And conciliator has decided to conduct the proceedings. But Nagesh and Umesh have failed to decide the place where the conciliation proceedings have to be conducted. Give suggestions.

ನಾಗೇಶ್ ಮತ್ತು ಉಮೇಶ್ ಅವರ ವಿವಾದಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸಂಧಾನಗಾರನನ್ನು ನೇಮಿಸಿಕೊಂಡಿದ್ದಾರೆ. ಸಂಧಾನಗಾರ ಸರ್ಧಾನಗಾರಿಕೆ ಪ್ರಕ್ರಿಯೆ ನಡೆಸಲ್ಪೇ ನಿರ್ಧರಿಸಿದಾಗ್ನೆ. ಆದರೆ ನಾಗೇಶ್ ಮತ್ತು ಉಮೇಶ್ ಸಂಧಾನ ಪ್ರಕ್ರಿಯೆಯ ಸ್ಥಳ ನಿರ್ಧರಿಸಲು ವಿಫಲರಾಗಿದ್ದಾರೆ. ಸಲಹೆ ನೀಡಿ.

(c) Dinku and Pinku have decided to refer the business matter dispute to the arbitrator. But they have failed to decide in which language the arbitral proceedings has to conducted. Give suggestions.

ಡಿಂಕು ಹಾಗೂ ಪಿಂಕು ಅವರ ವ್ಯವಹರಣೆಯ ವಿವಾದವನ್ನು ಮಧ್ಯಸ್ಥಗಾರನಿಗೆ ಒಪ್ಪಿಸಲು ನಿರ್ಧರಿಸಿದಾರೆ. ಆದರೆ ಯಾವ ಭಾಷೆಯಲ್ಲಿ ಮಧ್ಯಸ್ಥಗಾರಿಕೆ ಪ್ರಕ್ರಿಯೆ ನಡೆಸಬೇಕೆಂದು ತೀವ್ರಾನಿಸಲು ವಿಫಲರಾಗಿದ್ದಾರೆ. ಸಲಹೆ ನೀಡಿ.