**LL.B. 3-YEAR (PROFESSIONAL) COURSE, 5TH SEMESTER**

**CODE-505: PAPER-V COMPULSORY CLINICAL COURSE:**

**MEDIATION, CONCILIATION AND ARBITRATION**

**w.e.f. the Academic Session 2020-21**

 **Max. Marks: 100**

 **Time: 3 Hours**

**i) Alternative Dispute Resolution:** Importance, Modes of Dispute Resolution-Negotiation, Mediation, Conciliation and Arbitration, Need for ADR,

**ii) Mediation and Restorative justice:** Theory of restorative justice and its application,

Importance of Mediation, Mediation Laws in India,

Key concepts in Mediation: Essential elements, Process and stages, approaches of Mediation, role of Mediator, Conducting effective Mediation, Qualities and skill of Mediators.

Status of Mediated Agreements, Drafting of Agreements, Enforcement Laws and Procedures.

Important Developments in Mediation: Growth of virtual dispute resolution, Unicitral Model Law.

**iii) Conciliation Skill**

Conciliation- Purpose and Scope, Conciliation Skills, Conciliation Proceedings, Settlement Agreements in Conciliation.

**iv) Arbitration Law and Practice including international Arbitration and Arbitration Rules**

Nature of Arbitration Proceedings, Objectives of Arbitration & Conciliation Act, 1996, Preamble, Definitions and General Provisions, Composition of Arbitral Tribunal, Jurisdiction of Arbitral Tribunal, Conduct of Arbitral Proceedings, Making of Arbitral Awards and Termination of Proceedings, Setting aside Finality and Enforcement of Award, Miscellaneous Provisions, International Arbitration and Arbitration Rules, Enforcement of Foreign Awards- New York convention Award, Geneva Convention Awards.

**v) Lok Adalat:** Historical development, Composition, Jurisdiction, Power and Functions, Status and importance of Lok Adalat

**Note:** The Course will be conducted through Simulation and Case Studies. Evaluation may also be conducted in Practical exercises,

**Books Recommended:**

1. Saraf B.P. & Jhunjhunuwala S.M. : Law of Arbitration & ADR in India.

2. Tripathi, S.C. : Arbitration and Conciliation Act.

3. Kohli, Hari Dev : New Case Law Reference on Arbitration & conciliation Act.

4. Datta, C.R. : Law Relating to Commercial and Domestic

5. Destha, Sunil : Lok Adalats in India.