

HONS.10/002/22

B.A. LL.B. (HONS.) DEGREE TENTH SEMESTER EXAMINATION, JUNE 2022

INTERNATIONAL COMMERCIAL ARBITRATION

Time: 3 Hours

Maximum Marks : 50

Answer any 5 questions. Each question carry Ten marks (5*10 =50 Marks)

1. Look into the arbitrability of Transfer of property cases, fraud and IPR related issues in India citing relevant decisions of the Supreme Court.
2. What is the difference between the seat of arbitration and venue of arbitration? Cite case laws in examining the difference.
3. Explain the doctrine of *kompetenze- kompetenze* principle and how it applies in India
4. Discuss the scope of 'public policy' as a ground for setting aside an award under the 1996 legislation and also analyse the recent changes brought out by the legislature in this regard
5. What is the difference between a foreign award and a domestic award? Examine the difference with relevant provisions of the Act and case laws
6. Write short notes on
 - a) Bilateral Investment Treaties and International Commercial Arbitration
 - b) Interim measures under Section 9 and Section 17 of the Act
7. The main aim of the '96 legislation was to reduce judicial intervention in matters of arbitration. Examine the truth in the statement with the help of case laws. Also examine the changes brought out by the latest amendments
8. What is international commercial arbitration? How far has the Indian enactment relating to arbitration followed the principles in the UNCITRAL Model law? Trace the evolution of regulation of arbitration in India.
