ANNEXURE “A”

QUESTIONNAIRE

[Note- Welcome to this opinion survey. I am conducting this research for Ph.D. in Symbiosis Institute of Research and Innovation, Pune. The purpose is to identify the inadequacies in law relating to Alternate Dispute Resolution Techniques.

If you have any concern about this research feel free to contact researcher. Your participation is voluntary. Your responses shall be confidential. Your responses shall be useful in finalizing recommendations for law reform. Please return the questionnaire to the researcher ,if you do not wish to participate in this survey. You need not answer any question that makes you uncomfortable.

I thank you for participating in this survey , expressing your opinion on the various questions in this questionnaire.]

Name:-
Age:- Yrs,
Educational qualification:-
Occupation:-
Address:-
Email- Mobile:-

Note:- Litigants and layman to answer only Part A

Law Students, Lawyers, Judges and in the legal field to answer both Part A and Part B

PART A

1. Are you aware Litigation, Arbitration and the Alternate Dispute Resolution Techniques such as Mediation and Conciliation, etc., are generally used to resolve disputes?
   i. Yes
   ii. No
   iii. Any other Comment

2. Are you aware about the arbitration as the method of resolving disputes?
   i. Yes
   ii. No
   iii. Any other comment
3. Are you aware of the various Alternate Dispute Resolution Techniques (ADR)?
   i. Yes
   ii. No
   iii. Any other Comment

4. Do you have any case pending in the court?
   i. Yes
   ii. No
   iii. Any other comment

5. Which method of dispute resolution will you prefer?
   i. Litigation in state courts
   ii. Arbitration
   iii. Alternative Disputes Resolution Techniques.
   iv. Any other Comment

6. Has the court during pendency of the litigation directed you to settle the dispute through ADR?
   i. Yes
   ii. No
   iii. Any other comment

PART B

7. According to you, out of Arbitration and other ADRs; which is more efficient?
   i. Arbitration
   ii. Other ADR
   iii. Both
   iv. Any other Comment

8. Do you think present law on the ADR is efficient to enforce settlement agreement executed in the course of ‘Conciliation’?
   i. Yes
   ii. No
   iii. Any other Comment

9. Do you think “Conciliation” in Arbitration and Conciliation Act, 1996 should be interpreted widely to include all types of ADRs?
   i. Yes
   ii. No
   iii. Any other Comment
10. Choose your option
i. Procedure of Conciliation laid down by Statute should be followed strictly
ii. Parties should have right to determine procedure of ADR.
iii. Any other Comment

11. Prefer any, the settlement agreement arrived between parties:
   i) Should be registered,
   ii) Should be confirmed through Court,
   iii) Need not be registered nor it should get confirmed from court?
   iv) Any other Comment.

12. Do you think the present provisions of Arbitration and Conciliation Act, 1996 are sufficient do deal with International Commercial Conciliation?
   i. Yes
   ii. No
   iii. Any other Comment

13. Do you think with the present provisions of Arbitration and Conciliation Act, 1996 the settlement agreement executed out of India in a Conciliation proceedings held out of India would be enforceable, if a party against whom it is sought to be enforced challenges its validity?
   i. Yes
   ii. No
   iii. Any other Comment

14. Do you think a separate consolidated legislation should be enacted dealing with ADR?
   i. Yes
   ii. No
   iii. Any Other Comment

15. Do you think ADR is very useful method in resolving dispute out of court?
   i. Yes
   ii. No
   iii. Any Other Comment