

REGULATIONS FOR DIPLOMA PROGRAM

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PRELIMINARY

Unless the context otherwise requires;

- A. “CADR” means the Centre for Alternate Dispute Resolution, National Law University, Delhi;
- B. “Registrar” means the Registrar of the University as defined in Section 2(10) of the National Law University Act, 2007;
- C. “University” means, the National Law University, Delhi established in the in the National Capital Territory of Delhi under Section 3 of the National Law University Act, 2007.

1. ABOUT THE COURSE

Arbitration is one of the oldest systems of alternative dispute resolution for commercial disputes. Arbitration is a private adjudicative mechanism which takes place pursuant to an agreement between two or more parties. The arbitrator has to act according to law or, if so agreed, other considerations and after a fair hearing render a decision which is enforceable in law. It is a preferred method of dispute resolution as it is transnational in character and has the backing of law through a network of national and international instruments.

This course is designed to discuss in detail the nuances of domestic and international commercial arbitration. The course is a completely online course which gives an option to the participant to undertake the program at a place and time convenient to him/her.

1.1 Course Objectives

- I. To understand the limitations of courts as a system of dispute resolution in respect of some disputes;
- II. To understand effective resolution of disputes;
- III. To familiarize with domestic and international commercial arbitration;
- IV. To know about various legal and regulatory frameworks governing arbitration; and
- V. To learn the latest developments in the field of arbitration.

1.2 Learning Outcomes

After successful completion of the course, the participants will:

- I. Develop a thorough understanding of arbitration as a method of dispute resolution;
- II. Understand the legal and regulatory framework governing both domestic and International Commercial Arbitration Agreements;
- III. Understand the legal framework for enforcement of Arbitral Awards; and

IV. Acquire theoretical and practical understanding of the arbitration process.

1.3 Duration for the Course

The online course will be for a period of eight months i.e., February 2023- September 2023.

1.4 Fees

The tuition fee for the course is Rs. 80,000 (Rupees Eighty Thousand only). Registration Fee is Rs. 1000 (One Thousand) and is non-refundable.

2. ADMISSION PROCESS

2.1 Eligibility

Graduates in any discipline including lawyers, C.A., Accountants, Company Secretaries, Engineers, Architects, Bureaucrats, Management graduates, students pursuing LL.B, LLM and working professionals are eligible to apply for the course.

2.2 Number of Seats

Since it is an Online Distance Education Programme, there will be no seat limit. All the applicants, who are found eligible, will be admitted to the programme.

2.3 Admission Procedure

- I.** Prospective candidates need to fill an Application Form as provided at Annexure - I and send/submit their transcripts (College Degree/marksheets). Based on the above-mentioned documents, candidates will be selected for the course. However, the Centre for ADR reserves the final right regarding admission to the courses.
- II.** For successful submission of the application, prospective candidates are required to fill the detailed online application form and pay the registration fee. (Link for which, is provided in the application form)
- III.** All application forms will undergo a screening process. Payment link will be shared with the shortlisted candidates after the screening is complete.
- IV.** The last date for submitting the course fee for shortlisted candidates will be 21 January, 2023.

3. COURSE OVERVIEW

The course is designed to enable both theoretical and practical understanding of the important aspects of dispute resolution in general and arbitration in particular.

3.1 Course Structure

The Diploma Programme is divided into two terms:

Term I – Basic Course

- I. Course on dispute resolution
- II. Course on general laws
- III. Course on domestic arbitration
- IV. Practical skill building

Term II – Advanced Course

- I. Course on international commercial arbitration
- II. Course on practical aspects of arbitration
- III. Course on specific laws
- IV. Practical skill building

3.2 Pedagogy of the Course

The flipped classroom pedagogy will be used to promote blended learning in a learner-centered model. Instructional design is the Four Quadrant approach.

- I. The course is an online course. Every week, participants will be provided:
 - a. E-text of one/two chapters and additional material on the topic.
 - b. Online Lectures on the chapter(s) – There will be minimum four hours of lectures per week on Google Meet, every weekend.
 - c. Quiz for self-assessment/ Assignment.
 - d. Discussion Board with the instructor to answer doubts/questions and for discussions.
- II. Class will be online and on Google Meet/Moodle.
- III. Students have to devote a minimum of six (06) hours per week for the course.
- IV. Classes will be held at 6 pm on Saturdays and at 9 am on Sundays.
- V. Each class will be for two hours.
- VI. You will be given an official email id. You will be able to log in by using this email id only. The course material will be uploaded in Google Classroom/Moodle and you have to access the material from there.
- VII. You need to have a stable internet connection and basic proficiency in using tools of e-learning.

4. ASSESSMENT MECHANISM

There will be continuous assessment in order to evaluate the progress of students throughout the span of the course in the form of weekly MCQs for Self-Assessment (Non-Graded), Assignments (Graded) and End-Term Examination (Graded).

- I. There will be two components of evaluation: Assignments and End-Term Examination.

- II. Every student has to do three assignments.
- III. Every assignment will carry ten (10) marks.
- IV. There will be an end term take home online exam at the end of the course. The exam will be of Seventy (70) marks.
- V. Conditions for Pass and Re-examination:
 - a. Only those participants who have completed at least 70% of the MCQs and Assignments will be allowed to take the End-Term Examinations.
 - b. To be declared successful in any Course, a candidate must secure at least 'B' Grade (50% marks) each in the Assignments and the End-Term Examination. Those who secure 'F' Grade in either of the two components shall be declared as failed.
 - c. Candidates who fail to appear for the examination in a Course or fail to obtain at least 'B' Grade must take the examination again.
 - d. A student admitted to the Diploma Course must complete all the prescribed requirements within a maximum period of 1.6 years from and including the year of admission in order to be eligible for the award of Diploma.

4.1 Grading of Students

The performance of the candidates shall be evaluated on a six point scale with the corresponding Grade Values as follows:

- I. The official transcript of the University shall indicate the Grades and the Cumulative Seven point Grade Point Average only. The interpretation of the Grade system followed by the University shall be printed at the back of the transcript itself.
- II. The marks secured by the students shall be converted to the Grades as mentioned below:

Percentage of Marks	Grade	Grade Value
70 and above	O (Excellent)	7
65-69	A+	6
60-64	A	5
55-59	B+	4
50-54	B	3
Below 50	F	0

III. A candidate to be declared successful has to obtain a minimum of 50% marks or the grade equivalent to that i.e. **B**, in both components, viz Assignments and End-Term Examinations.

IV. In addition to the Grades mentioned above, the following acronyms are also used in the transcript wherever appropriate:

- Ab** - Absent
- R** - Repeat

RW - Result Withheld

F - Failed

Db - Debarred

- V. The Cumulative Grade Point Average (CGPA) is arrived at by dividing the sum of the Grade Values and the Course Credits in each course by the total number of credits in all the courses.

4.2 Award of Diploma

- I. Candidates who have completed all the components of the courses obtaining at least a “B” Grade in each, and Secured Cumulative Grade Point Average (CGPA) of 3 out of 7 shall be awarded the Diploma in Law & Practice of Arbitration.
- II. On graduating, all the students shall be provided with a consolidated Transcript, indicating the courses, course credits, grades obtained, CGPA as well as interpretation of these features on the reverse of the Transcript.
- III. The Official Transcript shall be signed by the Registrar of the University.
- VI. All records of the Diploma programme shall be maintained by the Examination Department/Section and Centre for ADR at NLU (D), in consultation with the Registrar of the University.

4.3 Requirement of Attendance

- I. The Diploma programme will be conducted in online mode. Attendance in the classes is an important component of the programme, and is strongly encouraged. It is expected that students shall attend the scheduled online classes. In no event shall a student be absent for more than 30% of the online classes held in the course.
- II. Every student shall secure a minimum of 70% of attendance in every course to be eligible to appear for the end term examination.

4.4 Examination Scheme

It shall be mandatory for every student to appear for the examination conducted by the University. A student who absents himself/herself for an examination shall be declared “Failed” in that course. He/she may appear in the Examination for that course, when conducted the next time. If he/she passes the course in the next attempt, the grade obtained shall have ® mentioned against it in the transcript. Additional fees of 10,000/- shall be charged from the students re-registering to appear for examinations in a subsequent academic year.

- I. In view of the nature of the conduct of course, the students shall be expected to possess the cyber equipment and skills of using on-line, audio-visual, virtual and other forms of technical media.
- II. By virtue of enrolling in the Diploma course, no student shall be entitled to claim the entitlements and privileges that may be available to the students of other regular courses in NLU.

III. For all disciplinary matters pertaining to the students of this course, the existing mechanisms of the University shall apply.

The Vice Chancellor shall have the power to ease any complexity and resolve problems in the conduct of this course in accordance with these regulations. All such measures would be tabled in the next meeting of the Academic Council of the University for approval.