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Q6

What are the major changes brought in the Arbitration and Conciliation Act, 1966 through the recent ordinance promulgated by the President? How far will it improve India's dispute resolution mechanism? Discuss.

UPSC Civil Services Mains 2015 · GS II · 12 marks · Indian Constitution

Indian Constitution - historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

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Arbitration and Conciliation Act, 1996

India's principal arbitration statute, based on the UNCITRAL Model Law; the question paper's "1966" is a misprint.

Arbitration and Conciliation (Amendment) Ordinance, 2015

Presidential ordinance inserting time-limits, fee guidance, neutrality schedules, and changes to **Sections 9, 11, 17, 34 and 36**.

Section 34

Application to set aside an award; the ordinance narrows public-policy review so that an award is not a full appeal.

Section 36 stay

After the ordinance, a challenge does not automatically stay enforcement; the court must grant a stay.

Bharat Aluminium Co. v. Kaiser Aluminium (BALCO, 2012)

Held that Indian courts should not supervise foreign-seated arbitrations; the 2015 changes travel in that less-interventionist direction.

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