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## **GAMUT AFTER LLM IN “ALTERNATIVE DISPUTE RESOLUTION”**

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### **Introduction:**

Law is in itself a highly well fortified and distinguished subject to study and a career path to choose. The one who chooses Law after school is well aware that he or she will serve the country by serving its people and will ensure justice prevails where it's needed or due. After Graduation, pursuing Masters is a big decision in itself but it provides only boon to those who pursue it.

Masters in ADR, gives an added advantage to the students when they go out in this extremely competitive world where there is requirement of knowledge, skill, and expertise everywhere. It gives the recruiter a unique impression about a job seeker, with an LLM degree while selecting the desirable candidate for the job.

**Keywords:** Alternative Dispute Resolution, Conflicted groups, Dispute

### **Meaning:**

*What does Alternative Dispute Resolution mean?* It is a method in which a 3<sup>rd</sup> neutral party resolves an altercation amongst conflicted groups. A neutral 3<sup>rd</sup> party is also known as arbitrator or the mediator or conciliator. The Alternative Dispute Resolution does not come under the ambit of court settlement or litigation. It is rather a more convenient, easy, liberal, affordable, less time-consuming process of settling the friction amongst conflicted groups or parties.

### **Kinds of alternative dispute resolution?**

1. **Arbitration:** Arbitration is favoured in collation to litigation, because it is less costly, and reduces workload of the courts as courts are already overburdened due to various unsettled cases. Conflicted groups appoints the arbitrator. If the



conflicted parties are not able to appoint the arbitrator, the Court appoints arbitrators for that kind of conflicted group. Arbitrator is always in odd numbers. The verdict formed by the majority of arbitrators with regards to the dispute is said to be the final judgement in relation to conflict amongst conflicted groups.

2. **Conciliation:** The conciliator settles conflict amongst the conflicted groups, 3<sup>rd</sup> party or the conciliator is appointed through conflicted groups. Conciliator advises that the conflicted groups settle disputes through agreement. The conciliator does not give the final judgement between the conflicted groups, rather the conciliator brings them to a common platform to solve the conflict. conflicted groups can terminate a conciliator at any time without providing any justification.
3. **Mediation:** The mediator resolves conflict amongst conflicted groups. Mediation is seen as an adaptable method of settling disputes between conflicted parties by facilitating information sharing and bringing them to an agreement on a final settlement. The sole goal of mediation is to find a way to resolve conflicts, not to determine who is right or wrong. Although most mediation agreements are enforceable contracts if they are in writing and signed by the conflicted parties, they can also be verbal agreements.
4. **Negotiation:** Negotiation is a deliberate procedure, to disentangle the dispute, the conflicted parties have a conscious choice to settle the conflict amidst negotiation. Conflicted groups can be presented by someone else as well such as by their lawyer, family member, friend.
5. **Lok Adalat:** Lok Adalat, also means people's court. When a certain dispute is pending in court for a long duration, then the dispute is referred to lok Adalat only when the conflicted groups assent that the conflict should be settled amidst lok Adalat. Lok Adalat commonly deals with petty offences, matrimonial cases etc. In Lok Adalat, parties to disputes can interact with the judge directly, which does not happen in courts.



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## **Career choices after LLM in “ADR”**

Once the student has completed his or her post graduate degree of law in “Alternative Dispute Resolution”, the student will have vast variety of career choices to choose from, which are mentioned below:

- 1- **Judge:** While pursuing Master’s degree, the candidate can think of giving judicial services examination for becoming a judicial officer. As it is an extremely acclaimed and highly respectable job, one can attain it. For becoming district court judge it is important for the applicant to serve seven years as an advocate in district court, an applicant can be a high court judge when they serve as an high court advocate for ten years, and for becoming a supreme court judge, the candidate has to serve five years as judge or ten years as an advocate of high court.
- 2- **Legal Advisor:** The legal advisors are assigned under Big companies, institutions, government entities to provide sound services and legitimate suggestions on various legal matters, organise legal research for enhancing knowledge on recent changes, mitigating risks etc.
- 3- **Advocate:** After Graduation, the student must work under an experienced advocate to learn and gain knowledge about how a case is dealt with, client dealing etc and then can give the All India Bar Examination which is conducted in every state of the country, twice a year. After clearing the exam, the candidate attains Certificate of Practice (COP) which permits them to initiate the legal profession as an Advocate.
- 4- **Company Attorneys:** Company attorneys are required to possess a broad range of expertise and a thorough comprehension of the agreements and contracts that the business they represent enters into. Corporate lawyers need to be proficient in creating commercial contracts, analysing contracts, and providing suggestions to the business as needed.
- 5- **Public Sector Undertaking:** The CLAT LLM Test results are used to recruit legal professionals for a variety of roles, including Assistant legal advisors, Law Officer, Executive Trainee at public sector organisations like Oil And Natural Gas Corporation,



Bharat Heavy Electricals limited, Indian Oil Corporation Limited, Power Grid Corporation of India Limited etc, the shortlisted candidates based on CLAT LLM Test Results, prior work experience in the field of law, graduation marks which should be 60% approximately, and age criteria are called for an interview, which can be in any form either in online or offline mode. The final merit list of selected candidates are made on the basis of their overall performance, vacancies and reservation policies.

- 6- **Law Coach** : After completing Master's, the candidate can also initiate their profession as an Educator in renowned educational institutes throughout the nation after clearing UGC-NET Exam which takes place in all over India and SLET Exam is a state level exam, both the exams are conducted by the University Grants Commission. The exam is being conducted in online mode. The writing of articles, research papers are also essential for an educator for better career opportunities.
- 7- **Defence**: The candidate aspiring to serve the nation can join any of the three armed forces such as Indian Army, Indian Navy, Indian Airforce in the Judge Advocate General department. CLAT PG result is required apart from graduation marks i.e. 55% and clearing the SSB in the Indian Army, but in Indian Navy and Indian Air Force, CLAT PG result is not required only graduation marks i.e. 55% and SSB( Service Selection Board) are considered while making the final merit list of selected candidates. Indian Navy conducts INET(Indian Naval Entrance Test) Exam and Indian Air Force conducts AFCAT(Air Force Common Admission Test) Exam which is mandatory to clear before SSB happens, Indian Navy gives direct recruitment to selected candidates into JAG (Judge Advocate General) department whereas, IAF does not directly recruit officers in JAG department but rather in education or logistics, but after a couple of years into the service the officer can ask for a transfer in JAG department.



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### **Leading job providers after LLM in “ADR”**

The following are the top notch firms, where a lawyer can commence their career as a legal professional or legal intern and can learn with their counterparts who are well experienced in their respective fields.

1. PSL Advocates & Solicitors
2. Khaitan & Co LLP
3. Cyril Amarchand Mangaldas
4. AZB & Partners
5. Shardul Amarchand Mangaldas & Co
6. Dhir & Dhir Associates
7. Singhanian & Partners LLP

### **Suitability for pursuing LLM in “ADR”**

For pursuing Master’s, the candidate must be;

- 1- BA LLB or BBA LLB (Five Years) or LLB ( Three Years) Graduate from an acknowledged educational institution with minimum 50 - 60 percentile.
- 2- Should possess a National level exam score card or rank, such as of IPU CET, CLAT PG, ILI CAT, CUET LLM, AILET LLM, LSAT- PG, Many states conduct their own entrance exam such as AU PGAT(Allahabad), TUEE(Assam), KLEE(Kerala), TS PGLCET(Telangana), AP PGLCET(Andhra Pradesh), DU LLM(Delhi), MGU CAT(Kerala) etc. Whereas Private colleges usually conduct their own entrance exam.

### **Conclusion:**

Alternative Dispute Resolution is indeed one of the finest modes of resolving the dispute between the parties, As the name itself includes the word “Alternative” which means substitute of resolving the dispute. If the conflicted parties are not able to get the desired justice from courts then such parties can approach the ADR mechanism for bringing solution to their dispute in such a way to



which both the parties agree. The scope of making a career in Alternative Dispute Resolution is also increasing nowadays, because dispute arises in many forms of cases such as business disputes, construction disputes, family disputes etc. where there is a need for a 3rd party who are paid well for aiding parties in resolving their disputes, and therefore the dispute is resolved through, out of court settlement. The role of a lawyer whose expertise, wisdom, knowledge aids in resolving the friction amongst the conflicted groups without much hassles which leads to peace amongst conflicted groups by settling the dispute in such a manner that is fair and justified in the eyes of law.

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