

Global Non traditional Area of Practice-
Drafting, Pleadings, conveyancing,
Appearance, LPO, Commercial Contract
Management-
42,000 crores market(2022)

Drafting opportunities

1. Drafting of various business documents for starting various business-Hiring people, entering into contracts with third parties
2. Drafting of documents in marriage
3. Book on drafting, pleading, conveyancing
4. Appearances before tribunals, courts
5. Legal Process Outsourcing (LPO)
6. freelancing
7. International Contracts
8. Commercial Contracts Management

Market Size

- 2021- Rs. 37,000 crores (\$4.69 billion)
- 2022-Rs. 42,000 crores (\$5.33 billion)
- 2026- Rs. 66,000 crores(\$8.40 billion)
- compound annual growth rate (CAGR)-14%.

Drafting-meaning

- prepare a preliminary version of (a document)
- Drafting in general means, putting one's own ideas in writing.



Drafting requires...

- knowledge of law
- Procedure
- settled judicial principles
- Language proficiency

Laws Governing

- The Hindu Law,
- the Land Reform Laws,
- the laws governing real estate,
- the Income Tax Laws,
- The Partnership Laws, LLP
- The Company Laws, the Law of Registration,
- Stamp Duty Provisions of various States, etc.
- Contract laws

Documents

- A document is a **record or the capturing of some event or thing so that the information will not be lost.**
- a piece of written, printed, or electronic matter that provides information or evidence or that serves as an official record.

Document-the Indian Evidence Act, 1872

- Section 3 of the Indian Evidence Act, 1872 states that a "Document" means any matter expressed or described upon any substance by means of letters, figures or marks or by more than one of those means, intended to be used or which may be used, for the purpose
- of recording that matter.
- Writing is a document;
- Words printed, lithographed or photographed are document;
- A map or plan is a document;
- An inscription on a metal plate or stone is a document;
- A caricature is a document.

Document-the General Clauses Act, 1897

- Section 3 (18) of the General Clauses Act, 1897, states that a "Document" shall include
- any matter written, expressed or described upon any substance by means of letters,
- figures, or marks or by more than one of those means, which is intended to be used or which may be used for the purpose of recording that matter.

Document-the Indian Penal Code, 1860

- The term '**document**' is defined in **Section 29 of the Indian Penal Code, 1860** to denote “any matter expressed or described upon any substance by means of letters, figures or marks or by more than one of those means, intended to be used, or which may be used as evidence of that matter.”

Contract



What are Business documents?

- Various types of deeds-sale deed, mortgage deed, transfer deed, lease deed,
- Will
- Appointment of auditor, director, key managerial Personnel
- Employees contract
- Various types of agreements-shareholder agreement, Non-disclosure agreement, Investor Agreement, ESOPs Agreement
- Franchise Agreement
- Partnership Agreement, Co-founder Agreement
- Documents for incorporation of Company-MOA, AOA
- Minutes of Meeting, Board Resolution
- Business plans
- Business Reports
- Business plans
- Byelaws for society

Business Agreements

1. Arbitration Agreement
2. Acquisition Agreement
3. Agency Agreement
4. Advertising Agreements
5. Consultancy Agreement
6. Construction Agreement
7. Franchisee Agreement
8. Foreign Collaboration Agreement
9. Hire Purchase Agreement
10. Investment Agreement

Cont..

11. Joint Venture Agreement
12. Service Agreement
13. Shareholder Agreement
14. Stock Purchase Agreement
15. Sale Agreement
16. Technology Sharing Agreement
17. Term Sheet
18. The Limited Liability Partnership agreement
19. Partnership agreement
20. Co-founders agreement

Cont..

- 21. Memorandum of association
- 22. Articles of Association
- 23. Share subscription agreement
- 24. Asset purchase agreement
- 25. Business transfer agreement
- 26. Advisory Agreement

Clauses in business agreement

- Confidentiality
- Termination clause
- Recitals clause
- Intellectual property with respect to brand usage
- Range of services
- Time limit- to complete the project
- Use restrictions
- Force majeure clause-The term “*Force Majeure*” simply means “greater factor”. This clause should be included in all commercial contracts because it can protect parties from events that are beyond their control. For example- COVID-19
- Jurisdiction
- Warranties and disclaimers
- Dispute Resolution- Arbitration clause, mediation
- Damages

Commercial contracts

- Contracts are legally binding agreements.
- Commercial contracts are legally binding agreement between two or more businesses.
- A breach of contract occurs when one party fails to fulfill their obligation under the contract.

Commercial Contract

1. Employment contract
2. Management Service Agreement
3. Event management agreement
4. Non-disclosure agreement
5. Exclusive agreement
6. Memorandum of understanding
7. Purchase agreement
8. Letter of intent
9. Commission agreement
10. Staffing agreement

Cont..

11. Management service agreement
12. Franchise agreement
13. Distribution agreement
14. Power of attorney
15. Event merchandising agreement
16. Sponsorship agreement
17. Affiliate Program Services Agreement
18. Business Collaboration Agreement

Documents for incorporation of Company/LLP/Trust/Society/Cooperative Societies

- Memorandum of Association for Company
- Articles of Association for Company
- Partnership Deed for Partnership
- LLP Agreement for Limited Liability Partnership firm
- Trust Deed for charitable trust
- Bye laws of Societies

List of Board of Resolution Documents

1. Board Resolution For Change In Name Of The Company
2. Board Resolution For Closing Of A Bank Account
3. Board Resolution For Opening Of A Company Bank Account
4. Board Resolution Of To Provide A Loan
5. Board Resolution Of Approving A Sale Agreement
6. Board Resolution Of Approving Subdivision Of Issued Shares
7. Board Resolution Of Approving The Sale Of Shares

Property related documents

1. sale deed
2. Leave and License Agreement
3. Rent agreement
4. Development Agreement
5. Transfer Deed
6. Power of Attorney
7. Lease Agreement
8. Gift Deed of Property
9. Partition Deed
10. Settlement Deed

Cont...

11. Construction Agreement

12. Deed of Mortgage of Property

13. Relinquishment Deed

14. Surrender Deed in Cooperative Housing Society

15. Corporate lease agreement

E-commerce contract/agreements

1. Terms of use/Terms of service of E-commerce website
2. Privacy policy
3. Cookie Policy for a website
4. Subscription service agreement
5. Cancellation, returns and refund policy
6. E-commerce website development and services agreement
7. Terms and conditions of sale
8. Internet Banking Services Agreement
9. Domain Name assignment Agreement

Sample

E-COMMERCE AGREEMENT

This E-Commerce Agreement (the "Agreement") is entered into between _____, a _____ corporation (the "Company") and _____, a _____ corporation (the "Strategic Partner").

RECITALS

- I. The Company has a Web site that is focused on: _____ (the "Site").
- II. Strategic Partner is interested in working with the Company in marketing and e-commerce arrangements.
- III. Certain initially capitalized terms are defined in Exhibit I.

Therefore, the parties agree as follows:

1. Promotion of Strategic Partner's Products.

- (a) Strategic Partner grants to the Company a non-exclusive right to promote Strategic Partner's Products during the term of this Agreement.
- (b) The Company shall promote the Products in the manner determined appropriate by the Company, which may include links to Strategic Partner's web sites, framing over various pages of Strategic Partner's web sites, or through mutual development of co-branded web pages. All sales of Products will be effected through Strategic Partner's billing, server and computer systems, unless otherwise provided for in Exhibit I. At some future point, billing may be done through the Company in an arrangement to be mutually agreed upon by the Company and the Strategic Partner.
- (c) Strategic Partner agrees to provide all customer service and support for the Products with reasonable responsiveness and turn-around times.
- (d) Strategic Partner will reasonably cooperate with the Company to effect the items contemplated above.

2. Term.

The initial term of this Agreement shall be one (1) year from the date hereof. Thereafter this Agreement will renew automatically for additional terms of one (1) year unless either party shall give written notice at least 30 days prior to any such renewal that the Agreement shall not so renew.

3. Compensation.

- (a) Strategic Partner will pay the Company a commission on Products sold to Company Customers, in the amount set forth in Exhibit 2.
- (b) Payments for the commission owed for all Products sold to Company Customers shall be made within 30 days after the close of the month in which purchases are made. If the payment due hereunder is less than \$100, the payment shall be held until aggregate amounts owed exceed \$100 and then the full payment shall be made to the Company.
- (c) Any late payments of commissions shall accrue interest at the rate of 1% per month, or the maximum permitted by law, whichever is less.
- (d) Strategic Partner shall provide to the Company a written commission report within 30 days after the close of each month setting forth (1) the names, addresses, phone numbers and email addresses (when provided) of Company

Pitch Deck

- A pitch deck is a short presentation that startups or entrepreneurs put together to help explain a business concept or idea in hopes of getting funding from investors.

List of Business Documents Pitch Deck

1. Start-up Pitch Deck
2. E-Commerce Pitch Deck
3. Corporate Pitch Deck
4. Business Plan Pitch Deck
5. Advertising Pitch Deck
6. Agency Pitch Deck
7. Sales Pitch Deck
8. Product Presentation
9. Project Proposal Presentation
10. Fundraising Presentation

International commercial contracts

- Conflict of laws
- Determination of applicable laws
- Negotiation and bargaining
- International policies
- Taxation
- Alternate dispute resolution

Types of International Contracts

- Intellectual property licenses
- Investment agreements
- International sales contracts
- Supply agreements
- Letters of credit
- Franchise agreements
- Joint venture agreements
- Development agreements

Drafting skills

- Writing skills
- Research skills
- Learning
- Adaptability
- Analytical and critical thinking
- Editing skill

Drafting of business documents- Consultancy companies

1. Legal Raj-<https://legalraj.com/>
2. Shilpi Thapar & Associates-<http://www.shilpithapar.com/>
3. <https://aktassociates.com/>
4. the balance small business-<https://www.thebalancesmb.com/>
5. ECHT Consultants-<https://www.echtconsultants.com/>
6. Legalkart- www.legalkart.com
7. Corporate Professionals-www.corporateprofessionals.com
8. AK Singh & Co.-www.aksinghandco.com
9. Wonder.legal India-www.wonder.legal
10. Rajendra Civil Law Firm-www.civiladvocate.in
11. AKT Associates-www.aktassociates.com
12. CorpZone-www.corpzoneconsulting.com
13. Lawdocs-www.lawdocs.in

Pleadings

- Pleadings are the statement of facts in writing drawn up and filed in a court by each party to the case stating therein what his contention shall be at the trial and giving all such details as his opponent will need to know in order to prepare his case in answer.
- pleading means “Plaint or Written Statement”
- (a) **Plaint:** A statement of claims, called the “plaint” in which the plaintiff sets out his cause of action with all necessary particulars; and
- (b) **Written Statement:** A statement of defences, called the “written statement” which the defendant deals with every material fact alleged by the Plaintiff in the plaint and also sets any new facts which tells in his favour, adding such objection as he wishes to take to the claim.

Fundamental Rules of Pleadings

- 1. Every pleading must state facts and not law.
- 2. It must state all material facts and material facts only.
- 3. It must state only the facts on which the party's pleading relies and not the evidence by which they are to be proved; and
- 4. It must state such facts concisely, but with precision and certainty.

Conveyancing

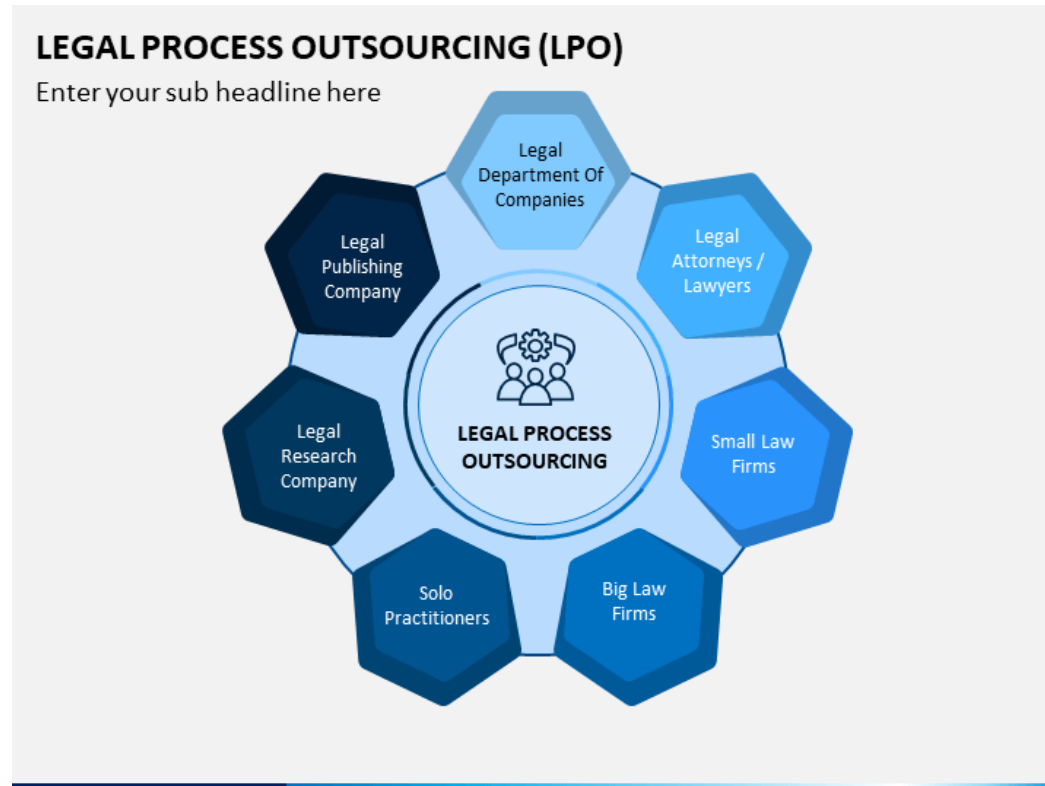
- 'conveyance' is 'an act by which property is conveyed or voluntarily transferred from one person to another by means of a written statement and other formalities'.
- **Conveyancing** is an art of drafting deeds and legal documents whereby any right, title or interest in tangible immovable property is transferred from one person to another.

Appearances before tribunals/courts



Legal Process Outsourcing

- outsourcing legal functions or processes to an external, third-party service provider.



Benefits of Legal Process Outsourcing

- Cost-Effective
- New technology
- New talent
- Time availability
- Business Innovation And Transformation

Commercial contract management

- **organization and negotiation of formal business agreements.**



Contract management software

1. PandaDoc –www.pandadoc.com
2. ContractWorks CLM Software- www.contractworks.com
3. Ironclad- www.ironcladapp.com
4. Deal Hub-www.dealhub.io
5. Concord-www.concordnow.com
6. Icertis-www.icertis.com
7. Conga-www.conga.com
8. ContractSafe-www.contractsafe.com
9. SpringCM-www.springcm.com
10. Nintex-www.nintex.com

Use of Social media-to grow and become successful

- Spent 3 hrs a day in a social media
- Create a business account
- Join various groups
- Tag another partners, colleagues in your post
- Create YouTube channel
- Make videos in just half an hour, upload video on YouTube channel and earn from that.
- Email marketing-use active campaign
- increase brand awareness, follower engagement
- Create poll
- Launch social media consultancy services

Online Learning Portal

1. Udemy-<https://www.udemy.com/>-204,000 online video courses- The Complete Employee Engagement Course for Beginners, business courses, development, marketing etc- Paid courses
2. ICAI Digital Learning Hub-<https://learning.icai.org/>-178 Online courses, journal, refresher courses, 36+ certificate courses, Virtual Coaching Classes, PQCs, Quick reference etc.
3. ICSI E-Learning- <https://www.icsi.edu/e-learning/-Certificate-> It offers-certificate Courses, quiz, Pre-examination test, videos etc.
4. LinkedIn Learning (Lynda.com)-<https://www.linkedin.com/>-offers over 16,000 courses in 7 languages in business, technology-related and creative fields in the format of video lessons.

Online Learning Portal

5. Alison-<https://alison.com/>- Free courses offered on various topics like Personal Development, Parenting Skills, Mental Health, Leadership Skills,
6. E-learning Portal-<https://www.elearningportal.in/>
7. BITS Pilani-<https://elearn.bits-pilani.ac.in/>
8. TCSion-Digital Learning-<https://www.tcsion.com/>
9. Skillsbuild – <http://skillsbuild.org/>
10. NASSCOM – Future skills – <http://futureskills.nasscom.in/>
11. eSkillIndia – <https://eskillindia.org/>

Online Learning Portal

12. Skillshare-<https://join.skillshare.com/>

13. edX -<https://www.edx.org/>

14. Open edX-<https://openedx.org/>

Online Learning Portal (OLP)-GOI

1. Bharat Skills – <https://bharatskills.gov.in/>
2. Swayam – <https://swayam.gov.in/>
3. Swayam Prabha – <https://www.swayamprabha.gov.in/>
4. E-patashala – <https://epathshala.nic.in/index.php?ln=en>
5. Diksha – <https://diksha.gov.in/>

Online Courses Portal (OCP)

1. <https://www.ispringsolutions.com/>
2. Coursera-<https://in.coursera.org/>
3. [AMITY- https://amityonline.com/](https://amityonline.com/)
4. <https://online.nmims.edu/>
5. NSN-<https://www.nationalskillsnetwork.in/>
6. Study Portals- <https://studyportals.com/>
7. BYJU'S- <https://byjus.com/>
8. <https://online.nmims.edu/>

Online course Portal

9. LearnWorlds-<https://www.learnworlds.com/>
10. Thinkific-<https://partners.thinkific.com/>
11. Teachable-<https://teachable.com/>
12. Kajabi-<https://kajabi.com/>
13. Podia-<https://www.podia.com/>
14. Academy of Mine-<https://www.academyofmine.com/>

Difference between OLP and OCP

- OCP- online instructors can use to create, host, deliver and sell online courses.
- OLP-provides a safe learning environment where students can take online courses.



“
जो दिKHTA
वो बिKTA
”

Infinite growth mindset

- Happiness
- Self motivation
- Goal larger than life
- Daily affirmation
- Passion
- Discussions & questions at every point
- DOPAMINE



**Is an
Infinite
Growth
Mindset
Viable?**

Conscious
Mind

10%

Subconscious
Mind

90%



90% of our actions and results are determined by our subconscious mind

PRINCIPLE OF IMPRESSION OF INCREASE

- Wallace wattles in 1910 propounded this principle
- In the book science of getting rich
- Napoleon Hill in book Think & Grow Rich reconfirmed
- If clients gives X Rs – value given by us is X+++++

13 STEPS TO BECOME RICH

Initial chapter – thought

Last chapter – overcoming the fear

The 1937 bestselling book ‘Think and Grow Rich’ by Napoleon Hill contains 13 principles which convey the path to making money;

1. Desire
2. Faith
3. Auto-Suggestion
4. Specialized Knowledge
5. Imagination
6. Organized Planning

13 STEPS TO BECOME RICH

7. Decision
8. Persistence
9. Power of the Master Mind
10. Enthusiasm
11. Sub-conscious Mind
12. The Brain
13. The Sixth Sense



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- ❖ MISSION - TRANSFORM CA PROFESSION - MAKE EVERY CITIZEN ECONOMICALLY POWERFUL & INDIA MOST POWERFUL NATION OF WORLD
- ❖ PASSION TO MAKE EVERY CA MEMBER & EVERY STUDENT SPEAKER & WRITER, author of more than 300 books
- ❖ Global business, professional growth and motivational coach
- ❖ Passionate to make anyone speaker, writer, acquiring new knowledge ,professional qualifications , growth in business and promotion as CEO
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