



"Social Transformation Through Dynamic Education"

Bharati Vidyapeeth's

**NEW LAW COLLEGE, SANGLI.**

'A' Grade Accredited  
by NAAC, Bengaluru

• Founder & Chancellor:  
**Dr. Patangrao Kadam**  
M.A.,LL.B, Ph. D.

• I/C Principal

**Dr. Pooja Prashant Narwadkar**

B.A.,LLM,NET,Ph.D.

Bharati Vidyapeeth Bhavan, Rajwada Chowk, Sangli - 416 416.

Tel No.: 0233-2377256, Fax: 0233-2326372

Email : bvnics@yahoo.co.in nicsangli@bharativedyapeeth.edu

### 1.3.2 Average Percentage of Courses that include Experiential Learning Index

Sr. no.	Documents
1.	Average Percentage of Courses
2.	List of Programs and Courses which offered Experiential Learning
3.	Syllabus of courses offering Experiential Learning



*Anandma R*  
I/C. Principal  
Bharati Vidyapeeth's  
New Law College, Sangli



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**1.3.2.1 Number of courses that include experiential learning during last five years**

Academic Years	2018-19	2019-20	2020-21	2021-22	2022-23
Number of courses as per 1.3.2.1	5	5	5	5	5

**1.3.2.2 Number of courses offered across all programs year wise during last five years**

Academic Years	2018-19	2019-20	2020-21	2021-22	2022-23
Number of courses as per 1.3.2.2	44	48	52	60	60

**1.3.2 Percentage of courses that include experiential learning during last five years**

**Formula:**

**Total number of courses that include experiential learning**

**Total number of Courses offered by the Institution across all programs**

Academic Years	2018-19	2019-20	2020-21	2021-22	2022-23	Total
Percentage of courses that include experiential learning	11.11	10.41	9.61	8.33	8.33	47.79

$$\text{Average percentage} = \frac{47.79}{5} = 9.61$$



*Annamma*  
I/C. Principal  
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**1.3.3 List of courses offering Experiential Learning and Total number of students undertaking Experiential Learning for the latest completed year 2022-23**

Sr. No.	Course Name	Three Year Law Program	Five Year Law Program	2022-23 Total
1.	Environmental Studies		62	62
2.	Professional Ethics and Professional Accounting System	66	62	128
3.	Alternative Disputes Resolution(ADR)	52	49	101
4.	Drafting, Pleading and Conveyancing			
5.	Moot Court, Pre Trial Preparation & Participation in Trial Proceedings	59	47	106
	Total no. Students	177	220	397

**1.3.3 Percentage of students undertaking mediation/Client Counselling Exercise and internship in Law firms for the latest completed year i.e.2022-23**

**Formula:**

Number of students under taking activities mentioned in 1.3.3.1

X100

Total number of students in the latest completed year

397

573

X 100 = 69.28%



*Annamma*  
I/C. Principal  
Bharati Vidyapeeth's  
New Law College, Sangli



SHIVAJI UNIVERSITY, KOLHAPUR-416 004, MAHARASHTRA  
PHONE : EPAIX-2609000 website- [www.unishivaji.ac.in](http://www.unishivaji.ac.in)  
FAX 0091-0231-2691533 & 0091-0231-2692333 - BOS - 2609004  
शिवाजी विद्यापीठ, कोल्हापूर - 416004.  
दुरध्वनी (ईपीएईएक्स) २६०९००० (अभ्यास सहाय्य विभाग- २६०९०९३)  
फॅक्स : ००९१-०२३१-२६९१५३३ व २६९२३३३. e-mail: bos@unishivaji.ac.in

SU/BOS/6060

Date:- 19/06/2019

To,

**The Principal,**  
All Affiliated Colleges/Institutes,  
Shivaji University,  
Kolhapur

Subject: Regarding syllabi of **Environmental Studies for all under graduate degree Programme Part – II** of all faculties.

**Sir/Madam,**

With reference to the subject mentioned above, I am directed to inform you that the University authorities have accepted and granted approval to the syllabi of **Environmental Studies for all under graduate degree programme Part – II** of all faculties.

The concerned syllabi shall be implemented from the academic year 2019-20 (i.e. from June, 2019) onwards. All these syllabi are also made available on University website [www.unishivaji.ac.in](http://www.unishivaji.ac.in).

You are therefore requested to bring this to the notice of all students and teachers concerned.

Thanking you,

**Yours faithfully,**

**Dy Registrar**

**Copy to:**

1) I/c Dean, All Faculty	6) B.Sc. Section
2) Chairman, Ad-hoc Board of Environmental Studies	7) Computer Centre
3) Appointment Section	8) P.G. Admission
4) Affiliation Section	9) P.G. Seminar
5) Eligibility Section	.....

# **SHIVAJI UNIVERSITY, KOLHAPUR.**



**Accredited By NAAC with 'A' Grade**

**Syllabus of Environmental Studies**

**As a Compulsory Paper for all  
Undergraduate Programme**

**(To be implemented from academic year 2019)**



**Shivaji University, Kolhapur**  
**Syllabus of Environmental Studies**  
**as a Compulsory Paper for all Undergraduate Courses**  
 2019-20

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- Unit 1. Nature of Environmental Studies :** **(3 lectures)**  
 Definition, scope and importance.  
 Multidisciplinary nature of environmental studies  
 Need for public awareness.  
 Concept of sustainability. Sustainable development and it's goals with Indian context.
- Unit 2. Ecosystems :** **(9 lectures)**  
 Concept of an ecosystem.  
 Structure and function of an ecosystem.  
 Producers, consumers and decomposers.  
 Energy flow in the ecosystem.  
 Ecological succession.  
 Food chains, food webs and ecological pyramids.  
 Introduction, types, characteristics features, structure and function of the following ecosystem :-  
 a) Forest ecosystem, b) Grassland ecosystem, c) Desert ecosystem,  
 d) Aquatic ecosystems (ponds, streams, lakes, rivers, oceans, estuaries)  
 Degradation of the ecosystems and it's impacts.
- Unit 3. Natural Resources and Associated Problems :** **(8 lectures)**  
 a) Forest resources: Use and over-exploitation, deforestation, dams and their effects on forests and tribal people.  
 b) Water resources: Use and over-utilization of surface and ground water, floods, drought, conflicts over water, dams-benefits and problems.  
 c) Mineral resources: Usage and exploitation. Environmental effects of extracting and using mineral resources.  
 d) Food resources: World food problem, changes caused by agriculture ,effect of modern agriculture, fertilizer-pesticide problems.  
 e) Energy resources: Growing energy needs, renewable and non- renewable energy resources, use of alternate energy sources. Solar energy , Biomass energy, Nuclear energy,  
 f) Land resources: Land as a resource, land degradation, man induced landslides, soil erosion and desertification. Consumerism ,ecological foot prints, carbon foot prints, carbon credits.  
 Role of an individuals in conservation of natural resources. Equitable use of resources for sustainable lifestyles.



**Unit 4. Biodiversity and its conservation : (8 lectures)**

Introduction- Definition: genetic, species and ecosystem diversity.  
 Bio-geographical classification of India.  
 Value of biodiversity: consumptive use, productive use, social, ethical, aesthetic and option values.  
 India as a mega- diversity nation.  
 Western Ghat as a biodiversity region. Hot-spots of biodiversity.  
 Threats to biodiversity: habitat loss, poaching of wildlife, man- wildlife conflicts,  
 Endangered and endemic species of India, Conservation of biodiversity: In-situ and Ex-situ conservation of biodiversity. Convention on Biological Diversity.

**Unit 5. Environmental Pollution : (8 lectures)**

Definition: Causes, effects and control measures of: Air pollution,  
 Water pollution, Soil pollution, Marine pollution, Noise pollution, Thermal pollution,  
 Nuclear hazards.  
 Global warming, acid rain, ozone layer depletion, nuclear accidents and holocaust.  
 Solid waste Management: Causes, effects and control measures of urban and industrial wastes. Solid waste management control rules.  
 Role of an individual in prevention of pollution.

**Unit 6. Social Issues and the Environment : (9 lectures)**

Human population growth, impact on environment. Human Health and welfare.  
 Environmental ethics: Role of Indian religious traditions and culture in conservation of the environment.  
 Environmental movements- Chipko Movement, Appiko Movement, Silent Valley.  
 Resettlement and rehabilitation of people; its problems and concerns.  
 Water conservation, rain water harvesting, watershed management. water conservation by Dr.Rajendra Singh, Anna Hazare etc.  
 Disaster management: floods, earthquake, cyclone, tsunami and landslides.  
 Wasteland reclamation.  
 Environmental communication and public awareness, case studies.

**Unit 7. Environmental Protection- Policies and practises : (5 lectures)**

Environmental Protection Act.  
 Air (Prevention and Control of Pollution) Act.  
 Water (Prevention and control of Pollution) Act  
 Wildlife Protection Act  
 Forest Conservation Act  
 National and International conventions and agreements on environment.

**Unit 8. Field Work :****(10 lectures)**

Visit to a local area to document environmental assets-

River/forest/grassland/hill/mountain.

or

Visit to a local polluted site – Urban/Rural/Industrial/Agricultural

or

Study of common plants, insects, birds.

or

Study of simple ecosystems - ponds, river, hill slopes, etc.

(Field work is equal to 10 lecture hours)

**References :**

- 1) Agarwal, K.C.2001, Environmental Biology, Nidi Pubi. Ltd., Bikaner.
- 2) Bharucha Erach, The Biodiversity of India, Mapin Publishing pvt. Ltd.,Ahmedabad 380013, India, Email:mapin@icenet.net (R)
- 3) Brunner R.C.,1989, Hazardous Waste Incineration, McGraw Hill Inc., 480p
- 4) Clank R.S. Marine Pollution, Clanderson Press Oxford (TB)
- 5) Cunningham, W.P. Cooper, T.H.Gorhani, E. & Hepworth, M.T.2001,
- 6) Environmental Encyclopedia, Jaico Publ. Hpise, Mumbai, 1196p
- 7) De A.K., Environmental Chemistry, Wiley Western Ltd.
- 8) Down to Earth , Cebtre fir Scuebce and Environment (R)
- 9) Gleick, H.,1993, Water in crisis, Pacific Institute for studies in Dev.,Environment & Security. Stockholm Env. Institute. Oxford Univ. Press 473p
- 10) Hawkins R.c., Encyclopedia of Indian Natural History, Bombay Natural History Society, Bombay (R)
- 11) Heywood, V.H.& Watson, R.T.1995, Global Biodiversity Assessment,Cambridge Univ. Press 1140p.
- 12) Jadhav, H.& Bhosale, V.M,1995, Environmental Protection and Laws, Himalaya Pub. Heuse, Delhi 284p.
- 13) Mickinney, M.L.& School. R.M.1196, Environmental Science Systems & Solutions, Web enhanced edition, 639p.
- 14) Mhaskar A.K., Mastter Hazardous, Techno-Science Publications (TB)
- 15) Miller T.G.Jr., Environmental Science. Wadsworth Publications Co. (TB)
- 16) Odum, E.P.1971, Fundamentals of Ecology, W.B.Saunders Co. USA, 574p.
- 17) Rao M.N.& Datta, A.K.1987, Waste Water Treatment, Oxford & IBH Publ. Co. Pvt. Ltd., 345p
- 18) Sharma B.K., 2001, Environmental Chemistry, Gokel Publ. Hkouse, Meerut
- 19) Survey of the Environment, The Hindu (M)
- 20) Townsend C., Harper, J. and Michael Begon, Essentials of Ecology, Blackwell Science (TB)
- 21) Trivedi R.K. Handbook of Environmental Laws, Rules, Guidelines, Compliances and Standards, vol. I anfd II, Environmental Media (R)
- 22) Trivedi R.K. and P.K. Gokel, Intriduction to air pollution, Tecgbi-Science Publications (TB)
- 23) Wagner K.D.,1998, Environmental management, W.B. Saunders Co.Philadelphia, USA 499p.
- 24) Paryavaran shastra – Gholap T.N.
- 25) Paryavaran Sahastra – Gharapure  
M) Magazine (R) Reference (TB) Textbook



# SHIVAJI UNIVERSITY KOLHAPUR



**Faculty of Humanities**

**Master of Laws**

**(LL.B. – Three Year) Programme**

**Choice Based Credit System (CBCS)**

**(To be implemented from Academic Year 2019-20)**



- 4) Richard L. Riversz, et.al. (eds.), Environment Law, the economy and other Sustainable Development (2000), Cambridge
- 5) Christopher D. Stone, Should Trees Have Standing and other Essays on Law, Morals and the Environment (1996), Oceana
- 6) Leelakrishnan, P et. al. (eds.), Law and Environment (1990), Eastern, Lucknow
- 7) Leelakrishnan, P, The Environmental Law in India (1999), Butterworths – India
- 8) Department of Science and Technology, Government of India Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental protection (1980) (Tiwari Committee Report).
- 9) Indian Journal of Public Administration, Special Number on Environment and Administration, July – September 1988, Vol. XXXV, No. 3, pp. 353 - 801
- 10) Center for Science and Environment, The State of Indian's Environment 1982, The State of India's Environment 1984 – 1985 and The State of Indian Environment 1999 – 2000
- 11) World Commission on Environment and Development, Our Common Future (1987), Oxford.
- 12) Maneka Gandhi et. all Animal Laws of India (2001)
- 13) Iyer V R Krishna, Environment Pollution and the Law
- 14) Lal's Commentaries on Water and Air Pollution and Environment Protection Laws
- 15) Pal Chandra, Environmental Pollution and Development, ed 1999
- 16) Malaviya, Environment Pollution and its Control under International Law
- 17) The Environment (Protection) Act 1986 and Rules 1986

### **DSC – 205: PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM**

#### **Object:**

Advocates have the dual responsibility of upholding the interests of the client fearlessly while conducting themselves as officers of the court. Accordingly, they are expected to adhere to the highest standards of probity and honour. An advocate's conduct should reflect their privileged position in society which derives from the nobility of this profession. The service of an advocate to the common man should be compassionate, moral and lawful. Indian Legal System can write up the next big success story in professional legal education and consequently higher efficiency in Justice Delivery System if it succeeds in facilitating high professional skills, building up of human resource with proper integration of knowledge to match the growing world standard.

**Method of study:** Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

**Evaluation methods:** Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks  
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#### **Syllabus :**

#### **Unit 1. Professional Ethics. ( 20 marks)**

1.1 Development of Legal Profession in India.

1.2 Concept, need and importance of Professional Ethics.

1.3 Bar Council of India Rules on Standards of professional Conduct and Etiquettes, seven lamps of advocacy

1.4 Duties and Obligations of Advocate (Norms of Professional Ethics) Section I -Duty to the Court.  
Section II -Duty to Client.

Section II -Duty to Opponent.

Section IV -Duty to Colleagues

-Duty to Profession

-Duty to Render Legal Aid.

1.5 Restrictions on other employments.

1.6 Senior Advocates and Restrictions on Senior Advocates.

1.7 Form of Dresses or Robes to be worn by Advocate.

1.8 Vakalatnama.

### Unit 2. Advocates Act, 1961 : ( 20 marks)

2.1 Chapter I (Sections 1 and 2) Definitions-Advocate, Legal Practitioner, Law Graduate.

2.2 Chapter II (Sections 3 to 15) -Bar Councils Functions.

2.3 Chapter III (Sections 16 to 28) -Admission and Enrolment of Advocates.

2.4 Chapter IV (Sections 29 to 34) -Right to Practice.

2.5 Chapter V (Sections 35 to 44) -Conduct of Advocates. Punishment of Advocates for misconduct.

2.6 Chapter VI (Sections 45 -Miscellaneous.)

### Unit 3.Bar-Bench Relations and Contempt of Court.( 10 marks)

3.1 Concept and Role of Bar-Bench Relation with reference to administration of Justice.

3.2 The Contempt of Courts Act, 1971 Sections 1 to 24.

### Unit 4.Accountancy for Lawyers.( 10 marks)

4.1 Definition, object, Importance and Utility of Book Keeping.

4.2 Principles of Book-keeping and Accountancy, Accounting concepts and Accounting conventions.

4.3 Meaning and Advantages of Double Entry Bookkeeping.

4.4 Classification of accounts and Rules for debiting and crediting the accounts. Journal entries, Ledger Posting, Subsidiary Books.

4.5 Types of Cash Book.

(a) Simple Cash Book.

(b) Cash Book with Cash and Discount columns.

- (c) Cash Book with Cash, Bank and discount columns. 4.6 Bank Reconciliation statement.  
 4.7 Rectification of Errors.  
 4.8 Preparation of Trial Balance.  
 4.9 Preparation of Trading, Profit and Loss Account and Balance Sheet.  
 4.10 Preparation of Income and Expenditure Account.

4.11 Assessment of income and expenditure and payment of taxes by Advocates.

**Unit 5. Cases & Selected Opinions Prescribed for Study.**

5.1 Major Judgements of Supreme Court on the subject :

- 1) Pralhad Saran Gupta V/s Bar Council of India & another, AIR 1997, SC, 1338
- 2) Hikmat Ali Khan V/s IshwarPrasad, AIR, 1997, SC 864.
- 3) V. P. Kumarvelu V/s B.C.L., AIR, 1997, SC 1014
- 4) P.D. Gupta V/s Ram Murty, AIR, 1988, SC 283.
- 5) In Re. V.C. Mishra, AIR, 1995, SC 2348.
- 6) Supreme Court Bar Association V/s Union Bank of India, AIR, 1988, SC 1895.
- 7) U.P. Sales Tax Service Association V/s Taxation bar Association, Agara AIR, 1996, SC 98.
- 8) John D' Souza V/s Edward Ani, AIR, 1994, SC 975.
- 9) Dalal, D.S. V/s State Bank of India, AIR, 1993, CRLJ 1478.
- 10) Mr. Roma Banerji V/s UshapatiBanerji, AIR, 1958, CRLJ 1478.

5.2 Selected Opinions Of The Disciplinary Committee Of Bar Council Of India

- 1) B.C.I. TR Case No. 27/1988, Vol. 16(3&4) 1989, I.B.R. Y.V.R. (Complainant) V/s M.K.N (Respondent).
- 2) B.C.I. TR Case No. 24/1986, Vol. 16(3&4) 1989, I.B.R.C.L. (Complainant) V/s N.T.S (Respondent).
- 3) D.C. Appeal No. 6/1988, Vol. 16(3&4) 1989, I.B.R.J.E. (Appellant) V/s Smt. A (Respondent).
- 4) D.C. Appeal No. 28/1986, Vol. 15(3&4) 1988, I.B.R.J. (Appellant) V/s Smt. A (Respondent).
- 5) D.C. Appeal No. 35/1987, Vol. 16(3&4) 1989, I.B.R.N.M. (Appellant) V/s V. D. (Respondent).
- 6) D.C. Appeal No. 131975 (Mah.) Vol. 5 (1-3) 1976, Journal of Bar 35 Council of India, A (Appellant) V/s Bar Council of Maharashtra, (Respondent)
- 7) B.C.I. , TR. Case No. 17/86. Vol. 15(3&4), 1988, I.B.R. M. (petitioner/complainant) V/s Ba Council of Maharashtra, (Respondent)
- 8) B.C.I. , TR. Case No. 63/1983. Vol. 15(3&4), 1988, I.B.R. B. (Complainant) V/s R. (Respondent)
- 9) D.C. Appeal No. 21 of 1985. Vol. 15(3 and 4), 1988, I.B.R.G. (Applicant) V/s T. (Respondent)

# **Shivaji University, Kolhapur**



**Faculty of Humanities**

**(LL.B. - Three Year)**

**Bachelor of Laws Degree Program  
Choice Based Credit System (CBCS)  
Revised Structure and Syllabus**

To be implemented from Academic  
Year 2020-2021



**DSC 405- ALTERNATE DISPUTE RESOLUTION (PAPER – V)****Objectives:**

The major concern of law is conflict resolution. Familiarization with modalities and techniques of resolution of conflict is a necessary component in the endeavors of developing expertise in juridical exercise. The traditional justice delivery system through adjudicatory by courts had already given way to a large extent to many an alternative mode of dispute resolution in the common law countries. The advent of globalization has enthused this transformation everywhere. The study of ADR is highly significant in molding the students of law to act as soldiers of justice in the ever changing socio-economic scenario.

With the introduction of Section 89 in Civil Procedure Code 1908; Section 320 in Criminal Procedure Code 1973 and amendments in the Arbitration and Conciliation Act 1996 in 2015 and 2019, alternative dispute resolution methods have been given a primary role in reducing arrears and promoting fast and affordable settlement of disputes. This course has two primary objectives. First, is to provide the students with the theoretical understanding of the concepts and the legal provisions relating to ADR. Secondly, the course is geared to train the students in the practical skills required to effectively participate in the ADR processes.

**Teaching Learning Methods:**

The teaching methods to be employed by teachers include lectures, simulation exercises, role plays, field visits, seminar/debate and other Clinical Legal Education methods.

**Evaluation methods :**

Theory Examination – 70 Marks

Internal Assessment: Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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**SYLLABUS****UNIT-I – INTRODUCTION**

- 1.1 Adjudication Methods of Dispute Resolution (Adversarial & Inquisitorial) and Alternative Dispute Resolution System
- 1.2 Reasons for need of Alternatives to the Formal Legal System
- 1.3 Advantages and Disadvantages of Alternative Dispute Resolution System
- 1.4 Methods of ADR: Arbitration, Conciliation, Mediation, Negotiation, Lok-Adalat, Nyaya Panchayat
- 1.5 Suitability of ADRs to particular types of disputes.
- 1.6 International Commitments

**UNIT-II – ARBITRATION**

- 2.1 Arbitration Meaning, Definitions and different kinds
- 2.2 Overview of Arbitration and Conciliation Act, 1996-
- 2.3 Qualities and Qualifications of an Arbitrator
- 2.4 Arbitration Agreement
- 2.5 Arbitral award -Appeal and Revision-Enforcement of foreign awards.
- 2.6 Overview of International Rules: UNCITRAL Model Law

### **UNIT-III – CONCILIATION**

- 3.1 Conciliation Meaning and different kinds
- 3.2 Role, Qualities and Duties of Conciliator
- 3.3 Stages of Conciliation and its Process
- 3.4 Statutory provisions for Conciliation-
  - 3.4.1. Arbitration and Conciliation Act, 1996.
  - 3.4.2. Industrial Disputes Act, 1947;
  - 3.4.3. Family Courts Act, 1984;
  - 3.4.4. Hindu Marriage Act, 1955;

### **UNIT-IV – MEDIATION:**

- 4.1 Mediation Meaning, Kinds, Role and Skills of Mediator
- 4.2 Stages of Mediation
- 4.3 Code of Conduct for Mediator
- 4.4 ADR & Mediation Rules, 2006

### **UNIT-V – NEGOTIATION**

- 5.1 Meaning of Negotiation
- 5.2 Seven Elements of Negotiation
- 5.3 Different styles and strategies of Negotiation
- 5.4 Phases of Negotiation

### **UNIT-VI – ADR IN ADMINISTRATION OF CIVIL JUSTICE**

- 6.1 129th Report of the Law Commission of India as well as Justice Malimath Committee Report
- 6.2. Law Commission 222<sup>nd</sup> Report of India on Need for Justice-Dispensation through ADR
- 6.3 Overview Arbitration and Conciliation Act, 1996 as amended in 2015 (Arbitration Council of India and 2019 (amendments in Schedules)
- 6.4 Sec. 89 and Order X 1 A,B,C of Civil Procedure Code, 1908

### **UNIT-VII – ADR IN CRIMINAL JUSTICE SYSTEM**

- 7.1 Sec. 320 of Criminal Procedure Code, 1973 - compoundable offences
- 7.2 Plea Bargaining – 154<sup>th</sup> Report of Law Commission of India – Overview
- 7.3 Plea Bargaining – Ch. XXI A of Criminal Procedure Code
- 7.4 Critical analysis of Plea Bargaining in India

### **UNIT VIII – NEW DIMENSIONS OF ADR**

- 8.1 Lok-Adalat, Nyaya Panchayat
- 8.2 Co-operative matters
- 8.3 Consumer matters
- 8.4 Accidental claims
- 8.5 Banking matters

**Reference Books**

1. P.C. Markanda: Law Relating To Arbitration and Conciliation, LexisNexis Publication
2. Sridhar Madabhushi: Alternative Dispute Resolution. LexisNexis Student edition
3. Rajan R. D.: A Primer on Alternative Dispute Resolution, Bharati Law Publication, Tirumelveli
4. S. C. Tripathi: Arbitration and Conciliation Act, 1996, Central Law Publication
5. Dr. Anupam Kurlwal: An Introduction to Alternative Dispute Resolution (ADR), Central Law Publication
6. B.P. Saraf and M. Jhunjhunwala, Law of Arbitration and Conciliation, Snow White, Mumbai.
7. A.K. Bansal, Law of International Commercial Arbitration (1999), Universal, Delhi.
8. P.C. Rao & William Sheffield, Alternative Disputes Resolution-what it is and How it Works, Universal Law Publication, Delhi.
9. G.K. Kwatra, The Arbitration and Conciliation Law of India, Universal Law Publication, Delhi.
10. Basu N.D, Law of Arbitration and Conciliation, Universal Law Publication, Delhi.
11. Johari, Commentary on Arbitration and Conciliation Act 1996, Universal Law Publication, Delhi



# **Shivaji University, Kolhapur**



**Faculty of Humanities**

**(LL. B. – Three Years) Degree Programme**

**Choice Based Credit System (CBCS)**

**Syllabus Part – III (Semester V and VI)**

**To be implemented from Academic Year 2021-2022**



## DSC – 505 DRAFTING, PLEADINGS AND CONVEYANCING

### (Paper – V)

#### Objectives of the Course

The purpose of the practical training subject/course, is to acquaint the students about skill and practice the drafting of various drafts and documents as per provisions of Civil Procedure Code, Criminal Procedure Code etc to be filed in the various courts and further to develop the skill of drafting and pleading which is very important in the life of an Advocate. This practical training subject/course equips the student with all other forms and practical approach which are parts or covered in different laws used at various authorities in addition to regular courts enable its best use. **There is no theory examination of this subject/paper.**

**Teaching Method :** The course will be taught class teaching, instructions and assignments exercises.

**Part I** – This subject/paper is having total Marks 100 (90 + 10). 90 marks are allotted for this paper as per BCI norms.

Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in Drafting of pleadings carrying the total of 45 marks (3 marks for each) and 15 exercises in Drafting of Conveyancing (Deeds), carrying another 45 marks (3 marks for each). The Internal marks for 90 will be evaluated by the practical training Teacher of the concerned college as per written exercises submitted by the student.

#### **Part-II: Viva Voce Exam 10 marks**

Viva Voce Examinations for 10 marks will be conducted in presence of External Examiners appointed by the University. As per BCI norms Internal marks for 90 will be evaluated by the practical training Teacher / Principal of the concerned college on the basis written exercises submitted by the student.

#### **Syllabus –**

##### **Unit-I : Drafting and Pleading:**

The General principles of Drafting, Pleading and Conveyancing and their relevant Substantive rules shall be taught.

##### **Unit-II: Writing exercises on Drafting and Pleading (Civil & Criminal)**

- 2.1 Complaint
- 2.2 Written Statement
- 2.3 Affidavit
- 2.4 Caveat

- 2.5. Injunction Application / Preliminary issue application
- 2.6 Execution Petition
- 2.7 Appeal / Revision (Civil)
- 2.8 PIL Petition / Petition under Article 226 / Article 32 of Constitution of India
- 2.9 Application Motor Vehicle Act- M.A.C.P.
- 2.10 Divorce Petition – H.M.P.
- 2.11 Adjournment Application
- 2.12 / Court Commission / Amendment Application
- 2.13 Pursis
- 2.14 Bail Application – Regular Bail u/s 439/Anticipatory Bail application u/s 438.
- 2.15 Criminal Miscellaneous Petition-Maintenance Application u/s 125 of Cr. P.C.

### **Unit-III: Writing Exercises on Conveyancing [Deeds / Parts of Deed]**

- 3.1 Agreement to sell deed
- 3.2 Sale Deed
- 3.3 Mortgage deed
- 3.4 Lease deed
- 3.5 Gift deed
- 3.6 Power of Attorney
- 3.7 Promissory Note
- 3.8 Will & Codicil
- 3.9 Trust deed
- 3.10 Partnership deed
- 3.11 Guarantee Bond
- 3.12 Leave & License deed
- 3.13 Adoption deed
- 3.14 Partition Deed
- 3.15 Deed of declaration

### **Reference:**

1. Banerjee B. N.: *Criminal Pleading*.
2. Batukal: *Law of Evidence*.
3. Bindra N. S.: *Conveyancing Draftsman Interpretation Deed*  
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4. Chaturvedi A. N.: *Law of Pleadings Conveyancing*.  
Allahabad Law Agency, Calcutta (1999)
5. D'souza: *Conveyancing*; Eastern Law House Agency
6. G. M. Kothari: *Drafting, Conveyancing and Pleading*.
7. Gupte and Dighe: *Civil Manual*.
8. Gupte and Dighe: *Criminal manual*.
9. Mitra B. B.: *Law of Limitation*.
10. Mogha P. C.: *Indian Conveyancing*; Eastern Law House - Calcutta
11. Mogha's: *Law of Pleading*; Eastern Law House – (1992) Calcutta
12. Shiva Gopal: *Conveyancing Precedent and Forms*.
13. Stone and Iyer: *Pleading*.

# **Shivaji University, Kolhapur**



**Faculty of Humanities**

**(LL. B. – Three Years) Degree Programme**

**Choice Based Credit System (CBCS)**

**Syllabus Part – III (Semester V and VI)**

**To be implemented from Academic Year 2021-2022**



**DSC – 605 MOOT COURT, PRE-TRIAL PREPARATION AND PARTICIPATION IN  
TRIAL PROCEEDINGS  
(PAPER – V)**

**Objective of the Course :**

This paper is aimed to impart the practical presentation of arguments, skill of research and case analysis at the original and appellate stages of a case. This course enables the student to apply all laws of the course in the practical.

The objectives of the course are to acquaint the students about – (a) court working and its procedure, (b) application substantive and procedural law to given facts, (c) court manners and discipline, (d) conversance with interview techniques and pre-trial preparations, (e) developing skills of arguments and presentation, and (f) learning skills of analysis and arrangement of facts.

The teaching methods used for this paper include hypothetical problems, role plays, simulation exercises, court attendance and advocate chamber visits etc. Active participation is expected from the students which maximize learning opportunities.

This paper split up into following components with scheme of marking-

**A. Moot Court: (30 Marks)**

The teacher teaching this course will supply **Three Moot Court (or two Moot Court and one Mock Trial)** problems to the students in the course of a single semester requiring them to work on all three problems assigned to them, prepare written submissions (memorials) and present oral arguments in a moot court setting. Marks for this component are divided equally between written submission and oral arguments. Students may be asked to work in teams at the discretion of teacher.

**The concerned teacher shall reserve few lectures to guide the students on-**

1. Framing / selection of Moot Court problem
2. Identifying the legal provisions and its applicability
3. Kinds of Courts and its jurisdiction (an overview),
4. Court procedures (an overview), Court manners and discipline,
5. Rules of written submissions / memorials, modes of citation, use of library and e-resources
6. Rules/protocol of argument, Defence to the Court etc.

The concerned teacher may prescribe other guidelines for the students at his / her discretion as per requirement of the course.

**B. Observance of Civil Trial/ Family Trial/ Tribunal Trial -- (15 Marks)**

The students are assigned to observe civil case whereas he/she has to observe actual proceeding of the Civil court or Family Court or Tribunal. Recording of the proceeding can be written in the diary with following components-

1. Case of the plaintiff
2. Case of the defendant
3. Issues or matters in controversy/grievance/ dispute
4. Provisions of substantive law involved
5. Provisions of procedural law involved
6. Brief summary of examination of witnesses (If any)
7. Brief statement of important documents filed (If any)
8. Summary of arguments (if any)
9. Summary of Judgment or order passed(if any)

The concerned teacher may prescribe other guidelines for the students at his / her discretion as per requirement of the course.

**C. Observance of Criminal Trials — (15 Marks)**

The students are assigned to observe Criminal case whereas he/she has to observe actual proceeding of the Civil court. Recording of the proceeding can be write in the diary in following components-

1. Case of the prosecution
2. Case of the accused
3. Offences or matters in grievance/ dispute
4. Provisions of substantive law involved
5. Provisions of procedural law involved
6. Brief summary of examination of witnesses (If any)
7. Brief statement of important documents filed (If any)
8. Summary of arguments (if any)
9. Summary of Judgment or order passed (if any)

The concerned teacher may prescribe other guidelines for the students at his / her discretion as per requirement of the course.

**D. Pre-Trial Preparation — (20 Marks)**

Each student should observe two interviewing sessions of clients at the lawyer's office / legal aid office and record the proceedings in the journal. Each student will further observe the preparation of documents and court papers by the Advocate and the Procedure for the suit/ petition/complaint as the case may be. This will be recorded in the Journal.

### Guidelines for Pre-trial Preparations –

- a) Internship and pre-trial preparations should be at the beginning of the academic year
- b) Observation of interviewing sessions of client in the office of advocate or the legal aid office
- c) Observation of Advice given to the client by the advocate or authority of legal aid office
- d) Observation of maintaining confidentiality of the parties.

The concerned teacher may prescribe few other guidelines for the students at his / her discretion.

### E. Internship Diary — (10 Marks)

The diary is an integral part of the course and it will be evaluated in terms of thoughtfulness and reflections about students learning experience. Each student shall keep Internship diary and the same shall be evaluated by Core Faculty member of the staff every year. The total mark shall be assessed in the Final Semester of the course in the Moot Court paper based on the attendance of student during entire internship period.

### F. Viva -voce -- 10 Marks

Viva Voce Examinations for 10 marks will be conducted in presence of External Examiners appointed by the University. As per BCI norms Internal marks for 90 will be evaluated by the practical training Teacher / Principal of the concerned college on the basis written exercises submitted by the student.

### References/Bibliography

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  5. Abhinandan Malik, Moot courts and mooting, Eastern Book Company,2017
  6. K.L. Bhatiya, Moot court and Mock trial- Art to Art of Advocay, essentials of court craft, Universal Law Publishing,2013
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