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19 (V) PEPA 5-6

2019

**PROFESSIONAL ETHICS,
PROFESSIONAL ACCOUNTING SYSTEM
AND LEGAL AID CAMP**

Paper : 5-6 (P3)

Full Marks : 45

Time : Two hours

*The figures in the margin indicate
full marks for the questions.*

1. Fill in the blanks with appropriate answer :
1×5=5

(a) Section _____ of The Advocates Act, 1961 Act grants general power to The Bar Council of India to make rules relating to the standards of professional conduct and etiquette to be observed by advocates. [49 (1)(c) / 47 (1) (d)]

Contd.

(b) Section 10 of The Contempt of Courts Act of 1971 defines the power of the High Court to punish Contempt of _____ . [Subordinate Courts / High Courts]

(c) The term of office of an elected member of a State Bar Council (other than an elected member thereof referred to in section 54 of the Advocates Act, 1961) shall be _____ years from the date of publication of the result of his election. [five / three]

(d) The Contempt of Courts Act, 1971 (70 of 1971) was passed by the Parliament in December, 1971 and it came into force w.e.f. _____ December, 1971. [27th / 24th]

(e) Proceedings of contempt under the Contempt of Courts Act, 1971 are _____ in nature and also are *sui generis*. [summary / adversarial]

2. Write short answers :

2×5=10

(a) Senior advocate

(b) Rule 50 of Bar Council of India

- (c) Elements of advocacy
(d) Balance Sheet
(e) Need for the Code of Legal Ethics.
3. Discuss the development of legal profession in India. Is there any regulation governing enrolment and practice of an Advocate ? If so, what are the regulations ? Examine. 10

Or

- 'In law a man is guilty when he violates the rights of others. In ethics he is guilty if he only thinks of doing so.' Elucidate the statement with examples. 10
4. What do you mean by the term 'Accountancy of Lawyers'? Examine the nature and functions of Accounting. 10

Or

Discuss the professional misconduct of a lawyer and disqualifications. Can an appeal be made against the decision of Bar Council of India ? 10

5. Write short notes on : **(any two)** 5×2=10

(a) 'Preparation of Case Brief' by an advocate

(b) Powers of Disciplinary Committee under section 36 of the Advocates Act, 1961

(c) Seven Lamps of Advocacy.

Or

What is Contempt of Court ? Is contempt a civil or criminal offence ? Can a person be held guilty for contempt of court for criticising the personal behaviour of a judge ? 10