

B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

SEMESTER-IX

Course Code	BAL903
Course Title	Professional Ethics and Professional Accounting System
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12th
Course Objectives (Co.)	The fundamental aim of legal ethics is to maintain the honour and dignity of the law profession to secure a spirit of friendly co-operation between the bench and bar in the promotion of higher standard of justice, to establish honourable and fair dealings of the counsel with his client, opponent and witness, to establish a spirit of brotherhood with bar itself and to secure that lawyers discharge their responsibilities to the community generally.

UNIT-I

Meaning and significance of Legal Profession and its Ethics
Legal Profession in India-Evolution, Historical Development and Regulations

UNIT-II

Advocacy & Professional Ethics
—Advocates' Act, 1961 Chapter V & VI (Ss 35-45)
—Bar Council of India Rules part VI & VII

UNIT-III

Contempt Law & Practice
Contempt of Courts Act, 1971
Constitutional Provisions regarding Powers of Supreme Court and High Courts & Houses of Parliament & State Legislatures for Punishing for their Contempt.

UNIT-IV

Selected Judgments on Professional Ethics

1. Ex. Capt. Harish Uppal v. Union of India A.I.R. 2003 S.C 739

2. P.D. Gupta v. Ram Murthi AIR 1998 SC 283
3. Shambhu Ram Yadav v. Hanuman Das Khattry AIR 2001SC 2509
4. Harish Chandra Tiwari v. Bajju AIR 2002 SC 548
5. Bar Council of Andhra Pradesh v. Kurapati Satyanarayana AIR 2003 SC 175.
6. Re: Ajay Kumar Pandey, A.I.R 1997 SC 260
7. SC bar Association v. U.O.I AIR 1998 SC 1895
8. Nirmaljit Kaur v. State of Punjab AIR 2006 SC 605
9. Zahira Habidullah Sheikh v. State of Gujarat AIR 2006 SC 1367
10. Rajendra Sail v. M.P High Court Bar Association AIR 2005 SC 2473
11. Smt. Siya Bai Vs Sitaram Singh, BCI Tr. Case No 21/1987
12. Secretary, Karnataka Khadi Gram Udyog Samyukta Sangha Vs J.S Kulkarni, BCI Tr. Case No 12/1990
13. Surendranath Mittal Vs Dayanand Swaroop, BCI Tr. Case No 63/1987
14. S.K Nagar Vs V.P Jain, D.C Appeal No 14/1997
15. Ashok Kumar Kapoor Vs. Bar Council of Panjab & Haryana, D.C Appeal No 18/1999
16. Ram Sewak Patel Vs. Vir Singh, D.C Appeal No 32/1992
17. Chandrashekar Soni Vs. Bar Council of Rajasthan, Civil Appeal No 258/1977
18. Suo Moto Enquiry Vs. Nand lal Balwani, BCI Tr. Case No 68/1999
19. Vijaya Singh Vs. Murarilal & Others, Civil Appeal No 1922/1979
20. Hikmat Ali Khan Vs. Ishwar Prasad Arya, Civil Appeal No 4240/1986

Suggested Readings:

Krishnaswamy Iyer: Professional Conduct of Advocacy

Aiyar Ramanath: Legal Professional /Ethics, 3rd Ed. 2003, Indian Law Books.

Mallick: Advocates Act, Professional Ethics/Bench and Bar Relationship, 2007, Indian Law Books.

Kailash Rai, Accountability for Lawyer and Bench, 9th Ed. 2008, Central Law Publication.

J.P.S. Sirohi, Professional Ethics, Accountancy for Lawyers and Bench Bar Relations, Latest Ed., Allahabad Law Agency.

P. Ramanatha Aiyar, Legal and Professional Ethics – Duties and Privileges of a Lawyer, 3rd Ed. 2003, reprint 2009, Lexis Nexis Butterworths, Wadhwa, Nagpur

Subramanyam, Advocates Act, Commentaries on Advocates Act with Bar Council Rules (Central and States) with Professional Ethics and Allied Laws, 3rd Ed. 2010, Kumar Law Publication Limited, Delhi

Advocates Act 1961

Contempt of Courts Act 1971

Bar Council of India Trust (publication) Selected Judgements on Professional Ethics