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19 (V) PRPC 5.6

2023

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

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 :

$1 \times 5 = 5$

(a) Advocates are classified into two types, namely, Senior Advocates and Other Advocates under Section _____ of the Advocates Act, 1961. (16/21)

(b) Section _____ of the Advocates Act, 1961 deals with the powers of the Disciplinary Committee of Bar Council of India. (42/34)

Contd.

(c) Ethics involves learning what is right and wrong, and then doing the _____ thing. *(right/reasonable)*

(d) The limitation period for filing a petition for contempt of court is _____.
(one year/one month)

(e) All proceedings before a disciplinary committee of a Bar Council shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the _____.
(Indian Penal Code, 1860/Advocate Act, 1961)

2. Write short answer : $2 \times 5 = 10$

- (a) Write the objective of Professional Ethics.
- (b) Distinguish between Ethics and Legal Ethics.
- (c) What is 'Balance Sheet'?
- (d) Write on 'Ledger' and its importance in the Accountancy System.
- (e) How an Advocate is designated as a Senior Advocate ?

3. When a person can be called as 'Contemner'? What are the defences available to a contemner in criminal contempt under the Contempt of Court Act, 1971. $2+8=10$

Or

"The fundamental aim of legal ethics is to maintain the honour and dignity of law profession, to secure a spirit of friendly co-operation between the bench and the bar in the promotion of highest standards of Justice."

Elucidate the statement in the light of the Bar Council of India Code of Ethics. 10

4. "The purpose of accounting is to keep a track of the incomes earned and expenses incurred towards earning the income." In the light of the above statement explain the nature and functions of Accounting. 10

Or

- (a) What are the duties of an Advocate towards the Court ? 5
- (b) Describe the duties of which an Advocate owes towards the witnesses. 5

5. Discuss the negligence of an advocate in conducting a case in the light of two selected opinions of Disciplinary Committee of the Bar Council of India. 10

Or

Explain the procedure and powers of the Disciplinary Committee of State Bar Council in case of misconduct by an Advocate.

To establish a State Bar Council

(a) To investigate, prosecute and punish
(b) To regulate the conduct of advocates

Disciplinary Committee of State Bar Council

(a) To receive and consider complaints against advocates

(b) To take such action as may be necessary

(c) To impose such punishment as may be

(d) To make such rules as may be necessary

(e) To regulate the conduct of advocates

(f) To receive and consider complaints against

(g) To take such action as may be necessary

(h) To impose such punishment as may be

(i) To make such rules as may be necessary