

First Year - Second Semester

COURSE – V; CLINICAL COURSE-1; PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM

Objectives:

Professions are noble. The movement of all professions, hitherto, has been from chaos to organization, organization to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands. The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgement over their activities. The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behavior. The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

Course contents:

UNIT – I

The legal profession and its responsibilities; The equipment of the lawyer, Conduct in court; Professional conduct in general; Privileges of a lawyer ; Salient features of the Advocates Act, 1961.

UNIT-II

Duty to the court; Duty to the profession: Duty to the opponent; Duty to the client ; Duty to the self; Duty to the public and the state;

UNIT-III

Contempt of Court Act, 1972

Selected major judgements of the Supreme Court:

1. In the matter of D.An Advocate, AIR 1956 SC 102
2. P.J.Ratnam v. D.Kanikaram, AIR 1964 SC 244
3. N.B.Mirzan v. The disciplinary committee of Bar Council of Maharashtra and Another, AIR 1972 SC 46
4. Bar Council Of Maharashtra v M.V.Dabhalkar, etc., AIR 1976 SC 242.
5. V .C.Rangadurai v.D.Gopalan and others AIR 1979 SC 201
6. Cdhandra Shekhar Soni v. Bar Council of Rajasthan and Others. AIR 1983 SC 1012.
7. In Re An Advocate, AIR 1989 SC 245
8. In Re Vionay Chandra Mishra, 1995 [vol-I]IBR 18.
9. Supreme Court Bar Association v.Union of India, AIR 1998 SC 1895
10. Ex-Capt. Harish Uppal v. Union of India. AIR 2003 SC 739.

UNIT- IV

Selected Opinions of the Bar Council of India.

1	DC Appeal No. 16/93	1998	(Vol.1)	IBR 135
2	BCI Tr. Case No.40/91	1998	(Vol.1)	IBR 139
3	DC Appeal No.8/94	1998	(Vol.1)	IBR 153
4	DC Appeal No.20/94	1997	(Vol.3 & 4)	IBR 193
5	BCI Tr. Case No.76/95	1997	(Vol. 3& 4)	IBR 201
6	DC Appeal No.43/96	1997	(Vol. 3 & 4)	IBR 207
7	DC Appeal No.18/91	1997	(vol. 1 & 2)	IBR 271
8	DC Appeal No.24/90	1996	(Vol.1)	IBR 135
9	DC Appeal No.19/93	1996	(Vol.1)	IBR 152
10	BCI Tr. Case No.104/90	1996	(Vol.1)	IBR 155
11	BCI Tr. Case No.52/89	1994	(Vol.1)	IBR 187
12	BCI Tr. Case No.127/88	1992	(Vol. 3 & 4)	IBR 125
13	BCI Tr. Case No.39/87	1992	(Vol. 3 & 4)	IBR 147
14	BCI Tr. Case No.39/89	1992	(Vol. 3 & 4)	IBR 149
15	BCI Tr. Case No.16/88	1989	(Vol.1)	IBR 99
16	BCI Tr. Case No.2/88	1989	(Vol.1)	IBR 102
17	BCI Tr. Case No.52/88	1989	(Vol.2)	IBR 110
18	DC Appeal No.29/81	1989	(Vol.2)	IBR 122
19	BCI Tr. Case No.29/81	1989	(Vol.2)	IBR 245
20	DC Appeal No.14/88	1989	(Vol.2)	IBR 258
21	BCI Tr. Case No.14/80	1989	(Vol.2)	IBR 264
22	DC Appeal no.24/87	1989	(Vol.2)	IBR 273
23	DC Appeal No.46/86	1989	(Vol.2)	IBR 280
24	DC Appeal No.3/88	1989	(Vol.2)	IBR 285
25	BCI Tr. Case No.2/80	1989	(Vol.2)	IBR 289
26	BCI Tr. Case No.10/86	1989	(Vol.3 & 4)	IBR 520
27	BCI Tr. Case No.101/88	1989	(Vol.3 & 4)	IBR 524
28	DC Appeal No.23/88	1989	(Vol.3 & 4)	IBR 532
29	DC Appeal No.35/87	1989	(Vol.3 & 4)	IBR 536
30	BCI Tr. Case No.27/88	1989	(Vol.3 & 4)	IBR 542
31	BCI Tr. Case No.6/84	1989	(Vol.3 & 4)	IBR 560
32	BCI Tr. Case No.24/86	1989	(Vol.3 & 4)	IBR 563
33	DC Appeal No.10/88	1989	(Vol.3 & 4)	IBR 572
34	DC Appeal No.45/74	1988	(Vol.1 & 2)	IBR 182
35	DC Appeal No.23/87	1989	(Vol.1 & 2)	IBR 187
36	DC Appeal No.6/81	1988	(Vol.1 & 2)	IBR 193
37	BCI Tr. Case No.16/86	1988	(Vol.1 & 2)	IBR 197

38	DC Appeal No.41/86	1988	(Vol.1 & 2)	IBR 200
39	DC Appeal No.33/86	1988	(Vol.3 & 4)	IBR 354
40	DC Appeal No.21/85	1988	(Vol.3 & 4)	IBR 359
41	BCI Tr. Case No.43/82	1988	(Vol.3 & 4)	IBR 364
42	DC Appeal No.28/86	1988	(Vol.3 & 4)	IBR 374
43	DC Appeal No.64/74	1987	(Vol.2)	IBR 314
44	DC Appeal No.30/84	1987	(Vol.2)	IBR 319
45	DC Appeal No.40/86	1987	(Vol.3)	IBR 488
46	DC Appeal No.10/86 & 10A/86	1987	(Vol.3)	IBR 491
47	DC Appeal No.7/86	1987	(Vol.3)	IBR 496
48	DC Appeal No.7/81	1987	(Vol.4)	IBR 735
49	DC Appeal No.12/86	1987	(Vol.4)	IBR 745
50	BCI Tr. Case No.57/87	1987	(Vol.4)	IBR 753

UNIT-V

Accountancy for lawyers:Need for maintenance of accounts- Books of accounts that need to be maintained-Cash Book, Journal and Ledger.

Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts.

The cash and bulk transaction- The Cash book- Journal proper especially with reference to client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

Mode of assessment: There shall be a written examination for this course for a maximum of 80 marks, and viva voce for 20 marks. The viva voce shall be conducted by the course teacher and the Principal.

Prescribed Books:

K.V. Krishnaswamy Iyer- Professional Conduct and Advocacy.

B.S.Raman- Accountancy.

Reference books:

N.R.Madhava Menon- Clinical Legal Education.

Dr.B.Malik- Art of Lawyer (New Delhi, Universal Book Agency, 1999) – Relevant articles

Contempt of Court Act, 1971