


<b>Name:</b>									
<b>Enrolment No:</b>									
<p style="text-align: center;"><b>UPES</b> <b>End Semester Examination, May 2025</b></p> <table border="0" style="width: 100%;"><tr><td style="width: 50%;"><b>Course: Professional Ethics and Professional Accounting</b></td><td style="width: 50%; text-align: right;"><b>Semester: VI</b></td></tr><tr><td><b>Program: LL.B.</b></td><td style="text-align: right;"><b>Time: 03 hrs.</b></td></tr><tr><td><b>Course Code: CLCC3059</b></td><td style="text-align: right;"><b>Max. Marks: 100</b></td></tr></table> <p><b>Instructions:</b></p>				<b>Course: Professional Ethics and Professional Accounting</b>	<b>Semester: VI</b>	<b>Program: LL.B.</b>	<b>Time: 03 hrs.</b>	<b>Course Code: CLCC3059</b>	<b>Max. Marks: 100</b>
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<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>									
S. No.		<b>Marks</b>	<b>CO</b>						
Q 1	State the definition of contempt of courts as laid down under the Contempt of Courts Act, 1971.	<b>2</b>	<b>CO1</b>						
Q 2	Section 2 (1) (a) defines ‘Advocate’ as an advocate entered in any roll under the provisions of the Advocates Act, 1961. (TRUE/ FALSE)	<b>2</b>	<b>CO1</b>						
Q 3	Advocates were called_____ in the British Era during the evolution of legal system.	<b>2</b>	<b>CO1</b>						
Q 4	Senior Advocates are designated under which section of the Advocates Act.	<b>2</b>	<b>CO1</b>						
Q 5	In which section “Standards of Professional Conduct and Etiquette” is defined.	<b>2</b>	<b>CO1</b>						
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>									

Q 6	Write an explanatory note on the significance of accountancy knowledge for lawyers enabling them to interpret financial accounting statements in Advocacy.	5	CO3
Q 7	Elucidate the duties of a lawyer towards his client.	5	CO3
Q 8	Discuss the defenses available in the case of Civil Contempt under the Contempt of Courts Act, 1971.	5	CO3
Q 9	What is meant by Book-keeping and the objective of Book-keeping.	5	CO3
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
Q 10	Examine women's representation in the legal field.	10	CO4
Q 11	Explicate the liability of Lawyers under Consumer Protection Act, 1986/2019.	10	CO4
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
Q 12	<p>Advocate Indira Thakur had been practicing in the Supreme Court for over 20 years, with a specialization in Arbitration and Aviation Law. She was fully aware that advertising by advocates was prohibited under Rule 36 of the Bar Council of India Rules, which aims to preserve the dignity and ethical standards of the legal profession. However, after the landmark case of <i>V.B. Joshi v. Union of India (2004)</i>, the legal landscape saw a shift. Though the Supreme Court did not strike down Rule 36, it recognized the changing dynamics of the digital era. Consequently, the Bar Council of India introduced an amendment in 2008, allowing advocates to publish limited professional information on their personal websites, such as:</p> <ul style="list-style-type: none"> <li>• Name</li> <li>• Contact details</li> <li>• Enrolment number</li> <li>• Areas of practice</li> <li>• Academic qualifications</li> </ul>	25	CO5

	<p>Despite this relaxation, the core prohibition on <b>solicitation, boastful claims, and comparative statements</b> remained intact.</p> <p>Relying on this amendment, Advocate Indira Thakur published her professional details on an online app called “<i>Know your Surrounding</i>” This app functioned as a modern digital directory—similar to the traditional Yellow Pages—collecting and displaying information about professionals, including their fields of expertise and jurisdiction of practice.</p> <p>However, the Bar Council took exception to his listing on a third-party platform rather than a personal website. It held that publishing professional information on “<i>Know your Surrounding</i>” amounted to <b>unauthorized advertisement</b>, as the platform could be used for indirect solicitation. Accordingly, the Bar Council directed Advocate Indira Thakur to remove his profile from the app. It also issued a general notice cautioning all advocates that publishing professional information on commercial platforms or directories—digital or otherwise—would be considered a violation of Rule 36 and could attract disciplinary action.</p> <p>In the light of the above facts discuss:</p> <ol style="list-style-type: none"> <li>1. Analyse how the Bar Council rules (Rule 36) aim to regulate the ethical standards of the legal profession in India. (5Marks)</li> <li>2. Illustrate specific instances where technology has challenged these standards of the Bar Council Rules of India. (5 Marks)</li> <li>3. Should India reconsider its stringent advertising restrictions on advocates in light of the more liberal approach followed by countries like the United States? If so, what key principles and safeguards should the Bar Council and regulators adopt while reforming such laws?" (15 Marks)</li> </ol>		
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Q 13	<p>"X, a prominent journalist, published an article in a national daily accusing a sitting High Court judge of accepting bribes in return for favorable judgments. The article was published without any supporting evidence and while a case concerning the same judge was sub judice. The judge initiates contempt proceedings against X.</p> <p>Based on the above facts, discuss the following:</p> <p>(a) Whether X can be held liable for criminal contempt under the Contempt of Courts Act, 1971. (5 Marks)</p> <p>(b) Critically evaluate the essential elements that must be established to constitute criminal contempt in such a case? (10 Marks)</p> <p>(c) Distinguish the balance between freedom of speech and expression under Article 19(1)(a) and the power of courts to punish for contempt under Article 129 and Article 215." (10 Marks)</p>	25	CO5
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