


Name:	 UPES UNIVERSITY WITH A PURPOSE
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, December 2019

Course: Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations

Program: B.COM., LL.B. (Hons.) TAXATION LAWS

Course Code: LLBL531

Instructions: READ THE QUESTIONS CAREFULLY.

Semester: IX

Time: 03:00 Hrs

Max. Marks: 100

SECTION A

(Attempt All)

(10 MARKS)

S. No.		Marks	CO
Q 1	Define Bar Council of India as per the Advocates Act, 1961.	2	CO 1
Q 2	State the characteristics of the Bar Council as per the Advocates Act, 1961.	2	CO 1
Q 3	State the kinds of Advocates as per the Advocates Act, 1961.	2	CO 2
Q 4	Define the term Contempt of Court.	2	CO 3
Q 5	As per Sec 19 what is the period of limitation within which an Appeal shall be filed against an order of contempt under the Contempt of Courts Act, 1971 before:- a) High Court _____; and b) Supreme Court _____.	2	CO 3

SECTION-B

(Attempt All)

(20 MARKS)

Q 6	State the law laid down for Disqualification of members of the Bar Council in the Advocate's Act, 1961.	5	CO 2
Q 7	Which provision states the exception to the law of Right to Practise laid down under section 29 of the Advocates Act? Elaborate the exception.	5	CO 2
Q 8	What is the law to sort out any disputes pertaining to Seniority as per the Advocates Act, 1961?	5	CO 3
Q 9	Define Civil Contempt with the help of relevant case laws.	5	CO 4

SECTION-C

(Attempt Any Two)

(20 MARKS)

Q 10	The Advocates right to practise is not a fundamental right. Comment with the help of case laws.	10	CO 3
Q 11	The prosecution made a remark in public that "the judge wished to acquit the accused and as he was about to retire he was available for sale". In the light of the above statement discuss the Criminal Contempt.	10	CO 4

Q 12	If a person is a Pujari of a temple can he be treated as a disqualification for being enrolled as an Advocate? Decide with the help of relevant case laws	10	CO 2
SECTION D (Attempt All) (50 MARKS)			
Q 13	<p>Mrs. Shambhavi Tiwari successfully completed 5 years law course from School of Law and obtained a degree in Law. She wished to practise law and as a part of the qualification of admission as an Advocate mentioned under section 24 of the Advocates Act, 1961 she appeared for All India Bar Examination in the year 2019. She was able to clear the same in her very first attempt.</p> <p>When she went to enroll herself as an advocate, the State Bar Council of Uttar Pradesh rejected her application and gave her a reason that she could not be enrolled as the college where she underwent the course of study was not recognized by the BCI. And as it is a requirement that the college must be one that is recognized by the BCI she is ineligible for enrollment.</p> <p>In the light of the above paragraph answer the following questions.</p>		
(a)	Discuss the law for Disqualification for enrolment as per the Advocates Act, 1961.	15	CO 2
(b)	Elaborate on powers and functions of the State Bar Council.	15	CO 2
(c)	As a practicing advocate how would you assist her?	25	CO 1