

		<b>SGT UNIVERSITY, GURGAON</b> <b>FACULTY OF LAW</b>	
<b>PROGRAMME</b>	<b>SEMESTER</b>	<b>COURSE NAME</b>	<b>COURSE CODE</b>
<b>LL. B. (Hons)</b>	<b>VI</b>	<b>Professional Ethics &amp; Professional Accounting System</b>	<b>08040601</b>

### **Professional Ethics & Professional Accounting System**

**Course Objective** - It is essential for professionals in any field to have an understanding of the ethical problems and principles in their field. It is said that in law a man is guilty when he violates the rights of others. In ethics he is guilty if he only thinks of doing so. The course throws light upon the scenario of legal profession in India during different periods - ancient, medieval and modern period. Hence the nature of legal education and legal profession and its development will be analyzed in the course. The students will be educated about the various landmark cases of Professional Ethics.

#### **Module – I**

1. History of Legal Profession in India, Nature of Legal Profession, Advocates Act 1961.
2. Bar Council of India – Constitution and functions
3. State Bar Council – Constitution, functions and position in J&K.
4. Advocates – Enrolment, qualifications and disqualification, classification of Advocates.

#### **Module – II**

1. Committees of Bar Council of India and State Bar Council.
2. Disciplinary Committees of Bar Council of India and State Bar Council – Constitution, Powers and functions.
3. Rules of Professional Conduct: A study of code of Ethics of the Bar Council of India

#### **Module – III**

1. Contempt of Courts Act: Nature and Scope.
2. Civil and Criminal Contempt
3. Legal Profession and Contempt of Court

4. Freedom of speech and expression vis-à-vis Contempt of court
5. Procedure including defences and punishment for Contempt.

#### **Module – IV**

A Detailed Study of following cases:

1. In re, Vinay Chandra Mishra AIR 1995 SC 2348
2. Supreme Court Bar Association v. Union of India AIR 1998 SC 1875
3. In re, Ajay Kumar Pandey, AIR 1997 SC 260
4. In re, Arundhati Roy, AIR 2002 SC 1375
5. Delhi Judicial Service Association v. State of Gujrat, AIR 1991 SC 2176
6. E.M.S. Namboodiripad v. T. Narayana Nambias, AIR 1970 SC 2015
7. P.N. Duda v. P. Shiv Shanker, AIR 1988 SC 1208
8. M. Veerabhadhra Rao v. Tek Chand, AIR 1985 SC 28
9. Shambhu Ram Yadav v. Hanuman Das Khatri, AIR 2001 SC 2508
10. Perspective publication (P) Ltd. V. State of Maharashtra, AIR 1971 SC 221

**Course Outcome** - After completion of the course the students will be able to:

1. Have an understanding of the essential elements of the ethical and professional practice of law.
2. Understand the legal profession in the regulatory context and have information about professional associations and registration requirements.
3. Understand the aspects related to Contempt of Court.
4. Understand the various ethical and professional issues such as competence, confidentiality, consent, professional conduct, etc which are covered in the context of landmark cases.

#### **Suggested Readings:**

1. RajuRamachandran, Professional Ethics: Changing Profession and Changing Ethics (LexisNexis, Butterworths).
2. Dr. P. B. Mukharji, Professional Ethics of the Advocate (University of Burdwan)
3. P. RamanathaAiyer, Legal & Professional Ethics – Legal Ethics, Duties & Privileges of a Lawyer (Wadhwa Publications, Nagpur).
4. Justice V. R. Krishna Iyer, Law, Lawyers and Justice (b. R. Publishing Corpn, Delhi).
5. Stephen Gillers, Regulation of Lawyers: Problems of Law & Ethics (Little, Brown & Com Boston Toronto, London).
6. Ross Grauston (ed.), Legal Ethics & Professional Responsibility (Clarendon Press, Oxford).

7. Gary Bellow & Bea Moulton, *The Lawyering Process: Ethics and Professional Responsibility*, (The Foundation Press, Inc.).
8. D.V. SubbaRao, Sanjiva Row's *The Advocates Act, 1961* (LexisNexis, Butterworths).
9. Nicolson and Webb, *Professional Legal Ethics*(OUP). 10.S. C. Sarkar, *Modern Advocacy and Professional Ethics*