

Paper 13

PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (Clinical-I)

Unit I

Advocates Act, 1961

Historical background and evolution of the Act.; Persons who may be admitted as advocate on a State Roll; Disqualification for enrolment; Removal of names from the Roll; Rights and Privileges of Advocates; Senior Advocate and other Advocates; Conduct of Advocates.

Unit II

(a) State Bar Council

Establishment and Organisation; Powers and Functions.

(b) Bar Council of India

(i) Organisation, Powers and Functions;

(ii) Admission of Advocate; (iii) Appointment of Committee and Staff Members;

(iv) Maintenance of Accounts, (v) Rule Making Power, (vi) Power to punish for Professional or other misconducts.

Unit III

Ethics of Legal Profession

(1) Meaning, Nature and need.

(2) Professional Ethics- Duty to the Court; Duty to the Client; Duty to the Opponent, Duty to the Colleagues, other Duties.

(3) Punishment for the Breach.

(4) Accountancy for Lawyers- Purpose of keeping accounts- important aspects relating to accountancy, Legal requirements for maintaining books of accounts, Accounts of Professionals.

Unit IV

Contempt of Courts Act, 1971; Bar- Bench Relations; Co-Operative Interaction between Lawyers and Judges;

Unit V

10 Major Judgements of the Supreme Court

1. M. Veerabhadra Rao V Tek Chand(1984), Supp. SCC 571.
2. Raman Services Pvt.Ltd. V. Subhas Kapoor(2001)2 SCC 365.
3. Harish Chandra Tiwari V. Baiju AIR 2002 SC 548.
4. Rajendra Pai V. Alex Fernande(2002) 4 SCC 212..
5. Vikas Deshpande V. BCI (2003) 1 SCC 384.
6. BCI V. High Court of Kerala (2004) 6 SCC 311.
7. Arundhati Roy in re(Contemner)(2002) 3 SCC 343.
8. Ex. Capt. Harish Uppal V. Union of India (2003) 2 SCC 45.
9. Radha Mohan Lal V. Rajasthan High Court (2003) 3 SCC 42.
10. R.D. Saxena V. Balaram Prasad Sharma AIR 2000 SC 2912.

Unit VI Viva- Voce

Note:	(i) Semester Examination	- 60 Marks
	(ii) Case study(Jail visit / Remand Home visit / Police Station visit, etc)	- 10 Marks.
	(iii) High Court visit and record of proceeding	- 10 Marks.
	(iii) Periodical Legal Problem solution / Socio- Legal Project.	- 10 Marks.
	(iv) Viva - Voce	- 10 Marks.

Books Recommended:

1. S.P.Gupta : Professional Ethics,Accountancy for Lawyers,Bench-Bar Relations.
2. Kailash Raj : Professional Ethics,Accountancy for Lawyers,Bench-Bar Relations.
3. NABHIS' Publications : Business and Professional Accounts.
4. Dr. A.N. Chaturvedi : Principles and Forms of Pleading and Conveyancing with Advocacy and Professional Ethics.
5. Advocacy by Krishnamurthy Iyer
- 6 Relevant Statutes.

Paper 15

HUMAN RIGHTS AND PRACTICE

(Optional)

- Unit I** **Human Rights: Concept and evolution.**
Meaning, Nature and Scope; Origin and Development; Importances and Classification.
- Unit II** **International Legal Frame Works & Human Rights**
Universal Declaration of Human Rights 1948; International Covenant on Economics, Social and Cultural Rights, 1966; International Covenant on Civil and Political Rights 1966; Rights of Prisoners, Women, Children, Disabled, Tribals, Aged and Minorities.
- Unit III** **Enforcement of Human Rights, Indian perspectives, International and Regional Mechanism**
Protection of Human Rights Act, 1993; The Supreme Court in Safeguarding Human Rights in India; Role of Legal Profession, NGOs and Media, Optional Protocols to ICCPR and ICESCR, Regional Mechanism in Europe, America, Africa and Asia.
- Unit IV** **Other Related Enactments**
Mizoram State Commission for Women Act, 2004.
Armed Forces (Special Power) Act, 1958.

Books Recommended:

1. S.K. Awasthi & R.P. Kataria : Law Relating to Human Rights (2000), Orient, New Delhi.
2. Robertson : Human Rights in the World (2005), Universal, New Delhi.
3. Nirmal C.J. : Human Rights in India (2000), Oxford.
4. Dr. S.K. Kapoor : International Law and Human Rights (2000) CLA, Allahabad.
5. V.K. Anand : Human Rights (2001) AIA, Faridabad.
6. Paras Diwan & P. Diwan : Human Rights and the Law (1998), Deep & Deep Publication, Delhi
7. N. Sanjoaba (Ed) : Human Rights, 1994.
8. Chandra, U : Human Rights (2009), CLA, Allahabad.

Paper 25

HUMANITARIAN AND REFUGEE LAWS

(Optional)

Unit I Introduction to the International Humanitarian Law (IHL)

Historical Background, Origins and Development of IHL, Nature and Definition of IHL, Jus at Bellum and Jus in Bello, Sources of Modern Day IHL, Fundamental Rules of IHL, Scope of application of IHL, Marten Clause.

Unit II Protection of Victims of armed Conflict

Role, mandate and activities of the ICRC, the General Obligation of humane treatment – Wounded, Sick and Shipwrecked persons, Combatant status and protection of POW, Protection of Civilians.

Unit III Legal controls of the means and methods of warfare

General limitations on the conduct of war - Limits on the Choice of method and means of warfare, Chemical, Biological and Nuclear Weapons, Protection of Cultural property and the natural environment.

Unit IV IHL Applicable to Non – International armed conflicts

Conditions of application - Common Article 3 to the 1949 Geneva Conventions, situation of internal disturbance and violence, IHL and Human Right Law – Similarities, Difference and Overlap.

Unit V Implementation and Enforcement

National and International measures for Implementation of IHL, Enforcement of IHL, International Criminal responsibility – War Crimes Tribunal and other Mechanisms.

Unit VI Refugee Law

Origin and development of Refugee Law, definition of Refugee, Office of the UNHCR, 1951 Convention Relating to the Status of Refugee, 1967 Protocol Relating to the Status of Refugee, Protection of Refugee under other International Conventions, Regional Conventions, Position of Refugee in India including judicial response.

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Recommended Books:

1. Introduction to IHL edited by M.K.Balachandran and Rose Varghese, ICRC publication.
2. Ingrid Detter De Lupis, The Law of War, Cambridge University Press, Cambridge.
3. The Geneva Convention of 12th August, 1949 and Protocols Additional to the Geneva Convention of 12th August, 1949, ICRC publication.
4. N.Sanjaoba, A Manual of International Humanitarian Law, Regency, New Delhi.
5. Ian Browhile, Principles of Public International Law, OUP.
6. IHL and South Asia, ICRC Publication.
7. Rajeev Dhavan, refugee Law and Policy in India, PILSARC, New Delhi.
8. Basic International Legal Documents on Refugees, UNHCR, New Delhi