



Bar Council of India
22nd Qualifying Examination for Indian
Nationals Holding Foreign Law Degrees

Paper-6

The Indian Legal Profession and Code of Ethics
Date: 28.06.2025



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Paper – VI – Indian Legal Profession and Code of Ethics

PART - A

Answer any 5 of the following:

(5 x 5 = 25)

1. Discuss the evolution of the legal profession and its regulation in India before the Advocate Act, 1961 came into existence?
2. Kapil a practicing CA running his own private practice at Delhi. Subsequently, he also qualified the LL.B examination from a Law College and applied for enrolment as an advocate at the State Bar Council. The Enrolment Committee of the State Bar Council concerned rejected his application. Kapil is aggrieved by this decision. Discuss with the help of relevant rules/provisions and decided case.
3. What is the rationale behind the restriction on advertisement by advocates in India? Discuss with the help of relevant rules/provisions and decided case.
4. Whether the Supreme Court/High Courts can suspend the license of an Advocate while punishing for Contempt of Court? Discuss with the help of relevant rules/provisions and decided case.
5. Whether foreign law firms/foreign advocates can practice law in India? Discuss the current position and its implications.
6. Discuss various powers and functions of the Bar Council of India under the Advocate Act, 1961. In what respect, the powers and functions of the State Bar Councils differ from the powers and functions of the Bar Council of India. Discuss with the help of relevant rules/provisions of the Advocate Act, 1961.

PART - B

Answer any 3 of the following:

(3 x 15 = 45)

7. "In recent time, the Supreme Court has issued judgments on several major public issues. For instance, the closure of polluting industries in Delhi, the conversion of public transport buses from diesel to CNG, and the judgment permitting disinvestment of public sector undertakings. All of these have had far-reaching and often unanticipated impacts. They have materially affected, for better or for worse,

the lives and livelihoods of millions of Indian citizens. Whatever the justice or injustice of these judgments whatever their finer legal points, for the court to become intolerant of criticism or expressions of dissent would mark the beginning of the end of democracy.”

In the light of the above statement and decided cases discuss the power of the Courts to punish for contempt of court vis-a-vis freedom of speech and expression.

8. Mr. Joshep was practicing as an advocate in the civil court of Ranchi, Jharkhand. He was appointed as retainer to the Singhbhum District Co-operative Bank Ltd. in 2019 and the Bank continued to retain him in that capacity during the succeeding years. In July 2024, the Bank terminated the retainership of Mr. Joshep and requested him to return all the case files relating to the Bank. Instead of returning the files, Mr. Joshep sent a detailed bill to the Bank as the balance payable by the Bank towards the legal remuneration and also informed the Bank that all the files will be returned only after settling the dues. Bank disclaimed any outstanding liability in this regard. A complaint was filed by the Senior Manager of the Bank before the Jharkhand State Bar Council in March, 2025 regarding the professional misconduct of Mr. Joshep by not returning the files. Mr. Joshep claimed that he has right of lien over the case files until his dues are paid.

In the light of above facts, relevant provisions and decided cases, discuss the concept of professional misconduct by an advocate and decide this complaint pending before the Jharkhand State Bar Council.

9. "The impression has long been growing at the Bar that only relatives of seniors of those who come from particular chambers get designated. What is worse, there seems to be an imbalance between caste and communities and one can only hope that this is not conscious as that would go against the ethos of the Constitution by which we are all governed."

In the light of the above, discuss the criteria and process of designation of Senior Advocate framed by Supreme Court and of various High Courts. Critically analyse the current situation in this regard with the help of relevant rules/provisions and decided cases.

10. Raju, a physically challenged person was allotted a photocopy kiosk by the municipality under its welfare scheme outside the district court premises. Over period of time, Raju developed interest in law and pursued LLB course from a local law college and obtained LLB degree. Thereafter, he applied for enrolment with the State Bar Council by suppressing the fact that he is currently the owner and actively involved in running the photocopy kiosk. Based on this disclosure, the State Bar Council provided him the enrolment certificate as he fulfilled all the requirements. However, even after his enrolment, he actively continued with his work at the photocopy kiosk. Seeing this development, an advocate named Ramavtar filed a complaint with the concerned State Bar Council of professional misconduct by Raju.

Whether Raju has violated any rules/provisions of the Advocate Act, 1961? Discuss and decide the matter with the help of relevant rules/legal provisions and decided cases.

PART - C

Answer any 1 of the following:

(1 x 30 = 30)

11. "The legal profession should be aware that with each strike they bring down further its image in the eyes of the public, and their claims of being a noble profession will ring false if advocates close down, periodically and without cause, the institution that protects the rule of law and renders the service of dispute resolution to the people. Repeated boycotts by advocates have become a national phenomenon."

In the light of the above statement, critically analyse the validity of strike called by various Bar Association and effectiveness of the judiciary to tackle such situation with the help of relevant rules/provisions and decided cases.

12. "A member of the Bar undoubtedly owes a duty to his client and must place before the Court all that can fairly and reasonably be submitted on behalf of his client. At the same time, a member of the Bar is an officer of the Court and owes a duty to the Court in which he is appearing. He must uphold the dignity and decorum of the Court and must not do anything to bring the Court itself into disrepute."

In the light of the above, discuss the various duties of an Advocate towards the Court and client as provided under Part VI of Bar Council of India Rules 1975 in its chapter II of Standards of Professional Conduct and Etiquette with illustrations and analyse the same.