

# PROFESSIONAL ETHICS

**SEMESTER-** VIII (B.Com LL.B.)

**DATE-** 02.04.2020

**SUBJECT-** Professional Ethics, Accountability for Lawyers & Bar Bench Relation (Clinical Course)

**TOPIC-** The Advocates Act, 1961

# INDEX

1. • Bar Council of India
2. • Constitution of Bar Council of India
3. • Powers of Bar Council of India
4. • Functions of Bar Council of India

# BAR COUNCIL OF INDIA

The advocates act 1961 has provided for the formation of the bar council of India as an autonomous body, charged with certain duties and functions. Section 2(e) defines the bar council of India as the "bar council constituted under sn.4 for the territories to which this act extends".

# CONSTITUTION OF BAR COUNCIL OF INDIA

THE FOLLOWING PERSONS ARE THE MEMBERS OF THE BAR COUNCIL OF INDIA. (SECTION 4)

1. ONE MEMBER FROM EACH STATE BAR COUNCILS. HE WILL BE ELECTED BY THE MEMBERS OF THE RESPECTIVE STATE BAR COUNCILS.
2. ATTORNEY GENERAL OF INDIA-EX OFFICIO MEMBER.
3. SOLICITOR GENERAL OF INDIA-EX OFFICIO MEMBER.

EX-OFFICIO MEMBERS WILL CONTINUE AS MEMBERS SO LONG AS THEY HOLD THE OFFICES OF ATTORNEY GENERAL AND SOLICITOR GENERAL POSTS. THE OTHER MEMBERS WILL CONTINUE AS MEMBERS SO LONG THEY ARE CONTINUING AS MEMBERS OF THE STATE BAR COUNCIL.

# POWERS OF BAR COUNCIL OF INDIA

BAR COUNCIL OF INDIA IS EMPOWERED WITH THE FOLLOWING POWERS.

1. IT IS A BODY CORPORATE.
2. IT IS LEGAL PERSONS HAVING THE AUTONOMOUS STATUS.
3. IT HAS A COMMON SEAL AND PERPETUAL SUCCESSION.
4. IT CAN DO THE FOLLOWING THINGS IN ITS OWN NAME.  
BUYING AND SELLING PROPERTIES, ENTERING INTO AGREEMENTS, FILING CASES ETC.



5. Transfer the name of the Advocate from one state roll to another state roll on his application.

6. It can constitute executive committee, disciplinary committee, legal aid committee etc.

7. To hear and decide appeal, review and revision against the orders of the disciplinary committee of the State Bar Council.

8. Frame rules relating to day to day administration.

# FUNCTIONS OF BAR COUNCIL OF INDIA

S.7 OF THE ADVOCATES ACT EMPOWERS THE BAR COUNCIL OF INDIA TO PERFORM THE FOLLOWING FUNCTIONS.

1. FRAME THE RULES RELATING TO THE PROFESSIONAL ETHICS.
2. FRAME THE RULES OF PROCEDURE TO BE FOLLOWED BY THE DISCIPLINARY COMMITTEE OF THE STATE BAR COUNCILS AND THE BAR COUNCIL OF INDIA.
3. PROTECT THE RIGHTS AND THE PRIVILEGES OF THE ADVOCATES.
4. ENCOURAGE LEGAL REFORMS.



5. Decide the repute relating to professional misconduct which is transferred from the disciplinary committee of the State Bar Council to the Bar Council of India.

6. Decide the appeal against the disciplinary committee of the State Bar Council.

7. Supervise the functions of the State Bar Council.

8. Prescribe the syllabus of the law course in consultation with the State Bar Councils and the universities.





9. Inspect the universities for the purpose of giving recognition to the law degrees of the universities.

10. Spend the Funds of the Bar Council of India for the proper purposes.

11. Conduct elections for the purpose of electing its members.

12. Allow the persons studied abroad to practice in India.

13. Do all other acts which are necessary for the effective implementation of the above said function.

**THANK YOU !!**