

SUPREME COURT OF INDIA

F.No. AOR Exam/June/2012
New Delhi, 16th April, 2012

NOTIFICATION

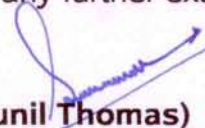
1. Under Rule 5(i) and (ii) of Order IV, Supreme Court Rules, 1966 (as amended) and Regulation (2) of the Regulations regarding Advocates-on-Record Examination made thereunder governing the Examination for Advocates-on-Record, it is hereby notified for the information of all concerned that the next Examination for the Advocates-on-Record will be held in the Supreme Court Premises, New Delhi on **4th, 5th, 6th and 7th June, 2012.**
2. All Advocates who will be completing one year's continuous training on or before **30th April, 2012** are eligible to appear for the aforesaid examination.
3. Applications should reach the Secretary, Board of Examiners, by **3rd May, 2012.** The application forms may be obtained from the office of Secretary on any working day during office hours. No application shall be accepted after **3rd May, 2012.**
4. Acceptance of the application is subject to production of requisite certificate to training from an Advocate-on-Record under Regulation 6 of the Regulations regarding Advocates-on-Record Examination.
5. In pursuance of the directions contained in the Order dated October 12, 2011 passed by Hon'ble Supreme Court of India in I.A. No.2 of 2009 in SLP (C) No. 18481 of 2009 titled *Vijay Dhanji Chaudhary Vs. Suhas Jayant Natwadkar*, and as decided by the Competent Authority, pending the amendment to the Regulations regarding Advocates-on-Record Examination, **Paper-III** for this year shall be "**Advocacy & Professional Ethics**" with maximum marks of 100. Candidates who are desirous of exercising their option to re-appear this year in Paper-III under Regulation 11(i) or (ii) of the Regulations shall also re-appear in the paper "Advocacy & Professional Ethics" with maximum marks of 100.

6. A list of leading Cases with regard to Paper-IV 'Leading Cases' is appended to this Notification as **Annexure 'A'**.

7. No application/representation for re-evaluation/re-checking of answer sheets shall be entertained.

8. In ensuing examinations those who are given roll numbers and who absent themselves in examination without informing reasonable reasons in writing will be treated as not sufficiently prepared & will be dealt with under Regulation 5 (b) without giving further opportunity & time may be prescribed within which they shall not appear again for examination without prior permission of The Board of Examiners. It has been further decided that all such candidates who remain absent without reasonable cause, may be issued show cause notice to explain why their case shall not be placed before the Board of Examiners for appropriate order.

9. The candidates are further informed that the Committee of Hon'ble Judges of the Examination Committee on the recommendation of the Board of Examiners have decided that a candidate who fails in all the papers of Advocate-on-Record Examination held in an year shall not be permitted to appear in the ensuing examination. It was further decided that a candidate may be allowed five chances to appear at the examination, and those who do not qualify in the desired five chances given, they shall not be permitted to appear in any further examination.


(Sunil Thomas)
REGISTRAR & SECRETARY
BOARD OF EXAMINERS

Copy to :-

- 1 The Hony. Secretary, Supreme Court Bar Association with two spare
2. The President, Supreme Court Advocates-on-Record Association, Supreme Court Compound with two spare copies for placing on the Notice Board.
3. P.S. to the Registrar (J-I).
4. P.S. to the Registrar (J-II).
5. P.S. To the Registrar (J-III)
6. P.S. to the Addl. Registrar (Record Room).
7. Branch Officer, Record Room.
8. Technical Director, NIC

SUPREME COURT OF INDIA

New Delhi, the 16th April, 2012

NOTICE (I)

In the Regulations regarding Advocates-on-Record Examination published in the Notification No. G.S.R. 308 dated 1st March 1966, the syllabus for the paper in Drafting is given as follows:-

1. Petitions for Special Leave and Statements of Cases, etc.
2. Decrees & Orders and Writs, etc.

This is to clarify that the syllabus includes petitions of appeal, plaint and written statement in a suit under Article 131 of the Constitution, review petitions under Article 137 transfer petitions u/s 25 of the Civil Procedure Code, Article 139 of the Constitution of India and Section 406 of the Criminal Procedure Code, 1973; contempt petitions under Article 129, interlocutory applications including criminal miscellaneous petitions for bail, condonation of delay, exemption from surrender, applications for revocation of special leave, etc.


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SUPREME COURT OF INDIA

New Delhi, 16th April, 2011

NOTICE (II)

**Subject: Advocates-on-Record Examination - June 2012
Paper III (Advocacy and Professional Ethics)**

This is for information of all concerned that in addition to the books recommended in the Regulations regarding Advocates-on-Record Examination relating to "Advocacy and Professional Ethics", the following have also been suggested for reading for Paper -III:

1. The Advocates Act and Cases reported; under the Advocates Act particularly disciplinary proceedings.
2. Cases relating to Contempt of Court involving Advocates.
3. Bar Council of India Rules.
4. Supreme Court Rules, 1966

It will not be the responsibility of the office to supply any book to any candidate.



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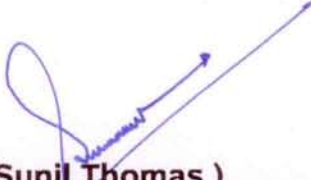
New Delhi, 16th April, 2012

NOTICE (III)

Reg: Advocates-on-Record Examination

During the Advocates-on-Record Examination the head notes of the Leading Cases (Paper-IV) as printed in the Supreme Court Reports will be made available by the Registry to the candidates in the Examination Hall at the time of Examination and the same should be returned by the candidate immediately to the invigilators at the end of the paper.

All the head notes have been separately printed and bound. The candidates are requested not to spoil by underlining or putting any mark anywhere on the head notes as they are to be used in the future also.



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New Delhi, 16th April, 2012

NOTICE (IV)

Results of the last Advocate on Record Examination have been declared. Candidates who fall under Regulations 11(i) & 11(ii) of **the Regulations regarding Advocates-on-Record Examination** are informed that although they have the permission to appear in the subsequent examination in one Paper only, this would be at their option and such candidates may be entitled if they so choose to appear in the entire examination afresh. The option will have to be finally exercised by the candidate at the time of filing of proforma application for subsequent examination & the same will be binding on the candidate.

For information Regulation 11(i) & 11(ii) are reproduced:-

Regulation 11(i) :

"A candidate, who fails to obtain 50 per cent in one paper only but obtains 40 per cent in that paper and also obtains 60 per cent in the aggregate in the remaining papers, shall be allowed to appear in that paper at any one subsequent examination on payment of the full examination fee and he shall be declared to have passed the Advocates-on-Record Examination if the marks obtained by him at the subsequent examination taken with the marks obtained in the remaining papers at the earlier examination are 60 per cent of the aggregate marks in all the papers.

Regulation 11 (ii):

A candidate who passes in all the papers at any single examination but fails to obtain 60 per cent of the marks in the aggregate may, with the previous permission of the Examination Committee and on the payment of the full examination fee, appear at any one subsequent examination in one of the papers only in which he has obtained less than 60 per cent marks and shall be declared to have passed the Advocates-on-Record Examination if the marks obtained by him at the subsequent examination taken with the marks obtained in the remaining paper at the earlier examination are 60 per cent of the aggregate marks in all the papers."

....2/-

The candidates are further informed that in ensuing examinations those who are given roll number and who absent themselves in examination without informing sufficient reasons to the Secretary in writing will be treated as not sufficiently prepared and will be dealt with under Regulation 5(b) without giving further opportunity, and time may be prescribed within which they shall not present themselves again for examination except with prior permission of the Chairman of Board of Examiners. Regulation 5 (b) reads as under:-

5(b) " If the Committee on the recommendation of the Board of Examiners, is of the opinion that a candidate has not sufficiently prepared himself for the examination they may prescribe a time within which he shall not present himself again for examination."

The candidates are further informed that the Committee of Hon'ble Judges of the Examination Committee on the recommendation of the Board of Examiners have decided that a candidate who fails in all the papers of AOR Examination shall not be permitted to appear in the next examination. It was further decided that a candidate may be allowed five chances to appear at the examination, and those who do not qualify in the desired five chances given, they shall not be permitted to appear in any further examination.



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13.12.05

REVISED LIST OF LEADING CASES

1. The State of West Bengal vs. Anwar Ali Sarkar
(1952) SCR 284
2. The Commissioner, Hindu Religious Endowments, Madras vs. Sri Lakshmindra Tirtha Swamikal of Sri Shrirur Mutt
(1954) SCR 1005
- 3A. In Re: The Kerala Education Bill, 1957,
Reference under Article 143 (1) of the Constitution of India
(1959) SCR 995
- ~~3B.~~ TMA Pai Foundation vs. State of Karnataka
(2002) Suppl.3 SCR 587
- 3C. PA Inamdar vs. State of Maharashtra
(2005) 6 SCC 537
- 4A. Pandit M.S.M. Sharma vs. Shree Krishna Sinha & Ors.
(1959) Suppl.1 SCR 806.
- 4B. People's Union for Civil Liberties (PUCL) & Anr. vs. Union of India & Anr.
(2003) 2 SCR 1136
5. The Automobile Transport (Rajasthan) Ltd. vs. State of Rajasthan & Ors. (& connected appeals)
1963(1) SCR 491
6. State Trading Corporation of India vs. The Commercial Tax Officer Visakhapatnam
(1964) 4 SCR 99
7. In Re: Keshav Singh (Special Reference No. 1 of 1964)
(1965) 1 SCR 413
8. Naresh Shridhar Mirajkar vs. State of Maharashtra
(1966) 3 SCR 744
9. Golaknath Vs. State of Punjab
(1967) 2 SCR 762

10. Rustom Cowasjee Cooper vs. Union of India
(1970) 3 SCR 530
11. H.H. Maharajadhiraja Madhav Rao Jiwanji Rao vs. Union of India
(1971) 3 SCR 9
- 12A. Keshavananda Bharati vs. State of Kerala
(1973) Supp SCR 1
- 12B. S.R. Bommai vs. Union of India
(1994) 2 SCR 644
- 12C. L. Chandra Kumar vs. Union of India
(1997) 2 SCR 1186
- 12D. Indira Gandhi vs. Raj Narain
(1976) 2 SCR 347
- 12E. Minerva Mills vs. Union of India
(1981) 1 SCR 206
- 12F. Waman Rao vs. Union of India
(1981) 2 SCR 1
13. Samsher Singh vs. State of Punjab.
(1975) 1 SCR 814
14. ADM Jabalpur vs. S. Shukla
(1976) Suppl. SCR 172
15. R.S. Joshi vs. Ajit Mills
(1978) 1 SCR 338
16. Trustees for the Improvement of Calcutta vs. Chandrasekhar Mallick
(1978) 1 SCR 136
17. Bangalore Water Supply & Sewerage Board vs. A. Rajappa
(1978) 3 SCR 207
18. Madan Mohan Pathak vs. Union of India
(1978) 3 SCR 334
19. State of Karnataka vs. Union of India
(1978) 2 SCR 1
20. Maneka Gandhi vs. Union of India
(1978) 2 SCR 621

21. In Re: The Special Courts Bill, 1978
(1979) 2 SCR 476
22. S.P. Gupta vs. Union of India
(1982) 2 SCR 365
23. M C Mehta & Another vs. Union of India & Ors.
(1987) 1 SCR 319
- 24A. A.R. Antulay vs. R.S. Nayak
(1988) Suppl. 1 SCR 1
- 24B. Rupa Ashok Hurra vs. Ashok Hurra & Anr.
(2002) 2 SCR 1006
25. Synthetics & Chemicals Ltd. vs. State of U.P.
(1989) Suppl.1 SCR 623
26. Indra Sawhney vs. Union of India
(1992) Suppl. 2 SCR 454
27. Supreme Court Advocates-on-Record Asso. vs. Union of India
(1993) Suppl.2 SCR 659
28. Mafatlal Industries vs. Union of India
(1996)-Suppl. SCR 585
29. New Delhi Municipal Council vs. State of Punjab etc. etc.
(1996) Suppl.10 SCR 472
30. Vishaka & Ors. vs. State of Rajasthan & Ors.
(1997) Suppl. 3 SCR 404
31. Supreme Court Bar Association vs. Union of India
(1998) 2 SCR 795
32. P.V. Narasimha Rao etc. etc. vs. State (CBI/SPE) etc. etc.
(1998) 2 SCR 870
33. Special Reference No: 1 of 1998
(1998) Suppl. 2 SCR 400
34. Dr. Preeti Srivastava & Anr. Etc. Etc. vs. The State of Madhya Pradesh
& Ors.
(1999) Suppl.1 SCR 249
35. State of Maharashtra vs. Millnd & Ors.
(2000) Suppl.5 SCR 65

36. E.S. Rajaram & Ors. vs. Union of India & Ors.
(2001) 1 SCR 203
37. M/s. Somaiya Organics (India) Ltd. vs. State of U.P. & Anr.
(2001) 3 SCR 33
38. B.R. Kapur vs. State of Tamil Nadu & Anr.
(2001) Suppl.3 SCR 191
39. In Re: Arundhati Roy - Contemnor
(2002) 2 SCR 213
40. P. Rama Chandra Rao vs. State of Karnataka
(2002) 3 SCR 60
41. Pradeep Kumar Biswas & Ors. vs. Indian Institute of Chemical Biology
& Ors.
(2002) 3 SCR 100
42. Special Reference No.1 of 2002
(2002) Suppl.3-SCR 366
43. The State of West Bengal & Ors. vs. Kesoram Industries Ltd. & Ors.
(2004) 1 SCR 564
44. Standard Chartered Bank & Ors. vs. Directorate of Enforcement & Ors.
(2005) 4 SCC 530
45. State of Gujarat vs. Mirzapur Moti Kureshi Kassab Jamat & Ors.
(2005) 8 SCC 534
46. S.B.P. & Co. vs. Patel Engineering Ltd. & Anr.
(2005) 8 SCC 618

Note (for Item Nos. 12E & 12F): The correctness of these judgments have been referred to a larger Bench preferably of nine Judges in I.R. Coelho (Dead) by LRs etc. vs. State of Tamil Nadu etc. (1999) Suppl.2 SCR 394.

Note (for Item No. 17): The correctness of the interpretation of the word "Industry" in this case stands referred to a larger Bench in State of U.P. vs. Jal Bir Singh (2005) 5 SCC 1.