

SUPREME COURT OF INDIA

F. No. AOR Exam/June/2017
New Delhi, 3rd April, 2017

NOTIFICATION

1. Under Rule 5 (i) and (ii) of Order IV, Supreme Court Rules, 2013 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 6th, 7th, 8th & 9th June, 2017.
2. All Advocates who will be completing one year's continuous training on or before 30th April, 2017 are eligible to appear for the aforesaid examination.
3. Applications should reach the Secretary, Board of Examiners, by 27th April, 2017. The application forms may be obtained from the office of the Secretary on any working day during office hours. No application shall be accepted after 27th April, 2017.
4. Acceptance of the application is subject to production of requisite certificate of training from an Advocate-on-Record under Regulation 6 of the Regulations regarding Advocates-on-Record Examination.
5. A list of leading Cases with regard to Paper-IV 'Leading Cases' is appended to this Notification as **Annexure 'A'**.
6. Under Regulation 12 of the Regulations regarding Advocates-on-Record Examination, no application/representation for re-evaluation of answer sheets shall be entertained. Application/representation seeking relief other than in the nature of re-evaluation shall not be entertained beyond a period of 30 days from the date of declaration of the result.



7. In ensuing examination those who are given roll numbers and who absent themselves in examination without assigning reasonable cause in writing will be treated as not sufficiently prepared for the examination and will be dealt with under Regulation 5 (b) without giving them any 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 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 cases shall not be placed before the Board of Examiners for appropriate orders.

8. Under Regulation 11 (iii) of the Regulations regarding Advocates-on-Record Examination, a candidate who fails in all the papers of the examination shall not be permitted to appear in the next examination.

9. Under Regulation 11 (iv) of the Regulations regarding Advocates-on-Record Examination, a candidate shall not be allowed more than five chances to appear at the examination. Appearance even in any one of the papers in an examination shall be deemed to be a chance.



(DEEPAK JAIN)

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REVISED LIST OF LEADING CASES

1. T.M.A Pai Foundation v. State of Karnataka (2002) 8 SCC 481: AIR 2003 SC 355
2. P.A. Inamdar v. State of Maharashtra: 2004 (8) SCC 139
3. Minerva Mills v. Union of India (1980) 3 SCC 625
4. S.R. Bommai v UOI: 1994 (3) SCC 1
5. L. Chandra Kumar v. UOI: 1995 (1) SCC 400
6. Supreme Court Advocate-on-record Association v. UOI 1993 (4) SCC 441
7. Samsher Singh v. State of Punjab: 1974 (2) SCC 831
8. Bangalore Water Supply & Sewerage Board v. A. Rajappa: 1978 (2) SCC 213
9. Maneka Gandhi v. UOI: 1978 (1) SCC 248
10. A.R Antulay v. R.S. Nayak: 1988 (2) SCC 602
11. Rupa Ashok Hurra v. Ashok Hurra: 2002 (4) SCC 388
12. Indra Sawhney v. UOI: 1992 Supp (3) SCC 217
13. Vishaka v. State of Rajasthan: 1997 (6) SCC 241
14. Pradeep Kumar Biswas v. Indian Institute of Chemical Biology: 2002 (5) SCC 111
15. SBP & Co. v. Patel Engg. Ltd.: 2005 (8) SCC 618
16. I.R Coelho v. State of Tamil Nadu: 2007 (2) SCC 1
17. Ashoka Kumar Thakur v. UOI: 2008 (6) SCC 1



18. CBSE v. Aditya Bandopadhyay: **2011 (8) SCC 497**
19. Swamy Shraddananda (2) v. State of Karnataka: **2008 (13) SCC 767.**
20. Nandini Sundar v. State of Chattisgarh: **2011 (13) SCC 46**
21. Selvi v. State of Karnataka: **2010 (7) SCC 263**
22. Amarinder Singh v. Punjab Vidhan Sabha: **2010 (6) SCC 113.**
23. State of West Bengal v. Committee for the Protection of Democratic Rights: **2010 (3) SCC 571**
24. Kihota Hollohan v. Zachillhu: **1992 Supp (2) SCC 651**
25. Centre for Public Interest Litigation v. UOI: **2012 (2) SCALE 180**
26. In re: Special Reference No.1 of 2012 **2012 (10) SCC 1**
27. Mafatalal Industries Ltd. v. Union of India, **(1997) 5 SCC 536**
28. Vodafone International Holdings BV v. Union of India, **(2012) 6 SCC 613**
29. Zahira Habibulla H. Sheikh v. State of Gujarat, **(2004) 4 SCC 158**
30. Malay Kumar Ganguly v. Dr. Sukumar Mukherjee, **(2009) 9 SCC 221**
31. M. Nagaraj v. Union Of India **(2006) 8 SCC 212**
32. Aruna Ramachandra Shanbhaug v. Union Of India **(2011) 4 SCC 454**
33. Sangeet v. State of Haryana **(2013) 2 SCC 45.**
34. Society for Unaided Private Schools of Rajasthan v. Union Of India **(2012) 6 SCC 1**
35. S.P. Gupta v. Union of India **1982 (2) SCR 365**



36. Kharak Singh **1964 (1) SCR 332**

37. D.K. Basu v. State of West Bengal **1997 (1) SCC 416.**

38. Vellore Citizens Welfare Forum v. Union of India **1996 (5) SCC 647**

39. Naga People's movements of Human Rights v. UOI **1998 (2) SCC 109**

40. State of Maharashtra v. Sangharaj Damodar Ruparwate **2010 (7) SCC 398**

41. Sodan Singh v. New Delhi Municipal Corporation **1989 (4) SCC 155**

42. Ms. Githa Hariharan v. Reserve Bank of India **1999 (2) SCC 228**

43. Danial Latifi v. Union of India **2001 (7) SCC 740**

44. D.S. Nakara v. Union of India **1983 (1) SCC 305**

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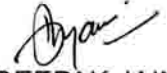
NOTICE (I)

Subject : Advocates-on-Record Examination - June 2017
Paper- II (Drafting)

In the Regulations regarding Advocates-on-Record Examination published in the Notification No. G.S.R. 368(E) dated 27th May, 2014, 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 of India; review petitions under Article 137 of the Constitution of India; 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 of the Constitution of India, interlocutory applications including criminal miscellaneous petitions for bail, condonation of delay, exemption from surrender, applications for revocation of special leave, etc.



(DEEPAK JAIN)
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NOTICE (II)

Subject: Advocates-on-Record Examination – June 2017
Paper III (Advocacy and Professional Ethics)

This is for information of all concerned that the following books are also suggested for study in Paper-III of the examination:

1. The Advocates Act and Cases reported under the Advocates Act, particularly disciplinary proceedings.
2. Cases relating to the Contempt of Court involving Advocates.
3. The Bar Council of India Rules.
4. The Supreme Court Rules, 2013.

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



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NOTICE (III)

**Reg: Advocates-on-Record Examination- June 2017
Paper – IV (Leading Cases)**

During the Advocates-on-Record Examination, the Head Notes of the Leading Cases (Paper-IV) will be made available by the Registry to the candidates in the Examination Hall at the time of Examination and the same should have to be returned immediately to the invigilators at the end of the Examination.

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 Examinations also.


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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 candidates at the time of filing of proforma application for subsequent examination and the same will be binding on the candidates.


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 he obtains 50 per cent marks in the paper in which he has so reappeared and the marks so obtained in the paper he has reappeared 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, on payment of the full examination fee, appear at any one subsequent examination in one of the papers only 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 papers at the earlier examination are 60 per cent of the aggregate marks in all the papers. The option will have to be exercised by the candidate at the time of filing of proforma application for appearing in the subsequent examination and the option once exercised shall be binding on the candidate."

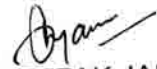


The candidates are informed that in ensuing examination those who are given roll number and who absent themselves in examination without assigning sufficient reasons in writing to the Secretary will be treated as not sufficiently prepared and will be dealt with under Regulation 5(b) without giving further 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 as per Regulations 11 (iii) of the Regulations regarding Advocates-on-Record Examination, a candidate, who fails in all the papers of the examination, shall not be permitted to appear in the next examination.

The candidates are further informed that as per Regulations 11 (iv) of the Regulations regarding Advocates-on-Record Examination a candidate shall not be allowed more than five chances to appear at the examination. Appearance even in any one of the papers in an examination shall be deemed to be a chance.



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