

DUTIES AND NATURE OF WORKS DONE BY THE ADVOCATES IN THEIR PROFESSIONAL FIELD IN KOLKATA: A SYSTEMATIC REVIEW

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Abstract: Education is a process to nurture the hidden abilities of an individual. In the phase of the modern education system, there are several types of educational courses that produce. Professional education viz. Law, Management, MBA, Engineering etc particularly focuses on the skills, abilities, practical learning, practical experience of the students. Legal professionals play an eminent role in maintaining legal aspects and provide justice. Legal professionals mean qualified experts those people provide legal advice, represent clients, practice, law, and ensure justice viz. Solicitors, barristers, attorneys, judges, lawyers. The major objectives of this review study is to find out the nature of works done by the advocates in their professional field. In this study, through a comprehensive review from several secondary data, relevant data are collected from the time period of 2000 to 2025. The essential data are collected through Google scholar, Shodhganga from several research journals, research papers, thesis, research articles etc. The study revealed that there are several legal duties of the advocates such as provide respect to the authority, respectable behaviour, sincerity and fairness, maintain confidentiality, financial integrity, maintain professionalism, maintain cordial relationships, and provide legal assistance to common people. The nature of works done by the advocates is legal counselling and provide legal advice, properly representation and litigation, non-litigation work, duty to the society, duty to the court, clients, and colleagues.

Key Words: Advocates, Duties, Nature of works, Professional field, Kolkata.

Introduction

In the field of legal education, legal professionals refer to the advocates, lawyers, judges, prosecutors, notaries, and solicitors. In India, legal education initiated with Ancient Dharma Shastra studies in 1855 in the city of Bombay, Calcutta and Madras. The major objective of these inclusions is to train English speaking lawyers for British Colonial courts. In the Mughal period, the courts and Islamic law system existed, hence structured legal education remained limited. In the post-independence period, through the Bar Council of India (BCI) Advocates Act, 1961, the overall curriculum, standards and qualification was formed nationwide. In the modern education system, both 3-year LL. B and 5-year integrated degree exist to study legal education. Legal profession refers to the study and trains individual in the principals, theories, practices, skills and knowledge of law to develop the ability of legal reasoning, understanding, legal systems, skills to serve clients effectively and uphold justice. **Kumar and Madhumitha (2024)** in their study A study on professional ethics in law and responsibility of advocates in India, explored the professional ethics in law and its responsibility in India. In this study, the sample size was 200. The study revealed that the responsibility of legal ethics is to maintain honour and dignity of the legal profession to

ensure the spirit of friendly cooperation, honourable and fair dealing of the counsel with his clients as well as to secure the responsibilities of the lawyers towards the society, **Abdullah et al. (2023)** in their study, Legal responsibilities of the advocate professional organization for members who comfort the law in carrying out their profession, analysed the responsibilities of the advocate professional organization if advocate members are dealing with legal cases. The descriptive research design was used in this study. A quantitative research approach was employed with a literature study approach. The secondary data was used. The study revealed that several actions can be categorised as responsible actions carried out by advocate organizations if members conflict with the law in their profession. The study also stated that another action is to assist all members who are dealing with the law, **Permita et al (2022)** in their study Professional ethics of legal advisors or advocates when proceeding in court, determined the professional ethics of a legal advisor or advocate when proceeding in court. The study employed a quantitative approach. The relevant data were collected through the document study method. The study revealed that the Indonesian Advocate code of ethics is the highest law in carrying out the profession, which guarantees and protects but imposes an obligation on every advocate to be honest and responsible in carrying out their profession, especially when proceeding in court, **Nuna et al (2020)** in their article Code of ethics and the role of advocates in providing legal aid to the poor, explained how the code of ethics of the advocate profession in upholding the law is how the role of advocates in providing justice to society based on applicable law. The article revealed that the code of ethics can compensate for the negative aspects of the profession and with the existence of a code of ethics, community trust in a profession can be strengthened because every client has the assurance that his interest will be guaranteed, and implementation of legal aid must be in line with the breath that becomes the goal of protecting human rights and ideals of justice, **Shaffer et al (2015)** in their article State transformation and the role of lawyers: the WTO, India and transnational legal ordering, explained the impact of India's engagement with the law of the World Trade Organization (WTO) on both the Indian State and on the WTO itself. The article showed that it has done so not as an autonomous policy choice, but rather in light of the global context in which the WTO and WTO law form an integral part. The article also displayed that India has built legal capacity to attempt to shape the construction, interpretation, and practice of the trade legal order. Indian private lawyers play increasing roles, although they remain on tap, not on top.

Statement of the problem

What are the duties and nature of works done by the advocates in their professional field in Kolkata.

Need of the Study

Education plays an eminent role for the overall development of an individual. The existence of legal professionals has not arrived today; it is also in existence from the Vedic civilization. In the Vedic period, no formal legal professionals existed rather kings and the local councils conducted justice systems advised by scholars or religious heads. In many parts of this changing world, people also change in vulnerable perspectives and live their life in an improper or unethical way. In a diverse society, it is truly essential to maintain the equality in every aspect of life as well as in every society. To maintain the equality and dignity of all needy people it is essential to maintain and provide justice to all the people by the legal professionals. Legal professionals not only preserve the rights and reservations of people, but also provide justice according to the Indian Law System. On the other hand, legal education plays an important role in building a robust legal system through training the legal professionals with deep rooted knowledge of laws, critical thinking abilities, ethical considerations, representation and communication skills to serve the clients and uphold justice. Legal education also fosters social vision and citizenship among the legal professionals. In the legal field, legal professionals encompass various roles viz. Solicitors, lawyers, attorneys, barristers, prosecutors, judges, notaries etc in the areas of corporate, criminal and family law. Professional competencies of the legal professional are deep rooted legal knowledge, ethical integrity, effective communication skills, research skills, empathy, critical thinking abilities and continuous learning interest

etc. There have been several studies that are conducted on legal professionals, nevertheless what are the legal duties of the advocates and nature of works done by the advocates in their professional field have not yet explored. To fulfil these knowledge gaps, the present study is needed to explore. The present study examines the legal duties of the advocates and nature of work done by the advocates in professional field.

Objectives

- (1) To find out the legal duties of the advocates in their professional field.
- (2) To find out the nature of work done by the advocates in professional field.

Research Questions

- (1) What are the legal duties of the advocates in their professional field?
- (2) What is the nature of work done by the advocates in professional field?

Data collection

The relevant secondary data for this review study is collected from several books, research journal, research articles, thesis which published in between the time period of 2000 to 2025.

Delimitations of the study

- (1) The present study is delimited with only nature of works selected for this study.
- (2) The study delimited with only advocates are selected for this study.
- (3) The study is delimited with only legal duties is selected for this study.
- (4) The study delimited with only Kolkata is selected for this study.

Major Findings of the Study

The legal duties of the advocates in their professional field

Provide respect to the authority

In any kind of profession, it is essential to maintain professionalism and respect to the authority. In the legal field, it is foremost important to appear in proper attire and dignity in front of judicial. One of the foremost important duties of the advocate is required to act in aid of the Honourable Supreme Court of India. According to the Bar Council of India (BCI) rules Judges are to be addressed as "Your Lordship", My Lord", or "Hon'ble Court". (Source: <https://www.google.com/url?sa=i&source=web&rct=j&url=https://gender.study/understanding-gender-and-law/role-regulation-lawyers-indian-legal-system/%23~:text=%3DAs%2520officers%2520of%2520the%2520court,cases%2520but%2520about%2520upholding%2520justice.&ved=2ahUKEwiotJmu7ZmTAxUIXWwGHfYfE5kQ1fkOegQIFRar&opi=89978449&cd&psig=AOvVaw0HW0hy90wClI6sgVYRxAlR&ust=1773387493784000>). Legal professionals maintain and do not interrupt a judge or opposing counsel during legal arguments.

Sincerity and fairness

Through the Advocates Act, 1961 and the Bar Council of India (BCI) rules, in the legal field, advocates should maintain sincerity and fairness. All the advocates act with high integrity, diligence and ethics. Legal professionals should maintain adequate legal knowledge and skills and operate legal matters with due care. In the legal field, legal professionals must be truthful in all relevant matters, present clients accurately without restrain material evidence. In their profession, they maintain ethical principles in everyday life and regain different types of knowledge related to the legal work.

Respectable behaviour

In India, legal work governed by the Advocates Act, 1961 and the Bar Council of India (BCI) Rules that mandate a code of ethics. Advocates must behave respectfully with the clients, colleagues, judicial and use dignified language during communication. Advocates do not communicate directly with the opposition party. Advocates should respect and honour their seniors.

Maintain confidentiality

In the legal profession, confidentiality is one of the foremost important factors. Confidentiality is a foundational obligation rooted in ethical guidelines. Maintain confidentiality ensures clients to share

personal information without fear of exposure. According to the Supreme Court 2025 Rule (Suo Motu Writ petition no.2 of 2025) reaffirmed that a lawyer cannot be summoned or forced to disclose client communications unless they fall within the specific exceptions of Section 132 BSS. (Source: <https://www.google.com/url?sa=i&source=web&rct=j&url=https://corporate.cyrilamarchandblogs.com/2025/11/whose-privilege-is-it-anyway-a-critique-of-the-recent-supreme-court-judgment-on-attorney-client-privilege/&ved=2ahUKEwjowvGygJuTAxXBXWwGHXBhD-wQ1fkOegQIEBAD&opi=89978449&cd&psig=AOvVaw3cVr8ekNkurBvS4pRDX0a2&ust=1773426963628000>).

Financial integrity

In India, financial integrity is the foremost mandatory legal and ethical duty of legal professionals. Besides statutory obligations financial integrity is a core element to maintain professional ethics, that also ensures trust between legal officials, practitioners and clients.

Maintain cordial relationships

Through the Advocates Act, 1961 and the Bar Council of India (BCI) Rules, maintaining a cordial relationship is mandatory legal duty of advocates. As a legal professional, advocates are constrained to maintain the dignity of the judicial officers, foster respect to all and maintain ethical behaviour towards clients, opponents and colleagues.

Provide legal assistance to common people

Through the Article 39A by the constitution of India, providing free legal assistance to the underprivileged is a constitutional mandate and a legal duty. It is also implemented by the National Legal Services Authority (NALSA) under the legal services Authorities Act, 1987. (Source: https://www.google.com/url?sa=i&source=web&rct=j&url=https://nalsa.gov.in/legal-aid/%23:-:text%3DFree%2520legal%2520aid%2520is%2520the,free%2520legal%2520aid%2520may%2520include:&ved=2ahUKEwjQoL_Nv5yTAxVIV2wGHUZ9F38Q1fkOegQICBAG&opi=89978449&cd&psig=AOvVaw3Q_ozRA5D8FVtajDFkFKug&ust=1773478290600000). In India, all kinds of free legal services viz legal advice, document preparation, court representation and covering litigation costs are provided to all citizens.

The nature of work done by the advocates in professional field

Legal counsel and provide legal advice

In Indian subcontinent, advocates provided legal counselling and legal advice to all the needful citizens. Legal counselling and legal advice are core non-litigation and litigation related services, which involves to interpret complex laws, identify legal rights, and recommend several strategies to resolve or avoid litigation. Through the approach of legal counselling, an advocate listen and helps the client to identify their problems and evaluate favourable solutions. All kinds of legal advice play an important role to provide formal or informal opinion by the Advocate about the application of laws, rules, and regulations.

Proper representation and litigation

In any profession, proper representation is the foremost important movement. In the Indian legal field, legal professionals play an eminent role as creating a primary bridge between the justice system and litigants. The core element of their work is to provide proper representation and manage litigation through adhering to the Advocates Act, 1961, and the Bar Council of India (BCI) Rules. Proper representation by the advocates includes case strategies and advice, courtroom advocacy, confidentiality, drafting etc.

Non-litigation work

In the Indian legal landscape, non-litigation work is driven by a "Prevention over cure" approach and that also focuses on risk mitigation, legal compliance and several transactional support. In the Indian legal field, non-litigation work refers to several legal services that involve indirect representation in courtrooms before judges. Non-litigation work offers a faster and more cost-effective alternative approach than the traditional litigation.

Duty to the society

Every citizen should maintain and play an eminent role towards the rules, regulations and provide brotherhood and unity under this society. In Indian society, advocates have a basic duty to uphold the rule

of law and stewards of justice to society. Their duties involve maintenance of ethical standards, equality for all, provide access to justice for the underprivileged people and also protect constitutional rights.

Duty to the court

In the Indian legal system, an advocate's foremost important duty towards the court is to ensure the administration of justice that uphold dignity, respect and honesty. Advocates have to maintain respect and also do not engage in any private communication with the judges. Through the Bar Council of India (BCI), advocates must do such duties of dignified behaviour, respect for the court, no private community, refusal to represent untruthful clients, fairness in proceedings, non-standing of surety, avoid conflict of interest etc. (Source: <https://www.google.com/url?sa=i&source=web&rct=j&url=https://www.barcouncilofindia.org/info/bci-rules&ved=2ahUKEwiCx4u-5pyTAXWnVWwGHQIhCzUQ1fkOegQICBAG&opi=89978449&cd&psig=AOvVaw3AjfEeOKXLwtiEfl2ulO0z&ust=1773488727278000>)

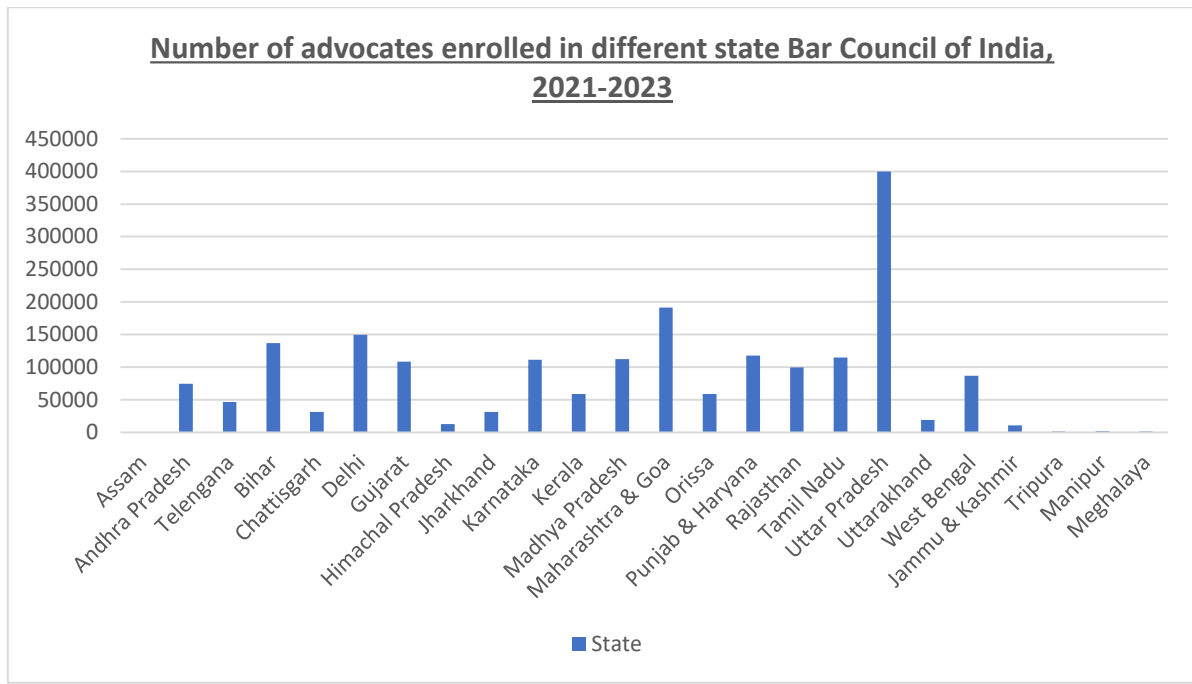
Duty to the client

As a human being it is necessary to give equal respect and honour to all the citizens. In India, through the rules of the Bar Council of India (BCI) (Section 2, part-6, chapter-2), advocates maintain duty to their clients that mandates uphold clients' interests, maintain confidentiality, accept briefs and avoid conflicts of interest. (Source: <https://www.google.com/url?sa=i&source=web&rct=j&url=https://www.barcouncilofindia.org/info/rules-on-an-advocates-duty-towards-the-client%23~:text=3DAn%2520advocate%2520should%2520always%2520keep,and%2520all%2520other%2520necessary%2520particulars.&ved=2ahUKEwib2I2g6JyTAXUccWwGHU63OfIQ1fkOegQICBAL&opi=89978449&cd&psig=AOvVaw10pCNgTxCn2Gy4o3Gy1LED&ust=1773489201269000>) There are several key duties that are maintained by an advocate viz confidentiality, financial integrity, case strategies, acceptance and diligence. The nature of work of the advocates implies that an advocate is not only a legal guardian but also a responsible person acts with high ethical and professional standards.

Duty to the colleagues

In the Indian legal field, duty to the colleagues by an advocate is governed by the Bar Council of India (BCI) Rules. Duties of an advocate include professional courtesy, maintain dignity, provide respect, avoid unethical competition, do not solicit another's client, give opposing counsel respect, mentorship, cooperation, and maintain a spirit of brotherhood to uphold peace and justice. (Source: https://www.google.com/url?sa=i&source=web&rct=j&url=https://www.edrafter.in/responsibilities-and-duties-of-an-advocate/%23~:text=3DAdvocates%2520should%2520treat%2520fellow%2520lawyers,be%2520resolved%2520amicably%2520and%2520professionally.&ved=2ahUKEwighPPC6pyTAXW_RWcHHSmeOscQ1fkOegQICBAD&opi=89978449&cd&psig=AOvVaw2PNOx9JsTgC7RvVtQ5NvvH&ust=1773489811104000)

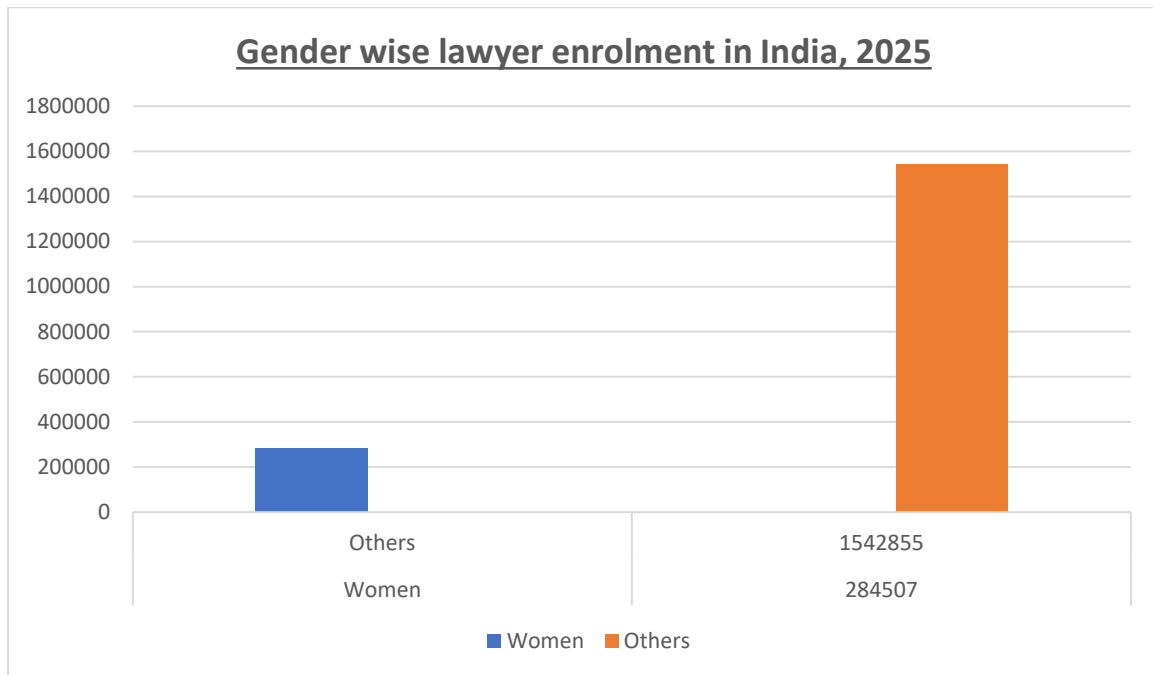
Fig: 1
Number of advocates enrolled in different state Bar Council of India, 2021-2023



Source: Department of Legal Affairs

Fig: 1 Shows a number of advocates enrolled in different state Bar Council of India from the year of 2021-2023. The data revealed that in India there are 2013081 advocates enrolled from different states Bar Council of India viz Assam (37326), Andhra Pradesh (74522), Telangana (46555), Bihar (136721), Chhattisgarh (31429), Delhi (149655), Gujarat (108181), Himachal Pradesh (12578), Jharkhand (31248), Karnataka (111162), Kerala (58770), Madhya Pradesh (112390), Maharashtra and Goa (191394), Orissa (58697), Punjab and Haryana (117423), Rajasthan (99597), Tamil Nadu (114584), Uttar Pradesh (400016), Uttarakhand (18804), West Bengal (86555), Jammu and Kashmir (10589), Tripura (1489), Manipur (1974), Meghalaya (1422).

Fig: 2
Gender wise lawyer enrolment in India, 2025



Source: Bar Council of India

Fig: 2 represents gender wise lawyers’ enrolment in India, 2025. According to the Bar Council of India (BCI), out of 15,42,855 advocates, the women’s enrolment is 2,84,507. It indicates that women accounted for only 15.3% of total enrolment advocates.

Conclusion

In India, from the ancient Vedic period up to the modern 21st century, the law system is upholding a major role in maintaining peace and unity under this society. In the legal field, advocates and the other legal professionals play an important role in performing legal services effectively and providing justice to the needy people. In the legal field there are several legal duties of the advocates such as provide respect to the authority, respectable behaviour, sincerity and fairness, maintain confidentiality, financial integrity, maintain professionalism, maintain cordial relationships, and provide legal assistance to common people. The nature of works done by the advocates is legal counselling and provide legal advice, properly representation and litigation, non-litigation work, duty to the society, duty to the court, clients, and colleagues.

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