

Bibilography & Book Review

SELECT BIBIOGRAPHY

V. Raghavendra Prasad

Legal Officer

1. A.B. Kafaltiya, " Election Administration And Its Jurisdiction Limitations : The Election Commission", AIR 1999 Journal 208 - elaboratively discusses at length with the help of case law the role of the Election Commission in conducting the elections and its jurisdictional limitations in administration, and suggests appropriate amendments to Article 324 of the Constitution of India.
2. A.M. Bhandari, "A Critical Note on the Decision of H.N. Narayan, J. in Barkatulla Khan Vs C.N. Rudra Murthy, Reported in ILR 1998 Kant. 1248", AIR 1999 Journal 197 - examines the relevant provisions of Rent Acts of Tamilnadu, Karnataka and Delhi and discusses the case law and opines that the importance of Article 141 of the Constitution of India has not been properly appreciated by the Karnataka High Court in the above case.
3. Amnee Yajnik, "Domestic Violence and Protection of Human Rights", AIR 1999 Journal 145 - examines domestic violence in India as a Human Rights issue and suggests a few judicial and social reforms to bring down domestic violence and lastly opines that social response is required to raise the veil that hides the Violence, and legal response is needed to bring justice to the doorsteps of the victim.
4. Arjun Lall, " The Need for a Comprehensive Securities Law in India and the Dhanuka Committee Report", (1999) 21 SEBI and Corporate Laws 109 (Magazine) - discusses the Dhanuka Committee's recommendations, pertaining to the laws relating to capital market; in particular on consolidating the Acts and some fallacies in the recommendations.
5. Anant Swaroop, " Workman Vs. Managers." 1999 Lab. I.C. 167 (Journal) - Suggests a comprehensive Service Code governing the employment conditions of non-workman class working in the Private Sector.
6. Anurag K. Agrawal, "Justice Delayed is Justice Denied - Speedy Justice through Arbitration", AIR 1999 Journal 177 - points out the reasons for delay in the disposal of cases negating the accessibility of justice in true terms to the common man with the help of case law and opinions of the legal luminaries and opines that even after the formation of so many Tribunals the administration of justice has not become speedy, and therefore, one should shift from litigation to Alternative Dispute Resolution (ADR) methods which primarily involve arbitration, conciliation and mediation.
7. B. Sundhara Mooorthy, " A Third Category of Consumer", 1999 (2) Consumer Protection Reporter 269 -examines the concept of third category of consumer introduced by the judicial decisions under Section 2 (d) of the Consumer Protection Act, 1986 (Punjab Water Supply and Sewage Board Vs M/s Udaipur Cement Works and another) and discusses in detail how the Supreme Court is wrong in introducing such concept under the Act.
8. Dr. K.R. Chandratre, "Applicability of Section 269 on Conversion of a Private Company into

a Public Company", (1999) 21 SCL 243 (Magazine) - examines the question as to what effect the conversion of a private company into a public company has on the tenure of appointment of the person holding the office of managing director or whole-time director in the private company before its conversion into a public company.

9. Dr. S.K. Singh "Legal Education in India : Some suggestions", AIR 1999 Journal 168 - Critically examines and discusses legal education in India and suggests measures to strengthen the legal education, such as establishment of pedagogical institutions, restriction on admission, effective teaching, fair examination and up-to-date curriculum.

10. Dr. V. Balachandran, "Shareholders Expectations Regarding Composition and Functioning of the Board", (1999) 21 SEBI AND Corporate Laws 232 (Magazine) - discusses the role played by the Board as a whole as well as the role of individual directors and highlights the expectation of shareholders regarding the composition and functioning of the Board.

11. Dr. V. Balachandran, "Shareholders' Democracy - Some Reflections", (1999) 22 SEBI and Corporate Laws 1 (Magazine) - discusses the rights of the shareholders and the extent to which they are being actually exercised and opines that shareholders democracy has not been reflected in the constitution of the board of directors in the case of innumerable companies in India - analyses the two CLB decisions regarding the shifting of the registered office of companies viz. AKG Acoustics India Ltd. (case No. 4/17/96-CLB) and Welcure Drugs and Pharmaceuticals Ltd. (Petition No. 197/A/96-CLB).

12. Dr. V. Balachandran/R. Satis Babu, "Auditors' Role in Supervision of NBFCs", (1999) 21 SEBI and Corporate Laws 59 (Magazine) - discusses at length the statutory directions issued by the RBI by virtue Sections 45 H to 45 T of chapter IIIB of the RBI Act, regulating the activities of NBFCs with Special reference to NBFCs Auditors' Report (Reserve Bank) Directions, 1998 which came into force on January 2, 1998 wherein statutory auditors of NBFCs are required to report to the RBI any irregularity or violation of the RBI regulations on acceptance of public deposits and prudential norms-Observes that the objective reporting of the auditors would be a critical input for monitoring the activities of NBFCs.

13. Dr. Ranjini Ram, "Judicial Approach to Cases Relating to Divorce under the Family Courts Act", AIR 1999 Journal 204 - elucidates the need and importance of the Family Courts establishment in India and elucidates adjudication of disputes in personal laws under various legal systems of France, Norway, Japan England Newzealand and Australia - pointing out the tedious procedures halting the speedy disposal of cases suggests that separate legal aid cell should be attached to every Family Court to promote awareness of rights and responsibilities and protection of rights and such knowledge would be of a great help at the actual time of procedure.

14. Dr. Shobha Saxena, "Legal Education : Modern Trends And Challenges", AIR 1999 Journal 157 - elucidates the modern trends, challenges and problems of Legal Education and focuses on legal practice as a challenging vocation widening scope of law and suggests that legal education is an investment which if wisely made will produce beneficial results for the nation and will accelerate the pace of national development.

15. G.B. Reddy, "Role of Judiciary In Protection of Human Rights of Women in India", AIR 1999 Journal 148 - examines and analyses the role of judiciary in Protection of Human Rights of Women in India with the help of case law in respect of right to privacy, right to economic empowerment, right against sexual harassment and protection of Human Rights of Women through public interest litigation and concludes that courts have played the role of a catalyst in ensuring that the women are protected in an effective manner in view of their vulnerability.

16. G.D. Agrawal, "Intricacy of Free Reserves in the Companies Act, 1956", (1990) 22 -Sebi And Corporate Laws 16 (Magazine) - a brief note on the terms 'reserve' and 'free reserve' under Section 372 A of the Act and suggests that the definition given under Section 372 A is not exhaustive and clear but leaves the matter open for debate for inclusion of the general reserve, development rebate reserve, investment allowance reserve, dividend equalization reserve, capital redemption reserve, debenture redemption reserve, capital buy back reserve and all other reserves built out of actually earned profits and surplus in profits and loss account for this purpose.

17. G.P. Bhatia, "Misconduct While Discharging Quasi-judicial Power", 1999 Lab. I.C. 197 (Journal) - a study on selected judicial decisions relating to exercise of quasi-judicial or judicial powers and concludes that there is no immunity from disciplinary action if one acts negligently or recklessly in the exercise of his statutory/quasi-judicial or judicial powers.

18. Girindra Prasad, "Plight of Teachers Employed in Private Educational Institutions", 1999 Lab. I.C. 203 (Journal) - examines and analyses the provisions of Minimum Wages Act, 1948, Industrial Disputes Act, 1947 and Bihar Shops and Establishments Act, 1953, with the help of case law and concludes that teacher is not a workman under M.W. Act and the school is not an establishment therefore, in the light of Supreme Court decision in K. Krishnamacharyalu Vs Vemlatwar Hindu College of Engineering (1998 Lab. I.C. 405, AIR 1998 SC 295); Teachers in private schools may avail the remedy provided under Article 226 of the Constitution of India than knock the doors of the Labour Courts and Industrial Tribunals.

19. Guman Singh, "Contribution of Voluntary Organisations in Legal Aid Programme", AIR 1999 Journal 189 - a brief note on the Legal Aid Programme incorporated under Article 39 A in the chapter of Directive Principles of State Policy of the Constitution of India and its working with the help of public spirited voluntary organizations in the field of legal literacy, legal aid and Lok Adalats and hopes that with the people's participation on the Legal Aid Programme through the voluntary organizations, shall prove to be a milestone in the march for all round development of the nation and shall work for "India of my dream" come true in the words of the father of the nation, Mahatma Gandhi.

20. H.L. Kumar, "Contract Labour Entitled to Regular Service : Supreme Court", 1999 Labour and Industrial Cases 161 (Journal) - discusses the Supreme Court decisions in respect of Contract Labour with special reference to Secretary, Haryana State Electricity Board Vs. Suresh & Others etc., 1999 Lab LR 433 case wherein it was held that when the principal employer engages contract labour through the contractor for the work which is of perennial nature and the principal employer and/or the contractor does not obtain licence/registration under the Contract Labour (Regulation & Abolition) Act, 1970 then the worker will become the employee of the principal

employer provided that they have worked for 240 days.

21. H.L. Kumar, "Publication of a Charge-sheet - Must be in a Widely Circulated Newspaper", 1999 Labour and Industrial Cases 133 (Journal) - a brief note on the Union of India and Others Vs Dina Nath Karekar and others, 1998 Lab. IC 3021; AIR 1998 SC 2722 wherein the Supreme Court has reiterated the principle of publishing a charge-sheet in the newspaper having wide circulation in that particular region.

22. H.R. Saviprasad/M. Yashasvi, "Quorum for Meeting under Companies Act Section 174", (1999) 21 SCL 97 (Magazine) - examines the question of quorum for meetings and alternatives available to companies under Section 174 of the Companies Act, 1956 and opines that there can be three possible interpretations to Section 174 and needs more clarity as regards the quorum for a valid general meeting.

23. H.R. Saviprasad/M. Yashasvi, "Inter -Corporate Investment and Investment Companies", (1999) 21 SEBI And Corporate Laws 140 (Magazine) - discusses the provisions of Section 372 of the Companies Act, 1956 dealing with the definition of investment company and Section 372 A, inserted with effect from October 31, 1998, exempting both investment companies and private companies.

24. Hon'ble Mr. Justice C.V.N. Sastri, "Role of the Bench And Bar in the Administration of Justice", AIR 1999 Journal 155 - speech delivered by his Lordship at Vijaywada Bar Association on 1.8.1998 on the occasion of paying tributes to Mr. T.V. Purushotham Rao, Advocate - observes that bench and bar constitutes two integral parts of the judiciary in administration of justice and therefore they have to acquire and upgrade their knowledge and skills in various other fields of human knowledge - painfully admitting the fact that legal system now suffers from several ills, such long delays, docket explosion, mounting arrears, great expense canker of corruption, expresses that these ills are having a very deleterious effect on the administration of justice and further states that unless early corrective action is not taken, the credibility of the very system will be at stake.

25. Jain Prakash Gupta, "Emerging SocioEconomic Trends : Role of Lawyers And Legal Institutions, AIR 1999 Journal 175 - a note on role of lawyers and legal institutions at the advent of economic liberalization.

26. Jayant M. Thakur, "Employees Stock Option Scheme - Some Recent Developments" (1999) 21 SCL 238 (Magazine) - examines the scope and ambit of the above scheme under which an employee of a company is encouraged or attracted to become a shareholder in the company (popular in western countries, including the USA and the U.K.) and the legal framework within which they have to operate in India.

27. Justice J.N. Bhatt, " Legal Landscape of Canada", AIR 1999 Journal 153 - elucidates the legal system in Canada in brief highlighting the basic provisions in the constitution, structure of the courts, legislation and common law, law enforcement and legal aid system in Canada - concludes commenting on the success of the legal aid programme in Canada and opines that no legal aid programme can succeed unless members of legal fraternity feel and act for the cause.

28. Justice J.N. Bhatt, " Juristic Dimension of Presidential Impeachment (impereable or Imperceptible)" AIR 1999 Journal 165 - examines the provision for impeachment of President under the American Constitution Vis-à-vis Article 61 of the Constitution of India and observes that the inbuilt constitutional mechanism of checks and balances in the American Constitution upholds the doctrine of rule of law i.e. no man is above the law.

29. M. Krishnan, "Amendment to Schedule VI of the Companies Act, 1956 - Disclosure of outstanding dues to small-scale Industrial Undertakings" (1999) 21 SEBI and Corporate Laws 70 (Magazine) - discusses the amendment to schedule VI of the companies Act, 1956 and explains the procedure for making the disclosure of outstanding dues to Small-Scale Industrial Undertakings.

30. M.Raniji, "Going Concern (SAP -16) and the Auditors Duties" (1999) 21 SEBI and Corporate Laws 225 (Magazine) - examines the auditor's duties in the context of the "going concern" and assumption in the light of SAP-16 which has become operational for all audits relating to accounting periods beginning from April 1, 1999.

31. M.M. Ahuja "Workman Dying During Pendency of Industrial Dispute : A Reflection, "1999 Lab I.C.201 (Journal)- discusses the consequences that would flow when the concerned workman dies while the industrial dispute (raised by him during his lifetime) is still pending adjudication by a Labour Court or Industrial Tribunal. Concludes that applicability of the maxim "Actio Per Sonalis Moritur Cum Persona" depends upon the relief claimed and the facts of each case and where a workman dies during the tendency of Proceedings, his legal heirs and legal representatives can continue the proceedings.

32. M.M. Ahuja, "Commissioners Under the Minimum Wages Act, 1948: If Are Only Jolly Good Fellows?", 1999 Labour and Industrial Cases 129 (Journal) - discusses the role of Commissioners appointed Under Section 20 of the Minimum Wages Act, 1948 and observes that the Commissioners appointed under the MWA have very limited jurisdiction.

33. M.S. Padmarajaiah "Appointment of Judges of High Courts And the Supreme Court of India", AIR 1999 Journal 193 - examines and discusses critically the controversy regarding the constitutional validity and modality of the appointment of judges of High Courts and the Supreme Court of India in the light of the reference made by the President of India as to "whether the recommendation made by the Chief Justice of India Mr. Justice M.M. Punchhi for appointment of judges of various High Courts, is in accordance with law?" - and suggests that the Supreme Court may have to review its decision in Advocates Association's (AIR 1994 SC 268) Case, alternatively Constitution should be amended and appropriate legislation should be passed to nullify the effect of the decision of the Supreme Court in Advocate's Association's case.

34. Naresh Kumar , "Modern Stock Exchange in India", (1999) 21 SEBI And Corporate Laws 74 (Magazine) -examines the functioning of the OTC, NSE and ISE which are stock exchanges and elaborates the advantages and shortcomings of trading at such exchanges and focuses on Y2k Problem and its implications as far as Indian Stock Exchanges are concerned.

35. Naresh Kumar, "Indian Stock Market's Response to Budgets and Other Events Since 1994", (1999) 22 SEBI and Corporate Laws 11 (Magazine) - analyses the impact of major national events on the Indian Stock market from 1994 onwards and highlights the salient features of each Budget since 1994 and examines the stock market reactions thereto .

36. Prakash N, " Year 2000 Disclosure Norms, " (1999) 21 SCL 101 (Magazine) - identifies Y2k problems/Millennium Bug going to be felt by the companies as the millennium approaches and explains the SEBI and RBI guidelines for Y2k compliance.

37. Prakash Pandya, "Section 43A of the Companies Act, 1956: Deemed Limited Company "(1999)21 SEBI And Corporate Laws 106(Magazine) - explains the provisions of Section 43A of the Companies Act, 1956 and dwells on various facts and implications of the provision.

38. Prabir Basu, "Dose For the DOCS, "1999(3) Consumer Protection Reporter 136(Article) - a brief note on medical negligence as laid down in V.P. Shantha & others in the light of the provisions of the Consumer Protection Act, 1986 and provides a checklist for doctors to avoid some of the avoidable irregularities which ultimately lead to judicialinterference.

39. R. Vasudev Pillai, "Regulation and Development of Water Resources Under the Constitution of India", AIR 1999 Journal 181 -elucidates the provisions and scheme of arrangement of entries relating to "water" in the constitution of India and other enactments and observes that the Parliament should enact a complete and comprehensive "WATER CODE OF INDIA ' declaring Water in all its forms including the waters of the national rivers as also ground waters, to be of utmost national importance.

40. Ramabrahman Kolluru "Justice Delayed Is Justice Denied", AIR 1999 Journal 201 - focuses the reasons for delay in rendering justice and points out that Legislature, the Executive, Court-procedures, the Lawyers and the litigant public are all to be blamed for the law's delay.

41. S.N. Gupta, "Jurisdiction, Powers And Authority of Tribunals under Section 17 of the Recovery of Debts Due to Banks And Financial Institutions Act, 1993", AIR 1999 Journal 199 - elucidatestheprovisionsrelatingtojurisdictionof the Tribunal under Section 17 of the Act and examines the Power of Tribunal to reject an application filed by legal heirs of a deceased guarantor who had mortgaged the property in favour of the bank. Under the Act Tribunal is empowered to adjudicate an application of the bankorfinancialinstitutionsandtoissuecertificate to the bank.

42. S.P. Shankar, "Predicament of An Insurer," AIR 1999 Journal 184 - examines the provisions relating to the insurers right to defend the claim under section 96(2)(a) to read with Section 96(6) and Section 110(2A) of the Motor Vehicles Act, 1939 with the help of various Judicial decisions.

43. S.S. Prakash, "A Critical Appraisal on AIR 1999 SC 625 Woven with AIR 1997 SC 3011: 1997 LABI (2890)," 1999 Labour and Industrial cases 130(Journal) - discusses the subject of sexual harassment of women at work places in the light of the recent Supreme Court decisions in Vishakha Vs. State of Rajasthan, AIR 1997-SC 3011: 1997 Lab IC 2890 and Apparel Export

Promotion Council Vs. A.K. Chopra, AIR 1999 SC 625 and submits that the guidelines in Vishaka's case and conclusion in Apparel Export Promotion Council's case remind the necessity for a comprehensive legislation on this subject because criminal jurisprudence cannot afford to have unequal punishment at different levels of judiciary for a similar offence.

44. Shailendra Jain and Peeyushi Diwar, "Grounds of Divorce: Do They Need A Second Look?" AIR 1999 Journal 164 - examines the provisions relating to grounds of divorce under Sections 13(IA) and 13-B of the Hindu Marriage Act 1955 and discusses the High Court and Supreme Court decisions on the point of divorce by mutual consent by the parties.

45. Sowmya Narayanan S. Prakash C, "Due Diligence Review in a Proposed Acquisition" (1999) 21 SEBI and Corporate Laws 143 (Magazine) - examines Due Diligence Review (DDR) in acquisitions in detail focusing on concept and importance of a DDR, types of DDR, contents of a DDR report, and action on a DDR report.

46. Surendra U Kanstiya, " UTI Nominee on the Board," (1999) 21 SEBI & Corporate Laws 147 (Magazine) - examines the issue raised by the UTI, the strongest institutional shareholder in the country in the recent past demanding representation on the boards of companies where its holding is over five per cent of the total equity capital of the company.

47. Subrata Kumar Ray, "Some explanations on Explanatory Statement" (1999)21 SCL 152 (Magazine) - a brief note on the requirement laid down under Section 173 of the Companies Act, 1956 of annexing explanatory statement to the notice of meetings.

48. Surendra U. Kanstiya, "Shareholders and Consumer Protection Act, "(1999) 21 SEBI and Corporate Laws 55 (Magazine) - discusses the question whether investors can take advantage of the Consumer Protection Act 1986 when the transactions in Shares are governed by the provisions of the Companies Act, 1956 and the Securities Contracts (Regulation)Act, 1956.

49. Sudhir R. Singh, "Acceptance of Deposits: A Procedural Aspect in View of the Companies Bill, 1997", (1999) 21 SEBI and Corporate Laws 63 (Magazine) - Points out that the proposed clause 112 of the Companies Bill, 1997 (concerning the acceptance of deposits), when put into effect, will result in a great deal of benefit to the investors and timely compliance of the rules by the companies - opines that the proposed provision needs to be appreciated in view of the measure provided for the protection of the interest of the investors and at the same time checking the unscrupulous companies.

50. V.L. Iyer , "Auditor's Independence" (1999) 21 SEBI And Corporate Laws 435 (Magazine) - dwells on the vital importance of an Auditor's role in safeguarding the interests of shareholders in the background of Section 224 of the Companies Act, 1956 which makes the appointment of an Auditor by the company in general meeting mandatory - suggests certain changes in the law regarding appointment of Auditor to ensure greater independence and impartiality on their part.

51. V.L. Iyer, " Corporate Governance - An Analysis, " (1999)22 SEBI And Corporate Laws 5(Magazine)- analyses various aspects of the Governance of a Company and takes a bird's eye-view of the same and particularly of companies which enjoy the benefits of equity debenture

participation by the public, financial assistance by way of loans, guarantees, letters credits, bills discounting from banks/financial institutions, etc. and income tax benefits.

52. V. Lakshmipathy, "Is Gender Justice - A Mirage," 1999 Labour and Industrial Cases 164 (Journal) - discusses the efforts of the judiciary in protecting the women's rights particularly against custodial violence, custodial rape, crimes against women, sexual harassment and recognising property and Guardianship rights and concludes by saying that the Chief Justice and other justices in the Supreme Court had protected human rights with a series of outstanding judgments which had secured world wide recognition and respect.

53. V. Rama Devi, "Is Complaint By And/ OR Against Companies a Consumer Dispute Under Consumer Act? - An Analytical view," 1999(2) Consumer Protection Reporter 307 - a comparison is made with regard to intent of the legislature and the case law as interpreted by the Courts Forums and finally concludes with a view that the consumer Act applies not only to small traders but also to companies of banking, Air lines, carriers, insurance, Electricity, Telephone and professional Services of Doctors only a summing up of case law is attempted.

BOOK REVIEW

THE GOLDEN RULES OF ADVOCACY

By Keith Evans

Price : Rs. 98

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Asst. Legal Adviser

The Golden Rules of Advocacy by Keith Evans is published by Universal Book Traders, 80 Gokhale Market, Opp. Tishazari new Courts, Delhi-110 054. To say in brief about the author, Keith Evans is a member of the English and California Bars and former head of London Chambers. He now practices with Gray, Cary, Ames and Frye of San Diego and divides his time between practising law, teaching advocacy and writing. Earlier the author had published **Advocacy at the Bar -A Beginner's Guide** in 1983. It quickly became a standard work and he was invited to teach advocacy both in the UK and in the United States. The present book, The Golden Rules of Advocacy, is based on a seminar that he devised and which has been widely acclaimed as a breakthrough in the teaching and learning of advocacy.

The book makes an attempt to be both a practical guide and at the same time entertaining and is full of specific advice - over 80 crystal clear guidelines are discussed avoiding the need to learn by trial and error. It appears that it is based on the author's personal experience and the experience of some of the senior Advocates. This book is a compact one and the contents include the chapters, introduction; The Dimensions; The Mandatory Rules; Advocacy as Theatre; The Psychology of Advocacy; The Examination of Witness; Examination in Chief; Cross-examination; Re- examination and Final Speech.

In the introduction, the author has stated that legal provisions need sound common sense and the common sense of advocacy is organised into a series of Golden Rules, most of which should seem obvious when we have seen them. In 'Dimensions' it is stated that we live in a three-dimensional world: up and down, sideways and to and fro. This is the hollow box in which the

human existence takes place. The three dimensions identified by the author are as follows:

- In the Common Law Countries trial is not an exercise designed to discover the truth.
- The human animal is far from video than audio.
- People do not like lawyers.

The author has suggested that lawyer should not appear to be a manipulative personality and should not sound like a lawyer but should function as a true catalyst of client's interest.

In the chapter Mandatory Rules, the author has stated that the advocate should be taught a handful of rules as mandatory and he must really observe the same and if he breaks them, he will become unprofessional. The mandatory rules are as follows:

- The Advocate must not express his or her opinion in court but must express the client's opinion in legal form.
- The Advocate should never give evidence to himself or appear to give evidence as it may sometimes impact adversely on his personality.
- The Advocate should confine his arguments/ final speech only to the things which have been touched upon in the evidence.
- The Advocate should make all efforts and adopt a pragmatic approach to assert his own case from the mouth of opposing witness.
- The Advocate should suggest the weak and strong points and speak on the legal position to his client in confidence.
- The Advocate should never put words in the mouth of his own witness.

The golden rule of oral evidence is to make the witness speak of all things and issues which are within his exclusive knowledge and bring a logical nexus between law and the evidence of the witness.

"Advocacy as Theatre" appears to have been given a special emphasis by the author. The author has made a bold statement that the advocate should "**entertain the audience of judge, client, opposite counsel and party**" by making the issues simple with continuity. Sometimes lengthy detailing may be dangerous and the entire process of the work should be by eliminating every thing that can be safely eliminated. The next rule that is ascertained, is the need for awareness of the timing and the power of the pause with an adequate care for raising one's own voicepitch.

The most interesting chapter is the 'Psychology of Advocacy'. Every professional advice invariably has a psychological impact. In civil cases, when the advocate expresses his opinion before actually filing the suit, he needs to invariably speak the truth and the truth should be said in such a language that it will not bring down the client's confidence in terms of contesting and winning. The client should feel the following:

- The Advocate is listening willingly and carefully.
- The Advocate is able to interpret the correct legal position.

- The Advocate will not deny anything the client asks.
- The Advocate is inclined to overlook the mistakes of the client and suggest the remedies to overcome the mistakes or errors.

While discussing the psychology of advocacy the author has stated that one should think like Newton that every action will have equal and opposite reaction.

Further the author has stated that as a rule a person has plural personalities in himself and it is for the advocate to prepare what kind of personality he wants from a person and should always aim to be the honest guide. Hence, an advocate should not ask people to believe the unbelievable. The weak points in the case need not be pretended as strong points.

Admitting the weak points with the client and showing the way to succeed despite the weak points is a great asset for an advocate.

The author has also suggested three positive hints (at page 60), (i) make sure that you always come across as being absolutely fair, (2) keep your objections to your minimum and seem reluctant when you meet them, and (3) take great care getting your jury out of the court.

The author had dealt with the examination of witness in a simple style. The first golden rule of examining the witness is "think control and know what you want them to say then make them to say it". It is stated that the average witness speaks from his memory and the facts of the case need to be kept in memory before cross-examining the witness. In cross-examination, questions need to be asked rather than making the statements and one need to avoid multiple questions. Using leading questions is a way to get the accepted answers.

The reader may overall find an eloquent expression of the dramatic scene which an advocate or lawyer has to play in fighting for client's interest before the court. The book thus gives a basic insight into the rules of advocacy. Though the book gives no case study of the trial, the demonstration of the rules stated in the book can no doubt help the reader to have a basic idea as to how an advocate has to deal with his clients, Courts, opposite parties and their counsel.