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भारतीय विधिज्ञ परिषद्
BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)
21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

BCI:DD: 177 :2026 (LE/App/Afflin) **08/05/2026**

1	**The Registrar, CH CHARAN SINGH UNIVERSITY, MEERUT**
2	**The Principal, SANKALP INSTITUTE OF LAW, GHAZIABAD principalsankalplaw@gmail.com 158, DELHI MEERUT ROAD, DUHAI, GHAZIABAD, GHAZIABAD, UTTAR PRADESH, INDIA - 201206**

Sub: Extension of provisional approval of affiliation to SANKALP INSTITUTE OF LAW, GHAZIABAD for imparting 3 year LL.B., course with intake of 3 sections of 60 students in each section till the academic year 2026-27 subject to compliance of Rules of Legal Education, 2008 and all circulars/directives/guidelines/ notifications issued from time to time by the Bar Council of India with respect to maintenance of standards of Legal Education in addition to the specific clauses mentioned herein under in this letter.

CLE to furnish a duly notarised compliance affidavit (Annexure – C/A) with adequate photo/documentary proof in this regard, with all pages of affidavit, annexures, photos, being duly notarised within 6 months from the date of receipt of this letter.

Sir/Ma'am,

This is with reference to above mentioned subject regarding extension of provisional approval of affiliation **SANKALP INSTITUTE OF LAW, GHAZIABAD** which has already applied for extension of approval of affiliation for the academic year 2026-27.

Your University has given affiliation to the SANKALP INSTITUTE OF LAW, GHAZIABAD for imparting the 3-year LL.B., degree course for the relevant academic session.

In view of the same, Bar Council of India hereby grants extension of provisional approval of affiliation to SANKALP INSTITUTE OF LAW, GHAZIABAD for imparting the 3-year LL.B., degree course with intake of 3 sections of 60 students in each section for a period of one year i.e. for the academic year subject to compliance of Rules of Legal Education, 2008 and all circulars/directives/guidelines/notifications issued from time to time by the Bar Council of India with respect to maintenance of standards of Legal Education in addition to the specific clauses mentioned herein under in this letter.

The entire onus shall lie upon the Centre of Legal Education to manifest its intention to continue the courses, to seek renewal of approval on an annual basis, and to ensure full, strict, and timely compliance with all provisions of the Rules of Legal Education, circulars, directions, inspection norms, and prescribed compliance affidavit formats issued by the Bar Council of India from time to time, and the Council shall not be under any obligation to presume or infer such intention in the absence of a complete and timely application. It is unequivocally clarified that any delay, default, omission, or non-compliance in payment of fees or guarantee amounts, in obtaining or submitting proof of university affiliation, or in filing compliance affidavits or other prescribed documents is attributable solely to the Centre of Legal Education, and the Bar Council of India has neither caused nor contributed to such delay nor waived any statutory requirement as a matter of course.

The provisional approval of affiliation shall be conditional and is subject to every Centre of Legal Education/college being required to submit a certified authenticated bank statement bearing bank stamp, date and signature, mandatorily with respect to the salary/ies being disbursed to all the teachers/faculties with effect from April, 2024. The bank statements for the upcoming months must be continued to be submitted every three months without fail, and CLE is also required to furnish list of teachers with qualifications as per BCI and UGC Rules, and further furnish proof/receipts of fulfillment of minimum library requirements, as enumerated under Schedule-III, Rule-15, Minimum Library requirements of Legal Education Rules-which is the sine qua non of a Centre of Legal Education. Certain show cause notices and compliance letters had also been issued specifically to certain Centers of Legal Education/Colleges, with conditions mentioned therein, which have to be complied too as per the time stipulations therein, and if they have not been complied with they must be complied with immediately.

This provisional approval is issued subject to strict and continuous compliance with the applicable statutory and regulatory framework and is without prejudice to the powers of the Bar Council of India to conduct inspections, impose conditions, refuse renewal, withdraw or cancel approval, or initiate regulatory or disciplinary action in accordance with law, notwithstanding the issuance of this provisional approval.

AFFIDAVIT

The Centre of Legal Education is required to ensure full compliance with all stipulated norms, rules, and regulations of legal education, along with mandatory guidelines issued by the Bar Council of India. This includes adherence to all enumerations specified in BCI circulars, relevant directives, and applicable court judgments or orders. As stated above, the compliance must be submitted within 6 months from the date of receipt of the BCI letter or earlier both in physical hard copy and as a scanned copy sent via email to complianceaffiliationle2@gmail.com with the subject

line:-"Compliance to Provisional Approval-Requirements."

It is essential to understand that compliance with all conditions and legal education regulations is mandatory. Any deficiencies or discrepancies whether discovered through submitted documents, online portal registrations, or official forms may lead to serious consequences, including withdrawal of BCI approval for academic year 2025-2026, and non issuance of approval of affiliation for the A.Y. 2026–2027.

The CLE is specifically required to submit appointment letters, verified qualification documents, and proof of regular salary

payment as per UGC scales for each newly appointed faculty member. In addition, the CLE must provide duly notarized compliance reports detailing the status of physical infrastructure, library acquisitions, and faculty appointments. These reports will be reviewed by the BCI Standing Committee, and any failure to report accurately or any falsification of records will invite necessary action.

Moreover, the CLE must be prepared to receive additional compliance directions from BCI and may be subject to scheduled or surprise inspections. These inspections will evaluate whether the CLE has maintained full compliance with the conditions outlined in the approval process, the rules of legal education, and all circulars issued by the BCI from time to time.

It is further clarified that this is the minimum level of compliance required. If any additional specific conditions have been imposed on the CLE, those must be

separately complied with, either by incorporating additional explanatory paragraphs or by submitting distinct compliance documents as appropriate.

The CLE must comply with conditions mentioned in the letter and furnish a duly notarised compliance affidavit with adequate photo/documentary proof in this regard, with all pages of affidavit, annexures, photos, being duly notarised within 6 months from the date of receipt of this letter.

Ensure to comply with the aforesaid compliances, otherwise the provisional approval of affiliation being issued herewith may be withdrawn.

A minimum compliance format for the affidavit is attached as (Annexure – C/A).

Specific conditions which are required to be complied with in view of Rules of Legal Education, 2008 and circulars, guidelines, directives, public notification issued by the Bar Council of India from time to time for maintenance of standards of Legal Education, failing which approval of affiliation granted may be withdrawn and future approval may not be considered.

Faculty

As per Rule-16 and Rule-17 of Schedule III of Legal Education Rules, 2008, the minimum requirement for three-year LL.B degree course with 1 or 2 section/s is 4 faculty in first year, 6 in second year, 8 by the third year alongwith 1 Principal.

Furthermore, in addition there should be adequate English, Computer teachers in the ratio of 1:40 and there should be 1 qualified librarian. If the strength goes beyond 2 sections, the entire ratio of all faculty members should be 1:40.

Similarly, the minimum requirement for five-year integrated degree course with 1 or 2 section/s is 6 in first year, 8 in second year, 10 from third year. Principal will be common.

For specialization or Honours courses, there has to be a minimum of 3 teachers for such specialized course 1 major and 2 minor apart from having English and Computer teacher. Kindly note that these faculty members have to be in the ratio of 1:40 for the years they are studying such subjects during the entire duration of the course.

CLE must ensure that all appointed faculty members undertake Faculty Development Programmes on a regular basis.

The Law faculty is required to be adequately qualified with minimum 2-year LL.M degree for teaching LL.B or have any other higher degree for teaching law subjects therein. The non-law faculty for integrated Law degree courses with respect to BA LL.B, BBA LL.B, B.Com LL.B, B.Sc LL.B. etc. must have a minimum of masters in those particular subjects being taught. 1 major and 2 minor subjects have to be taught in the 5 years BA, BBA, B.Com. B.Sc LL.B. etc Integrated Law degree course/s. The principal or equivalent is required to have minimum prescribed qualifications in law prescribed by UGC, and should have minimum 15 years of experience. He/she has to be a Professor in law with Ph.d in law.

They are required to be paid as per salary as per latest UGC pay scale commensurate to their designation as Assistant Professor, Associate Professor and/or Professor. Further, the CLE is required to mention the designation of all the faculty members.

All faculty members are required to appoint or regularise on a permanent basis and to be paid UGC pay scale.

The ratio of faculty members to students should not be less than 1:40 after the minimum strength of core faculty as per Rule 17 is ensured.

It is reiterated that for the purposes of Rule-17 (core faculty), only full-time, regularly appointed law teachers shall be counted, and only if they are within the age of service prescribed by the competent authority having jurisdiction over the institution (State Government, Parent University, UGC, concerned Ministry, or regulatory body). The applicable age of superannuation shall be as notified for the institution and State, for illustration, in the National Capital Territory of Delhi (including the University of Delhi system) the prevailing superannuation age for university teachers is sixty-five (65) years, whereas in some States it is sixty (60) years. Any engagement beyond the notified age (for example, re-employment, contract, adjunct or visiting, or emeritus) shall be only in accordance with the governing statutes and regulations and, unless expressly permitted under those provisions and sanctioned against a regular post, shall not be reckoned toward the minimum core faculty mandated by Rule-17 or for computing the 1:40 faculty–student ratio. The institution shall keep on record and produce to the BCI, on request, documentary proof of each core faculty member's regular appointment, sanctioned post, date of birth, and the applicable superannuation norm notified by the competent authority.

The details the entire list of faculties members with their appointment letters should be furnished to BCI within three months.

Classroom size and Furnishings

The CLE should ensure to have adequate number of classrooms of minimum 750 square feet, to accommodate all batches of students across all years for it's law degree course/s. All classrooms should be of minimum 750 Sq. ft. and refurbished with new, comfortable chairs and

benches to ensure a conducive learning environment. Proper size and standard furnishings are necessary to meet the requirements of Rules of legal Education. CLE must ensure that every classroom has light, fan, teacher's podium, teachers chair and teacher's table. There should be mike in large classrooms.

Kindly note the classrooms have to be commensurate to the number of sections allocated for a law degree course multiplied by the number of years of the degree course. For instance, a 3 year LL.B degree course with 1 section of 60 students should have 3 classrooms, and for 2 sections, it should have 6 classrooms. Similarly a 5 year integrated law degree course should have 5 classrooms, for 1 section of 60 students and 10 classrooms for 2 sections of 60 students each.

Further advised to create/establish smart classrooms and/or install projectors in classrooms.

Library Enhancements

The institute should invest in acquiring more reference and textbooks of the latest editions of authors of repute. Allocate an annual budget of at least Rs. 10 lakhs for purchasing new reference books, textbooks, and journals. Furthermore, the CLE should establish an e-library by subscribing to reputable e-law journals and acquiring electronic databases of law journals, as specified in the Rules of Legal Education.

-Ensure the library is open for reasonable hours to accommodate student needs.

-Create adequate reading space for students and upgrade the overall infrastructure of the library.

As per Schedule III, provision 4, 6 and 15-A Law Library has have a set of AIR manual, Combo offer of CD of AIR Pvt. Ltd. (containing electronic version of AIR Supreme Court and High Court Data bases Research 1950-2015 (four connections each) Cr. L.J. Data Base 1950-2015(four connections) AIR Privy Council Data Base 1900-1950 (four connections) AIR Manual latest 6th Edition (1-45 Vols.) AIR Journal 2015, Cr. L.J. 2015, L.I.C. 2015, AIR Civil Cases 2015, AIR Law Lines 2015, AIR ChequeDishonour Reports 2015, AIR Accident Claims and compensation 2015, Institution shall get electronic versions updated every year by AIR Pvt. Ltd. Central Acts and Local Acts, Criminal law journal, SCC, Company cases, Indian Bar Review, selected Judgements on Professional Ethics and Journals with the back volumes for at least ten years and also such number of text books in each subjects taught during the period according to the minimum standard ratio of ten books for each registered students. For running integrated program, textbooks of such other subjects are also to be kept in the similar minimum ratio. CLE must buy separate social science books for their law library. CLE must procure books of good authors and publishers.

The Library has to have adequate space for keeping books, periodicals, and journals. CLE must maintain accession register properly. There should not be any discrepancy in the entries made. Books should be properly arranged

The library shall also have adequate reading space for at least 25% of the enrolled students according to per capita reading space specified by any standard setting bodies like UGC.(Rule 4).

The Library has to have adequate space in the library for computer facility with access to internet and national and international library access and data bases.(Rule 6).

Equip the library with at least 30 computers. As per schedule III clause 9 (b) Computer Education has to be made compulsory for all the students.

Moot Court Room

The Moot Court Room must be equipped with all necessary amenities to simulate courtroom proceedings effectively. It should have a dedicated space, distinct from other uses, and adhere to the Bar Council of India norms, including the provision of three wooden Crown Chairs for judges, on judges dais podiums for counsels, a witness box, and a designated podium for the Registry including Table chairs for court officers (supporting staff). The photograph of dignitaries like Mahatma Gandhi and B.R. Ambedkar should be affixed.

The size of the Moot Court Room should be sufficient to accommodate at least 70 percent of the student and faculty strength, as well as external participants and invitees, ensuring ample space for effective conduct of moot court activities.

The Centre for Legal Education (CLE) shall place the Moot Court Room under the management of a senior faculty member along with a regular practicing advocate from the local courts. They will oversee the organization of moot court activities and maintain comprehensive records of all proceedings and events. CLE to ensure that moot court exercises, in terms of clause 24 of Schedule II, Rule 6 Part II (B) of Rules of Legal Education, 2008 are done on regular basis.

Legal Aid Clinic

The Centre for Legal Education (CLE) must strengthen its provision of free legal aid services to the local community in accordance with Clause 11, Schedule III of Rule 11 of the Legal Education Rules, 2008, by ensuring adequate publicity and collaboration with the District Legal Services Authority. The Legal Aid Centre should be strategically relocated to the ground floor near the main entry door for greater accessibility, with prominent signage displayed at both the entrance of the CLE campus and the main entry door, clearly indicating available services and contact information. The centre should be adequately furnished with comfortable seating for visitors and maintain comprehensive records of its activities, including registers and visuals of awareness programs conducted, which should be displayed both inside and outside the Legal Aid Centre to enhance visibility and outreach. CLE to put the LAC under the management of some senior Professors and to maintain a regular record of all its activities, along with photographs of various activities.

Common Rooms

The Centre for Legal Education (CLE) must provide well-furnished, adequately equipped, and separately designated Boys' and Girls' Common Rooms in the Academic Building to ensure enhanced comfort, privacy, and recreational facilities for students. The Girls Common Room should be allocated a spacious and decent room with an attached washroom, drinking water facility, and two beds encircled with curtains for privacy. Both rooms should be furnished with at least 40 comfortable chairs, more tables, a common table, a mirror, a dressing table, and indoor games kits, along with a first-aid kit for emergencies/medical needs.

The Common washrooms should have liquid soaps, and mirrors.

Waste Management

The institution should keep the disposal of wastes management properly. Proper waste management practices must be implemented throughout the College. This includes the installation of dustbins in all classrooms, moot court rooms, common rooms, and staff areas to ensure cleanliness and effective waste disposal.

Accessibility Improvements

To accommodate differently abled students and staff, the institution must make necessary provisions, including the construction of ramps, lifts, and the installation of Braille symbols, ensuring compliance with accessibility standards and it should exclusive for Law students, staff and faculty so that it is convenient for the differently abled students considering their right to access.

Disaster Management and Fire Safety:

The Centre for Legal Education (CLE) must ensure comprehensive fire safety measures across the campus, including the installation of fire extinguishers in key areas, provision of emergency exit lighting, and strategically placed fire alarms. Additionally, adequate fire prevention and preparedness protocols should be implemented, including regular safety drills and clear emergency evacuation routes to safeguard the well-being of all occupants.

Anti-Ragging Measures

The CLE has to ensure strict implementation of a comprehensive anti-ragging framework in accordance with the guidelines issued by the Bar Council of India and the Hon'ble Supreme Court in University of Kerala v. Council of Principals of Colleges [(2009) 4 SCC 741]. The CLE has to ensure the constitution of an Anti-Ragging Committee and Squad with powers to prevent, monitor, and take strict disciplinary action against any act of ragging. The CLE has to ensure that every student submits a mandatory anti-ragging undertaking co-signed by their parent/guardian. The CLE has to ensure the availability of a 24×7 dedicated anti-ragging helpline and an online complaint mechanism. The CLE has to ensure that all incidents, if any, are reported promptly to BCI, the affiliating university, and law enforcement authorities, thereby strictly enforcing zero tolerance, as reaffirmed in VishwaJagriti Mission v. Central Government [(2001) 6 SCC 577]. The CLE has to ensure the conduct of awareness programs, workshops, and seminars, and has to ensure publication of the anti-ragging policy, penalties, and annual statistics on its website, brochures, and campus notice boards.

Empathy, Counselling, and Kindness Initiatives

The CLE has to ensure the promotion of a culture of empathy, psychological well-being, and mutual respect among all stakeholders, in line with the Mental Healthcare Act, 2017 and relevant judicial directives. The CLE has to ensure the establishment and effective functioning of a Counselling and Wellness Centre with qualified mental health professionals. The CLE has to ensure the conduct of regular workshops on emotional intelligence, kindness, and inclusivity, and integrate these modules into induction programs. The CLE has to ensure that faculty performance evaluations include parameters related to mentoring quality and supportive conduct. The CLE has to ensure robust grievance redressal mechanisms to address psychological or emotional issues promptly. The CLE has to ensure the adoption of a non-discriminatory and non-judgmental approach across the campus and must undertake periodic audits and establish an Internal Mental Health Oversight Committee to monitor and continuously improve mental health services.

Student Grievance Redressal Mechanism

The CLE has to ensure the constitution and effective functioning of a Student Grievance Redressal Cell as per BCI guidelines (BCI:D:2382/2024), comprising senior faculty, administrative representatives, a female faculty member, and student representatives. The CLE has to ensure the maintenance of accessible online and offline grievance submission systems. The CLE has to ensure the maintenance of detailed records of all grievances and timely resolution without any retaliation. The CLE has to ensure submission of annual reports to the governing body and availability of these reports to the BCI during inspections.

Infrastructure and Exclusive Building Compliance Deficiencies

CLE must place permanent Name Board outside the main gate and outside the academic building. CLE should have properly demarcated building with proper name board identifying the law college.

RELEVANT INFORMATION

✓ ***You may kindly bear in mind that the Bar Council of India is the sole and supreme sanctioning authority for seats and it does not allow any supernumerary quota of seats for law degree courses, over and above the sanctioned strength of seats and whatever reservation of seats is to done by the University under whichever quota as a rule has to be done within sanctioned strength of seats. The only supernumerary quota, as of now permitted by the Bar Council of India, is 10 percent seats in EWS quota over and above the sanctioned strength of seats allotted/approved by BCI and that too, is subject to adequate infrastructure and qualified faculty to accommodate the supernumerary seats. The same is required to be adhered to. If there is any default on such part and the same is discovered subsequently, action shall ensue.***

FOR EXISTING CLE FURTHER ADD If any CLE, has already admitted the same, in violation of the regulations, the CLE would be advised to declare the same voluntarily for consideration of the same in a manner which will not be detrimental to interests of the students admitted, if any, over and above the sanctioned seats

as a one timeopportunity. The same shall not be construed to be applied prospectively.

- ***The CLE is advised to declare the same voluntarily for consideration of the same in a manner which will not be detrimental to interests of the students admitted, if any, over and above the sanctioned seats as a one time opportunity. The same shall not be construed to be applied prospectively.***

- ***It is pertinent to point that no University in India can offer a 4 yearLL.B or integrated LL.B, followed by a 1 year LL.M in tie up with a foreign University under the present BCI regulations. Such a Law degree, nor the post qualification after it, is recognised by Bar Council of India. The BCI only recognizes the pattern of a 12th class +3 (graduation in any stream+3 (year Law degree) and/or a 12 + 5 year integrated law degree.***

- ***While exchange programs of teachers and students have been undertaken by Centers of Legal Education including, Law Universities in India, Dual Degrees or joint Degrees with Foreign Universities have not been permitted or recognized by BCI. It is essential to emphasize that any foreign collaboration involving legal education institutions, must strictly adhere to the regulatory framework established by the Bar Council of India. It cannot compromise on the quality of legal education mandated by the BCI It's worth noting that unless a degree is recognized by the BCI in India, it holds no validity within the country. Therefore, a degree obtained from an Indian University, being recognized solely in a foreign jurisdiction, without recognition in India, would be of no consequence to the university or its students.***

- ***Recognition and approval of law degrees are exclusively within the purview of the Bar Council of India. Consequently, if, upon thorough evaluation it is determined Law degrees are being issued by Universities against the rules and norms of Bar Council of India, recognition of such degree/s shall be withdrawn and such degree holders shall not be entitled to be enrolled in any State Bar Council in India.***

- ***BCI and it's Legal Education Committee have time and again reiterated, stated and clarified, that it does not recognise LL.B and/or LL.M or any Law degree course through online mode, correspondence, open and/or distance learning mode.***

- ***It has further come to the attention of the Bar Council of India and its Legal Education Committee that certain institutions are offering Master of Arts (MA) programs with a Law subject, in open and distance learning mode, or online mode which attempts to mimic the structure and content of a Master of Laws (LL.M.) program. Upon careful examination, it has been observed that such an endeavor is beyond the scope and intent of a Master of Arts Degree and is deemed impermissible. It is hereby clarified that such MA degrees will not be recognized by the BCI as equivalent to a Master of Laws (LL.M.) degree and for the purpose of teaching of LL.B. Course.***

- ***It is crucial to clarify that the designation "MA" signifies "Master of Arts," whereas "LL.M." represents "Legum Magister," a Latin term denoting a "Master of Laws" Degree. The distinction between these two titles is significant, as an LL.M. degree is specifically tailored for graduates of law programs, whereas an MA degree encompasses a broader range of academic disciplines and is separate and***

distinguished from Master of Laws Degree. It is a deliberate attempt to bypass LL.M. in such a manner.

- *"The BCI emphasizes that an MA degree with a Law subject does not confer the same benefits or privileges as an LL.M. degree. Individuals holding an MA degree in Law will not be entitled to the benefits typically associated with possessing an LL.M. degree, nor will they be eligible to teach in LL.B degree programs. Pursuit of legal education at the postgraduate level, in the form of an LL.M. degree, is restricted to individuals who have completed their undergraduate legal studies while it is clarified that any specialized branch of law offered at the master's level, without the LL.B./BA.LLB qualification as the requisite entry-level credential, shall not be recognised as equivalent to an LL.M. degree.*

- *"It is imperative for all stakeholders in the legal education sector to understand that the distinction between an MA degree and an LL.M. degree is significant. An MA degree with a Law subject does not fulfill the requirements for recognition by the BCI as a qualification equivalent to an LL.M. degree.*

- *"This serves to clarify the position of the BCI on the recognition of MA degrees with a Law subject and to prevent any misconceptions regarding their equivalence to LL.M. degrees.*

- *"The BCI and its Legal Education Committee has further also observed that running an MA (with Law subject) by any such mode is an attempt to mimic an LL.M, which is also not permitted by such mode.*

- *"It has also been brought to the notice of Bar Council of India that some entities claiming to be Centre of Legal Education are offering courses through distance education/correspondence mode, under the nomenclature of the degree of LL.M. or LL.M. professional, where anyone even without LL.B. can get an LL.M. degree, and, the same persons are also getting registered for Ph.D., appearing for UGC NET etc. thereby diluting quality of legal education.*

- *"This is an illegal practice and Bar Council of India shall not hesitate in taking stringent action against such centres.*

.....

RELEVANT SUPREME COURT AND HIGH DIRECTIONS INCLUDED IN ORDERS/JUDGEMENTS AND OTHER RELEVANT ASPECTS ARE AS FOLLOWS

✓ **Recently the Bombay High Court, in its judgment dated 2nd April 2025 in the case of Smt. Nathibai Damodar Thackersey Women's University Law School vs. State of Maharashtra &Ors., W.P. No.**

1501 of 2019, reiterated and upheld the statutory powers and duties of the Bar Council of India under the Advocates Act, 1961, particularly in the context of regulating legal education. The petition had challenged several provisions of the Rules of Legal Education, 2008 framed by the BCI, and questioned the authority of the BCI to inspect law colleges affiliated to universities.

The Court emphasized that the BCI has a paramount statutory duty to maintain standards of legal education in the country. It observed, *"From perusal of Sections 7(1)(h), (i), (l) and (m) of the Act of 1961, it is evident that the maintenance of standards of legal education is the paramount statutory duty of the BCI"*. Further, it reaffirmed that the power of inspection is not restricted to universities alone but extends to all Centres of Legal Education, including law colleges affiliated to universities. The Court stated, *"The petitioner law school cannot claim any immunity from inspection by the Bar Council"*.

The judgment clarified the legal interpretation of Section 49(1)(d) of the Advocates Act, 1961, which grants BCI rule-making power to maintain standards in legal education. The Court held that the rule-making power under this section is both general and specific, noting that, *"Section 49(1) confers particular powers without prejudice to generality of general power already conferred and therefore, particular powers are only illustrative of general power and do not in any way restrict the general power"*. This interpretation enabled the Court to uphold the validity of the contested Rules under the 2008 framework, specifically Rules 2(iv)(a), 2(xii)(B), 14, 16(2), 18(2), 19(ii), 19(iii), and 26(a), declaring them intra vires the parent statute.

Importantly, the Court also addressed the relationship between the Advocates Act, 1961, the Maharashtra Public Universities Act, 2016, and the University Grants Commission Act, 1956. It held that where there is a conflict, the Advocates Act prevails, stating, "Even assuming that there is an inconsistency between the provisions of the Act of 2016 and the Act of 1961, the provisions of the Act of 1961 will prevail as they have been enacted by the Parliament"

The Court dismissed the petition and upheld the BCI's authority to regulate and inspect law colleges, reinforcing that the statutory framework established by the Advocates Act, 1961 and the Rules of Legal Education, 2008 are legally sound and necessary for maintaining the quality of legal education in India. It stated unequivocally, *"The challenge made in the petition to the Rules of 2008 being ultra vires the parent Act is without any basis"*.

The Kerala High Court in the case of Indira Gandhi Memorial Trust Vs. State of Kerala, W.P. (Civil) No. 34303/2023 vide its order dated 12th December, 2023 *held that if a College intends to start a course during the academic year 2023-24, the application before the Bar*

Council has to be submitted before 31.12.2022In effect, if an affiliation is granted by the University for a particular academic year, beyond such timeline, the same cannot be produced before the Bar Council of India for starting the course in the very same academic year going by the time schedules that are kept by the Bar Council of India.

The Hon'ble court directed the University to extend the affiliation dated 20.07.2023 issued for the academic year 2023-24 to be valid for the academic year 2024-25 and comply with the time schedules that are kept by the Bar Council of India.

Therefore, in view of the above, universities are directed to adhere to the above timeline or to any timeline notified by the Bar Council of India before each academic year for providing affiliation to any Centre of Legal Education.

The Division Bench of the Hon'ble High Court of Mumbai at Nagpur, in the Writ PetitionNumber 1114/2018 vide Judgment dated 08.04.2020 in re RashtrasantTukdojiMaharaj Nagpur University and others vs. State of Maharashtra and others (AIR 2020 Bom 135), ***upheld the constitutional validity of Rule 2(xxiv)"Regular Approval" means approval for not more than five years and includes permanent approval earlier granted to any Centre of Legal Education before these Rules come into force.***

The Court observed that approval of educational institutions is procedural, and the approval granted is in the nature of an existing right rather than a vested right. Legal education, the Court noted, is a dynamic process that requires maintaining standards, which cannot be confined to any time frame or remain static.

In Bar Council of India v. Board of Management, Dayanand College of Law, Appeal (Civil) Nos. 5301–5302 of 2001 (decided on 28th November 2006), reported in (2007) 2 SCC 202, the Hon'ble Supreme Court categorically ***held that only individuals possessing a degree in law are eligible to serve as the head of a law college, thereby overruling the High Court's decision which had upheld the appointment of a Principal without a law qualification. The Court unequivocally affirmed that the Bar Council of India, as the apex statutory body under the Advocates Act, 1961, is entrusted to maintain standards of the legal profession and of those who seek entry into that profession. The Supreme Court emphasized that this authority cannot be overridden by university statutes or local regulations, reiterating that the BCI's regulatory mandate extends beyond enrolment to encompass the entire educational pipeline leading to entry into the legal profession.***

Supporting this position, the Punjab & Haryana High Court in ShrutiBedi&Ors. v. Panjab University &Ors., CWP 13091 of 2023 (decided on 22.11.2023), explicitly ***held that the head of a Centre of Legal Education must be a law teacher with at least fifteen years of teaching experience and a Ph.D. in Law, in strict adherence to Rule 16 of the Bar Council of India Rules of Legal Education, 2008. The High Court further clarified in para 33 that once the Director exercises academic and financial powers, the post cannot be deemed honorary or ceremonial, and thus cannot be occupied by a person without a legal background. Additionally, para 23, the Court invoked Rule 16 of the BCI Rules to underscore that this requirement is not merely academic but statutory, flowing from the Advocates Act, 1961 and enforced through BCI's regulatory framework. The Supreme Court in Dayanand further opined that the BCI's role cannot be considered to be taken away by the Universities Acts, thereby confirming that compliance with BCI norms is mandatory and binding.***

Together, these landmark judgments firmly establish that appointments, leadership roles, and governance structures within legal education must rigorously conform to standards prescribed by the Bar Council of India, underscoring the indispensable role of BCI in safeguarding the quality, integrity, and constitutional objectives of legal education in India. Any deviation, undermines the statutory mandate and invites legal consequences

The Madhya Pradesh High Court has recently on 07.03.2025 in Vyom Garg Case, which pertains to enrolment of those candidates who have obtained their degree from CLEs not approved/recognised by Bar Council of India, passed an order deterring malpractices and administrative laxity by Centers of Legal Education, it has held that Institutions found enrolling students without valid BCI approval now face the real threat of criminal prosecution. CLEs are now under clear judicial warning to comply strictly with BCI norms, including timely fee payments and adherence to affiliation and approval of affiliation by BCI procedures. Failure to comply not only results in loss of recognition but also exposes the institutions to legal consequences and reputational damage. This, stresses on disciplined legal education governance, with zero tolerance for institutions that jeopardize students' futures through non-compliance of BCI Rules of Legal Education Rules.

The Hon'ble Supreme Court in the case of Bar Council of India Vs. Rabi Sahu, Civil Appeal No. 8571/2013 vide its order dated 9th June, 2023 ***has held that in view of the Bar Council of India Rules, Part IV-***

Rules of Legal Education, 2008 prescribed by Bar Council of India, only graduates from recognized/approved Centres of Legal Education (Universities, University Departments, Constituent Units, Colleges etc.) by the Bar Council of India can be enrolled as advocates

✓ **As per the order of theHon'ble Supreme Court of India dated 29.08.2019 passed in Writ Petition (Civil) No.1510 of 2018, titled as Vinit Garg Vs. University Grants Commission and as per the earlier order of Hon'ble Supreme Court of India dated 03.11.2017 passed in Civil Appeal Nos.17869-17870, arising out of SLP No. 19807-19808/2012 in the case of Odisha Lift Irrigation Corp Ltd. Vs Ravi Shankar Patro&Ors.,** ***the Hon'ble Supreme Court has held that an University has to obtain permission from the concerned regulatory body for initiating/starting, opening and conducting any distance learning course/s.***

✓ ***As per UGC Regulations 4(A)(iv), (Open and Distance Learning Programmes& Online Programmes) Regulations, 2020, the Higher Educational Institution must have the approval or recommendations of the statutory or regulatory authority, in this case, the Bar Council of India (BCI), for offering law programs in Open and Distance Learning mode or Online mode.***

Explanation: Programmes as mentioned at clause (iv) shall be considered only when these are recommended by the respective statutory or regulatory authority or regulatory council to offer in Open and Distance Learning mode or Online mode, as applicable....."

✓ ***Furthermore, the Distance Education Bureau under UGC explicitly prohibits courses in engineering, law, medicine, dental, pharmacy, nursing, architecture, physiotherapy, applied arts, and other such programs from being offered through online mode without approval from the respective statutory or regulatory bodies.***

✓ ***Some Universities, including some reputed Universities are running such programs in flagrant violation of clear directives and guidelines as stipulated above and without even having made a request or application to BCI in this regard. It is categorically made clear, such programs have no recognition and/or approval from BCI.***

➢ ***CLE's must ensure to comply with these directives, failing which necessary action will ensue.***

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Conditions/Rules of Legal Education

A. Centre of Legal Education (CLE) as defined under the Rules of Legal Education stands for the following and is being reproduced below for convenience:

"Centres of Legal Education" means (a) All approved Departments of Law of Universities, Colleges of Law, Constituent Colleges under recognized Universities and affiliated Colleges or Schools of law of recognized Universities so approved.

Provided that a Department or College or Institution conducting correspondence courses through distance education shall not be included.

B. The Centre of Legal Education is directed to ensure compliance of the conditions stipulated above and also comply with Legal Education Rules 2008, failure of which may lead to subsequent necessary and proper action being taken in this regard :-

1. **The Centre of Legal Education is directed to ensure establishment and continuance of a Legal Aid Centre as per Clause-11, Schedule-III of Rule-11 of the Part-IV of the Legal Education Rules – 2008. CLE should keep activated Legal Aid Clinic.**

2. **Centre of Legal Education must ensure to teach clinical subjects and give marks as per the schedule.**

3. **Centre of Legal Education should ensure the payment of salary to teachers as per Rules 22 schedule III, Part IV of BCI Rules.**

4. **The Centre of Legal Education should keep in mind that minimum 10 sets of Indian Bar Review, selected judgments and professional Ethics published by Bar Council of India Trust and the AIR volumes/set must be promptly ordered for the library if not already ordered, as it is an essential requirement to run a law college which is stipulated by Bar Council of India, Legal Education Rules 2008 framed under a Parliament Act.**

5. **The Center of Legal Education is directed to make a minimum investment as provided below for upgrading it's library as per the following guideline :-**

   "Today with the increasing cost of journals, books, wi-fi, e-library and online facilities including I.T. facilities, the minimum investment by each university should be Rs. 10 lakhs for each year. However for any university/deemed university in rural area, the investment should be Rs. 5 Lakh and for all other affiliated colleges in the urban area it

should be Rs. 2 lakhs and in rural area it should be Rs. 1 lakh."

6. Teacher Student ratio shall be 1:40

7. Centre of Legal Education is directed to conduct the classes within the stipulated the timings of the classes i.e. between 8 am to 7 pm for a continuous period of 5 hours with an half hour break in between

8. Centre of Legal Education must ensure that not less than three percent seats are reserved for persons with disabilities

9. Centre of Legal Education shall equip itself to provide appropriate facilities in terms of the physical infrastructure, academic infrastructure and any other facilities required for the effective participation of disabled/differently abled students, teachers and staff in their respective activities. For e.g. (a) ramps in public buildings and (b) Braille symbols and auditory signals in elevators or lifts.

C. Further, the Centre of LegalEducation should maintain the timing which has to be minimum 5 ½ hours with half an hour break.

<u>Rule (xxiii), Chapter I</u>

"(xxiii) "Regular Course of Study" means and includes a course which runs for at least five hours a day continuously with an additional half an hour recess every day and running not less than thirty hours of working schedule per week."

<u>Rule 5 of Schedule III</u>

"Classes may be conducted between 8 a.m. to 7 p.m. in a Centre of Legal Education, which is not fully residential. However the Library may remain open till 10 p.m."

✓ **D. <u>Further, the Centre of Legal Education should follow the attendance rule and file affidavit that they are following the aforesaid and below mentioned rule.</u> The next inspection team shall also see whether the said rules are being followed by the university or not. The relevant Rule 12 is given below:-**

"12. End Semester Test: No student of any of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the

classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorized representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India."

E. <u>Centre of Legal Education should also admit students as per the below mentioned Rule:</u>

7.Minimum marks in qualifying examination for admission: Bar Council of India may from time to time, stipulate the minimum percentage of marks not below 45% of the total marks in case of general category applicants, 42% for OBC category and 40% of the total marks in case of SC and ST applicants, to be obtained for the qualifying examination, such as +2 Examination in case of Integrated Five Years' course or Degree course in any discipline for Three years' LL.B. course, for the purpose of applying for and getting admitted into a Law Degree Program of any recognized University in either of the streams.

Provided that such a minimum qualifying marks shall not automatically entitle a person to get admission into an institution but only shall entitle the person concerned to fulfill other institutional criteria notified by the institution concerned or by the government concerned from time to time to apply for admission.

F. <u>Centre of Legal Education</u> to follow Clause-24, Schedule-II of Legal Education Rule-2008 lays down Moot Court exercises and Internship; Clause-25, Schedule-III lays down Minimum period of Internship which is quoted hereunder.

(i) <u>24. Moot court exercise and Internship:</u>

This paper may have three components of 30 marks each and a viva for 10 marks.

(a) *Moot Court (30 Marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.*

(b) *Observance of Trial in two cases, one Civil and one Criminal (30 marks):*
Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

c) *Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):*
Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the

procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d)*The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.*

(ii) 25. Minimum Period of Internship: (a) *Each registered student shall have completed minimum of twelve weeks internship for Three Year Course stream and twenty weeks in case of Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.*
Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

(b) *Each student shall keep Internship diary in such form as may be stipulated by the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4th Clinical course as stipulated under the Rules in Schedule II.*

G. Centre of Legal Education should also follow Rule-10 of Legal Education Rules 2008 which is quoted hereunder:

10. Semester system

The course leading to either degree in law, unitary or on integrated double degree, shall be conducted in semester system in not less than 15 weeks for unitary degree course or not less than 18 weeks in double degree integrated course with not less than 30 class-hours per week including tutorials, moot court room exercise and seminars provided there shall be at least 24 lecture hours per week.

Provided further that in case of specialized and/or honours law courses there shall be not less than 36 class-hours per week including seminar, moot court and tutorial classes and 30 minimum lecture hours per week.

Provided further that Universities are free to adopt trimester system with appropriate division of courses per trimester with each of the trimester not less than 12 weeks.

H. Centre of Legal Education should also follow Rule 17 and Rule 18 of Schedule III of Legal Education Rules 2008 which is quoted hereunder :-

(i) Rule 17. Core Faculty:

There shall be sufficient number of full time faculty members in each Centre of Legal Education (i.e.,Department, constituent or affiliated college) to teach each subject at all point of time for running courses who can be supported by part time or visiting faculty. Such a core faculty shall in no case be less than six in the first year of the approval with both streams in

operation, eight in the second year and ten in the case of third year of law courses. In addition, for the integrated course qualification as is required under the UGC guideline or under such other standard setting body as the discipline is allotted to by any Act, statute, or Rules of the Government of India or of a State.

For the Three Year Bachelor of Law degree course only with two sections without the Honour program, there shall be minimum of 4 core faculty in the first year six in the second and eight in the third year in addition to the Principal/Head or Dean as the case may be.

Provided that an institution intending to run any specialized or honours course must have at least three faculties in the group in which specialization and honours courses are offered.

Provided further that each full time faculty shall take as many classes in the subject or subjects as may be assigned to them on the basis of standard prescribed by 'the standard setting institution' like UGC.

Provided further, if any institution of a University, which was already affiliated to the University and approved to run professional courses of either scheme or both by the Bar Council of India after inspection of the University, falls short of required full time faculty, the new admission in courses may be required to remain suspended until new required number of faculty is procured. The University shall before starting a new academic session, notify which institutions are only be allowed to admit fresh students.

Provided further that if while inspecting the University it was found that in any institution of the University adequate number of full time faculty was not there in the staff, the Bar Council after giving notice to the University might give a public notice directing the University not to admit students in the new academic year in that institution.

There shall be adequate faculty in the subjects offered in the liberal educational subjects as part of the course by the institution. These faculties in the liberal educational discipline in Arts, Science, Management, Commerce, Engineering, Technology or any other discipline shall possess.

(ii) **Rule -18 Minimum weekly class program per subject (paper):.**

There shall be for each paper (with 4 credit) Four class-hours for one hour duration each and one hour of tutorial/moot court/project work per week.

- **Existing CLEs/Universities that have not yet completed the online registration process including payment of the one-time portal registration fee and submission of the Updation of University Recognition, Updation of University Department of Law, Constituent Unit, or separately as Law Colleges and Law Schools/Institutions affiliated to Universities application are required to promptly complete the registration process by uploading the necessary documents and photographs through the link sent to their official email IDs. Failure to comply may result in appropriate action.**

If any BCI-approved existing CLE/University Department has not received their login credentials, they are advised to contact the

Bar Council of India at cle@barcouncilofindia.org with the following details:

1. Full Name of the CLE
2. Registered Email ID (in lowercase)
3. Address of the CLE
4. Contact Mobile Number of the CLE
5. Copy of the BCI Approval Letter

- **THE COMPLIANCES AND PENDING FEE/ ANY OTHER FEE WHICH MAY BE PAYABLE IN FUTURE MAY BE KINDLY ENSURED TO BE COMPLIED WITH AS AND WHEN INTIMATED IN THE FUTURE.**

- **The CLE must comply with all the conditions mentioned in this letter and with all the Rules and Regulations of Legal Education including circulars and directives issued by BCI. and furnish a duly notarised compliance affidavit with adequate photo/documentary proof in this regard, with all pages of affidavit, annexures, photos, being duly notarised, failing which - may lead to serious consequences, including withdrawal of BCI approval for academic year 2025-2026, and ineligibility to admit students in the academic session 2026–2027.**
- **As stated above, the minimum compliance Affidavit format is attached (Annexure – C/A).**

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- **It is further clarified that this is the minimum level of compliance required. If any additional specific conditions have been imposed on the CLE, those must be separately complied with, either by incorporating additional explanatory paragraphs or by submitting distinct compliance documents as appropriate.**

- **NOTE – KINDLY ENSURE TO SUBMIT ENGLISH TRANSLATION OF ALL DOCUMENTS BEING FURNISHED BY YOU IN HINDI OR IN ANY OTHER REGIONAL LANGUAGE TO BCI.**

- **Note- In accordance with the Council resolution passed on February 20, 2022, the refundable guarantee amount per course, is set at Rs. 5 lakh. Additionally, (C.L.E.'s) who had previously deposited a guarantee fee of Rs. 2 lakhs are now required to pay the remaining Rs. 3 lakhs to meet the total guarantee fee of Rs. 5 lakhs for a single course. For each additional course, the guarantee fee stands at Rs. 5 lakhs per course.**

➢ **Very important: - Please, henceforth ensure to send any compliance affidavit/reply and affiliation orders separately to complianceaffiliationle2@gmail.com, apart from copying it to dlebci@gmail.com. Please do not send any email/s to proledepartment@gmail.com.**

For any other query/ies you may send e-mail/s to dlebci@gmail.com

NOTE

Public Meeting for Legal Education related Matters will be held from Monday to Thursday every week between 3.00 p.m. to 4.30 p.m. only at BCI office at 21 Rouse Avenue Institutional Area, New Delhi 110002 (2nd floor, Conference room) with Chancellor, Vice Chancellor, Pro-Vice-Chancellor, Registrar, Director, Dean, Principal, Academician/Permanent Faculty of Law, Head of Department, /Member of Society/or Trust which has established the CLE, administrative personnel, attached to (permanently working with Center of Legal Education) and/ Society Registration documents and/or with owners.
No agents/touts or unauthorized personnel shall be entertained at any cost.

All visitors will have to fill the following form with attachments before the meeting.

On behalf of BCI, the meeting will be attended by Principal Secretary Mr. Srimanto Sen and/or Mr.Nalin Raj Chaturvedi, Additional Secretary and/or in absence of one/both of them by Mr. Awanish Kumar Pandey, Additional Secretary.
No other BCI employee is authorized to discuss Legal Education Related Matters.

To ensure the integrity and quality of legal education, it is essential to prevent unauthorized personnel, agents and touts from interfering in academic and administrative matters. Unauthorized interference often leads to misinformation and compromises the standards of legal education. Therefore, ONLY SENIOR AND AUTHORISED PERSONNEL AS MENTIONED ABOVE WILL BE ENTERTAINED.

Your cooperation is required to maintain transparency and uphold the highest standards in legal education. This measure is in the best interest of all stakeholders and aims to promote an environment conducive to the betterment of legal education.

This is for your information, necessary compliance and action.

Nalin Raj Chaturvedi
Additional Secretary

Srimanto Sen
Principal Secretary