

**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF LEGAL AFFAIRS**

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**LOK SABHA**

**UNSTARRED QUESTION NO.6037  
TO BE ANSWERED ON 04.04.2018**

**Court Objection to Practise by Foreign Law Firms**

**6037. SHRI R. PARTHIPAN**

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government has noticed that numerous international firms offering legal services including practice in the country;
- (b) if so, the details thereof ;
- (c) whether recently any court direction was issued stating that foreign law firms cannot set up office and their lawyers cannot practice in India but they can give legal advice on foreign laws;
- (d) if so, the details thereof and the reasons therefor ?

**ANSWER**

**MINISTER OF LAW AND JUSTICE AND ELECTRONICS AND INFORMATION  
TECHNOLOGY  
(SHRI RAVI SHANKAR PRASAD)**

- (a) & (b) The information is being collected from Bar Council of India to be laid on the Table of the House.
- (c) & (d) Hon,ble Supreme Court of India in its judgment dated 13.03.2018 in Civil Appeal Nos.7875-7879 of 2015 titled Bar Council of India Vs A.K. Balaji and Ors. has held that foreign law firms cannot set up offices in India or practice in Indian Courts, but there is no bar for the foreign law firms or foreign lawyers to visit India for a temporary period for giving legal advice regarding foreign law on diverse international legal issues on a 'fly in and fly out' basis if it does not amount to practice including appearance in Courts of India. It was further been held that if the matter is governed by particular rules of an arbitral institution or if the matter otherwise falls under section 32 or 33 of Arbitration and Conciliation act, 1996, there is a no bar on foreign lawyers to conduct such proceedings in India. Even in such cases, Code of Conduct, if any, applicable to the legal profession in India has to be followed. It is for the Bar Council of India or Central Government to make a specific provision in this regard, if considered appropriate.

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