

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

**LOK SABHA  
UNSTARRED QUESTION NO.4896  
TO BE ANSWERED ON FRIDAY, THE 31<sup>st</sup> MARCH, 2023**

**Permission to Foreign Legal Firms for Practice**

**4896. SHRI RAJA AMARESHWARA NAIK:  
SHRI RAJVEER SINGH (RAJU BHAIYA):  
SHRI VINOD KUMAR SONKAR:  
SHRI BHOLA SINGH:  
DR. SUKANTA MAJUMDAR:**

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

- (a) whether the Bar Council of India which is a regulating body of legal practice in the country, has accorded its permission to allow foreign law firms to practice in the country;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether the Government has stipulated any pre-condition for legal practice including that certain percentage of Indians are required to be employed by the foreign legal firms to do the legal and paralegal work in India, if so, the details thereof;
- (d) whether the Government has taken into consideration the possible adverse impact of the above decision on indigenous law firms and if so, the corrective steps taken/being taken by the Government in this regard;
- (e) whether the Government has allowed Robot Lawyer for legal practice in the country and if so, the details thereof and if not, the reasons therefor; and
- (f) the other steps being taken by the Government for the development and welfare of legal profession in the country?

**ANSWER  
MINISTER OF LAW & JUSTICE  
(SHRI KIREN RIJJU)**

- (a) and (b): The Bar Council of India (BCI) *vide* notification dated 10<sup>th</sup> March, 2023 has published in Gazette of India the **Bar Council of India Rules for registration and regulation of foreign lawyers or foreign law firms in India**. The Rules provide for foreign lawyers and Foreign Law Firms to

practice foreign law and diverse international law and international arbitration matters in India on the principle of reciprocity in a well-defined, regulated and controlled manner.

Chapter IV of the Rules lays down nature and extent of law practice by a foreign lawyer /law firm. Rule 8 provides the nature and extent to which a foreign lawyer is authorised to practice law in India. The BCI has informed that the activities of foreign lawyers/foreign law firms in India as per the rules may be summarised as under:

1. Foreign Lawyers and Law firms shall be allowed to advise their clients about foreign laws and international laws only.
2. They would render advisory work about such Laws for their foreign clients only.
3. Foreign Lawyers and foreign law firms shall be allowed to function in non-litigious areas only.
4. Foreign lawyers and foreign law firms shall not be allowed to appear in any Court, Tribunal, Board, before any statutory or regulatory authority or any forum legally entitled to take evidence on Oath and/or having trappings of a Court.
5. Entry of Foreign Lawyers would be on reciprocal basis only *i.e.* Lawyers of only those countries would be permitted in India where Indian Lawyers are also permitted to practice.
6. Foreign Lawyers would be allowed to appear for their clients in International Commercial Arbitration.

As per the objects and reasons of the Rules, growth in international legal work, globalization of legal practices and crisscrossing of legal professionals from one country to other has called for presence of an open, responsive and receptive legal dispensation mechanism in India. Also, time has come to take a call on the issue. Bar Council of India is of the view that opening up of law practice in India to foreign lawyers in the field of practice of foreign law; diverse international legal issues in no litigious matters and in international arbitration cases would go a long way in helping legal profession/domain grow in India to the benefit of lawyers in India too. The rules will also help to address the concerns expressed about flow of Foreign Direct Investment in the country and making India a hub of International Commercial Arbitration.

- (c) The BCI has informed that no preconditions have been stipulated by it regarding legal practice or *w.r.t.* any percentage of Indians to be employed by the foreign legal firms to do the legal and para legal work in India.
- (d) The BCI has informed that, it is of the firm view, firstly, that entry of foreign lawyers and foreign law firm is not going to adversely impact advocates of the country. On the contrary, the Bar Council of India firmly believes that entry of foreign lawyers and law firms will benefit scores of young advocates and budding Indian Law Firms. And in the long run, it will be proved beneficial to the Indian Lawyers, Law Firms and for the entire country.
- (e) The BCI has informed that it is in favour of use of modern technological development to assist and aid general public accessing justice and provide ease of professional activities by lawyers. However, except that AI (artificial intelligence) is proposed to be used in a limited sphere by the Courts, there is no proposal a Robot Lawyer for legal practice in the country. Bar Council of India feels that majority of about 2.5 million lawyers practicing in India Courts are operating in Distt., Tehsil or Taluka Courts, many of them in remote or interior areas on various States. The concept of Robot Lawyers will not be in the interest of Indian Lawyers.
- (f) As per the provisions of section 7(1)(h) of the Advocates Act, 1961, the Bar Council of India (BCI) is entrusted with the function *inter-alia* of promoting and laying down the standards of legal education in the country. The BCI has framed Bar Council of India Rules Part IV Rules of Legal Education – 2008 under sections 7(1)(h) and (i), 24(1)(c)(iii) and (iiia), 49(1)(af),(ag) and (d) of the Advocates Act ,1961 with the objective to maintain and raise the standard of legal education of the University and Colleges imparting legal education.

The Rules prescribe the minimum requirement *vis-à-vis* infrastructure, minimum library requirement, requirement of core faculties in adequate number and qualification as books, library and teachers are very essence of legal education for getting recognition and approval of the BCI. Clinical legal education such as drafting, pleading and conveyance, professional ethics and professional accounting system, alternate dispute resolution, moot courts has been introduced as a compulsory clinical course for giving students a practical aspects of preparation, appearance and arguing in the courts like atmosphere. On a call from Hon'ble Prime Minister at the Joint Conference of Chief Ministers and Chief Justices of High Courts, held on 30<sup>th</sup> April, 2022, the BCI

has also agreed to introduce technology related subjects such as block chains, electronic discovery, cyber-security, robotics, Artificial Intelligence and bio-ethics in the course curriculum of LL.B. as well as LL.M degree in Law Universities of India.

Due to the introduction of this Rules and Continuous persistence of enforcement of the Rules, students graduating in law are better equipped to deal with problems of diverse magnitude and a student of law and an advocate is today trained in professional skills to meet the challenges of globalization and universalization of law.