

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

LOK SABHA
UNSTARRED QUESTION NO. 1864
TO BE ANSWERED ON FRIDAY, THE 02nd AUGUST, 2024

Comprehensive Law Courses

1864. Shri Dushyant Singh:

Will the Minister of **Law and Justice** be pleased to state:

- (a) whether the Government is overseeing the curriculum of the law courses across country ensuring comprehensive inclusion of the emerging areas in the curriculum, and taking steps to make law courses more practical;
- (b) if so, the details thereof;
- (c) whether the Government is making any policy towards compulsory stipend to the students or law graduates who are working under the seniors as per specified norms;
- (d) if so, the details thereof and if not, the reasons therefor;
- (e) whether the Government has directed to the Bar Council of India to take urgent and effective measures to curb the proliferation of substandard law colleges in India and to ensure the quality and excellence of legal education and profession in the country; and
- (f) if so, the details thereof along with the action taken on the colleges which are not adhering to the standards prescribed during the previous year?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) and (b): As per the provisions of Sections 7(1)(h) and (i) 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 legal Education Rules, 2008 lay down the mandatory minimum standards and requirements for legal education in India. The BCI has informed that it periodically reviews and updates the curriculum to ensure that it remains relevant and comprehensive, and that it addresses the changing needs of the legal

profession. The BCI has encouraged the law schools to include emerging areas of law, such as Intellectual Property Law, Cyber Law, and Environmental Law, in their curriculum. To make law courses more practical, the BCI has also introduced clinical legal education, which requires students to participate in internships, moot courts, and legal aid clinics. This helps students gain practical experience and develop their skills in a real-world setting. As per vision of Hon'ble Prime Minister the BCI has issued circular to all Universities and Centres of Legal Education to incorporate subjects such as block chains, electronic discovery, cyber-security, robotics, Artificial Intelligence and bio-ethics etc. in their curricula. Requisite Circular has also been issued to include the recently introduced three Criminal Laws *i.e.* Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bharatiya Sakshya Adhiniyam, 2023 in the curriculum. Overall, the BCI is aware that curriculum of law courses in India remains comprehensive, practical and relevant to the needs of the legal profession and ensures that the graduates are well equipped to handle contemporary legal challenges.

(c) and (d): Although, the BCI oversees the legal profession in India but it does not determine the fees for Advocates or Senior Advocates. Therefore, the matter of providing stipends to the junior advocates are totally at the discretion of the individual advocates and senior advocates. The BCI has further informed that the Delhi High Court vide order dated 25th July, 2024 in the case of *Simran Kumari vs BCI & Anrs.*, {W.P. (c) 10159/2024} has directed to consider representations regarding payment of minimum stipend to junior lawyers hired by advocates and senior advocates.

(e) and (f): The BCI as a regulatory body, maintains the standards of legal education. Several circulars have been issued by BCI to State Governments and Universities to meticulously scrutinise the applications of new law Colleges before granting them NOCs and affiliations. If any deficiencies are found on the part of any Centres of Legal Educations (CLEs), the approval of affiliation are not granted. Moratorium to grant NOCs and affiliation to new law colleges and additional sections in existing centres was issued *vide* resolution dated 11.08.2019 which was subsequently overturned by Punjab and Haryana High Court in its order dated 04.12.2020. The BCI has also constituted a High-Level Committee headed by a former Chief Justice of High Court to identify such Centres of Legal Education which are not complying with the infrastructural, faculty, library and other requirements of Rules of Legal Education by conducting surprise inspections of these Centres of Legal Education without their knowledge. On the basis of the Report of High-Powered Surprise Inspection Committee, the BCI conducts rigorous inspections of Centres of Legal Educations (CLEs). Further, based on not meeting the standard, several CLEs have been barred from admitting students for the academic year 2024-25. The BCI has also launched Legal Education portal in December 2023, which has detected numerous irregularities committed by these CLEs which invite stringent action by BCI.