



# 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:D:5199/2024

Date: 25.09.2024

To,

The Secretary/ies,  
All the State Bar Council/s.

Sub.: **Strict Compliance and Verification of Candidates- Adherence to BCI Directives Prior to Enrolment.**

Sir(s)/Ma'am(s),

This is regarding two important Circulars issued by the Bar Council of India to all Centers of Legal Education:

1. Circular dated 23.09.2024 bearing No.BCI:D:5180/2024 (LE Circular No.12/2024) concerning BCI approval requirements for dual and joint degree programs in collaboration with foreign universities, and
2. Circular dated 24.09.2024 bearing No.BCI:D:5186/2024 (LE Circular No.13/2024) regarding the implementation of essential regulations such as criminal background checks, declarations on simultaneous academic programs and employment status, attendance compliance, biometric attendance, and CCTV installation at legal education institutions.

In light of these Circulars, it is imperative that all State Bar Councils (SBCs) ensure that candidates seeking enrolment have strictly adhered to the directives laid out by the BCI. SBCs are required to thoroughly verify that each candidate has complied with the following mandates:

1. **Criminal Background Check:** Ensure that the criminal background check has been duly conducted and no disqualifying records exist.
2. **Declaration of Simultaneous Degree or Employment:** Confirm that candidates have made the required declarations regarding any simultaneous degree programs, regular academic programs, or employment status during their legal education.
3. **Attendance Compliance:** Verify that the candidates have met the mandatory attendance requirements, supported by attendance records, in accordance with BCI regulations.

**State Bar Councils must assure themselves that all these directives have been followed by the candidates prior to granting enrolment.** It is crucial that no candidate is enrolled unless there is full compliance with these important measures, which are designed to uphold the quality and integrity of legal education and ensure that candidates meet the high standards expected of legal professionals.

We request your cooperation in diligently checking each candidate's adherence to these guidelines and ensuring that your verification processes are rigorous and comprehensive.

Any discrepancies or non-compliance should result in the postponement of the enrolment process until full compliance is ensured.

Thank you for your attention to this critical matter.

  
**(Srimanto Sen)**  
Secretary,  
Bar Council of India

**Copy to**

**All Hon'ble Members,  
Bar Council of India**

**Enclosure:**

1. Circular dated 23.09.2024 bearing No.BCI:D:5180/2024 (LE Circular No.12/2024).
2. Circular dated 24.09.2024 bearing No.BCI:D:5186/2024 (LE Circular No.13/2024).



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**BCI:D:5180/2024 (LE Circular No.12/2024)**

**Date: 23.09.2024**

To,

All Centers of Legal Education in India,

**Sub.: Clarification on BCI Approval Requirement for Dual and Joint Degree Programs in Collaboration with Foreign Universities.**

Sir(s)/Ma'am(s),

This communication serves to provide a detailed clarification on the legal and regulatory requirements governing collaborations between law institutions in India and foreign higher educational institutions, specifically with regard to dual degree and joint degree programs. The Bar Council of India (BCI), under the provisions of the Advocates Act, 1961, holds exclusive authority to regulate legal education and ensure the recognition of law degrees for the purpose of legal practice in India. Any collaborative program that affects the core structure of legal education must align with BCI regulations.

## **Legal Framework Governing Dual and Joint Degrees**

### **1. Approval Requirement for Dual and Joint Degrees**

A dual degree program refers to an arrangement where a student receives two separate degrees from two institutions, typically in two different jurisdictions, while a joint degree program involves a single degree jointly offered by two or more institutions. The Bar Council of India mandates that prior approval must be obtained for any such dual or joint degree programs between Indian law institutions and foreign universities. This is crucial to ensure that such programs do not circumvent the statutory regulatory framework governing legal education in India.

The BCI approval process is required to verify that the program, whether dual or joint, complies with the minimum academic and regulatory standards established by the BCI Legal Education Rules, 2008, and the Advocates Act, 1961. This approval is necessary because dual and joint degrees have the potential to bypass fundamental educational structures, and the BCI must ensure that they adhere to the required academic rigor.

## **2. No Bypass of Academic or Regulatory Framework**

The BCI has outlined specific minimum academic standards that all law programs in India must meet, including requirements regarding the curriculum, mandatory subjects, course duration, classroom hours, attendance requirements, and examinations. These standards are designed to maintain the integrity and quality of legal education and must be adhered to regardless of any foreign collaboration.

Collaborative programs, especially dual and joint degree arrangements, cannot bypass these standards in any manner. This means that the basic academic structure, including core subjects such as Constitutional Law, Criminal Law, Civil Procedure, and others that are crucial to legal practice in India, must remain intact. The program must also comply with other mandatory academic requirements, including the minimum number of classroom hours, student attendance, and evaluation criteria. Under no circumstances can the collaborative program override these statutory provisions.

## **3. Physical and Academic Structure Must Remain Uncompromised**

One of the key concerns with dual or joint degree programs is the potential for students to avoid meeting the required physical attendance and classroom hours mandated by Indian law. The BCI requires that students pursuing legal education in India attend the minimum number of hours prescribed under the BCI Legal Education Rules, 2008, to ensure that they gain a thorough and practical understanding of Indian law. This requirement is crucial for their training as legal professionals.

A dual or joint degree program cannot substitute or reduce the physical and academic commitment that Indian law students are expected to meet. The core subjects essential for practice in the Indian legal system, along with mandatory practical training components, must be delivered as per BCI norms. Any deviation or reduction in these academic requirements will not be permitted under any collaborative arrangement.

### **Scope of Approval: What Requires BCI Oversight?**

It is important to distinguish between general academic collaborations that involve exchange programs, seminars, or faculty collaborations, and dual/joint degree programs that directly affect the conferral of degrees.

- General academic collaborations such as faculty exchange programs, study abroad programs, or partnerships that do not alter the degree structure, curriculum, or core academic requirements do not require BCI approval. Such programs are welcomed as long as they enhance academic exposure without diluting BCI-mandated standards.

- Dual or joint degree programs, however, do require BCI approval because they involve fundamental changes to how degrees are awarded and, therefore, must be regulated to ensure compliance with the Advocates Act and BCI's educational standards.

### **Requirements for BCI Approval**

To obtain approval for a dual or joint degree program, law institutions must submit a proposal to the BCI that provides detailed information about:

#### **1. Curriculum Structure and Compliance**

The curriculum offered through the collaborative program must be fully compliant with the BCI Legal Education Rules, 2008, including the mandatory subjects, attendance requirements, and minimum classroom hours. The BCI will evaluate whether the Indian law component remains intact and is not diluted by the introduction of foreign law subjects or methodologies that do not align with the Indian legal framework.

#### **2. Degree Conferral Process**

For joint degrees, institutions must clarify the mechanism for degree conferral and ensure that the degree issued is recognized as valid within India and complies with Indian legal standards. For dual degrees, the BCI must be assured that the Indian law degree is conferred only upon successful completion of the BCI-mandated curriculum.

#### **3. Compliance with Attendance and Physical Presence Requirements**

The proposal must demonstrate that students participating in the program will meet the mandatory attendance requirements under Indian law. This is particularly crucial for dual/joint programs where students may split their time between foreign and Indian institutions. The BCI requires evidence that the Indian institution will ensure the requisite number of physical attendance hours are fulfilled in compliance with its regulations.

#### **4. Adherence to Examination and Evaluation Standards**

The evaluation of students must also comply with BCI standards. This means that examinations and practical assessments, particularly in core Indian law subjects, must be conducted as per the rules laid down by the BCI. The standards for awarding degrees must not be compromised by foreign collaborations.

## **Consequences of Non-Compliance**

The BCI underscores that non-compliance with these requirements will result in the non-recognition of degrees issued through unapproved dual or joint programs. Graduates of such programs will be ineligible for enrollment as advocates, and their degrees will hold no legal validity in India. Institutions found to be in violation of BCI regulations will face stringent action, including but not limited to withdrawal of recognition/approval and legal consequences as per the Advocates Act, 1961.

The Bar Council of India supports academic collaborations that enhance legal education, provided such programs maintain full compliance with BCI's core regulatory framework. Dual degree and joint degree programs, by their very nature, have the potential to bypass critical elements of the Indian legal education system, and therefore require mandatory BCI approval. This is to ensure that such collaborations do not dilute the academic, physical, and regulatory requirements necessary for the practice of law in India.

**All centers of legal education are instructed to seek BCI approval prior to engaging in any dual or joint degree programs with foreign institutions.**

**Institutions currently offering or negotiating such programs must halt all activities until formal approval is granted**

We look forward to your cooperation in upholding the standards of legal education in India.



**(Srimanto Sen)**  
**Secretary**  
**Bar Council of India**

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(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

BCI:D:5186/2024 (LE Circular No.13/2024)

Date: 24.09.2024

To,

The Vice-Chancellors/Registrars of Universities/Centers of Legal Education  
Issuing Law Degrees

The Deans, Faculty of Law, Principals/Heads of Departments of Law Colleges  
and Centers of Legal Education

All Law Degree Students

Sub.: Implementation of Criminal Background Check System, Declaration  
Regarding Simultaneous Degree and/or regular Academic Programs,  
Employment status, Attendance Compliance, and Biometric Attendance,  
& Installation of CCTV cameras, in all Centers of Legal Education.

Sir/Ma'am,

The Bar Council of India, in response to judicial observations regarding the need to monitor the antecedents and backgrounds of law students, hereby issues this notification for the immediate implementation of a Criminal Background Check System and mandates declarations concerning the pursuit of simultaneous degrees, employment status, and attendance compliance in all Centers of Legal Education (CLEs).

Additionally, CLEs are required to incorporate biometric attendance systems and install CCTV cameras in classrooms to ensure transparency and accountability in attendance and conduct.

## Mandatory Declarations by Law Students

### 1. Criminal Background Check

To uphold the ethical standards of the legal profession, law students must maintain a clean criminal record. All law students are now required to declare any ongoing FIR, criminal case, conviction, or acquittal before the issuance of their final marksheets and degrees. Failure to disclose such information will result in strict disciplinary action, including the withholding of final marksheet and degree.

All such cases must be reported to the BCI via email at [bciinfo21@gmail.com](mailto:bciinfo21@gmail.com) with the subject line- Criminal Background Check Report at (Name of CLE). The CLE must await the BCI's decision before issuing the final marksheet and degree to the student.

## 2. Simultaneous Degree and/or regular academic Programs

In accordance with Chapter II, Rule 6 of the Rules of Legal Education (2008), students are prohibited from pursuing more than one regular degree program simultaneously. Law students must declare that they have not pursued any other regular academic program while pursuing their LL.B. degree, except for short-term, part-time certificate courses in areas such as language or computer applications, or programs offered through distance learning, as allowed under the rules.

**Any student found violating this rule should not be issued the final marksheet or degree by the CLE.**

## 3. Employment Status and Attendance Compliance

Students must declare that they were not engaged in any job, service, or vocation during the course of their LL.B. degree unless they had obtained a valid No Objection Certificate (NOC). Proof of compliance with the attendance norms must also be provided, as per Rule 12 of the Rules of Legal Education.

All such cases of employment must be reported to the BCI via email at [bciinfo21@gmail.com](mailto:bciinfo21@gmail.com) with the subject heading- Student of (CLE) Employment/Vocation Status During LL.B Degree Course. It is made clear that no one will be allowed to be enrolled in any State Bar Council, if he/she fails to inform the Bar Council of India and obtain NOC from his/her employer.

The CLE must await the BCI's decision before issuing the final marksheet and degree to such candidates/student/s. Failure to report employment status will result in the withholding of the final mark sheet & degree, and strict disciplinary action will be taken against the student and CLE both for non-compliance.

## 4. Biometric Attendance and CCTV Surveillance

All CLEs are required to install biometric attendance systems to ensure accurate monitoring of student attendance. Furthermore, CCTV cameras must be installed in classrooms and other key areas of the institution. **The recordings from these cameras must be preserved for a period of one year to support any necessary verification or investigation related to attendance and student conduct.**

## Criminal Background Verification Process

CLEs must conduct a thorough criminal background check on each student before issuing the final marksheets and degrees. Any involvement in criminal cases must be reported to the Bar Council of India, and institutions must await the BCI's decision before issuing the final marksheets or degrees.



### Institutional Compliance and Penalties

All CLEs are expected to comply with these directions immediately.

Students who fail to disclose their criminal background, simultaneous degree status, or employment details will face academic and legal consequences, including the withholding of their marksheets and degrees.

Institutions failing to enforce these mandates will face disciplinary actions, including de-recognition or disapproval of affiliation by the BCI.

Any breach of these requirements will result in severe academic and legal penalties.

Students must submit an undertaking that confirms compliance with criminal background disclosure, simultaneous degree rules, employment status, and attendance norms. This declaration must be provided before the issuance of final marksheets and degrees.

#### UNDERTAKING BY STUDENT

(Criminal Background Disclosure, Simultaneous Degree, Employment Status, and Attendance Compliance Before Final Marksheet and Degree)

I, ..... (Full Name),  
S/o or D/o ..... (Parent's Name), a  
student of ..... (Course Name, Year),  
at ..... (College and  
University Name), hereby declare and undertake as follows:

1. I confirm that I have no pending or closed FIR, criminal case, conviction, or acquittal before the issuance of my final marksheet and degree.

If yes, provide details:

.....  
.....  
.....  
.....

2. I declare that I have not pursued any other degree, regular academic program/diploma/certificate simultaneously while pursuing my LL.B. degree, in accordance with Chapter II, Rule 6 of the Rules of Legal Education.

- If yes, I confirm that it was either part of an integrated dual degree program offered by the same institution, or a permitted short-term, part-time certificate course on language, computer science or computer application of an institute or any course run by a Centre for Distance Learning of a University. Provide details: .....

.....  
.....  
.....

3. I declare that I was not engaged in any job, service, or vocation during the course of my LL.B. studies.

- If employed, I confirm that I obtained a valid No Objection Certificate (NOC) from the concerned authority, and my employment did not interfere with my attendance requirements as per Rule 12 of the BCI Rules of Legal Education. Provide details and attach NOC if applicable: .....

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.....  
.....  
.....

4. I understand that any failure to disclose or falsely disclosing my criminal background, simultaneous academic pursuits, or employment status will result in strict disciplinary action, including the withholding of my final marksheet and degree, and may also invite legal penalties.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

S/O, D/O: \_\_\_\_\_

Course: \_\_\_\_\_

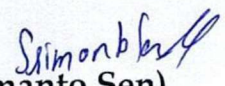
Year: \_\_\_\_\_

Date: \_\_\_\_\_

Aadhaar Number (Copy enclosed): \_\_\_\_\_

The legal profession demands the highest standards of ethics, integrity, and accountability.

The Bar Council of India expects full cooperation from all CLEs and law students in implementing these directives to ensure that the sanctity of the legal profession is upheld by individuals of the highest moral standing and academic merit.

  
(Srimanto Sen)  
Secretary,  
Bar Council of India