



No. Aff./ICC/ (2016-17)/2\ / of 2016

## C I R C U L A R

To,  
The Principals/Directors,  
All Law Colleges/Institutions/ Departments,  
University of Mumbai.

Sub.: - In respect of law classes being conducted during evening hours.

Ref.: - Bar Council of India letter No.BCI:D:1790/:2016(LE/evening)(cir-7)  
dated 07<sup>th</sup> December, 2016 (Copy enclosed)

With reference to the above subject, the Bar Council of India has prescribed following rules:-

"It is made clear that Rules made by the Bar Council India is under the Parliament Act and is statutorily enforced. So far period for running courses by Centre of Legal Education has to be as per Para-5 of Schedule III of Legal Education Rules 2008 which is quoted hereunder:

**General timing for conduction of courses in Academic Building:** Classes may be conducted between 8 a.m. to 7 p.m. in an Institution, which is not fully residential. However the Library may remain open till 10 p.m.

The classes under the said Rule 2 (XXIII) regular course of study is quote hereunder:

(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.

Therefore, you are informed to follow stricly the above rules and send a compliance in the matter to the Affiliation Section, room no. 207, II<sup>nd</sup> Floor, University of Mumbai, Fort, Mumbai-400 032.

Mumbai-400 032  
28<sup>th</sup> December, 2016

  
REGISTRAR

To,

The Principals/Directors of all Law affiliated/ recognised Colleges/Institutions



भारतीय विधिज्ञ परिषद्  
BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, New Delhi - 110 002

BCI:D: 1790/:2016(LE/evening) kir-7)

07<sup>th</sup> December, 2016

To,

Regd/12016/71 1178

1. The Vice-Chancellors  
of all the Universities imparting Legal Education
2. The Registrar  
of all the Universities imparting Legal Education
3. The Principal  
of all the law colleges

THEIR  
Affiliation

Sub.: In respect of law classes being conducted during evening hours.

Sir,

The office of the Bar Council of India has placed a news item regarding evening law classes run by Punjab University, Chandigarh before the Legal Education Committee at its meeting held on 30<sup>th</sup> July, 2016. After consideration, the Committee made the following recommendations:

The question arose in view of the recent publication in Times of India of Chandigarh showing that the Punjab University is conducting evening law classes for persons in service. Similarly, now an application is moved by Dean/Principal from Kurukshetra University for approval of Bar Council of India, after inspection for granting provisional affiliation to start LLB three year course in the evening in the premises of Govt. College, Sector-1 from the academic session 2016-17. The main issue in both these cases are whether any evening classes can be undertaken by any University or Centre of Legal Education as per the Legal Education Rules, 2008. So far, as per the record of Bar Council of India, Punjab University or the Centre of Legal Education which is alleged to be running evening classes for both three year and five year integrated courses has never sought for any permission from the Bar Council of India for running evening classes. Hence no person would be treated to have passed a course of law whether evening or during day timing without approval of Bar Council of India as it would be violation of Rule 14 and person passing would not have right to practice law.

It is made clear that Rules made by the Bar Council India is under the Parliament Act and is statutorily enforced. So far period for running courses by Centre of Legal Education has to be as per Para -5 of Schedule III of Legal Education Rules 2008 which is quoted hereunder:

General timing for conduction of courses in Academic Building: Classes may be conducted between 8 a.m. to 7 p.m. in an Institution, which is not fully residential. However the Library may remain open till 10 p.m.

Bhanti  
Lecture  
Circular  
Legal Cell  
Hon Law  
Joshi

Mem.

836  
13/12/16

LEGAL CELL  
University of Mumbai



The classes under the said Rule 2 (XXIII) regular course of study is quote hereunder:

*(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.*

Under that courses which has to be run has to be 5 hours a day continuously with an additional half an hour recess every day and running not less than 30 hours per day.

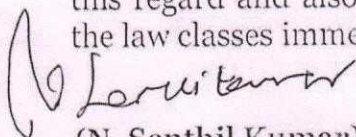
It is found that some of the colleges were running evening classes beyond the said period (beyond timings) were not approved for the courses. It is a clear violation of Rule, hence question of any evening classes, if they want students passing it to have right to practice, they would not be entitled. Earlier the concept of law courses was to get basic knowledge of law and there being no restriction of running of courses as aforesaid students were getting degree and later practicing in law. Now after the said new Rule, Legal Education Rules-2008, the restriction has been made keeping in mind of upgrading the standard of legal education by fixing the hours of study each day and period during which it can be run. So far request of Kurukshetra University and letter of Principal dated 14<sup>th</sup> June, 2016, granting affiliation of running evening classes beyond this period would be directly in violation of the statutory rule. Hence question of granting such affiliation for evening classes cannot be allowed. It is open for any University or Centre of Legal Education running various courses for 5 ½ hours within period specified, affiliation can be considered.

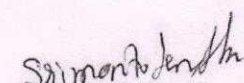
Incase as per the media report, as aforesaid is correct then notice may be issued to each one of them including Punjab University, how they are running courses in the evening without taking permission of the Bar Council of India. Now under the new rule not only textual study is undertaken but students have to compulsorily participate regularly in moot court and legal aid cell and attending courts with senior.

If any University wants service classes to be educated in law, University or Centre of Legal Education can have courses with a specific mention that they will not have Right to Practice, but can obtain diploma in law.

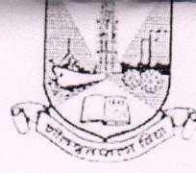
It is further brought to your knowledge our Inspection team conducted the said Inspections in the concerned Law Colleges, during day time. At that point in time the concerned College and/or the concerned University did not inform our Inspection team that they were also conducting evening classes, which is against our norms. It is clarified that due to the fact of Inspections being conducted during the day, the said team was also not in a position to know/see that evening classes were also being conducted though preliminary enquiry/ies in this regard had also been made by them, and infact this fact of evening classes being held was purposefully suppressed from them.

Therefore you are requested to send your explanation to this Council in this regard and also directed to follow the abovesaid rule for conducting the law classes immediately.

  
(N. Senthil Kumar)  
Asstt. Secretary/HOD, LE

  
(Srimanto Sen)  
Secretary





No. Aff./ICC/ (2016-17)/22/ of 2016

## परिपत्रक

प्रति,  
प्राचार्य/ संचालक,  
सर्व विधी महाविद्यालये/विभाग,  
मुंबई विद्यापीठ.

विषय:- राज्यातील विधी महाविद्यालयात बार कौन्सिल ऑफ इंडिया च्या नियमांचे पालन करण्याबाबत.

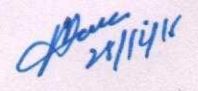
संदर्भ:- शिक्षण संचालनालय, महाराष्ट्र राज्य यांचे पत्र क्रमांक-उशिसं/विधी/बीसीआय त्रुटी/१६-१७/मवि-२/१४३६४, दिनांक १७ डिसेंबर, २०१६.

उपरोक्त संदर्भाधीन विषयी, राज्यातील विधी महाविद्यालयांनी बार कौन्सिल ऑफ इंडिया च्या नियमानुसार आवश्यक असणा-या खालील बाबींची विहित कालमयदिमध्ये पूर्तता करावी असे शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य यांनी कळविले आहे.

१. पुढील सहा महिन्यांच्या कालावधीत, शासकीय/अशासकीय अनुदानित/ कायम विना अनुदानित विधी महाविद्यालयांनी १:४० या शिक्षक : विद्यार्थी गुणोत्तर प्रमाणात महाविद्यालयांमध्ये शिक्षक नियुक्त करणेबाबत आवश्यक कार्यवाही करावी.
२. बार कौन्सिल ऑफ इंडियाच्या Rules of Legal Education 2008 मध्ये विधी महाविद्यालयांच्या बाबतीत पायाभूत / भौतिक सोयीसुविधांचे अनुषंगाने असलेल्या तरतुदीनुसार आपले विधी महाविद्यालयांमध्ये आवश्यक त्या पायाभूत / भौतिक सोयीसुविधा पुढील एक वर्षाच्या कालावधीमध्ये पूर्ण कराव्यात.

उपरोक्त नमुद बाबींची पूर्तता करणेसाठी तात्काळ कार्यवाही करून विहित कालमयदिचे काटेकोरपणे पालन करावे व केलेल्या कार्यवाहीचा अहवाल या विद्यापीठास पाठविण्यात यावा.

मुंबई - ४०० ०३२.  
२८<sup>th</sup> डिसेंबर, २०१६

  
(डॉ. एम. ए. खान)  
कुलसचिव

प्रती,

मुंबई विद्यापीठ संलग्नित सर्व विधी महाविद्यालये / विभाग यांच्या प्राचार्यांना / संचालकांना.





महाराष्ट्र शासन

शिक्षण संचालनालय, (उच्च शिक्षण)

महाराष्ट्र राज्य, मध्यवर्ती इमारत, पुणे ४११००१.

Web: www.dhepune.gov.in

E-mail : mavi.dhepune@nic.in

फोन नं. ०२०/२६०५१७२९, २६१२२११९, २६०५१५१२,

फैक्स नं. ०२०/२६१११५३

क्रमांक-उशिसं/विधी/बीसीआय त्रुटी/१६-१७/मवि-२/११३६४

दिनांक : १७ डिसेंबर, २०१६.

महत्वाचे -

BCUD/2CD/2016-17/502

प्रति,

प्राचार्य,

सर्व शासकीय / अशासकीय अनुदानित विधी महाविद्यालये,  
महाराष्ट्र राज्य.

**विषय : राज्यातील विधी महाविद्यालयात बार कौन्सिल ऑफ इंडियाचे नियमांचे पालन करण्याबाबत.**

**संदर्भ : शासन पत्र क्र. विधी-२०१६/प्र.क्र.२४२/मशि-२, दिनांक २१ सप्टेंबर, २०१६.**

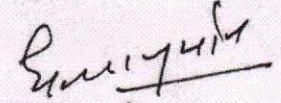
उपरोक्त संदर्भाधीन विषयी, राज्यातील विधी महाविद्यालयांनी बार कौन्सिल ऑफ इंडियाचे निकष पाळणेबाबत शासनाने वेळोवेळी सुचित केले आहे. सन २०१६-१७ पासून राज्यातील विधी अभ्यासक्रमाचे प्रवेश हे राज्य सामाईक प्रवेश परीक्षेतून केंद्रीभूत प्रवेश प्रक्रियेद्वारा राज्य सामाईक प्रवेश परीक्षा कक्षामार्फत होत आहेत. सन २०१६-१७ ची विधी प्रवेश प्रक्रियेसंबंधात मा. प्रधान सचिव, उच्च व तंत्र शिक्षण विभाग यांचे दालनात बार कौन्सिल ऑफ इंडियाचे प्रतिनिधी व इतर मान्यवर यांचेसमवेत झालेल्या बैठकीत राज्यातील विधी महाविद्यालयांनी बार कौन्सिल ऑफ इंडियाचे निकष पाळणे आवश्यक असल्याचे निदर्शनास आणून दिलेले आहे. प्रत्यक्षात सर्व महाविद्यालयांनी बार कौन्सिल ऑफ इंडियाच्या निकषाची पूर्तता यापुर्वीच करणे अपेक्षित होते. काही महाविद्यालये बार कौन्सिल ऑफ इंडियाचे निकषांचे पालन करीत नसल्यामुळे बी.सी.आय. ने सदरहू महाविद्यालयांमध्ये सन २०१६-१७ या शैक्षणिक वर्षामध्ये विद्यार्थी प्रवेशित करण्यास प्रतिबंध केला होता. त्यानुषंगाने शासनाने बार कौन्सिल ऑफ इंडियास हमीपत्र सादर केले आहे. यामुळे राज्यातील शासकीय, अशासकीय अनुदानित विधी महाविद्यालयांनी बार कौन्सिल ऑफ इंडियाचे नियमानुसार आवश्यक असणाऱ्या पुढील बाबींची पूर्तता करणेबाबत आवश्यक कार्यवाही करावी.



१. शासनाने सप्टेंबर २०१६ मध्ये बार कौन्सिल ऑफ इंडियाला दिलेल्या हमीपत्राच्या अनुषंगाने सहा महिन्यांच्या आत १:४० या शिक्षक : विद्यार्थी गुणोत्तर प्रमाणात शिक्षक भरण्याबाबत आवश्यक कार्यवाही करावी.

२. तसेच बार कौन्सिल ऑफ इंडियाच्या निकषानुसार आवश्यक त्या पायाभूत / भौतिक सुविधा एक वर्षाच्या आत निर्माण कराव्यात.

उपरोक्त नमूद बाबींची पूर्तता करणेसाठी तात्काळ कार्यवाही करावी. त्याचप्रमाणे बार कौन्सिल ऑफ इंडियाने Rules of Legal Education २००८ मध्ये विधी महाविद्यालयांबाबत नमूद केलेल्या निकषांची अंमलबजावणी करणेबाबत योग्य ती कार्यवाही करावी. /जर याकामी आपणाकडून बार कौन्सिल ऑफ इंडियाच्या निकषाची पूर्तता विहीत कालावधीत न झाल्यामुळे पुढील शैक्षणिक वर्षामध्ये बार कौन्सिल ऑफ इंडियाने विद्यार्थी प्रवेशित करण्यास प्रतिबंध घातला तर त्याची सर्वस्वी जबाबदारी आपली राहिल याची नोंद घेण्यात यावी. /



( डॉ. धनराज माने )  
शिक्षण संचालक, उच्च शिक्षण  
महाराष्ट्र राज्य, पुणे -१.

प्रत आवश्यक कार्यवाहीसाठी -

१. सर्व विभागीय सहसंचालक, उच्च शिक्षण, महाराष्ट्र राज्य.

२. कुलसचिव, सर्व अकृषि विद्यापीठे, महाराष्ट्र राज्य.

प्रत माहितीस्तव सविनय सादर -

मा. प्रधान सचिव, उच्च व तंत्रशिक्षण विभाग, मंत्रालय, मुंबई - ३२.