



भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

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We are shocked to read the bizarre comments of Mr. Justice Muhamed Mustaque, a Judge of Kerala High Court about regulation of legal education by the Bar Council. Only because he is a Judge, he does not have liberty to pass any comment against anybody or any organization without having proper knowledge about it. Bar Council of India strongly condemns the irresponsible comments made by Mr. Justice Muhamed Mustaque of Kerala High Court against the Bar Councils. Justice Mustaque should have done a proper homework before choosing to make such a weird comment. He should know that the elected representatives of Bar Councils have constituted a high-level committee to deal with the matters relating to Legal Education. The Bar Council of India has a separate body for the matters relating to Legal Education of the country.

The Committee is headed by a former Judge of Supreme Court and it has two sitting Chief Justices of High Courts as its Co-chairs. Besides, there are two former Chief Justices of High Courts and eleven renowned academicians, including Vice-Chancellors of National Law Universities, Deans of Central Universities and other Government and Private Law Universities as its members apart from some noted Senior Advocates of the country. The policies and norms of Legal Education are decided by this High Level Committee only. The Hon'ble Judge should know that there are only 5 elected Members of the Bar Council in its Legal Education Committee.

Mr. Justice Muhamed Mustaque appears to have been misled by some persons having vested interests or grudge against the Bar Councils. Mr. Justice Muhamed Mustaque should also know that the visiting teams of Bar Council for inspection of Centres of legal education are headed by a former Judge of some High Court and it consists of Senior University Professors/teachers as its members; only one or two Members of Bar Council of India or State Bar Councils are there in these teams. These teams make their recommendations for approval/disapproval of any Center of Legal Education and those recommendations are placed before the Legal Education Committee, which takes the final decision. Thus, the decisions are virtually taken by the Judges and the Law Teachers. The elected body in order to improve the standard of Legal Education, has included experienced teachers and technologically advanced people on board to keep pace with advancing technology.

These days it has become a fashion to criticise to create a flutter in the media. Today, the standard of Legal Education in India is second to none. The people suffering from inferiority complex and who have a feeling in their minds that only a few foreign Universities are very good, make such irresponsible comments. Bar Councils are fully aware of many so-called top Universities of the world and it is also aware of the mal-practices adopted by many such Institutions.

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The Bar Council of India is committed to maintain and improve the standard of legal education in the country. The integrated LL.B. Degree has to be of 5 years duration. But, some of the Universities today are awarding BA LL.B. and LL.M. also in 5 years duration. The Bar Council does not recognise such LL.M. Degrees and these practices to cheat and make the innocent students fool is getting momentum day by day in some of the Universities in India also. Bar Council of India can never compromise with the standard of Legal Education nor it can compromise with the standard of Law Teaching.

There is acute dearth of good Law Teachers today because the standard of LL.M., Ph.D. is not upto the mark. This LL.M. and Ph.D. etc. the (higher Legal Education) has been dealt with by the Universities only and not by the Bar Council.

Bar Council of India has also constituted an Advisory Board for the Development of Legal Education and Legal Profession, which consists of several Hon'ble Judges of Supreme Court of India including Hon'ble the Chief Justice of India, several Senior Advocates and noted Law Teachers. Bar Councils have been making all efforts to improve the standard of Legal Education and today the products of several Indian Law Universities are much in demand in law Schools of several developed countries. It is a well known fact and it is only due to this reason that the Bar Council has come out with the regulation pertaining to entry of foreign lawyers in the country in a restricted manner on reciprocal basis which is aimed at benefitting Indian Lawyers and Law Firms

Even the recently signed MoU with the Bar Council of England and Wales and Law Society of England and Wales is going to immensely benefit our young Lawyers and Law Students

Many other countries have expressed their desire to enter into such MoUs with Bar Council of India. We are surprised why Mr. Justice Muhamed Mustaque is not aware of all these historical and reformative steps taken by the Bar Council.

Instead of criticising and listening to vested interests, the Hon'ble Judge Mr. Muhamed Mustaque should give his valuable suggestions and inputs to the Bar Councils to which he owes a lot having studied law in an institution approved by Bar Council of India only.



(Ved Prakash Sharma)
Co-Chairman
Bar Council of India