

# बार कौंसिल ऑफ इन्डिया BAR COUNCIL OF INDIA

जे. आर. शर्मा  
कार्यकारी सचिव

J. R. Sharma  
(M.A., LL.B., MBA)

Officiating Secretary

21, राउज ऐवन्यू इन्स्टीटूशनल एरिया  
नई दिल्ली - 110 002

21, Rouse Avenue Institutional Area  
New Delhi - 110 002

Date: 30.11.2010

BCI:D: 1823 /2010 (LE)

To,

**The Registrars/Dean/Directors/Principals/Vice-Chancellors  
Of all Universities, Deemed to be Universities and  
Law Schools in India**

**Sub.: Law laid down regarding admission to LL.B. Courses and relevance  
of M.A. (External or Distance Mode) for purpose of admission and  
direction to Bar Council of India in this regard.**

Sir/Madam,

The Bar Council of India Rules-2008 lays down that those who have acquired M.A. through external or distance education mode are not eligible for admission to the LL.B. Course. The relevant Rule is as follows: -

**\*5(a) Three Year Law Degree Course:** An applicant who has graduated in any discipline of knowledge from a University established by an Act of Parliament or by a State legislature or an equivalent national institution recognized as a Deemed to be University or Foreign University recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three years' degree program in law leading to conferment of LL.B. degree on successful completion of the regular program conducted by a University whose degree in law is recognized by the Bar Council of India for the purpose of enrolment.

**(b) Integrated Degree Program:** An applicant who has successfully completed Senior Secondary School Course ('+2') or equivalent (such as 11+1, 'A' level in Senior School Leaving Certificate Course) from a recognized University of India or outside or from a Senior Secondary Board or equivalent, constituted or recognized by the Union or by a State Government or from any equivalent institution from a foreign country recognized by the government of that country for the purpose of issue of qualifying

Certificate on successful completion of the course, may apply for and be admitted into the program of the Centres of Legal Education to obtain the integrated degree in law with a degree in law with a degree in any other subject as the first degree from the University whose such a degree in law is recognized by the Bar Council of India for the purpose of enrolment. Provided that applicants who have obtained +2 Higher Secondary Pass Certificate or First Degree Certificate after prosecuting studies in distance or correspondence method shall also be considered as eligible for admission in the Integrated five years course or three years' LL.B. Course, as the case may be.

16/11/2010

भारतीय न्यायिक परिषद  
BAR COUNCIL OF INDIA

- 2 -

**Explanation: The applicants who have obtained 10+2 or graduation/post graduation through Open Universities system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the law courses....."**

Further, the Hon'ble Supreme Court of India in, *Annamalai University ( Represented by Registrar ) v. Secretary to Government, Information and Tourism Department and Ors. (2009) 4 SCC 590*, held that a degree obtained under the Indira Gandhi National Open University Act, 1985 an Open University, is not a valid degree being contrary to a degree defined under the University Grants Commission Act, 1956 and the Regulations framed there under.

Subsequently the High Court of Madras in *K. Sakthi Rani v. The Secretary, Bar Council of Tamilnadu* held that "..... The Bar Council of India is directed to issue intimation to all the Law Universities recognized by it, stating that in view of the judgment of the Hon'ble Apex Court in *Annamalai University represented by Registrar v. Secretary to Government, Information and Tourism Department and Ors.* and in view of the Rules of Legal Education, 2008, no candidate from the Open University having a degree contrary to the University Grants Commission Act and Regulations, and contrary to the Rules of Legal Education, 2008, shall be admitted into a law course. The Law Universities concerned which are recognized by the Bar Council of India will have to convey the said communication of the Bar Council of India to all the Law Colleges affiliated to them. The Bar Council of India is also directed to communicate the above said decisions, to all the State Bar Councils in the country if such communications are not sent already. The Bar Council of Tamil Nadu is directed to decide the pending applications and the future applications in the light of the orders passed by this Court...."

In view of the above, all universities, deemed to be Universities, law schools and others offering LL.B. Courses are informed not to admit candidates to the LL.B. (Five or Three year) courses on the basis of degrees B.A. or M.A. acquired through the distance or external mode. We request for care and vigilance to ensure that rules are not made contrary to the Bar Council of India Rules promulgated in 2008.

For further action.

Yours sincerely,



**J. R. Sharma**  
Officiating Secretary

Copy to: -

1. All the Secretaries of State Bar Councils (for information).
2. All the Hon'ble Members of Bar Council of India (for information).