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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: 1519 : 2021 (LE/Std. 30th & 31st Oct.,21) **10.11.2021**

1.	**The Registrar,** **Gujarat University,** **Post Box No. 4010, Navrangpura,** **Ahmedabad – 380009** **Gujarat**
2.	**The Principal,** **Shree Swami narayan Law College** **Ahmedabad-Mahesana High way,** **At.Po.Sail Kalol,** **Dist. Gandhi Nagar-382725** **Gujarat** **sslckalol@gmail.com**
3.	**The Secretary** **Bar Council Of Gujarat** **3rd Floor, Satyamev Complex** **Opp. Gujarat High Court, Sola** **Ahmedabad (Gujarat) - 380 060**

Sub.: Interim Consent Letter of fresh approval of affiliation to Shree Swaminarayan Law College, Gandhinagar, Gujarat for imparting three year LL.B course with an intake of two sections of 60 students in each section for a period of one year i.e. for the academic year 2021-2022.

Sir,

This is to bring to your kind knowledge that the Standing Committee of the Legal Education Committee of the Bar Council of India by virtue of its meeting held on 30th and 31st October, 2021 considered the request to grant fresh approval of affiliation to three year LL.B course to Shree Swaminarayan Law College, Gandhinagar, Gujarat.

The Standing Committee considered the inspection report of Shree Swaminarayan Law College, Gandhinagar, Gujarat.

After consideration, Committee is of the view that Shree Swaminarayan Law College, Gandhinagar, Gujarat be granted fresh approval of affiliation for imparting three year LL.B course with intake of two sections of 60 students in each section for a period of one year i.e. for the academic year 2021-2022 subject to fulfillment of the conditions mentioned in the inspection report.

Compliance shall be reported within two months from the date of order, together with proof.

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Specific conditions imposed by the inspection team and approved by the Committee which are <u>required to be complied with are as follows</u> :-

1. The proposed CLE must upgrade the Moot Court hall by providing/putting wooden furniture such as Dias, Corwn chairs,podium,witness box strictly as per Clause 4,Schedule III R/W Rule 11 of Part IV of Rules of Legal Education,2008 and it must be monitored by the senior faculty and regular moot court exercise must be conducted for the students.

2. The proposed CLE must appoint a qualified Librarian and library staff and also library must be updated by procuring more relevant and minimum required number of text books and law journals of national and international repute including BCI journals. The library should be furnished as per Clause 15 of Schedule III of Legal Education Rules.

3. The proposed CLE is directed to make a minimum investment as provided by Legal Education Rule for upgrading its library.

4. The College must establish the Legal Aid Centre by providing/putting wooden furniture as per clause 11, schedule-III of Rule-11 of part IV of the Legal Education Rules-2008.

5. The CLE must ensure the appointment of qualified teachers and payment of salary as per Rules 22 schedule III, part IV of BCI Rules.

6. The teachers students ratio shall be as per Schedule-III, Rule 11, Clause-17, part-IV of the Bar Council of India Rules.

7. The CLE must ensure the size of all classrooms, moot court and legal aid centre as per the BCI Rules with the availability of required teaching aids and interior amenities.

8. The CLE is also directed to equip itself to provide appropriate facilities in terms of the physical infrastructure, academic infrastructure and any other facilities required for the effective participation of disabled students, girls students, teachers and staff in their respective activities. For e.g. well furnished common room, sufficient toilets for student girls and boys, special toilet for *Divayang* students, ramps in public buildings and Braille symbols and auditory signals in stairs/elevators.

AFFIDAVIT-

- → **An undertaking of complying with all the conditions in this regard has to be filed by the Centre of Legal Education within four weeks by way of duly notarized affidavit and compliance of what is done by then must be mentioned therein, if compliance is not done by then.**

- → **Full Compliance has to be done at the earliest, preferably within a period of 2 months, by way of affidavit along with supporting documents.**

You are requested to kindly note that you will be required to seek extension of approval of affiliation for the above said course/s from the next academic year onwards by way of filing an application in such respect.

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Kindly note that upon grant of approval, it shall be necessary for the Centres of Legal Education to deposit Rupees Five Lakh in shape of guarantee fee to fulfill all the norms of the Bar Council of India.

The same shall be liable to be forfeited if norms are not complied with and same shall carry no interest.

The letter is thus also subject to the payment of guarantee amount as mentioned effective from date of approval of affiliation.

Further details regarding payments including any pending inspection fee, if due, any further Guarantee amount, Institutional Development fee etc, due, if any, shall be intimated to you in due course.

You may kindly bear in mind that the Bar Council of India is the sole and supreme sanctioning authority for seats and as a general rule it does not allow any supernumerary quota of seats for law degree courses, over and above the sanctioned strength of seats and whatever reservation of seats is to done by the University as a general rule has to be done within sanctioned strength of seats.

-----Further kindly ensure to furnish authenticated and signed bank statements of salary transferred to your faculty and also the purchase receipts of Indian Bar Review and other minimum Library requirement , failing which the Centre of Legal Educations shall be liable to the natural consequences, which may include revocation of recognition/approval granted.

Centre of Legal Education (CLE) as defined under the Rules of Legal Education stands for the following and is being reproduced below for convenience:

"Centres of Legal Education" means (a) All approved Departments of Law of Universities, Colleges of Law, Constituent Colleges under recognized Universities and affiliated Colleges or Schools of law of recognized Universities so approved.

Provided that a Department or College or Institution conducting correspondence courses through distance education shall not be included.

Specific conditions imposed by the inspection team and approved by the Committee which are required to be complied with are as follows :-

9. The proposed CLE must upgrade the Moot Court hall by providing/putting wooden furniture such as Dias, Corwn chairs,podium,witness box strictly as per Clause 4,Schedule III R/W Rule 11 of Part IV of Rules of Legal Education,2008 and it must be monitored by the senior faculty and regular moot court exercise must be conducted for the students.

10. The proposed CLE must appoint a qualified Librarian and library staff and also library must be updated by procuring more relevant and minimum required number of text books and law journals of national and international repute including BCI journals. The library should be furnished as per Clause 15 of Schedule III of Legal Education Rules.

11. The proposed CLE is directed to make a minimum investment as provided by Legal Education Rule for upgrading its library.

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12. The College must establish the Legal Aid Centre by providing/putting wooden furniture as per clause 11, schedule-III of Rule-11 of part IV of the Legal Education Rules-2008.

13. The CLE must ensure the appointment of qualified teachers and payment of salary as per Rules 22 schedule III, part IV of BCI Rules.

14. The teachers students ratio shall be as per Schedule-III, Rule 11, Clause-17, part-IV of the Bar Council of India Rules.

15. The CLE must ensure the size of all classrooms, moot court and legal aid centre as per the BCI Rules with the availability of required teaching aids and interior amenities.

16. The CLE is also directed to equip itself to provide appropriate facilities in terms of the physical infrastructure, academic infrastructure and any other facilities required for the effective participation of disabled students, girls students, teachers and staff in their respective activities. For e.g. well furnished common room, sufficient toilets for student girls and boys, special toilet for *Divayang* students, ramps in public buildings and Braille symbols and auditory signals in stairs/elevators.

The Centre of Legal Education is directed to ensure compliance of the conditions stipulated above and also comply with Legal Education Rules 2008, failure of which may lead to subsequent necessary and proper action being taken in this regard :-

1. The **Centre of Legal Education** is directed to **ensure establishment and continuance** of a Legal Aid Centre as per Clause-11, Schedule-III of Rule-11 of the Part-IV of the Legal Education Rules – 2008. CLE **should keep activated** Legal Aid Clinic.

2. **Centre of Legal Education** must ensure to teach clinical subjects and give marks as per the schedule.

3. **Centre of Legal Education** should ensure the payment of salary to teachers as per Rules 22 schedule III, Part IV of BCI Rules.

4. The library should be furnished as per Clause 15 of Schedule III of Legal Education Rules 2008 given below :-

Minimum Library requirement: To start with, a Law Library shall have a set of AIR manual, Combo offer of CD of AIR Pvt. Ltd. (containing electronic version of AIR Supreme Court and High Court Data bases Research 1950-2015 (four connections each) Cr. L.J. Data Base 1950-2015(four connections) AIR Privy Council Data Base 1900-1950 (four connections) AIR Mannual latest 6th Edition(1-45 Vols.) AIR Journal 2015, Cr. L.J. 2015, L.I.C. 2015, AIR Civil Cases 2015, AIR Law Lines 2015, AIR Cheque Dishonour Reports 2015, AIR Accident Claims and compensation 2015, Institution shall get electronic versions updated every year by AIR Pvt. Ltd. Central Acts and Local Acts, Criminal law journal, SCC, Company cases, Indian Bar Review, selected Judgements on Professional Ethics and Journals with the back volumes for at least ten years and also such number of text books in each subjects taught during the period according to the minimum standard ratio of ten books for each

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registered students. For running integrated program, text books of such other subjects are also to be kept in the similar minimum ratio.

5. The **Centre of Legal Education** should keep in mind that minimum 10 sets of Indian Bar Review, selected judgments and professional Ethics published by Bar Council of India Trust and the AIR volumes/set must be promptly ordered for the library if not already ordered, as it is an essential requirement to run a law college which is stipulated by Bar Council of India, Legal Education Rules 2008 framed under a Parliament Act.

6. The **Center of Legal Education** is directed to make a minimum investment as provided below for upgrading it's library as per the following guideline :-

"Today with the increasing cost of journals, books, wi-fi, e-library and online facilities including I.T. facilities, the minimum investment by each university should be Rs. 10 lakhs for each year. However for any university/deemed university in rural area, the investment should be Rs. 5 Lakh and for all other affiliated colleges in the urban area it should be Rs. 2 lakhs and in rural area it should be Rs. 1 lakh."

7. Teacher Student ratio **shall be 1:40** as per Schedule-III, Rule-11, Clause-17, Part-IV of Bar Council of India Rules.

8. **Centre of Legal Education** is directed to inform the timings of the classes.

9. **Centre of Legal Education** must ensure that not less than three percent seats are reserved for persons with disabilities.

10. **Centre of Legal Education** shall equip itself to provide appropriate facilities in terms of the physical infrastructure, academic infrastructure and any other facilities required for the effective participation of disabled students, teachers and staff in their respective activities. For e.g. (a) ramps in public buildings and (b) Braille symbols and auditory signals in elevators or lifts.

Further, the **Centre of Legal Education** should maintain the timing which has to be minimum 5 ½ hours with half an hour break.

AFFIDAVIT—

Centre of Legal Education is directed to file an affidavit to the Bar Council of India within four weeks mentioning the timing of the classes. The relevant rules of Legal Education which are mandatory to be ensured are as follows :-

Rule (xxiii), Chapter I

"(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."

Rule 5 of Schedule III

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"Classes may be conducted between 8 a.m. to 7 p.m. in a Centre of Legal Education, which is not fully residential. However the Library may remain open till 10 p.m."

AFFIDAVIT-

Further, the **Centre of Legal Education** should follow the attendance rule and file affidavit that they are following the aforesaid and below mentioned rule. The next inspection team shall also see whether the said rules are being followed by the university or not. The relevant Rule 12 is given below :-

"12. End Semester Test: No student of any of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorized representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India."

Centre of Legal Education should also admit students as per the below mentioned Rule:

7.Minimum marks in qualifying examination for admission: Bar Council of India may from time to time, stipulate the minimum percentage of marks not below 45% of the total marks in case of general category applicants, 42% for OBC category and 40% of the total marks in case of SC and ST applicants, to be obtained for the qualifying examination, such as +2 Examination in case of Integrated Five Years' course or Degree course in any discipline for Three years' LL.B. course, for the purpose of applying for and getting admitted into a Law Degree Program of any recognized University in either of the streams.

Provided that such a minimum qualifying marks shall not automatically entitle a person to get admission into an institution but only shall entitle the person concerned to fulfill other institutional criteria notified by the institution concerned or by the government concerned from time to time to apply for admission.

Centre of Legal Education to follow Clause-24, Schedule-II of Legal Education Rule-2008 lays down Moot Court exercises and Internship; Clause-25, Schedule-III lays down Minimum period of Internship which is quoted hereunder. **However, during the pandemic period, it has been left open to the Centre of Legal Education to choose any alternative mode with respect to the same, owing to practical feasibility of the same.**

24. Moot court exercise and Internship:

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This paper may have three components of 30 marks each and a viva for 10 marks.

(a) Moot Court (30 Marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks):

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):
Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d)The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

***25. Minimum Period of Internship:** (a) Each registered student shall have completed minimum of twelve weeks internship for Three Year Course stream and twenty weeks in case of Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.*

Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

(b) Each student shall keep Internship diary in such form as may be stipulated by the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4th Clinical course as stipulated under the Rules in Schedule II.

Centre of Legal Education should also follow Rule-10 of Legal Education Rules 2008 which is quoted hereunder :-

10. Semester system

The course leading to either degree in law, unitary or on integrated double degree, shall be conducted in semester system in not less than 15 weeks for unitary degree course or not less than 18 weeks in double degree integrated course with not less than 30 class-hours per week including tutorials, moot court room exercise and seminars provided there shall be at least 24 lecture hours per week.

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Provided further that in case of specialized and/or honours law courses there shall be not less than 36 class-hours per week including seminar, moot court and tutorial classes and 30 minimum lecture hours per week.

Provided further that Universities are free to adopt trimester system with appropriate division of courses per trimester with each of the trimester not less than 12 weeks.

Centre of Legal Education should also follow Rule 17 and Rule 18 of Schedule III of Legal Education Rules 2008 which is quoted hereunder :-

Rule 17. Core Faculty:

There shall be sufficient number of full time faculty members in each Centre of Legal Education (i.e. ,Department, constituent or affiliated college) to teach each subject at all point of time for running courses who can be supported by part time or visiting faculty. Such a core faculty shall in no case be less than six in the first year of the approval with both streams in operation, eight in the second year and ten in the case of third year of law courses. In addition, for the integrated course there shall be adequate faculty in the subjects offered in the liberal educational subjects as part of the course by the institution. These faculties in the liberal educational discipline in Arts, Science, Management, Commerce, Engineering, Technology or any other discipline shall possess qualification as is required under the UGC guideline or under such other standard setting body as the discipline is allotted to by any Act, statute, or Rules of the Government of India or of a State.

For the Three Year Bachelor of Law degree course only with two sections without the Honour program, there shall be minimum of 4 core faculty in the first year six in the second and eight in the third year in addition to the Principal/Head or Dean as the case may be.

Provided that an institution intending to run any specialized or honours course must have at least three faculty in the group in which specialization and honours courses are offered.

Provided further that each full time faculty shall take as many classes in the subject or subjects as may be assigned to them on the basis of standard prescribed by 'the standard setting institution' like UGC.

Provided further, if any institution of a University, which was already affiliated to the University and approved to run professional courses of either scheme or both by the Bar Council of India after inspection of the University, falls short of required full time faculty, the new admission in courses may be required to remain suspended until new required number of faculty is procured. The University shall before starting a new academic session, notify which institutions are only be allowed to admit fresh students.

Provided further that if while inspecting the University it was found that in any institution of the University adequate number of full time faculty was not there in the staff, the Bar Council after giving notice to the University might give a public notice directing the University not to admit students in the new academic year in that institution.

Rule -18 Minimum weekly class program per subject (paper):.

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There shall be for each paper (with 4 credit) Four class-hours for one hour duration each and one hour of tutorial/ moot court/ project work per week.

Authenticated signed and certified Bank Statements bearing bank stamp/seal and signature of the bank manager for a period of three months with effect from the date of receipt of this letter for the preceding period of three months must be furnished immediately.

This must be continued to be submitted every three months without fail.

AFFIDAVIT-

Kindly ensure to comply with all the above stipulated and all other requisite Rules of Legal Education 2008 by way of compliance by way of duly notarized affidavit by attaching adequate documentation proof with the same with a period of 4 to 6 weeks for being eligible to be issued further Approval for further subsequent academic years.
This letter is subject to final approval/confirmation of the Legal Education Committee and General Council of the Bar Council of India.

You are also requested to attach a copy of this letter with your compliance report/reply.

It is suggested that all information should be provided to Bar Council of India both in hard and soft copy/pen-drive and by email at complianceaffiliationle2@gmail.com.

This is for your information and necessary action.

Yours sincerely,

Ashok Kumar Pandey
Joint Secretary
HOD, Legal Education Dept.
Bar Council of India

Srimanto Sen
Secretary
Bar Council of India

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