



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: 1447 /2023 (LE/App/Afflin)

Dated 30.09.2023

To,

1	The Registrar, Bharatiya Vidya Peeth's Deemed University, Bharati Vidyapeeth Bhavan, Lal Bahadur Shastri Marg, Pune - 411030, Maharashtra
2	The Principal, New Law College, Bharatiya Vidya Peeth's Deemed University, Bharati Vidyapeeth Bhavan, Lal Bahadur Shastri Marg, Pune - 411030, Maharashtra

Sub: Extension of provisional temporary approval of affiliation to New Law College, Bharatiya Vidya Peeth's Deemed University, Pune for three year LL.B as well as five year BA LL.B and five year BBA LL.B law courses for the academic year 2023-2024 with the prevalent/existing sections (earlier specifically approved in writing by BCI) with intake of not more than 60 students in one section.

Sir,

This is with reference to above mentioned subject regarding extension of provisional approval of affiliation to **New Law College, Bharatiya Vidya Peeth's Deemed University, Pune** which has already applied for extension of approval of affiliation for the academic year 2023-2024.

This is to bring to your kind knowledge that the following resolution was passed on 09th June, 2023 by the General Council of the Bar Council of India with respect to grant of provisional approval of affiliation for academic year 2023-2024 for those centers of Legal Education which have applied for approval of affiliation for the academic year 2023-2024.

"RESOLVED that with respect to existing Centers of Legal Education/colleges, whose inspection fee has been deposited, application for extension of approval of affiliation is pending, no inspection could be done or the inspection has been done, but inspection report could not be placed before the Legal Education Committee or the Standing Committee for its consideration, such Centers of Legal Education/colleges may continue to admit students only for the academic year 2023-2024. This will apply only in case where affiliation has been granted by the University. Such provisional approval shall be subject to any decision taken after the inspection of the CLE is done by the Bar Council of India subsequently

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It shall further be conditional and is subject to compliance as per circular dated 05.02.2020 bearing No.BCI:D:158 (LE:Circulation No.01/2020), issued to all Centers of Legal education, as per the extended time of such compliance, whereby every center of Legal Education/college is required to submit a certified authenticated bank statement bearing bank stamp, date and signature, mandatorily with respect to the salary/ies being disbursed to all the teachers/faculties every three months with effect from March, 2022 on a regular basis, unless specifically sought at other intervals, and also furnish list of teachers with qualifications as per BCI and UGC Rules, and further furnish proof/receipts of fulfillment of minimum library requirements, as enumerated under Schedule-III, Rule-15, Minimum Library requirements of Legal Education Rules-which is the sine qua non of a Center of Legal Education. Certain show cause notices and compliance letters had also been issued specifically to certain Centers of Legal Education/Colleges, with conditions mentioned therein, which have to be complied too as per the time stipulations therein, and if they have not been complied with they must be complied with immediately.

An affidavit/undertaking to comply with the conditions mentioned in the above referred circular and of all the rules of Legal Education, shall be required to be submitted by way of duly notarized affidavit within 15 days of receipt of this letter by way of hardcopy and also by way of scanned copy at complianceaffiliationle2@gmail.com with heading-COMPLIANCE TO PROVISIONAL APPROVAL-REQUIREMENTS

It is made clear that if any Center of Legal Education, fails to submit all the required documents as sought by way of the afore referred circular and the show cause notices (where applicable), and the compliance letters, already issued, then their application for extension of approval for 2023-2024 shall not be considered and, if, approval is granted for the academic session 2023-2024, it may be withdrawn.

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 be done by the University as a general rule has to be done within sanctioned strength of seats.

The Center/s of Legal Education/College may take a note of the above mentioned facts and furnish compliance of the same and of the other rules and regulations of Legal Education, including the stipulations specified in the abovesaid referred circular/s, show cause notices and compliance letters, and in ANNEXURE-A, attached to this provisional approval of affiliation letter, which is required to be complied with adequate documentary proof and by way of a notarized affidavit, immediately if the same has not already been complied with, failing which, their application for extension of approval for 2023-24 shall not be considered and if approval, is granted for the academic session 2023-2024, the same may be withdrawn too."

The last date for compliance of the above referred circular has expired on 31st August 2022, as it was extended from time to time due to the pandemic. Therefore ensure to comply with the same, otherwise the provisional approval of affiliation being issued herewith may be withdrawn.


Am

You are allowed to students in **three year LL.B as well as five year BA LL.B and five year BBA LL.B law courses** with the prevalent/ existing (earlier approved by BCI) sections, for the academic year 2023-2024 **subject to the condition that you will complete one time online registration link send on your official email address and upload the registered documents and photograph within a period of two months.**

The compliances and pending fee/ any other fee which may be payable in future may be kindly ensured to be complied with as and when intimated in the future.

This is for your information and necessary compliance and action.


[Nalin Raj Chaturvedi]
Joint Secretary
Bar Council of India
Legal Education Department


[Ashok Kumar Pandey]
Joint Secretary
(H.O.D)
Legal Education Department


[Srimanto Sen]
Secretary
Bar Council of India

Note – Kindly ensure to submit English translation of all documents being furnished by you in Hindi or in any other regional language to BCI.


Note- In accordance with the Council resolution passed on February 20, 2022, the refundable guarantee amount per course, is set at Rs. 5 lakhs. Additionally, (C.L.E.s) who had previously deposited a guarantee fee of Rs. 2 lakhs are now required to pay the remaining Rs. 3 lakhs to meet the total guarantee fee of Rs. 5 lakhs for a single course. For each additional course, the guarantee fee stands at Rs. 5 lakhs per course.

Very important: - Please, henceforth ensure to send any compliance affidavit/reply and affiliation orders separately to complianceaffiliationle2@gmail.com, apart from copying it to dlebci@gmail.com please do not send any email/s to proledepartment@gmail.com.

For any other query/ies you may send e-mail/s to dlebci@gmail.com

Copy to

The Secretary
Bar Council of Mah & Goa
2nd Floor, High Court Extn,
Fort, Mumbai - 32



ANNEXURE-'A'

- (1) The University/college must send a duly notarized affidavit stating the details of faculty members including the Principal/ Head of Institution, and Head of Department specifying and certifying their qualifications and the subjects being taught by them and further stating the salary being paid to the faculty members by RTGS/NEFT/Cheque which must be as per UGC scale under Bankers Book of Evidence Act. Authenticated, signed and certified Bank Statements, have to be necessarily furnished to the Bar Council of India every three months.

For the present moment 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 March 2022 the date of receipt (March, April, May, 2022 thereafter again after 3 Month be furnished immediately.

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

Other Condition

A. Conditions/Rules of Legal Education regarding which compliance affidavit has to be filed.

- (2) Kindly also furnish 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.
- (3) 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.

- (4)(i) 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.
- (ii) Centre of Legal Education must ensure to teach clinical subjects and give marks as per the schedule.
- (iii) Centre of Legal Education should ensure the payment of salary to teachers as per Rules 22 schedule III, Part IV of BCI Rules.

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

- (V) 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.
- (VI) 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.”***
- (VII) Teacher Student ratio **shall be 1:40** as per Schedule-III, Rule-11, Clause-17, Part-IV of Bar Council of India Rules.
- (VIII) **Centre of Legal Education** is directed to inform the timings of the classes.
- (IX) **Centre of Legal Education** must ensure that not less than three percent seats are reserved for persons with disabilities.
- (X) **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.

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

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

“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.”

- C. 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.”

- D. 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.

E. 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.

(i) 24. Moot court exercise and Internship:

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.*

(ii) 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.

F. 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.

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.

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

(i) 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 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.

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

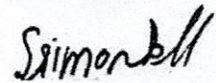
(ii) Rule -18 Minimum weekly class program per subject (paper):.

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.

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 documentary proof with the same within 31st Aug, 2022 for being eligible to be issued further Approval for further subsequent academic years.

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.

Yours sincerely



(Srimanto Sen)
Secretary