Bar Council of India

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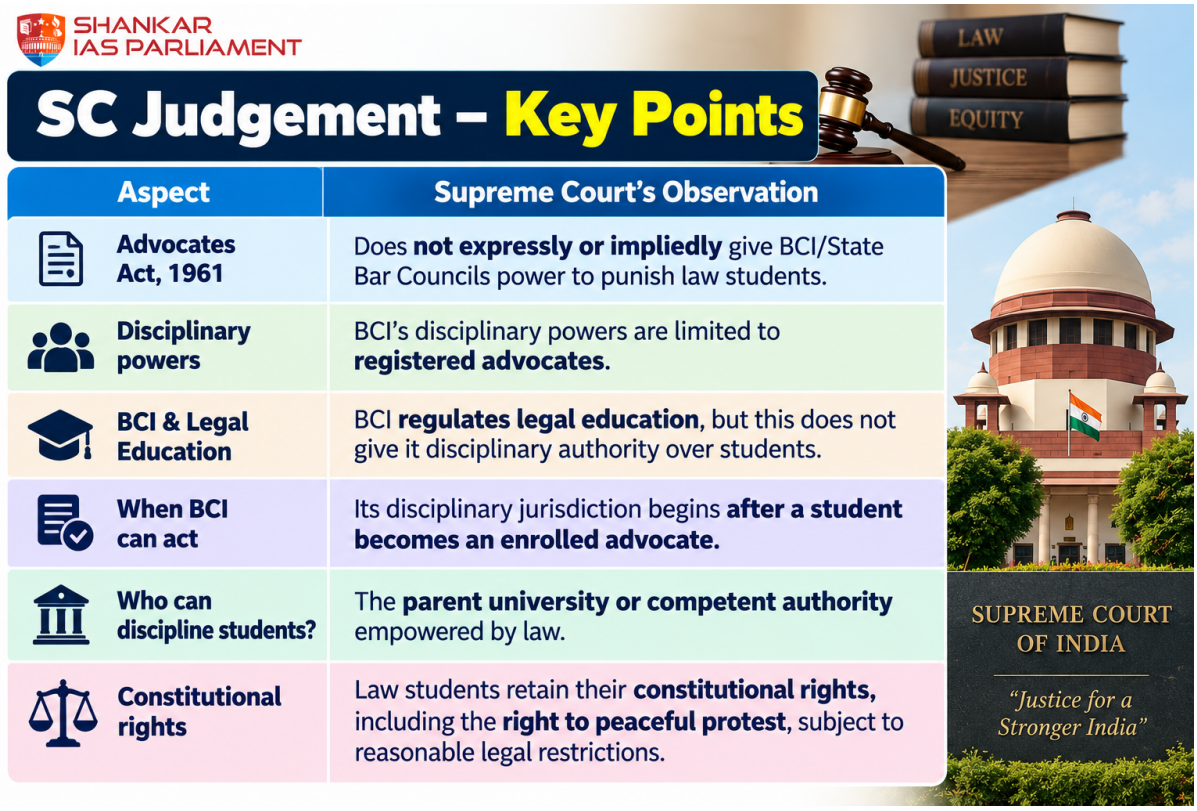
Why in News?

Supreme Court held that the Bar Council of India (BCI) has no jurisdiction to punish law students, rebuking its attempt to intimidate NALSAR students protesting under constitutional rights.

SC Judgement

- **Advocates Act, 1961 –** It does not confer, expressly or impliedly, any power on the Bar Council of India and State Bar Councils to take any disciplinary or punitive action against law students.
- Its disciplinary powers under the Advocates Act, 1961, were, obviously, limited to registered advocates.
- **BCI power –** It regulates legal education; however, it may intervene only after a student has enrolled as an advocate.
- **Clarification –** It clarified that only the parent university or the competent authority under the law has disciplinary power over students.



- **Bar Council of India –** It is a statutory body, established by the Parliament under the **Advocates Act, 1961.**
- Statutory functions under Section 7 cover the Bar Council's regulatory and representative mandate for the legal profession and legal education in India:

Area	Functions
Professional Standards	• Lays down **standards of professional conduct and etiquette** for advocates.
Disciplinary Framework	• Prescribes procedure for **disciplinary committees** of BCI and State Bar Councils.
Advocates' Interests	• Safeguards the **rights, privileges and interests of advocates**.
Law Reform	• Promotes and supports **law reform**.
Coordination with State Bar Councils	• Deals with matters **referred by State Bar Councils**.
Legal Education	• Promotes legal education and lays down **standards of legal education**, in consultation with universities and State Bar Councils.
Recognition of Universities	• Recognises universities whose **law degrees qualify for enrolment as advocates**; may inspect universities directly or through State Bar Councils.
Legal Research & Awareness	• Organises **seminars/talks** by eminent jurists and publishes legal journals and papers.
Legal Aid	• Organises **legal aid for the poor**.
Foreign Legal Qualifications	• Recognises **foreign law qualifications on a reciprocal basis** for admission as advocates in India.
Financial Management	• Manages and invests **BCI funds**.
Internal Administration	• Provides for the **election of BCI members** who administer the Bar Council.

Reference

The Hindu | SC on BCI

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