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THE ROLE OF THE BAR COUNCIL OF INDIA IN LEGAL EDUCATION: REFLECTIONS FROM THE RMLNLU RECOGNITION CONTROVERSY

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INTRODUCTION

The Bar Council of India has occupied a unique position since its creation by the Parliament of India under the Advocates Act, 1961. It was created as a statutory body to regulate and represent the Indian Bar. It prescribes the standards of professional conduct & etiquette and exercises disciplinary jurisdiction over the Bar. Other than that, it also sets standards for legal education and grants recognition to universities whose degrees in law serve as qualifications for enrolment as an advocate for law students.¹ It presents itself as an influential position within India's legal ecosystem; unlike other educational regulators who generally have the authority limited to ensure just academic standards, the BCI's decisions lay direct impact on every student's future in law. Through its power, BCI effectively controls the pathway to legal education for India's youth as well as access to legal practice.

The recognition status of Dr Ram Manohar Lohiya National Law University (RMLNLU) turning into a controversy raises a question about what happens when the regulator overseeing institutions meant to teach constitutionalism, due process, and administrative fairness as core legal values is itself being criticised for a lack of transparency.

RMLNLU NOT IN THE BCI RECOGNITION LIST

Under section 24 of the Advocates Act, any law degree of a student from an institution without recognition by the BCI is not valid for enrolment as an advocate.² It is evident from the published list of approved CLEs by the BCI that RMLNLU is not mentioned in it. The assistant

¹ Bar Council of India, <https://www.barcouncilofindia.org/info/about-bci> (last visited June 6, 2026)

² Bar and Bench, "Not in BCI recognition list, poor hostel conditions etc.: RMLNLU students protest", <https://www.barandbench.com/Law-School/not-in-bci-recognition-list-poor-hostel-conditions-etc-rmlnlu-students-protest> (last visited June 6, 2026).

registrar Dr Mridul Srivastava signed a letter dated June 2, 2026, which stated that RMLNLU's affiliation certificate has not been renewed since the academic year 2022-23; still, it continues to enroll and admit students, and it happens to be surprising for the university too why BCI has not granted approval yet.

The documents attached with the letter revealed that the BCI had granted a temporary approval letter dated August 29, 2022, that had granted a five-year BA.LL.B. (Hons) course only for the academic year 2022-23, and yet no fresh approval has been followed. It has been also been seen that RMLNLU has been continually writing to BCI's Legal Education Department seeking issuance of the approval letter.³ This impacts the students enrolled after the year 2022-23 by leaving them unable to enroll with State Bar Councils and appear for the All-India Bar Examination, effectively blocking them from entering into a legal profession.

DOES BCI LACK TRANSPARENCY IN ITS RECOGNITION PROCESS?

Chapter III of the Bar Council of India, Part IV, Rules of Legal Education, Rule 19, Clause 3 states 'Regular Inspection', providing for there to be a regular inspection of a university after the end of a temporary approval.⁴ A temporary approval letter was granted to RMLNLU; thereafter, there has been no evident information provided by BCI that shows that BCI had conducted the 'regular inspections' that were, in accordance with the Rules of Legal Education of BCI, to be conducted. The procedure of publishing the reports of inspection, needed for the recognition process adopted by BCI itself, is not in any manner a proactive method. The procedure relies on the right to information applications, in which case BCI again disappoints the citizens. Cases such as H.N. Pathak V. PIO, BCI,⁵ Prasoona Shekhar... V. Central Public Information Officer, Bar Council of India⁶, and Girish Mittal V. Bar Council of India⁷ are the prime examples when BCI avoided acting on RTI applications filed and the applicants had to rather file complaints in regard to no response or action taken by BCI on RTI applications. The list of cases does not end here, and BCI violated the citizens' right to information, ultimately lacking transparency in its functioning process.

³ Bar and Bench, "No Approval Since 2023: RMLNLU Says BCI is Delaying Renewal Despite Fees Paid, Application Submitted", <https://www.barandbench.com/Law-School/no-approval-since-2023-rmlnlu-says-bci-is-delaying-renewal-despite-fees-paid-application-submitted> (last visited June 6, 2026).

⁴ Bar Council of India, Rules of Legal Education, 2008, Rule 19, <https://klc.ac.in/wp-content/uploads/2020/07/IBR-Rules.pdf>.

⁵ Bar Council of India v. Bonnie Foi Law College & Ors., AIR 2012 SC 1353.

⁶ Prasoona Shekhar v. Central Public Information Officer, Bar Council of India, New Delhi, CIC/BCOIN/A/2020/687001.

⁷ Girish Mittal v. Bar Council of India, W.P.(C) No. 7666 of 2007.

CONCLUSION

At the end of the day, the controversy over RMLNLU evokes questions of transparency and accountability of regulation in legal education. The conflict between the university and the Bar Council of India (BCI) may be seen as a conflict between the two, but the people who are most impacted by uncertainty are the students whose professional lives hang in the balance. Recognition under the Advocates Act is a peculiarly different type of educational recognition that directly impacts the ability of graduates to become members of Bar Council and to be admitted to practice law. As a result, long periods of inaction with respect to recognition decisions can lead to serious prejudice for students with little control over the regulation process. The problem is not so much whether the BCI has the mandate to audit institutions and issue recognition but whether there are adequate mechanisms in place to ensure that these powers are used in a predictable, timely, and accountable way. A single regulator influencing both legal education and admission to the profession can wreak havoc on confidence in the regulatory system if there is uncertainty. The RMLNLU episode highlights the importance of establishing more explicit timelines, more rational decision-making, and better mechanisms of accountability, which would prevent students from falling as collateral victims of bureaucracy between regulators and education institutions.