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Role Of Bar Council In India

Abstract

The Bar Council of India has an important role to play in shaping and regulating the legal profession in the country. It was established under the Advocates Act, 1961. It is the apex body for maintaining professional standards, discipline, and quality in legal education. This article discusses the history, organization, and role of the Bar Council of India and brings out the importance of the Bar Council in preserving the ethical, organized, and accountable character of the legal profession. It also deals with the role of state bar councils in regulating advocates at the state level and also explains the contribution of the bar council in legal reforms, advocate welfare, and access to justice. The article also discusses the recent developments and reforms initiated by the Bar Council to modernize legal education and make it suitable to changing social and technological needs. The study makes it clear that the Bar Council of India is not merely a regulatory body but an important institution for strengthening the justice delivery system in India.

Introduction¹

The legal profession like Advocates in India plays a crucial role in protecting justice, upholding the rule of law, and ensuring that citizens have access to fair legal representation. To maintain discipline, professionalism, and quality within this profession, there must be a regulatory body that guides and supervises advocates. This responsibility is entrusted to the Bar Council of India.

Established under the Advocates Act, 1961 by the Indian Parliament, the Bar Council of India serves as the apex statutory body governing the legal profession and legal education in the country. It not only regulates the conduct and ethics of advocates but also ensures that legal education in India meets proper standards. Through its various functions, the Bar Council acts as a bridge between the legal system and legal practitioners by safeguarding their rights, promoting law reforms, and strengthening the administration of justice.

¹ Bar Council of India (Official Website), About BCI, Bar Council of India, <https://www.barcouncilofindia.org/info/about-bci>



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Over time, the Bar Council of India has become an significant institution in shaping the legal framework of the country. Its role extends beyond regulation, as it also works towards welfare measures for advocates and provides legal aid for the weaker sections of society. Thus, understanding the role of the Bar Council is important to understand how the legal profession in India is structured and maintained.

Evolution of Bar Council ²

The idea of creating a unified regulatory body for advocates in India developed soon after the Constitution came into force in 1950. At that time, there was no uniform system to regulate the legal profession across the country, and standards of legal education differed from one university to another. This created a need for an organized and regulatory body that could maintain consistency and professionalism in the field of law.

In 1950, during the annual meeting of the Inter-University Board held in Madras, a resolution was passed stressing the importance of establishing an All India Bar and maintaining high standards in legal education. Around the same time, the Madras Provincial Lawyers Conference also supported this idea and urged the government to frame a proper system for regulating the legal profession.

The movement gained momentum in 1951 when Shri Syed Mohammed Ahmad Kazmi introduced a bill in Parliament to amend the existing law related to Bar Councils. In response, the government decided to examine the issue in detail and formed the All India Bar Committee under the chairmanship of Justice S. R. Das, a Judge of the Supreme Court of India.

The committee submitted its report in 1953 and recommended the establishment of Bar Councils in each state along with a central Bar Council at the national level. These recommendations laid the foundation for a stronger and more structured legal profession in India.

Based on these suggestions, Parliament enacted the Advocates Act, 1961, which formally established the Bar Council of India as the apex body to regulate advocates and legal education

² Drishti Judiciary, Bar Council of India, Drishti Judiciary, <https://www.drishtijudiciary.com/important-institutions/bar-council-of-india>



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in the country. Since then, the Bar Council has played an important role in maintaining professional ethics, legal standards, and discipline within the legal system.

Structure of the State Bar Councils³

The legal profession in India is regulated not only by the at the national level but also by State Bar Councils at the state level. The structure and composition of these State Bar Councils are provided under Section 3(2) of the .

Each State Bar Council consists of both ex-officio members and elected members. In the case of Delhi, the Additional Solicitor General of India acts as the ex-officio member. In all other states, the Advocate General of the respective state serves as the ex-officio member. This ensures that the Council has legal experts holding important constitutional and government positions.

Apart from the ex-officio members, the Council also includes elected advocates. The number of elected members depends on the strength of advocates enrolled in that particular state. If the electorate does not exceed 5,000, the Council will have 15 elected members. If the number of advocates is between 5,000 and 10,000, the Council will consist of 20 elected members. Where the electorate exceeds 10,000, the Council will have 25 elected members.

These members are elected through the system of proportional representation by means of the single transferable vote, which helps in fair representation of advocates within the Council.

Every State Bar Council also elects its own Chairman and Vice-Chairman from among its members. These office bearers are responsible for managing the functioning of the Council and ensuring that its duties are carried out effectively.

This structure helps maintain proper administration, discipline, and representation of advocates at the state level, making the legal profession more organized and accountable.

³ Composition, Powers, Functions of State Bar Council, Scribd,
<https://www.scribd.com/presentation/857927981/Composition-Powers-Functions-of-State-Bar-Council>



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Role of the Bar Council of India⁴

The Bar Council of India (BCI) plays a critical role in regulating the legal profession in the country. The Bar Council of India is constituted under the Advocates Act, 1961, with a view to creating a uniform system for regulation of advocates and legal education in India. Prior to its establishment, the rules and practices for legal professionals were not uniform across the country, leading to confusion and inconsistency. The establishment of the BCI gave the profession a structured and organized framework.

One of the big functions of the Bar Council of India is the enrolment and recognition of advocates. A person who wishes to practice law in India cannot simply obtain a law degree and begin practice. The individual must first register with the State Bar Council and then clear the All India Bar Examination (AIBE), which is conducted by the BCI. This process ensures that only qualified and competent individuals are allowed to enter the legal profession. It acts as a filter to maintain the quality of advocates in the country.

Another significant function of the BCI is to maintain professional ethics and conduct among advocates. The legal profession is not merely a means of earning a livelihood; it carries a social responsibility towards justice and fairness. The Bar Council frames rules regarding professional behavior and makes sure that advocates follow those ethical standards. It expects lawyers to maintain honesty towards their clients, respect towards the court, and fairness in legal proceedings. This ethical supervision is essential because public trust in the justice system depends heavily on the conduct of legal professionals.

The BCI also acts as a disciplinary authority. Whenever an advocate is found guilty of misconduct, the Bar Council has the power to take action. Such action may include warning the advocate, suspending them from practice, or even removing their name from the roll of advocates. This disciplinary mechanism ensures accountability within the profession. It reminds lawyers that the privilege of practicing law comes with duties and responsibilities, and misuse of that privilege will not be tolerated.⁵

⁴Vibhuti Arora, Role of the Bar Council in India, 5(12) Indian Journal of Legal Review (IJLR) 524–531 (2025),

⁵ Vibhuti Arora, Role of the Bar Council in India, 5(12) Indian Journal of Legal Review (IJLR) 524–531 (2025),



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In addition, the Bar Council of India plays a very important role in regulating legal education. It sets standards for law colleges, approves institutions, and ensures that legal education remains meaningful and effective. Since the quality of future advocates depends on the quality of education they receive, this role becomes extremely important. Through this function, the BCI tries to maintain a proper balance between academic knowledge and practical legal skills. It also prevents the rise of substandard law institutions that may weaken the profession.

Another role of the BCI is the promotion of legal aid and the welfare of advocates. The Bar Council works to ensure that weaker sections of society are able to access legal services. It encourages free legal aid and supports justice for those who cannot afford it. Along with this, welfare schemes for advocates are also promoted, which provide support in situations like financial hardship, disability, or death. This shows that the Bar Council not only regulates the profession but also takes care of the well-being of its members.

The Bar Council of India also acts as the representative voice of advocates in matters relating to law reforms, judicial administration, and policy discussions. It often participates in larger debates concerning the justice delivery system and ensures that the opinions of advocates are heard. In this way, it acts as a bridge between the legal profession, the judiciary, and the government.

At the same time, the BCI helps preserve the independence of the legal profession. Unlike many professions, which are regulated by external authorities, the legal profession is largely self-regulated through the Bar Council. This independence is important because advocates often challenge state action and protect constitutional rights. If the profession were under excessive government control, its independence could be compromised.

Besides its important role, the Bar Council of India also faces challenges. The issues such as delays in disciplinary proceedings, political influence, and the need for modernization in legal education. These challenges show that while the institution is strong, there is still room for



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improvement. Reforms such as digital systems, faster complaint mechanisms, and updated educational standards can make it more effective.

Recent Developments and Reforms in Legal Education by the Bar Council of India⁶

In recent years, it has engaged in major efforts to modernize legal education and to make it relevant to the changing legal environment. The Council, in its circular on Legal Education Reforms 2024, has brought in new guidelines to improve the quality and effectiveness of legal studies in India.⁷

One of the major reforms is the inclusion of emerging subjects such as Artificial Intelligence, Cyber Security, Blockchain, Robotics, Bio-Ethics and Electronic Discovery in law courses. This step highlights the increasing impact of technology on the legal profession and equips students to address contemporary legal issues.

The Bar Council has also emphasized on constitutional values in legal education. Law institutions are now encouraged to focus not only on theoretical knowledge but also on the practical understanding of justice, equality and social responsibility.

Another important step is the development of bilingual legal education. To make legal knowledge accessible and improve access to justice, the Council has recommended that institutions provide instruction in English and regional languages.

Mediation has been brought in as a compulsory subject in legal education, which signifies a move towards alternative dispute resolution mechanisms. “This reform aims to teach the future lawyers how to settle disputes peacefully and efficiently.

The Bar Council has also asked law universities to make computer education a necessary part of legal studies. This reform is important to equip students of law with technical skills in today’s digital age.

⁶Bar Council of India, About BCI, Bar Council of India

⁷ Bar Council of India, BCID-0468-2024 (LE Circular No. 06/2024): Comprehensive Implementation of Legal Education Reforms, Mandatory Guidelines, Norms & Rules of Legal Education (May 20, 2024)



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A major curriculum reform is the introduction of new criminal laws, namely the, and as of the academic session 2024–2025. In this way the students are kept abreast of the latest legal framework.

The Bar Council has also taken a strong view against online and distance learning LL.B and LL.M law degrees, stating that these courses are not recognized. This step has been taken to uphold the quality and credibility of legal education.

These reforms are indicative of the fact that the Bar Council of India is moving in the direction of making legal education more pragmatic, inclusive and future-oriented. Such developments are important for building competent legal professionals and strengthening the justice system in India.

Conclusion

The Bar Council of India is one of the most important institutions in the legal system of India. The legal profession's dignity and credibility are essential, and it plays a vital role right from the regulation of conduct of advocates to laying down standards of legal education. Over the years, it has contributed significantly to the development of a common framework for advocates all over the country and ensured that legal practice is disciplined and professional.

At the same time, the Bar Council has kept pace with the changing times and brought in reforms in legal education with the inclusion of technology-based subjects, mediation, and updated criminal laws. These changes demonstrate its commitment to making legal education more practical and relevant.

But every institution has its challenges, such as delay in disciplinary action and the need for continuous modernization. These issues need to be addressed to ensure further strengthening of its effectiveness. In short, the Bar Council of India remains a pillar of the legal profession and an important institution in safeguarding justice, promoting legal ethics, and building a stronger legal system for the future.