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# **CHALLENGES BEFORE LEGAL EDUCATION IN INDIA: A LEGAL STUDY**

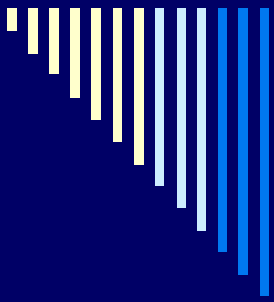
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The legal education should be able to meet the ever growing demands of the society and should be thoroughly equipped to cater to the complexities of different situations.

**-Hon'ble Supreme Court of India**  
*in Manubhai Vashi v. State of Maharashtra*



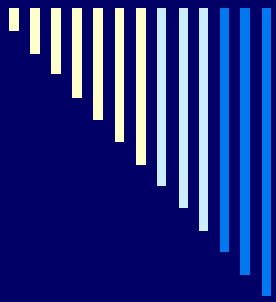
# Introduction

- Legal Education:
    - Origin- With British Rule in India. But, systematic legal education started in independent India with establishment of UGC and Bar Council of India.
    - Purpose- To prepare and produce good, responsible and enthusiastic legal experts to administer the judicial system.
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# Structural Framework of Legal Education

	3-Years Law Course	5 -Years Integrated Course
Introduced by BCI	1967	1982
Qualification of candidate	Graduate	12 years of schooling
Semester	Yes	Yes
Minimum Subjects to be taught	30 Compulsory papers = 20 Optional papers = 6 Clinical papers = 4	44 [English – 2; Three subjects from liberal subjects With 4 papers each - 3x4 = 12; <b>Law Courses:</b> Compulsory papers = 20; Optional papers = 6; Clinical papers = 4]
Honours	38 Compulsory = 20; Optional papers = 6 Clinical papers = 4 Honours subjects = 8	52 Abovementioned all and additional 8 honours papers



# Institutions Dealing Legal Education

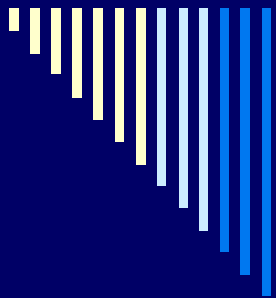
- State Govt. & University: For No Objection Certificate & affiliation.
- BCI: To promote legal education and lay down 'standards' of such education in consultation with the Universities imparting such education.
- UGC: To exercise control over the Universities and affiliated colleges for prescribing standards of education.



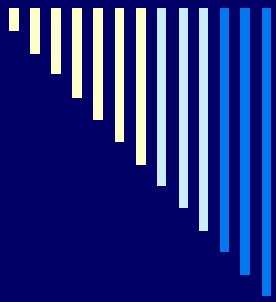
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# Who is Supreme BCI or UGC?

- ❑ Distinct norms issued by UGC & BCI. For example-Eligibility for Faculty Members where LL.M.+ NET is compulsory in UGC norms but BCI prescribes only LL.M. It has created a great confusion through which all are in dilemma. Taking the advantage of such lacuna, various Law Colleges and Universities appoint only LL.M. also and playing with future of students.
  - ❑ BCI's role is limited in respect of course curriculum and UGC's role is vital where everything must be looked after by UGC for qualitative higher education.
  - ❑ The members of the BCI who are practising lawyers and who get elected to the Bar Council, do not all have expert knowledge or experience for deciding the requirements of legal education for purposes other than practice in the courts.
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- Hon'ble Supreme Court in *Osmania University Teachers Association v. State of AP*- The University Grants Commission has greater role to play in shaping the academic life of the country. It shall not falter or fail in its duty to maintain a high standard in the Universities.
- *University of Delhi v. Raj Singh*- Qualifications for the teaching staff could also be prescribed by Regulations of the UGC and the said Regulations would override any other legislation.
- Harmonisation between powers of BCI and UGC is must- otherwise the quality of legal education will hamper.

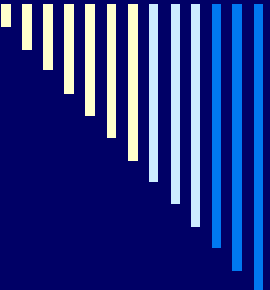


# Challenges

## From establishment to Registration

- Establishment, affiliation & recognition: Very tough to be honest to establish legal educational institutions. Generally, to pay illegal amounts to every governing bodies.
- Inspection & approval of BCI: Those whose educational qualification is only LL.B., will check qualification and everything of those who have more qualifications.
- Course Curriculum: Generally out dated. Not as per need of hour.



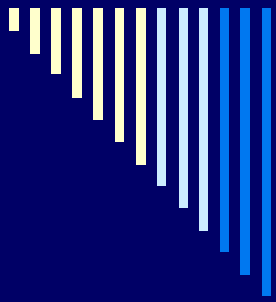


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*The regulatory structure for legal education in India is currently seriously flawed and needs careful reconsideration. A typical law college has four masters at a minimum: the University to which it is affiliated; the State Government, the University Grants Commission and the Bar Council of India. These four agencies have varying mandates, interests and constituencies and do not provide coherent guidance for the improvement of legal education in the country.*

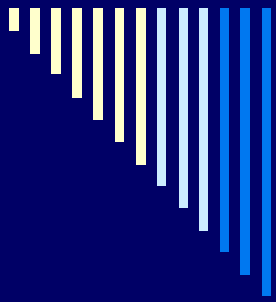
**- First National Consultation Conference  
of Heads of Legal Educational  
Institutions**

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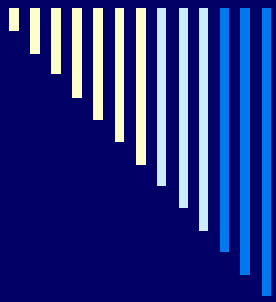


# Solutions

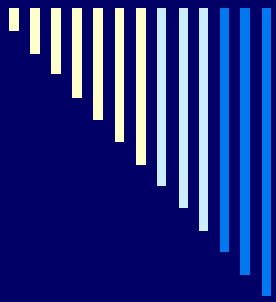
- ❑ Qualitative and serious students must be taken.
- ❑ Entrance Test- mandatory- cut off must not be less than 50%.
- ❑ Continuous evaluation.
- ❑ Marks must be displayed on notice board.
- ❑ Strict adherence of attendance and below 70% must not be allowed anyway.
- ❑ Regular updation of course curriculum.



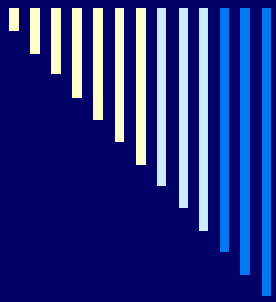
- Faculty members must be encouraged for research work. Who are not able to do some good work, they must be fined as reduction of increments and salaries. After 3 years, if condition- not improved- must be removed from service.
  - Students must be encouraged to participate in research oriented activities.
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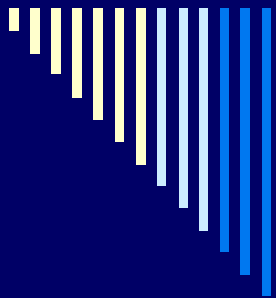
- **The lecture method, which is the predominant method today, needs to be reviewed. It has to be supplemented by methods that other professional schools employ, such as the problem method, case study method, role playing, workshops and group discussions, project assignments, and other interactive techniques.**



- Use of commercial textbooks should be minimized; teachers should try to make their own reading list instead.
- Compiling and editing selected cases with introductory notes and discussion: For use of the students at the beginning of the term which include excerpts from law reports, legal periodicals, and even from non-law materials to give social context education.



- **A committee of teachers may be entrusted to study and report the gaps and improvements needed in the system at the end of each academic term, so that the system is perfected and integrated with teaching plans, making it less dependent on the discretion of an individual teacher.**
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Thank you

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