

नागालैण्ड विश्वविद्यालय
NAGALAND UNIVERSITY



(भारत के संसद द्वारा पारित अधिनियम 1989के अंतर्गत स्थापित केंद्रीय विश्वविद्यालय)
(A Central University Established by the Act of Parliament of India 1989)

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No.NU-CDC/Gen-2/2008- 7843

Dated: 21/02/2020
Post, E-Mail &
Website Display

To,
The Principals,
All Law Colleges,
Under Nagaland University,
Nagaland.

Sub: Circular for compliance of all the Rules of Legal Education 2008 by all Centres of Legal Education (Universities, Law Colleges etc.) failing which approval of affiliation and/or Recognition shall not be renewed/granted from the academic year 2020-2021 onwards-Regarding.

Ref: BCI:D: 158 (LE:Circular No. 01/2020)), dated 05/02/2020 (enclosed).

Dear Sir/Madam,

With the above cited subject and reference, this is brought to your notice that the compliance of all **the Rules of Legal Education 2008 is mandatory for all the affiliated law colleges.**

Therefore, you are hereby informed to study the above stated reference letter/circular (enclosed) for further necessary action within the stipulated time period, accordingly.

Thanking you.

Yours faithfully,

(Dr.K.K/Upadhyay)
Director,
College Development Council

21/02/20

Enclosure: As stated above
Copy to:

1. The P.R.O, V.C's Cell, Nagaland University, for information of the Hon'ble Vice-Chancellor.
2. The P.A. to Registrar, Nagaland University, for information of the Registrar.
3. The System Administrator, Computer Centre, Nagaland University, for required display through the University Website (Main Menu of CDC - Important Notifications).
4. Office Record and Guard File-CDC.
 - Name of the college:



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:D: 158 (LE: Circular No. 01 /2020)

05.02.2020

To,

1. **The Vice-Chancellors of all the,
Universities imparting Legal Education,**
2. **The Registrars of all the,
Universities imparting Legal Education**
3. **The Principals/The Deans of all the
Centre of Legal Education/Law Institutions**

Sub. : Circular for compliance of all the Rules of Legal Education 2008 by all Centres of Legal Education (Universities, Law Colleges etc.) failing which approval of affiliation and/or recognition shall not be renewed/granted from the academic year 2020-2021 onwards.

Sir/Ma'am,

The Rules of Legal Education-2008 are mandatory, statutory rules, framed by the Bar Council of India (the regulatory authority for legal education in India) under Section 7(h) and (i) 24(1)(c) iii and iii (a), 49(1)(af) (ag) and d of the Advocates Act, 1961. The said rules were duly notified in the official Gazette in March 2009. It is hereby reiterated that all such Rules are required to be followed/ complied with by each and every Centre of Legal Education (Universities, Law Colleges etc.) failing which approval of affiliation to existing Law Colleges etc. and/or recognition to existing Universities issuing Law Degrees shall not be renewed/ granted from the academic year 2020-2021 onwards, unless they comply with the same.

It is obligatory and mandatory for every Centre of Legal Education (University, Law College etc) to follow the Legal Education Rules 2008 meticulously.

It is in this respect, relevant extracts and the summary of a few specific rules of legal education are reiterated yet again below as a reminder that non-compliance of the same, apart from non-compliance of the other rules of legal education shall disentitle an existing Centre of Legal Education from being granted/renewed of approval of affiliation and/or recognition as the case may be from the academic year 2020-2021 onwards.

Firstly, you are required to keep in mind the Rule 17 of Schedule III of Legal Education Rules 2008 relating to core faculty required to teach a three year or a five year law degree course. The said rule is quoted below :-

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 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 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 Honours 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.

Kindly also take note of Schedule III-Rule 20 of the Rules of Legal Education 2008.

"Minimum qualification needed for the Faculty: Full-time faculty members including the Principal of the Centre of Legal Education shall be holders of a Master's degree or as prescribed by UGC or other such standard setting bodies. However faculty for teaching clinical program may be appointed from the retired judicial officers or from the Bar, a person with professional experience for a minimum period of ten years. Visiting faculty from the Bar, bench or academy shall have a minimum experience of ten years."

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Thus, there should be sufficient number of qualified full time faculty members in each Centre of Legal Education to teach each subject at all points of time for running courses who can be supported by part time or visiting faculty.

Your attention is further drawn to Rule 16 IV, Chapter II, and as well as to Rule 16, Schedule III which reads as under :-

Chapter II Rule 16 (iv) *There is to be a separate Centre of Legal Education for the study of law under a separate Principal who should be qualified in Law to be a Professor of Law as stipulated under UGC and Bar Council of India rules.*

Schedule III Rule 16- *“Whole time Principal/ Head/Dean: There shall be a Principal for each constituent or affiliated Centre of Legal Education of a University and a Dean for the University Department, who shall have minimum prescribed qualification in law as prescribed by the UGC for respective position like Principal of a Centre of Legal Education or a Professor of Law to hold Deanship, as the case may be.”*

The above stipulated rules must be ensured to be complied with.

Kindly note that that all Centres of Legal Education must send 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 to the Bar Council of India.

Furthermore, it is extremely pertinent and important that the faculty is paid as per UGC scale. **The relevant Rule 22 of Schedule III of Legal Education Rules 2008 is quoted hereunder :-**

“Salary scale: *The salary paid to the Principal shall be according to the scales recommended by the U.G.C from time to time with other benefits. Core Full Time Faculty shall ordinarily be given usual UGC scale.*

An Institution may however have faculty whose remuneration is based on contract provided the remuneration is comparable with or more favorable to the faculty in comparison with the UGC Scale and salary shall be paid through account payee cheque.”

Thus kindly bear in mind that Salary has to be paid to the faculty members and other staff by Cheque, though RTGS or NEFT may also be opted for and the same should be as per UGC scale under Bankers Book of Evidence Act. and authenticated, signed and certified Bank Statements, have to be necessarily furnished to the Bar Council of India showing electronic transfer of salary to teaching and non-teaching staff on a quarterly basis without fail.

Further, the Centre of Legal Education(University, College etc) has to follow **Clause 15 of Schedule III of Legal Education Rules 2008** in respect of minimum library requirements.

No Center of Legal Education can be expected to impart/teach a Law degree course without having a basic well furnished Law Library for the Law students and teachers alike to refer to.

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A law library should be furnished with latest updated version of law books and bare acts for each subject being taught and updated with new editions according to the ratio of 10 books and bare acts for each registered student and there should be a minimum investment of Rs. 10 lakhs for each year. However for any university/deemed university in a 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.

The Library should also have a set of AIR manual, Combo offer of CD of AIR Pvt. Ltd. containing electronic version of AIR, Cr. L.J. AIR Manual etc. which should be updated every year by AIR Pvt. Ltd. and also 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. The receipts of purchase of the same shall be required to be duly submitted to the Bar Council of India before seeking renewal of approval of affiliation and/or recognition.

Further the College/University should ensure to follow semester system as mentioned under **Rule-10, Chapter II of Legal Education Rules 2008**. Unitary or integrated double degree should 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 and for honours 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.

Further as per Schedule III Rule-18 of LE Rules, 2008 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.

Furthermore, the Centre of Legal Education(University, Law College etc) should also follow **Clause-24, Schedule-II of Legal Education Rule-2008** which lays down Moot Court exercises and Internship; as well as **Clause-25, Schedule-III of Rules of Legal Education** which lays down Minimum period of Internship.

University/college should ensure that every student must do at least three moot courts in a year and they may also be required to attend two trials in the course of the last two or three years of LL.B. studies. They should maintain a record and enter the various steps observed during their attendance on different days in the court assignment. Each student should observe two interviewing sessions of clients at the Lawyer's Office /Legal Aid Office and record the proceedings in a diary and further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition.

Each student has to complete minimum of twelve weeks internship for Three Year Course stream and twenty weeks in case of Five Year Course stream and they should also 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 record of the above should be furnished to Bar Council of India.

You are hereby called upon and reminded that all the above mentioned rules/norms and all other Rules of Legal Education 2008 are compulsory/required to be followed by all the Centers of Legal Education(Law Colleges/Universities and its Law Departments).

In case, any college/University is/are unable to follow these rules and guidelines, they should not admit any student w.e.f the session beginning from 2020-2021 , and no approval/provisional approval of affiliation for existing Centers of Legal Education shall be renewed/granted from the Academic year 2020-2021 and in case they are found running the Center of Legal Education(college/University department) in violation of these rules, the approval of affiliation/recognition will be cancelled **and as per Chapter-III, Rule 14 of Rules of Legal Education 2008, such Center of Legal Education shall be suspended for a period upto 2 Academic years**

Thus it is hereby directed that all Centers of Legal Education- (College ,University etc.) are required to send a affidavit duly notarized in compliance of the above mentioned conditions/norms within 15 days from the date of receipt of this Circular failing which approval of affiliation/recognition for running law course will be liable to be declined by the Bar council of India.

Your's sincerely


(Srimanto Sen)
Secretary