



Indian Legal Education System: A Critical Study¹

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INTRODUCTION: Till early 1920s, opportunities for quality legal education in India were limited. It is not uncommon to see Indian legal luminaries from the era with an Oxbridge law degree and enrolment at an Inn of Court.

Though reputed colleges like Government Law College, Mumbai were in existence since later half of the 19th century, the founding of faculty of law on Delhi University, ILS Law College in Pune and a host of other colleges in various states and universities across the country made quality legal education accessible.

The Bar Council of India kick-started the next level of evolution in legal education in the country through the founding of National Law School of India University in 1986. The establishment of this premier law school in Bengaluru has brought about a paradigm shift in teaching and research in law. The Bar Council of India visits and inspects Universities/Law colleges in the country as part of its statutory function of promoting legal education and laying down standards in consultation with the Universities in India and the State Bar Councils.

LEGAL education is one area in the field of education in India, which has undergone major changes in the last two decades, in terms of curriculum and teaching methods. The changes in law education started with the establishment of the National Law School of India University in Bangalore in 1987. Prior to it, legal education was imparted only at law departments in the university system and through affiliated law colleges. The National Law School, Bangalore proved to be qualitatively different. The success of this experiment led to the establishment of such law schools in several other states and there are 20 of them now admitting around 2000 students every year. On the model of National Law Schools several private universities started five-year LLB course emulating a similar system.

These reforms coincided with reforms in Indian economy. The liberalization of economy and expansion of the private sector needed legal expertise beyond court room litigation. With their academic rigour and focused training in structured curriculum, National Law School graduates have come to fit in well with the growing demand for legal professionals in the changing Indian economy. They are able to produce competent, confident graduates to meet the global market's requirements. In turn, this led to the demand for entry into these law schools.

Quality is king

In India, legal education now has come to be identified predominantly with National Law Schools and newly emerging private universities. A Law degree from these law schools is often equated with degrees in Engineering, Medicine and Business Management from the reputed institutions in

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India. True to their reputation many Law schools are able to attract renowned law firms and the private sector for campus placement selections. However, this remains a partial picture. Law departments in traditional university system and affiliated law colleges - more than 700 in number - continue to impart legal education to a large section of law graduates who get into the legal profession every year, but mainly as litigating lawyers before the Indian courts.

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Having noted the fact that the national law schools have significantly changed the way legal education is imparted, it becomes equally important to look at the contribution, role and place of these Law schools in the larger context of Indian legal education. Often it is argued that the Law School model is able to attract bright students, which is not the case with university law departments and affiliated colleges. Add to that, the qualitative improvement in curriculum and teaching methods, these National Law Schools are able to produce the best possible law graduates in India.

The cost factor

The fact remains that the National Law School fee structure is such that only the middle and upper middle class parents are able to afford it. As a result those who join in these Law schools are mainly those from urban areas with better schooling in comparison to those who opt for traditional university law departments and affiliated colleges.

Further, there are certain significant aspects, which were left out of the process of reforms in the legal education in the last two decades. More importantly, these reforms have either untouched or ignored major segment of the Indian legal education as they were just confined to the National Law Schools. Even if they were implemented by others, that was done in the form of emulating the form rather than of content. As a result large number of students opting for legal education in traditional universities and affiliated law colleges for reasons, inter alia, of accessibility and affordability are left with an outdated education system.

Impact on justice delivery

It is argued that the standards and curriculum in these university departments and affiliated colleges is not up to the mark. Therefore the changes that were initiated with the establishment of NLS Bangalore were confined primarily to other National Law Schools and private universities, established subsequently. This has larger impact on the justice delivery system in India, that is, those receiving supposedly quality legal education are predominantly joining the private sector whereas those who pass out from traditional university setup are joining the legal profession before the courts which deliver the justice to the needy in India. In the process, the primary purpose of improving the justice delivery system through producing quality law graduates is getting defeated.

The other neglected area is postgraduate legal education and research. The emphasis of National Law Schools has been on bachelor level curriculum and teaching, leading to the dearth of quality teachers and researchers, which is being increasingly felt by many law schools. Thus, one has to always welcome the improvement in the quality of education and at the same time be conscious of larger purposes of education in terms of accessibility and affordability and societal needs. As pointed out by the National Knowledge Commission's Working Group on Legal Education, there is an immediate need to improve the quality of legal education and



research in most of the university law departments and colleges in the country.

What was the need of Ranking Law Colleges?

In view of the increasing number of institutes imparting law education in India and lack of information in the public domain including quality standards being followed; the assessment of law institutes is indeed cumbersome. Still it is an interesting exercise. The Bar Council of India states, the country has over 1200 law institutes (up from 800 in 2011) but has extremely limited resources to assess the performance. The lack of resources is largely in terms of members for inspecting the new and existing Law Schools and availability of funds.

Post scrutiny of available data, **Careers360** went through the methodology of INPUT-PROCESS-OUTPUT to arrive at broad parameters. There are two separate lists based upon their nature - public and private. Public Law Schools are those institutes which are run by central or state governments. Private Law Schools are owned, run and funded by private trusts.

Careers360 Ranking of Public Law Schools –

Rank	Degree Awarding Institute	Location	Entrance Exam
1	<u>National Law School of India University</u>	Bangalore	<u>CLAT</u>
2	<u>West Bengal National University of Juridical Sciences</u>	Kolkata	<u>CLAT</u>
3	<u>Rajiv Gandhi School Of Intellectual Property Law , IIT Kharagpur</u>	Kharagpur	<u>LSAT-India and Separate Exams</u>
4	<u>National Academy of Legal Studies and Research</u>	Hyderabad	<u>CLAT</u>
5	<u>National Law University, Jodhpur</u>	Jodhpur	<u>CLAT</u>
6	<u>National Law University, Delhi</u>	Delhi	<u>AILET</u>
7	<u>National Law Institute University</u>	Bhopal	<u>CLAT</u>
8	<u>Campus Law Centre, Delhi University</u>	Delhi	<u>DU LLB Entrance Test</u>
9	<u>Gujarat National Law University</u>	Gandhinagar	<u>CLAT</u>
10	<u>Hidayatullah National Law University</u>	Raipur	<u>CLAT</u>
11	<u>Faculty Of Law, BHU</u>	Varanasi	<u>BHU UET</u>
12	<u>Indian Law Society's Law College</u>	Pune	Academic Cutoff
13	<u>Rajiv Gandhi National University Of Law</u>	Patiala	<u>CLAT</u>
14	<u>Dr. Ram ManoharLohiya National Law University</u>	Lucknow	<u>CLAT</u>
15	<u>Government Law College</u>	Mumbai	Academic Cutoff
16	<u>Faculty of Law, Aligarh Muslim University</u>	Aligarh	<u>AMU LLB Entrance Test</u>
17	<u>National University of Advanced Legal Studies</u>	Kochi	<u>CLAT</u>
18	<u>Army Institute of Law</u>	Ajitgarh (Formerly	<u>AIL Entrance</u>



		Mohali)	
19	<u>Dr. Ambedkar Government Law College</u>	Chennai	Academic Cutoff
20	<u>University School of Law & Legal Studies, GGSIPU</u>	New Delhi	<u>IPU CET Law</u>

Careers360 Ranking of Private Law Schools –

Rank	Degree Awarding Institute	Location	Exam
1	<u>Jindal Global Law School</u>	Sonipat	<u>DU LLB Entrance and LSAT-India</u>
2	<u>Symbiosis Law School</u>	Pune	<u>SET Law</u>
3	<u>Amity Law School</u>	Delhi	<u>IPU CET Law</u>
4	<u>Institute of Law, Nirma University</u>	Ahmedabad	<u>CLAT</u>
5	<u>School of Law, Christ University</u>	Bangalore	<u>Christ University Law Entrance Test</u>
6	<u>New Law College, Bharati Vidyapeeth Deemed University</u>	Pune	<u>BVP CET Law</u>
7	<u>M.S.Ramaiah College of Law, Karnataka State Law University</u>	Bangalore	Academic Cutoff
8	<u>KLE Society's Law College, Karnataka State Law University</u>	Bangalore	Academic Cutoff
9	<u>The Faculty of Law, ICFAI University</u>	Dehradun	Academic Cutoff
10	<u>Sinhgad Law College, University of Pune</u>	Pune	Academic Cutoff

India's Top Law Colleges 2014 (As per Education World Magazine)

Rank	Law	Competence of faculty (200)	Infrastructure and support systems (200)	Pedagogic systems and process (100)	Placements (150)	Total score
1	<u>National Law School of India University (NLSIU), Bangalore</u>	174	170	79	132	555



2	<u>National Academy of Legal Studies and Research (NALSAR), Hyderabad</u>	171	164	77	130	542
3	<u>National Law University (NLU), Delhi</u>	170	172	71	118	531
4	<u>The West Bengal National University of Juridical Sciences, Kolkata</u>	162	159	69	124	514
5	<u>National Law Institute University, Bhopal</u>	140	161	68	118	487
6	<u>NLU, Jodhpur</u>	137	148	69	121	475
7	<u>Faculty of Law, Delhi University</u>	142	136	62	124	464
8	<u>Gujarat National Law University, Gandhinagar</u>	132	143	64	120	459
9	<u>Amity Law School, Noida</u>	136	145	62	115	458
10	<u>Law School, Benaras Hindu University (BHU), Varanasi</u>	135	140	63	106	444
11	<u>Government Law College, Mumbai</u>	131	129	66	107	433
12	<u>Symbiosis Law School, Pune</u>	130	133	64	105	432
13	<u>Indian Law Society's (ILS) Law College, Pune</u>	134	132	61	101	428
14	<u>Dr. Ram Manohar Lohiya National Law University, Lucknow</u>	116	151	60	96	423
15	<u>Hidayatullah National Law University, Raipur</u>	120	150	57	95	422
16	<u>Jindal Global Law School, Sonapat</u>	125	129	62	102	418
17	<u>The National University of Advanced Legal Studies, Kochi</u>	117	134	58	98	407
18	<u>Department of Law, Punjab University</u>	116	122	57	95	390
19	<u>Army Institute of Law, Mohali</u>	118	118	56	96	388
20	<u>University Law College, Bangalore University</u>	115	115	55	95	380

Salient features of Gopal Subramaniam Committee (including reference to NKC Report & LCI 184th Report).

Proposal Provision in the 2008 Rules

Increased representation of academia in BCI Legal Education Committee Rule 2(xvi) Prior permission for imparting legal education Rule 14 Reformed modes of Inspection, and Approval of an institution Rules 18-27 Accreditation / rating system for law colleges Rules 28-32. The Committee, therefore, is of the view that the standards of legal education provided for in the 2008 BCI Rules, including the provisions on inspection, recognition and accreditation, are in consonance with the requirements of the time, and in fact, are suited to ensure the highest quality of legal education. However, there still remain a few areas which require firm and immediate implementation, and thus the Committee recommends the adoption of the following measures:



I. Constitution of National Legal Knowledge Council: For the purpose of formulating the policy vis-à-vis legal education India at a national level and by due consideration of experts from various fields, it is recommended that a National Legal Knowledge Council be established under the orders of this Hon'ble SC Court comprising legal luminaries as well as experts from various socially relevant fields. The functions of the National Legal Knowledge Council would include continuing reform of legal education in the country, including of matters pertaining to inspection and recognition of law colleges as well as appointment of suitable faculty to various institutions imparting legal education across the country. The Council would have the power to constitute expert groups / sub-committees for the purpose of assisting the Bar Council of India in matters regarding inspection and recognition of colleges, as well as for the purpose of identifying and selecting competent and qualified faculty.

II. Establishment of Legal Aid Clinics/Centres: the principle enshrined under Article 39-A of the Constitution of India, the Bar Council of India, vide Resolution dated October 24 2009, resolved that all law schools/colleges should establish a legal aid clinic/centre for the purpose of providing inexpensive and efficient justice to the needy sections of our society. It was also resolved that a lecturer shall be the faculty in charge of a legal aid clinic/centre, and that final year students would be trained at such legal aid clinics/centers in imparting professional legal advice and client interaction. This Committee unreservedly endorses the Resolution passed by the Bar Council of India and recommends that establishment of such legal aid clinics/centres be made a pre-condition to the recognition of law colleges by the Bar Council.

III. Faculty remuneration should, at least, be in accordance with the recommendations of the 6th Central Pay

Commission: The terms and conditions of service of the faculty members employed at institutions imparting legal instruction must be standardized on a priority basis. Since law is a very important professional stream, it may be necessary to offer higher and better emoluments and more attractive conditions of service. In particular, the remuneration accorded to the faculty at all legal institutions must be, at the very minimum, in conformity with the recommendations of the 6th Central Pay Commission, which have already been adopted by the Ministry of Human Resources Development and the University Grants Commission with respect to Central Universities. Similar pay-scales should also be made applicable to faculty teaching at law colleges, irrespective of the status of the institution i.e. statutory or private.¹⁴ The Bar Council may also consider the stipulation of higher salaries to make imparting legal education attractive and thoroughly professional.

IV. Chapter IV of the 2008 BCI Rules to be strictly enforced:

Chapter IV of the 2008 BCI Rules contains provisions vis-à -vis the Directorate of Legal Education, the responsibility of which include: (a) Continuing Legal education, (b) Teachers training, (c) Advanced specialized professional courses, (d) Education program for Indian students seeking registration after obtaining Law Degree from a Foreign University, (e) Research on professional Legal Education and Standardization, (f) Seminar and workshop, (g) Legal Research, (h) any other assignment that may be assigned to it by the Legal Education Committee and the Bar Council of India. Considering the importance of the functions to be performed by the Directorate of Legal Education, as well as the recommendations made by this Committee in the



draft report submitted to this Hon'ble Court on October 6, 2009, the Bar Council of India has, vide Resolution dated October 24 2009, appointed Prof. Satish Shastri, former Dean, Faculty of Law, Rajasthan University, Jaipur as the Director of Legal Education. Further, the Bar Council has also resolved that two young academicians who are capable of pioneering legal research should be appointed to the posts of Professor (Research) and Professor (Academic) in the Directorate. The Central Government has assured the Bar Council of its steadfast support to the Directorate, including provision of adequate functioning space as well as grants to enable the Directorate to perform its functions. The constitution of the Directorate would give a much needed impetus towards research oriented reform in India. It is, therefore, imperative that adequate funds are earmarked towards the constitution and functioning of the Directorate and the provisions of Chapter IV of the BCI Rules are strictly complied with. Further, it should be ensured that only academicians and researchers of the highest quality are associated with the Directorate.

Suggestions:

Apart from the Subramaniam Committee 2009 (3-Members Committee), NKC Report 2007 and LCI'184th Report, I would like to submit few suggestion like:

1. For effective consultation between BCI and UGC/Universities can be achieved by more inclusion of members of academia in regulating legal education as suggested by LCI'184th Report. Under representation of academia in BCI Legal Education Committee should be substantiated. As of now there are 3 law teachers in 10 members committee so it should be at least 5.
2. More focus on practical training/clinical legal Education . Restricted/limited practice of law teachers into court be allowed especially in PIL matters and suitably amendment must be done into the statute.
3. Rating of Law college must be done annually across the country to increase the dimensions of nationalization and internationalization of law schools. It will be a replica of true image of an institution in terms of competence of faculty, Infrastructure & support system, pedagogic systems and process and placements.
4. The All India law Teachers Congress (AILTC) may be accorded statutory status which is pending since 1999. AILTC to support faculty development across the country.
5. Mushrooming of law colleges (like B.Ed ,Engineering colleges etc) should not be allowed. There should be maximum ceiling on number of law school/college in a particular area like district considering topography and other relevant parameters.
6. A common entrance examination for 3 years & 5 years LLB degree must be held jointly at a State level (like AIEEE etc) or at least University and its affiliated colleges level to maintain uniformity and transparency.
7. Review of one year LLM which seems a passive academic fraud.
8. Eligibility for Law faculty must be NET plus psychological and teaching attitude test. NET test should be consist of objective plus subjective type of question paper. UGC had handled NET exam in very bad shape. It should take help of UPSC in this regard and maintain standards like UPSC/IIMs/IITs.
9. Retention exam system should be adopted even for CAS / upward promotion of faculty. SFET(Senior Faculty Eligibility Test) (objective plus subjective)should be devised for



- direct appointment of faculty to Associate Professor & Professor level in addition to other existing conditions.
10. Review of API score system .

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