



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: 80 : 2021 (LE/Std. 9th Jan. 2021)

02.02.2021

1.	The Registrar, Mangalayatan University, NH-30, Near Sharda Devi Mandir, Richai, Barela, Jabalpur, Madhya Pradesh Email :
2.	The Principal/Head of the Deptt., Faculty of Law, Mangalayatan University, NH-30, Near Sharda Devi Mandir, Richai, Barela, Jabalpur, Madhya Pradesh
3.	The Secretary, Bar Council of Madhya Pradesh High Court Campus Jabalpur - 482 007 Madhya Pradesh bar_Council_Mp@Yahoo.In

Sub.: Interim Consent Letter of fresh Recognition to Mangalayatan University, Jabalpur, Madhya Pradesh as per Section 7(1)(i) of the Advocates Act, 1961 for the purpose of conferring the Degrees in Law in three year LL.B (Hons.) course, five year BA LL.B integrated (Hons.) course and five year B.Com LL.B(Hons.) course and fresh approval to its Faculty of Law (Legal Studies), Mangalayatan University for running Three Years LL.B (Hons) Course with intake of two sections of 60 students in each section, five year BA LL.B integrated (Hons) course with intake of two sections of 60 students in each section and five year B.Com LL.B (Hons) Course with intake of two sections of 60 students in each section for a period of two years i.e. for the academic years 2021-2022 and 2022-2023.

Sir,

This is to bring to your kind knowledge that the Standing Committee of Bar Council of India by virtue of its meeting held on 9th January, 2021 considered the matter of fresh recognition as well as fresh approval to three LL.B(Hons.) course, five year BA LL.B(Hons.) course and five year B.Com LL.B(Hons.) course to Mangalayatan University, Jabalpur, Madhya Pradesh.

The Committee found that the CLE has 27 class rooms but none of the class rooms meet the required criteria of minimum size i.e. 850 sq ft. It should make at least 12/13 class rooms operational of the aforesaid minimum size by the end of may 2021 and that the remaining class rooms should also be ready for their use in the next academic session i.e. 2022-2023.

With regard to the faculty, at present CLE has 18 law teachers and according to the standing committee, the strength of 18 law teachers is sufficient for the academic session 2021-2022 but it has to increase the law faculty by appointing 8 more law teachers for the next academic session i.e. 2022-2023 by 30th of May, 2022 and then 6 law teachers for academic 2023-2024 and the same strength for the next academic session i.e. 2024-2025. At the same time CLE is required to appoint three commerce teachers, two social science teachers, one history teacher and one sociology teacher by 30th of May 2022. After meeting all these requirements CLE should submit its compliance report to BCI for admitting the students for academic year 2021-2022. Any lapse in this regard shall be taken seriously for putting restraint on CLE for admitting the students for the aforesaid courses for which the approval is asked for.

An undertaking of complying with all the conditions in this regard, by way of duly notarized affidavit has to be filed by the College within four weeks and compliance of what is done by then must be mentioned therein.

Thereafter, further as and when actual compliance is done within the stipulated period another affidavit/s has/have to be filed, along with supporting documents.

After consideration of the matter, and subject to the undertaking and complying with conditions which have been enumerated herein, and subject to further conditions, fresh Recognition to Mangalyatan University, Jabalpur, Madhya Pradesh as per Section 7(1)(i) of the Advocates Act, 1961 for the purpose of conferring the degrees of law in three year LL.B (Hons.) course, five year BA LL.B integrated (Hons.) course and five year B.Com LL.B(Hons.) course and fresh approval to its Faculty of Law (Legal Studies), Mangalayatan University for running three Years LL.B (Hons) Course with intake of two sections of 60 students in each section, five year BA LL.B integrated (Hons) course with intake of two sections of 60 students in each section and five year B.Com LL.B (Hons) Course with intake of two sections of 60 students in each section for a period of two years i.e. for the academic years 2021-2022 and 2022-2023 is hereby granted.

You are requested to kindly note that you will be required to seek extension of approval of affiliation for imparting three year LL.B course from the next academic year onwards by way of filing an application in such respect.

Kindly note that if any, guarantee fee, and/or fee under any head is due and unpaid, the same shall be required to be paid upon being intimated of the same.

You may kindly bear in mind that the Bar Council of India is the sole and supreme sanctioning authority for seats and as a general rule it does not allow any supernumerary quota of seats for law degree courses, over and above the sanctioned strength of seats and whatever reservation of seats is to be done by the University as a general rule has to be done within sanctioned strength of seats.

Further kindly ensure to furnish authenticated and signed bank statements of salary transferred to your faculty and also Indian Bar Review and other minimum Library requirement purchase receipts, failing which the Center of Legal Education shall be liable to the natural consequences, which may include revocation of recognition/approval granted.

Specific conditions imposed by the inspection team and approved by the Committee required to be complied with :-

1. CLE should recruit more law faculties with minimum qualification of LLM (with UGC NET/Ph.D) on full time basis with UGC scale. CLE should give salary to all of its teachers as per UGC scale and through bank transfer only.
2. University must appoint a qualified Head/Dean for this CLE and CLE must maintain student and core faculty ratio at 40:1.
3. CLE to ensure that only those students are allowed to appear in End Semester tests who do not fail to attend minimum number of classes/moot court/practical training etc in terms of rule 12 of Chapter II of Legal Education Rules, 2008 and also to maintain credible record reflecting such attendance.
4. CLE must appoint well qualified Librarian having work experience of law library before commencement of academic session. Library of CLE should properly be maintained and CLE should buy more text books of latest edition worth minimum of Rs Five (05) Lacs relating to new proposed courses.
5. The CLE management must purchase Indian Bar Review and set of selected judgments on professional Ethics as published by the Bar Council of India Trust.
6. CLE should improve the existing set up including seating arrangements and should also bring three (3) wooden crown chairs for judges within 30 days from the date of approval.
7. CLE to put its' Moot Court under the management of some senior Professors and a regular practicing advocate and to maintain a regular record of all its activities. Moot Court exercise to be done on regular basis to ensure that each student participates in it. CLE to ensure that moot court exercises, court visits and internship in terms of clause 24 of Part II (B) of Schedule III of Rules of Legal Education, 2008 are done on regular basis.
8. Free legal aid services to be provided by CLE to public at large of the locality by adequate publicity in collaboration with the District Legal Services Authority.
9. Girls Common Room needs to be improved regarding security & privacy of girl students of CLE.
10. CLE should make all provisions including construction of ramp & lift in its building to make it more friendly & convenient for the physically challenged persons as it is mandatory for all academic institutions considering right to access of physically challenged students vide guidelines issued by the Hon'ble Supreme Court.

Further, the University/College must specify the timing of the college which has not been given. College should also maintain the timing which has to be minimum 5 ½ hours with half an hour break.

College is directed to file an affidavit to the Bar Council of India within four weeks mentioning the timing of the classes. The relevant rules of Legal Education which are mandatory to be ensured are as follows :-

Rule (xxiii), Chapter I

“(xxiii) “Regular Course of Study” means and includes a course which runs for at least five hours a day continuously with an additional half an hour recess every day and running not less than thirty hours of working schedule per week.”

Rule 5 of Schedule III

“Classes may be conducted between 8 a.m. to 7 p.m. in a Centre of Legal Education, which is not fully residential. However the Library may remain open till 10 p.m.”

Further, the institution should follow the attendance rule and file affidavit that they are following the aforesaid rule. The next inspection team shall also see whether the said rules are being followed by the university or not. The relevant Rule 12 is given below :-

“12. End Semester Test: No student of any of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorized representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India.”

University/College should also admit students as per the below mentioned Rule:

7. Minimum marks in qualifying examination for admission: Bar Council of India may from time to time, stipulate the minimum percentage of marks not below 45% of the total marks in case of general category applicants, 42% for OBC category and 40% of the total marks in case of SC and ST applicants, to be obtained for the qualifying examination, such as +2 Examination in case of Integrated Five Years' course or Degree course in any discipline for Three years' LL.B. course, for the purpose of applying for and getting admitted into a Law Degree Program of any recognized University in either of the streams.

Provided that such a minimum qualifying marks shall not automatically entitle a person to get admission into an institution but only shall entitle the person concerned to fulfill other institutional criteria notified by the institution concerned or by the government concerned from time to time to apply for admission.

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University/College to follow Clause-24, Schedule-II of Legal Education Rule-2008 lays down Moot Court exercises and Internship; Clause-25, Schedule-III lays down Minimum period of Internship which is quoted hereunder. **However, during the pandemic period, it has been left open to the University to choose any alternative mode with respect to the same, owing to practical feasibility of the same.**

24. Moot court exercise and Internship:

This paper may have three components of 30 marks each and a viva for 10 marks.

(a) Moot Court (30 Marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks):

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d)The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

25. Minimum Period of Internship: (a) Each registered student shall have completed minimum of twelve weeks internship for Three Year Course stream and twenty weeks in case of Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

(b) Each student shall 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 total mark shall be assessed in

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the Final Semester of the course in the 4th Clinical course as stipulated under the Rules in Schedule II.

University/College should also follow Rule-10 of Legal Education Rules 2008 which is quoted hereunder :-

10. Semester system

The course leading to either degree in law, unitary or on integrated double degree, shall 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.

Provided further that in case of specialized and/or honours law 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.

Provided further that Universities are free to adopt trimester system with appropriate division of courses per trimester with each of the trimester not less than 12 weeks.

College/University should also follow Rule 17 and Rule 18 of Schedule III of Legal Education Rules 2008 which is quoted hereunder :-

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 Honour 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.

Rule -18 Minimum weekly class program per subject (paper):.

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.

For the present moment authenticated signed and certified Bank Statements bearing bank stamp/seal and signature of the bank manager for a period of three months with effect from the date of receipt of this letter for the preceding period of three months must be furnished immediately.

This must be continued to be submitted every three months without fail.

Kindly ensure to comply with all the above stipulated and all other requisite Rules of Legal Education 2008 by way of compliance by way of duly notarized affidavit by attaching adequate documentation proof with the same with a period of 4 weeks for being eligible to be issued further Approval for further subsequent academic years.

This letter is subject to final approval/confirmation of the Legal Education Committee and General Council of the Bar Council of India.

You are also requested to attach a copy of this letter with your compliance report/reply.

It is suggested that all information should be provided to Bar Council of India both in hard and soft copy/pen-drive and by email at complianceaffiliationle@gmail.com.

This is for your information and necessary action.

Ashok Kumar Pandey
Joint Secretary
HOD, Legal Education Dept.
Bar Council of India

Yours sincerely,

Srimanto Sen
Secretary
Bar Council of India

1/10/20