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# 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:** 1058 **/2018 (LE/Std. 4/5.8.2018)** **09.08.2018**

**The Registrar,**
**University of Mumbai,**
**M.G. Road, Fort,**
**Mumbai – 400 032**
**Maharashtra**

**Interim Consent Letter**

**Sub: Fresh approval of affiliation to Sanskar Sarjan Education Society's Dhirajlal Talakchand Sankalchand Shah College of Law, Malad East, Mumbai, Maharashtra for imparting three year LLB course with intake of one section of 60 students for the academic year 2018-19.**

Sir,

The Standing Committee of the Bar Council of India at its meeting held on 4th and 5th August, 2018 considered the inspection report of Sanskar Sarjan Education Society's Dhirajlal Talakchand Sankalchand Shah College of Law, Malad East, Mumbai, Maharashtra submitted by the inspection team.

As per the inspection report the college has to submit an affidavit and undertaking to make an exclusive earmarked floor for the law college. The college has filed this affidavit which is placed before the Committee today complying the same. The reply also suggest that there is already a Principal of the college but designation was not recorded therein.

In view of the above, **Sanskar Sarjan Education Society's Dhirajlal Talakchand Sankalchand Shah College of Law, Malad East, Mumbai, Maharashtra** be granted **fresh approval of affiliation** for imparting **three year LL.B course** with intake of **one section of 60 students** for the academic year **2018-19**.

**The University/College is directed to also fulfill the following conditions, failure of which may lead to subsequent necessary and proper action being taken in this regard :-**

1. College should submit an Affidavit having an undertaking to make an exclusive earmarked floor for the law college.
2. Library size and specification should be improved as per BCI norms.
3. Moot Court Room should be modified as per the BCI Rules.
4. Legal Aid Clinic should be shifted on Ground Floor.
5. Two single beds be provided in Girls Common Room.

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Gen. Inward No.: 3C/137
Recd. on : 11/8/18
Jr. Clerk :
Head Clerk : 11/08/2018
Superintendant :
Principal : 11/8/18
Remarks : Pradeep

6. New Bank Account to be jointly operated by the Principal and Management should be opened in 15 days.

7. The Institution is directed to establish the Legal Aid Centre as per Clause-11, Schedule-III of Rule-11 of the Part-IV of the Legal Education Rules – 2008.

8. Institution should ensure the payment of salary to teachers as per Rules 22 schedule III, Part IV of BCI Rules.

9. The library should be furnished as per Clause 15 of Schedule III of Legal Education Rules 2008 given below :-

**Minimum Library requirement: To start with, a Law Library shall have a set of AIR manual, Combo offer of CD of AIR Pvt. Ltd. (containing electronic version of AIR Supreme Court and High Court Data bases Research 1950-2015 (four connections each) Cr. L.J. Data Base 1950-2015(four connections) AIR Privy Council Data Base 1900-1950 (four connections) AIR Mannual latest 6th Edition(1-45 Vols.) AIR Journal 2015, Cr. L.J. 2015, L.I.C. 2015, AIR Civil Cases 2015, AIR Law Lines 2015, AIR Cheque Dishonour Reports 2015, AIR Accident Claims and compensation 2015, Institution shall get electronic versions updated every year by AIR Pvt. Ltd. Central Acts and Local Acts, Criminal law journal, SCC, Company cases, Indian Bar Review, selected Judgements on Professional Ethics and Journals with the back volumes for at least ten years and also such number of text books in each subjects taught during the period according to the minimum standard ratio of ten books for each registered students. For running integrated program, text books of such other subjects are also to be kept in the similar minimum ratio.**

10. The institution should keep in mind that 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 which is stipulated by Bar Council of India, Legal Education Rules 2008 framed under a Parliament Act.

11. The institution is directed to make a minimum investment as provided below for upgrading it's library as per the following guideline :-

***"Today with the increasing cost of journals, books, wi-fi, e-library and online facilities including I.T. facilities, the minimum investment by each university should be Rs. 10 lakhs for each year. However for any university/deemed university in 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."***

12. Teacher Student ratio shall be as per Schedule-III, Rule-11, Clause-17, Part-IV of Bar Council of India Rules.

13. Institution is directed to inform the timings of the classes.

14. A Centre of Legal Education must ensure that not less than three percent seats are reserved for persons with disabilities.

15. Centre of Legal Education shall equip itself to provide appropriate facilities in terms of the physical infrastructure, academic

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infrastructure and any other facilities required for the effective participation of disabled students, teachers and staff in their respective activities. For e.g. (a) ramps in public buildings and (b) Braille symbols and auditory signals in elevators or lifts.

The same shall be verified during the next inspection.

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 six weeks mentioning the timing of the classes.** The relevant rules are quoted hereunder :-

**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 reply that they are following the aforesaid rule. The next inspection team must also see whether the said rule is 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**

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**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.**

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.

***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***

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***evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4th Clinical course as stipulated under the Rules in Schedule II.***

**Institution should submit affidavit in compliance of the above conditions within six weeks.**

The University/College shall also comply with the following Rule of the Bar Council of India (Clause (iii) and Explanation 2 of Schedule IV in Part IV of new rules of the Bar Council of India):-

> ***"Whenever approval of affiliation is granted to the Centres of Legal Education, it shall be necessary for the Centres of Legal Education to deposit Rupees Five Lakh in shape of guarantee to fulfill all the norms of the Bar Council of India. The same shall be liable to be forfeited if norms are not complied with and same shall carry no interest."***
>
> The letter is subject to the payment of guarantee amount as mentioned in the above rule.

University/College authorities are also required to apply before the Bar Council of India for further extension of approval six months in advance before expiry of the period of approval of affiliation granted by the Bar Council of India. i.e. on or before 31st December, 2018 in respect of three year LL.B course with the requisite inspection fee of **Rs. 3 lakhs** per course (for normal course) and application fee of Rs. 50,000/- by way of demand draft to be drawn in favour of Bar Council of India, payable at New Delhi.

**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.**

**Very Important :-** Please henceforth ensure to send any compliance affidavit/reply and affiliation orders separately to **complianceaffiliationle@gmail.com**, apart from copying it to **dlebci@gmail.com**. Please do not send any e-mail/s to **legaleducationdepartmentbci@gmail.com**.

**For any other query/ies you can send an e-mail to dlebci@gmail.com**

This is for your information and necessary action.

**(N. Senthil Kumar)**
**Asstt. Secretary**
**Head of the Deptt.**

**Yours Sincerely,**

**(Srimanto Sen)**
**Secretary**

**Copy to:-**

1. **The Principal,**
   **Sanskar Sarjan Education Society's**
   **Dhirajlal Talakchand Sankalchand**
   **Shah College of Law,**
   **Kurar Village, Malad East,**
   **Mumbai – 400 097, Maharashtra**
   **e-mail : principal@sanskarsarjan.org**

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