



# RAMA UNIVERSITY

www.ramauniversity.ac.in

## FACULTY OF JURIDICAL SCIENCES

**SUBJECT:** Professional Ethics and  
Professional Accounting System

**SUBJECT CODE:** BAL 704/BBL704/ LL.B. 503

**LECTURE:** 18

**NAME OF FACULTY:** Ms. Anjali Dixit

Assistant Professor

# Lecture-18



**Structure of Bar Council of India**

## LECTURE 18 : Structure of Bar Council of India

### **STRUCTURE OF THE BAR COUNCIL OF INDIA**

The Bar Council of India consists of 18 Members. The Attorney General of India and the Solicitor General of India are Ex-officio Members of the council and the other 16 Members represent the 16 State Bar Councils in the country. The Members are elected for a period of five years and the Chairman and Vice -Chairman are elected for a period of two years from among the Members of the Bar Council of India. The Bar Council further consists of various committees viz., Legal Education Committee, Disciplinary Committee, Executive Committee, Legal Aid Committee, Advocates Welfare Fund Committee, Rules Committee and various other Committees formed to look into specific issues arising from time to time.

### **FUNCTIONS OF BAR COUNCIL OF INDIA**

The Bar Council of India was established by Parliament under the Advocates Act, 1961. The following statutory functions under Section 7 cover the Bar Council's regulatory and representative mandate for the legal profession and legal education in India:

1. To lay down standards of professional conduct and etiquette for advocates.
2. To lay down procedure to be followed by its disciplinary committee and the disciplinary committees of each State Bar Council.
3. To safeguard the rights, privileges and interests of advocates.
4. To promote and support law reform.
5. To deal with and dispose of any matter which may be referred to it by a State Bar Council.
6. To promote legal education and to lay down standards of legal education. This is done in consultation with the Universities in India imparting legal education and the State Bar Councils.
7. To recognize Universities whose degree in law shall be a qualification for enrolment as an advocate. The Bar Council of India visits and inspects Universities, or directs the State Bar Councils to visit and inspect Universities for this purpose.
8. To conduct seminars and talks on legal topics by eminent jurists and publish journals and papers of legal interest.
9. To organize legal aid to the poor.
10. To recognize on a reciprocal basis, the foreign qualifications in law obtained outside India for the purpose of admission as an advocate in India.
11. To manage and invest the funds of the Bar Council.
12. To provide for the election of its members who shall run the Bar Councils.

The Bar Council of India can also receive grants, donations, and gifts for any of these purposes. With respect to the point 6, (stated above) the Supreme Court has made it clear that the question of importing legal education is entrusted to the Universities in India and not to the Bar

Council of India. All that the Bar Council can do is to suggest ways and means to promote such legal education to be imparted by the Universities and for that purpose it may lay down the standards of education. Sections 7 do not entitle the Bar Council itself to frame rules laying down pre-enrolment as Advocate.

In Raveendranath Naik v. Bar Council of India, the resolution passed by the Bar Council of India directing advocates not to participate in any programme organized by the Legal Services Authorities in any LokAdalat or any legal aid programme has been held illegal and void. In Ex-Captain Harish Uppal v. Union of India, the court held that section 7 provides in respect of the functions of the Bar Council of India, but none of its functions mentioned in section 7 authorizes it to paralyze the working of the Courts. On the contrary it is enjoined with a duty to lay down standards of professional conduct and etiquette for advocates. No Bar Council can ever consider giving a call of strike or a call of boycott. In case any association calls for a strike or boycott the concerned State Bar Council of India must immediately take disciplinary action against the advocates who gives a call for a strike. It is the duty of every advocate to ignore a call of strike or boycott.

### SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)	Option (c)	Option (d)
1	The Bar Council of India consists of ..... Members	15	17	18	None of the Above
2	The Attorney General of India and the Solicitor General of India are .....of the council	Ex-officio Members	Permanent	Temporary	None of the Above
3	The Bar Council of India was established by .....	Parliament	State assembly	By statutes	None of the Above
4	The Bar Council of India was established by Parliament under the.....	Advocates Act, 1961	Advocates Act, 1965	Advocates Act, 1971	None of the Above
5	The question of importing .....is entrusted to the Universities in India and not to the Bar Council of India	legal education	Professional education	Simple education	None of the Above

**Answers: 1-(c),2-(a), 3-(a),4-(a),5-(a)**