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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:2276 : 2024 (LE/App/afflin) **28.10.2024**

1.	**The Registrar, Quantum University, Roorkee-Dehradun Highway, NH 73, 22 KM Mile Stone, Village Mandawar, PO Chhutmalpur, Roorkee, Uttarakhand**
2.	**The Prinipal/ Head of the Deptt., Quantum University, Roorkee-Dehradun Highway, NH 73, 22 KM Mile Stone, Village Mandawar, PO Chhutmalpur, Roorkee, Uttarakhand**

Sub: Extension of provisional approval of affiliation to Quantam University, Mandawar, Chhutmalpur, Roorkee, Uttarakhand for imparting five year BA LL.B (H) integrated degree course and five year BBA LL.B (H) integrated degree course intake of two sections of 60 students in each course for a period of one year i.e. for the academic year 2024-2025.

Sir/Ma'am,

This is with reference to above mentioned subject regarding extension of provisional approval of affiliation to **Quantam University, Mandawar, Chhutmalpur, Roorkee, Uttarakhand** which has already applied for extension of approval of affiliation for the academic year 2024-2025.

This is to bring to your kind knowledge that the following resolution was passed on 5th May, 2024 by the General Council of the Bar Council of India with respect to grant of provisional approval of-affiliation, to existing Centers of Legal Education/Colleges, whose approval cum regular inspection fee has been deposited, application of extension of approval of affiliation is pending, but no inspection could be done or the inspection has been done, but inspection report could not be placed before the Legal Education Committee or the Standing Committee for the academic year 2024-2025.

"RESOLVED that with respect to existing Centers of Legal Education/Colleges, whose inspection fee has been deposited, application for extension of approval of affiliation is pending, no inspection could be done or the inspection has been done, but inspection report could not be placed before the Legal Education Committee or the Standing Committee for its consideration, such Centers of Legal Education/Colleges may continue to admit students only for the academic year 2024-2025.This will apply only in case where affiliation has

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been granted by the University. Such provisional approval shall be subject to any decision taken after the inspection of the CLE is done by the Bar Council of India subsequently

You are hereby allowed to admit students in imparting five year BA LL.B (H) integrated degree course and five year BBA LL.B (H) integrated degree course intake of two sections of 60 students in each course for a period of one year i.e. for the academic year 2024-2025.

AN AFFIDAVIT THAT THE CENTRE OF LEGAL EDUCATION IS COMPLYING WITH THE BELOW STIPULATED NORMS, RULES, REGULATIONS AND MANDATORY GUIDELINES OF BAR COUNCIL OF INDIA AS WELL AS WITH ALL THE ENUMERATIONS STIPULATED IN THE ATTACHED CIRCULARS(WITH THIS LETTER) BEARING NOS. BCI: D: 465/2024 DATED 24.01.2024(ANNEXURE-B), BCI: D: 468/2024/CIR-006/2024(LE) DATED 20.05.2024(ANNEXURE-C), BCI: D: 469/2024(LE/CIR.007) DATED 21.05.2024 (ANNEXURE-D)AND BCI:D:525/2024 (LE CIRCULAR NO. 008/2024) DATED 30.05.2024(ANNEXURE-E) AND SHOW CAUSE NOTICES AND COMPLIANCE LETTER REFERREDTO IN ANNEXURE-A, ATTACHED TO THIS LETTER MUST BE SUBMITTED TO THE BAR COUNCIL OF INDIA WITHIN 15 DAYS OF THE RECEIPT OF THIS LETTER FAILING WHICH, THEIR APPLICATION FOR FURTHER EXTENSION OF APPROVAL OF AFFILIATION SHALL NOT BE CONSIDERED AND IF APPROVAL, IS GRANTED FOR THE ACADEMIC SESSION 2024-2025, THE SAME MAY BE WITHDRAWN TOO.

The provisional approval of affiliation shall be conditional and is subject to compliance as per circular dated 05.02.2020 bearing No.BCI:D:158 (LE:Circulation No.01/2020), issued to all Centers of Legal education, as per the extended time of such compliance, whereby every Centre of Legal Education/college is required to submit a certified authenticated bank statement bearing bank stamp, date and signature, mandatorily with respect to the salary/ies being disbursed to all the teachers/faculties every three months with effect from March, 2022 on a regular basis, unless specifically sought at other intervals, and also furnish list of teachers with qualifications as per BCI and UGC Rules, and further furnish proof/receipts of fulfillment of minimum library requirements, as enumerated under Schedule-III, Rule-15, Minimum Library requirements of Legal Education Rules-which is the sine qua non of a Centre of Legal Education. Certain show cause notices and compliance letters had also been issued specifically to certain Centers of Legal Education/Colleges, with conditions mentioned therein, which have to be complied too as per the time stipulations therein, and if they have not been complied with they must be complied with immediately.

The last date for compliance of the above referred circular has expired on 31st August, 2022. It was extended from time to time due to the pandemic. As a last opportunity, ensure to comply with the same, otherwise the provisional approval of affiliation being issued herewith may be withdrawn.

➤ ***You may kindly bear in mind that the Bar Council of India is the sole and supreme sanctioning authority for seats and 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 done by the University under whichever quota as a rule has to be done within sanctioned strength of seats. The only supernumerary quota, as of now permitted by the Bar Council of India, is 10 percent seats in EWS quota over and above the sanctioned strength of seats allotted/approved by BCI and that too, is subject to adequate infrastructure and qualified faculty to accommodate the supernumerary seats. The same is required to be***

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adhered to. If there is any default on such part and the same is discovered subsequently, action shall ensue.

- *The CLE is advised to declare the same voluntarily for consideration of the same in a manner which will not be detrimental to interests of the students admitted, if any, over and above the sanctioned seats as a one time opportunity. The same shall not be construed to be applied prospectively.*

- *It is pertinent to point that no University in India can offer a 4 year LL.B or integrated LL.B, followed by a 1 year LL.M in tie up with a foreign University under the present BCI regulations. Such a Law degree, nor the post qualification after it, is recognised by Bar Council of India. The BCI only recognizes the pattern of a 12th class +3 (graduation in any stream+3 (year Law degree) and/or a 12 + 5 year integrated law degree.*

- *While exchange programs of teachers and students have been undertaken by Centres of Legal Education including, Law Universities in India, Dual Degrees or joint Degrees with Foreign Universities have not been permitted or recognized by BCI. It is essential to emphasize that any foreign collaboration involving legal education institutions, must strictly adhere to the regulatory framework established by the Bar Council of India. It cannot compromise on the quality of legal education mandated by the BCI It's worth noting that unless a degree is recognized by the BCI in India, it holds no validity within the country. Therefore, a degree obtained from an Indian University, being recognized solely in a foreign jurisdiction, without recognition in India, would be of no consequence to the university or its students.*

- *Recognition and approval of law degrees are exclusively within the purview of the Bar Council of India. Consequently, if, upon thorough evaluation it is determined Law degrees are being issued by Universities against the rules and norms of Bar Council of India, recognition of such degree/s shall be withdrawn and such degree holders shall not be entitled to be enrolled in any State Bar Council in India.*

- *BCI and it's Legal Education Committee have time and again reiterated, stated and clarified, that it does not recognise LL.B and/or LL.M or any Law degree course through online mode, correspondence, open and/or distance learning mode.*

- *It has further come to the attention of the Bar Council of India and its Legal Education Committee that certain institutions are offering Master of Arts (MA) programs with a Law subject, in open and distance learning mode, or online mode which attempts to mimic the structure and content of a Master of Laws (LL.M.) program. Upon careful examination, it has been observed that such an endeavour is beyond the scope and intent of a Master of Arts Degree and is deemed impermissible. It is hereby clarified that such MA degrees will not be recognized by the BCI as equivalent to a Master of Laws (LL.M.) degree and for the purpose of teaching of LL.B. Course.*

- *It is crucial to clarify that the designation "MA" signifies "Master of Arts," whereas "LL.M." represents "Legume Magister," a Latin term denoting a "Master of Laws" Degree. The distinction between these two titles is significant, as an LL.M. degree is specifically tailored for graduates of law programs, whereas an MA degree encompasses a broader range of academic disciplines and is separate and distinguished*

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from Master of Laws Degree. It is a deliberate attempt to bypass LL.M. in such a manner.

- *The BCI emphasizes that an MA degree with a Law subject does not confer the same benefits or privileges as an LL.M. degree. Individuals holding an MA degree in Law will not be entitled to the benefits typically associated with possessing an LL.M. degree, nor will they be eligible to teach in LL.Bdegree programs. Pursuit of legal education at the postgraduate level, in the form of an LL.M. degree, is restricted to individuals who have completed their undergraduate legal studies while it is clarified that any specialized branch of law offered at the master's level, without the LL.B./BA.LLB qualification as the requisite entry-level credential, shall not be recognised as equivalent to an LL.M. degree.*

- *It is imperative for all stakeholders in the legal education sector to understand that the distinction between an MA degree and an LL.M. degree is significant. An MA degree with a Law subject does not fulfil the requirements for recognition by the BCI as a qualification equivalent to an LL.M. degree.*

- *This serves to clarify the position of the BCI on the recognition of MA degrees with a Law subject and to prevent any misconceptions regarding their equivalence to LL.M. degrees.*

- *The BCI and its Legal Education Committee has further also observed that running an MA (with Law subject) by any such mode is an attempt to mimic an LL.M, which is also not permitted by such mode.*

- *It has also been brought to the notice of Bar Council of India that some entities claiming to be Centre of Legal Education are offering courses through distance education/correspondence mode, under the nomenclature of the degree of LL.M. or LL.M. professional, where anyone even without LL.B. can get an LL.M. degree, and, the same persons are also getting registered for Ph.D., appearing for UGC NET etc. thereby diluting quality of legal education.*

- *This is an illegal practice and Bar Council of India shall not hesitate in taking stringent action against such centres.*

- *As per the order of the Hon'ble Supreme Court of India dated 29.08.2019 passed in Writ Petition (Civil) No.1510 of 2018, titled as Vinit Garg Vs. University Grants Commission and as per the earlier order of Hon'ble Supreme Court of India dated 03.11.2017 passed in Civil Appeal Nos.17869-17870, arising out of SLP No. 19807-19808/2012 in the case of Odisha Lift Irrigation Corp Ltd. Vs Ravi Shankar Patro&Ors., the Hon'ble Supreme Court has held that an University has to obtain permission from the concerned regulatory body for initiating/starting, opening and conducting any distance learning course/s.*

- *As per UGC Regulations 4(A)(iv), (Open and Distance Learning Programmes & Online Programmes) Regulations, 2020, the Higher Educational Institution must have the approval or recommendations of the statutory or regulatory authority, in this case, the Bar Council of India (BCI), for offering law programs in Open and Distance Learning mode or Online mode.*

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- *Explanation: Programmes as mentioned at clause (iv) shall be considered only when these are recommended by the respective statutory or regulatory authority or regulatory council to offer in Open and Distance Learning mode or Online mode, as applicable....."*

- *Furthermore, the Distance Education Bureau under UGC explicitly prohibits courses in engineering, law, medicine, dental, pharmacy, nursing, architecture, physiotherapy, applied arts, and other such programs from being offered through online mode without approval from the respective statutory or regulatory bodies.*

- *Some Universities, including some reputed Universities are running such programs in flagrant violation of clear directives and guidelines as stipulated above and without even having made a request or application to BCI in this regard. It is categorically made clear, such programs have no recognition and/or approval from BCI.*

- *CLE's must ensure to comply with these directives, failing which necessary action will ensue.*

An affidavit/undertaking to comply with the conditions mentioned above shall be required to be submitted by way of duly notarized affidavit within 15 days of receipt of this letter by way of hardcopy and also by way of scanned copy at complianceaffiliationle2@gmail.com with heading- COMPLIANCE TO PROVISIONAL APPROVAL-REQUIREMENTS.

It is made clear that if any Centre of Legal Education, does not comply to above then their application for further extension of approval shall not be considered and, if, approval is granted for the academic session 2024-2025, it may be withdrawn.

Please be aware that compliance with all conditions and the Rules of Legal Education is mandatory. Any discovered shortcomings or deficiencies, including those detected from portal registrations and forms, may lead to the withdrawal of approval granted to the CLE. Such deficiencies will also render the CLE ineligible to admit students in the next academic session.

Additionally, the CLE may receive further compliance directives and may be subject to both surprise and scheduled inspections. To maintain your approval and affiliation, ensure full adherence to all Rules and Regulations of Legal Education

- **Universities who have not yet completed one time online registration on the basis of the link/s sent on their official email id's are required to fill the registration form, & upload registered documents and photographs within a period of 21 days, failing which appropriate action will ensue.**

The compliances and pending fee/ any other fee which may be payable in future may be kindly ensured to be complied with as and when intimated in the future.

- **Note – Kindly ensure to submit English translation of all documents being furnished by you in Hindi or in any other regional language to BCI.**

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- **Note- In accordance with the Council resolution passed on February 20, 2022, the refundable guarantee amount per course, is set at Rs. 5 lakh. Additionally, (C.L.E.'s) who had previously deposited a guarantee fee of Rs. 2 lakhs are now required to pay the remaining Rs. 3 lakhs to meet the total guarantee fee of Rs. 5 lakhs for a single course. For each additional course, the guarantee fee stands at Rs. 5 lakhs per course.**

- **Very important: - Please, henceforth ensure to send any compliance affidavit/reply and affiliation orders separately to complianceaffiliationle2@gmail.com, apart from copying it to dlebci@gmail.com. Please do not send any email/s to proledepartment@gmail.com.**

For any other query/ies you may send e-mail/s to dlebci@gmail.com

This is for your information and necessary compliance and action.

Yours sincerely,

(Nalin Raj Chaturvedi)
Joint Secretary, BCI
Additional Charge
[Legal Education Department]

(Srimanto Sen)
Secretary

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