



RAMA UNIVERSITY

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FACULTY OF JURIDICAL SCIENCES

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Lecture-19



COMMITTEES OF BAR COUNCIL OF INDIA

LECTURE 19 Committees of BAR COUNCIL OF INDIA

COMMITTEES OF BAR COUNCIL OF INDIA

The Bar Council of India has various committees that make recommendations to the Council. The members of these committees are elected from amongst the members of the Council. The Advocates Act mandates the creation of a Disciplinary Committee (under section 9), a Legal Education Committee, and an Executive Committee (under section 10). Chapter III of the Bar Council of India Rules permit the Council to appoint from amongst its members, one or more committees in addition to those specified in the Act. The Council can delegate powers, duties, and functions to these committees. The term of the members of the committees of the Council has been specified in Chapter III of the Bar Council of India Rules. A different term can be specified at the time of election.

LEGAL EDUCATION COMMITTEE

The Legal Education Committee consists of five members of the Bar Council of India and five coopted members to represent the judiciary, the Law Ministry, the University Grants Commission, and academia. This committee makes recommendations to the Bar Council of India on all matters pertaining to legal education in the country. The committee elects its own Chairman.

The Legal Education Committee has the power:

- To make recommendations to the Council for laying down the standards of legal education for Universities.
- To visit and inspect Universities and report the results to the Council.
- To recommend to the Council the conditions subject to which foreign qualification in law obtained by persons other than citizens of India may be recognised.
- To recommend to the Council for recognition of any degree in law of any University in the territory of India.
- To recommend the discontinuance of recognition of any University already made by the Council.

DISCIPLINARY COMMITTEE

The disciplinary committee of the Bar Council of India hears applications for revision by persons against summary dismissal of their complaints against advocates for professional misconduct, by the State Bar Councils.

Appeals lie before the Bar Council of India against orders of the disciplinary committees of the State Bar Councils. Every such appeal is heard by the disciplinary committee of the Bar Council

of India, which may pass an order, including an order varying the punishment awarded by the disciplinary committee of the State Bar Council.

Each disciplinary committee consists of three members. The term of the members of this committee is three years.

EXECUTIVE COMMITTEE

The Executive Committee is the executive authority of the Council, and is responsible for giving effect to the resolutions of the Council.

Members of the Executive Committee are elected from amongst the members of the Bar Council of India. The committee elects its Chairman and Vice-chairman.

The Executive Committee has the power:

- To manage the funds of the Council,
- To invest the funds of the Council in the manner directed by the Council from time to time,
- To grant leave to members of the staff, other than casual leave,
- To prescribe books of account, registers and files for the proper management of the affairs of the Council,
- To appoint and supervise the work of the members of the staff and prescribe their conditions of service
- To appoint auditors and fix their remuneration,
- To consider the annual audit report and place it before the Council with its comments for its consideration,
- To maintain a library and under the directions of the Council, publish any journal, treatise or pamphlets on legal subjects,
- To prepare and place before the Council, the annual administration report and the statement of account,
- To provide for proper annual inspection of the office and its registers,
- To authorise the Secretary to incur expenditure within prescribed limits,
- To fix travelling and other allowances to members of the committees of the Council, and to members of the staff,
- To delegate to the Chairman and/or the Vice-Chairman any of its aforementioned powers,
- To do all other things necessary for discharging the aforesaid functions.

The Bar Council of India has a lot of functions vested within itself, whereby exercising those functions it can restructure and reframe the entire legal arena in the country. In fact, it can be more predominantly envisaged that in modern times it has hardly contributed constructively in the improvement of law in India. There are certain loopholes in the legal arena in India today which the Bar Council must look into, in order to protect the law standard from degradation and to maintain the same standards.

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 areof 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 importingis 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)