

All India Bar Examination Rules, 2010¹

The Bar Council of India at its meeting held on 30th April, 2010 passed the following resolution—

Resolved that the Bar Council of India, being vested with the power of laying down conditions subject to which advocates shall have the right to practise the profession of law under the Advocates Act, 1961 shall conduct an All India Bar Examination, the passing of which would entitle the advocate to a Certificate of Practice which would permit him/her to practice the profession of law under the Advocates Act, 1961. The Bar Council of India, therefore, approves the rules framed by the Directorate of Legal Education for the conduct of the All India Bar Examination.

In view of the above resolution the following rules are framed and to be inserted as Rules, 9 to 11 in Part VI, Chapter III of the Bar Council of India Rules — Conditions for Right to Practice —under Section 49(1)(ah) of the Advocates Act, 1961.

9. No advocate enrolled under Section 24 of the Advocates Act, 1961 shall be entitled to practice under Chapter IV of the Advocates Act, 1961, unless such advocate successfully passes the All India Bar Examination conducted by the Bar Council of India. It is clarified that the Bar Examination shall be mandatory for all law students graduating from academic year 2009-2010 and onwards and enrolled as advocates under Section 24 of the Advocates Act, 1961.

The All India Bar Examination

10. (1) The All India Bar Examination shall be conducted by the Bar Council of India.

- (a) The Bar Examination shall be held at least twice each year in such month and such places that the Bar Council of India may determine from time to time.
- (b) The Bar Examination shall test advocates in such substantive and procedural law areas as the Bar Council of India may determine from time to time.
- (c) Such substantive/procedural law areas and syllabi shall be published by the Bar Council of India at least three months prior to the scheduled date of examination.
- (d) The percentage of marks required to pass the Bar Examination shall be determined by the Bar Council of India.

1. Bar Council of India, Resolution No. 73/2010, dated June 5, 2010, published in the Gazette of India, Part III, Section 4, dated 12th to 18th June, 2010, pp. 5839-5840, No. 24.

- (e) An unsuccessful advocate may appear again for the Bar Examination, without any limit on the number of attempts.
- (f) The Bar Council of India, through a committee of experts, shall determine the syllabi, recommended readings, appointment of paper setters, moderators, evaluators, model answers, examination hall rules and other related matters.
- (g) The Bar Council of India shall determine the manner and format of application for the examination.
- (h) Upon successfully passing the Bar Examination, the advocate shall be entitled to a Certificate of Practice.

Application for Certificate of Practice

11. (1) The Certificate of Practice shall be issued by the Bar Council of India to the address of the successful advocate within 30 days of the date of declaration of results.

(2) The Certificate of Practice shall be issued by the Bar Council of India under the signature of the Chairman, Bar Council of India.