BLOGS

Lawyers and Students Appeal Against New BCI Directives

Ruchika Mohapatra · 15 Oct 2024

Lawyers and law students have appealed against the BCI directives on background checks, biometric attendance, and declarations on simultaneous degrees and employment for law students across CLEs.

On September 24, 2024, the Bar Council of India (BCI) released a statement detailing the immediate implementation of several new protocols across all Centers of Legal Education (CLE).

These protocols include the establishment of a criminal background check system, mandatory declarations for students enrolled in multiple degree programs or other academic courses, verification of employment status, adherence to attendance norms, biometric attendance tracking, and the installation of CCTV cameras.

These regulations, spurred by recent judicial observations, aim to strengthen the monitoring of law students' behavior, attendance, and compliance with academic requirements.

Read More: BCI Mandates Implementation of Criminal Background Check System, Biometric Attendance and CCTV Cameras in Law Colleges

However, there has been unrest in the legal community since the directives were released. A group of lawyers, law professors, students, and concerned citizens have urged BCI Chairman Manan Kumar Mishra to promptly rescind the directives, labeling them as arbitrary and unconstitutional.

In an open letter, the critics labeled the notification arbitrary, unconstitutional, and impractical. They questioned the lack of clarity and transparency behind the BCI's directives, pointing out that no specific judicial observations were cited to justify the measures.

The letter emphasized that law students, unlike students from other fields, are being unfairly targeted with requirements like declaring criminal cases or ongoing FIRs, which they argue violate basic educational rights.

Concerns were also raised about privacy violations through biometric attendance and CCTV surveillance, citing the Supreme Court's *Puttaswamy* judgment on the right to privacy. Critics argued that such drastic measures are disproportionate to the problems being addressed, such as attendance monitoring, and could lead to misuse of sensitive personal data.

The letter further argued that withholding degrees for students who work part-time to support themselves, without declaring their employment status, penalizes those from economically disadvantaged backgrounds. The signatories urged the BCI to focus on improving the quality of legal education rather than enforcing such stringent and invasive rules.

In conclusion, the legal community called for the immediate withdrawal of the notification and recommended public consultations to address genuine issues with more practical and lawful solutions.

Check out the letter written to the BCI here!