

Justice Rajendra Menon
(Former Chief Justice, Delhi High Court)
Chairperson

Co-Chairman
Standing Committee of the Legal
Education Committee of the
Bar Council of India



Armed Forces Tribunal
West Block-8, Sector-1,
R.K. Puram, New Delhi-110066
Tel. : 011-26105363
Fax : 011-26105123

25th June, 2025

To

The Registrar General(s) / Registrar(s)
All High Courts of India

REF-BCI Communication No. BCID/851/2025 (CL), dated 10.02.2025, addressed to Registrar General of all High Courts, regarding the violation of Supreme Court mandates, BCI Regulations, and UGC norms through unauthorized online and distance LL.M. programmes.

SUBJECT- Unlawful Offering of LL.M. in Online/Blended Modes by Certain Universities in Violation of Supreme Court Judgments and the Advocates Act, 1961 & Request for Immediate Attention and Compliance

Sir/Ma'am,

1. This is to bring to your urgent attention a matter of critical importance concerning the integrity and statutory regulation of legal education in India. The Bar Council of India, in exercise of its statutory powers under the Advocates Act, 1961, in particular Section 7(1)(h) read with Section 49(1)(af), and in pursuance of binding judicial pronouncements of the Hon'ble Supreme Court of India under Article 141 of the Constitution, deems it necessary to communicate this advisory and caution regarding the unauthorized and illegal conduct of LL.M. programmes through online, distance, and hybrid modes by various institutions across the country.
2. It has come to the attention of the Bar Council of India and its Legal Education Committee and its standing Committee on Legal Education, through public advertisements, institutional brochures, and representations, that certain universities and private institutions, including those otherwise regarded as eminent, are offering LL.M. or similarly designated postgraduate law programmes through non-traditional delivery formats. These include online-only, blended, and open and distance learning modes, under nomenclatures such as LL.M. (Professional), M.Sc. in Cyber Law, Executive LL.M., and others, without obtaining the prior approval of the Bar Council of India as required under applicable law

contd...2

R

3. This conduct represents a serious breach of the existing legal framework. The Bar Council of India is the sole statutory authority under Indian law entrusted with laying down the standards of legal education, including postgraduate(LL.M) legal education. The LL.M. qualification is the minimum eligibility prescribed for teaching LL.B. programmes. No legal framework recognizes a bifurcation in which LL.B. is regulated by the Bar Council of India while LL.M. is independently governed by the UGC or individual universities.

4. The regulatory mandate conferred upon the Bar Council of India extends uniformly across undergraduate, postgraduate(LL.M) , and other branches of legal education, and is exercised in accordance with the Advocates Act, 1961 and the Legal Education Rules framed thereunder.

5. Section 7(1)(h) of the Advocates Act, 1961 mandates that the Bar Council of India shall promote legal education and lay down standards of such education. This obligation has been reinforced through authoritative pronouncements of the Hon'ble Supreme Court of India, including in Vinit Garg v. University Grants Commission, Writ Petition (Civil) No. 1510 of 2018, where it was clearly held that no institution or university is entitled to commence or continue any programme of study through online or distance mode without the prior approval of the statutory regulator governing that field.

6. In the case of Odisha Lift Irrigation Corporation Ltd. v. Ravi Shankar Patro and Others, Civil Appeal Nos. 17869-17870 of 2017, the Hon'ble Supreme Court reiterated that approval from the concerned regulator is mandatory even for institutions of national importance or those established under special statutes.

7. Despite these clear judicial mandates and legal provisions, certain institutions continue to offer LL.M. courses through distance and online modes and mislead the public through carefully crafted disclaimers. These institutions frequently insert vague statements indicating that the course is not equivalent to the BCI-recognized LL.M., while simultaneously and prominently using the nomenclature "LL.M." in their brochures, advertisements, and academic materials.

8. Such conduct constitutes a case of public misrepresentation, academic deception, and regulatory non-compliance. It also raises serious concerns regarding the misuse of nomenclature and the undermining of the statutory role of the Bar Council of India in maintaining the standards of legal education in India.

9. The Legal Education Committee of the Bar Council of India, as far back as 3rd May 2014, and thereafter the General Council, had categorically deliberated and declared that

contd...3

R

legal programmes offered through distance learning mode such as LL.M. in Criminal Law, Criminology and Forensic Science, LL.M. in International Trade Law and WTO, Masters in Corporate Law, and M.S. in Cyber Law and Cyber Security are impermissible. These decisions were formally communicated to the University Grants Commission. The position was further reiterated in subsequent policy meetings, including the joint meeting held on 17th October 2016 between representatives of BCI, UGC, AIU, and the Ministry of Education.

10. The BCI, after extensive discussions, reaffirmed in 2020 that online and ODL-based legal education is not comparable to traditional contact-based education. The absence of real-time, interactive legal discourse and sustained faculty-student engagement critically undermines the development of legal reasoning, argumentation, and analysis, essential competencies in the legal profession. This was deemed unacceptable for the purposes of training professionals who may go on to enter teaching, practice, or judicial service.

11. The UGC (Open and Distance Learning Programmes and Online Programmes) Regulations, 2020, under Regulation 4(A)(iv), mandates that any professional programme offered through ODL or online modes must have prior approval of the respective statutory regulatory authority. Legal education, being a regulated profession under the Advocates Act, falls exclusively within the purview of the Bar Council of India. Consequently, no institution may lawfully offer LL.B., LL.M., or similar programmes in law through online or distance learning formats without express BCI permission.

12. The Distance Education Bureau of UGC has consistently excluded professional disciplines such as law, medicine, and engineering from the list of approved online or distance programmes. The UGC's public notice bearing F. No. 1-12/2023 (DEB-I) dated 19th September 2023 made it unambiguously clear that legal education courses may not be offered through online or distance mode unless specifically approved by the BCI.

13. The Bar Council of India's own Legal Education (Post-Graduate, Doctoral, Executive, Vocational, Clinical, and Other Continuing Education) Rules, 2020, categorically prohibit LL.M. courses from being delivered through online or hybrid modes. Although these rules were challenged before the Hon'ble Supreme Court in Writ Petition (Civil) No. 70 of 2021 (Tamanna Chandan v. Bar Council of India), it is pertinent to note that no stay has been granted on these Rules. They continue to remain binding and fully enforceable. Moreover, regardless of the status of the rules and the court case, even independently of the same, here we are concerned exclusively with misleading courses under nomenclature of LL.M

contd...4

P

14. The Bar Council of India has also issued communications to the UGC on 10th February 2023 and 11th February 2023, clarifying that any such move to permit LL.M. programmes in online or ODL formats would amount to a violation of the Advocates Act and the Legal Education Rules. On 2nd October 2023, the BCI again reiterated to the UGC that the regulation of legal education is within the exclusive jurisdiction of the Bar Council of India and not subject to intervention under the National Education Policy which excludes legal education and medical education from its ambit and is a vision document rather than a statutory document, or from intervention by other general academic frameworks.

15. The BCI Circular No. BCI: D:468/2024 (LE Circular No. 6/2024) dated 20th May 2024 reinforced that legal education programmes such as LL.B. and LL.M. cannot be conducted through any form of online, distance, correspondence, or hybrid mode without the prior express approval of the Bar Council of India. The circular further clarified that any such programme will not be recognized for academic, employment, or professional purposes including eligibility for teaching LL.B. or registration for Ph.D. in Law.

16. It has further come to the notice of the Bar Council of India that some entities claiming to be Centres of Legal Education are offering LL.M. programmes under the guise of blended or hybrid formats. These programmes are essentially conducted online with only offline examinations, and do not require any formal academic leave from the candidate's professional employment. This directly violates the minimum academic rigour, full-time attendance, and immersive engagement required under the BCI Legal Education Rules. The absence of continuous academic interaction, classroom debate, and sustained faculty supervision disqualifies such a course from being considered valid legal education. It must be reiterated that the term "blended" or "executive" is often being misused merely to conceal what are functionally online programmes.

17. Legitimate LL.M. degrees demand structured academic delivery that includes full-time immersive coursework, continuous student-faculty engagement, and formal academic leave where necessary. Weekend-based or part-time formats lacking regular classroom presence cannot meet the pedagogical standards essential to a Master of Laws programme. As highlighted in comparative cases such as *A. Syed Ansari v. State of Tamil Nadu*, even one-year LL.M. degrees offered in regular full-time mode have been held as not equivalent to traditional two-year LL.M. courses, let alone diluted weekend or hybrid offerings that fail to meet even the baseline instructional benchmarks.

18. The use of nomenclatures such as "LL.M. (Professional)" or "Executive LL.M." has become a method to circumvent the statutory structure. This amounts to academic fraud and is contrary to the legislative intent behind the Advocates Act, 1961. Section 7(1)(h)

contd...5

P

and Section 49(1)(af) of the Act empower the Bar Council of India to prescribe standards for legal education and to determine which qualifications shall be recognised for enrolment and teaching. The LL.M. is not merely a private academic qualification, but a statutorily recognised degree for entry into teaching and advanced legal roles. Hence, the standards prescribed by BCI are not administrative directions but are enforceable statutory mandates.

19. It is essential to clarify that only a candidate who has successfully completed a qualifying degree in law, namely, a 3-year LL.B. or 5-year integrated B.A. LL.B., is legally eligible to pursue an LL.M. as per the Legal Education Rules, 2008 and 2020. Therefore, any institution permitting non-law graduates into a programme designated as "LL.M.", regardless of appended qualifiers like "Professional" or "Executive," is directly violating the regulatory foundation of postgraduate legal education. This practice dilutes the statutory rigor required of LL.M. degrees and misrepresents a diploma or training programme as a postgraduate academic qualification in law.

20. Further, several students who have completed these online or hybrid LL.M. programmes have proceeded to register for the UGC-NET, Ph.D. in Law programmes, or applied for teaching positions in LL.B. courses. This is impermissible under the current regulatory regime. It violates not only the BCI Legal Education Rules but also leads to dilution of the quality and credibility of legal education across the country. Permitting unapproved and substandard LL.M. qualifications to enter the teaching and research stream undermines the integrity of institutions and devalues the rigorous postgraduate law degrees obtained through proper channels.

21. It is important to note that the continued use of the abbreviation "LL.M." which stands for *Legum Magister*, or *Master of Laws* in the nomenclature of a course that is publicly acknowledged as a diploma programme, is fundamentally misleading and academically indefensible. If the programme is intended as a diploma, there exists no justification whatsoever for retaining the LL.M. title in any form. This usage not only deceives the public but also subverts the statutory recognition attached to a genuine LL.M. degree as a legally sanctioned academic qualification. What do the letters "LL.M." stand for in "LL.M. (Professional)" if the programme is a diploma? This question strikes at the heart of the issue. If institutions are allowed to continue this practice, it creates a precedent that other universities may cite to introduce their own similarly titled diploma offerings, thereby allowing a systematic erosion of the credibility of legal education in India. The Bar Council of India strongly reiterates that unless the course is recognised as a valid LL.M. degree under the Legal Education Rules, 2008 and 2020, it may not use the nomenclature "LL.M." regardless of any disclaimers inserted in

contd...6



the brochure. The use of a protected degree title for a diploma not only violates academic honesty but also undermines the regulatory intent enshrined in the Advocates Act, 1961.

22. It has also been observed that universities engaged in such conduct attempt to rely on the absence of express prohibition under UGC norms to justify their offerings. However, this argument is wholly untenable. The Supreme Court in Vinit Garg and Ravi Shankar Patro has clarified that approval of the statutory regulator is mandatory, and even statutory universities cannot commence or continue professional programmes without such sanction. The UGC-ODL Regulations themselves defer to the concerned professional regulator for such courses, and in the case of legal education, the authority lies exclusively with the Bar Council of India.

23. The inclusion of a disclaimer, stating that a course like "LL.M. (Professional)" is not equivalent to a recognized LL.M. under UGC or BCI regulations does not absolve institutions from liability or regulatory breach. The very use of the abbreviation "LL.M." conveys a legally defined qualification that cannot be mimicked or repurposed for non-degree or non-law programmes. Permitting this practice amounts to regulatory subversion and paves the way for systemic academic fraud. Protected academic designations cannot be qualified into permissibility through disclaimers when the core statutory violation remains unaffected.

24. The Bar Council of India has already issued show cause notices and is in the process of issuing it to several institutions, including National Law Institute University, Bhopal; Indian Institute of Technology, Kharagpur; O.P. Jindal Global University, Sonapat; and National Law University, Delhi, for offering LL.M. or similarly designated legal programmes through online, distance, blended, or hybrid formats without requisite approval. Some of the institutions sought to justify their programmes by suggesting that they were "executive" in nature, or "not equivalent" to the traditional LL.M. degree. However, these claims were found to be untenable, particularly where the protected nomenclature "LL.M." was prominently used in advertisements, brochures, and academic communications. The use of "LL.M.", a term denoting the postgraduate Master of Laws degree, without parameter approval/recognition from the Bar Council of India constitutes a deliberate attempt to mislead prospective students and misappropriate the statutory and academic status associated with this qualification.

25. In view of the above, it is reiterated that any LL.M. or equivalent legal programme offered in online, distance, blended, or hybrid mode, or under misleading nomenclature such as LL.M. (Professional) or M.Sc. (Law), without prior BCI approval, is unauthorized and shall not be recognised for any purpose whatsoever. This includes employment, academic appointments, research registration, or judicial service &

contd...7

P

departmental promotional eligibility. Such qualifications shall be treated as null and void ab initio, and any reliance placed on them by candidates will be treated as misrepresentation.

26. All High Courts are respectfully requested to take judicial note of this regulatory position, and to ensure that no appointments, promotions, or academic decisions are made on the basis of qualifications that do not have the sanction of the Bar Council of India. The Courts may further be pleased to direct that any candidate seeking appointment or advancement on the basis of an LL.M. or related qualification must furnish confirmation from BCI that the programme was conducted in compliance with the Legal Education Rules, 2008 and 2020.

27. In the interest of transparency and public awareness, we are preparing to issue a national advisory warning students, legal institutions, and government departments against enrolling in or recognising such unapproved courses. The BCI and its committees on Legal Education will also continue to take legal action, including filing of contempt petitions where necessary, to preserve the standards of legal education and to ensure compliance with statutory and judicial mandates.

28. You are kindly requested to acknowledge the receipt of this communication and confirm that the contents herein shall be brought to the notice of all concerned authorities within your jurisdiction. A copy of this letter is also being marked to the Registrar, Supreme Court of India, as well as to all State Bar Councils for necessary coordination and dissemination.

29. Bar Council of India's earlier letter bearing Reference No. BCI/D/851/2025 (CL), dated 10.02.2025, addressed to the Registrar General of all High Courts is enclosed herewith for your ready reference. The letter had categorically highlighted the illegality and impermissibility of LL.M. programmes being conducted through online, distance, hybrid, or correspondence modes without the prior approval of the Bar Council of India, in violation of binding Supreme Court judgments, BCI Legal Education Rules, and the applicable UGC Regulations.

30. This is being issued in furtherance of the regulatory obligation of the Bar Council of India to maintain the dignity, discipline, and quality of legal education and professional standards in the country. The continued use of misleading nomenclature for unrecognized or diploma-style courses under the LL.M. label threatens to irreparably erode the integrity of India's legal education system. Such practices not only deceive students and employers but also create dangerous regulatory precedents that could result in uncontrolled proliferation of unapproved legal qualifications. If left unchecked, this

contd...8

could render judicial and departmental promotional eligibility, academic appointments, and research pathways vulnerable to exploitation by candidates possessing credentials that lack the statutory and academic legitimacy required under the Advocates Act, 1961 and the Legal Education Rules. The cooperation of the judiciary is respectfully sought to uphold these foundational principles.

With regards,

Yours sincerely,



(Rajendra Menon)

Copy to:
The Registrar General
Supreme Court of India
New Delhi

Encl: as above