

**Ms Vipasha Chirmulay**

Assistant Professor, Bharati Vidyapeeth Deemed to be University's New Law College Pune

**Dr Lalita Chirmulay**

Principal, Bharati Vidyapeeth Deemed to be University's IHMCT Pune

**Abstract:**

The National Education Policy ('NEP') 2020 envisions a transformative overhaul of India's higher education landscape, including that of legal education. However, its alignment with the existing regulatory framework of the Bar Council of India ('BCI') presents significant challenges and opportunities. This research article examines the potential overlaps and conflicts between the NEP's goals of multidisciplinary education, flexible curricula, and access, and the BCI's focus on professional ethics, standardized legal education, and bar admission. It analyzes the implications of these key areas for the quality and accessibility of legal education in India. It proposes potential solutions to reconcile the two frameworks. Ultimately, this research aims to contribute to the ongoing discourse on reforming legal education in India and to inform policy decisions that can streamline the benefits of both the NEP and BCI regulations.

**Keywords:** *NEP, BCI, Law, Higher Education, Challenges, Approaches*

**1. Introduction:**

The National Education Policy ('NEP') 2020, framed by the Union Cabinet, Government of India, aims to provide a more holistic and flexible approach to learning in the Indian education system. It is founded on the five guiding principles of Access, Equity, Quality, Affordability and Accountability, in order to meet the national and global challenges, and to shift towards multidisciplinary and holistic higher education.

The NEP suggests that by 2040, all Higher Education institutions ('HEI') including the Centres for Legal Education, shall 'aim to become multidisciplinary institutions having optimal use of infrastructural resources and creation of vibrant higher education institutions resulting in the growth of both public and private universities at par with each other.' With reference to legal education in particular, it stresses that law Universities must aim to be multidisciplinary in their approach and curricula, which will bring diversity to the campus and bring about holistic learning for their students. The Bar Council of India ('BCI') is a statutory body created by the Parliament to regulate and represent the Indian Bar. It sets standards for legal education and grants recognition to Universities, whose degrees in law will qualify students to enrol as advocates.

**2. Literature Review**

The NEP 2020 envisages there will be a single regulatory structure for all forms of education, except for medical and legal education. It has not established a separate regulator for medicine and law, which are presently regulated by the National Medical Commission and the Bar Council of India, respectively. If the BCI has to function as a regulatory body for legal education, it would have to implement the NEP for all stages of legal education (undergraduate, postgraduate, and research studies) as well as for academic, professional, and clinical skill learning (N. L. Mitra and Manoj Kumar Sinha, 2022). The NEP intends to establish a National Research Fund for research activities in HEPs, which are automatically applied to

law, which ignores legal education practices by causing discrimination for legal journals which cannot be evaluated on the same parameters as the journals of life sciences, physical sciences, arts or technology (Freelaw, 2022).

The NEP requires institutions to consider the medium of instruction to be in both English and local language. Hence, the institutions which adopt NEP would have the medium of instruction in both English and local language. This would help students to overcome linguistic barriers and enable more inclusive growth of legal education (Narayana, 2023). The NEP recommends multidisciplinary institutions so as to enable interaction between students and scholars from different fields and develop a better understanding of the law, however the lack of physical space and financial support of the present educational institutions affects the accommodation of the existing batch of students in their campus (Herma, 2021). Education policies may be contradictory, making it challenging to interpret and implement them consistently along with other education policies. A lack of resources, such as funding, personnel, and infrastructure, can also become challenges to implement such policies (FasterCapital, 2024).

### **3. Analysis of NEP provisions and BCI Rules**

The NEP envisages multidisciplinary education as part of a flexible curriculum, which will facilitate the creative combinations of various disciplines. It recommends inclusion of novel and engaging course options to be offered to students, who can choose to specialize in particular subjects. It also advocates the adoption of outcome-based education or teaching pedagogy which emphasizes experiential learning, discussion-based learning etc for students.

In its circular dated 20/05/2024, the BCI has directed Centres of Legal Education to incorporate subjects like Blockchains, Electronic-Discovery, Cyber-Security, Robotics, Artificial Intelligence, Bio-Ethics etc into their curriculum so as to focus on the contemporary legal challenges. The BCI has not specifically addressed the pattern of the exam required to evaluate a student for appearing for the bar exam. Regarding skill training for students, the BCI requires the law students to complete at least 12 weeks of internship (for three-year course) and 20 weeks of internship (for five years course).

There are certain overlaps in the requirements for education between the two frameworks i.e the governing NEP policy and the professional body BCI:

1. The NEP 2020 emphasizes multidisciplinary and holistic education. The BCI has directed the law colleges to introduce multidisciplinary law programs in developing fields.
2. The NEP 2020 promotes legal literacy among citizens, while the BCI also requires the same as part of the curriculum.
3. Both NEP 2020 and the BCI focus on developing practical skills, while the BCI also emphasizes student training through internships and practical training.
4. The NEP 2020 promotes greater autonomy for educational institutions, while the BCI has stringent regulations for law schools.
5. The NEP 2020 encourages flexible curricula, while the BCI has a prescribed curriculum for law courses.
6. The NEP 2020 advocates for continuous and comprehensive evaluation, while the BCI is structured on the traditional examination system.
7. The NEP 2020 promotes education in the mother tongue, while the BCI still upholds English as the medium of instruction in law courses.

### **4. Challenges and Opportunities in Reconciliation**

There may be bureaucratic hurdles that need to be overcome and resolved by the government department and BCI in aligning the NEP policy goals. Education institutions have been following the guidelines laid down by various statutory councils presently, hence they need to realign themselves and overcome any resistance to the new changes suggested by the NEP.

The institutions will be required to undertake academic challenges like the redesigning of the curriculum of the various programs offered. The faculty of the institution need to be trained rigorously on the features of the NEP alongside BCI rules. development. Since the NEP stresses on practical skill development of the students, infrastructure upgradation in the form of ICT facilities in the knowledge resource centres, cyber labs and moot courts will need to be considered. There are various professional aspects that need to be considered for students as stakeholders of NEP such as the impact on holistic development through interdisciplinary courses, skill development through practical programs, and flexibility in choice of course and programs.

The potential synergies between NEP and BCI rules that can be identified are that they both focus on practical skills, emphasize on legal research, and encourage the promotion of legal aid by institutions for the common people. These frameworks can be reconciled by establishing joint working groups, coordinating on pilot projects, and carrying out phased implementation.

The potential benefits of successful reconciliation is that there can be improvements in legal education, better-trained lawyers, and enhanced access to justice for all stakeholders.

### 5. Conclusion

The NEP has a far reaching effect on the legal students of India. To harmonize the provisions of both the NEP and the BCI rules, they should aim to create a coordinated legal education framework. The BCI can adopt more flexible curriculum and assessment methods. There should be regular consultations between the government department, BCI, and the legal academia to address issues. They can experiment with different approaches in select law schools and accordingly inform policy decisions. The BCI can provide clear guidelines for law schools to balance autonomy and compliance. The future of legal education in India should aim to have students as stakeholders who would be skilled, entrepreneurial, knowledgeable and multifaceted.

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