



भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

Date: 18.07.2026

My Dear Friends of Legal Fraternity,

Namaskar/Pranam/Sat-Shri-Akal/Adab,

Draft Advocates Act, 1961 proposed amendments of 2026.

Bar Council of India has prepared a draft which is a historic profession-first reform to protect Indian advocates, strengthen the organised Bar and create new opportunities for the legal profession

The Draft Advocates Act proposed Amendment of 2026 mark one of the most comprehensive attempts to modernise the statutory framework governing the Indian legal profession since the enactment of the Advocates Act, 1961.

The Draft has been prepared by the Bar Council of India after extensive consultation with the State Bar Councils, reputed Senior Advocates practising in the Supreme Court of India, various High Courts and District Courts, distinguished academicians, Vice-Chancellors, Deans of Law Universities of the Ministry of Law and Justice and other stake-holders.

Notwithstanding the comprehensive consultative process already undertaken, the Bar Council of India considers it appropriate to place the Draft once again before all concerned stakeholders, including the State Bar Councils, Bar Associations, Law Universities, Centres of Legal Education and Law Firms, with a view to inviting their valuable suggestions and inputs. All suggestions received within the prescribed period shall be duly examined and, wherever considered necessary and appropriate, incorporated in the Draft and the Ministry will be requested accordingly.

As the Bar Council of India proposes to request the Government to take necessary steps for the early enactment of the proposed legislation, all stakeholders are requested to furnish their suggestions or inputs, if any, to the Bar Council of India on or before 31 July 2026 by 3.00 PM at draftadvact2026bill@gmail.com.

In view of the urgency of the matter and the time-bound nature of the consultation process, suggestions or inputs received after 3.00 PM on 31 July 2026 shall not be taken into consideration.

It is a Draft issued for public consultation. Its provisions will acquire statutory force only upon completion of the legislative process and commencement of the enacted law.

Earlier draft amendment/Important to Note: -

Strike clause/fine clause/nominees of Government in Bar Council of India or Government in Bar Council of India or State Bar Council etc.: -

Friends,

You will remember that in earlier Draft Amendments Bill of 2025, there was provision for heavy punishment or disciplinary proceedings for strikes; those provisions have been removed from present Draft/Proposal.

The provisions which were proposed for taking disciplinary actions against the office-bearers of the Bar Associations have also been omitted in order to maintain the independence of the profession and autonomy of Bar Associations.

In earlier Draft Bill of 2025, there was provision for imposition of heavy fine (5 Lakhs) on Advocates who are involved in serious cases of disciplinary matters. That provision has also been removed/omitted.

There was also a provision for inclusion of nominees of Government in Bar Council of India and State Bar Councils; all such provisions have been deleted/omitted now.

Note – The Bar Council of India held constructive and fruitful deliberations with the Hon'ble Union Minister for Law and Justice and the Union Government. Upon consideration of the concerns and representations placed by the Bar Council of India, and the concerns shown by the co-ordination committee of all the Bar Associations of Delhi and several Bar Associations of Uttar Pradesh, Himachal Pradesh and other states, the Government was pleased to accept their concerns and suitably revised the Draft so as to address the provisions that had given rise to serious concern within the legal fraternity. That is why if anyone is interest, he may also write to impcell-dla@nic.in. However, the Bar Council of India shall send suggestions received to the Ministry of Law and Justice.

I. Wider welfare, pension, insurance and social-security measures

Bar Council of India has tried to get some welfare schemes like Insurance for Advocates & their families, medi-claims, pension, provisions for indigent and stipend for young lawyers by creating funds through State Bar Councils. The provisions have been introduced in the present Draft. The Ministry of Law and Justice has also agreed to this proposal.

Section-6(2)(a) & Section-7(2)(a): -

The Ministry of Law and Justice as well as Bar Council of India propose that in the Bar Associations also, the provisions for welfare are required. The Bar Associations need to be financial stronger through the State Bar Council for smooth functioning. The funds collected by the State Bar Councils should be distributed to Bar Associations also for protection of rights, interests and privileges of members of the Bar.

Section-6(1)(a)(dd).

The Draft substantially expands the welfare responsibilities of State Bar Councils and the Bar Council of India.

It expressly enables the creation of funds and trusts for

- i. financial assistance to deserving advocates
- ii. insurance
- iii. pension
- iv. medical relief
- v. social-security schemes
- vi. support for indigent advocates
- vii. assistance to advocates with disabilities
- viii. support for dependants of advocates
- ix. professional development programmes
- x. law libraries

These measures can create a stronger and more permanent welfare and professional-support structure for advocates throughout the country.

II. A strengthened Legal Education Committee

The present Legal Education Committee has ten members.

The Draft proposes a twenty-five-member Committee with representation from

- i. the Bar Council of India
- ii. former Judges of the Supreme Court
- iii. sitting or former Chief Justices of High Courts
- iv. the Attorney General for India
- v. the Solicitor General of India
- vi. advocates of standing
- vii. the University Grants Commission
- viii. the Department of Legal Affairs
- ix. leading Vice-Chancellors

- x. distinguished professors and deans

This wider composition can bring together the judiciary, Bar, Government and academia to develop stronger, practical and nationally consistent standards of legal education.

III. Professional development becomes a statutory institutional priority

The Draft expressly empowers State Bar Councils and the Bar Council of India to provide professional development programmes for advocates. This is in the light of recent Judgment of Supreme Court in Civil Appeal Diary No.10787/2024 titled as Ajay Vijh Vs. Indian Banks Association & Ors.

These programmes can create structured opportunities in areas such as

- i. new legislation
- ii. constitutional practice
- iii. commercial and corporate law
- iv. arbitration and mediation
- v. technology and artificial intelligence
- vi. cyber law and digital evidence
- vii. taxation and insolvency
- viii. international legal practice
- ix. trial and appellate advocacy

The object is to expand the professional capabilities and opportunities of advocates. The provision should not be understood as imposing an unnecessary burden upon them.

IV. Historic increase in women's representation

The Draft proposes a substantial increase in the representation of women advocates in State Bar Councils.

For State Bar Councils with electorates exceeding ten thousand, the proposed strength is thirty-three members. Thirty members would be elected, including four women, and three additional women advocates would be co-opted by Bar Council of India in consultation with concerned State Bar Councils and Bar Associations.

For State Bar Councils with electorates exceeding five thousand but not exceeding ten thousand, the proposed strength is twenty-one members. Nineteen members would be elected, including three women, and two additional women advocates would be co-opted in similar manner.

For State Bar Councils with electorates exceeding ten thousand, the proposed strength is thirty-three members. Thirty members would be elected, including four women, and three additional women advocates would be co-opted in a similar manner.

Purpose of co-option: -

- i. Un-represented Areas to be represented. In present elections of State Bar Councils, in Maharashtra and Goa Bar Council, the State of Goa has remained totally unrepresented. Similar is the case with several sister states of Assam. In Jharkhand State, the Santhal Paragana District is totally unrepresented, similar is the case with several other State Bar Councils.
- ii. Deserving women who are unable to contest but are able to contribute.
- iii. Senior & young energetic women Advocates of Supreme Court & Different High Courts, District Courts who are competent but do not contest elections.

In every category, the women to be co-opted must be advocates whose names appear on the electoral roll of the concerned State Bar Council.

Increase in strength of State Bar Councils: -

This reform seeks to ensure meaningful participation by women advocates in the governance and decision-making institutions of the profession.

The proposed amendment restructures the composition of State Bar Councils across all three existing electorate-based categories. Under the present law, State Bar Councils consist of fifteen, twenty or twenty-five elected members, depending upon whether their electorate does not exceed five thousand, exceeds five thousand but does not exceed ten thousand, or exceeds ten thousand. The proposed amendment retains the total strength of the smallest State Bar Councils at fifteen, increases the strength of the intermediate category from twenty to twenty-one, and increases the strength of the largest State Bar Councils from twenty-five to thirty-three. It also introduces assured representation of women through a combination of elected and co-opted seats in each category, thereby making the Councils more representative of the increased size and diversity of the Bar.

V. Bar Associations receive express statutory recognition and protection

The proposed amendment to section 6 enables State Bar Councils to strengthen the functioning of Bar Associations and safeguard the rights, privileges and interests of their member advocates.

The object is to improve the democratic identity, representative role or institutional independence of Bar Associations.

The provision is intended to enable cooperation among the Bar Council of India, State Bar Councils and Bar Associations for

- i. protection of advocates rights
- ii. welfare implementation
- iii. professional development
- iv. representation of local concerns
- v. institutional assistance
- vi. strengthening the collective voice of advocates
- vii. protection of privileges connected with professional practice

The proposed statutory recognition is therefore an empowering measure for Bar Associations and their members.

VI. Enrolment fee and important protection for deserving categories

The need for statutory revision of the enrolment fee has also arisen in the backdrop of the judgment of the Hon'ble Supreme Court in Gaurav Kumar v. Union of India, (2025) 1 SCC 641, decided on 30.07.2024. The Hon'ble Court held that, under the existing Section 24(1)(f) of the Advocates Act, 1961, the aggregate enrolment fee chargeable at the stage of enrolment could not exceed Rs. 750 for general candidates and Rs.125 for candidates belonging to the Scheduled Castes and Scheduled Tribes.

Since, this Rs.600/- was fixed by Parliament in the year 1993, the Hon'ble Apex Court itself in Writ Petition No.1261/2025 titled as Pankaj Sinha Vs. Bar Council of India & Ors. has issued directions to the Union Government to revise the enrolment fee as per current inflation rate. Accordingly, the present Draft proposes an enrolment fee of

- i. Rs.18,000 payable to the State Bar Council
- ii. Rs.4,500 payable to the Bar Council of India

The statutory fee presently contained in the Advocates Act was fixed several decades ago (in the year 1993) and does not reflect the present scale of institutional responsibilities connected with enrolment.

The proposed fee is intended to support

- i. processing of enrolment applications
- ii. verification of educational qualifications
- iii. verification of identity and eligibility
- iv. maintenance of physical and digital rolls
- v. issuance of enrolment certificates

- vi. welfare schemes like Insurance, Medi-claim etc.
- vii. professional development/establishment of National Legal Academy as per orders of Hon'ble Supreme Court.
- viii. institutional services provided to advocates

The Draft also provides an important concession for eligible members of the Scheduled Castes, Scheduled Tribes and persons with benchmark disabilities who are unable to pay because of their financial condition.

Such persons would be required to pay only one-fourth of the prescribed enrolment fee.

Any future revision would be undertaken by the Bar Council of India in consultation with the Central Government only.

VII. Indian law firms receive statutory recognition for the first time

Strengthening Law Firms: -

Bar Council of India intends to strengthen Indian Law Firms and to encourage the Advocates at the State, District and Taluka Level to form and register Law Firms. Uptill now, we find that only Big Metropolitan City-based Advocates are forming Law Firms/LLPs/Companies.

Bar Council of India also intends to encourage and make the smaller Law Firms stronger.

This is a major profession-building reform.

For the first time, Indian law firms would receive express recognition under the Advocates Act as institutions through which advocates practise collectively.

Though, the Bar Council of India Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India had been framed and published in the Official Gazette of India by the Bar Council of India in the year 2023 and further amended in the year 2025 keeping in view the rights, privileges and interest of Indian Advocates, but, in order to further strengthen and codify the regulation they have also been incorporated in the Draft Advocates Amendment Act, 2026. The

The moot points of the draft amendments are being narrated herewith.

VIII. Indian courts remain exclusively protected for Indian advocates

Under the Advocates Act, advocates enrolled on a State roll constitute the recognised class of persons entitled to practise law. Sections 29, 30 and 33 protect the right of enrolled advocates to practise before courts, tribunals, authorities and other persons before whom the law permits an advocate to appear.

This Draft Bill of 2026 preserves this protection.

The proposed section 47 expressly states that the permitted area of practice of a foreign lawyer or foreign law firm shall not include practice before any court, authority or person before whom only an advocate is entitled to practise under section 33 of the Advocates Act.

A foreign lawyer or foreign law firm will, therefore, not be entitled to

- i. appear before the Supreme Court of India
- ii. appear before any High Court
- iii. appear before District or Taluka courts
- iv. undertake Indian litigation
- v. practise Indian law before any court, tribunals or statutory authorities
- vi. claim the rights of an advocate enrolled under the Advocates Act merely because of a foreign qualification or foreign professional registration

The courts of India, the practice of Indian law and the statutory professional rights of Indian advocates remain protected.

The only specifically stated exception concerns appearance before an arbitral tribunal in an international commercial arbitration where the substantive law governing the dispute is foreign law.

This is because the Singapore, Hongkong, and other smaller countries are becoming hub for International Arbitrations and our country is lagging far behind. Our lawyers and law firms are put to serious loss due to non-opening.

IX. A foreign citizen cannot ordinarily enrol as an advocate to practise Indian law

Foreign Lawyers/Foreign Law Firms: -

Bar Council of India is not going to do anything which could hamper/ adversely affect the interest of our Indian Law Firms in any manner. The doors of India would be opened up for foreign law firms in phased manner only i.e. in a way which could suit the Indian Law Firms. The Bar Council of India had constituted a committee consisting of some reputed Indian Law Firms. The Committee was headed by Mr. Cyril Shroff, Managing Partner, Cyril Amarchand Mangaldas.

This Committee has submitted its report and Bar Council of India is to consider and act accordingly. The interest of Indian Lawyers and Indian Law Firms is of paramount importance for the Bar Council of India.

Foreign Lawyers/Foreign Law Firms will not be permitted to practice Indian Laws. They will not be permitted to practice in any Indian Courts of Law, Tribunals or any other Forum except "Arbitrators of Foreign matters".

Reciprocity: - Section-47 is the clause where if any foreign country does not permit Indian Lawyers to practice or any Indian Law Firm to establish there, such foreign lawyer/firm will not be allowed to practice/establish here in India.

The existing section 24(1)(a) provides that a person seeking enrolment as an advocate must be a citizen of India.

The existing proviso permits a national of another country to be admitted only where duly qualified Indian citizens are permitted to practise law in that country. Even under the present law, therefore, a foreign citizen has automatic right to enrol as an advocate in India.

Recently, due to this provision in the Act, the Delhi High Court has directed the Bar Council of India and State Bar Council to enrol a Korean Citizen and to allow him to practice in India. Bar Council of India opposed this case, but, since, the Law was not clear, we could not stop. This has opened a flood gate. Several such persons from Korea, Bhutan, Nepal, Bangladesh who study here in India, are trying to get themselves enrolled here in our country. Therefore, Bar Council of India has proposed to make substantial/drastring change in the Advocates Act to stop such practice.

The Draft proposes to omit that proviso.

The ordinary statutory route for enrolment as an advocate would consequently remain founded upon Indian citizenship.

A foreign citizen would not ordinarily be entitled to enrol on a State roll merely because that person possesses a foreign law degree or an Indian Law Degree or is authorised to practise in another country.

X. Registration of a foreign lawyer is not enrolment as an Indian advocate

Registration under the proposed foreign-law framework will not make such a person an advocate enrolled on a State roll in India.

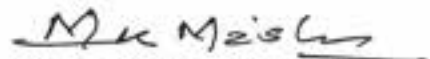
XI. Central Government approval provides an additional safeguard

The Draft of Bar Council of India proposes that the rules governing foreign lawyers and foreign law firms must be framed with the prior approval of the Central Government. This is because only the Central Government could know about the relationship of India with any particular foreign country.

The Draft is therefore not merely an amendment of an enactment passed more than six decades ago. It is a profession-first restructuring intended to make the Indian Bar stronger, more representative, more secure and better equipped for the future.

The exclusive character of advocate-controlled legal practice will remain protected.

At the same time, Indian advocates and Indian law firms will be placed in a stronger position to grow, compete and lead nationally and internationally.



Manan Kumar Mishra
Senior Advocate, Supreme Court of India
Chairman, Bar Council of India

Encl.: Draft Advocates Act, 1961 proposed amendments of 2026.

Note: -

All stakeholders are requested to furnish their suggestions or inputs, if any, to the Bar Council of India on or before 31 July 2026 by 3.00 PM at draftadvact2026bill@gmail.com.

THE ADVOCATES (AMENDMENT) BILL, 2026

18.07.2026

Amendment proposed by Ministry of Law and Justice after consultation with BCI. 1. (1) This Act may be called the Advocates (Amendment) Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification, appoint and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.
2. In section 2 of the Advocates Act, 1961 (hereinafter referred to as the principal Act), in sub-section (1),
(a) After clause (b), the following clause shall be inserted, namely:-
'(ba) "Bar Association" means any association, society, forum or body (by whatever name called) of advocates, whether incorporated or not, registered with the State Bar Council having the object of welfare and protection of rights, of advocates;';
(b) after clause (e), the following clauses shall be inserted, namely: -
'(ea) "Bar Examination" means any examination or test, including the All India Bar Examination, as may be prescribed by the Bar Council of India for the continued entitlement of a law graduate enrolled with any State Bar Council as an advocate to exercise the right to practise the profession of law";
(eb) "centre of legal education" means an institution or university recognised under the rules as may be prescribed by the Bar Council of India, for imparting legal education and conferring degree in law, as may be approved by the Bar Council of India;
(ec) "foreign country" means a country other than India;
(ed) "foreign law" means the laws of any foreign country;
(ee) "foreign lawyer" means any individual authorised or registered to practise law under the regulatory framework of a foreign country;
(ef) "foreign law firm" means any entity, by whatever name called, including a partnership, limited liability partnership, company, or corporation, that is authorised to practice law under the regulatory framework of a foreign country;
(eg) "Fly-in and Fly-out" means the visit of foreign lawyer or a representative of foreign law firm to India for a temporary period in a calendar year as may be prescribed, to engage in permitted areas of practice"
(c) after clause (g), the following clause shall be inserted, namely: -
'(ga) "Law firm" means a firm constituted under the Indian Partnership Act, 1932, a limited liability partnership constituted under the Limited Liability Partnership Act, 2008, a company incorporated under the Companies Act, 2013, and includes any other such body, consisting of advocates and engaged in practice of profession of law;';

(d) for clause (h), the following clause shall be substituted, namely: --
'(h) "law graduate" means a person who has obtained a bachelor's degree in law of three years after having obtained a bachelor degree in the streams of science, arts, commerce, engineering, medicine, or any other discipline of a university for a period of study not less than three years or integrated five years course or of such other duration, as may be prescribed by the Bar Council of India;'
(e) for clause (i), the following clause shall be substituted, namely: --
'(i) "legal practitioner" means an advocate practising before any Court, tribunal and quasi-judicial body or any law graduate enrolled with the state bar council, employed in government or any government organisation for rendering legal advice, and performs such other legal work pertaining to litigation and drafting of laws and legal documents;'
(f) After clause (n), the following clause shall be inserted, namely: --
'(o) "Election Tribunal" means a Tribunal established under this Act;
3. In section 3 of the principal Act,--
(a) in sub-section (1),--
(i) in clause (a), after the word "Manipur", the word ", Sikkim" shall be inserted;
(ii) after clause (g), the following proviso shall be inserted, namely:--
"Provided that in the case where two or more States having a single Bar Council, one or more branch may be setup by the said Bar Council in the capital of such State where there is no Bar Council to facilitate the enrolment of advocates, and for proper functioning and implementation of the welfare schemes for advocates.";
(b) in sub-section (2),--
(i) in clause (a), after the words "Additional Solicitor General of India", the words "for the High Court of Delhi" shall be inserted;
(ii) for clause (b), the following clause shall be substituted, namely:--
"(b) in the case of a State Bar Council with an electorate,--
(i) not exceeding five thousand, fifteen members, out of which fourteen shall be elected, of which two shall be reserved for women and one member shall be co-opted by the Bar Council of India in consultation with concerned State Bar Councils and Bar Associations from amongst women advocates on the electoral roll of that State;
(ii) exceeding five thousand but not exceeding ten thousand, twenty-one members, out of which nineteen shall be elected, of which three members shall be women and two members shall be co-opted by the Bar Council of India in consultation with concerned State Bar Councils and Bar Associations from amongst women advocates on the electoral roll of that state; and
(iii) exceeding ten thousand, thirty-three members, out of which thirty members shall be elected, of which four members shall be women and three members shall be co-opted by the Bar Council of India in consultation with concerned State Bar Councils and Bar Associations from amongst women advocates on the electoral roll of that state:

Provided that the members shall be elected in accordance with the system of proportional representation by means of the single transferable vote from amongst advocates on the electoral roll of the State Bar Council.
Provided further that as nearly as possible two third of such elected members shall, subject to any rules that may be made in this behalf by the Bar Council of India, be persons having at least ten years practise at the Bar.”;
(c) in sub-section (6), for the words, brackets and figures, “the Advocates (Amendment) Act, 1973”, the words, brackets and figures, “the Advocates (Amendment) Act, 2026” shall be substituted.
4. In section 4 of the principal Act, sub-section (2A) shall be omitted.
5. In section 6 of the principal Act,--
(a) in sub-section (1),--
(i) after clause (a), the following clause shall be inserted, namely:--
“(aa) to provide for professional development programmes for advocates, as may be prescribed;”;
(ii) for clause (dd), the following clause shall be substituted, namely:-
(dd) to issue necessary directions to Bar Associations for strengthening their functioning and safeguarding the rights, privileges and interests of its member advocates;
(iii) for clause (gg), the following clause shall be substituted, namely:-
“(gg) to visit and inspect the centres of legal education in accordance with the directions issued under clause (i) of sub-section (1) of section 7;”
(b) for sub-section (2), the following sub-section shall be substituted, namely:-
“(2) A State Bar Council may constitute one or more funds, as may be prescribed and create a trust for the purposes of,--
(a) giving financial assistance to deserving advocates, organising seminars in the field of law, providing for professional development programmes to advocates, providing welfare scheme including insurance, pension, medical relief, and social security schemes for indigent advocates, advocates with disability or other advocates and their dependents, through annual or such other subscriptions or financial contributions from advocates in such manner, as may be prescribed;
(b) establishing law libraries;”;
(c) for sub-section (3), the following sub-sections shall be substituted, namely:-
-
“(3) A State Bar Council may appoint trustees from amongst the elected members of the State Bar Council and advocates, judges, academicians or other eminent persons for any trust created under sub-section (2):
(4) Any trust or fund created by a State Bar Council prior to the commencement of the Advocates (Amendment) Act, 2026 shall continue to function as if it was created in accordance with the provisions of sub-section (2).

(5) A State Bar Council may receive grants, donations, gifts or benefactions for all or any of the purposes specified in sub-section (2), and all the monies received by a State Bar Council including fee, charges and penalty shall be credited to the appropriate fund of the trust created under that sub-section."
6. In section 7 of the principal Act, --
(a) in sub-section (1),--
(i) for clause (b), the following clause shall be substituted, namely: --
"(b) to lay down such standards of professional conduct and etiquettes for advocates, and law firms, as may be prescribed;";
(ii) after clause (h), the following clauses shall be inserted, namely: --
"(ha) to provide for an entrance examination or test for admission in bachelor degree courses in centres of legal education in the country;
(hb) to make rules for conduct of Bar examination,;
(hc) to prescribe the minimum qualifications required for admission to bachelor degree in law ;
(iii) for clause (i), the following clause shall be substituted, namely:--
"(i) to recognise centres of legal education or universities established in India or outside whose degree in law, as approved by the Bar Council of India, shall be a qualification for enrolment as an advocate under this Act subject to such rules as may be prescribed and for that purpose, to visit and inspect such centre of legal education or university or cause the State Bar Councils to visit and inspect such centre of legal education and university;";
(iv) for clause (ic), the following clauses shall be substituted, namely:--
(ic) to recognise the foreign qualification in law obtained outside India and lay down the conditions for equivalence to a degree of law in India for enrolment as an advocate under this Act;";
(id) to register foreign lawyer and foreign law firms for the permitted areas of practice and to renew, suspend or cancel such registration and to lay down the manner, procedure, form and fee in this regard;
(ie) to allow foreign lawyer and foreign law firm to engage in the permitted areas of practice on a fly in fly out basis and to lay down the manner and procedure, form, and fee in this regard;
(v) for clauses (l) and (m), the following clauses shall be substituted, namely:-
(l) to provide for professional development programmes for advocates, as may be prescribed;";
(m) to lay down uniform rules for elections of State Bar Councils and its office-bearers; and to constitute Tribunals for dealing with election matters of State Bar Councils and the member representative to the Bar Council of India from the state Bar Council;;
(n) to perform all other functions conferred on it by or under this Act;
(o) to do such other things as may be necessary for discharging the aforesaid functions.";
(b) for sub-section (2), the following sub-section shall be substituted, namely:--

“(2) The Bar Council of India may constitute one or more funds, as may be prescribed and create a trust for the purposes of,--
(a) giving financial assistance to deserving advocates or law graduates, organising seminars in the field of law, providing for professional development programmes to advocates or law graduates, providing welfare scheme including insurance, pension, medical relief, and social security schemes for indigent advocates, advocates with disability or other advocates and their dependents, through annual or such other subscriptions or financial contributions from advocates in such manner, as may be prescribed;
(b) establishing,-
(i) law libraries;
(ii) centres of excellence in Legal Education or National Legal Academy or both, through its Trust;
(c) for sub-section (3), the following sub-sections shall be substituted, namely:-
“(3) The Bar Council of India may appoint trustees or Managing Trustees from amongst the elected members of the Bar Council of India or advocates, judges, academicians or other eminent persons for any trust created under sub-section (2),:
(4) Any fund or trust created by the Bar Council of India prior to the commencement of the Advocates (Amendment) Act, 2026 shall continue to function as if it was created in accordance with the provisions of sub-sections (2).
(5) The Bar Council of India may receive grants, donations, gifts or benefactions for all or any of the purposes specified in sub-section (2), and all the monies received by the Bar Council of India including fee, charges and penalty shall be credited to the appropriate fund of the trust created under that sub-section.”
7. In section 8 of the principal Act, in the proviso, for the words “six months”, the words “twelve months” shall be substituted.
8. In section 10 of the principal Act, in sub-section (2), for clause (b), the following clause shall be substituted, namely:--
“(b) a legal education committee consisting of twenty-five members, of whom nine shall be nominated by the Council from amongst its members and sixteen shall be nominated by the Council who are not members thereof, and out of the sixteen nominated members,-
(i) one shall be a former Chief Justice of India or a former Judge of the Supreme Court, who shall be the Chairman of the Committee;
(ii) two shall be either a sitting or former Chief Justice of High Court;
(iii) one shall be the Attorney General for India;
(iv) one shall be the Solicitor General of India;
(v) two shall be Senior Advocates or Advocates of repute who are members of a registered Bar Association;

(vi) one shall be the Chairman of the University Grant Commission or his nominee;
(vii) one shall be the Secretary (Department of Legal Affairs), Ministry of Law and Justice or his nominee not below the rank of Joint Secretary;
(viii) three shall be Vice-Chancellors of Universities of national repute; and
(ix) four shall be other professors or deans of institutions of excellence in the field of law and social sciences.”;
9. In section 10A of the principal Act,--
(a) in sub-section (3), after the words “respective Bar Councils”, the words “or at such other places within India as it may, for reasons to be recorded in writing, determine” shall be inserted;
(b) after sub-section (5), the following sub-section shall be inserted, namely:--
“(6) The meetings of the Bar Councils or its Committees may be held at such time and in such manner as may be determined by the respective Bar Councils.”.
10. For section 11 of the principal Act, the following section shall be substituted, namely:--
“11. (1) A Bar Council may appoint a Secretary and such number of Additional Secretaries, Joint Secretaries, accounts officer and such other officers and staff with such designations, as may be prescribed.
<i>Provided</i> that the Bar Council of India may designate an officer as Principal Secretary;
(2) The qualifications, method of selection and the terms and conditions of service of officers and staff referred to in sub-section (1) shall be such, as may be prescribed.”.
11. In section 12 of the principal Act, in sub-section (2),--
(a) for the words and figures “the Companies Act, 1956”, the words and figures “the Companies Act, 2013” shall be substituted;
(b) the following provisos shall be inserted, namely:--
“Provided that in the event it is brought to the notice of the Bar Council that such accounts do not represent a true and fair view of its finances, then, the Bar Council may itself cause a special audit of such accounts to be conducted:
<i>Provided further</i> that, if in the opinion of the Central Government, the accounts of the Bar Council do not represent a true and fair view of its finances, the Central Government may forward recommendations to take such other action as the Bar Council considers necessary.”.
12. After Section 14A of the principal Act, the following section shall be inserted, namely: --

14A. Settlement of disputes regarding the elections of the State Bar Council- (i) In case of any dispute regarding any election of the State Bar Council, the aggrieved person may make an application to the Bar Council of India, which may after preliminary examination be closed or referred to the Election Tribunal, as the case may be, (ii) The form and manner of making application and the fee to be paid shall be such as may be prescribed.
13. In section 15 of the principal Act, in sub-section (2),-
(a) after clauses (a) the following clauses shall be inserted, namely: --
"(aa) the terms and conditions of service of the Presiding Officers and Members of the Tribunal, place of meeting, remuneration and allowances to be paid to them under sub-section (3) of section 15A;"
"(ab) the manner in which the application may be filed under Section 14(A) of the Act;"
(ac) The form and manner of making application and the fee;
(ad) the manner of inquiry and the procedure to be followed by the Election Tribunal;
(b) for clauses (ga) and (gb), the following clauses shall be substituted, namely: --
"(ga) the professional development programmes under clause (aa) of sub-section (1) of section 6 and clause (m) of sub-section (1) of section 7;
(gb) the constitution of one or more funds by the Bar Council and the manner of giving financial assistance to deserving, advocates, organising seminars in the field of law, imparting training to advocates or law graduates, providing welfare scheme including insurance, pension, medical relief, and social security schemes for indigent advocates, advocates with disability or other advocates and their dependents, through annual or such other subscriptions or financial contributions from advocates; under clause (a) of sub-section (2) of section 6 and clause (a) of sub-section (2) of section 7;
(C) for clause (k), the following clauses shall be substituted, namely: --
"(k) the number of Additional Secretaries, Joint Secretaries, treasurers and the number and designation of other officers and staff under sub-section (1) of section 11;
(ka) the qualifications, method of selection and the terms and conditions of service of the Secretary, Additional Secretaries, Joint Secretaries, treasurers, other officers and staff under sub-section (2) of section 11;"
14. After, Section 15 of the Act, the following section shall be inserted, namely: --
15A. Establishment of Election Tribunal. — (1) The Bar Council of India shall, by notification from time to time, establish ElectionTribunals consisting of a Presiding Officer and two other Members to decide disputes referred under Section 14A and the decision of such Tribunal shall be final.
(2) A person shall not be qualified for appointment, —

(a) as a Presiding Officer of the Tribunal unless he has served as a Judge of the Supreme Court of India or has served as a Chief Justice of a High Court;
(b) as a member unless he has served as a Judge of the High Court;
(c) as a member unless he has been in the profession of law for more than 25 years;
(3) The terms and conditions of service of the Presiding Officer and Members of the Tribunal, their place of meetings, remuneration and allowances shall be such as may be prescribed.
(4) The manner and the procedure to be followed by the Election Tribunal shall be such as may be prescribed.
(5) The Election Tribunal shall decide the reference expeditiously preferably within a period of six months.
(6) No vacancy or defect in the composition of the Election Tribunal shall not invalidate acts and proceedings of the Election Tribunal.
(6) The expenses of the Election Tribunal shall be borne by the Bar Council of India.
15. In section 16 of the principal Act, sub-section (4) shall be omitted.
16. In section 18 of the principal Act, in sub-section (1), for the words "without the payment of any fee", the words "upon payment of such transfer fee, as may be prescribed" shall be substituted.
17. After section 19 of the principal Act, the following section shall be inserted, namely:--
"19A. The State Bar Councils shall verify the place of practice and the validity or genuineness of the educational certificates of an advocate in such manner as may be prescribed."
18. In section 24 of the principal Act, in sub-section (1),-
(i) after clause (a), the proviso shall be omitted;
(ii) for clause (c), the following clause shall be substituted, namely:--
"(c) he has obtained a degree in law from a centre of legal education or foreign qualification under clause (ic) of sub-section (1) of section 7 ;";
(iii) in clause (e), for the words "under this Chapter", the words "and approved by the Bar Council of India" shall be substituted;
(iv) for clause (f), the following clause shall be substituted, namely:--
"(f) he has paid, in respect of such enrolment, the stamp duty, if any, chargeable under the Indian Stamp Act, 1899 and an enrolment fee of eighteen thousand rupees to the State Bar Council and four thousand five hundred rupees to the Bar Council of India, in such manner as may be specified by the respective State Bar Council:

Provided that where such person belongs to the Scheduled Castes or the Scheduled Tribes, or is a person with benchmark disability within the meaning of clause (r) of section 2 of the Rights of Persons with Disabilities Act, 2016, and produces a certificate to that effect issued by the competent authority and unable to pay the fee due to his financial condition, the enrolment fee payable under this clause shall be one-fourth of the fee payable:
Provided further that the Bar Council of India in consultation with the Central Government may revise the amount of enrolment fee by notification."
19. In section 24A of the principal Act, in sub-section (1), --
(i) for clause (b), the following clause shall be substituted, namely:--
"(b) if he is convicted of an offence under the provisions of the Protection of Civil Rights Act, 1955.";
20. After section 24B of the principal Act, the following section shall be inserted, namely: --
24C: Removal of the name from a State Roll: The name of an advocate may be removed from State roll, if he is convicted of an offence and sentenced to imprisonment for a period of two years or above, and the conviction has been confirmed by the High Court or the Supreme Court as the case may be:
Provided that in cases where the period of sentence is less than five years, the advocate may, after completion of his sentence, make an application to the State Bar Council for re- enrolment and the State Bar Council shall consider such application in consultation with the Bar Council of India in accordance with the provisions of section 26 and the rules made thereunder."
21. After Chapter III of the principal Act, the following Chapter shall be inserted, namely: --
"CHAPTER IIIA"
REGISTRATION OF LAW FIRMS
28A. (1) Every law firm operating in India shall register with a Bar Council.
(2) Any partner or owner of the firm referred to in sub-section (1) may make an application to the Bar Council of India, on payment of such fee and in such manner and subject to such conditions, as may be prescribed by the Bar Council of India.
28B. The Bar Council of India, as the case may be, shall maintain, a register of law firms, in such manner as may be prescribed and a list of the same shall be annually furnished to the Central Government or the concerned State Government, as the case may be."
22. In section 35 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:--

“(1) Where on receipt of a complaint supported with any documents, if any, along with payment of such fees as may be prescribed or otherwise, a State Bar Council after going through the complaint and the supporting documents has reason to believe that any advocate on its roll has committed professional or other misconduct, it shall refer the case for disposal to its disciplinary Committee within a period of fifteen days from the date of receipt of Complaint.”;
23. In section 36 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:--
“(1) Where on receipt of a complaint or otherwise the Bar Council of India after going through the complaint and the supporting documents, if any, has reason to believe that any advocate has committed professional or other misconduct, it shall refer the case for disposal either to the disciplinary committee of the Bar Council of India or to the disciplinary committee of the State Bar Council concerned:
Provided that, in a prima facie case involving serious allegations, the Bar Council of India may, for reasons to be recorded in writing, pass such interim order as it may deem fit.”.
24. In section 36B of the principal Act, for the words “one year”, the words “two years” shall be substituted.
25. In section 42 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:--
“(2) All proceedings before a disciplinary committee of a Bar Council shall be deemed to be the judicial proceedings within the meaning of sections 229 and 267 of the Bharatiya Nyaya Sanhita, 2023, and every such disciplinary committee shall be deemed to be a Civil Court for the purposes of sections 384, 385 and 388 of the Bharatiya Nagarik Suraksha Sanhita, 2023.”
26. In section 45 of the principal Act, for the words “six months”, the words “three years or with fine or with both” shall be substituted.
27. Section 47 of the principal Act, shall be substituted for the following, namely:-;
<i>47. Reciprocity.</i> — (1) Where any country, prevents citizens of India from practising the profession of law or subjects them to unfair discrimination in that country, as notified by the Central Government in this behalf by notification in the Official Gazette, no subject of any such country shall be entitled to practise the profession of law in India.
Provided that, notwithstanding anything contained in this section, the Bar Council of India may, having regard to the principle of reciprocity, and such other relevant considerations as may be prescribed, permit or refuse permission to any foreign lawyer or foreign law firm to practise law in India;

(2) Subject to the provisions of sub-section (1), the Bar Council of India with prior approval of the Central Government, may prescribe the conditions, namely:-,
(i) to register foreign lawyer and foreign law firms for the permitted areas of practice and to renew, suspend or cancel such registration and to lay down the manner, procedure, form and fee in this regard;
(ii) to allow foreign lawyer and foreign law firm to engage in the permitted areas of practice on a fly in fly out basis and to lay down the manner and procedure, form, and fee in this regard;
(3) For the purpose of sub-clause (i) & (ii) of sub-section (2), the expression "permitted area of practice" shall be such as may be prescribed; but shall not include practice before any court or any authority or person, which only an advocate is entitled to do under Section 33 of the Act except before an arbitral tribunal in an international commercial arbitration, where the law applicable to the substance of the dispute is foreign law;
28. In section 48B of the principal Act, sub-section (1) shall be substituted with the following and sub-section (2) shall be omitted.
(1) For the proper and efficient discharge of the functions of a State Bar Council or any committee thereof, the Bar Council of India may, in the exercise of its powers of general supervision and control, give such directions to the State Bar Council or any committee thereof as may appear to it to be necessary, and the State Bar Council or the committee shall comply with such directions.
29. After section 48B of the principal Act, the following section shall be inserted, namely:--
"48C. Notwithstanding anything contained in any rules made by the State Bar Council, where a State Bar Council is unable to perform its functions by reason of dissolution, suspension, or any other reason, the Bar Council of India may, without prejudice to the generality of the foregoing provisions, by notification constitute an interim committee to exercise the powers and perform the functions of the State Bar Council, consisting of three eminent persons in the field of law, out of which, the senior most member shall be the chairperson."
30. In section 49 of the principal Act, in sub-section (1),-
(a) for clause (af), the following clauses shall be substituted, namely:--
"(af) the minimum qualifications required for admission to a course of degree in law in any centre of legal education under clause (hc) of sub-section (1) of section 7;
(aff) the Bar examination under clause (ea) of section 2;
(afg) the duration of the course of bachelor's degree in law under clause (h) of section 2;"
(b) after clause (ah), the following clause shall be inserted, namely:--
"(ai) the manner of verifying the place of practice and the validity or genuineness of the educational certificates under section 19A;"
(c) for clause (c), the following clauses shall be substituted, namely:--

"(c) the professional development programmes under clause (aa) of sub-section (1) of section 6 and clause (l) of sub-section (1) of section 7;
(ca) the standards of professional conduct and etiquettes for advocates and law firms under clause (b) of sub-section (1) of section 7;
(d) for clause (e), the following clauses shall be substituted, namely:--
"(e) the manner to recognise the foreign qualification in law obtained outside India and lay down the conditions for equivalence to a degree of law in India for enrolment as an advocate under this Act;"
(ea) the manner and condition of registration of law firms with the Bar Council and the fee under section 28A;
(eb) the manner of maintaining the register of law firms under section 28B;"
(ec) the manner to register foreign lawyer and foreign law firms for the permitted areas of practice and to renew, suspend or cancel such registration and to lay down the manner, procedure, form and fee in this regard;
(ed) the conditions and procedure for allowing foreign lawyer and foreign law firm to engage in the permitted areas of practice on a fly in fly out basis and to lay down the manner and procedure, form, and fee in this regard;
31. After second proviso to Section 49(1), the following proviso shall be inserted;
"Provided further that rules made with reference to clause (ec) & (ed) shall be made with prior approval of the Central Government"
(d) after clause (f), the following clause shall be inserted, namely: --
"(fa) the fee payable under section 35;"
32. For, section 50, sub clause (6) of the principal Act the following clause shall be substituted, namely: -
(6) On the date on which section 45A of the Advocates Act, 1961 (25 of 1961) comes into force, sections 1, 3 and 36 of the Legal Practitioners Act, 1879 (18 of 1879) and the Legal Practitioners Act, 1879 (18 of 1879) shall stand repealed.
33. Sections 55, 56, 57, 58, 58A, 58AA, 58AB, 58AC, 58AD, 58AE, 58AF, 58AG and 58B of the principal Act shall be omitted.
