



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

BCI:D:5314...../2026

Date 12.08.2026

To,

The Secretaries,
All State Bar Councils

- Ref.: 1. *Order dated 04.08.2026 passed by the Hon'ble Supreme Court of India in Yogamaya M.G. v. Union of India & Ors., W.P. (C) No. 581/2024 with W.P. (C) No. 1060/2025*
2. *Bar Council of India communication No. BCI:D:5204/2026 dated 11.08.2026*

Sub.: Keeping Bar Council of India communication No. BCI:D:5204/2026 dated 11.08.2026 and the meeting proposed for 16.08.2026 in abeyance for the present, pending consideration of election-related issues by the competent forums.

Sir/Ma'am,

This is in continuation of Bar Council of India communication No. BCI:D:5204/2026 dated 11.08.2026 concerning the proposed meeting of the elected members of the respective State Bar Councils on 16.08.2026 in relation to the process concerning co-option of women members.

The Bar Council of India has carefully considered the order dated 04.08.2026 passed by the Hon'ble Supreme Court of India in *Yogamaya M.G. v. Union of India & Ors.* The Hon'ble Supreme Court has directed that the two women members to be co-opted to the State Bar Councils shall be from the categories specified in the said order and that the Hon'ble Chief Justice of the jurisdictional High Court shall take into consideration all relevant factors and consult all the elected members of the respective State Bar Council before taking such decision.

The Hon'ble Supreme Court has further directed that the issue concerning the methodology for calculation of transferable votes amongst contesting candidates, particularly women candidates, requires consideration by the High-Powered Election Supervisory Committee presided over by Hon'ble Mr. Justice Sudhanshu Dhulia, former Judge of the Hon'ble Supreme Court of India. Interested members of the Bar have also been permitted to place their suggestions and opinions before the said Committee, which may afford an opportunity of hearing before taking its final decision in that regard.

The Bar Council of India is also conscious that grievances and disputes concerning the election process, including issues which may affect the exclusion, elimination, ranking or electoral status of candidates, including women candidates, are pending or may fall for consideration before the competent High-Powered Election Supervisory Committee, Election Committees, Tribunals or other authorities acting pursuant to the orders and directions of the Hon'ble Supreme Court.

Any determination in such proceedings may have a bearing upon the electoral position or status of a woman candidate and may consequently become relevant to the factual matrix pertaining to representation and co-option of women members in the concerned State Bar Council.

In these circumstances, the Bar Council of India considers that proceeding at this stage with the separate facilitative exercise contemplated by its communication dated 11.08.2026, including identification and recommendation of names pursuant thereto, may be premature and may give rise to avoidable overlapping processes or inconsistency with a subsequent determination of a competent forum.

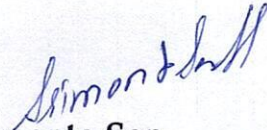
The Bar Council of India, therefore, considers it appropriate, as a matter of institutional prudence and by way of abundant caution, to preserve the present position and to await appropriate consideration and determination of such issues by the competent forums.

Accordingly, Bar Council of India communication No. BCI:D:5204/2026 dated 11.08.2026, and the meeting proposed to be convened on 16.08.2026 pursuant thereto, shall remain in abeyance for the present and until further communication from the Bar Council of India.

All State Bar Councils are accordingly requested not to convene or proceed with the meeting contemplated under the aforesaid communication dated 11.08.2026 and not to undertake any further consequential exercise pursuant thereto until further communication from the Bar Council of India.

Where any preliminary steps may already have been taken pursuant to the communication dated 11.08.2026, no further consequential action shall be taken thereon for the present. Any material or recommendation already prepared pursuant thereto shall not be treated as final or acted upon merely on the strength of the said communication while it remains in abeyance.

The present communication is being issued solely to maintain procedural propriety and consistency, to avoid parallel or potentially conflicting processes, and to ensure that the administrative exercise initiated by the Bar Council of India proceeds in due conformity with the orders and directions of the Hon'ble Supreme Court of India and the determinations of the competent forums.


Srimanto Sen
Principal Secretary
Bar Council of India