

Not long ago, when I enrolled in the Bar a decade back, it used to be a very ordinary and a low key affair. But last year, when I had been for the enrolment of my colleague, from the main road till the corridors of the enrolment hall, I saw colourful posters and huge hoardings, wherein, the prospects were smiling and posing like war heroes! I was really astonished to witness a prospect landing in a highly decorated chariot, in midst of high decibel slogans, making the enrolment arena as a Roman Colosseum, ready to showcase a gladiatorial spectacle!!!

The Bar Council of India has been trying hard to have an effective filter to raise the standard of law practice and practitioners. In an yet another attempt to have the distilled essence in practice, the Bar Council of India has introduced an exam for the aspiring law practitioners. Starting this year, a law graduate can practise in the courts in India only after clearing the All India Bar Examination.

++ The First All India Bar Examination is December 5, 2010. Registration for the Examination is from July 15 to September 30; results will be declared by December 31.

++ The All India Bar Examination will test skills and basic knowledge critical for a new entrant to the practice of the profession of law. It is intended to check for eligibility, rather than expertise.

++ Any law student graduating in Academic Year 2009-10 onwards would have to appear for the All India Bar Examination (after enrolment as an advocate) in order to practice law in India.

++ Twenty subjects from among those prescribed by the BCI for the syllabi of three- and five-year LL.B. programmes with an 'Open-book' format. Advocates may bring preparatory materials, books, handwritten notes into the examination hall.

++ A hundred multiple-choice questions, to be marked on OMR answer sheets - no rankings but the advocates will be declared either pass or fail.

++ The Certificate of Practice shall be issued by the Bar Council of India, under the signature of the Chairman, Bar Council of India, to the address of the successful advocate

within 30 days of the date of declaration of results and an unsuccessful advocate may appear again for the Bar Examination, without any limit on the number of appearances.

++ The Examination shall be held at least twice each year in such month and such places that the Bar Council of India may determine from time to time.

We are from a nation which produced a great lawyer who had been a bar at law in English Courts (a barrister called upon to the bar to plead in Courts) and from his own words,

"I passed my examinations, was called to the bar on the 10th of June 1891, and enrolled in the High Court on the 11th. But notwithstanding my study there was no end to my helplessness and fear. I did not feel myself qualified to practice law. It was easy to be called, but it was difficult to practice at the bar. I had read the laws, but not learnt how to practice law. I had read with interest 'Legal Maxims', but did not know how to apply them in my profession. 'Sic utere tuo ut alienum non laedas' (Use your property in such a way as not to damage that of others) was one of them, but I was at a loss to know how one could employ this maxim for the benefit of one's client. I had read all the leading cases on this maxim, but they gave me no confidence in the application of it in the practice of law."

(Excerpts from Mahatma Gandhi's Autobiography, "My Experiments with Truth")

If this proposed exam is in anyway going to raise the bar for the lawyers, then we welcome it with red carpet !!!