

Dear Sir,

Subject: Deferral of the Bar Council examination and applicability of the same to students graduating in 2011 and onwards.

We would firstly like to express our support, in principle, to the holding of a qualifying examination for the purpose of membership to the Bar Council of India. However, we would like to request you to defer the examination to the next year and make it applicable to students graduating in 2011 for the following reasons,

- (1) We had a legitimate expectation that upon graduating this year, we will be entitled to enrol and practice immediately. As you can appreciate, a bar exam has never been held in this country for more than 35 years now.
- (2) We will be getting a mere two months of preparation time for an examination, the significance of which for our future lives, both professional and academic, cannot possibly be overstated. Subsequent batches of students will have the opportunity to thoroughly prepare for the examination throughout their final year of studies in the LLB. (Hons.) programme, which is being denied to the students graduating in the year 2010. It must be noted that we are still unaware of the syllabus or the structure of the impending examination.
- (3) A number of us have signed contracts with law firms, lawyers and companies and our joining dates are mostly in the months of June and July. A bar examination this year would jeopardize our employment opportunities as we may be able to join only after the declaration of the results of the examination. It would be safe to assume (considering the huge scale of the examination) that the results would be declared only by December 2010 or January 2011. Law firms and companies recruit according to their specific business needs at the relevant time period. There is thus no guarantee as to what their recruitment dates and policies might be in the light of this exam.
- (4) There are also students among us who have signed contracts with law firms abroad. These students are scheduled to join in the month of August. Travel arrangements including work permits, flight tickets and accommodation have been finalized by this juncture. It must be noted that most law firms abroad require Indian students to be qualified to practice within their home jurisdictions prior to joining. Furthermore there is also a distinct possibility that they might defer the contracts by long periods of time (possibly till 2012) if we are unable to join on the predetermined dates. Thus the holding of the bar exam would not only jeopardize the employment opportunities of the students but also cause huge financial losses to the students.

By deferring the examination and making it applicable to students graduating from next year onwards, the firms would have prior information. They will recruit keeping in mind

that students will only be able to join them after the declaration of the results of the bar examination.

- (5) A considerable number of students have opted to pursue their Masters Degrees in law in several foreign universities following the completion of their Five-Year B.A./B.Sc. LLB. (Hons.) programmes. These students have further applied for/accepted scholarships for their studies and are thus due to leave the country in the course of the following two months. These students have already made necessary arrangements for the same, including visa and flight tickets, and under the circumstances, it is almost impossible for them to appear for an examination scheduled during the aforesaid period.
- (6) Several students have taken student loans for a period of five years. They will be greatly inconvenienced as they will not be able to begin paying their monthly installments until after the declaration of the results of the Bar examination and after joining their employers (assuming that their employment contracts still persist).
- (7) Keeping in mind that a Bar Council examination of this scale is being conducted for the first time, we are concerned that there might be some minor or major malfunctions which might lead to the postponement of the examination, re-examination or delay in the declaration of the results. An illustration in this regard would be the problems faced in the conduct of the Common Admission Test (CAT for MBA aspirants) in the previous year.

In the light of the above reasons, we would thus humbly request you to defer the examination to the next year and make it applicable to students graduating in the year 2011 and students graduating in subsequent years.

Yours Sincerely

Class of 2010

National University of Juridical Sciences.