

## **ALL INDIA BAR EXAMINATION FOR FRESH LAW GRADUATES**

The Supreme Court on Friday, 14 May 2010 recorded an undertaking by the Bar Council of India (BCI) that it proposed to conduct its mandatory entrance test for law graduates in December, only after which they would be allowed to practice. However, there would be no bar on law graduates in getting enrolled before clearing the exams.

Every graduate after enrolment as lawyer in the respective State Bar Council will have to clear this examination, which will test skills and basic knowledge critical for a new entrant to the profession.

The examination would be held once in six months and anyone failing in the first test could re-appear.

As on December 5, 2010 first time that this examination will be conducted, it will assess capabilities at a basic level, and is intended to set a minimum standard for admission to the practice of law; it addresses a candidate's analytical abilities and basic knowledge of law.

### **WHO WILL APPLY FOR THIS EXAM:-**

Candidates may apply to appear for the All India Bar Examination only after enrolling as an advocate under Section 24 of the Advocates Act, 1961 and will have to submit suitable proof of such enrolment along with the application form for the All India Bar Examination

The first All India Bar Examination shall be conducted across the country simultaneously on December 5, 2010. Candidates will be free to choose an examination centre of their convenience, and will also receive printed preparatory materials to assist them in preparing for the All India Bar Examination. Application forms for the All India Bar Examination will be available from July 15, 2010 onwards.

### **LANGUAGE FOR EXAM:-**

The All India Bar Examination will be conducted in nine languages: Hindi, Telugu, Tamil, Kannada, Marathi, Bengali, Gujarati, Oriya and English and the preparatory materials provided to each advocate will be in the language in which they choose to appear for the All India Bar Examination.

### **FEE STRUCTURE FOR EXAMINATION:-**

An advocate would have to pay Rs.1,300/- (Rupees One Thousand Three Hundred Only) as fees to appear for the All-India Bar Examination, which amount will include the cost of receiving preparatory materials. Advocates appearing more than once for the All India

Bar Examination will be required to pay only Rs.700/- for repeat attempts, which amount shall not include the cost of receiving preparatory materials for the All India Bar Examination. The application form shall contain details of manner of payment of the fees for the All India Bar Examination.

## EXAM STRUCTURE & PATTERN

The All India Bar Examination will have one hundred (100) multiple-choice questions spread across various subjects. The subjects are taken from the syllabi prescribed by the Bar Council of India for the three-year and five-year LL.B. programmes at law schools in India (as set out under Schedule I to the Bar Council of India Rules).

These subjects are divided into two categories: the first comprises subjects that may be considered 'foundational' in nature, those that form the basis for large areas of law; the second comprises other subjects, which a new entrant to the legal profession must also have a basic understanding of. Schedule I to this document contains the list of subjects that would be tested in the All-India Bar Examination and the weightage ascribed to each of these areas.

The All India Bar Examination shall be structured with multiple-choice questions (that is, the correct answer would have to be marked out in the Optical Mark Recognition ('OMR') format answer sheet provided, and no writing of an answer would be required.) These questions will be divided into 'knowledge-based' and 'reasoning' questions, and advocates will be allowed a maximum of three hours and thirty minutes (3 hours 30 minutes) to complete the All India Bar Examination. The emphasis throughout is on assessing an advocate's understanding of an area of law, rather than on the ability to memorise large texts or rules from different areas of law.

The All India Bar Examination will be 'open-book', which means that advocates may bring in any reading materials or study aids that they choose, such as the preparatory materials provided for the All India Bar Examination, textbooks and treatises, and even handwritten notes. Advocates may not bring in any electronic devices, such as laptop computers, mobile phones, or any device equipped with a radio transceiver (such as pagers) at the examination centre.

The results generated after the answer scripts are corrected will simply state whether an advocate has or has not qualified for practice (that is, whether the advocate has passed or failed the All India Bar Examination); no percentage, percentile, rankings, or absolute marks will be declared.

The preparatory materials shall contain model question papers and an examination guide for the All India Bar Examination; aside from this, model question papers will be

available on the website of the Bar Council of India ([www.barcouncilofindia.org](http://www.barcouncilofindia.org)) from August 16, 2010 onwards. The preparatory materials are being prepared with inputs from well-respected members of legal academia.

#### IMPORTANT DATES

Registration for the All India Bar Examination (forms available at all State Bar Councils)	July 15 – September 30, 2010
Despatch of Preparatory Materials to advocates appearing for the All-India Bar Examination on December 5, 2010	August 16, 2010 – first week of October, 2010
Model Test Papers available on the B.C.I. website	August 16, 2010 onwards
Publication of list of candidates and examination centres on the B.C.I. website	November 1, 2010
Date of the first All India Bar Examination	December 5, 2010
Declaration of results of First All india Examination	By December 31, 2010
Bi-annual examinations held from 2011	In April and November every year

#### SYLLABUS

Advocates will be required to answer questions from twenty subjects. The subjects are taken from the syllabi prescribed by the Bar Council of India for the three-year and five-year LL.B. programmes at law schools in India (as set out under Schedule I to the Bar Council of India Rules).

These subjects are divided into two categories. The Examination paper will comprise at least seven (7) questions from each 'Category I' subject, of which three (3) will be Category A questions, and four (4) will be Category B questions ('Category A' and 'Category B' questions are described in detail below). The paper will also have twenty-three (23) questions from the 'Category II' subjects as a whole, and these twenty-three

questions will include questions from at least five (5) Category II subjects. All questions from Category II subjects will be Category B questions.

Category I subjects will be tested in Part I of the question paper, and Category II subjects will be tested in Part II of the question paper.

The Category I and Category II subjects are set out below:

Further, this exam will be a bi-annual affair, to be held in April and November of every year. The actual dates will be announced before the application process begins every year.

Serial Number	Category / Subject	Number of Questions
	Category I (Part I of the Paper)	
1	Alternative Dispute Resolution	7
2	Civil Procedure Code and Limitation Act	7
3	Constitutional Law	7
4	Contract Law, including Specific Relief, Special Contracts, and Negotiable Instruments	7
5	Criminal Law I: The Indian Penal Code	7
6	Criminal Procedure	7
7	Drafting, Pleading, and Conveyancing	7
8	Evidence	7
9	Jurisprudence	7
10	Professional Ethics and the Professional Code of Conduct for Advocates	7
11	Property Law	7
	Category II (Part II of the Paper)	
12	Administrative Law	23 questions in all, and these questions will include questions from at least 5 subjects in Category II
13	Company Law	
14	Environmental Law	
15	Family Law	
16	Human Rights Law	
17	Labour and Industrial Law	
18	Law of Tort, including Motor Vehicle Accidents, and Consumer Protection Law	
19	Principles of Taxation Law	
20	Public International Law	

## Expert Committee

The Bar Council of India has formed an expert committee consisting of the following members to advise and confirm on the manner and conduct of the All India Bar examination:

- Justice P.K. Balasubramaniam (former Judge, Supreme Court of India)
- Mr. M. G. K. Menon (former Chairman, I.S.R.O., and respected policymaker)
- Prof. Najeeb Jung (Vice-chancellor, Jamia Milia Islamia)
- Mr. R. N. Trivedi (Senior advocate and former Additional Solicitor General)