

Supreme Court Bans 'Optional' Fees for New Lawyers



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In a significant ruling, the Supreme Court has declared that state bar councils and the Bar Council of India (BCI) cannot levy any "optional" fees on law graduates enrolling as lawyers. The court's directive is a clear-cut affirmation of its previous judgment aimed at preventing exorbitant and unauthorized charges that act as a barrier to new entrants in the legal profession.

A bench of Justices J.B. Pardiwala and R. Mahadevan passed the order while hearing a contempt plea, which alleged that some state bar councils were not complying with a July 2024 judgment that had capped enrollment fees. The court explicitly told the Karnataka State Bar Council to stop collecting any such amounts. The ruling makes it clear that there is no concept of "optional" fees when it comes to the statutory enrollment process for lawyers.

The BCI, in its defense, had previously stated that certain fees, such as those for ID cards, welfare funds, and training, were optional and not mandatory. However, the Supreme Court firmly rejected this argument. "We make it clear that there is nothing like optional. No State Bar Council(s) or Bar Council of India shall collect any fees of any amount as optional," the bench stated in its order. This decision shows the court's commitment to ensuring that the statutory fees, and only the statutory fees, are collected from aspiring advocates.

The original July 2024 judgment had capped the enrollment fee at Rs 750 for general category candidates and Rs 125 for Scheduled Caste/Scheduled Tribe candidates, as per the Advocates Act, 1961. The court had then found that charging exorbitant fees was a violation of the constitutional rights to equality and to practice a profession, as it disproportionately affected marginalized and economically weaker law graduates.

While that decision had a prospective effect, meaning no refunds for previously collected fees, this latest order reinforces that all bar councils must now strictly adhere to the established rules. The court's latest directive aims to bring complete transparency and fairness to the enrollment process, ensuring the legal profession remains accessible to all qualified individuals, regardless of their financial background.