

**ADDRESS BY HON'BLE MINISTER OF LAW AND JUSTICE
AT THE THIRTEENTH ANNUAL CONVOCATION OF
NALSAR UNIVERSITY OF LAW, HYDERABAD
ON 16TH AUGUST, 2015.**

It is a privilege to be invited to address a group of young men and women who are at the threshold of their careers. It is an honour to speak at the graduation ceremony of such a distinguished and reputed legal educational institution and I am delighted to be here on this august occasion.

The Constitution of India and democratic governance system in India, with primacy to "Rule of Law", place all organs of the State on delicate balance of power. The judiciary, manned by men of great standing in the field of law, plays a pivotal role in the way the country carries itself forward.

"Law is a pledge that the citizens of a state will do justice to one another"

(Lycophron, 3rd-Centruy B.C. Greek Poet and Scholar)

As independent Judiciary plays pivotal role in interpreting the Constitution and the laws enacted by the Legislature and guarantees the rights of citizens and steps in when needed to protect public interest, we can very well say that judiciary plays an important role in good governance and in ensuring quality of life for the citizens of the country. Such an important judiciary is a product of the legal system. If you have very strong, disciplined and resourceful legal

practitioners, then the men occupying the judiciary will be of highest character.

As the part and parcel of that legal system, you all become very important for nation building and the quality and character of the nation we build.

Though quality of Bar which decides the quality of Judges produced depends on various factors, I am of the firm opinion that the legal education system is one of the significant factors.

The legal education being such an important field, I doubt whether we did attach the importance and the attention it deserves. I am of the impression that the Legal Education in India always got a raw deal and to a large extent it continues even today.

If you ask any student in India as to what they want to study, they talk about engineering, medicine and all other sectors and the law would be the last among them.

Why is it so? If the best minds skip this field, never ever we would be able to improve the quality of the products of legal system in India which will have its impact on the quality of lawyers, quality of Bar and on the quality of judiciary.

I should frankly confess that today the law colleges and the lawyers in the country do not enjoy a reputation on par with other sectors. Let me not blame the profession or anyone for this sorry state of affairs. There is a lot which needs to be done. The efforts will have to begin with streamlining the legal education, then in improving the quality of Bar and its functioning across the country, then in improving the professionalism, ethics and character displayed by lawyers in various walks of this sector, then in

improving the opportunities available for lawyers and law graduates and ultimately in improving the system for the elevation of lawyers as Judges in our country.

You all know that all these areas which I have just spoke about warrant very serious thought and efforts to set right basic things and streamline the whole system.

I am sure you all know that our Government has already made an attempt to bring in very important change in the system of appointment of Judges which will have huge impact in the days to come.

There are many more changes and reforms which are needed. I am hopeful things will start happening now one by one. However, we cannot expect that changes at the top of the pyramid will transform the whole thing.

As I had spoken earlier, the changes or reforms will have to take place at each level so that we can see a paradigm shift in the legal field in India. I am very happy to admit that the one such change at the entry level in the legal education has already begun. I must congratulate the concern and efforts of Law Commission and Bar Council of India which resulted in this pleasant change by starting National Law Schools which have gone on to become Universities that too of autonomous nature.

I can proudly say that these institutions have brought fame and reputation to this field and are considered on par with IITs and IIMs in this country. What else one can ask for?

However, is it all? Have we achieved everything in this field? Certainly not, it is only the beginning and that too a very humble beginning. There are two reasons why I say so:

First, the number of law graduates passing out of National Law Schools is only a small number when compared to total number of law graduates passing out of other law colleges. This miniscule number of National Law School graduates are the best minds attracted by this field but the problem is that the field is still overshadowed by the products of other law colleges whose quality is yet to see any change whatsoever.

Secondly, most of you who pass out of these best institutions do straightaway land up with corporates for greener pastures and have literally shyed away from the law practice before the courts. If you do not practice and you do not serve the people of this country, then I would say that this is again a “brain drain” in the field of law, which forces the countrymen, who unfortunately become litigants, to be contented with the products of other law colleges who are yet to raise their bar in the quality.

Having spelt out these challenges, let me also touch upon what we need to do about them.

First of all, there has to be an immediate change in the way law is taught in Law Colleges other than National Law Schools across the country and bring them on par with National Law Schools. This has to happen today or tomorrow and we cannot and should not escape from it. I have already assured the Bar Council of India that whatever support it needs in the form of amendment of laws and changes in the system, our Government will be ready to take two

steps for every step taken by the BCI in this regard. This can either happen by way of exchange programmes between National Law School institutions and other law colleges or by going in for multiplication of National Law Schools in more cities.

The second step which all of you must contemplate is to avoid running away from practicing law before the courts. Let me tell you, this is nothing but depriving the citizens of this country from the best services of the finest products in the field. If you people run away from practicing law, this would have negative impact on anything we do to improve the way law is practiced in India though we produce best products. This means that the quality of law practice does not improve and hence the quality of Bar and the entry of lawyers into judiciary can be anything but mediocre.

Having talked about specific issues, let me spell out certain issues in general as far as legal education system in India is concerned.

(1) The legal education should become more practical oriented so that when you pass out, you should be able to render advice, draft contracts and practice in the courts effortlessly. The products of law colleges should develop flair for practicing in the courts rather than getting into corporate sector. This can only happen if the legal education provides more and more of exposure and courtroom based learning. The practical and courtroom based learning will not only impart the aptitude for practicing law after graduation but also would provide enough insight for the students to focus on the skill-set strengthening required for practicing law.

(2) Legal education system should become social research based. Research in the field of law is very limited as compared to other fields. The research in the field of law should aid judiciary in basing its decisions and orders in cases involving social issues which have impact on the society at large as well as on the economy of the country. Similarly, research in the field of law should also aid the legislature in coming out with new laws as per the needs of the evolving society and economy as well as harmonizing the existing laws. This will be possible only when the law institutions become the torch bearers of research in the field of law in tandem with legal education.

(3) Legal education should achieve specialization. Though improving the standard of the general legal education system is our priority, the legal education system should gear up to the evolving needs of the society and economy. The expertise required to deal with the complications of trade and commerce in the light of globalization has increased. Similarly, specialization needed to deal with offences relating to crimes using technology needs proper understanding of technological advancements and specialization in the field. Similarly, issues relating to contracts and arbitration do require specific skills. Hence it is time for the legal education to be geared up and focus on specialization. The law schools must offer post-graduation and doctorate courses in various specialized fields. I am sure the focus on specialization has already begun in the institutions like yours.

(4) Legal education in India should also focus on study of comparative law and international law so that our legal system

improves as well as our law graduates are able to provide legal services across the globe. You all know that making India an “International Hub of Arbitration” is the goal towards which our Government is working. Everyone in India is of the view that we should take advantage of such a talented human resource and develop our country as the “Hub of International Arbitration”. This can only happen if the Law Schools get geared up for imparting necessary expertise and skill to the law graduates.

(5) Legal education system in India should also focus on continued education so that law graduates are able to refresh their skill-set continuously. I know that there is a general apathy towards training and re-learning among lawyers and law graduates once they are out of law schools. I am sure this general apathy can be done away with if the institutions of eminence like yours come out with relevant and interesting application based training.

I would end my speech after listing out certain basic minimum standards law professionals must observe :

- (1) Be a professional.
- (2) Be ethical.
- (3) Be responsive and responsible to clients.
- (4) Be a catalyst for speedier dispute resolution.
- (5) Maintain confidentiality.
- (6) Be accountable to the clients.
- (7) Do not seek short-cuts.

If law professionals maintain these standards, I am sure the image of the legal profession will improve and it would be great service to this great nation.

Dear graduates, I congratulate you all on your remarkable success. Whatever branch of law you may choose, the foundation of your success should be erected on your unfailing defence of fundamental rights and civil liberties of all and the realization of the rights of the deprived and the marginalized sections of society. Cultivate the habit of continuous learning to prove yourselves competent to handle the ever growing legal challenges and also to maintain the dignity, decency and decorum of profession.

On the occasion of its 13th Annual Convocation I congratulate NALSAR University of Law, all its faculty members, staff and students and each and every one who contributed to make this institution glorious and historical.
