

**ADDRESS BY HON'BLE MINISTER OF LAW AND JUSTICE
AT THE 23RD ANNUAL CONVOCATION OF NATIONAL
LAW SCHOOL UNIVERSITY OF INDIA, BENGALURU
ON 30TH AUGUST, 2015.**

Hon'ble the Chief Justice of India and Chancellor of National Law School of India University (NLSIU), Vice-Chancellor Prof. (Dr.) R. Venkata Rao, respected Faculty of NLSUI, dear students, other invitees and dignitaries, ladies and gentlemen,

It is my pleasure to be with you on the occasion of Annual Convocation of NLSUI.

Legal education is a significant component of higher education attracting lot of attention today. In the past, it never got its due attention from both policy makers as well as of the society. You would all agree that the legal education happened to be one of the countless courses offered by colleges offering Arts and Science degree courses. With my limited knowledge on the subject, I would very well say that the students used to prefer it as a last resort and the colleges offered it as one of the additional items which can be taught without much infrastructure and without too many faculty members. I think this is not the story any longer.

The combined efforts of the Bar Council of India, Law Commission and the Government have given birth to institutions of National Importance in the field of Legal Education in the form of National Law Schools and today they have become Universities themselves. What a transition from being one of two dozen courses offered in a college affiliated to a General University to a dedicated

Law University focussing on Legal Education on par with the IIT's, AIIMS and IIMs.

I have been told that these institutions do have best brains and most of them chose legal field over medicine and engineering which simply explains the distance travelled by the Legal Education in India. I am confident that these institutions produce the best professionals. Yet, I have few concerns which need all of our attention. The first and foremost one is the Q & Q (quantity and quality) of the products of the legal institutions in India. As I have already pointed out though the products of National Law Schools are best in the trade but unfortunately their number in comparison with the graduates passing out of other legal institutions in the country is very less

As the law graduates from other institutions outnumber the products from the National Law Schools, the quality of the legal professionals in India as a whole is not upto the mark. So, there is an urgent need to improve the quality to the levels achieved by National Law Schools. I have reasons to say so. About one-fourth of India's population i.e. about 25-30 crore are direct stakeholders in the legal system in India at any point of time either as litigants of 4 crore cases or their family members or as advocates, as jurists, or as magistrates and Judges. Indirectly, each and everyone's life is touched by the legal field at one point of time or the other. Hence, the quantity and quality of legal professionals in India is a major challenge that we all need to tackle so that we not only uplift the reputation of this profession but also render a better service to the citizens of this country.

But, how do we achieve it? Either we increase the number of National Law Schools or improve the teaching-learning standards of the other legal institutions. I am sure that other legal institutions would take note of this issue and take necessary steps. I am also sure that the Bar Council of India will do its bid to improve the teaching-learning standard of other legal institutions on par with National Law Schools.

I would also like to point out that the curriculum and the teaching standards of even the National Law Schools will have to undergo lot of changes to cope up with the changing scenario. The growth in economy and complexities in the transactions require specialized professionals in commercial law practice as even the Government has taken steps to set up Commercial Courts. Similarly, the issues pertaining to arbitration and conciliation are not only law alone but an art in the negotiation as well. The crimes relating to Information Technology field are quite technology intensive which require different specialization. To simply put it, it is time for specialization; hence, even the National Law Schools will have to tweak their curriculum to meet the needs for specialization in each area of legal profession.

This apart, the teaching of law has to have more practical content as practicing law is not as easy as learning and obtaining a law degree. All successful law graduates do not become successful practitioners as the successful lawyers must have many more skill-sets in addition to strong knowledge in law. Now let me ask you, how many of you who pass out of National Law Schools become lawyers practicing before our courts? I was told not many. Why so?

Though you are best of the best, why do you shy away? If you people shy away from the battle field, who will fight the battle? Are we running these institutions just to produce skilled and specialized professionals to work for corporates? I do not think so and I am sure the managers and students of these institutions would take my words in right perspective and make necessary amends so that we see more of you in court rooms.

It is the dream of our Hon'ble Prime Minister Shri Narendra Modi ji and me that India should become a Hub of International Arbitration. How can we achieve this if our arbitration takes years when other Centres of International Arbitration like London and Singapore take just five-six months to complete an arbitration proceeding? Where have we gone wrong? Is it only the fault of our law or it is also because of people who handle this law as arbitrators and lawyers? In my opinion, it is a result of both and as a first step our Government is bringing out comprehensive amendment to Arbitration Act. This would be taken up in the forthcoming session of Parliament. This would bring our Act on par with UNCITRAL system. Therefore, now it is for the Arbitrators and lawyers to see that our country becomes a Hub of International Arbitration. I am sure institutions like yours would play active role in training all the stakeholders so that we achieve this goal at the earliest.

Another aspect, which is though not a direct cause of concern of Legal Education, is the pendency of cases in our courts and lack of access to justice to all. Why do we have so much of cases pending? What is wrong with us? Can we keep blaming high population alone for it? Can we just tackle the issue of pendency by

just increasing the number of Judges? I am of the firm opinion that this cannot be resolved by conventional methods, rather substantial and comprehensive changes which are out of the box ideas can only help us tackle the issue.

Who will give birth to such ideas and thoughts if not institutions like yours? I call upon all of you to come back to us after studying the issue and point out what is wrong with our system and what needs to be done to achieve time bound justice delivery system which is everyone's dream. The Government would welcome your suggestions and recommendations on time bound justice delivery system. I am sure our Chief Justice would also hold the same view.

Similarly, the access to justice to all has remained elusive so far. In fact, the study brought out by this institution has broken the unidimensional notion of concept of access to justice. It is not just the proximity of courts and formal legal systems which alone matter but how accessible they are for the poor and downtrodden is equally important. The findings of a study done by National Law School for the Law Commission in connection with death penalty are quite a revelation for all of us in Government and I am sure Judiciary too has taken note of it. I am inviting the team which conducted this study to make a detailed presentation to Government so that we understand and act upon the areas of concern.

The last but not the least is the concern regarding codification and harmonization of laws in operation today. Lot many people asked me what purpose does the repeal of archaic laws serve? I do agree with them, it is a beginning only. What we need to do is simplifying and harmonizing the existing laws in operation by sorting

out inconsistencies, conflicts and reducing the multiplicity of laws on the same subject so that our laws enable citizens to obey the laws rather than default. Hence, there is an urgent need to take up codification of living laws on every subject. For example, the field of labour laws has more than 40 laws. Is it possible for anyone to follow so many laws governing one field? That is why there is an urgent need to simplify and codify our laws and reduce multiplicity of laws. I am requesting this Institution to come forward and take up a project on codification of laws so that we work together in heralding next phase of Legal Reforms in India.

Let me not dwell too much on the tasks on my hand and close my address by congratulating those who are graduating today to go ahead and build bright careers as leading lawyers, jurists and Judges. Keep one thing in mind that it is we all who build India and it is in our hands to build it better.

I would also like to congratulate the faculty and staff of the University and hope they would keep up their good work.
