



THE BAR COUNCIL OF TAMILNADU & PUDUCHERRY

K. BALU

CO - CHAIRMAN &
CHAIRMAN, ENROLMENT COMMITTEE

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To,

17.11.2025

1. The Hon'ble Law Minister,
Ministry of Law and Justice,
Government of India,
4th Floor, A-Wing, Shastri Bhawan,
New Delhi-110 001.
2. The Law Secretary,
Department of Legal Affairs,
Ministry of Law & Justice,
Government of India,
4th Floor, A-Wing, Shastri Bhawan,
New Delhi-110 001.
3. The Chairman,
Bar Council of India,
21, Rouse Avenue Institutional Area,
Near Bal Bhawan,
New Delhi - 110 002.

Sub: Request for urgent legislative amendment to revise the statutory enrolment fee under Section 24(1)(f) of the Advocates Act, 1961, forthcoming parliamentary winter session scheduled from 25th November 2025 pursuant to the Supreme Court's judgment in Gaurav Kumar v. Union of India & Others, reported in 2024 INSC 558 – Reg.

Respected Sir(s),

I most respectfully submit this representation seeking urgent statutory intervention to amend Section 24(1)(f) of the Advocates Act, 1961, in the forthcoming parliamentary winter session scheduled from 25th November

2025 in light of the recent judgment of the Hon'ble Supreme Court in Gaurav Kumar v. Union of India & Others, reported in 2024 INSC 558.

2. In the said judgment, the Hon'ble Supreme Court has unequivocally held that State Bar Councils cannot collect enrolment fee or any amount in kind beyond the sum of Rs. 750/- prescribed under Section 24(1)(f) of the Advocates Act at the time of enrolment. The Court further clarified that all charges, irrespective of their nomenclature or purpose, when collected at the time of enrolment, will be treated as "enrolment fee." Consequently, held that no State Bar Council or even the Bar Council of India as statutory delegates can enhance or alter the fee prescribed under Section 24(1)(f). The section 24(1) (f) of Act 1961 is extracted as below:-

"24. Persons who may be admitted as Advocates on a State roll :-
(1)

(f) he has paid, in respect of the enrolment, stamp duty, if any chargeable under the Indian Stamp Act, 1899 (2 of 1899), and an enrolment fee payable to the State Bar Council of (six hundred rupees and to the Bar Council of India, one hundred and fifty rupees by way of a bank draft drawn in favor of that council)

PROVIDED THAT where such person is a member of the Scheduled Castes or the Scheduled Tribes and produces a certificate to that effect from such authority as may be prescribed, the enrolment fee payable by him to the State Bar Council shall be (one hundred rupees and to the Bar Council of India, twenty-five rupees)"

In the above said judgment, the legal position has been laid down which is clear and binding, it has created a situation of grave concern for State Bar Councils across the country.

3. It is further submitted that the enrolment fee of Rs. 750/- was last revised in the year 1993 which is more than three decades ago when administrative expenses, economic conditions, and regulatory

responsibilities were entirely different scenario. In the present context, with steeply rising operational costs, expanding technological requirements, digitisation needs, increased administrative workloads such as verification of educational certificates from the respective schools and colleges and the criminal backgrounds of the candidates with an ideology provides greater welfare obligations towards young and economically vulnerable advocates, the statutory fee of Rs. 750/- is wholly inadequate even to meet the basic administrative requirements of a State Bar Councils even for the nominal expenses and day to day affairs.

4. The Hon'ble Supreme Court of India has itself acknowledged that its judgment will have serious financial implications for both the State Bar Councils and the Bar Council of India by ensuring reasonable enrolment fee without affecting the candidates financially and the enrolment fee has to be revised in terms with the raising financial implications upon the State Bar Councils because of the current increase in cost of living.

5. It is pertinent to note that State Bar Councils do not receive any financial grants from either the Central or State Governments and their ability to perform statutory functions under Sections 6 and 7 of the Advocates Act 1961 including staffing, infrastructural maintenance, disciplinary oversight, verification and enrolment processing, inspections, digital record-keeping, training programmes, continuing legal education, and various welfare measures for advocates depends almost entirely on the funds collected at the time of enrolment and therefore, the last fixed enrolment fee in the year 1993 has to be necessarily revised in accordance to the current scenarios.

6. In recent years, Bar Councils have also been compelled to modernise through technological systems, online platforms, biometric verification, and enhanced scrutiny mechanisms, all of which require significant expenditure. During crises such as the Covid-19 pandemic, State Bar Councils were at the forefront of providing financial assistance to

advocates and their families. These essential functions cannot be sustained under the rigid statutory cap of Rs. 750/- and the parliament has power to revise the enrolment fee considering the financial implications and raise in cost of living and carrying out day to day administrative affairs of state Bar Council. The Hon'ble Supreme Court of India only held that Bar Councils, being delegates of Parliament, cannot unilaterally enhance a fee fixed by statute. It is pertinent to note Parliament has revised this fee structure in the past, in 1973 and again within 20 years i.e., in the year 1993, based on representations from State Bar Councils nationwide. The present situation is far more urgent and compelling, requiring immediate legislative attention to preserve the financial stability and functional viability of Bar Councils.

7. In these circumstances, I humbly request the Bar Council of India and the Ministry of Law & Justice to initiate appropriate steps to amend Section 24(1)(f) of the Advocates Act, 1961, by revising the enrolment fee to a realistic, reasonable, and sustainable level in keeping with current economic and administrative realities. This representation is submitted in the larger interest of the legal profession, the regulatory framework governing it, and the welfare of thousands of young advocates who depend on State Bar Councils for support, guidance, discipline, and welfare. The financial health of State Bar Councils is integral to maintaining professional standards, ensuring the independence of the Bar, and enabling the efficient discharge of statutory duties.

8. At present, the statutory ceiling on enrolment fee is grossly inadequate to meet the legitimate financial requirements of State Bar Councils, which are entrusted with important statutory, regulatory, and welfare responsibilities. The recent judicial direction mandating strict adherence to the statutory ceiling has caused immediate and severe financial strain across all State Bar Councils. Without a suitable legislative amendment, vital functions particularly welfare measures and disciplinary oversight are at serious risk of being compromised.

In the interest of administrative efficiency, advocate welfare, and the smooth functioning of professional regulation, I therefore earnestly request the Ministry of Law & Justice to kindly introduce a short Amendment Bill in the ensuing Winter Session of Parliament scheduled on 25th November 2025 to revise and rationalise the enrolment fee mechanism under the Advocates Act, 1961.

Thanking you,

Yours



(K. BALU)

Chairman Enrolment Committee
Bar Council of Tamilnadu and Puducherry

Copy to:

The Chairmans,
All State Bar Councils.