

- (ग) यदि विदेशी नागरिक अधिवक्ता अधिनियम, 1961 और भारतीय विधिज्ञ परिषद् के नियमों और संकल्पों के प्रावधानों के अनुसार पेशेवर कदाचार या इन नियमों के उल्लंघन का दोषी पाया जाता है।
- (घ) यदि नामांकित गलत बयानी, दमन या धोखाधड़ी से प्राप्त किया गया है, तो अधिवक्ता अधिनियम, 1961 के प्रावधानों और भारतीय विधिज्ञ परिषद् के नियमों और संकल्पों के अनुसार कार्रवाई की जा सकती है।
- (ङ) यदि केंद्र सरकार द्वारा जनहित, राष्ट्रीय सुरक्षा या विदेश नीति संबंधी चिंताओं के आधार पर निर्देश दिया गया हो।

9. भारतीय अधिवक्ताओं के अधिकारों की सुरक्षा

इन नियमों में किसी भी बात का यह अर्थ नहीं लगाया जाएगा कि वह अधिवक्ता अधिनियम, 1961 के अंतर्गत नामांकित अधिवक्ताओं के अधिकारों, विशेषाधिकारों और हितों को किसी भी प्रकार से कमज़ोर, प्रतिबंधित या प्रभावित करती है। अधिवक्ता अधिनियम, 1961 की धारा 29, 30 और 33 के अनुसार, भारत में न्यायालयों, न्यायाधिकरणों और प्राधिकरणों के समक्ष सुनवाई का अनन्य अधिकार ऐसे अधिवक्ताओं में निहित रहेगा।

स्पष्टीकरण: इन नियमों के प्रयोजनों के लिए, “विदेशी कानून” का अर्थ भारत के अलावा सभी क्षेत्राधिकारों के कानून होंगे। इन नियमों के अंतर्गत नामांकित किसी विदेशी नागरिक को विदेशी कानून, अंतर्राष्ट्रीय कानून और अंतर्राष्ट्रीय वाणिज्यिक मध्यस्थिता का अभ्यास करने के लिए भारत में नामांकित किसी अधिवक्ता के समान अधिकार और सीमाएँ प्राप्त होंगी, जैसा कि भारत में विदेशी वकीलों और विदेशी विधि फर्मों के पंजीकरण और विनियमन हेतु बार काउंसिल ऑफ इंडिया नियम, 2022 (2025 में संशोधित) के अंतर्गत प्रदान किया गया है।

ऐसा विदेशी नागरिक, किसी अन्य देश की नागरिकता के आधार पर, उस देश में अपने देश के कानून का अभ्यास करने के लिए किसी भी स्वचालित अधिकार का दावा नहीं करेगा, जब तक कि ऐसा देश स्वतंत्र रूप से अपने कानूनों के तहत व्यक्ति को ऐसा करने की अनुमति नहीं देता है।

Jherks | प्रधान सचिव

[विज्ञापन-III/4/असा./473/2025-26]

BAR COUNCIL OF INDIA

NOTIFICATION

New Delhi, the 4th November, 2025

F. No. No. BCI:D: 7842/2025.—

Bar Council of India Rules on Enrolment and Practice of Foreign Nationals, 2025

1. Short Title and Commencement

- (1) These rules may be called the Bar Council of India Rules on Enrolment and Practice of Foreign Nationals, 2025.
- (2) They shall come into force on such date as may be notified by the Bar Council of India.

2. Application of the Rules

These rules shall apply to nationals of countries other than India who seek permission to practice law in India, whether by virtue of holding a law degree from a University in India or from any foreign University.

3. Reciprocity Requirement

- (1) A foreign national shall be considered for enrolment under these rules only if duly qualified citizens of India are permitted to practice law in that foreign national's country on substantially equivalent and reciprocal terms.
- (2) The Bar Council of India shall determine and publish, from time to time, the list of reciprocal jurisdictions, after consultation with and on the advice of the Ministry of External Affairs of the Government of India.
- (3) The decision of the Bar Council of India in this regard, based on such consultation and advise, shall be final and binding.

4. Scope of Practice

- (1) A foreign national who has obtained a recognised law degree from a University in India shall be eligible to be registered only for non-litigious practice of Indian law, which shall include advisory, consultancy, documentation and transactional work. Such foreign national shall have no right of audience or appearance before any court, tribunal, authority or quasi-judicial body in India.
- (2) A foreign national who has not obtained a law degree from a University in India shall not be permitted to practise Indian law. Such a person may only practise in matters concerning foreign law, international law and international commercial arbitration, in accordance with the Bar Council of India Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India, 2022, as amended in 2025, provided that such practice shall not extend to rendering any opinion on Indian law.
- (3) Nothing in these rules shall restrict the discretionary power of a court under Section 32 of the Advocates Act, 1961 to permit a non-advocate to appear in a specific matter on a case-by-case basis.

5. Restrictions on Membership, Representation, and Other Entitlements

- (1) A foreign national registered under these rules shall not be entitled to:-
 - (a) be a member of any State Bar Council or the Bar Council of India.
 - (b) be a member of the general body of any Bar Association or cast a vote in any Bar Association election
 - (c) contest for or hold any office-bearer position in any Bar Association or Bar Council.
 - (d) represent any Bar Association, Bar Council, or other collective body of advocates in any capacity whatsoever.
- (3) The State Bar Council shall issue a distinct enrolment number to every foreign national registered under these rules that is clearly differentiated from the regular enrolment numbers allotted to advocates enrolled in India.

The distinct enrolment number shall be in the following format:

“FNR/State Code/Year/Serial Number”

(Example: FNR/DEL/2025/001) where “FNR” denotes Foreign National Registration, “State Code” denotes the code assigned to the respective State Bar Council, “Year” represents the year of registration, and “Serial Number” denotes the sequential number of registration issued in that year.

The enrolment certificate issued under this rule shall expressly state that it authorizes the holder to engage only in non-litigious practice of law in India, limited to advisory, consultancy, documentation and transactional work, and does not confer any right of audience or appearance before any court, tribunal, authority or other forum in India.

The certificate shall also bear a clear and conspicuous note to the effect that the holder is not entitled to appear, plead, act, or represent any person in any judicial or quasi-judicial proceeding, nor to give evidence or make submissions on oath in any capacity as an advocate before any Indian court, tribunal, or authority.

- (2) A foreign national registered under these rules shall not be eligible to receive any financial aid, welfare benefits, or schemes administered by any Bar Association, State Bar Council, or the Bar Council of India, unless specifically authorised by the Bar Council of India with prior approval of the Central Government.
- (3) A foreign national registered under these rules shall not be eligible:-
 - (a) to be empanelled for legal aid, government panels, or any public office requiring advocate empanelment
 - (b) to appear for or be nominated to the judiciary or judicial services, or to sit for any competitive examination for judicial or other legal services, unless expressly permitted by the Central Government or the concerned State Government, as the case may be.

6. Visa and Work Authorisation

- (1) No foreign national shall be entitled to practise law in India under these rules unless he or she holds a valid visa or work permit expressly authorising such professional activity, issued by the Ministry of Home Affairs of the Government of India.
- (2) The terms and conditions of such visa or work permit shall be binding upon the enrolment granted under these rules, and any contravention thereof shall render the registration liable to immediate suspension or cancellation.

(3) Practising law without such valid visa or work authorisation shall constitute professional misconduct in addition to constituting a violation of immigration law.

7. Professional Conduct and Discipline

(1) Every foreign national registered under these rules shall be subject to the same professional standards, rules of conduct and etiquette as are applicable to advocates enrolled under the Advocates Act, 1961.

(2) Such foreign national shall be subject to the disciplinary jurisdiction of the State Bar Council and the Bar Council of India under Sections 35 and 36 of the Advocates Act, 1961, in the same manner as an advocate enrolled in India.

(3) Any breach of professional conduct, violation of these rules, or practice without valid visa or work authorisation shall constitute professional misconduct.

8. Suspension and Cancellation

The Bar Council of India may suspend or cancel the registration of a foreign national under these rules in any of the following circumstances:-

(a) If reciprocity with the home country ceases to exist

(b) If the visa or work authorisation lapses, is revoked or is found to be invalid

(c) If the foreign national is found guilty of professional misconduct or violation of these rules as per provisions of the Advocates Act, 1961 and Rules and Resolutions of the Bar Council of India.

(d) If enrolment has been obtained by misrepresentation, suppression or fraud, action may be taken as per provisions of the Advocates Act, 1961 and Rules and Resolutions of the Bar Council of India.,

(e) If directed by the Central Government on grounds of public interest, national security, or foreign policy concerns.

9. Saving of Rights of Indian Advocates

Nothing in these rules shall be construed to dilute, restrict or affect in any manner the rights, privileges and interests of advocates enrolled under the Advocates Act, 1961. The exclusive right of audience before courts, tribunals and authorities in India shall remain vested in such advocates, in accordance with Sections 29, 30 and 33 of the Advocates Act, 1961.

Explanation: For the purposes of these rules, “foreign law” shall mean the law of all jurisdictions other than India. A foreign national enrolled under these rules shall have the same rights and limitations as an advocate enrolled in India to practise foreign law, international law, and international commercial arbitration, as provided under the Bar Council of India Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India, 2022 (as amended in 2025).

Such foreign national shall not, by virtue of citizenship of another country, claim any automatic right to practise the law of his or her home country in that country, unless such country independently permits the individual to do so under its own laws

SRIMANTO SEN, Principal Secy.

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