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An Inquest on the Recent Intervention of the Indian Judiciary in Regulating Legal Education in India

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Abstract
Legal education in India has experienced substantial transformation over the past two decades, with the judiciary emerging as a significant force in shaping educational governance. The Supreme Court of India and several High Courts have increasingly intervened in matters concerning academic standards, institutional accountability, student welfare, and regulatory compliance. Judicial intervention has become particularly important in response to the commercialization of professional education, the decline in educational standards, inadequate infrastructure, arbitrary institutional practices, and growing concerns relating to student mental health.
Contemporary judicial decisions reveal a transition from a narrow focus on institutional legality toward a broader student-oriented approach. Courts have examined issues such as rigid attendance policies, lack of grievance redressal mechanisms, discriminatory practices, psychological stress, ragging, and the absence of counselling facilities within universities and law colleges. Constitutional values including equality, dignity, access to education, and professional freedom have increasingly guided judicial reasoning in educational matters.
Recent cases such as Courts on its own Motion In Re: Suicide Committed by Sushant Rohilla *(Delhi High Court, 2025),* Ayesha Jain v. Amity University *(Supreme Court, 2025), and* Amit Kumar v. Union of India *(Supreme Court, 2026) illustrate this evolving jurisprudence. These decisions indicate that courts now regard educational institutions not merely as academic establishments but also as constitutional spaces where dignity, mental well-being, inclusivity, and fairness must be protected.*
This article examines the constitutional and statutory framework governing legal education in India and critically analyzes the expanding role of the judiciary in educational regulation. It further evaluates the implications of judicial intervention for institutional autonomy, educational reform, and student welfare. The article argues that despite concerns regarding judicial overreach, courts have played a crucial role in compelling educational institutions and regulators to adopt more transparent, humane, and accountable governance practices.
Keywords: *Legal Education, Indian Judiciary, Bar Council of India, Student Welfare, Mental Health, Judicial Activism, Higher Education Regulation, Constitutional Governance.*

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I. Introduction

Legal education occupies a central position in the Indian constitutional system because it directly influences the administration of justice, the rule of law, and democratic governance. Judges, lawyers, policymakers, and public officials emerge from legal institutions; therefore, the quality of legal education substantially affects the quality of justice delivery in society.

The responsibility for regulating legal education in India is shared by several institutions, particularly the Bar Council of India (BCI), the University Grants Commission (UGC), universities, and the Ministry of Education. Under the Advocates Act, 1961, the BCI is empowered to prescribe standards of legal education and recognize institutions whose degrees qualify graduates for enrollment as advocates. Simultaneously, the UGC supervises broader aspects of higher education governance and quality.

Despite the existence of multiple regulatory bodies, legal education in India continues to face numerous structural and administrative challenges. Among the major concerns are:

1. Commercialization of legal education;
2. Rapid expansion of low-quality private law colleges;
3. Inadequate infrastructure and faculty shortages;
4. Excessively rigid attendance requirements;
5. Weak practical and clinical training;
6. Mental health challenges among students;
7. Deficient grievance redressal systems;

8. Ragging and institutional harassment;
9. Exclusion of marginalized communities; and
10. Lack of coordination among regulatory authorities.

As these problems intensified, the judiciary began adopting a more proactive role in educational governance. Courts increasingly relied on constitutional principles such as equality under Article 14, dignity and personal liberty under Article 21, and professional freedom under Article 19(1)(g) to ensure fairness and accountability in educational institutions.

Historically, judicial intervention in legal education was limited to disputes involving affiliation, recognition of institutions, reservation policies, and admission procedures. However, recent judicial developments demonstrate a broader approach focused on student experiences, mental health, institutional transparency, and inclusive educational environments.

The judiciary's intervention became particularly significant following increasing reports of student suicides, psychological distress, and allegations of institutional insensitivity in universities. Courts recognized that academic governance cannot be separated from student welfare. Consequently, judicial discourse expanded to include counselling mechanisms, anti-ragging safeguards, grievance committees, inclusive infrastructure, and humane academic policies.

In the contemporary period, courts have emerged not merely as adjudicators of disputes but also as constitutional regulators influencing the future direction of legal education in India.

II. Constitutional Foundations of Legal Education

Article 14: Equality Before Law: Article 14 of the Constitution guarantees equality before law and equal protection of laws. This provision forms a foundational principle for regulating educational institutions in India. Universities and law colleges are expected to function in a fair, transparent, and non-arbitrary manner.

In the context of legal education, Article 14 applies to admission procedures, fee structures, attendance policies, disciplinary measures, examination rules, and institutional governance. Courts have repeatedly held that educational institutions performing public functions are subject to constitutional scrutiny.

The principle of equality also supports affirmative action policies for Scheduled Castes, Scheduled Tribes, Other Backward Classes, Economically Weaker Sections, and persons with disabilities. Judicial decisions have emphasized that substantive equality requires inclusive access to legal education for historically marginalized communities.

Further, Article 14 has been interpreted to require educational institutions to provide adequate infrastructure, libraries, digital facilities, counselling systems, and fair grievance redressal mechanisms. Equality therefore extends beyond mere admission into ensuring meaningful educational participation.

Article 19(1)(g): Freedom of Profession: Article 19(1)(g) guarantees the freedom to practice any profession or carry on any occupation. Legal education is directly linked to this constitutional right because a recognized law degree is necessary for entering the legal profession.

The judiciary has consistently maintained that professional education cannot be regulated in an unreasonable or arbitrary manner. Although regulatory authorities such as the BCI may prescribe standards concerning attendance, examinations, internships, and professional ethics, such regulations must remain proportionate and constitutionally valid.

Courts have also clarified that educational institutions cannot function solely as profit-oriented enterprises. Professional education serves an important public function and therefore remains subject to reasonable regulation in the interest of maintaining academic standards and protecting students.

Article 21: Right to Life and Dignity: Article 21 has emerged as one of the most significant constitutional provisions influencing educational jurisprudence. Judicial interpretation has expanded the meaning of "life" to include dignity, mental well-being, and humane living conditions.

In recent years, courts have increasingly recognized that educational institutions have a constitutional obligation to protect students from humiliation, discrimination, psychological stress, and institutional harassment.

The Supreme Court in *Amit Kumar v. Union of India* acknowledged that student suicides are often connected to systemic institutional failures rather than merely personal factors. The Court emphasized the importance of counselling services, grievance mechanisms, and inclusive educational environments.

Similarly, the Delhi High Court observed that excessively rigid attendance policies and insensitive administrative practices may adversely affect student dignity and mental health. Educational governance, therefore, must incorporate compassion, inclusivity, and procedural fairness.

Article 21A and Educational Access: Although Article 21A specifically guarantees free and compulsory education for children, its constitutional philosophy has significantly influenced judicial thinking concerning higher and professional education.

Courts have interpreted the constitutional commitment to education broadly, emphasizing that access to education must remain equitable and affordable. Excessive commercialization and exclusionary practices in legal education have therefore attracted judicial scrutiny.

The judiciary has repeatedly emphasized that quality education is an essential constitutional objective. Institutions imparting legal education are expected to maintain adequate academic and infrastructural standards because poor-quality legal education ultimately weakens the justice delivery system.

Directive Principles and Educational Justice: The Directive Principles of State Policy provide the constitutional philosophy underlying educational governance in India. Although non-justiciable, these principles guide judicial interpretation and policymaking.

Articles 38, 39, 41, 45, and 46 collectively emphasize social justice, equal educational opportunities, welfare-oriented governance, and protection of disadvantaged communities.

The judiciary has frequently relied upon these principles while interpreting educational rights under Articles 14 and 21. Courts have emphasized that education should not become a privilege available only to economically powerful groups. Legal education, in particular, must remain accessible because it directly affects access to justice and democratic participation.

Article 46 assumes special significance in legal education because it directs the State to promote the educational interests of weaker sections. Judicial decisions increasingly acknowledge that marginalized students often face discrimination, financial hardship, language barriers, and psychological isolation within institutions.

Thus, the Directive Principles support a constitutional vision in which legal education functions as an instrument of social transformation and democratic empowerment.

However, The Advocates Act empowers the Bar Council of India to prescribe standards of legal education and recognize institutions eligible for enrollment of advocates. The UGC regulates standards of higher education and issues regulations concerning equity, anti-ragging measures, grievance redressal, and institutional governance.

III. Evolution of Judicial Intervention in Legal Education

Judicial intervention in legal education: The contemporary period represents a major shift in judicial philosophy. Courts are no longer confined to examining institutional legality alone; they are increasingly concerned with the human impact of educational systems.

Mental Health and Student Welfare: One of the most important developments in recent years is the judicial recognition of student mental health as a constitutional concern. In *Amit Kumar v. Union of India* (2026), the Supreme Court addressed the alarming rise in student suicides in educational institutions and established a National Task Force to study mental health concerns. The Court identified several institutional factors contributing to psychological distress, including, Excessive academic pressure, Harsh attendance systems, Discrimination, Lack of counselling facilities, Faculty shortages; and Social isolation. The Court emphasized that universities and professional institutions have a constitutional responsibility to create safe and inclusive educational spaces.

Reconsideration of Attendance Policies: The Delhi High Court, in *Courts on its own Motion In Re: Suicide Committed by Sushant Rohilla* (2025), critically examined mandatory attendance rules in legal education. The Court questioned whether rigid attendance requirements remain appropriate in the post-pandemic era, especially when digital and hybrid learning systems have become common.The judgment considered the realities faced by Working students, Students experiencing mental health difficulties, Students from disadvantaged backgrounds; and Learners relying upon online educational resources. The Court directed consultations among educational regulators, universities, and stakeholders to reconsider attendance regulations in a more flexible and humane manner.

Judicial Scrutiny of Private Universities: In *Ayesha Jain v. Amity University* (2025), the Supreme Court undertook a broader examination of the functioning of private universities in India. The Court sought information concerning, Government concessions provided to private institutions, Financial transparency, Faculty salaries, Administrative governance, Student grievance mechanisms; and Claims relating to "no profit, no loss" functioning. This decision reflects growing judicial concern regarding the commercialization of professional education and the need for greater institutional accountability.

Inclusivity and Equity: Recent judicial decisions have also focused on structural inequalities affecting marginalized students. The Supreme Court in *Amit Kumar* highlighted the challenges faced by: Scheduled Castes and Scheduled Tribes,Persons with disabilities, Rural students, Transgender students; an Non-English-speaking learners. The Court stressed the need for Equal Opportunity Cells, mentorship systems, accessible infrastructure, and inclusive educational policies.

Courts have increasingly directed educational institutions to establish effective grievance redressal mechanisms. The judiciary has emphasized the importance of, Student participation in grievance committees, Confidential counselling services, Anti-ragging safeguards, Responsive administrative systems; and Mental health support structures. The Delhi High Court described these reforms as essential components of a humane educational environment.

IV. Key Issues Identified by Courts

Issue	Judicial Concern
Student suicides	Institutional accountability
Attendance norms	Arbitrary academic control
Mental health	Lack of counselling support
Ragging	Weak implementation mechanisms
Private universities	Commercialization
Faculty shortage	Decline in academic quality
Grievance systems	Institutional insensitivity
Inclusivity	Structural inequality

The Supreme Court relied upon NCRB data while examining institutional accountability in *Amit Kumar v. Union of India*. The report shows an alarming scinerio that in 2022 around 13000 students committed suicide.

V. Critical Analysis of Recent Judicial Decisions

The Delhi High Court's decision in the *Sushant Rohilla* matter represents one of the most comprehensive judicial examinations of student welfare in higher education. The Court acknowledged that students frequently face severe psychological pressure and that institutions often lack adequate counselling systems and responsive grievance mechanisms.

Important directions issued by the Court included are Establishment of grievance redressal committees; Student representation in institutional committees; Appointment of counsellors; Reconsideration of attendance rules and Consultation among regulators and stakeholders. The judgment significantly shifted educational discourse from discipline-oriented administration toward student-sensitive governance.

Ayesha Jain v. Amity University: This case reflects increasing judicial concern regarding the rapid commercialization of private higher education. The Supreme Court questioned whether private universities are genuinely functioning in accordance with educational objectives or primarily as profit-oriented enterprises. The decision highlights the judiciary's growing willingness to examine financial transparency, governance practices, and accountability within private institutions.

Amit Kumar v. Union of India: The Supreme Court's judgment in *Amit Kumar* considerably expanded institutional responsibility in educational governance. The Court recognized that student distress frequently arises from systemic institutional conditions rather than isolated personal circumstances. By emphasizing counselling, inclusivity, and mental health protection, the judgment introduced a more humane constitutional understanding of educational governance.

Impact of Judicial Regulation: There are positive outcomes of the judicial intervention which are very necessary in the realm of legal education. As a result of these decisions Educational institutions now operate under greater public and judicial scrutiny, Mental health and student welfare have become central concerns in educational administration, Greater Transparency taken place in the operation of Universities, Private universities are increasingly required to disclose governance and financial information, Promotion of Inclusivity leads the protection of marginalized students and ensure equal participation, Rigid attendance systems are being reconsidered in light of changing educational realities.

Critique also pointed out certain negative implications as well. The coexistence of multiple regulators may create regulatory overlap, confusion and inconsistency. Institutions may face administrative difficulties, compliance burdens in implementing judicial directions. Critics aslo argue that courts occasionally enter domains traditionally reserved for legislative or executive authorities.

In many countries, courts generally avoid extensive involvement in educational policymaking. However, the Indian judiciary has historically adopted a more interventionist approach because education is closely linked with constitutional rights, social justice, and democratic governance. Judicial activism in India reflects broader constitutional traditions where courts frequently intervene to address regulatory failures and protect vulnerable groups.

VI. Recommendations

After a critical study of the recent decisions of Indian judiciary in the light of the present situation and on the values of our constitution, a few steps may be recommended to strengthen the legal education.

1. The BCI and UGC should develop unified regulatory coordination mechanisms for regulating legal education.
2. All institutions should establish professional counselling systems and student support services.
3. Attendance policies should focus on educational outcomes rather than punitive compliance.
4. Private universities should disclose governance structures, finances, and grievance procedures.
5. Support systems for disadvantaged students must be strengthened.
6. Faculty members should receive training concerning mental health awareness, inclusivity, and student welfare.

VII. Conclusion

The role of the Indian judiciary in regulating legal education has undergone substantial transformation in recent years. Courts are no longer limited to resolving technical disputes involving affiliation or recognition; they are increasingly shaping the ethical, constitutional, and human dimensions of educational governance.

Recent judicial decisions demonstrate a strong commitment toward protecting student welfare, mental health, dignity, inclusivity, and institutional accountability. The judiciary has recognized that educational institutions are not merely centers of instruction but constitutional spaces where fairness, equality, and humane treatment must be preserved.

The decisions in *Sushant Rohilla*, *Ayesha Jain*, and *Amit Kumar* collectively establish an emerging jurisprudence of educational responsibility. These judgments acknowledge that institutional practices and administrative policies significantly affect students' lives, opportunities, and constitutional freedoms.

Although concerns regarding judicial overreach continue to exist, judicial intervention has become increasingly necessary because of persistent regulatory shortcomings and institutional failures. Courts have frequently acted as constitutional guardians protecting students against arbitrariness, exploitation, and systemic neglect.

Ultimately, meaningful reform in legal education will require cooperation among courts, universities, regulatory authorities, faculty members, and students. Judicial intervention alone cannot transform legal education, but it can compel institutions to align themselves with constitutional values of dignity, fairness, transparency, inclusivity, and accountability.

The Indian judiciary has therefore emerged not only as an interpreter of law but also as an influential force shaping the future of legal education in India.

References

Cases

[1]. *Amit Kumar v. Union of India*, 2026 INSC 62.
[2]. *Ayesha Jain v. Amity University*, W.P. (Civil) No. 531/2025.
[3]. *Courts on its own Motion In Re: Suicide Committed by Sushant Rohilla*, W.P. (Crl.) 793/2017.
[4]. *Mohini Jain v. State of Karnataka, AIR 1992 SC 1858,*
[5]. *Unni Krishnan, J.P. v. State of Andhra Pradesh, AIR 1993 SC 2178*
[6]. Advocates Act, 1961.
[7]. University Grants Commission Act, 1956.
[8]. National Education Policy, 2020.
[9]. UGC Regulations on Equity and Grievance Redressal.
[10]. Jain M.P., *Indian Constitutional Law*, 9th Edition, LexisNexis Butterworths Wadhwa, Nagpur
[11]. Baxi, Upendra, Legal Education in India, Indian Law Institute, New Delhi
[12]. Sathe, S.P., Judicial Activism in India: Transgressing Borders and Enforcing Limits, 2nd edn., Oxford University Press, New Delhi, 2003.