

2025 LiveLaw (SC) 786

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION
J.B. PARDIWALA; J., R. MAHADEVAN; J.
4 August, 2025

CONTEMPT PETITION (C) NO.....OF 2025
(@DIARY NO.16629/2025) IN WRIT PETITION (C) NO. 352 OF 2023

K. L. J. A. KIRAN BABU

versus

KARNATAKA STATE BAR COUNCIL REPRESENTED BY RAMESH S NAIK (FDA)

Advocates Act, 1961 - Enrolment Fees - Contempt Petition - Bar Councils can't collect any amount as "optional fee" during enrolment - Supreme Court closed a contempt petition after the Bar Council of India (BCI) affirmed its commitment to ensuring State Bar Councils (SBCs) comply with judgment in *Gaurav Kumar v. Union of India*, [2024 LiveLaw \(SC\) 519](#) which prohibits charging enrolment fees beyond the stipulated amount under Section 24(1)(f) of the Advocates Act, 1961 - Supreme Court clarified that no "optional" fees can be collected by any State Bar Council or the BCI, and fees must strictly adhere to the direction in the main judgment. [Paras 4-9]

[Arising out of impugned final judgment and order dated 30-07-2024 in W.P.(C) No. No. 352/2023 passed by the Supreme Court of India]

For Petitioner(s): Petitioner-in-person

For Respondent(s): M/S. Ram Sankar & Co, AOR Mr. Manan Kumar Mishra, Sr. Adv. Mr. R Balasubramanian, Sr. Adv. Ms. Anjul Dwivedi, Adv. Dr. Ram Sankar, Adv. Mrs. Harini Ramsankar, Adv. Mrs. Usha Prabakaran, Adv. Mr. Maheswaran A Prabakaran, Adv. Ms. Sujatha Bagadhi, Adv. Mr. Ajith Williyam S, Adv. Mr. N Adhil, Adv. Mr. H. Chandra Sekhar, AOR

ORDER

1. Permission to appear and argue in person is allowed.
2. Petitioner has moved this Contempt petition on the premise that the directions issued by this Court in Writ Petition (Civil) No.352 of 2023 as regards enrolment fee which the Bar Council of various States are entitled to collect are not being complied with in their letter and spirit.
3. In pursuance of the notice issued by us to the Bar Council of India Mr. Manan Kumar Mishra, the learned counsel has appeared.
4. He has filed an affidavit on behalf of the Bar Council of India, inter-alia, stating as under: -

"I Awanish Kumar Pandey, son of Lt. Shri Ram Ekbal Pandey, aged 55 years, occupation Additional Secretary, Bar Council of India at Bar Council of India, 21 Rouse Avenue, New Delhi - 110002, do hereby state as follows:-

1. *That this affidavit is filed pursuant to the order of this Hon'ble Court dated 15.07.2025, wherein the Hon'ble Court has sought a clarification from the Bar Council of India (hereinafter referred to as "BCI") on whether the directions issued in paragraph 109 of the judgment dated 30.07.2024 in W.P. (C) No. 352 of 2023 (*Gaurav Kumar v. Union of India*) have been duly complied with.*
2. *That for the convenience of this Hon'ble Court, it is imperative to reproduce para 109 of the judgment dated 30.07.2024 which reads, inter alia, as under:"109. In view of the above discussion, we conclude that:*

- a. The SBCs cannot charge "enrolment fees" beyond the express legal stipulation under Section 24(1)(f) as it currently stands;
- b. Section 24(1)(f) specifically lays down the fiscal preconditions subject to which an advocate can be enrolled on State rolls. The SBCs and the BCI cannot demand payment of fees other than the stipulated enrolment fee and stamp duty, if any, as a pre-condition to enrolment;
- c. The decision of the SBCs to charge fees and charges at the time of enrolment in excess of the legal stipulation under Section 24(1)(f) violates Article 14 and Article 19(1)(g) of the Constitution; and
- d. This decision will have prospective effect. The SBCs are not required to refund the excess enrolment fees collected before the date of this judgment.
3. That subsequent upon the judgment of this Hon'ble Court, the BCI, to ensure uniformity and compliance, has issued a detailed communication vide letter bearing No. BCI:D:4088/2024 dated 06.08.2024, addressed to the Secretaries of all State Bar Councils, directed them to strictly proceed with the enrolment of candidates in light of the judgment passed by this Hon'ble Court in W.P. (C) No. 352 of 2023, titled *Gaurav Kumar v. Union of India*."
4. That after issuance of the letter, the BCI has firmly believed that all the State Bar Councils are adhering and complying the judgment passed by this Hon'ble Court in the matter of *Gaurav Kumar (supra)*.
5. That, with utmost respect and a sense of dismay, the Bar Council of India has received a copy of the order dated 15.07.2025, passed in the present contempt petition initiated by the petitioner against the Karnataka State Bar Council, whereby this Hon'ble Court has specifically directed Mr. Manan Kumar Mishra, Chairman, Bar Council of India, to assist the Court with respect to the compliance of its judgment, particularly paragraph 109 thereof. A copy of order dated 15.07.2025 passed by this Hon'ble Court in Contempt Petition (C) Diary No. 16629 of 2029 titled *d K.L.J.A Kiran Babu v. Karnataka State Bar Council* is annexed herewith and marked as ANNEXURE A/ 1 (Page No. 9 to 10).
6. That immediately upon receipt of the order dated 15.07.2025, the Bar Council of India, with prompt action, issued a letter bearing No. BCI:D:5397/2025 dated 23.07.2025, thereby directing all State Bar Councils to furnish details regarding the fee being collected or charged at the time of enrolment, in light of the judgment dated 30.07.2024 passed by this Hon'ble Court in W.P. (C) No. 352 of 2023, *Gaurav Kumar v. Union of India & Ors.*, within a period of three days. A copy of letter bearing BCI:D:5397/2025 dated 23.07.2025 issued by the Bar Council of India is annexed herewith and marked as ANNEXURE A/2 (Page No.11 to 12).
7. That in response to the said letter dated 23.07.2025, the State Bar Councils has duly furnished the details that they are collecting only Rs. 750/- for General and Rs. 125/- for SC/ST. Fee Structure as Reported by Various State Bar Councils:

State Bar Council	General/OBC (₹)	SC/ST (₹)	Remarks
Chhattisgarh, MP, Delhi, Punjab and Haryana, Maharashtra & Goa, Assam, Nagaland, Mizoram, Arunachal Pradesh and Sikkim, Meghalaya, Tamil Nadu and Puducherry, Gujarat, Rajasthan, Telangana, Uttar Pradesh, Andhra Pradesh, Jharkhand, Odisha, Uttarakhand, Bihar, Manipur, Kerala, West Bengal, Tripura, Karnataka	Rs. 750 (Rs. 600 SBC + Rs. 150 BCI)	Rs. 125 (Rs. 100 SBC + Rs. 25 BCI)	All these councils affirm full compliance with SC judgment and BCI advisories. No additional fees reported.
Himachal Pradesh	Rs. 750 (Rs. 600 SBC + Rs. 150 BCI)	Rs. 125 (Rs. 100 SBC + Rs. 25 BCI)	Also collects Rule-40 Advocates' Welfare Fund fee at the time of enrolment.
Karnataka	Rs. 750 (Rs. 600 SBC+ Rs. 150 BCI)	Rs. 125 (Rs. 100 SBC + Rs. 25 BCI)	Additionally collects optional fees totalling ₹6,800 (for ID cards, certificates, welfare fund, training, etc.)

Jammu & Kashmir	Rs. 900 (Rs. 600 SBC + Rs 300 BCI)	Rs. 450 (Rs. 300 SBC + 150 BCI)	The said fees has been charged by the High Court of Jammu and Kashmir and Ladakh (Exercising the Powers of Bar Council of Jammu & Kashmir under section 58 of the Advocates Act, 1961)
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The details of the responses furnished by the State Bar Council is has been annexed herewith and marked as ANNEXURE A/3 (Page No. 13 to 47).

A copy of Letter being No. BCI D: 4088 of 2024 Dated 06.08.2024 is has been annexed herewith and marked as ANNEXURE A/ 4 (Page No. 48 to 49).

8. That the Bar Council of India, as the apex statutory body under the Advocates Act, 1961, reiterates its unequivocal commitment to comply with the judgment dated 30.07.2024 passed by this Hon'ble Court in W.P. (C) No. 352 of 2023 in both letter and spirit. The BCI has taken prompt and substantive steps to secure adherence by all State Bar Councils, and continues to monitor compliance through an institutional mechanism established for that purpose.

9. That the BCI respectfully submits that it has acted diligently, without delay, and in full faith, and that there is no occasion for invoking the contempt jurisdiction of this Hon'ble Court against it"

5. According to him, all the directions issued by this Court vide the judgment and order dated 30th July, 2024 are being duly complied with by all the State Bar Councils across the Country. At this stage, the contempt petitioner pointed out that so far as the Karnataka State Bar Council is concerned, they are charging amounts of Rs.6800/- and Rs.25,000/respectively over and above the statutory fees.

6. In this regard, Mr. Mishra pointed out that these are optional and not mandatory.

7. We make it clear that there is nothing like optional. No State Bar Council(s) or Bar Council of India shall collect any fees of any amount as optional. They shall strictly collect fees in accordance with the directions issued by this Court in the main judgment.

8. We reiterate the directions as under:

"109. In view of the above discussion, we conclude that:

a. The SBCs cannot charge "enrolment fees" beyond the express legal stipulation under Section 24(1)(f) as it currently stands;

b. Section 24(1)(f) specifically lays down the fiscal pre-conditions subject to which an advocate can be enrolled on State rolls. The SBCs and the BCI cannot demand payment of fees other than the stipulated enrolment fee and stamp duty, if any, as a pre-condition to enrolment;

c. The decision of the SBCs to charge fees and charges at the time of enrolment in excess of the legal stipulation under Section 24(1)(f) violates Article 14 and Article 19(1)(g) of the Constitution; and

d. This decision will have prospective effect. The SBCs are not required to refund the excess enrolment fees collected before the date of this judgment."

9. If the Karnataka State Bar Council is collecting any amount in the name of optional, though it may not be mandatory, it must be stopped.

10. We close this Contempt Petition observing as aforesaid.

11. Pending application(s), if any, stands disposed of.