

News

Supreme Court warns State Bar Councils against charging “optional” enrolment fees



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Bar Council of India

The Supreme Court on August 4 made it clear that State Bar Councils and the Bar Council of India (BCI) cannot collect any amount beyond the statutory enrolment fee [KLJA Kiran Babu vs. Karnataka State Bar Council].

A Bench of Justices JB Pardiwala and R Mahadevan said there could be no justification for collecting any fee by describing it as “optional” fees outside the statutory prescription.

“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,” the Bench said.

Pertinently, the Court also directed Karnataka State Bar Council to immediately stop collecting any sum in the name of optional fees.

This was after the Bench was informed that Karnataka imposes additional charges of ₹6,800 and ₹25,000 for items such as ID cards, certificates, welfare fund and training, though on a voluntary basis. Justice JB Pardiwala and Justice R Mahadevan

The Court was hearing a contempt of court petition filed by advocate KLJA Kiran Babu. He alleged that several State Bar Councils were continuing to demand amounts far exceeding the limits fixed under the Court's July 2024 judgment in *Gaurav Kumar v Union of India*, which had capped enrolment fees under Section 24(1)(f) of the Advocates Act, 1961 at ₹750 for general category candidates and ₹125 for Scheduled Caste/Scheduled Tribe candidates.

During an earlier hearing on July 15, the Court had called upon BCI Chairman and Senior Advocate Manan Kumar Mishra to assist the Bench in determining whether these directions were being followed "in letter and spirit" by all State Bar Councils. The Court stopped short of issuing notice but sought the BCI's personal explanation on the present position.

Pursuant to that order, an affidavit was filed on behalf of the BCI by its Additional Secretary, detailing the steps taken since the 2024 ruling. The affidavit said the BCI had written to all State Bar Councils on August 6, 2024, directing them to comply with the Court's judgment and had reiterated those instructions on July 23, 2025, asking for details of fees currently charged at enrolment.

The affidavit stated that most State Bar Councils reported collecting only the statutory fee - ₹600 for the State Bar Council plus ₹150 for the BCI in the case of general category candidates, and ₹100 plus ₹25 respectively for SC/ST candidates.

It also recorded that Himachal Pradesh collects an Advocates' Welfare Fund fee at the time of enrolment, Jammu & Kashmir charges ₹900 from general category candidates and ₹450 from SC/ST candidates under High Court rules and Karnataka imposes additional charges of ₹6,800 and ₹25,000 for items such as ID cards, certificates, welfare fund and training.

The BCI Chairman told the Court that in Karnataka's case, these amounts were optional and not mandatory. The Bench rejected this reasoning, holding that no amount over and above the statutory fee can be demanded, irrespective of whether it is labelled voluntary. The Bench also warned that if the Karnataka State Bar Council was collecting any sum in the name of optional fees, such collection must be immediately stopped.

It reiterated the operative portion of paragraph 109 of the *Gaurav Kumar* judgment, which bars any enrolment fee beyond what Section 24(1)(f) prescribes and prohibits additional

charges at the time of enrolment except stamp duty, if applicable. The Court also reminded that while the ruling has prospective effect, all bodies are bound to follow it going forward.

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