

FROM PAGE 1

# HC strikes down new NLSIU reservation law

It says govt. has no right to 'interfere'

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In a setback to the State government, the High Court of Karnataka on Tuesday struck down the National Law School of India (Amendment) Act, 2020, which provided a reservation of 25% of the total seats at the National Law School of India University (NLSIU) for students from Karnataka.

The amendment, which came into force with effect from April 27, was contrary to the objective of the National Law School of India Act, 1986, in which the government had not reserved for itself any right to interfere in the administration, functions, control, curricu-

lum, and academic matters of NLSIU. A Division Bench comprising Justice B.V. Nagarathna and Justice Ravi V. Hosmani delivered the verdict while allowing the petitions filed by Master Balachandar Krishnan, a seat aspirant through the Common Law Admission Test (CLAT), the Bar Council of India, and others. One cannot undermine the role of the government in the establishment of NLSIU, but the State legislature was conscious of its limited role of providing a legal framework for the university to be managed by an executive council, the Bench observed.

CONTINUED ON PAGE 5

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The Bench also observed that State had not reserved any power to give directions/ advisories to NLSIU as the latter was created as a distinct and autonomous institution as it was not dependent on funds or financial aide from the State government.

On the government's claim that the State was losing out in the admissions to NLSIU as only a few law graduates from there were practising in Karnataka, the Bench said the government could not expect or prescribe that NLSIU graduates practise law only in the State.

Meanwhile, the Bench directed the Consortium of National Law Universities across India, which conducts CLAT, to publish the results of CLAT-2020, held on September 28, as per the reservation scheme that existed prior to the introduction of the 25% reservation.

The court had, on September 8, stayed the implementation of the 25% reservation when the NLSIU decided to conduct its own admission test, the National Law Aptitude Test (NLAT), after coming out from the consortium and CLAT.

However, NLAT, conducted on September 12, was set aside by the Supreme Court, which directed NLSIU to admit students based on CLAT, which was held on September 28 across the country. NLSIU offers 120 seats for the B.A. LL.B programme through CLAT.