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Liberalisation Silf meet yday: Momentum grows, group of 7 law firm leaders to finalise stance by month-end

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Another group of 7 leaders (G7)

The Society of Indian Law Firms (Silf) meeting held in Delhi yesterday (11 July) to discuss its response and position to the Government proposal to liberalise the legal market, has seen the body set up a high-powered committee without any fundamental disagreements voiced about the next steps to take, according to several people who were present.

There appeared to be agreement from the 25 to 30 law firm partners present at the meeting that before foreign law firms could enter, there would have to be a “level playing field” - i.e., formal permission for Indian law firms to advertise and market themselves, including having proper websites, as well as a formal framework for Indian law firms to incorporate as limited liability partnerships (LLPs), according to attendees.

Silf president Lalit Bhasin called that first step a “pre-condition” at the meeting, which would be followed by phase 2, in which foreign law firms would only be allowed to practice foreign law, and

phase 3, in which the market would open fully to foreign law firms.

However, Bhasin told us that no decision had yet been reached on the eventual structure or proposals that would be presented to the law ministry, which would be formulated by a committee of Silf members by the end of the month. “The committee will consider a presentation, then we will decide in our full [Silf] meeting” whether to adopt this, he said.

According to Bhasin and authoritative sources, the committee includes Lakshmikumar & Sridharan managing partner **V Lakshmikumar**, AZB & Partners Mumbai managing partner **Zia Mody**, Shardul Amarchand Mangaldas chairman **Shardul Shroff**, Cyril Amarchand Mangaldas Mumbai-based managing partner **Cyril Shroff**, Nishith Desai Associates founder **Nishith Desai**, Khaitan & Co senior partner **Haigreve Khaitan**, and J Sagar Associates (JSA) founder and retired managing partner **Jyoti Sagar**.

Several of those committee members - Cyril Shroff, Haigreve Khaitan, Nishith Desai and Zia Mody - were not actually present at yesterday’s Delhi meeting.

Bhasin said he would attend committee meetings in his position Silf president though he wouldn’t be a formal member of the committee.

It is understood that the Silf committee will also prepare objections to the Bar Council of India (BCI) draft rule for the entry of foreign lawyers, which did not make any provision for the phased entry of foreign lawyers and establishing a level playing field, for instance.

In 2015, Jyoti Sagar was **tasked** by Silf to come up with proposals for the government, resulting in the three-phase entry proposal that would take five to seven years.

(Read Silf’s 2015 **note**, and Silf’s proposed **rules** from 2015).

However, it is understood that at yesterday's meeting Silf members recognised that the five to seven-year timeline might be considerably shorter if the "level playing field" condition was fulfilled more quickly.

The law ministry **last week gave Silf and other stakeholders four weeks** - until early August - to come back with suggestions before the next meeting (though the ministry had originally proposed only two weeks, while Silf had asked for six weeks or more).

At last week's meeting, the law ministry invited suggestions and said that the BCI does not necessarily have to be in charge of regulating foreign law firms, as the BCI had floated in its own draft rules that we first **published** on 1 July.