

IDIA DIVERSITY SURVEY REPORT, 2016 – 2017¹



INCREASING DIVERSITY BY INCREASING ACCESS TO LEGAL EDUCATION

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TABLE OF CONTENTS

TABLE OF CONTENTS	2
INTRODUCTION	3
PART I: REPRESENTATION AT NLUS	7
PART II: REPRESENTATION FROM MARGINALIZED COMMUNITIES.....	14
PART III: FAMILY BACKGROUND	19
PART IV: EDUCATIONAL BACKGROUND	24
PART V: ECONOMIC BACKGROUND	28
PART VI: PRE-CLAT/ AILET EXPERIENCE.....	30
PART VII: EXPERIENCE AT NLUS	32
SUGGESTIONS FOR REFORM.....	37
CONCLUSION	43

INTRODUCTION

IDIA (*Increasing Diversity by Increasing Access to Legal Education*) is a pan India project that seeks to empower underprivileged and marginalized communities by creating lawyers and community leaders from within. It does this by sensitizing underprivileged children to law as a viable career option, selecting those with an aptitude for the study of law, and then rigorously training them to enter the best law schools in the country. Through this, IDIA promotes access to the leading law schools, which have over the years become bastions of elitism and homogeneity. Hence the name: “Increasing Diversity by Increasing Access”.

IDIA conducts an annual diversity survey across the leading National Law Universities (NLUs) to capture the extent of diversity in Indian law schools, record the experiences of first year students and document the socio-economic profiles of students. Towards the end, the survey report also highlights potential areas in need of immediate attention and reform, and makes suggestions accordingly.

This year’s survey (2016-17) witnessed a 97.6% participation rate, with 529 first year students across the nation’s top five NLUs undertaking the survey. These NLUs were selected on the basis of student preferences, i.e college preferences listed out by students in their application forms for the Common Law Admission Test (CLAT), the annual entrance examination for admission to all NLUs in the country (with the exception of NLU Delhi that conducts its own entrance test). These preferences could be influenced by various factors such as job prospects (mainly corporate commercial law firms that are the largest hirers from NLUs), robust infrastructure, stimulating academic environment, and strong alumni networks. Although not a part of CLAT, NLU Delhi was chosen as one of the top five NLUs surveyed as it is widely regarded as a leading law school. We also base this on our internal analysis/finding that, were NLU Delhi to be a part of CLAT, it would have ranked amongst the top 5.

RESEARCH METHODOLOGY

The survey was conducted through a questionnaire administered to all first-year students at the various NLUs. The responses were recorded anonymously in order to encourage honest answers from students.

Note: *We’re unable to compare the findings of this survey against the survey conducted for the year 2015-16 with any precision, as the data collected during the 2015-16 survey was larger in scope and extended beyond the top 5 law schools. We have therefore compared this survey data against the Diversity Survey results from 2013-14, which can be accessed [here](#) .* **Disclaimer:** *The information provided by the students in the present survey has not been independently*

verified by us. When analysing the survey data, one should assume a certain margin of error to account for some misreporting (whether deliberate or unintentional) by the students.

SUMMARY OF FINDINGS

As with previous years, the IDIA 2016-17 diversity survey demonstrates a significant diversity deficit, as summarised below:

1. **Disproportionate Regional Representation:**

A majority of the students hailed from the Hindi-speaking belt of India, particularly Madhya Pradesh, Uttar Pradesh, and Rajasthan. Contrast this with the negligible representation from the North-Eastern states of India; in fact, states such as Assam, Manipur, Mizoram, and Tripura were not represented at all. The state of Goa had no representation either. Similarly, there was *nil* representation from Union Territories² (UTs) such as Pondicherry, Lakshadweep, Daman and Diu, Dadra and Nagar Haveli, and Andaman & Nicobar Islands. The only UTs which had any representation at all were Delhi and Chandigarh, with Delhi having as high a representation as 5.86%.

2. **Gross Under-representation of Minorities:**

As with previous years, the survey highlights a gross under-representation of students from minority communities such as Muslims and Christians. Illustratively, while Muslims constitute around 14% of India's population³, less than 2% of the students admitted to the leading NLUs were Muslim.

3. **Skewing of Gender Ratio:**

Compared to the near-equal distribution of seats between male and female students in the previous years, this year recorded a decline in the number of female students at the leading NLUs. The causative factors for this are not clear, and it could well be a random occurrence and not indicative of a systemic issue (given that earlier years witnessed no such proportionality problem).

4. **Economic/Urban Elitism:**

Most surveyed students hail from urban privileged backgrounds and studied at leading English medium schools. Not only were their families financially well off (close to 60% students reported an annual income of INR 10 lakhs and above); but in most cases, both parents spoke good English (indicative of significant social capital and standing). Contrast

² Union territories form an administrative division in India, similar to states; but unlike states that have their own elected governments with significant powers, union territories fall directly under the jurisdiction of the Central Government and are governed by a Lieutenant Governor/Administrator appointed by the Central Government (with the exception of New Delhi and Puducherry that have an elected legislature and a council of ministers with a Chief Minister). There are seven union territories in India, namely New Delhi, Chandigarh, Andaman & Nicobar Islands, Daman & Diu, Lakshadweep, Dadra & Nagar Haveli, and Puducherry.

³ See, *State Census 2011*, available at <http://www.census2011.co.in/religion.php> (Last visited on July 18, 2018).

this with the number of students from rural areas and those educated in vernacular medium schools: hardly around 2.5%!

5. CLAT Glass Ceiling:

More than 88% of the sampled students had enrolled themselves in expensive coaching classes or online courses to prepare for CLAT and other law entrance examinations. With coaching centres charging anywhere between INR 50,000 to INR 85,000 per year, this is a significant access barrier for poor students.

6. Discrimination and Social Isolation:

A number of students alleged discrimination and insulting/disparaging remarks against them on grounds of political/religious beliefs and/or socio-economic backgrounds. Students also reported facing “fitting in” problems and social stigma, not least because of their lack of fluency in English.

PART I: REPRESENTATION AT NLUS

The following are the top five NLUs in which the survey was conducted:

NAME OF THE NATIONAL LAW SCHOOL	ADDRESS
National Law School of India University (NLSIU), Bangalore	P.O. Bag 7201, Nagarbhavi, Bengaluru, Karnataka 560072.
National Academy of Legal Studies and Research (NALSAR) University of Law, Hyderabad	Post Box No. 1, Justice City, Shameerpet, Medchal District, Hyderabad, Telangana 500078.
National Law Institute University (NLIU), Bhopal	Kerwa Dam Road, Bhopal, Madhya Pradesh 462044.
West Bengal National University of Juridical Sciences (WBNUJS), Kolkata	Dr. Ambedkar Bhavan, 12, LB Block, Sector III, Salt Lake City, Kolkata, West Bengal 700098.
National Law University (NLU), Delhi	Sector 14, Dwarka, New Delhi 110078.

Table 1: Participating NLUs

1. COLLEGE REPRESENTATION

The number of students who participated in the survey is as under:

PARTICIPATING NLUS	TOTAL BATCH STRENGTH	SURVEYED STUDENTS
NLU-Delhi	83	80
NLIU-Bhopal	128	122
NLSIU-Bangalore	80	80

PARTICIPATING NLUs	TOTAL BATCH STRENGTH	SURVEYED STUDENTS
NALSAR-Hyderabad	124	122
WBNUJS- Kolkata	127	125
TOTAL	542	529

Table 2: Participating NLUs and Surveyed Students

Chart 1

2. CATEGORY OF SEATS

CLAT is the common entrance examination for all NLUs (National Law Universities), with NLU Delhi being the only outlier and conducting its own entrance examination (AILET). Below are the categories under which the surveyed students secured admission to the NLUs through the CLAT and the AILET:

CATEGORY	PERCENTAGE OF REPRESENTATION
All India General	59.92%
Scheduled Caste (SC)	12.29%
Scheduled Tribe (ST)	7.37%
State Domicile	6.24%
Non-Resident Indian (NRI) Sponsored	5.48%
Foreign National	3.59%
Physically Handicapped/ Persons with Disabilities	1.70%
Other Backward Class (OBC)	1.51%
NRI	0.76%
Others (Jammu & Kashmir Resident, State Other Backward Class or North-East Domiciled)	0.76%
Kashmiri Migrant	0.19%
Son/ Daughter of Defence Personnel	0.19%

Economically Backward Class	0.00%
Backward Class	0.00%

Table 3: Category of Seats

i) NRI Seats

A comparison against the 2013-14⁴ survey reveals an increase in the number of NRI sponsored students. Specifically, 5.48% of the surveyed students secured admission under the NRI sponsored category, compared to the earlier survey where it was only 0.25%.

The current structure of “NRI sponsored” seats at the various NLUs violates the Supreme Court ruling in the *P.A. Inamdar* case⁵, wherein the Supreme Court clearly held that NRI quota must be utilized in a *bona fide* manner for admitting only the children/ward of NRIs. In blatant contravention of this norm, a number of NLUs have illegally admitted students who boast only a far-flung nexus to an NRI. As pointed out before the Supreme Court in a petition filed by IDIA’s founder (hereafter referred to as “CLAT PIL”),⁶ such admissions are illegal, blatantly discriminatory, and unfair to those who are forced to compete through the rigorous CLAT exam on merit.

ii) State Domicile Seats

The present survey demonstrates a sharp spike in the number of state domiciled students. This could be due to the inclusion of NLIU Bhopal in this survey; 40% of its seats are reserved for students domiciled within Madhya Pradesh.⁷

⁴The Diversity Survey Report on the top 5 NLUs in the year 2013-14 included National Law University (NLU) Jodhpur. NLU Jodhpur has been replaced by NLIU Bhopal in this Diversity Survey Report. The other NLUs remain the same.

⁵ A 7 judge bench of the Supreme Court in *P.A. Inamdar and Ors. v. State of Maharashtra and Ors.*, AIR 2005 SC 3226, held that: “By and large, we have noticed in cases after cases coming to this Court, neither the students who get admissions under this category nor their parents are NRIs. In effect and reality, under this category, less meritorious students, but who can afford to bring more money, get admission.... A limited reservation of such seats, not exceeding 15%, in our opinion, may be made available to NRIs depending on the discretion of the management subject to two conditions. **First, such seats should be utilized bona fide by the NRIs only and for their children or wards. Secondly, within this quota, the merit should not be given a complete go-by. The amount of money, in whatever form collected from such NRIs, should be utilized for benefiting students such as from economically weaker sections of the society, whom, on well defined criteria, the educational institution may admit on subsidized payment of their fee.**” (emphasis supplied)

⁶ *Shamnad Basheer v. Union of India & Ors.*, W.P. (C) No. 600 of 2015.

⁷ This figure includes 25 out of 63 general category seats reserved for state domiciled candidates and another 25 seats reserved for state domiciled SCs, STs and OBCs from a total of 120 seats. For the number of seats reserved at NLIU Bhopal, see, <http://information.clat.ac.in/pdf/3-%20THE%20NATIONAL%20LAW%20INSTITUTE%20UNIVERSITY,%20BHOPAL.pdf>; For the number of seats reserved at NLU Jodhpur, see, <http://www.nlujodhpur.ac.in/admission.php?mn=admission> (Last visited on July 23, 2018).

3. GEOGRAPHICAL REPRESENTATION OF FIRST YEAR STUDENTS

STATE	PERCENTAGE OF REPRESENTATION	NUMBER OF RESPONSES RECORDED
Madhya Pradesh	17.77%	94
Uttar Pradesh	14.93%	79
Rajasthan	10.96%	58
Maharashtra	8.13%	43
West Bengal	6.81%	36
National Capital Region (NCR) of Delhi (UT)	5.86%	31
Telangana	5.48%	29
Karnataka	4.16%	22
Bihar	3.59%	19
Not an Indian Resident	2.46%	13
Jharkhand	2.27%	12
Tamil Nadu	2.08%	11
Chhattisgarh	1.89%	10
Jammu and Kashmir	1.70%	9
Gujarat	1.51%	8
Haryana	1.51%	8
Kerala	1.51%	8
Odisha	1.51%	8

STATE	PERCENTAGE OF REPRESENTATION	NUMBER OF RESPONSES RECORDED
Uttarakhand	1.32%	7
Andhra Pradesh	1.13%	6
Chandigarh (UT)	1.13%	6
Punjab	0.95%	5
Himachal Pradesh	0.57%	3
Arunachal Pradesh	0.19%	1
Meghalaya	0.19%	1
Nagaland	0.19%	1
Sikkim	0.19%	1
Andaman and Nicobar Islands (UT)	0.00%	0
Assam	0.00%	0
Dadra and Nagar Haveli (UT)	0.00%	0
Daman and Diu (UT)	0.00%	0
Goa	0.00%	0
Lakshadweep (UT)	0.00%	0
Manipur	0.00%	0
Mizoram	0.00%	0
Pondicherry (UT)	0.00%	0
Tripura	0.00%	0

Table 4: Participating NLUs and Surveyed Students [Geographical Representation]

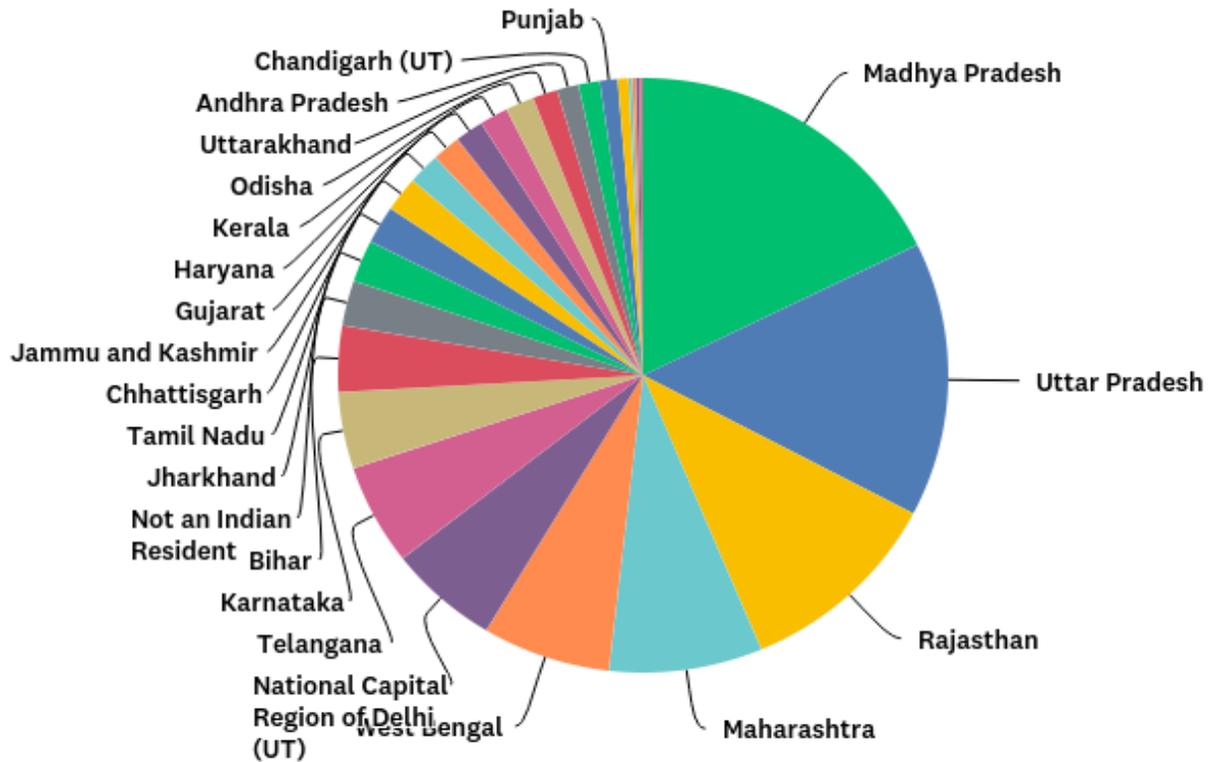


Chart 2

As can be seen from the above, the highest regional representation is from Madhya Pradesh (MP), followed by Uttar Pradesh (UP), Rajasthan and Maharashtra. This could partly be explained by the relatively higher populations in states such as UP compared to the rest of India (approximately 199.8 million persons in UP, accounting for 16.50 percentage of the country's total population).⁸ As for MP and its relatively higher representation, this could owe itself to multiple factors as below:

- i) NLIU Bhopal has a significant reservation for state domiciled students (40%⁹), a fact that might perhaps entice more students from Madhya Pradesh to write the CLAT exam.
- ii) A large number of CLAT coaching centres have mushroomed in Bhopal, Madhya Pradesh and they host various sensitization programmes to law as a lucrative career option.¹⁰

⁸ See, *State Census 2011*, available at <http://www.census2011.co.in/states.php> (Last visited on July 23, 2018).

⁹ *Supra*, note 7.

Other striking points to note from the above figures:

- i) None of the UTs apart from the NCR of Delhi and Chandigarh find representation in the top five NLUs.
- ii) The North-Eastern states continue to be under-represented, with only 4 students (one each from Arunachal Pradesh, Meghalaya, Nagaland and Sikkim). Assam's representation saw a decline (from 0.54% in the survey in 2013-14 to *nil* this year).

4. AGE REPRESENTATION OF FIRST YEAR STUDENTS

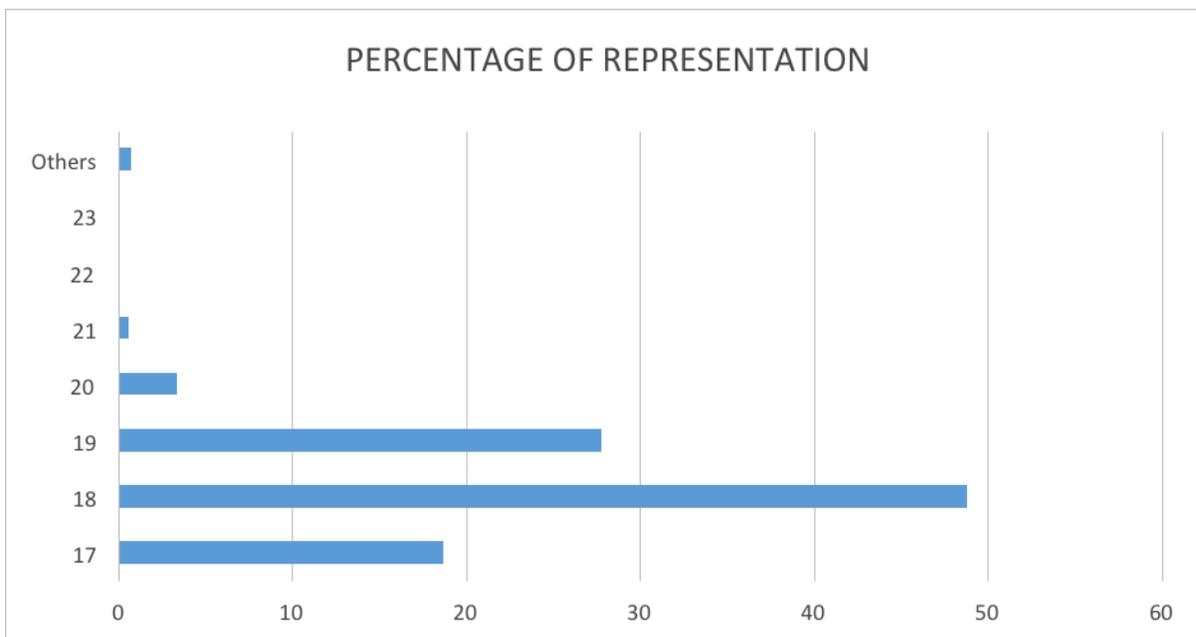


Chart 3

The above chart indicates the intake of students based on their age. As with previous years, students between the age group of 17- 19 are in a clear majority.

Earlier in 2017, the Hon'ble Supreme Court of India stayed the Bar Council of India's attempt to introduce an upper age limit for LLB admissions (including admissions to NLUs through the CLAT).¹¹

¹⁰ The Times of India, *Bhopal cements its place as major hub to crack law test*, May 24, 2016, available at <https://timesofindia.indiatimes.com/city/bhopal/Bhopal-cements-its-place-as-major-hub-to-crack-law-test/articleshow/52409918.cms> (Last visited on July 23, 2018).

¹¹ This was pursuant to a Writ Petition instituted by several students, including an intervention petition by Michael Sam, an IDIA scholar. See, Prabhati Nayak Mishra, *Age no bar for studying Law: SC stays BCI notification*, March 3, 2017, available at <http://www.livelaw.in/age-no-bar-studying-law-sc-stays-bci-notification/> (Last visited on July 23, 2018).

PART II: REPRESENTATION FROM MARGINALIZED COMMUNITIES

5. GENDER DIVERSITY

CATEGORIES	RESPONSES RECORDED	PERCENTAGE OF REPRESENTATION
Male	298	56.33%
Female	230	43.48%
Third Gender	1	0.19%
TOTAL	529	100%

Table 5: Participating NLUs and Surveyed Students [Gender Representation- Responses]

As can be seen from the above, there are a greater proportion of male students than females, when compared with earlier years. One estimate suggests that of the 1974 candidates who were allotted a seat in the first allotment list, only 41% were females.¹²

More specifically, the percentage of female students that made it to individual law schools is as under:

NALSAR, Hyderabad: 38.52%

NLSIU, Bangalore: 40%

WBNUJS, Kolkata: 44%

NLIU, Bhopal: 45.9%.

Contrast the above figures with the 2013-14 survey, where a majority of the candidates (51.74%) identified as females.

It bears noting that only one student out of the 529 surveyed students identified as a 'Third Gender'. This comes in the aftermath of a pathbreaking Supreme Court decision that explicitly recognized the marginalized transgender community as a third gender.¹³

¹² Bar & Bench, *CLAT 2016 results: First look at candidate preferences and more*, June 1, 2016, available at <https://barandbench.com/clat-2016-results-first-look-candidate-preferences/> (Last visited on July 23, 2018). When compared with the NLUs (that use CLAT), NLU Delhi (which uses AILET) had a higher female representation ratio (almost 50%).

¹³ See, *National Legal Services Authority v. Union of India*, (2014) 5 SCC 438, where the court issued directions to the government to treat the third gender as a socially and educationally backward class of citizens.

6. PERSONS WITH DISABILITIES

TYPE OF DISABILITY	PERCENTAGE OF REPRESENTATION
Nil	91.87%
Hearing impairment	0.19%
Speech impairment	0.00%
Visual impairment	1.13%
Locomotor or orthopedic disability	1.70%
Learning disability	0.95%
Other disability	1.32%
Mental disability (depression, bipolar disorder etc.)	3.78%

Table 6: Participating NLUs and Surveyed Students [Persons with disabilities]

8.13% of the surveyed students identified themselves as Persons with Disabilities (PWD). According to Section 39 of the *Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995* (“**1995 Act**”),¹⁴ all government educational institutions and other educational institutions receiving aid from the government must reserve not less than three per cent seats for persons with disabilities. Unfortunately, in practice, not all NLUs (all of which have been created through state legislations and are eligible for Central assistance under Section 12(B) of the University Grants Commission Act, 1956¹⁵) comply with this requirement. This has been documented in various pleadings filed in the CLAT PIL. More specifically, the CLAT PIL alleged that¹⁶:

¹⁴ This Act was repealed by the Rights of Persons with Disabilities Act, 2016. However, the 2016 Act was brought into force only on December 28, 2016. Consequently, at the time of admissions for the 2016-17 batch, the earlier 1995 Act applied.

¹⁵ For the full list of State Universities eligible for central assistance, see, *List of State Universities which are included under Section 12 (B) of the UGC Act, 1956, and are eligible to receive Central assistance*, available at [https://www.ugc.ac.in/oldpdf/State%20University/State%20University%2012\(B\)%20as%20on%2026-06-2018.pdf](https://www.ugc.ac.in/oldpdf/State%20University/State%20University%2012(B)%20as%20on%2026-06-2018.pdf) (Last visited on July 23, 2018); for actual disbursement of funds for 2016-17, see, *Annual Report*, available at https://www.ugc.ac.in/pdfnews/9764381_Complete-AR-2016-17-English.pdf (Last visited on June 15, 2018); for details on disbursement during the XII Plan Period up to March 31, 2015, see, https://www.ugc.ac.in/pdfnews/0678470_SU.pdf (Last visited on June 15, 2018) (Please note that the above mentioned UGC documents may not be accessible on some devices. In such cases, anyone interested in viewing copies may write to us).

¹⁶ *Supra*, note 6. More about this can be read at: <http://www.livelaw.in/clat-pil-law-schools-flout-pwd-nri-admission-norms-alleges-prof-shamnad-sc/> (Last visited on July 23, 2018).

- i) No seats were horizontally reserved for PWD by National University of Study and Research in Law (NUSRL), Ranchi and Maharashtra National Law University (MNLU), Mumbai;
- ii) Damodaram Sanjivayya National Law University (DSNLU), Vishakapatnam, and Hidayatullah National Law University (HNLU), Raipur, provided a horizontal reservation of less than 3% of the seats;
- iii) Among the top NLUs considered in this survey, NALSAR Hyderabad, NLIU Bhopal, and WBNUJS Kolkata, while calculating the seats to be horizontally reserved for PWD, rounded down the decimal figures to the nearest lowest integer. This is contrary to a previous apex court decision¹⁷ that mandates that while rounding off, if part is one half or more, its value shall be increased to one. Illustratively, although 3% of the seats at WBNUJS equals to 3.81 seats, only 3 instead of 4 seats were reserved for the PWD category; and
- iv) Some Universities did not base the calculation of PWD seats on their total intake, thus reducing the total number of seats available for the PWD candidates.

While 8.13% of the surveyed students indicated that they had some form of disability, only 1.7% of the surveyed students secured a seat under the PWD category (see Table 3). This could be due to the fact that a number of disabilities (including various mental health issues, certain learning/speech disabilities) were not recognized as disabilities eligible for affirmative action under the terms of the 1995 Act. Fortunately, the Rights of Persons with Disabilities Act, 2016 expands the categories of disabilities recognised under the 1995 Act to include intellectual and learning disabilities, as well as mental illnesses.¹⁸ Greater recognition of multiple disabilities is the first step towards creating a more inclusive and empowering environment, where persons with disabilities can blossom to their full potential.

In this regard, it bears noting that a number of law students suffer a host of mental health issues. In this survey, while only 3.78% of the students reported suffering from mental disabilities, including depression, anxiety, bipolar disorder and post-traumatic stress disorder (PTSD), we fear the number may be far higher. This could have stemmed from the fact the query on mental health was asked in the context of “disabilities” and far fewer students would have been prompted to mark it as such¹⁹ Whatever be the precise number of

¹⁷ *State of U.P & Anr. v. Paswan Kumar Tiwari and Ors.*, (2005) 2 SCC 10.

¹⁸ The Rights of Persons with Disabilities Act, 2016, recognizes, among others, (i) speech and language disability;(ii) intellectual disabilities that include (a) specific learning disabilities, including perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia, and developmental aphasia, and (b) autism spectrum disorder; (ii) disability caused due to chronic neurological conditions such as multiple sclerosis, Parkinson’s disease.

¹⁹ It bears noting that the survey did not create a distinction between self-diagnosis and clinical diagnosis of mental health issues. Nonetheless, the sheer percentage of persons surveyed who reported having experienced mental health issues is a red flag that requires immediate attention.

students suffering from mental health issues, there is no gainsaying the fact that there is negligible institutional support for such students.²⁰

7. RELIGION

RELIGION	PERCENTAGE OF REPRESENTATION (MOTHER)	PERCENTAGE OF REPRESENTATION (FATHER)
Buddhism	1.89%	1.13%
Christianity	1.51%	1.70%
Hinduism	88.47%	90.55%
Islam	1.51%	1.51%
Jainism	3.78%	2.84%
Sikhism	2.08%	1.51%
Zoroastrianism	0.19%	0%
Other	0.57%	0.76%

Table 7: Religious representation of first year students

The vast majority of students (90%) belong to a Hindu household.²¹ Minority communities are severely underrepresented. Illustratively, while Muslims constitute 14.23% of the national population, only 1.51% of surveyed students reported their father's and mother's religion as Islam.²² Similarly, while Christians constitute 2.30% of the national population, only 1.6 % (approx.) reported their parental religion as Christianity.

This negligible representation of minority communities at the leading law schools is a serious cause for concern.

8. CASTE BACKGROUND

As far as caste is concerned, a considerable number of Hindu students identified themselves as Brahmin, one of the most privileged castes in India.²³

²⁰ Some NLUs such as NALSAR Hyderabad, WBNUJS Kolkata, and NLU Jodhpur provide for counselling services for their students. See, <https://www.nalsar.ac.in/counselling-centre> (for NALSAR, last visited on August 16, 2018); <http://www.nujs.edu/nujs-university-college-campus-facilities.html> (for WBNUJS, last visited on August 16, 2018); and <http://nlujodhpur.ac.in/cwc.php> (for NLU Jodhpur, last visited on August 16, 2018).

²¹ While Hindus make up 79.80% of the population of India, they constitute close to 90% of the population of law schools surveyed.

²² 1.51% reported their mother's religion and 1.70% their father's religion as Christianity.

²³ See, Sonaldi Desai and Amaresh Dubey, *Caste in 21st Century India: Competing Narratives*, Econ Polit Wkly. 2012 Mar 12; 46(11): 40–49, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3379882/#FN1> (Last visited

PARENT	PERCENTAGE OF STUDENTS WHOSE PARENTS ARE HINDU	PERCENTAGE OF STUDENTS WHOSE PARENTS ARE BRAHMIN
Father	90.55%	31.11%
Mother	88.47%	31.20%

Table 8: First Year Students from Brahmin Caste Background

on November 16, 2018): “The IHDS is the only large national survey to differentiate within the forward caste category by asking respondents whether they are brahmins or belong to other forward castes. Tables 1–4 distinguish between these two groups on all outcomes studied. The results show strong and significant differences between brahmins and other forward castes on almost all outcomes. While brahmins form only 6% of the sample, they appear to be uniquely privileged. Brahmins are more likely to have high education; they are more likely to have higher incomes and consumption expenditure and greater social connections than other forward castes. These differences are large and statistically significant in most of the dependent variables studied in Tables 2 and 3.3. Even for Table 4 where place of residence is strictly controlled through separate analyses and sample sizes for brahmins in each residential category become extremely small, brahmins continue to exhibit higher incomes and educational levels than other forward castes. This suggests that although politics continues to dominate identity formation in modern India, caste is not simply a social construction. Even within groups where caste mobilisation has not been as salient a phenomenon as is the case for the OBCs, we see substantial differences by caste. If this were not the case, we would not see continued dominance of brahmins on a variety of markers of social and economic well-being”; Also see, Seema Chishti, *Biggest Caste Survey: One in Four Indians admit to practising Untouchability*, available at <https://indianexpress.com/article/india/india-others/one-in-four-indians-admit-to-practising-untouchability-biggest-caste-survey/> (Last visited on November 16, 2018).

PART III: FAMILY BACKGROUND

9. FAMILY'S EDUCATIONAL BACKGROUND

GRADUATED FROM UNIVERSITY	PERCENTAGE OF REPRESENTATION
Both	77.50%
Only one	16.45%
Neither	6.05%

Table 9: First Year Students with Parents who have a Higher Education

An overwhelming majority of the students' parents (77.50%) were graduates. Only a tiny minority (6.05%) reported being first generation learners.

10. LANGUAGE

i) Family's Proficiency in English

ENGLISH PROFICIENCY OF PARENT	PERCENTAGE OF REPRESENTATION
Both of them proficient	53.50%
Only one of them proficient	24.01%
Neither of them proficient	22.50%

Table 10: Family's Proficiency in English

More than half the surveyed students hailed from families where both parents spoke fluent English. Proficiency in English is a mark of privilege, and codes for a high degree of professional and social success.²⁴

Conversely, lack of English proficiency serves to disadvantage students, who end up falling behind in their classes and not participating in co-curricular activities. When compared with the earlier survey (19.59% of students), this year marks an increase in the number of students from non-English speaking backgrounds (22.50%).

²⁴ See, David Gradoll, *English Next India*, (British Council 2010), available at https://www.britishcouncil.in/sites/default/files/english_next_india_-_david_gradoll.pdf (Last visited on November 16, 2018); Also see Swati Mathur, *Kanchara Ilaiah: Even if 10% Dalit Children got English Education, India would change*, available at <https://timesofindia.indiatimes.com/interviews/Kanchara-Ilaiah-Even-if-10-dalit-children-got-English-education-India-would-change/articleshow/18503625.cms> (Last visited on November 16, 2018); Also see, Sahith Aula, *The Problem with the English Language in India*, available at <https://www.forbes.com/sites/realspin/2014/11/06/the-problem-with-the-english-language-in-india/#2cb7028c403e> (Last visited on November 16, 2018).

ii) Language of Communication with Family

LANGUAGE	PERCENTAGE OF REPRESENTATION
Hindi	64.65%
English	20.23%
Other	26.65%

Table 11: Language of Communication with Family

The fact that a large majority of students hail from Hindi speaking households (64.65%) highlights the dominance of the Hindi belt (mainly Uttar Pradesh) in this year's CLAT intake.²⁵

The category of "Other", comprising over a quarter of the surveyed students, includes various regional languages such as Gujarati, Punjabi, Marwari, Marathi, Tamil, Malayalam, and Bengali. However, there is hardly any representation from students who speak languages of marginalized states such as the North East or Kashmir (corresponding to the almost *nil* representation of students from those states).

11. LINK WITH LAW

i) Parents' Occupation

TYPE OF OCCUPATION	MOTHER (PERCENTAGE OF REPRESENTATION)	FATHER (PERCENTAGE OF REPRESENTATION)
Lawyer	2.27%	5.86%
Doctor	5.48%	5.48%
Engineer	1.70%	10.59%
Elite Government Service (Indian Administrative Service, Indian Police Service, etc.)	1.51%	10.21%
Other Government Service	7.18%	19.47%
Businessperson	4.54%	19.47%
Banking/Finance	1.70%	5.29%
Corporate Executive	0.76%	5.48%
Academic/Researcher/Policy	7.94%	1.89%

²⁵ As reflected in the analysis of geographical representation of States in Part I.

TYPE OF OCCUPATION	MOTHER (PERCENTAGE OF REPRESENTATION)	FATHER (PERCENTAGE OF REPRESENTATION)
Consultant	0.95%	0.95%
Agriculturist	0.19%	2.65%
Scientist	0.57%	0.57%
Arts (Painter/Musician/Singer/Actor)	0.38%	0.00%
Homemaker	51.61%	0.00%
N/A	1.32%	1.89%
Other (please specify)	11.91%	10.21%

Table 12: Parents' Occupation

As can be seen from the above table, a majority of the students' fathers (around 40%) are government employees or businessmen. On the other hand, a majority of the students' mothers (51.6%) are homemakers. This is consistent with the broad ground level reality that a large number of Indian mothers are homemakers.²⁶ The "Other" category includes a wide diversity of careers including entrepreneurs, journalists, drivers, goldsmiths etc. Further, 5.86% of the students' fathers and 2.27% of the students' mothers are lawyers, which mark a slight reduction from 2013-14, when the corresponding figures were 7.37% and 3.17%, respectively. It is worth noting that less than 3% of the parents (mothers and fathers combined) are agriculturists, indicating again that the vast majority of students are from urban centres.²⁷

ii) Whether any member of the student's immediate or close family holds a degree in law

²⁶ See, Government of India, Ministry of Statistics & Programme Implementation, National Sample Survey Office, *Participation of Women in Specified Activities along with Domestic Duties*, NSS Report No. 559 (68/10/3), July 2011 to June 2012, available at http://www.mospi.gov.in/sites/default/files/publication_reports/nss_report_559_10oct14.pdf (Last visited on August 16, 2018). As per this Report (page 18), during 2011-12, about 42 percent of females in rural areas and 48 percent of females in urban areas were engaged in domestic duties.

²⁷ This becomes particularly striking when viewed against the fact that the agriculture sector contributes to nearly 50% of the workforce in India. See, *Employment in agriculture*, available at <https://data.worldbank.org/indicator/SL.AGR.EMPL.ZS?end=2010&locations=IN&start=2005&view=chart> (Last visited on July 23, 2018).

LINK WITH LAW	PERCENTAGE OF REPRESENTATION
Students whose near relatives are lawyers	38.19%
Students whose near relatives are not lawyers	61.81%

Table 13: Students from Families of Lawyer(s)

Compared to the 2013-14 survey, this year's data reveals a higher number of admitted students with a link to law (38.19% vs. 29% in 2013-14).

However, the fact that 61.81% of students reported no such link is indicative of the fact that the NLUs now attract a significant number of students from non-legal backgrounds as well.

12. CHOOSING LAW AS A CAREER

i) Parental Support

NATURE OF SUPPORT	PERCENTAGE OF REPRESENTATION
Parents supported	94.33%
Parents did not support or were indifferent	5.67%

Table 14: Parental support in pursuing Legal Education

An overwhelming majority of students (94.33%) reported being supported by their parents in their decision to pursue law. This is an increase of 10.56%, when compared with the survey for 2013-14; a trend that bodes well for law as a desirable career option.

ii) Reasons for choosing law

NATURE OF CHOICE	PERCENTAGE OF REPRESENTATION
Law is a good match for my skill set	40.08%
Good job prospects	38.37%
Law helps with other fields	37.24%
To achieve high standard of life	35.16%
To fight for social justice	26.65%
Parental/Family advice	20.23%

NATURE OF CHOICE	PERCENTAGE OF REPRESENTATION
Real life role model	17.20%
Unsure	13.61%
Reel life role model	10.02%
Other	4.73%

Table 15: Reasons for Choosing Law

The survey results show that a majority of the respondents chose law as a career option out of self-motivation and only around 20% did so out of parental/family advice. This is no doubt a healthy trend and perhaps attributable to the growing popularity of law²⁸ and the greater autonomy enjoyed by students in making career choices. One hopes that this level of awareness and autonomy also extends to other marginalised pockets housing India's disadvantaged sections of society.

²⁸See, Legally India, *NLU Delhi's AILET admissions competition grows to 1 v. 182, similar to CLAT's top 3*, May 16, 2013, available at <http://www.legallyindia.com/pre-law/nlu-delhi-ailet-2013-competition-increases-20130516-3676> (Last visited on July 23, 2018). Legally India reports that whereas in 2011, 7,814 candidates applied for AILET and 23,875 for CLAT, in 2012, AILET saw under 12,000 applicants and CLAT had 25,732 applicants. In 2013, there were 12,820 applicants for AILET and for CLAT, 29,530; See, Legally India, *CLAT 2013: 29,500 law aspirants apply, 15% more than last year*, April 3, 2014, available at <http://www.legallyindia.com/201304023561/Pre-law-student/clat-2013-many-apply> (Last visited on July 23, 2018).

PART IV: EDUCATIONAL BACKGROUND

For the purposes of analysing the educational background of the students, a host of parameters were factored in such as: medium of instruction, location of school, score in Class XII board examinations etc.

13. SCHOOLING BACKGROUND

i) Medium of Instruction at Schools of Surveyed Students

MEDIUM OF INSTRUCTION	RESPONSES	PERCENTAGE
English	516	97.54
Hindi	10	1.89
Other vernacular language	3	0.57

Table 16: Medium of Instruction at Schools

As with previous years, an astonishingly large number of students (516/ 529 or 97.5% of all students) came from schools where the medium of instruction was English. This is again a mark of privilege. Needless to state, candidates who lack such English proficiency are disadvantaged at two levels: firstly, at the level of CLAT, an exam that demands a high degree of fluency in English; and secondly, at the level of the law school (if perchance they gain entry), given that most classes are conducted in fairly sophisticated English.

ii) Where First Year Students went to School

LOCATION OF THE SCHOOL	RESPONSES	PERCENTAGE
City	464	87.71
Town	55	10.40
Rural Area	10	1.89

Table 17: Location of School from which First Year Students Hail

Out of the 529 responses recorded, students from cities dominated the charts (464), distantly followed by those from smaller towns (55). Strikingly, but not surprisingly, only 10 students (hardly 2%) hailed from rural areas. This again reinforces the severe lack of diversity and needs to be redressed urgently.

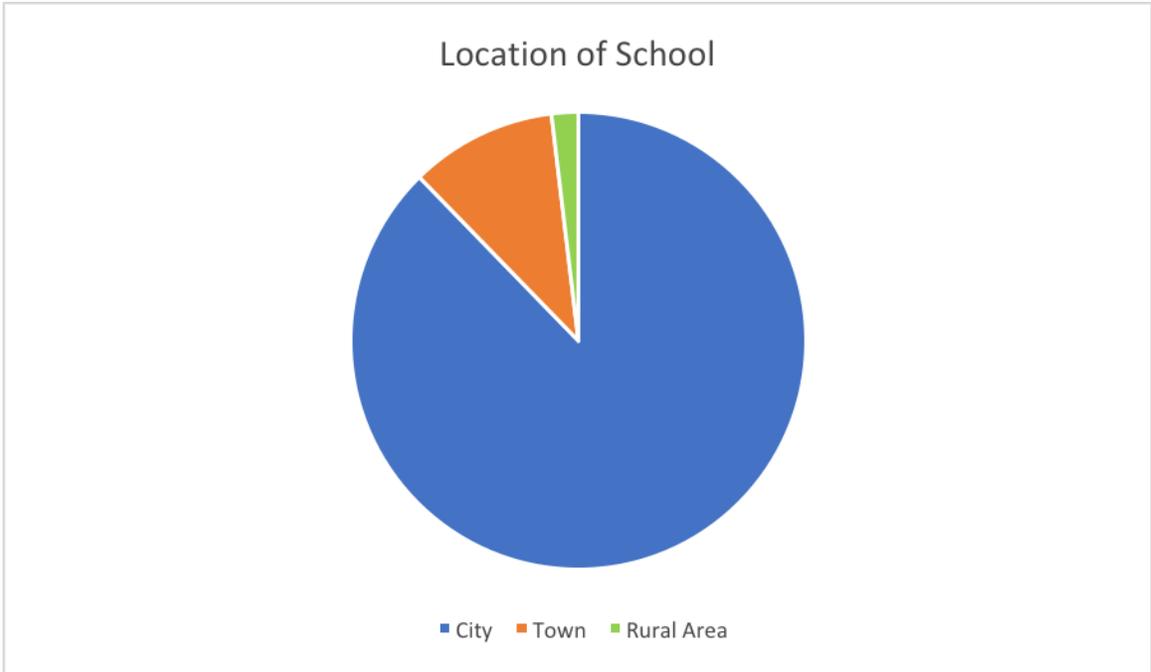


Chart 4

iii) **Score in Standard XII**

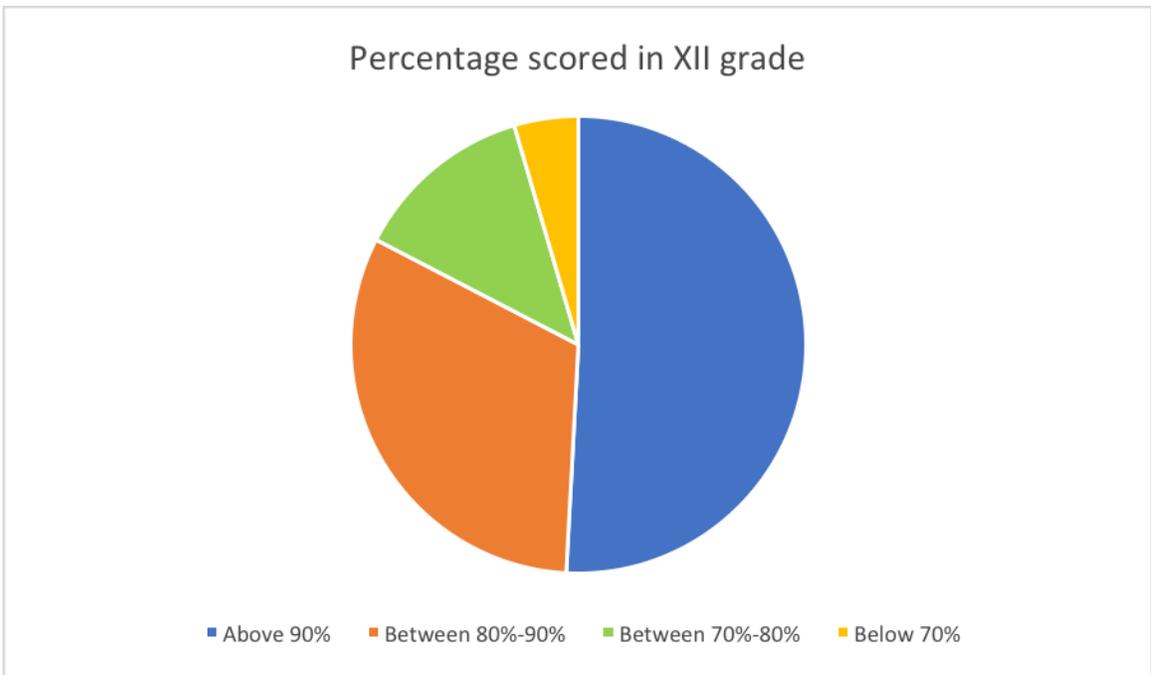


Chart 5

Out of 529 responses recorded, more than 50% of the students scored more than 90% in their Class XII board examinations, indicating that students with higher academic proficiency were making it to the higher ranked NLUs.

RANGE OF PERCENTAGE SCORE IN XII	RESPONSES	PERCENTAGE
Above 90%	269	50.85
Between 80% to 90%	168	31.76
Between 70% to 80%	68	12.85
Below 70%	24	4.54

Table 18: Academic Performance of First Year Students

In the year 2013-14, 44% of the surveyed students had secured over 90% in their Class XII board examinations. These figures indicate that students scoring well in their board examinations have a higher propensity to score well in the law entrance exams as well. However, keeping in mind the possibility of grade inflation across boards, and the emphasis placed on English by certain boards as compared to others (that might give students studying under the former boards an edge in CLAT since it tests students on their proficiency in English), these figures should not be considered as absolute.

iv) **Academic Stream Opted**

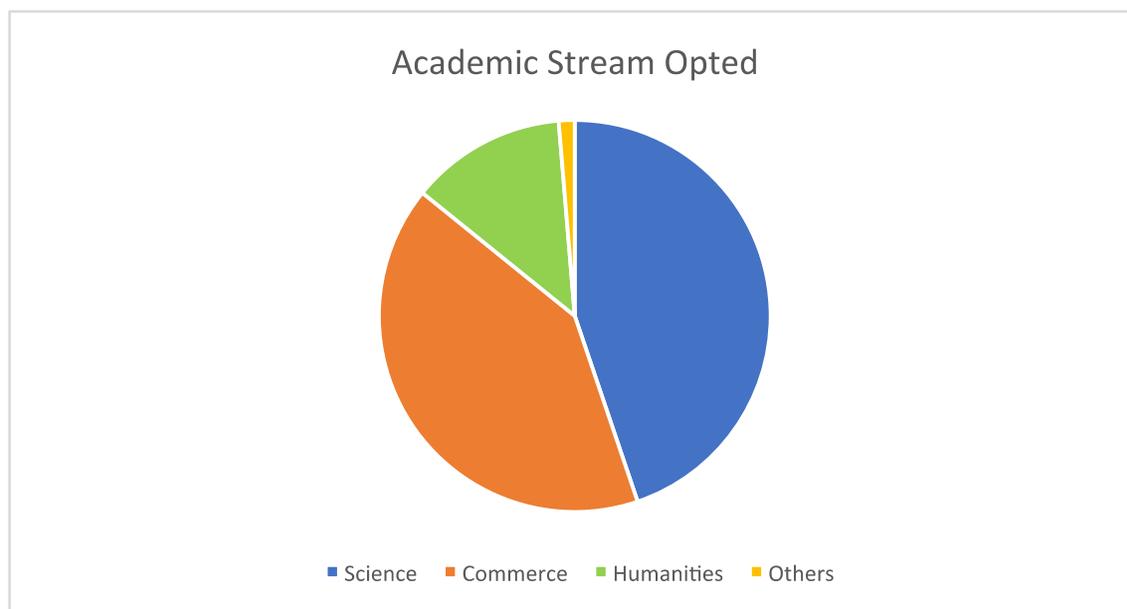


Chart 6

As with previous years, the majority of students are from the science background (stream of science subjects studied in class 11 and 12), followed by commerce.

ACADEMIC STREAM	RESPONSES	PERCENTAGE
Science	237	44.80
Commerce	217	41.02
Humanities	68	12.85
Others	7	1.32

Table 19: *Academic Background of First Year Students*

PART V: ECONOMIC BACKGROUND

14. ANNUAL INCOME OF THE FAMILY

ANNUAL INCOME (IN INR)	PERCENTAGE OF REPRESENTATION
Below 50,000	1.13%
From 50,000 to 1 lakh	3.21%
From 1 lakh to 3 lakhs	7.75%
From 3 lakhs to 7 lakhs	16.82%
From 7 lakhs to 10 lakhs	13.04%
From 10 lakhs to 15 lakhs	23.63%
Above 15 lakhs	34.40%

Table 20: Annual Household Income of First Year Students

As can be seen from the above, the largest proportion of students (34.40%) are from households that boast an annual income of over INR 15 lakhs. If one were to consider INR 10 lakhs or higher as the relevant cut off, then the figure jumps to a significant 60% of the surveyed students. Hardly 5% belong to households earning an annual income of below INR 1 lakh.

The fees at the top law schools (including all ancillary expenses) typically range between INR 3-3.5 lakhs per annum, adding up to INR 15-18 lakhs for a 5-year education. It is therefore not surprising that low-income students find very little representation in these institutions.²⁹

A note of caution: these income levels have not been independently verified and run the risk of under-reporting by students keen on applying for scholarships, tuition waivers etc. It bears noting that a large number of students (about 86%) indicated that they relied on parental financial support to pay their fees. This clearly suggests that most such parents are in the high(er) income brackets. Consequently, there is a strong likelihood of a number of students falsely reporting low parental incomes.

²⁹Prachi Shrivastava, *Cost of Legal Education shoots up as younger colleges struggle*, July 28, 2015, available at <http://www.livemint.com/Politics/FI8PoH4CjdAbBATLNrhecN/Cost-of-legal-education-shoots-up-as-younger-colleges-strugg.html> (Last visited on July 23, 2018).

15. FUNDING OF LEGAL EDUCATION

FUNDING	PERCENTAGE OF REPRESENTATION
Parents	86.39%
Bank loan	11.72%
Scholarship	5.86%
Relatives/Family Friends	3.78%
Others	1.51%

Table 21: How First Year Students Sponsor their Education

As noted earlier, a vast majority of students (86.39%) fund their education through parental support. This figure has however decreased from 2013-14, when the corresponding percentage was 89%. Other data worth noting are as below:

- a) While the percentage of surveyed students dependent on loans in 2013-14 was 7.55%, it has now increased to 11.72%.
- b) A large number of students have also reported relying on multiple sources of funding to support their education.
- c) The number of students who benefitted from scholarships also increased from 2.57% in 2013-14 to 5.86% this year. Notably, students indicated support through scholarships such as Central/Government scholarships, Bank scholarships (State Bank of India, Allahabad Bank, United Bank of India etc.), Aditya Birla scholarships, IDIA scholarships as well as internal college scholarships. While this increase in the availability of scholarships for law students is certainly a step in the positive direction, one must not lose sight of the fact that there is still a huge gap and many students continue to face significant hardships finding financial assistance.

PART VI: PRE-CLAT/ AILET EXPERIENCE

16. PREPARATION FOR CLAT/ AILET

COACHING	PERCENTAGE
Yes, I went for coaching classes	79.58%
Yes, I took a correspondence/ online course	8.88%
No, I opted to prepare on my own	8.13%
I am a foreign national therefore I am not required to write the law entrance exam (CLAT/AIET)	2.08%
I wanted to, but could not find a centre close to where I lived	0.95%
I wanted to, but could not afford it	0.38%

Table 22: Role of Coaching and Training in Preparation

The survey demonstrates that most students availed themselves of coaching classes in one form or the other in order to prepare for CLAT/AIET. This again serves as a marker of privilege, given the high costs associated with such coaching.

i) Coaching Centers

COACHING CENTRES	PERCENTAGE OF REPRESENTATION
Career Launcher [Law School Tutorials (LST)]	54.27%
Crack CLAT	1.07%
IMS	2.14%
Sriram	8.33%
Paradigm	0.85%
Law Prep	5.13%
Bharat/ AB Tutorials	2.14%
CLAT Possible	14.53%

COACHING CENTRES	PERCENTAGE OF REPRESENTATION
Heritage	1.07%
CLATapult	0.64%
Universal Institute of Legal Studies	0.43%
Others	24.36%

Table 23: Who Coached First Year Students for CLAT/AILET

LST continues to be the preferred coaching centre for students in the top five NLUs. While a majority of students (58.55%) opted for the year - long course, others opted for the two-year course (18.16%), the one-month crash course (16.03%) or a combination of all these (7.26%). Popular coaching centres such as LST charge fees ranging between INR 60,000 and 90,000 for their classroom courses.³⁰ They also offer online learning, test preparation packages and correspondence courses.³¹ These fees, coupled with other CLAT costs (most notably the application form which costs INR 4000), make the prospect of law school entry prohibitively expensive for many bright and talented students. A committee set up by the Ministry of Human Resource Development (“**MHRD Committee**”), in a report submitted to the Supreme Court in the CLAT PIL, highlighted that the expenditure related to CLAT is between 5-10% of the total income, resulting in a profit margin of 90-95% that is shared as per policy amongst the NLUs in a pre-defined manner.³² The MHRD Committee further stated that it strongly felt that “the examination fees charged is way above the required finances for conduct of the examination” and that “CLAT is being conducted for many years now and it is apparent that no attempt has been made to rationalize the fee with trends of past expenditure”.³³ The Committee found the profit margin to be ‘egregious’ and recommended that a fee of INR 1,500 would be reasonable.³⁴

³⁰ See, <http://www.clatpossible.com/clat-law-entrance-courses/clat-law-entrance-coursesbreeze-weekend-classroom-course/> (Last visited on July 23, 2018).

³¹ See, <http://www.lawentrance.com/clat-online-classes/> (Last visited on July 23, 2018).

³² See, Apoorva Mandhani, *CLAT Fee Shockingly High, Allows Profit Margin Of 90-95% For NLUs: Committee Examining CLAT-2018*, available at <https://www.livelaw.in/clat-fee-shockingly-high-allows-profit-margin-of-90-95-for-nlus-committee-examining-clat-2018-read-report/> (Last visited on November 17, 2018).

³³ *Ibid.*

³⁴ *Id.*

PART VII: EXPERIENCE AT NLUS

17. DISCRIMINATION ON CAMPUS

i) Discriminatory Behaviour and/or Disparaging Remarks by Students

DISCRIMINATION/DISPARAGING REMARKS	PERCENTAGE
No, I have never been subjected to discrimination/disparaging remarks.	72.02%
Yes, because of my political beliefs	9.45%
Yes, because of my language	7.75%
Yes, because of my appearance (e.g. skin colour)	6.43%
Yes, because of my caste	5.29%
Yes, because of my gender	4.35%
Yes, because of my religion and/ or religious belief	2.84%
Yes, because of my educational background	2.84%
Yes, because of my economic status	2.65%
Yes, because of my race/ ethnicity	2.65%
Yes, because of my rural background	2.65%
Yes, because of my sexual orientation	1.13%
Yes, because of my disability	0.57%
Others	3.97%

Table 24: Types of offensive remarks and behaviour by other students

It is troubling to note that the extent of social prejudice/discrimination is quite high, given that nearly 28% of the surveyed students were reportedly subjected to discrimination/disparaging remarks (based on their political beliefs, language, caste, appearance etc.). Apart from the reasons captured in Table 24 above, 9 of the surveyed students also reported that they had faced such remarks on the basis of their geographical origin, the vernacular accent with which they spoke English etc. The severity of the impact

that such disparaging remarks can have on a student can be understood from a recent tragic incident where a student of National Law University, Jabalpur, committed suicide because he was allegedly under stress over his poor command over English (according to a news report, the initial investigation revealed that the student was reeling under depression over his weak English and was taking tuitions to improve his language).³⁵ All of this highlights the urgency with which NLUs must mend their ecosystem to make it more diversity friendly and discrimination free.

ii) Discrimination/Disparaging Remarks by Faculty/Staff

DISCRIMINATION FACED AT NLUS	PERCENTAGE
No, I have never been subjected to such remarks.	93.76%
Yes, because of my political beliefs	1.32%
Yes, because of my language	1.32%
Yes, because of my appearance (including, for example, skin colour)	0.95%
Yes, because of my caste	1.13%
Yes, because of my gender	0.19%
Yes, because of my religion and/ or religious belief	0.76%
Yes, because of my education	0.38%
Yes, because of my economic status	0.57%
Yes, because of my race/ ethnicity	0.57%
Yes, because of my rural background	0.19%
Yes, because of my sexual orientation	0.00%
Yes, because of my disability	0.57%

³⁵ P Naveen, *Madhya Pradesh NLU VC sleeping in Hostel to ward off 'ghost Phobia'*, available at <https://timesofindia.indiatimes.com/city/bhopal/madhya-pradesh-nlu-vice-chancellor-sleeping-in-hostel-to-ward-off-ghost-phobia/articleshow/66194538.cms> (Last visited on November 19, 2018); Legally India, *Nascent NLU Jabalpur VC moves to 'Haunted' Suicide Room to provide Emotional Support to Students*, available at <https://www.legallyindia.com/lawschools/weak-english-stress-leads-to-student-suicide-at-nascent-nlu-jabalpur-vc-occupies-deceased-student-s-room-for-emotional-support-20181026-9627> (Last visited on November 19, 2018).

DISCRIMINATION FACED AT NLUS	PERCENTAGE
Others	0.38%

Table 25: Types of offensive remarks made by staff/faculty

That faculty members and administrative staff also tend to make discriminatory remarks against a sizeable number of students is troubling. However, the prevalence is lower (6.24%) than the earlier reported instances of students being at the receiving end of other students' disparaging remarks (6.24% of the students reporting being at the receiving end of such remarks).

18. CULTURE SHOCK

i) Students facing “culture shock”

WHETHER THEY FACED CULTURE SHOCK?	PERCENTAGE
Yes	40.83%
No	59.17%

Table 26: Proportion of students facing culture shock

As can be seen, a sizeable number of students reported experiencing some form of “culture shock” when they joined their university. This is particularly worrying, as this proportion has risen from 35% in 2013-14 to more than 40% now.

ii) Factors that resulted in “culture shock”

TRIGGERS FOR “CULTURE SHOCK”	PERCENTAGE
The frequency with which people go out, party, etc.	61.93%
The way students converse in high level English	34.40%
The manner in which boys and girls interact	28.90%
The clothes/ dressing style of students	27.98%
The nature of student-teacher relationships	13.76%
Others	19.27%

Table 27: Factors attributed to culture shock

Almost all students from vernacular medium backgrounds reported a “culture shock”, mainly as a result of their inability to speak English proficiently and in an accent similar to those from more privileged backgrounds. Further, around 85% of students who reported this indicated that they did not use English as a medium of communication at home.

In the “others’ category, around 12 of the surveyed students attributed “culture shock” to the prevalent consumption of alcohol, tobacco, drugs and other contraband substances by law school students.

19. DIFFICULTY IN UNDERSTANDING ACADEMIC CURRICULUM

DIFFICULTY IN UNDERSTANDING ACADEMIC CURRICULUM	PERCENTAGE
No, I did not find it hard	55.95%
Yes, due to the poor quality of teaching by the faculty	15.50%
Yes, due to my fear, inhibitions in seeking clarifications from faculty members	13.23%
Yes, due to the difficult reading material provided	12.10%
Yes, due to the high level of teaching by faculty and their inability to explain in simple language, break down concepts, etc.	9.83%
Yes, due to difficulty in understanding English	3.40%
Others	10.78%

Table 28: What First Year Students Report as Obstacles in Academic Performance

Over 44% of students reported difficulties in coping with/understanding the academic curriculum. In fact, almost all students whose schooling was in a vernacular tongue found the curriculum to be difficult.

Of the students who did not find the curriculum difficult:

- i) 99% had English as their primary medium of instruction in school.
- ii) 88.18% went to good schools in the cities.

All of this again point to the systemic issues of academic exclusion faced by those less proficient in English.

20. PARTICIPATION IN CO-CURRICULAR AND EXTRA- CURRICULAR ACTIVITIES

PARTICIPATION IN CO-CURRICULAR ACTIVITIES (DEBATES, MOOTS ETC)	PERCENTAGE
Yes	62.19%
No, because studies take up most of my time	13.80%
No, because I lack the confidence	13.42%
No, because I am socially awkward and shy	10.59%
No, because I am not interested	9.45%
No, because my English is not good enough	5.86%
Other	3.78%

Table 29: Participation of First Year Students in co-curricular activities

PARTICIPATION IN EXTRA-CURRICULAR ACTIVITIES	PERCENTAGE
Yes	63.14%
No, because studies take up most of my time	9.64%
No, because I lack the confidence	5.67%
No, because I am socially awkward and shy	5.86%
No, because I am not interested	19.66%
Other	3.59%

Table 30: Participation of First Year Students in extra-curricular activities

70.90% of the surveyed students participated regularly in co-curricular activities and 66.56% participated in extra-curricular activities. A large proportion of this cohort of students also found the academic curriculum to be relatively easy.

The fact that a large number of students cited lack of confidence, social awkwardness and language barriers as reasons for not participating in these activities is a cause for concern. Universities must do a better job of providing additional academic support, counselling and mentorship to underprivileged students, to help boost confidence/self-esteem. More specifically, they need to be provided English language and soft skills training sessions as would enable them to make the most of their time in law school and participate more effectively.

SUGGESTIONS FOR REFORM

As with previous years, this year’s survey also reflects a stark diversity deficit at the leading NLUs. Listed below are some broad suggestions for reform:

1. Financial Inclusion (Fee Waivers, Scholarships etc.)

i) Reducing CLAT Fees

The CLAT application fee alone is INR 4000³⁶, making it one of the highest entrance exam fees in India. That these fees are several times higher than the actual cost of conducting the examination is borne out by a recent controversy involving the conduct of CLAT 2018 through a third-party service provider Sify Technologies Limited (“Sify”). As per the contract between NUALS (the CLAT conducting University for 2018), and Sify, the consideration to be paid to Sify was INR 210.04 per candidate.³⁷ This effectively means that by charging INR 4000 per candidate, the CLAT consortium of universities was marking up the cost by almost 1804.4 percent! As mentioned earlier, even the MHRD Committee, in its report to the Supreme Court in the CLAT PIL, highlighted that the expenditure related to CLAT is between 5-10% of the total income, resulting in an ‘egregious’ profit margin of 90-95%.³⁸ Even assuming that the costs for setting the paper, advertising CLAT etc. has to be accounted for, a conservative estimate would suggest that the cost per candidate cannot be more than INR 500.

Almost all other exams charge half or less than half of what CLAT charges, as is evident from the table below:³⁹

NAME OF EXAMINATION	General/OBC Category Fee	SC/ST/PWD Fee
Joint Entrance Examination (JEE) (Main) Paper ⁴⁰	INR 1000 (for general /OBC male candidates who opt for offline exam)	INR 500 (for all SC/ST/PWD candidates who opt for offline exam)

³⁶ For SC/ST category candidates, it is INR 3500.

³⁷ See, <https://barandbench.com/clat-2018-zoheb-hossain-everything-wrong/> (Last visited on August 8, 2018).

³⁸ *Supra*, note 32.

³⁹ The eligibility conditions for appearing in the JEE (Advanced) are available at: *JEE (Advanced) 2018 Information Brochure*, available at https://drive.google.com/file/d/1AkvR5hoN64cM4o2wYoay_aZbzooWUzoZ/view (Last visited on July 23, 2018); the details of fee for JEE (Main) are available at: <https://jeemain.nic.in/WebInfo/Handler/FileHandler.ashx?i=File&ii=88&iii=Y> (Last visited on July 23, 2018); the fee details for JEE (Advanced) is available at: <https://www.jeeadv.ac.in/Fee.html> (Last visited on July 23, 2018).

⁴⁰ Entrance examination to the National Institutes of Technology, Indian Institutes of Information Technology, other Centrally Funded Technical Institutions as well as the Indian Institutes of Technology, for which the candidates have to also clear the JEE (Advanced).

	<p>INR 500 (for unreserved/OBC female candidates who opt for pen and paper-based exam)</p> <p>INR 500 (for unreserved/OBC male candidates who opt for computer-based exam)</p> <p>INR 250 (for unreserved/OBC female candidates who opt for computer-based exam)</p>	INR 250 (for all SC/ST/PWD candidates who opt for online exam)
JEE (Advanced) ⁴¹	<p>INR 2600 (for unreserved/OBC male candidates)</p> <p>INR 1300 (for unreserved/OBC female candidates)</p>	INR 1300
National Eligibility Cum Entrance Test (NEET)	INR 1400	INR 750
National Institute of Fashion Technology (NIFT) Entrance Exam	INR 1500	INR 750
National Institute of Design (NID) Entrance Exam	INR 2000	INR 1000
NCHM JEE ⁴²	INR 800	INR 400

Table 31: Application Fees for Various Entrance Tests

Notes on table: As can be seen from the above table, even examinations with separate stages (preliminary and main) cost less than the CLAT fees. For instance, the collective costs for JEE add up to INR 3600, which is still less than the INR 4000 charged by CLAT.

It is important that immediate steps be taken to make CLAT more affordable and inclusive. Listed below are some suggestions in this regard:

- a) Reducing CLAT application fees;

⁴¹ Admission test to only the Indian Institutes of Technology (IITs) and Indian School of Mines.

⁴² Entrance examination to Central Institutes of Hotel Management and a number of other hotel management institutes.

- b) Establishing more CLAT exam centres in the country so that students from remote areas are also able to write the exam;
- c) Encouraging CLAT coaching institutes to provide for more fee waivers/concessions and scholarships so that students from underprivileged backgrounds are able to avail themselves of coaching. The government must also provide tax breaks and other incentives to coaching centres that institute such waivers/scholarships.
- d) Reducing CLAT deposit: even after cracking CLAT, students have to pay INR 50,000 to block their seats, even as they await being upgraded to higher NLUs in the second and third lists. This is a significant amount to pay for candidates who come from low-income backgrounds, and the requirement to pay such a hefty sum upfront might screen out many of them from the process. It is rather unfortunate that the entire CLAT admission process, right from the unreasonably high application fees charged for the entrance exam to the exorbitant counselling fees, has been currently designed as an exercise in exclusion, effectively keeping out students from underprivileged backgrounds who cannot afford to pay such high fees. The concerned authorities should consider pardoning or subsidizing the counselling fees for students who come from underprivileged backgrounds and make the CLAT admission process less onerous for them.

ii) **Law School Scholarships and Fee Waivers**

Given the increasing costs of legal education and the exorbitant fees charged today, all stakeholders (including the NLUs and the government) must find ways to reduce the fees and/or institute appropriate scholarships for low-income students. Further, NLUs that provide for NRI seats must follow the norms in the *Inamdar* case and use the huge earnings from NRI seats to enhance the number of scholarships/need-based waivers.

Unfortunately, as of today, among the NLUs, only NLSIU Bangalore, NLU Delhi, and WBNUJS Kolkata provide fee waivers and scholarships for IDIA scholars.

The central government has come out with a number of scholarship schemes for the benefit of students belonging to minority communities⁴³, students with disabilities⁴⁴, and students belonging to SC⁴⁵ and ST categories⁴⁶. Additionally, state governments also provide for

⁴³ See, https://scholarships.gov.in/public/schemeGuidelines/MoMA_MCM_2018-20.pdf (Last visited on August 10, 2018).

⁴⁴ See, <https://scholarships.gov.in/public/schemeGuidelines/DEPDGuidelines.pdf> (Last visited on August 10, 2018).

⁴⁵ See, https://scholarships.gov.in/public/schemeGuidelines/mosj_e_Revised_SCHEME_OF_TOP_CLASS.pdf (Last visited on August 10, 2018).

scholarships that have specific eligibility requirements, such as being domiciled in the same state.⁴⁷

While the institution of such scholarships is an enabling step and must be appreciated, the government's handling of the implementation of the schemes leaves a lot wanting. The exercise of applying for such scholarships itself is a cumbersome process that requires the applicant to deal with government websites that constantly hang when submitting the application; follow-up repeatedly with the concerned authorities even after successfully submitting the application; and wait endlessly for the disbursement of funds in the event the scholarship is finally granted to the applicant. There have been instances when our scholars have had to wait for four years before their scholarship amounts were finally released to them.

The need for timely disbursement of funds by the government under its scholarship schemes cannot be stressed enough. The consequence of not releasing funds on time for a student relying on such scholarships could be as severe as the student having to drop out of university. It is important that the government looks into these aspects of its scholarship schemes and takes steps to make the process as hassle-free as possible for the students who would really stand to benefit immensely from them if implemented well.

2. Academic Inclusion

Academic Support Programmes

Over 44% of the students reported facing difficulties in understanding the academic curriculum. The need of the hour, therefore, is to institute more comprehensive academic support programmes. While some law schools already have such systems in place⁴⁸, they

⁴⁶ See, <https://scholarships.gov.in/public/schemeGuidelines/tribalfellowshipguideline.pdf> (Last visited on August 10, 2018).

⁴⁷ See, http://scholarshipportal.mp.nic.in/MedhaviChhatra/Medhavi_New/About.aspx (Last visited on August 10, 2018).

⁴⁸ Such law schools include: (i) NLSIU Bangalore, that has an Academic Support Programme in place which is a peer support programme that seeks to acclimatize new students to the academic rigour and environment of the university (see, https://www.nls.ac.in/index.php?option=com_content&view=article&id=168&Itemid=85 (Last visited on August 16, 2018)); (ii) NLU Jodhpur, that has an Academic Support and Literary Committee comprising faculty and student members (see, http://www.nlujodhpur.ac.in/committee_detail.php?c=11&committee=Academic%20Support%20&%20Literary%20Committee (Last visited on August 16, 2018)); (iii) HNLU Raipur, that has an Academic Support Committee which is one of the constitutive committees of its Student Bar Association, and which is required to facilitate the maintenance and enhancement of the academic standards of the University. It acts as a bridge between the students and the faculty (see, <https://www.hnlu.ac.in/index.php/students/student-bar-association> (Last visited on August 16, 2018)); (iv) GNLU Gandhinagar, that has an Academic Support Programme that provides a platform to students to share their academic knowledge with other students and help each other out. As per the university website, this platform has been created keeping in mind the absence of a level-playing field among students owing to inequality in our society stemming from different socio-economic factors. The platform, among others, also seeks to address issues relating to language barriers and communication skills (see, <https://www.gnlu.ac.in/GNLU/Academic-Support-Programme> (Last visited on August 16, 2018)); (v) NLU

should be strengthened to accommodate the needs of students hailing from diverse backgrounds.

In fact, the Supreme Court in *Avinash Singh Bagri and Ors. v. Registrar, IIT Delhi*,⁴⁹ ruled that reservations *per se* are not sufficient. Rather, institutions need to mandatorily provide academic support and other programmes to students from socially and economically backward categories to help them cope better.

3. Socio-cultural Inclusion

i) Student-Run Social Support Initiatives

The survey reveals that students shy away from extracurricular and co-curricular activities due to their lack of proficiency in English, leading in turn to issues of low self-esteem and self-confidence. A peer group supported program (similar to the student run academic or peer/buddy-support programs already in place in some institutions⁵⁰) to help these students integrate better and find ways to talk about their problems may go a long way in addressing some part of this bottleneck. NLUs such as NLU Odisha and MNLU Mumbai have already taken positive steps in this direction by instituting programmes that help students cope with the social environment at their universities and reach out to their peers and faculty members for help.⁵¹ While we are not in a position to comment on the impact of such initiatives at the said NLUs as yet, it is heartening to observe that law schools have begun to pay attention to creating a more welcoming and supportive space for their students where they can express themselves without any inhibitions. Other NLUs would also, hopefully, follow suit.

ii) Institutional Policies

Law schools should try and foster a diversity friendly ecosystem as much as possible. In particular, they could do the following:

Odisha, makes use of an online platform called ‘Your DOST’ for peer mentoring and mental health issues on campus. Additionally, the University has in place a mentorship programme with one faculty member assigned as a mentor to 20-25 students. Under the programme, the faculty mentor is supposed to ensure the academic progress and the well-being of the students (see, <http://www.nluo.ac.in/mentorship/> (Last visited on August 16, 2018)); (vi) MNLU Mumbai provides for a mentorship programme under which, the mentors guide their students around issues ranging from academics to health, attendance, class participation, and home sickness. The stated aim behind the mentorship programme is to establish a healthy environment in the university where the students feel homely and comfortable in the presence of a guardian who guides them at every step in their academic career (see, <http://mnlumumbai.edu.in/mentor.php> (Last visited on August 16, 2018)).

⁴⁹ Writ Petition (C) No. 535 of 2008.

⁵⁰ See, *supra* note 48.

⁵¹ See, *supra* note 48. Additionally, NLUs such as NALSAR Hyderabad, WBNUJS Kolkata, and NLU Jodhpur provide for counselling services for their students. See, <https://www.nalsar.ac.in/counselling-centre> (for NALSAR, last visited on August 16, 2018); <http://www.nujs.edu/nujs-university-college-campus-facilities.html> (for WBNUJS, last visited on August 16, 2018); and <http://nlujodhpur.ac.in/cwc.php> (for NLU Jodhpur, last visited on August 16, 2018).

- a) Recruit faculty and staff from diverse backgrounds, so as to create a more inclusive environment.
- b) Strict action must be taken against those that discriminate on the basis of religion, regionality, socio-economic background etc.
- c) Sensitize all their staff, faculty and student population on diversity and inclusiveness, and help break down existing prejudices and stereotypes.

4. Making the Overall Ecosystem more Diversity Friendly

To be able to truly and effectively make our NLUs more diverse and inclusive, ensuring that our admission processes are more accessible to all students from diverse backgrounds is only the first step. Equal attention needs to be paid to making the overall law school ecosystem more diversity friendly. This means that in addition to reforming institutional policies that would help students from underprivileged and marginalized backgrounds integrate better into the social and academic environment at NLUs, as suggested above, the universities must also encourage meaningful engagement with the issues concerning the lack of diversity within law schools and the legal profession.

It is important that NLUs and their faculty members provide students with a space within and outside the classroom, for open and free dialogue that would help the students confront issues that they might have been dealing with, such as discrimination, casteism, classism, bigotry, and prejudice based on their backgrounds, identities and opinions. As per the survey, a sizeable percentage of students have suffered discrimination or been subjected to disparaging remarks by their classmates and faculty members that have often been based on their identities, beliefs, and backgrounds. The onus is on the NLUs to first, acknowledge the existence of such problems and second, to channel conversation around them in a manner that helps students assimilate better into the law school environment. It would be especially beneficial if the students observe faculty members highlight and discuss diversity issues in classrooms.

The other aspect that NLUs need to work on is making their universities more accessible for students with disabilities. It is the responsibility of the NLUs to provide for the necessary infrastructure that would enable students with disabilities to participate as effectively in academic, extracurricular and social activities at their universities, as their peers.

CONCLUSION

The Diversity Survey Report of 2013-14 highlighted a serious diversity deficit at the top five Indian NLUs. It is unfortunate that the present Diversity Survey Report for 2016-17 does not have a very different state of affairs to report. To make matters worse, there has been a decline in the number of female students that gained admission to the top NLUs as compared to the male students.

Our NLUs are still very much the bastions of elitism and homogeneity that we found them to be with our inaugural survey in 2013-14. The student composition continues to reflect a preference for the financially well-off, English-speaking, urban city-dwellers who can afford to pay for the exorbitant law school expenses. Students with disabilities, students belonging to minority communities, rural backgrounds, those educated in the vernacular medium, and those generally belonging to underprivileged or marginalized communities are only a trickle at this time.

We here at IDIA have been working towards disrupting this complacency at NLUs, but our efforts would translate to constructive and lasting change only if the NLUs themselves work towards bringing about systemic improvements in their policies and manner of functioning. To this end, we have had some NLUs respond positively with a few of them coming up with scholarship policies for the underprivileged⁵² and/or providing scholarships and fee waivers for IDIA scholars.⁵³ The efforts of some NLUs in providing for academic and social support groups for students to help them integrate better into the law school environment are also praiseworthy (although, the impact they have actually had on students has not been studied yet). However, the NLUs have still a long way to go before they can be truly considered diverse and inclusive.

It has been established, through extensive research and scholarship, that institutes of higher education should be diverse and inclusive.⁵⁴ Increased diversity not only means empowerment of students who belong to underprivileged or marginalized backgrounds by providing them with greater access to education, but it also enhances the overall learning

⁵² See, National Law School of India University, *NLSIU Scholarship Policy*, available at <https://www.nls.ac.in/resources/nlsscholarshipolicy2015.pdf> (Last visited on August 16, 2018). The said Policy acknowledges the role played by IDIA's Diversity Survey Report 2013-14 in highlighting the lack of diversity in the student composition at NLUs.

⁵³ Such as NLSIU Bangalore, NLU Delhi, and WBNUJS Kolkata.

⁵⁴ See, Basheer, Krishnaprasad, Mitra and Mohapatra, *The Making of Legal Elites and the IDIA of Justice*, HLS Program on the Legal Profession Research Paper No. 2014-18, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2433036 (Last visited on August 16, 2018).

experience for students in a university.⁵⁵ This is especially true for law schools that espouse values of social justice and equality, and should be seen to be practicing the same. An equally important consideration is the fact that law schools serve as the gateway to the legal profession, and a lack of diversity and representation at law schools could only mean that the legal profession would also end up with an elitist and exclusive workforce. The NLUs must step up and lead by example to address these concerns.

⁵⁵ *Ibid.*