

IDIA DIVERSITY SURVEY REPORT, 2018 – 2019¹



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INCREASING DIVERSITY BY INCREASING ACCESS TO LEGAL EDUCATION

INDIAN LEGAL NEWS

¹ This report was authored by a team led by Prof. (Dr.) Shamnad Basheer, Founder and erstwhile Managing Trustee, IDIA. The team comprised of IDIA's Public Interest Fellows, Bhavya Mahajan and Eshwar Ramachandran and IDIA's Consultant, Zia Ahmed. A special note of thanks is extended to IDIA Directors and student volunteers for their help in administering the survey in law schools across the country.

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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 such communities. 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 this end, the survey report also highlights potential areas for immediate attention and reform, and offers some suggestions.

This year’s survey (2018-19) witnessed a 95.7% participation rate, with 515 (of 538) 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 for the academic year 2018-19. The responses were recorded anonymously in order to encourage honest answers from students.

Note: *We’re unable to compare the findings of the present survey against the survey conducted for the year 2017-18 with any precision, as the data collected during the 2017-18 survey was larger in scope and was not analyzed with respect to top 5 law schools. We have therefore compared this survey data against the Diversity Survey results from 2016-17, which can be accessed [here](#). Wherever appropriate, we have compared the survey data against the Diversity Survey results from 2013-14 as well. The same can be accessed [here](#).*

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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 misreporting (whether deliberate or unintentional) by the students.*

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SUMMARY OF FINDINGS

As with previous years, the IDIA 2018-19 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 abysmally low representation from the North-East of India; with states such as Arunachal Pradesh, Mizoram, Nagaland and Sikkim not being represented at all. Similarly, there was *nil* representation from states such as Himachal Pradesh and almost all of the Union Territories² (UTs), barring Delhi³ and Chandigarh.

2. Gross Under-representation of Minorities:

As with previous years, the survey highlights gross under-representation from minority communities, such as Muslims. Illustratively, while Muslims constitute around 14% of India's population⁴, less than 4% 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 years 2013-14 and 2014-15, this year recorded a decline in the number of female students at the leading NLUs. The trend remains consistent with 2016-17, which too saw a decline in the number of female students. The causative factors for this decline are not clear. This decline can no longer be brushed aside as a random occurrence and a detailed study is required to be carried out to determine whether there exist any systemic issues.

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 (51% students reported an annual income of INR 10 lakhs and above); but in most cases, both parents spoke

²Union 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. At the time this survey was carried out, there were seven union territories in India, namely Delhi, Chandigarh, Andaman & Nicobar Islands, Daman & Diu, Lakshwadeep, Dadra & Nagar Haveli, and Puducherry. Pursuant to the Jammu and Kashmir Reorganization Act, 2019, the State of Jammu and Kashmir has been reorganized into two new union territories, namely, Union territory of Ladakh and Union territory of Jammu and Kashmir. These union territories however came into being only on October 31, 2019, much after the survey was conducted. Therefore, for the purposes of this survey report, the position prior to the enactment of the Jammu and Kashmir Reorganization Act, 2019 is referenced i.e. Jammu and Kashmir is treated as a State.

³Delhi's representation is as high as 6.02%

⁴See, *State Census 2011*, available at <http://www.census2011.co.in/religion.php> (Last visited on June 11, 2019).

good English (indicative of significant social capital and standing). Contrast this with the number of students from rural areas and those educated in vernacular medium schools: hardly around 3.4%!

5. CLAT Glass Ceiling:

More than 85% of the sampled students had enrolled themselves in expensive coaching classes/online courses to prepare for CLAT and other law entrance examinations. With leading coaching centres charging anywhere between INR 50,000 to INR 85,000 per year, this is a significant access barrier for underprivileged 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 “fitting in” problems and social stigma, *inter alia* 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 stated as under:

PARTICIPATING NLUS	TOTAL BATCH STRENGTH	SURVEYED STUDENTS
NLU-Delhi	83	82
NLIU-Bhopal	122	111

PARTICIPATING NLUs	TOTAL BATCH STRENGTH	SURVEYED STUDENTS
NLSIU-Bangalore	83	84 ⁵
NALSAR-Hyderabad	123	117
WBNUJS- Kolkata	127	121
TOTAL	538	515⁶

Table 2: Participating NLUs and Surveyed Students

2. CATEGORY OF SEATS

CLAT is the common entrance examination for all NLUs (National Law Universities), with NLU Delhi being an 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	58.83%
Scheduled Caste (SC)	13.79%
Scheduled Tribe (ST)	7.18%
State Domicile	7.18%
Non-Resident Indian (NRI) Sponsored	5.63%
Foreign National	5.44%
Physically Handicapped/ Persons with Disabilities	3.30%
Other Backward Class (OBC)	1.94%
NRI	0.19%

⁵There seems to be an error accounting for some volunteer/ non-first year student having taken the survey, mistakenly.

⁶For the purpose of this report, we only considered the responses of students who answered all the questions in the survey. Out of all the students who took the survey, only 515 answered all questions (as applicable to them). As such, we considered only these 515 students when drawing up this survey report.

Others ⁷ (Jammu & Kashmir Resident, or North-East Domiciled etc.)	1.17%
Kashmiri Migrant	0.39%
Son/ Daughter of Defence Personnel	0.19%
Economically Backward Class	0.00%
Backward Class	0.00%

Table 3: Category of Seats

i) **NRI Seats**

In continuation of the trend seen in the 2016-17 survey, a significant number of students continue to secure admission under the NRI sponsored category. Specifically, 5.63% of the surveyed students secured admission under this category.

The current structure of “NRI sponsored” seats at the various NLUs violates the Supreme Court ruling in the *P.A. Inamdar* case⁸, wherein the Supreme Court clearly held that NRI quota must be utilized in a *bonafide* 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**”),⁹ 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 number of state domicile seats continues to remain on a higher side with the inclusion of NLIU Bhopal in the survey as 40% of its seats (excluding seats reserved for NRI/NRI Sponsored

⁷ The survey merely mentions the category ‘Others’, Students are free to describe the parameters they wish to include under this category. In the present survey, the students who’ve filled up data under the category ‘Others’ have done so under the sub-head State domicile – J&K, North East etc.

⁸A 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)

⁹*Shamnad Basheer v. Union of India & Ors.*, W.P. (C) No. 600 of 2015.

and J&K students) are reserved for students domiciled within Madhya Pradesh.¹⁰ In comparison to 2016-17, there has been an increase by almost 1% (7.18% in 2018-19 as opposed to 6.24% in 2016-17) in the number of students who represented gaining admission under the state domicile category in the top 5 NLUs.¹¹

3. GEOGRAPHICAL REPRESENTATION OF FIRST YEAR STUDENTS

STATE	PERCENTAGE OF REPRESENTATION	NUMBER OF RESPONSES RECORDED
Madhya Pradesh	18.64%	96
Uttar Pradesh	13.59%	70
Rajasthan	12.04%	62
Maharashtra	6.21%	32
National Capital Territory(NCT) of Delhi (UT)	6.02%	31
Telangana	5.83%	30
Karnataka	4.85%	25
West Bengal	4.47%	23
Bihar	3.88%	20
Haryana	3.69%	19
Not an Indian Resident	3.50%	18
Punjab	3.30%	17

¹⁰ 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 *Common Law Admission Test 2018 (CLAT Brochure)* at P. 29.

¹¹The question allowed students to choose more than one option, however, it is likely that students did not choose all the options that applied to them which may have resulted in some underreporting. For example, where law schools have state domiciliary reservations (such as NLU, Bhopal), students could fall under two categories of seats: SC/ST/OBC and State Domicile. In other words, students who gain admission under the SC quota at NLIU, Bhopal could fall under the SC quota as well as the State Domiciliary quota. However, some students are likely to have omitted choosing all the relevant options resulting in some underreporting of data under the other category.

STATE	PERCENTAGE OF REPRESENTATION	NUMBER OF RESPONSES RECORDED
Kerala	2.72%	14
Odisha	1.94%	10
Jammu and Kashmir	1.36%	7
Uttarakhand	1.36%	7
Tamil Nadu	1.17%	6
Chhattisgarh	0.97%	5
Chandigarh (UT)	0.97%	5
Gujarat	0.97%	5
Jharkhand	0.78%	4
Andhra Pradesh	0.58%	3
Assam	0.39%	2
Goa	0.19%	1
Manipur	0.19%	1
Meghalaya	0.19%	1
Tripura	0.19%	1
Arunachal Pradesh	0.00%	0
Andaman and Nicobar Islands (UT)	0.00%	0
Dadra and Nagar Haveli (UT)	0.00%	0
Daman and Diu (UT)	0.00%	0
Himachal Pradesh	0.00%	0
Lakshadweep (UT)	0.00%	0

STATE	PERCENTAGE OF REPRESENTATION	NUMBER OF RESPONSES RECORDED
Mizoram	0.00%	0
Nagaland	0.00%	0
Pondicherry (UT)	0.00%	0
Sikkim	0.00%	0

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



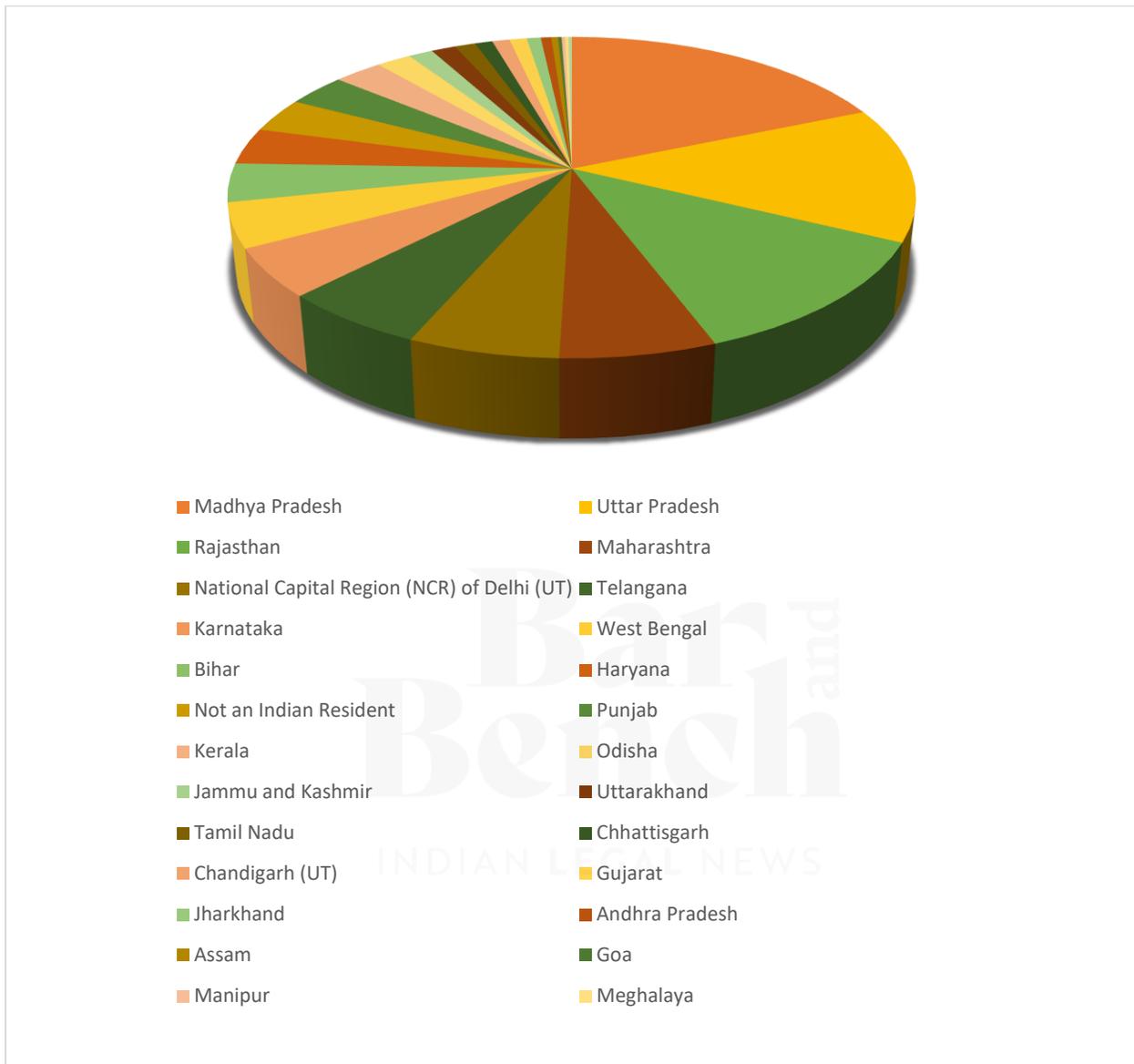


Chart 1: Geographical Representation of Surveyed Students

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).¹²As for MP and its relatively higher representation, this could be due to several factors as below:

¹²See, State Census 2011, available at <http://www.census2011.co.in/states.php> (Last visited on June 11, 2019).

- i) NLIU Bhopal has a significant reservation for state domiciled students (40%¹³), a fact that might have enticed more students from Madhya Pradesh to write the CLAT exam.
- ii) A large number of CLAT coaching centres have mushroomed in Bhopal over the years. These centres have contributed to greater sensitization about law as a career amongst various school students in the area.¹⁴

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 5 students: two from Assam and one each from Manipur, Meghalaya and Tripura. When compared with the 2016-17 survey, Assam's representation has increased: from 0 to 2 students. Similarly, Manipur and Tripura which had no representation in 2016-17, have one student each this year. On the other hand, the representation from Arunachal Pradesh, Nagaland and Sikkim, which had one student each in 2016-17, has declined to *nil* in 2018-19.

iii) **AGE REPRESENTATION OF FIRST YEAR STUDENTS**

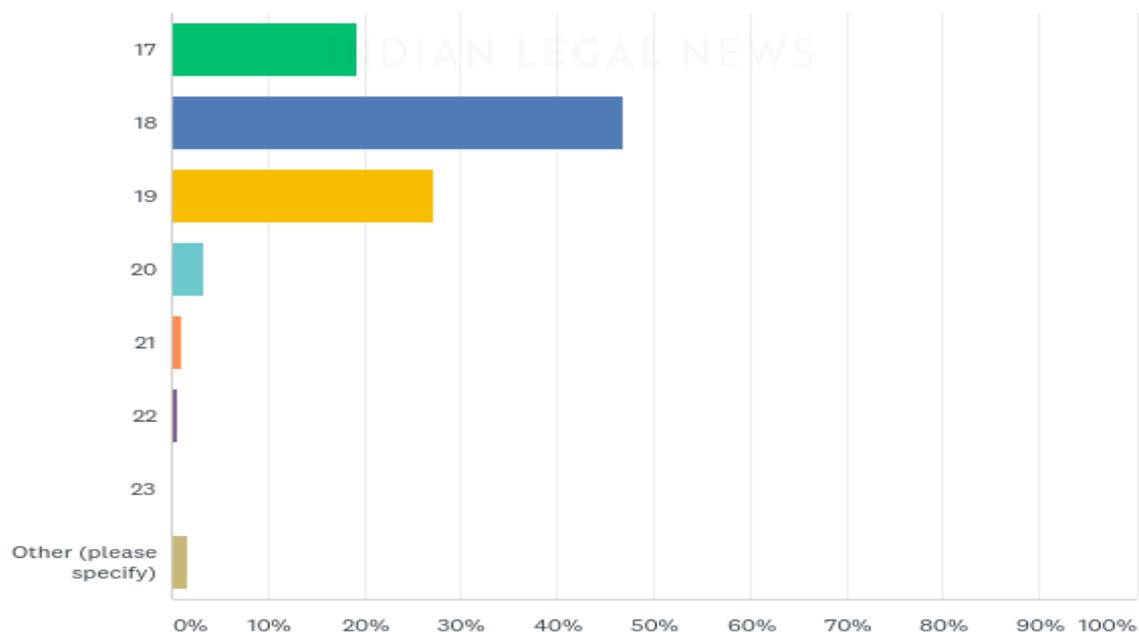


Chart 2: Age Representation of First Year Students

¹³ *Supra*, note 10 .

¹⁴ 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 June 11, 2019).

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).¹⁵ And more recently in March, 2019, the Supreme Court asked the Bar Council of India to reconsider the age limit in the interest of justice.¹⁶



¹⁵This 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 June 11, 2019).

¹⁶ Supreme Court Order dated 12th March 2019 in *Rishabh Duggal v. Bar Council of India & Anr.* The matter is now tentatively listed for hearing on 21st January, 2020.

PART II: REPRESENTATION FROM MARGINALIZED COMMUNITIES

4. GENDER DIVERSITY

CATEGORIES	RESPONSES RECORDED	PERCENTAGE OF REPRESENTATION
Male	295	57.28%
Female	218	42.33%
Third Gender	2	0.39%
TOTAL	515	100%

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

As can be seen from the above, in continuation of the trend witnessed in 2016, there are a greater proportion of male students than females, when compared with earlier years. One estimate suggests that of the 2141 candidates who were allotted a seat in the third allotment list across 19 NLUs under CLAT, only 43.34% were females.¹⁷ While the overall female representation has increased from 2016-17¹⁸ (from 41% to 43.34%), there has been a decline in the gender ratio in the top NLUs with only 36 girls appearing in the top 100 rank holders.

More specifically, the percentage of female students that made it to individual law schools is as under¹⁹:

LAW SCHOOL	FEMALE REPRESENTATION IN 2018-19
NLSIU, Bangalore	36%
NALSAR, Hyderabad	40.74%
NLIU, Bhopal	46%
WBNUJS, Kolkata	35.9%

Table 6: Female Representation in 2018-19

¹⁷Bar & Bench, CLAT 2018: Gender Ratios and Rank Cut-Offs at the 19 NLUs, June 29, 2018, available at <https://barandbench.com/clat-2018-gender-ratios-rank-cut-offs-19-nlus/> (Last visited on June 10, 2019). When compared with the NLUs (that use CLAT), NLU Delhi (which uses AILET) also saw a huge decline in the female representation ratio: from nearly 50% in 2016-17 to 34.15% this year.

¹⁸ 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 June 14, 2019). The estimate in 2016-17 was based on the first allotment list.

¹⁹Supra Note¹⁷.

It bears noting that even in the aftermath of a path breaking Supreme Court decision that explicitly recognized the marginalized transgender community as a third gender,²⁰ only two students have identified themselves as belonging to a ‘Third Gender’. It is a matter of grave concern that despite the time span that has lapsed since the judgment, the representation from the Third Gender in the leading law schools remains skewed.

5. PERSONS WITH DISABILITIES

TYPE OF DISABILITY	PERCENTAGE OF REPRESENTATION
Nil	93.79%
Hearing impairment	0.39%
Speech impairment	0.39%
Visual impairment	1.17%
Locomotor or orthopedic disability	1.55%
Learning disability	1.17%
Other disability	0.39%
Mental disability (depression, bipolar disorder etc.)	2.52%

Table 7: Participating NLUs and Surveyed Students [Persons with disabilities]

6.21% of the surveyed students identified themselves as Persons with Disabilities (PWD). According to Section 32 of the *Right of Persons with Disabilities Act, 2016* (“**2016 Act**”), all government educational institutions and other educational institutions receiving aid from the government must reserve not less than five 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, 1956*²¹) comply with this requirement.

²⁰ 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.

²¹For 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 June 13, 2019).

This has been documented in various pleadings filed in the CLAT PIL. More specifically, the CLAT PIL alleged that²²:

- i) No seats were horizontally reserved for PWD by National University of Study and Research in Law (NUSRL), Ranchi until June 28, 2018 (nearly 1.5 years after the 2016 Act was enacted). Even after issuing an office order to reserve seats for the PWD candidates, the requirement for reserving at least 5% seats under the 2016 Act has not been met;
- ii) 9 Universities, including NALSAR, Hyderabad and NLIU, Bhopal, did not include the Foreign National/ NRI/ NRI Sponsored seats for the purpose of calculating the total number of seats reserved for PWD candidates, thus lowering the number of seats available for PWD candidates.²³ Illustratively, NLIU reserved 5 seats for PWD candidates by calculating the 5% reservation requirement against an intake of 100 seats and excluded the additional 20 'Special Category Seats' reserved for Foreign National/ NRI/ NRI Sponsored candidates and J&K candidates;²⁴
- iii) Prior to the enforcement of the 2016 Act, while calculating the seats to be horizontally reserved for PWD, NALSAR Hyderabad, NLIU Bhopal, and WBNUJS Kolkata rounded down the decimal figures to the nearest lowest integer, violating a previous apex court decision²⁵ which held 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 as part of CLAT 2016. Even post the enactment of the 2016 Act, universities such as DSNLU, Vishakapatnam have violated the Apex Court's decision by rounding down the decimal figures to the nearest lower integer; and
- iv) While 6.21% of the surveyed students indicated that they had some form of disability, only 3.3% of the surveyed students secured a seat under the PWD category (see Table 3). This could be due to a number of applicants being unaware of the change in the position of law (shift from 1995 Act²⁶ to 2016 Act, which expanded the categories to include intellectual/ learning disabilities as well as mental illnesses)²⁷ and not knowing if their condition qualified as a disability for seeking admission under the PWD category.

²²Supra, note 8. 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 June 13, 2019).

²³Id.

²⁴The Kerala High Court in *Hailin Jacob K v. State of Kerala* (2004 (3) KLT 934), held that universities are supposed to include special category reservation seats (special reservation, special nominee for Union of India, ex-servicemen etc.) in order to calculate the legally mandated quota for PWD candidates.

²⁵*State of U.P & Anr. v. Paswan Kumar Tiwari and Ors.*, (2005) 2 SCC 10.

²⁶The (erstwhile) Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

²⁷ 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,

While only 2.52% of the students in our survey reported some form of mental illness, including depression, anxiety, bipolar disorder and post-traumatic stress disorder (PTSD) in the context of “disability”, as many as 23.88% (123) students have reported to be facing some mental health issue in the context of a more generic question.²⁸ Such a high number of reported cases of mental health issues raises serious concerns regarding the environment in our top NLUs, and we fear that the number may still be underreported owing to the stigma attached to mental illnesses. Whatever be the precise number of students suffering from mental health issues, there is no doubt about the fact that there is negligible institutional support for such students in the vast majority of NLUs.²⁹

6. RELIGION

RELIGION	PERCENTAGE OF REPRESENTATION (MOTHER)	PERCENTAGE OF REPRESENTATION (FATHER/ GUARDIAN)**
Buddhism	0.78%	0.97%
Christianity	3.69%	3.50%
Hinduism	85.44%	87.57%
Islam	3.88%	3.88%
Jainism	2.52%	2.33%
Sikhism	1.94%	1.36%
Zoroastrianism	0.00%	0%
Other	0.19%	0.39%
30		

Table 8: Religious representation of first year students

** In the case of students whose mother was their guardian, the students provided the answer to the religion of their mother in response to the question on the religion of their father/guardian. The answer provided by these students is reflected accordingly under the heading of the religion of father/guardian. A total of 8 students (1.55%) selected this option.

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.

²⁸It 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 reporting having experienced mental health issues is a red flag that requires immediate attention.

²⁹Some 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 June 13, 2019); <http://www.nujs.edu/nujs-university-college-campus-facilities.html> (for WBNUJS, last visited on June 13, 2019); and <http://nlujodhpur.ac.in/cwc.php> (for NLU Jodhpur, last visited on June 13, 2019).

As can be seen from the above table, most students (nearly 88%) belong to a Hindu household.³¹ Certain minority communities are severely underrepresented. Illustratively, while Muslims constitute 14.23% of the national population³², only 3.88% of surveyed students reported their father’s and mother’s religion as Islam. At the same time, it bears noting that this number is an increase from the 2016-17 survey, wherein, only 1.51% of surveyed students reported their father’s and mother’s religion as Islam. The increase seen this year could well be a random occurrence and requires close attention to be paid in the years to come.

The relative increase of Muslims at the top law schools notwithstanding, the representation of the minority communities at the leading law schools continues to be negligible and is a serious cause for concern.

On the other hand, while Christians constitute only 2.30% of the national population, nearly 3.5% reported their parental religion as Christianity.³³ The survey demonstrates an incline in the percentage of representation of Christians; in the 2016-17 survey, only 1.6% (approx.) reported their parental religion as Christianity.

7. 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.³⁴

PARENT	PERCENTAGE OF STUDENTS WHOSE PARENTS ARE HINDU	PERCENTAGE OF STUDENTS WHOSE PARENTS ARE BRAHMIN
Father	87.57%	31.93%
Mother	85.44%	33.26%

Table 9: First Year Students from Brahmin Caste Background

³¹While Hindus make up 79.80% of the population of India, they constitute close to 88% of the population of law schools surveyed. See Supra, Note 4.

³²Supra, Note 4.

³³Supra, Note 4; 3.69% reported their mother’s religion and 3.5% their father’s religion as Christianity.

³⁴See, Sonali 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 on June 13, 2019) who note that Brahmins “appear to be uniquely privileged” and “are more likely to have high education... higher incomes and... greater social connections than other forward castes.”

PART III: FAMILY BACKGROUND

8. FAMILY’S EDUCATIONAL BACKGROUND

GRADUATED FROM UNIVERSITY	PERCENTAGE OF REPRESENTATION
Both	77.86%
Only one	13.79%
Neither	8.35%

Table 10: First Year Students with Parents who have a Higher Education

An overwhelming majority of the students’ parents (77.86%) were graduates. Only a tiny minority (8.35%) reported being first generation learners; this however appears to be a slight improvement from the 6.05% of first-generation learners reported in 2016-17.

9. LANGUAGE

i) Family’s Proficiency in English

ENGLISH PROFICIENCY OF PARENT	PERCENTAGE OF REPRESENTATION
Both of them proficient	49.90%
Only one of them proficient	20.78%
Neither of them proficient	29.32%

Table 11: Family’s Proficiency in English

Nearly fifty percent of 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.³⁵

Conversely, lack of English proficiency serves to disadvantage students, who end up falling behind in their classes and not participating in co-curricular activities. However, when

³⁵See, David Gradoll, *English Next India*, (British Council 2010), available at https://www.britishcouncil.in/sites/default/files/english_next_india_-_david_graddol.pdf (Last visited on June 13, 2019); Also see Swati Mathur, *Kanchallaiah: Even if 10% Dalit Children got English Education, India would change*, (February 15, 2013), available at <https://timesofindia.indiatimes.com/interviews/Kancha-Ilaiah-Even-if-10-dalit-children-got-English-education-India-would-change/articleshow/18503625.cms> (Last visited on June 13, 2019); Also see, Sahith Aula, *The Problem with the English Language in India*, (November 6, 2014), available at <https://www.forbes.com/sites/realspin/2014/11/06/the-problem-with-the-english-language-in-india/#2cb7028c403e> (Last visited on June 13, 2019).

compared with the earlier survey i.e. 2016-17 (22.50% of students), this year marks an increase in the number of students from non-English speaking backgrounds (29.32%).

ii) **Language of Communication with Family**

LANGUAGE	PERCENTAGE OF REPRESENTATION
Hindi	65.44%
English	18.25%
Other	34.37%

Table 12: Language of Communication with Family

The fact that a large majority of students hail from Hindi speaking households (65.44%) speaks to the dominance of the Hindi belt (mainly Madhya Pradesh, Uttar Pradesh and Rajasthan) in this year’s CLAT intake as well.³⁶

The “Other” category, comprising over a quarter of the surveyed students, includes various regional languages such as Gujarati, Punjabi, Marwari, Marathi, Tamil, Malayalam, and Bengali. Here again, it bears noting that there is hardly any representation from students speaking the language of marginalized states such as the North-Eastern States or Jammu and Kashmir (corresponding to the almost *nil* representation of students from those states).

10. **LINK WITH LAW**

i) **Parents’ Occupation**

TYPE OF OCCUPATION	MOTHER (PERCENTAGE OF REPRESENTATION)	FATHER/GUARDIAN (PERCENTAGE OF REPRESENTATION)**
Lawyer	3.50%	8.93%
Doctor	4.85%	3.88%
Engineer	0.97%	11.07%
Elite Government Service (Indian Administrative Service, Indian Police Service, etc.)	1.55%	6.41%
Other Government Service	12.82%	22.33%
Businessperson	2.72%	19.61%
Banking/Finance	1.75%	3.88%

³⁶ As reflected in the analysis of geographical representation of States in Part I.

TYPE OF OCCUPATION	MOTHER (PERCENTAGE OF REPRESENTATION)	FATHER/GUARDIAN (PERCENTAGE OF REPRESENTATION)**
Corporate Executive	0.97%	4.85%
Academic/Researcher/Policy	5.24%	2.72%
Consultant	1.17%	1.17%
Agriculturist	0.19%	0.97%
Scientist	0.39%	0.58%
Arts (Painter/Musician/Singer/Actor)	0.19%	0.19%
Homemaker	48.16%	0.58%
N/A	4.47%	2.91%
Other (please specify)	9.90%	9.90%

Table 13: Parents' Occupation

**In the case of students whose mother was their guardian, the students provided the answer to the occupation of their mother in response to the question on the occupation of their father/guardian. The answer provided by these students is reflected accordingly under the heading of the occupation of father/guardian. A total of 6 (1.17%) students selected this option.

As can be seen from the above table, a majority of the students' fathers (around 50%) are government employees or businessmen, and a majority of the students' mothers (48.16%) are homemakers. This is consistent with the broad ground level reality that a large number of Indian mothers are homemakers.³⁷The "Other" category includes a wide diversity of careers including Chartered accountants, defense personnel, politicians etc. Further, 8.93% of the students' fathers and 3.50% of the students' mothers are lawyers, which mark an increase from 2016-17, when the corresponding figures were 5.86% and 2.27%, respectively. It is worth noting that less than 2% of the parents (mothers and fathers combined) are agriculturists, indicating again that the vast majority of students are from urban centres.³⁸

³⁷See, Government of India, Ministry of Statistics & Program 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 June 13, 2019). 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.

³⁸ 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

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

Table 14: Students from Families of Lawyer(s)

LINK WITH LAW	PERCENTAGE OF REPRESENTATION
Students whose near relatives are lawyers	37.28%
Students whose near relatives are not lawyers	62.72%

Compared to the 2016-17 survey, this year’s data reveals a lesser number of admitted students with a link to law (37.28% vs. 38.19% in 2016-17).

The fact that 62.72% 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.

11. CHOOSING LAW AS A CAREER

i) Parental Support

NATURE OF SUPPORT	PERCENTAGE OF REPRESENTATION
Parents supported	93.98%
Parents did not support or were indifferent	6.02%

Table 15: Parental support in pursuing Legal Education

An overwhelming majority of students (93.98%) reported being supported by their parents in their decision to pursue law. When compared with the 2016-17 survey, there is a negligible decrease of 0.35%; a trend that shows that law continues to be an attractive career option.

ii) Reasons for choosing law³⁹

NATURE OF CHOICE	PERCENTAGE OF REPRESENTATION
Law is a good match for my skill set	37.28%

<https://data.worldbank.org/indicator/SL.AGR.EMPL.ZS?end=2010&locations=IN&start=2005&view=chart> (Last visited on June 13, 2019).

³⁹Please note that this question allowed the participant to choose multiple options for choosing to study law.

NATURE OF CHOICE	PERCENTAGE OF REPRESENTATION
Good job prospects	33.40%
Law helps with other fields	35.53%
To achieve high standard of life	36.12%
To fight for social justice	26.99%
Parental/Family advice	20.78%
Parental/Family compulsion	2.14%
Real life role model	15.15%
Unsure	13.59%
Reel life role model	9.13%
Other	6.60%

Table 16: Reasons for Choosing Law

The survey results demonstrate that a majority of the respondents chose law as a career option out of self-motivation and only around 2.14% did so out of parental/family compulsion. This is a healthy trend and perhaps attributable to the growing popularity of the law⁴⁰ and the greater autonomy enjoyed by students in making career choices. One hopes that this level of awareness and autonomy also extends to marginalized and under-represented sections of India's population.

⁴⁰See, Bar and Bench, *AILET 2018: NLU Delhi Entrance Exams Results Released*, (May 25, 2018) available at <https://barandbench.com/aillet-2018-nlu-delhi-entrance-exam-results-released/> (Last visited: June 14, 2019). As per AILET 2018 results, over 17,000 students appeared for the NLU Delhi entrance exam which is a significant increase from the previous years. Whereas in 2011, 7,814 candidates applied for AILET and 23,875 for CLAT, in 2012, AILET saw an increase in number of applicants, up to 12,000. See, Prachi Shrivastava, *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-aillet-2013-competition-increases-20130516-3676> (Last visited: June 14, 2019).

PART IV: EDUCATIONAL BACKGROUND

For the purposes of analyzing 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.

12. SCHOOLING BACKGROUND

i) Medium of Instruction at Schools of Surveyed Students

MEDIUM OF INSTRUCTION	RESPONSES	PERCENTAGE
English	497	96.50
Hindi	11	2.14
Other vernacular language	7	1.36

Table 17: Medium of Instruction at Schools

As with previous years, an astonishingly large number of students (497/ 515 or 96.50% 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 entrance examination that demands a high degree of proficiency in English; and secondly, at the level of the law school (in the event that 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	427	82.91
Town	71	13.79
Rural Area	17	3.30

Table 18: Location of School from which First Year Students Hail

Out of the 515 responses recorded, students from cities dominated (427), followed distantly by those from smaller towns (71). Not too surprisingly, only 17 students (hardly over 3%) hailed from rural areas. This again reinforces the severe lack of diversity and needs to be redressed urgently.

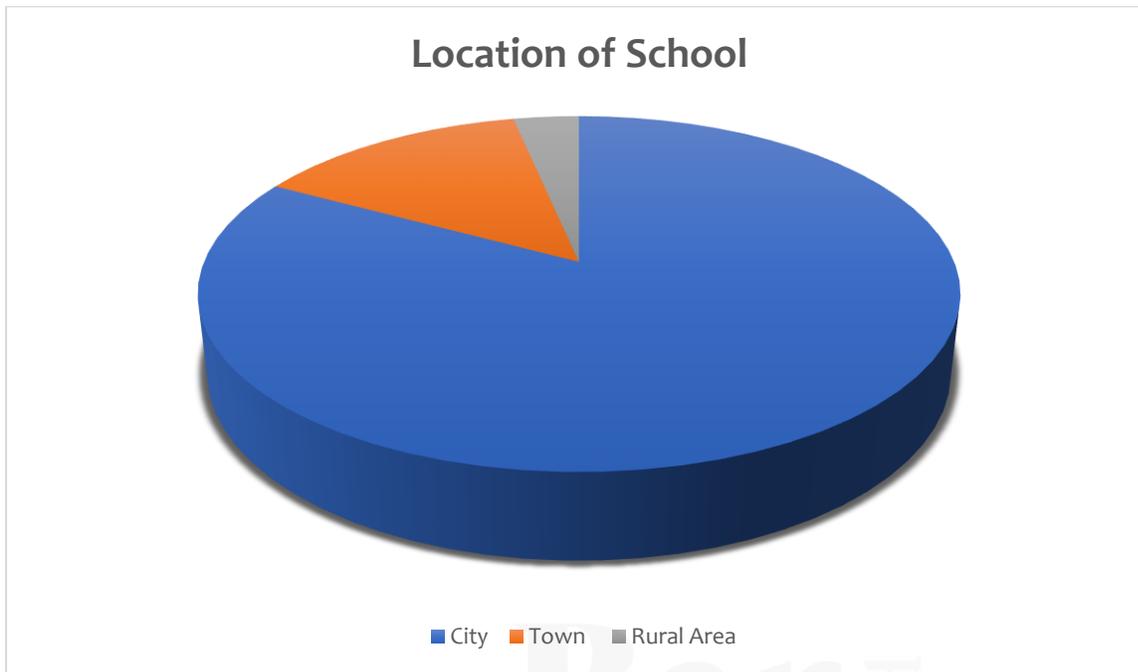


Chart 3: Location of School

iii) **Score in Standard XII**

Out of 515 responses recorded, close to 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
90% and above	250	48.54
Between 80% to 90%	151	29.32
Between 70% to 80%	90	17.48
Below 70%	24	4.66

Table 19: Class XII Academic Performance of First Year Students

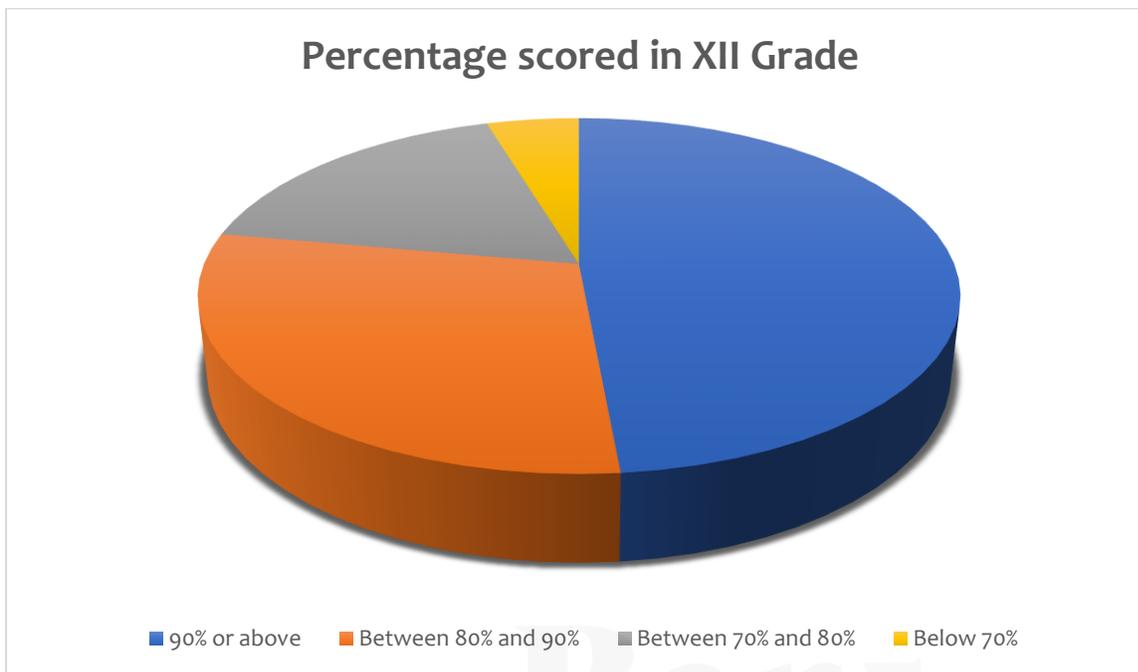


Chart 4: Score in Standard XII

In 2016-17, about 50% of the surveyed students had secured over 90% in their Class XII board examinations. These figures indicate that high scorers in school tend to do well in the law entrance exam as well.

iv) **Academic Stream Opted**

As with previous years, the majority of students hail from the science stream (various science subjects studied in class 11 and 12 as opposed to arts/humanities), followed by commerce.

ACADEMIC STREAM	RESPONSES	PERCENTAGE
Science	231	44.85
Commerce	181	35.15
Humanities	99	19.22
Others	4	0.78

Table 20: Academic Background of First Year Students

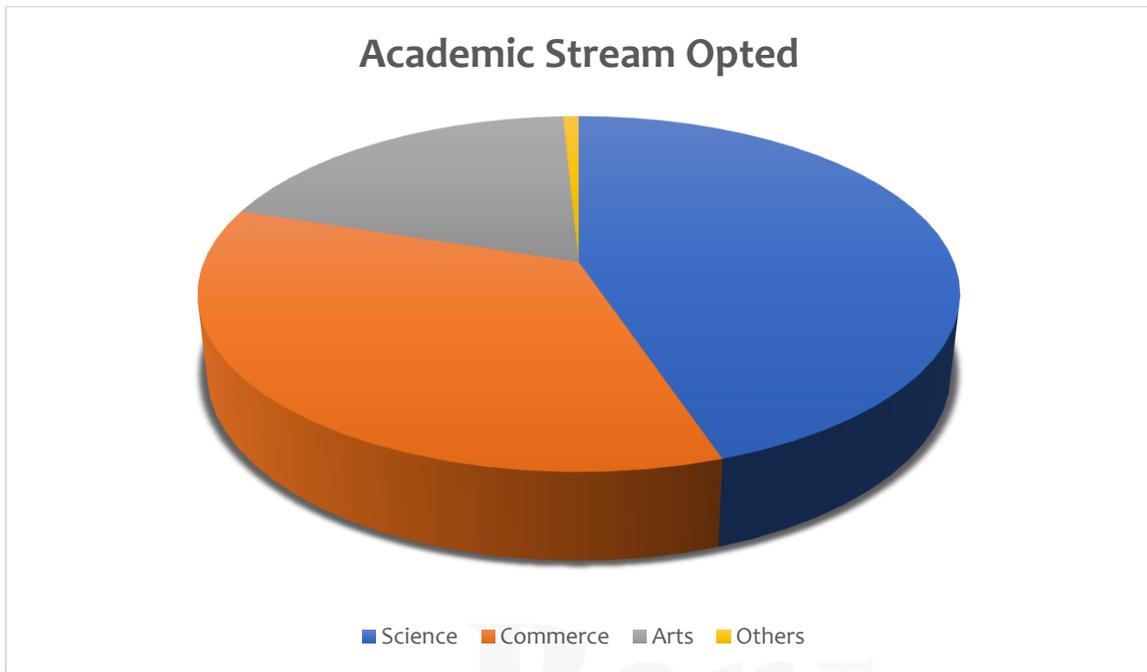


Chart 5: Academic Stream Opted

Bar and Bench
INDIAN LEGAL NEWS

PART V: ECONOMIC BACKGROUND

13. ANNUAL INCOME OF THE FAMILY

ANNUAL INCOME (IN INR)	PERCENTAGE OF REPRESENTATION
Below 50,000	2.14%
From 50,000 to 1 lakh	5.44%
From 1 lakh to 3 lakhs	8.16%
From 3 lakhs to 7 lakhs	16.70%
From 7 lakhs to 10 lakhs	16.50%
From 10 lakhs to 15 lakhs	17.86%
Above 15 lakhs	33.20%

Table 21: Annual Household Income of First Year Students

As evident from the above, the largest proportion of students (33.20%) hail from households boasting 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 51.06% of the surveyed students. Hardly 7.5% of students belong to households earning an income of below INR 1 lakh.

The costs of legal education 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.⁴¹

The poor representation of students in absolute terms from low income households notwithstanding, a comparison with 2016-17 reveals some positive signs. In 2016-17, nearly 60% of the surveyed students hailed from households boasting an annual income of INR 10 lakhs or higher and hardly 5% of the students belonged to households earning an income of below INR 1 lakh. The increase in 2018-19 of students from low income households and the corresponding decrease of those from high income households signifies a greater democratization of student representation and is a welcome change.

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, fee waivers etc. It bears noting that a large number of students (about 87%) indicated that they relied on financial support from their parents to pay the required 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.

⁴¹Prachi 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 June 11, 2019).

14. FUNDING OF LEGAL EDUCATION⁴²

FUNDING	PERCENTAGE OF REPRESENTATION
Parents	87.38%
Bank loan	8.93%
Scholarship	8.35%
Relatives/Family Friends	4.85%
Others	1.36%

Table 22: How First Year Students Sponsor their Education

As noted earlier, a vast majority of students (87.38%) fund their education through parental support. This figure has a marginal increase from 2016-17, when the corresponding percentage was 86.39%, but still lower than 2013-14, when the corresponding percentage was 89%. Other data worth noting are as below:

- a) While 7.55% and 11.72% of surveyed students were dependent on loans in 2013-14 and 2016-17 respectively, that number is presently at 8.93%.
- b) A large number of students indicated multiple sources of funding to support their education.
- c) The number of students who benefitted from scholarships increased from 2.57% in 2013-14 and 5.86% in 2016-17 to 8.35% this year. Notably, students indicated support through scholarships such as Central/State Government scholarships, Aditya Birla scholarships, bank scholarship, ICCR scholarships, IDIA scholarships as well as internal college scholarships. While this increase in the availability of scholarships for law students is a welcome trend, one must not lose sight of the fact that there is still a huge gap and many students continue to face significant hardships in securing financial assistance.

⁴²Please note that this question allowed the participant to choose multiple options.

PART VI: PRE-CLAT/ AILET EXPERIENCE

15. PREPARATION FOR CLAT/ AILET

COACHING	PERCENTAGE
Yes, I went for coaching classes	79.03%
Yes, I took a correspondence/ online course	6.80%
No, I opted to prepare on my own	8.54%
I am a foreign national therefore I am not required to write the law entrance exam (CLAT/AILET)	4.47%
I wanted to, but could not find a centre close to where I lived	0.97%
I wanted to, but could not afford it	0.19%

Table 23: Role of Coaching and Training in Preparation

The 2018-19 survey results closely resemble the 2016-17 figures and demonstrate that most students avail of coaching classes in one form or the other to prepare for CLAT/AILET. These figures demonstrate that coaching classes have now become an entrenched component of the exam preparatory process. This again serves as a marker of privilege, given the high costs associated with coaching.

i) Coaching Centers

COACHING CENTRES	PERCENTAGE OF REPRESENTATION
Career Launcher (Law School Tutorials (LST))	46.15%
Crack CLAT	0.68%
IMS	3.62%
Sriram	6.56%
Paradigm	0.68%
Law Prep	7.47%
Bharat/ AB Tutorials	0.90%
CLAT Possible	14.25%
Heritage	2.04%
CLATapult	1.81%

COACHING CENTRES	PERCENTAGE OF REPRESENTATION
Others	37.10%

Table 24: Who Coached First Year Students for CLAT/AILET

LST continues to be the preferred coaching centre for students in the top five NLUs, However, only 46.15% students availed of LST coaching this year as against 54.27% students who availed of LST Coaching in 2016-17. The decrease in LST's dominance points to the increased competition in the coaching space. This again points to the increased significance which coaching centres have come to acquire in the law entrance exam preparation process.

While a majority of students (54.98%) opted for the year - long course, a significant number of students opted for the two-year course (26.02%) and the one-month crash course (8.82%). A number of students even opted for a combination of all these. Popular coaching centres such as LST charge fees ranging between INR 60,000 and 90,000 for their classroom courses.⁴³ They also offer online learning, test preparation packages and correspondence courses.⁴⁴ 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 recent report of a government appointed committee (“**MHRD Committee**”) found that the costs of conducting CLAT was only 5-10% of the total income from sale of application forms, resulting in a whopping profit margin of 90-95!⁴⁵

The MHRD Committee took serious issue with this “egregious” profit margin and recommended that the fee be set at a more reasonable INR 1,500.⁴⁶

⁴³See, <https://www.lawentrance.com/coaching-classes/> (Last visited on June 11, 2019). The fee charged depends on factors such as the duration of the course and the location of the coaching centre. Illustratively, the fee charged for the two-year classroom coaching at the Bhatinda centre of LST was Rs. 1,10,708 (as of June 11, 2019).

⁴⁴See, <http://www.lawentrance.com/clat-online-classes/> (Last visited on June 11, 2019).

⁴⁵ See, *Report of the Committee constituted to look into the matter of improper conduct of CLAT-2018 and to take remedial measures*. This committee was set up by the Ministry of Human Resource Development under the direction of the Supreme Court to examine the various issues faced by students who wrote the exam in 2018. Also See, Apoorva Mandhani, *CLAT Fee Shockingly High, Allows Profit Margin Of 90-95% For NLUs: Committee Examining CLAT-2018*, (November 1, 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 June 13, 2019).

⁴⁶*Id at P.16*. The MHRD Committee noted that “the fee charged for the examination is not in concordance with expenditure and grossly high given the expenditure incurred.”

PART VII: EXPERIENCE AT NLUS

16. DISCRIMINATION ON CAMPUS⁴⁷

i) Discriminatory Behaviour and/or Disparaging Remarks by Students

DISCRIMINATION/DISPARAGING REMARKS	PERCENTAGE
No, I have never been subjected to/ witnessed discrimination/disparaging remarks.	46.41
Yes, because of political beliefs	26.02
Yes, because of language	24.27
Yes, because of appearance (eg.skin colour)	19.42
Yes, because of caste	18.64
Yes, because of gender	19.42
Yes, because of religion and/ or religious belief	13.40
Yes, because of educational background	8.35
Yes, because of economic status	10.68
Yes, because of race/ ethnicity	7.38
Yes, because of rural background	13.20
Yes, because of sexual orientation	18.83
Yes, because of disability	5.24
Others	4.08

Table 25: Types of offensive remarks and behaviour by other students

It is extremely troubling to note the extent of social prejudice/discrimination; nearly 54% of surveyed students were subject to discrimination/disparaging remarks (based on their political beliefs, language, caste, appearance etc.)! There has been a massive surge in the

⁴⁷Please note that this question allowed the participant to choose multiple options.

figure: from nearly 28% in 2016-17 to almost 54% this year. Apart from the reasons captured in Table 24 above, some of the surveyed students also reported that such bigoted remarks stemmed from their geographical origin, their age, qualifications etc. The severity of the impact that such disparaging remarks could leave on students is evidenced from a recent tragic incident where a student of National Law University, Jabalpur, committed suicide allegedly because of his poor proficiency in English.⁴⁸ 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/DISPARAGING REMARKS	PERCENTAGE
No, I have never been subjected to/witnessed discrimination/disparaging remarks.	78.06
Yes, because of political beliefs	5.83
Yes, because of language	7.57
Yes, because of appearance (eg. skin colour)	1.94
Yes, because of caste	5.05
Yes, because of gender	9.32
Yes, because of religion and/ or religious belief	6.41
Yes, because of educational background	2.52
Yes, because of economic status	2.14
Yes, because of race/ ethnicity	2.33
Yes, because of rural background	3.30
Yes, because of sexual orientation	3.50
Yes, because of disability	0.97

⁴⁸ 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 June 13, 2019); 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 June 13, 2019).

Others	1.55
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Table 26: Types of offensive remarks made by staff/faculty

As seen from the above, a sizeable number of students (nearly 22%) reported being at the receiving end of discriminatory remarks from even faculty members and administrative staff. Here too, a massive surge in the figure (from 6.24% in 2016-17 to nearly 22% this year), poses a matter of grave concern.

17. CULTURE SHOCK⁴⁹

i) Students facing “culture shock”

WHETHER THEY FACED CULTURE SHOCK?	PERCENTAGE
Yes	54.17
No	45.83

Table 27: 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 and about 40% in 2016-17 to more than 54% now.

ii) Factors that resulted in “culture shock”

TRIGGERS FOR “CULTURE SHOCK”	PERCENTAGE
The frequency with which people go out, party, etc.	67.74
The way students converse in high level English	40.14
The manner in which boys and girls interact	37.99
The clothes/ dressing style of students	30.82
The nature of student-teacher relationships	19.71
Others	19.35

Table 28: Factors attributed to culture shock

Most of the students from vernacular medium backgrounds reported some form of “culture shock”, mainly as a result of their inability to speak English proficiently and in an accent similar

⁴⁹Please note that this question allowed the participant to choose multiple options.

to those from more privileged backgrounds. Further, more than 98% of students who reported this indicated that they did not use English as a medium of communication at home.

In the “others” category, around 17of the surveyed students attributed “culture shock” to the widespread use of alcohol, cigarettes, drugs and other contraband substances at the various law schools.

In this regard, it bears noting that peer support programmes in law schools can be of great value in helping students adapt to the law school atmosphere. It is a welcome change that in the present survey, 89.71% of the students have stated that they have a peer support programme in the law school. But the reported dissatisfaction with these programmes is indicative of the fact that there is much scope for improvement.

18. DIFFICULTY IN UNDERSTANDING ACADEMIC CURRICULUM

DIFFICULTY IN UNDERSTANDING ACADEMIC CURRICULUM	PERCENTAGE
No, I did not find it hard	49.71
Yes, due to the poor quality of teaching by the faculty	13.20
Yes, due to my fear, inhibitions in seeking clarifications from faculty members	16.89
Yes, due to the difficult reading material provided	17.67
Yes, due to the high level of teaching by faculty and their inability to explain in simple language, break down concepts, etc.	17.67
Yes, due to difficulty in understanding English	7.77
Others	8.93

Table 29: What First Year Students Report as Obstacles in Academic Performance

Over 50% of students reported difficulties in coping with/understanding the academic curriculum. In fact, most of the 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) 98.04% had English as their primary medium of instruction in school.
- ii) 86.72% went to good schools in the cities.

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

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

PARTICIPATION IN CO-CURRICULAR ACTIVITIES (DEBATES, MOOTS ETC)	PERCENTAGE
Yes	53.40
No, because studies take up most of my time	16.12
No, because I lack the confidence	22.33
No, because I am socially awkward and shy	18.06
No, because I am not interested	8.16
No, because my English is not good enough	10.49
Other	4.66

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

PARTICIPATION IN EXTRA-CURRICULAR ACTIVITIES	PERCENTAGE
Yes	60.00
No, because studies take up most of my time	9.71
No, because I lack the confidence	10.68
No, because I am socially awkward and shy	10.10
No, because I am not interested	18.45
Other	2.33

Table 31: Participation of First Year Students in extra-curricular activities

53.40% of the surveyed students participated regularly in co-curricular activities and 60% 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 a 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 their confidence/self-esteem. More specifically, they need to be provided English language and soft skills training sessions so as to help them participate more effectively in law school.



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.)

One of the most significant bottlenecks preventing talented underprivileged students from entering the hallowed halls of the leading law schools is the exorbitant cost associated with such an education. Very few law schools offer fee waivers and scholarships. As a first step, law schools must take their social commitment more seriously and pave the way for more inclusive financial policies that enable financially weak students to gain admission and study. More specifically, we recommend the following:

i) Reducing CLAT Fees

The CLAT application fee alone is INR 4000⁵⁰, making it one of the highest entrance exam fees in India. A court ordered government committee took serious issue with these fees and found that it represents an ‘egregious’ profit margin of 90-95%.⁵¹ The MHRD Committee found that Rs 1500 per candidate was a more reasonable fee and recommended that the same be charged.

Almost all other leading entrance examinations in India charge half or less than half of what CLAT charges, as evidenced from the table below:⁵²

NAME OF EXAMINATION	General/OBC Category Fee	SC/ST/PWD Fee
Joint Entrance Examination (JEE) (Main) Paper ⁵³	INR 900 (for general /OBC male candidates who opt for offline exam) INR 450 (for unreserved/OBC female)	INR 500 (for all SC/ST/PWD candidates who opt for offline exam)

⁵⁰ For BPL candidates in the SC/ST category, it is INR 3500.

⁵¹Supra, note 44. As per the contract between NUALS (the law school conducting CLAT) and Sify (the appointed service provider), the consideration to be paid to Sify was INR 210.04 per candidate. This effectively means that by charging INR 4000 per candidate, the NLUs were marking up the cost by almost 1804.4 percent. See, <https://barandbench.com/clat-2018-zoheb-hossain-everything-wrong/> (Last visited on June 13, 2019).

⁵²The eligibility conditions for appearing in the JEE (Advanced) and the fee details are available at: *JEE (Advanced) 2019 Information Brochure*, available at <https://drive.google.com/file/d/1xTk8FAJ71Ye7kkHgyTrvaoatefQIzeY/view> (Last visited on June 11, 2019); the details of fee for JEE (Main) are available at: <https://jeemain.nic.in/WebInfo/Handler/FileHandler.ashx?i=File&ii=32&iii=Y> (Last visited on June 11, 2019).

⁵³Entrance 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>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>	<p>INR 250 (for all SC/ST/PWD candidates who opt for online exam)</p>
JEE (Advanced) ⁵⁴	<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) ⁵⁵	INR 1400	INR 750
National Institute of Fashion Technology (NIFT) Entrance Exam ⁵⁶	INR 2000	INR 1000
National Institute of Design (NID) Entrance Exam ⁵⁷	INR 2000	INR 1000
NCHM JEE ⁵⁸	INR 800	INR 400

Table 32: 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.

⁵⁴ Admission test to only the Indian Institutes of Technology (IITs) and Indian School of Mines.

⁵⁵ See; <https://ntaneet.nic.in/Ntaneet/ShowPdf.aspx?Type=50C9E8D5FC98727B4BBC93CF5D64A68DB647F04F&ID=1B6453892473A467D07372D45EB05ABC2031647A> (Last visited June 15, 2019).

⁵⁶ See; <https://nift.ac.in/sites/default/files/inline-files/Prospectus%202019%20compressed.pdf> (Last visited June 15, 2019).

⁵⁷ See, http://admissions.nid.edu/NIDA2019/download/BDes_AdmissionsHandbook2019-20.pdf (Last visited June 15, 2019).

⁵⁸ Entrance examination to Central Institutes of Hotel Management and a number of other hotel management institutes.

As a first step therefore, the CLAT application fees need to be reduced with immediate effect. Other steps to make the exam more inclusive could be as below:

- a) Establishing more exam writing centres throughout the country so that students from remote areas are also able to access CLAT;
 - b) Encouraging CLAT coaching institutes to provide more fee waivers/concessions and scholarships so that students from underprivileged backgrounds are able to avail of coaching to improve their chances of clearing the tough exam. The government must also provide tax breaks and other incentives to coaching centres that institute such waivers/scholarships.
 - c) Reducing or waiving CLAT deposit for low-income students: even after cracking CLAT, students have to pay INR 50,000 to block their seats at the various NLUs, even as they await being upgraded to higher NLUs in the second and third lists. This is a colossal amount for candidates from low-income backgrounds, and acts as a significant barrier to entry.
- ii) **Law School Scholarships and Fee Waivers**

As noted earlier, both the National Law Universities (NLUs) as well as other stakeholders in the ecosystem (including the legal profession 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 significant earnings from NRI seats to enhance the number of scholarships/need-based waivers granted to underprivileged students.

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

The central government has some scholarship schemes for students belonging to minority communities⁵⁹, students with disabilities⁶⁰, and students belonging to SC⁶¹ and ST

⁵⁹See, https://scholarships.gov.in/public/schemeGuidelines/MoMA_MCM_2018-20.pdf (Last visited on June 11, 2019).

⁶⁰See, <https://scholarships.gov.in/public/schemeGuidelines/DEPDGuidelines.pdf> (Last visited on June 11, 2019).

⁶¹See, <http://socialjustice.nic.in/SchemeList/Send/27?mid=24541> (Last visited on June 13, 2019).

categories⁶². Additionally, state governments also provide for scholarships for students domiciled within the state.⁶³

While the availability of such scholarships is an important step, the government's implementation of these schemes leaves a lot to be desired. The application process is rather cumbersome and requires navigating websites that constantly hang when submitting the application. Other bottlenecks include:

- i) Following-up repeatedly with the concerned authorities even after successfully submitting the application;
- ii) Waiting endlessly for the disbursement of funds even after the candidate has been found worthy of the scholarship. There have been instances when IDIA scholars have had to wait for four years before their scholarship amounts were finally released to them under such government scholarships.

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 redress this implementation woe at the earliest.

2. Academic Inclusion

Academic Support Programmes

Over 50% of the students reported difficulties in understanding the academic curriculum and nearly 40% of the students stated not having/ not being aware of having an academic support programme in their institution. Law schools need to therefore institute robust academic support programmes. While some law schools have some support structures in place⁶⁴, they should be strengthened and made more comprehensive and intensive.

⁶²See, <https://scholarships.gov.in/public/schemeGuidelines/tribalfellowshipguideline.pdf> (Last visited June 11, 2019).

⁶³See, http://scholarshipportal.mp.nic.in/MedhaviChhatra/Medhavi_New/About.aspx (Last visited on June 11, 2019).

⁶⁴Such 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 June 11, 2019)); (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 June 11, 2019)); (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 June 11, 2019)); (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,

It bears noting that the Supreme Court in *Avinash Singh Bagri and Ors. v. Registrar, IIT Delhi*,⁶⁵ ruled that reservations *per se* are not sufficient. Rather, institutions need to mandatorily provide academic and other support to students from socially/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 programme (similar to the student run academic or peer/buddy-support programmes already in place in some institutions⁶⁶) to help 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.⁶⁷ While we are not in a position to comment on the impact of such initiatives at the said NLUs, it is heartening to observe that law schools have begun to pay attention to creating a more welcoming and supportive space for students to express themselves as freely as possible. One hopes that these programmes are further strengthened in the coming years and that the other NLUs 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:

also seeks to address issues relating to language barriers and communication skills (see, <https://www.gnlu.ac.in/GNLU/Academic-Support-Program> (Last visited on June 11, 2019)); (v) NLU 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 June 11, 2019)); (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 June 11, 2019)).

⁶⁵Writ Petition (C) No. 535 of 2008.

⁶⁶See, supra note 63.

⁶⁷Id. 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 June 13, 2019); <http://www.nujs.edu/nujs-university-college-campus-facilities.html> (for WBNUJS, last visited on June 13, 2019); and <http://nlujodhpur.ac.in/cwc.php> (for NLU Jodhpur, last visited on June 13, 2019).

- 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

Ensuring an inclusive admissions process is only the first step. Equal attention needs to be paid to creating a more diversity friendly ecosystem at the law school. In other words, NLUs need to create structures/programmes that help students from underprivileged and marginalized backgrounds to integrate better into the social and academic environment.

More specifically, NLUs need to foster a more open dialogue that helps students confront issues 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/or faculty members. 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 this dialogue happens within the classroom as well.

NLUs also ought to make their environment more inclusive for students with disabilities.⁶⁸ 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.

⁶⁸Some NLUs have measures to make their campus more accessible to the specially-abled students and have provided facilities to extend them academic support. Illustratively, NLU Odisha, in collaboration with IDIA, launched an accessibility lab for its visually impaired students which includes a braille printer, a pearl camera among other equipment. See, *Inauguration of NLUO-IDIA Accessibility Lab: IDIA Odisha*, available at: <https://idialaw.com/blog/idia-accessibility-law-odia-odisha/> (Last visited: June 14, 2019). Similarly, another accessibility lab is presently under construction at NUJS Kolkata. The project is in collaboration with IDIA. The lab would be equipped with devices like Pearl camera, Braille Printer and necessary software like Ducksberry, Openbook reader etc. The accessibility lab at NUJS is proposed to be named after IDIA Founder, Late Prof (Dr) Shamnad Basheer.

CONCLUSION

As with earlier diversity survey reports undertaken by IDIA, this one also highlights a serious diversity deficit at the top five Indian NLUs.

The student composition continues to reflect a significant majority of financially well-off, English-speaking, urban city-dwellers who are able to afford the rather 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.

IDIA has been working towards creating a more inclusive classroom at the NLUs; but our efforts can convert to a larger and lasting change only if the NLUs themselves work towards bringing about systemic improvements in the eco-system. To this end, we note that some NLUs have institutionalized progressive scholarship policies for the underprivileged⁶⁹ and/or fee waivers for IDIA scholars.⁷⁰ The efforts of some NLUs in providing academic and social support groups for students to help them integrate better into the law school environment are also praiseworthy. 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.⁷¹ 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 experience for students in a university.⁷² 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.

⁶⁹See, National Law School of India University, *NLSIU Scholarship Policy*, available at <https://www.nls.ac.in/resources/nlsscholarshippolicy2015.pdf> (Last visited on June 11, 2019). 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.

⁷⁰Such as NLSIU Bangalore, NLU Delhi, and WBNUJS Kolkata.

⁷¹See, Basheer, Krishnaprasad, Mitra and Mohapatra, *The Making of Legal Elites and the IDIA of Justice*, HLS Programme on the Legal Profession Research Paper No. 2014-18, available at http://papers.ssm.com/sol3/papers.cfm?abstract_id=2433036 (Last visited on June 11, 2019).

⁷²*Ibid.*