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Entry of Foreign Law Firms & Lawyers in India

BAR COUNCIL OF INDIA RULES FOR REGISTRATION AND REGULATION
OF FOREIGN LAWYERS 2025

INDIA | DUBAI

Executive Summary

Background

The Bar Council of India (Foreign Lawyers and Foreign Law Firms) Registration and Regulation Rules, 2022 (“2022 Rules”) were notified on 10 March 2023 to establish a clear regulatory framework for the entry and practice of foreign lawyers and law firms in India. After feedback from the legal fraternity in India and abroad, the BCI declared that it would issue a revised set of rules after detailed consultations with stakeholders.

In early 2025, the Government of India (Law Ministry) released a draft Advocates (Amendment) Bill, proposing direct government oversight of foreign law firm entry, but withdrew it after opposition from the legal community.

On 13 May 2025, the Bar Council of India (BCI) formally amended and brought into force the 2022 Rules (“BCI Foreign Lawyer Amended Rules 2025”), as published in the Gazette of India. The amended 2025 rules provide a clearer and open framework for foreign law firms and foreign lawyers to operate in India.



Key Highlights of the BCI Foreign Lawyer Amended Rules 2025

Foreign Law Firm (FLF) Registration: Permitted Activities and Engagement of Indian Lawyers

- **Mandatory Registration:** No foreign lawyer or foreign law firm is permitted to practice law in India unless registered with the BCI under these Rules (Rule 3).
- **Permitted Practice:** Registered foreign lawyers and foreign law firms may only provide legal services in relation to:
 - The law of the country of their primary qualification
 - International law
 - International arbitration (non-contentious matters only)
- **Prohibited Activities:** Foreign lawyers and law firms cannot practice Indian law or appear before any Indian court, tribunal, or authority (Rule 8).
- **Engagement of Indian Lawyers:** Foreign law firms and foreign lawyers may engage Indian advocates and other Indian legal professionals as employees, consultants, or in any other capacity, provided that such Indian lawyers shall not represent clients of the firm before a court or tribunal (Rule 9).
- **Importantly:** If an Indian advocate so engaged acts independently under their own enrollment as an advocate, they may practice Indian law in their own right, as permitted by the Advocates Act, 1961. The restriction is on the foreign law firm's practice, not on the Indian advocate's right to practice.

Indian-Foreign Law Firm (IFLF) Registration: Dual Practice and Joint Ventures

The 2025 Rules introduce an entirely new concept of an IFLF that can practice foreign law (non-litigious areas) and Indian law (all areas, including litigation)

Eligibility and Registration:

- An Indian-Foreign Law Firm is any Indian legal entity (partnership, LLP, company, or corporation) authorized to practice law in India and registered under this IFLF category with the BCI. Such firms gain rights similar to Indian advocates registered as foreign lawyers.
- Upon registration, these firms may engage in non-litigious practice areas such as foreign law, international law, and arbitration (as per Rule 8), and retain full rights to practice Indian law, including litigation.
- They are subject to BCI's supervision across all Indian and foreign legal matters, and must comply with applicable ethical and professional standards.

Their operations in foreign jurisdictions are subject to reciprocal recognition and relevant local rules.

- Registration does not restrict existing rights under Indian law but expands the firm's ability to operate in foreign, non-litigious matters. These firms enjoy parity with Indian advocates registered as foreign lawyers.
- Under these Rules, "partnership" means a formal legal partnership or equivalent governed by legal agreement. Indian lawyers or firms not registered under these Rules may not enter into such partnerships with foreign lawyers or firms but may collaborate through referrals or consultancy contracts.

Tightening of “Fly-in, Fly-out” (FIFO) Practice

Duration and Declaration:

Foreign lawyers and law firms may provide legal advice in India on a “fly-in, fly-out” basis without registration, subject to the following:

- The total duration of such presence in India must not exceed 60 days in aggregate within any 12-month period (Rule 8(d)).
- Each visit requires an advance declaration to the BCI in Form C (Rule 8, Form C).

Scope and Limitations:

FIFO practice is strictly limited to advice on foreign law, the lawyer’s own legal system, or international legal issues; no office, infrastructure, or regular presence may be established in India (Rule 8(5)). Any dispute as to whether activities constitute permissible FIFO practice or prohibited “practice” under Indian law is to be determined by the BCI.

Ethical Compliance:

All rules and the Code of Ethics applicable to registered foreign lawyers/firms also apply to FIFO practitioners, except where specifically exempted.

Dual-Qualified Lawyers: Indian Advocates Registered as Foreign Lawyers

Dual Qualification:

- Indian advocates may apply for registration as foreign lawyers under the Rules if they possess the requisite foreign qualifications and authorization.
- Such dual-qualified individuals may practice both Indian law (as Indian advocates) and foreign law/international law (as registered foreign lawyers).

Registration Process



The Rules prescribe detailed application procedures:

Fee Type & Form	Individual Foreign Lawyer	Foreign Law Firm	Additional Jurisdiction (Individual)	Additional Jurisdiction (Firm)
Registration Fee (Form A)	USD 15,000	USD 25,000	USD 5,000 per jurisdiction	USD 10,000 per jurisdiction
Renewal Fee (Form B, every 5 years)	USD 8,000	USD 15,000	USD 2,000 per jurisdiction	USD 5,000 per jurisdiction
Fly-In Fly-Out Declaration (Form C)	USD 3,000 per declaration	USD 6,000 per declaration	USD 1,000 per jurisdiction	USD 2,000 per jurisdiction
Renewal of Fly-In Fly-Out Declaration	USD 1,500 per renewal	USD 3,000 per renewal	USD 500 per jurisdiction	USD 1,000 per jurisdiction

Registration is valid for a period of 5 years, after which it will require renewal.



Comparison:

BCI Foreign Lawyer Amended Rules 2025
v. BCI 2022 Rules

Comparison Table

Aspect	BCI Amended Rules May 2025	BCI 2022 Rules	Relevant Provisions
Scope of Practice	Foreign lawyers/firms may only engage in non-litigious practice in India, limited to advising on foreign law, their home country's legal system, and international legal issues, including international arbitration and corporate transactions. They may not advise on or practice Indian law.	Allowed to practice foreign law and participate in international arbitration on a non-litigious basis, subject to registration.	Rule 8(1), 8(2)
Court / Tribunal Appearance	Explicitly prohibited from appearing before Indian courts, tribunals, or statutory authorities authorized to take evidence.	The same prohibition applied.	Rule 8(2)
International Arbitration	Permitted to act in ad hoc or institutional international arbitration seated in India, provided the client is a foreign entity or the matter involves foreign/international law. Must comply with registration norms.	Permitted in international commercial arbitration, subject to registration.	Rule 8(2)

Aspect	BCI Amended Rules May 2025	BCI 2022 Rules	Relevant Provisions
Fly-In, Fly-Out (FIFO)	Foreign lawyers and foreign law firms may engage in the practice of law in India on a "fly-in, fly-out" basis without registration on the following conditions: (i) Limited to advising on foreign law, own legal system, or international legal issues. (ii) Engagement may be initiated in India or abroad. (iii) No office/infrastructure or regular presence allowed. (iv) Total practice must not exceed 60 consecutive calendar days in aggregate in any 12-month period, counted from the first date of arrival, regardless of departures/re-entries. (v) Declaration in Form C must include nature of work, legal areas, client details, jurisdictions, and a statement that Indian law is not practiced. (vi) Disputes over scope determined by BCI. (vii) Code of Ethics and other rules apply unless expressly exempted.	Permitted for temporary visits with less specificity. No formal time cap or comprehensive declaration requirements.	Rule 8(5); Form C
Reciprocity Principle	Registration permitted only for lawyers/firms from jurisdictions that offer comparable rights to Indian lawyers.	Reciprocity requirements existed.	Rule 6; Rule 7
Compliance & Registration	Registration is mandatory for any regular legal presence in India. Application through Form A , along with jurisdictional declaration, fees, and documents.	Registration was mandatory to commence legal practice.	Rule 3, 4; Form A; Fee Schedule

Aspect	BCI Amended Rules May 2025	BCI 2022 Rules	Relevant Provisions
Partnerships with Indian Lawyers	Allowed only if the Indian lawyer/firm is also registered under these Rules. Referral arrangements permitted without registration.	Permitted informal collaborations like referrals or consultancy.	Rule 9
Employment of Indian Lawyers	Foreign law firms may employ Indian lawyers for advisory support, but such lawyers cannot appear in courts on behalf of the foreign firm.	Not specifically addressed.	Rule 9
Disciplinary Oversight & Penalties	Enforcement emphasis increased. BCI will act against any unauthorised practice.	Non-compliance subject to action under Advocates Act.	Rule 10, 11
Categories of Applicants	Defined as: (a) Individual Foreign Lawyer (b) Foreign Law Firm (c) Indian Lawyer seeking to register as Foreign Lawyer (d) Indian Law Firm seeking to register as Foreign Law Firm (e) Indian Foreign Law Firm	No clear classification in 2022 Rules.	Rule 4(1); Form A

Here is how we help

We help global organisations leverage the opportunity in the Indian Legal ecosystem, through our market leading talent and consulting offerings.

Craft your INDIA Strategy

Understand the Indian Legal Market

We conduct strategic sessions for International Law Firms to help them understand the Indian legal market and identify the opportunities, threats and the key dynamics at play.

Strategy Mapping

We help Law Firms develop strategic plans at both practice area level and firm level that are grounded in data and insights available to us from the talent, firm and client segments. We also undertake targeted surveys and interviews where required.

Private Client Events

Our Executive search practice has helped us build deep relationships with CFO, CXO, GCs & Directors. We help conceptualize and organize private client events that create networking opportunities with your desired audience. In the past, we have successfully organized GC dinners, roundtables, knowledge sessions for in-house legal teams, etc.

International Legal Recruitment

Over the years, we have been entrusted with mandates from leading law firms globally and in India, private equity and venture capital funds, the Big Four, and Fortune 500 companies. We work closely with you to help identify and hire the right leaders.

Grow Exponentially

Firm Profiling

We identify potential firms and practices as acquisition targets for you. We leverage our comprehensive network to create a primary target shortlist using financial and strategic filters determined in consultation with you.

Due Diligence

We have expertise in conducting financial, commercial, and strategic due diligence to evaluate target firms as a prospect for acquisition by you. Using our proprietary Due Diligence Framework, we examine financial and performance-related factors, compensation, strategic and cultural alignment of potential targets for you.

Deal Advisory, Negotiations & Structuring

We have extensive experience in deal advisory, managing partner buy-in and communication processes. We play a key role in negotiations & structuring to ensure you achieve your strategic objectives. We have catalysed multiple large mergers & acquisitions successfully in the recent past.

Scale Sustainably

Market Intelligence & Analysis

We channelise data and expertise into Indian legal market intelligence. We've delivered 100+ reports that cover remuneration levels, the talent landscape, structure of legal teams and more. The Vahura Best Law Firms to Work, Study & Rankings (2018 & 2022) is a go-to benchmark for the legal industry in India. Our data and insights help our clients make better strategic decisions.

Strategic Consulting

Our unparalleled network of mid to senior professionals along with our systematic mapping and talent profiling across sectors gives us access to 98% of the market. We have hyper-specialised teams for disputes & litigation, funds, compliance, tax, public policy & government affairs. In the past, we have helped develop entire in-house legal departments.

Board Search & Advisory

We offer non-executive director search and advisory services. We recruit for Resident Directors, Independent Directors, Nominee Directors, Ombudsmen & Board Advisory members. We have curated a panel of pre-vetted, board ready non-executive directors that allow us to respond to requirements with efficiency and effectiveness. We also understand Board Gap Analysis to ensure high-performing board and risk mitigation.

For any further inquiries,
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points outlined, please don't
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