

**National Law University and Judicial  
Academy, Assam**

# **Constitution of the Student Bar Council**



# **CONSTITUTION OF THE STUDENT BAR COUNCIL** **OF NATIONAL LAW UNIVERSITY AND JUDICIAL** **ACADEMY, ASSAM**

## **PREAMBLE**

The National Law University and Judicial Academy, Assam hereby constitutes a student Bar Council to foster and promote:

1. Cordial and Harmonious relations between the faculty on the one hand and the Student Body on the other hand;
2. The intellectual, physical and moral faculties of the Student Community;
3. A sense of camaraderie and fellow feeling on the part of students, transcending all Barriers;
4. A mature, responsible and cooperative outlook in the student body so that the staff, students and administration of the University do not experience any insuperable difficulties;

## **CHAPTER – I**

### **Article 1:**

The SBC shall consist of all the elected members of all the 10 Student Committees. The affairs of SBC shall be managed by an Executive Council consisting of the office bearers namely the President, Vice-President, General-Secretary, Joint-Secretary, Treasurer and the Conveners of the functional Student Committees.

Provided, the Internship Coordination Committee and the Recruitment Coordination Committee will have their own rules and regulations and will therefore not be governed by the Constitution of the SBC although deriving their validity from it. The ICC and the RCC will be considered as independent bodies over which the Executive Council will have no control. The

powers and Functions of the Internship Coordination Committee and the Recruitment Coordination Committee will be specified in the Regulations whereby both Committees have the liberty and discretion to frame them. The procedure for constituting the Executive Council of the Student Committees and Removal of Conveners Student Committees shall be the same as specified in Article 4 and Article 19 of the Constitution of SBC respectively.

**Article 2:**

The following functional Student Committees shall work in tandem and assist the Executive Council of the SBC in the discharge of its functions.

- A. The Academic Committee.
- B. The Cultural Committee.
- C. The Hostel and Campus Welfare Committee.
- D. The Literary and Debating Committee.
- E. The Mess and Hospitality Committee.
- F. The Moot Court Committee.
- G. The Sports Committee.
- H. The Student Welfare Committee.

**Article 3:**

- A. Each Committee shall comprise of Five elected members, one from each class of the B.A. LL.B. (Hons.) program.
- B. Each Committee shall be headed by a convener, elected in accordance with the procedure laid down in this constitution.

**Article 4: Procedure for constituting the Members of the Student Committees:**

- A. Each committee shall have five members, one Elected from each year of the B.A. LL.B. (Hons.) Program.
- B. Elections shall be conducted within each class to determine the representative to each committee from that class.
- C. Any eligible student may contest elections to any committee.
- D. There is no bar on the number of committees that an eligible student may contest. However, in the event of a student being elected to two or more Committees, the student so elected shall retain one committee and the student following next highest number of votes shall be

declared elected to the committee/committees.

- E. The 5 elected representatives shall elect from amongst themselves the convener of that committee.

Elections shall be conducted within 45 days of the commencement of an academic session. In case of any vacancy in office, it will be filled by conducting fresh elections. In case of a tie, two contestants polling equal number of votes in a class, the collegiums of all elected representatives shall exercise their option through vote. A student who has been elected as the convener of a student committee shall not offer himself as a candidate to the same post in the consecutive year.

#### **Article 5: Procedure for constituting the Executive Council of the SBC:**

- A. The Executive Council of the 8 student committees shall form an electoral collegium.  
B. This collegium shall elect from amongst themselves, the 5 Office Bearers of the SBC  
C. Any member of the collegium can contest elections to the executive council of the SBC.  
D. However, the President of the Executive Council shall be from the 5<sup>th</sup> year the B.A. LLB. (Hons.) program.  
E. Election to the SBC executive council shall take place prior to the election of the conveners of the various executive councils of Student Committees.  
F. In case of any vacancy in office, it will be filled by conducting fresh elections. No Office bearer shall offer himself as a candidate to the same post in the consecutive year.

#### **Article 5A:**

Provisions of procedure in case someone resigns or vacates post out of their own will.

- a. If a vacancy arises due to resignation or voluntary vacation of the post, a by-election shall be conducted in accordance with the procedures outlined in the Constitution to fill the vacancy.  
b. The position shall remain unassigned until the results of the by-election are officially declared, and no other candidate shall be assigned to the position during this period.  
c. In situations where an immediate by-election cannot be conducted, an interim appointment may be made. However, the interim appointee shall not possess voting rights until the by-election is conducted.

- d. By-election for the post shall be conducted within a period of 2 weeks from the date of vacancy of the said post.

## **CHAPTER – II**

### **Article 6: Powers and Functions of the SBC Executive Council and its Office Bearers**

A. The Office Bearers shall assist the university authorities in maintaining discipline on the campus.

#### **B. Functions of the SBC Executive Council.**

The functions of the Executive Council shall be to:

- i. Coordinate and facilitate the activities of the SBC and its committees.
- ii. Represent the University.
- iii. Represent the views of the SBC to the University.
- iv. Manage the finances of the SBC.
- v. Mediate any differences which may arise between the student committee.
- vi. Performs any other function as mentioned within this constitution.

#### **C. Functions and Powers of the President of the Executive Council of the SBC.**

The functions of the President of the SBC are:

- i. To represent the interests of the SBC to the University.
- ii. To convene all meetings of the SBC Executive Council and the SBC.
- iii. To chair all meetings of the SBC Executive Council and the SBC.
- iv. The President of the SBC has the power to attend any meeting of any meeting of any committee but shall not have the power to vote.

#### **D. Functions and Powers of the Vice President of the Executive Council of the SBC.**

The functions of the Vice President of the SBC are:

- i. To assist the President in carrying out his functions.
- ii. To perform the functions of the President in his absence.
- iii. The Vice President of the SBC has the power to attend any meeting of any committee but shall not have the power to vote.

#### **E. Functions and Powers of the General Secretary of the Executive Council of the SBC.**

The functions of the General Secretary are:

- i. To maintain all documentation relating to the proceedings of the Executive Council of the SBC and the SBC meetings.
- ii. To supervise and 'maintain an archive of all documentation of Student Committees.
- iii. To prepare the annual report of the SBC.
- iv. The General Secretary of the SBC has the power to attend any meeting of any committee but shall not have the power to vote.

#### **F. Functions and Powers of the Joint Secretary of the Executive Council of the SBC.**

The Joint Secretary of the student body shall assist the General Secretary in the overall functioning of the organization and shall perform the following duties:

- i. Assist the General Secretary in organizing meetings, events, and activities of the student body.
- ii. Maintain records of the student body, including minutes of meetings and attendance registers.
- iii. Represent the student body in the absence of the General Secretary.
- iv. Undertake any other responsibilities delegated by the General Secretary or the executive committee.

#### **G. Functions and Powers of the Treasurer of the Executive Council of the SBC.**

The functions of the Treasurer are to:

- i. Efficiently manage the funds of the SBC and to maintain the accounts of the SBC.
- ii. Prepare the annual budget of the SBC.
- iii. Exercise power of attorney over all cheques and other such negotiable instruments relating to the SBC along with the President.

#### **Article 7: Functions and Powers of the Student Committee**

- i. The Student Committee will have, all the 'powers required to carry out their functions effectively.
- ii. The Student Committee shall facilitate and promote the welfare and various academic, extra-curricular and co-curricular activities of the students.
- iii. Notwithstanding the general function stated above the Student Committees shall perform the functions specified in this chapter:

### **Article 8: Moot Court Committee**

The functions of the Moot Court Committee are:

- i. To promote awareness and education about Moot Courts throughout the University.
- ii. To organize and facilitate all mooting activity in the University.
- iii. To organize the annual selection for moots to select the university teams and any other moot on behalf of the university.
- iv. Conduct moot orientation programs.
- v. Conduct regular inter-class and intra-class Moot Court Competitions.
- vi. Maintain contact with all other universities, institutions and organizations that organize Moot Court Competitions.
- vii. To receive the moot invitees and problems on behalf of the university. Any other function as the General Body of that Committee may decide.

### **Article 9: Literary and Debating Committee**

The functions of the Literary and Debating Committee are:

- i. Facilitate all Literary and Debating activity in the University. Select college teams for participation in the various Literary and Debating events.
- ii. Maintain contact with all other universities, institutions and organizations that organize literary and debating competitions.
- iii. To receive the invites and make sure of university's representation.
- iv. Organize orientation programs in debating, quizzing and other literary activities.
- v. Organize literary and debating activities on behalf of the University, either by itself or through any ancillary body.

Provided that under the present article, The Brahmaputra Quiz Club and any other club, society or group created for any literary or debating activity shall be considered as an ancillary body.

- vi. Publish annually the student literary magazine on behalf of the University.
- vii. Any other function as the committee may decide with the permission of the Executive Council of the SBC.

### **Article 10: Cultural Committee**

The functions of the Cultural Committee are:

- i. Facilitate and promote cultural activities in the University.
- ii. Organize cultural activities on behalf of the University.

- iii. Maintain contact with all other universities, institutions and organizations that organize cultural competitions/events.
- iv. To receive the invites and make sure of university's representation.
- v. Constitute university teams.
- vi. Any other function as the committee may decide with the permission of the Executive Council of the SBC.

#### **Article 11: Hostel Welfare Committee**

The functions of Hostel Welfare Committee are:

- i. Maintaining general cleanliness of the hostels, ensuring basic amenities, and hostel maintenance of hostels.
- ii. Any other function as the committee may decide with the permission of the Executive Council of the SBC.

#### **Article 12: Sports Committee**

The functions of Sports Committee are:

- i. Facilitate all sports activities.
- ii. Maintain contact with all other universities, institutions and organizations that organize sports competitions.
- iii. To receive the invites and make sure of university's representation.
- iv. Constitute university teams.
- v. Acquisition and maintenance of sports equipment along with the sports arena including the indoor stadium, volleyball court, cricket field and football field. All other areas which may be designated as sports arena will come under this.
- vi. Any other function as the committee may decide with the permission of the Executive Council of the SBC.

#### **Article 13: Mess and Hospitality Committee**

The functions of Mess and Hospitality Committee are:

- i. Maintain hygiene, quality of food served in the Mess.
- ii. Ensure price efficiency with relation to the Mess.
- iii. Redressal of student grievances relating to the Mess.
- iv. Any other function as the committee may decide with the permission of the Executive Council of the SBC.

#### **Article 14: Academic Committee**

The function of Academic Committee is:

- i. To assist Library Committee with library affairs such as procuring of books necessary for the courses offered in the university. The library staff with the management of the library affairs such as recovery of books which are borrowed etc.
- ii. To represent student concern in the field of academics to the University.
- iii. Any other function as the committee may decide with the permission of the Executive Council of the SBC.

#### **Article 15: Student Welfare Committee**

The main functions of the Student Welfare Committee are:

- i. Conducting orientation programs for students to help cope up with academic, co-curricular and extra-curricular activities.
- ii. Conducting tutorials and special courses to help students cope with academics.
- iii. To conduct a counseling program to help students deal with their problems in the university.
- iv. To organize, facilitate and conduct other activities and programmes which would ensure the welfare of students.

#### **Article 15A: Reporting of Committees and Executive Council**

##### **A. Reporting Requirement:**

- i. At the conclusion of each academic semester, all committees established under the Student Bar Council (SBC) shall be obligated to submit a comprehensive report on their activities to the SBC Executive Council (EC).
- ii. The report shall encompass the initiatives, events, and projects undertaken by each committee during the semester.

##### **B. Executive Body Reporting:**

- i. Simultaneously, the SBC Executive Council shall compile a detailed report outlining its own activities and accomplishments throughout the semester.
- ii. This report shall include but not be limited to updates on administrative functions, collaborative efforts, and any other pertinent matters concerning the overall functioning of the SBC.

**C. Presentation to the Student Body:**

- i. Upon receipt of the reports, the SBC shall organize a presentation session to apprise the student body of the accomplishments, challenges faced, and future plans of each committee and the Executive Council.
- ii. This presentation shall serve as a transparent mechanism to foster accountability and ensure that the student body remains informed and engaged in the activities conducted by the SBC and its affiliated committees.

## **CHAPTER – III**

**Article 16: Faculty Advisor**

- A. Every student committee and the SBC Executive Council shall have a faculty advisor.
- B. The function of the faculty advisor is to advise the committees and give them the benefit of their experience.
- C. The committees can nominate their own faculty advisors subject to the approval of concerned faculty member.
- D. The faculty advisor for the SBC Executive Council shall be appointed by the Registrar.

**Article 17: Differences between Student Committees**

- A. In case of any differences arising between student committees, the five office bearers shall mediate and help for a quick resolution.
- B. The office bearers shall not have any adjudicatory powers while doing such mediation.

**Article 18: Removal of the Office Bearers of the Executive Council**

- A. Removal proceeding against the office bearers of the Executive Council of the SBC may be instituted on request in writing to the Faculty Advisor of the SBC by not less than 25% of the total strength of the SBC. The request must lay down in detail the reasons for such removal.
- B. On receipt of such request, the faculty advisor must transmit a copy of the same to the office bearer against whom such action is sought to be taken who shall be permitted 24 hours to provide a written reply to the faculty advisor.
- C. The Faculty Advisor, if of the opinion that the action warrants the consideration of the

SBC and is not frivolous, can convene a meeting of the SBC.

- D. The quorum for such a meeting shall be  $\frac{2}{3}$ <sup>rd</sup> the total strength of SBC. The request for removal will need to be passed by not less than  $\frac{2}{3}$ <sup>rd</sup> majority of those present and voting and shall take effect immediately.

**Article 19: Removal of Conveners or other members of Student Committees by a member of that Student Committee**

- A. Removal proceeding against the Conveners or other member of Student Committee may be instituted on request in writings to the Faculty Advisor of the Student Committee by not less than 2 members of that Student Committee.
- B. The request must lay down in detail, the reasons for such removal. On receipt of such request, the faculty advisor must transmit a copy of the same to the convener or the member against whom such action is sought to be taken, shall be permitted 48 hours to provide a written reply to the faculty advisor.
- C. The faculty advisor, if of the opinion that it is not frivolous, can convene a meeting of the Student Committee. The quorum for such a meeting shall be the total strength of the Student Committee.
- D. The request for removal will need to be passed by not less than the majority of 3 members of the Student Committee and shall take effect immediately.

During the removal proceeding, the Convener or the member, will not have the option to vote. After the successful removal, re-election for the post of the convener or member will take place as per the procedure provided under the constitution. During re-election, the removed convener or member will be ineligible from participating as a contestant for the post, but will retain his right to vote.

**Article 19A: Removal of Conveners or other members of Student Committees by a person who is not a member of that committee or of the Student Bar Council**

- A. Removal proceeding against the Conveners or other member of Student Committee may be instituted on request in writing to the Executive Council of the Student Bar Council:
- i) **In case of a member** - by not less than 20 students of that year or  $\frac{1}{3}$ <sup>rd</sup> strength of that year, whichever is more, of which the member is a representative off;
  - ii) **In case of a Convener** - by not less than 20 students of that year or  $\frac{1}{3}$ <sup>rd</sup> strength of that year, whichever is more, of which the convener is a representative off

**OR** by not less than 100 students or 1/3<sup>rd</sup> strength of the entire student body, whichever is more.

The request must lay down in detail, the reasons for such removal.

- B. On receipt of such request, the Executive Council must transmit a copy of the same to the convener or the member against whom such action is sought to be taken, shall be permitted 48 hours to provide a written reply to the Executive Council.
- C. The Executive Council, if of the opinion that it is not frivolous, can convene a meeting of that Student Committee of which the person is a member or convener. The quorum for such a meeting shall be the total strength of that Student Committee.
- D. If the complaints are not satisfied with the initial assessment of the complaint done by the executive council, they can appeal against such assessment before the Registrar.
- E. The request for removal will need to be passed by not less than the majority of 3 members of the Student Committee and shall take effect immediately.

During the removal proceeding, the Convener or the member, will not have the option to vote. After the successful removal, re-election for the post of the convener or member will take place as per the procedure provided under the constitution. During re-election, the removed convener or member will be ineligible from participating as a contestant for the post, but will retain his right to vote.

#### **Article 20: Amendment Procedure**

- A. On recommendation of half the strength of the Executive Council of the SBC or 15 members of the SBC, the SBC may consider any amendment to this constitution.
- B. Giving one week's notice and notifying the proposed amendment along with such notice shall convene a general body meeting of the SBC. The quorum for such a meeting shall be 2/3<sup>rd</sup> of the total strength of SBC.
- C. The proposed amendment will need to be approved by not less than 2/3<sup>rd</sup> majority of those present and voting.
- D. The amendment so passed shall take effect as of the date prescribed by the majority.
- E. Notwithstanding anything contained in the present article, any resolution which seeks to amend anything contained in Schedule I, shall be proposed by giving two weeks' notice and notifying the proposed amendment along with such notice. The SBC then shall:
  - i. Convene a General Body meeting of the SBC. The quorum for such a meeting shall be the total strength of the SBC.

- ii. The proposed amendment will need to be approved by not less than 2/3<sup>rd</sup> majority of those present and voting.

#### **Article 21: Budget**

- A. Each Committee will prepare a program of its activities and an estimate of the funds it requires. This program and estimate shall be given to the Treasurer.
- B. The Treasurer will compile all the reports and prepare the budget.
- C. The SBC Executive Council will discuss and pass a budget and accordingly funds will be allocated to the various committees.

#### **Article 22: Dissolution**

- A. A representation asking for the dissolution of the Executive Council of the SBC is to be moved by not less than 25% of the total strength of the SBC.
- B. This representation is to be presented to the Registrar, the SBC Faculty Advisor and the President of the SBC.
- C. The Executive Council will have three days to reply.
- D. If the Registrar and the Faculty Advisor are satisfied that the representation warrants the consideration of the Student Body then a meeting of the SBC shall be convened, by giving three days' notice.
- E. The dissolution motion is to be passed by a 2/3<sup>rd</sup> majority of those present and voting. The quorum for such a meeting will be the total strength of the SBC.
- F. Elections shall be held within 3 days of the dissolution of the Executive Council of the SBC.

#### **Article 23: Meetings**

##### **A. Meetings of the Executive Council of the SBC:**

The Executive Council shall conduct meetings not less than once in a month.

##### **B. Meetings of the Student Committees:**

- i. The Student Committees shall meet not less than twice a month to decide, amongst other matters, issues relating to policy and the review of the working of the Executive Council of the Committee.
- ii. The quorum for such meetings shall be half of the total members of that Committee.

- iii. A notice of 1 day may be provided for *every* such meeting.

**C. Meetings of the SBC:**

- i. The SBC shall meet not less than twice a semester.
- ii. The quorum for such meetings shall be half of the total members of the SBC.
- iii. A notice of 3 days may be provided for every such meeting.

**D. Extraordinary Meetings:**

- i. With the exceptions of any meeting as specified in this article, any other meetings shall be termed as extraordinary meetings.
- ii. A notice of 24 hours shall be provided for extraordinary meetings.
- iii. However, any meeting held for the purposes specified in Articles 8, 9, 10, 13 & 14 shall be extraordinary meetings.

**Article 24: Eligibility**

- i. All students participating in the B.A. LL.B. (Hons.) course of NLUJA shall be eligible to vote in the student elections.
- ii. All students participating in the B.A. LL.B. (Hons.) course of NLUJA shall be eligible to stand in student elections, except:
  - i. Any student who has been detained in the previous academic year.
  - ii. Any student who has been found guilty of violation of those offences which shall be termed in the NLUJA code of conduct as gross misconduct.

## **Schedule – 1**

1. Provisions related to the number of Student Committees and members of Executive Council, the procedure for their constitution and election.
2. Provisions related to the removal of Executive Council members or Conveners or Members of the Student Committees.
3. Provisions related to the Dissolution of the Executive Council.
4. Provisions related to the Eligibility criteria for participation in Student Elections.
5. Any insertion or deletion of provisions present in Schedule – 1.