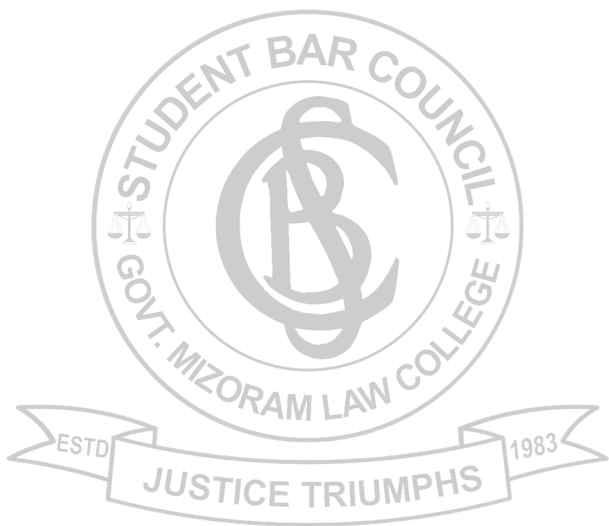


CONSTITUTION

OF

STUDENT BAR COUNCIL





FOREWORD

There exist no laws among mortals devoid of imperfections. Yet, it is the very nature of such legal statutes that they, as is customary, are susceptible to amendment, thereby signifying a life force and capacity for adaptation. Verily, laws achieve the zenith of their efficacy and import when they are tailored to address the exigencies of the evolving temporal and circumstantial milieu beyond their initial scope.

The Student Bar Council, inaugurated in the annum 1983, has embarked upon an extensive odyssey. The initial codification of the Council's constitution transpired on the 8th day of May in the year 2015, comprising therein 22 Articles. Following an undisturbed span of eight years without alteration, the inaugural move toward amendment was undertaken during the stewardship of the Student Bar Council for the academic sojourn of 2022-2023.

While the preliminary amendment, efficacious within the Council, failed to conform to the prerequisites enshrined in the Mizoram Firms and Societies Act of 2005, and indeed, the Constitution itself, a subsequent initiative was undertaken by the Student Bar Council for the academic term of 2023-2024. Inviting proposals from the entire pantheon of Council members, the First Amendment Bill of the Constitution of the Student Bar Council was duly ratified on the 1st day of August in the year 2023 (Tuesday). The said amendment came into effect on the 2nd day of August, 2023, consequent to the pronouncement by Mr. Lalsangkima, the President of the Student Bar Council for the term 2023-2024.

It is our fervent aspiration that this Constitution shall discharge its sacred functions with utmost efficacy, thereby aiding each member of the Council in the pursuit of their individual needs. In sooth, may it contribute to the enhancement, progression, and

augmentation of legal erudition within the confines of the venerable State of Mizoram.

We entreat each member of the Council to dutifully abide by this Constitution, rendering it the due reverence and observance it commands.

As the ceaseless march of time unfolds, there shall inevitably arise a juncture necessitating further amendments to this Constitution. We steadfastly believe that any prospective amendments shall not transgress nor violate the Preamble of this venerable Constitution.



(K. VANLALNEIHPUIA)
General Secretary
Student Bar Council



(LALSANGKIMA)
President
Student Bar Council

GOVERNMENT MIZORAM LAW COLLEGE, LUANGMUAL
AIZAWL, MIZORAM

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PREAMBLE

The Govt. Mizoram Law College was established in 1983 in the interests of better legal education and professional training.

The basic mandate of the College is to prepare conscientious and competent professionals, the College, in addition, aims to develop in the students a sense of responsibility by developing socially relevant skills and approaches.

The College gives importance to the development of an inclusive community life and the all-round development of each and every student. Towards this end, the College considers curricular, co-curricular and extra-curricular activities to be essential in building an inclusive community life.

The Student Bar Council was established with perpetual succession as an organization of students of the College with the aim to establish a forum that gives importance to the development of character, personality and leadership qualities.

It aims to represent the interests of all students in the College and improve their collective welfare.

In achieving its objectives, the Student Bar Council shall be guided by the values of equity, inclusivity and fraternity.

ARTICLE I

NAME AND DEFINITION

1. The name of the Council shall be the Student Bar Council, Govt. Mizoram Law College.
2. In this Constitution unless the context otherwise requires:
 - a. 'College' means the Govt. Mizoram Law College.
 - b. 'Constitution' means the Constitution of the Student Bar Council, Govt. Mizoram Law College.
 - c. 'Council' means the Student Bar Council, Govt. Mizoram Law College.
 - d. 'Faculty' means a person who is a teaching staff of Govt. Mizoram Law College.
 - e. 'General Body' means the General Body of the Student Bar Council, Govt. Mizoram Law College.
 - f. 'Governing Body' means the Governing Body of the Student Bar Council, Govt. Mizoram Law College.
 - g. 'Office Bearers' means the Office Bearers of the Student Bar Council, Govt. Mizoram Law College. It includes:
 - President
 - Vice-President
 - General Secretary
 - Treasurer
 - Financial Secretary
 - Secretary i/c Games & Sports
 - Magazine Editor

- Assistant General Secretary (Appointed)
 - Assistant Secretary i/c Games & Sports (Appointed)
 - Assistant Magazine Editor (Appointed)
- h. 'Patron' means the Patron of the Student Bar Council, Govt. Mizoram Law College.

ARTICLE II EMBLEM AND MOTTO

1. The Emblem of the Council shall be the same as the emblem on the round seal.
2. The Motto of the Council shall be the same as the motto of Govt. Mizoram Law College- 'Justice Triumphs'.

ARTICLE III AIMS AND OBJECTIVES

1. The aims and objects for which the Council is established as under:
 - a. To work for the advancement of legal education of its members and society as a whole.
 - b. To promote mutual contact, a democratic outlook and a spirit of oneness among its members.
 - c. To promote the social, cultural and intellectual development of its members.

- d. To promote consciousness among its members of the events taking place around them with a view to better equipping them as responsible and educated citizens and to build up a healthy student's movement.
- e. To promote among its members a sense of service to the people and duty towards the State.
- f. To meet, discuss and make representations to the Government, University and any other authorities on matters concerning common interests of the students.
- g. To represent the interests of its members and act as a channel of communication in dealing with the college and other bodies.
- h. To promote and protect the welfare of its members.
- i. To promote, encourage and co-ordinate student clubs, sports and social activities.
- j. These aims and objects shall be practiced without discrimination on the grounds of age, sex, race, religion, creed, sexual orientation, disability or medical condition, except that action may be taken to promote equality of opportunity.
- k. The Council shall practice the above aims and objectives independent of any political party or religious organisation.
- l. Such other activities as will further the realization of the above aims and objects.
- m. All the functions of the council shall be carried out according to the conduct rules of the college.

ARTICLE IV

ADMISSION AND TERMINATION OF MEMBERS

1. Membership:

All the bona fide students of the Govt. Mizoram Law College shall be the members of the Council.

2. Admission Fee:

- a. Students admitted to the privileges of Govt. Mizoram Law College shall be the members of the Council for the pursuing year.
- b. There is no Admission Fee unless otherwise revised by the Governing Body.

3. Duties:

All and every member of the Council shall:

- a. elect the Office Bearers of the Council.
- b. attend the General Body Meetings regularly.
- c. give the necessary information to the Council, pertaining to any matter which is necessary to be known by the Council.
- d. not indulge in any activities which are prejudicial to the Constitution, Aims and Objectives, and/or the Rules and Regulations of the Council.

4. Termination or Cessation of Membership:

The Governing Body of the Council shall have the powers to expel/terminate a member or members, from the membership of the Council, on the following grounds:

- a. On Death.
- b. On expulsion from Govt. Mizoram Law College.
Explanation: A mere warning issued against a student will not be deemed to be a punishment for the purpose of this clause.
- c. On a special resolution passed by the Governing Body against the student or students who acted against the interest of the council and the institution.
- d. A member shall cease to be a member with effect from the declaration of his final degree examination result.

5. Re-Admission:

- a. In case, any member of the Council is expelled by the Governing Body on ground of Article IV (4) (b), he can be readmitted, provided he/she has been readmitted to Govt. Mizoram Law College.
- b. In case, any member of the Council is expelled by the Governing Body on ground of Article IV (4) (c), he can be readmitted, provided he/she has been readmitted by the Council upon special resolution passed by the Governing Body.

ARTICLE V

REGISTER OF MEMBERS AND PROPERTIES

The Council shall maintain a register of its members and its properties. The register of members shall include the name, address, date of enrolment and date of termination of the member

ARTICLE VI

GENERAL BODY

1. General Body:

All the members of the Council will constitute the General Body of the Council.

- a. Notice: Minimum three (3) day notice shall be given to the members, before the date of General Body Meeting, enclosing agenda specifying date, time, place and issues to be discussed.
- b. Meeting: General Body Meeting shall be held at least once in every year.
- c. Quorum: The quorum of General Body Meeting shall be $\frac{2}{3}$ (two third) of the total strength of the General Body Members of the Council.

2. Rights and Privileges of Members of General Body:

- a. All and every member of the Council shall be entitled to participate in meetings, cultural/educational functions and other lawful gatherings, called or arranged by the Council.
- b. All the members of the Council have the right to vote upon any resolution to be passed by the General Body in meeting.

ARTICLE VII GOVERNING BODY

1. The Governing Body is the executive body of the Student Bar Council.

2. Composition of the Governing Body:

The composition of the Governing Body shall be as under:

- President
- Vice-President
- General Secretary
- Treasurer
- Financial Secretary
- Secretary i/c Games & Sports
- Magazine Editor
- Assistant General Secretary (Appointed)
- Assistant Secretary i/c Games & Sports (Appointed)
- Assistant Magazine Editor (Appointed)
- Ex-Officio (Patron)
- Executive Members- 6 to 20 Member

3. Executive Members:

- a. Class Representatives (CR) and Assistant Class Representatives (ACR) of each semester of Govt. Mizoram Law College.
- b. Faculty-in-charge of the Student Bar Council appointed by the Office Bearers of the Council from Regular Teaching Faculty not more than 2 (two) in number.

4. Patron:

The Principal of the Govt. Mizoram Law College shall be the Patron of the Student Bar Council.

5. Strength:

The strength of the Governing Body shall not be less than 17 and not more than 31.

6. Term:

The term of every Governing Body shall be 1 (one) year i.e. 12 months, May to April.

7. Notice:

Governing Body Meeting of the Council shall be summoned with a minimum of three days' notice and one day notice for emergent Governing Body Meeting.

8. Quorum:

Quorum of every Governing Body Meeting shall be $\frac{2}{3}$ (two-third) of the total strength of the Governing Body.

9. Meeting:

Governing Body Meeting shall be called by the General Secretary in consultation with the President as and when needed.

10. Termination of Governing Body:

- a. Any member of the Governing Body can be terminated from the office on the same grounds as mentioned in Article IV.
- b. Three times continuous absence of the Governing Body Meeting without reasonable explanation shall result in forfeiture of the membership.

ARTICLE VIII
FUNCTIONS AND POWERS OF GOVERNING BODY

1. Governing Body shall be responsible for the management and administration of all affairs of the Council and is also authorized to appoint any office bearer to look after any particular activity.
2. All the decisions shall be taken by the majority votes.
3. The Governing Body shall have the following powers:
 - a. To prepare Plans, Projects and Programmes.
 - b. To appoint Election Officer and his/her powers.

ARTICLE IX

POWERS AND DUTIES OF OFFICE BEARERS

1. President:

- a. The President shall convene all the meetings of the Council.
- b. At the time of voting on any subject matter/subject (except Election), if the total votes of the groups of members happen to be equal in number, the President has the power to cast a vote to decide the matter/subject.
- c. The President will sign all the papers/letters, on behalf of the Council, to conduct its correspondences and he/she can authorize/instruct other elected Office Bearers to sign papers/letters, on behalf of the Council, to conduct its correspondences.
- d. The President shall be the foremost representative of the Council and shall carry on the administration and activities of the Council in accordance with the aims and objectives of the Council.
- e. The President shall have the obligation to ensure the functioning of the Student Bar Council in a fair, democratic, transparent and efficient manner.
- f. The President may perform any such duties as may be resolved by the Student Bar Council or as advised by the Patron.
- g. The President may delegate duties of a routine nature to the Vice-President.

2. Vice-President:

- a. The Vice-President shall discharge duties that have been so delegated by the President.
- b. The Vice-President will preside as President under the following circumstances:
 - i. The President has resigned; or
 - ii. The President has communicated an inability or unwillingness to discharge the duties of the office of the President.
- c. The Vice-President of the Council shall enjoy all the powers of the President in his/her absence.

3. General Secretary:

- a. The General Secretary will summon the meetings of the Office Bearers, Governing Body and General Body of the Council.
- b. The General Secretary will prepare the register of the members as well as record the minutes of the proceedings of the meetings.
- c. The General Secretary shall, along with the President and the Vice-President, devise policies and programs to reach out to organisations, institutions, other student bodies, alumni and other persons.
- d. In the absence of the President and Vice-President, the General Secretary, after consultation with other members of the General Body, shall act as President.
- e. The General Secretary shall delegate duties of a routine nature to the Assistant General Secretary.

4. Treasurer:

- a. All funds of the Council shall remain under the care and management of the Treasurer.
- b. The Treasurer shall maintain the accounts of all money which is received and/or paid by him/her on behalf of the Council.
- c. The Treasurer shall make disbursement in accordance with the direction of the Governing Body.
- d. Money shall be withdrawn with the joint signatures of the Treasurer along with the President.

5. Financial Secretary:

- a. The Financial Secretary shall keep account book of the Council's fund and shall record all receipts and expenditures under the supervision of the Treasurer.
- b. The Financial Secretary shall be responsible with the Treasurer for the proper accounting of the Council's fund.

6. Secretary i/c Games & Sports:

- a. The Secretary i/c Games & Sports shall be responsible for organizing sports and games in the college and inter-college activities.
- b. The Secretary i/c Games & Sports shall act in consultation with the Office Bearers and get their approval for organizing games and sports in the college and inter-college activities.

- c. The Secretary i/c Games & Sports shall appoint one faculty-in-charge of games and sports.
- d. The Secretary i/c Games & Sports shall delegate duties of a routine nature to the Assistant Secretary i/c Games & Sports.

7. Magazine Editor:

- a. The Magazine Editor shall be the editor of the college magazine and newsletter.
- b. The Magazine Editor shall act in consultation with the Office Bearers and get their approval for College Magazine from time to time.
- c. The Magazine Editor shall publish the College Magazine within eighteen months of entering the office. In case of failure to publish in such period of time, the succeeding term of the Student Bar Council shall take over the responsibility from the former Magazine Editor.
- d. The Magazine Editor shall appoint one faculty-in-charge for College Magazine.

8. Assistant General Secretary:

- a. The Assistant General Secretary shall assist the General Secretary.
- b. The Assistant General Secretary shall record minutes of each meeting of the Council.
- c. The Assistant General Secretary shall enjoy all the powers of the General Secretary in his/her absence.

9. Assistant Secretary i/c Games & Sports:
 - a. The Assistant Secretary i/c Games & Sports shall assist the Secretary i/c Games & Sports.
 - b. The Assistant Secretary i/c Games & Sports shall enjoy all the powers of the Secretary i/c Games & Sports in his/her absence.
10. Assistant Magazine Editor:
 - a. The Assistant Magazine Editor shall assist the Magazine Editor.
 - b. The Assistant Magazine Editor shall enjoy all the powers of the Magazine Editor in his/her absence.

ARTICLE X

RESTRICTION ON HOLDING OFFICE

1. No person who is an under-discharged insolvent or who has been convicted of any offence under the law shall be entitled to be a member of the Governing Body.
2. No person who has been actively involving in any political party or any other student bodies shall become the Office Bearer of the Student Bar Council.

ARTICLE XI RESIGNATION

1. The President may at any time submit his resignation to the Vice-President, and such resignation shall be considered by the Governing Body in meeting.
2. Other Office Bearers may submit their resignation to the President and such resignations shall be considered by the Governing Body in meeting.

ARTICLE XII VACANCY

Any casual vacancy amongst the Governing Body shall be filled by the resolution passed by the Governing Body. Such appointment(s) shall be confirmed by the General Body in its coming General Body Meeting.

ARTICLE XIII APPEALS

All the appeals shall be preferred to the Governing Body of the Council and the decision of the Governing Body shall be final.

ARTICLE XIV

ELECTION

1. The Governing Body shall appoint the Returning Officer and the Assistant Returning Officer to conduct the Election of the Student Bar Council.
2. The members of the Council shall elect the President, Vice-President, General Secretary, Treasurer, Financial Secretary, Secretary i/c Games & Sports, and Magazine Editor on every first Friday of April by secret ballot papers.
3. Voting by proxy will not be allowed. Simple majority of vote shall be declared as elected.
4. The posts of the President, Vice-President, General Secretary, Treasurer and Secretary i/c Games & Sports are reserved for the senior most semester.
5. The elected office bearers will appoint Assistant General Secretary, Assistant Secretary i/c Games & Sports and Assistant Magazine Editor.

ARTICLE XV

SOURCES OF INCOME

All the income of the Council shall be utilized only for the promotion and upliftment of the Aims and Objectives of the Council. Sources of income of the society are as under:

- Student Bar Council Fund - Rs. 300.00 per annum/student
- Games fee - Rs. 400.00 per annum/student
- Annual Magazine Fund - Rs. 400.00 per annum/student
- Student Aid Fund - Rs. 100.00 per annum/student
- Donations, Sponsorships and Special Contributions.
- Aid from the State/Central Government, if any.

ARTICLE XVI

PROPERTY OF THE COUNCIL

All properties belonging to a Council shall vest in the Governing Body of the Council but shall be referred to as the property of the Council. The Council shall maintain register for recording details of the properties.

ARTICLE XVII
MANAGEMENT OF FUNDS AND ACCOUNTS OPERATION

Bank Account shall be operated by joint signatures of President and Treasurer. The Council shall keep proper books of account in which all sums of money received, source thereof, expenditure, the assets and liabilities of the Council shall be entered.

ARTICLE XVIII
DISSOLUTION

Dissolution of the Council can be initiated if $\frac{3}{4}$ (three-fourth) members of the Governing Body present and voting proposed for the same. It must then be passed by $\frac{3}{4}$ (three-fourth) members of the General Body present and voting. In the event of the dissolution of the Council, the assets, liabilities and all properties of the Council shall pass on to the Principal of Govt. Mizoram Law College.

ARTICLE XIX
LEGAL PROCEEDINGS

The Council may sue and/or be sued in the name of the President, the General Secretary or any office bearers authorized by the General Body in this behalf.

ARTICLE XX AMENDMENT

An amendment can be initiated if $\frac{3}{4}$ (three-fourth) of the members of the General Body present and voting proposed for the same.

ARTICLE XXI POWER TO MAKE RULES

1. The Governing Body may make rules for carrying out the purposes of this Constitution.
2. Notwithstanding anything contained in the provisions of this Constitution, any matter not duly covered by the provisions or any clarification that may be required, shall be decided by the Governing Body of the Council.

ARTICLE XXII COMMENCEMENT OF THE CONSTITUTION

This Constitution, or any amendment thereof, shall come into force with effect from a date to be notified by the President.