



UTTARANCHAL
UNIVERSITY



LAW COLLEGE
DEHRADUN

CONSTITUTION

of the

Moot Court Society

Adopted on the 2nd day of October, 2016

Effective from the 26th day of November, 2016

Preamble

We, the students of Law College Dehradun, Uttaranchal University, in order to:

FOSTER THE INTEREST OF LAW STUDENTS BY ENCOURAGING AND ASSISTING THEM TO DEVELOP LEGAL ACUMEN AND APPLY THINKING, RESEARCH, DRAFTING, ADVOCACY & JUDGEMENT SKILLS;

LEAD LAW STUDENTS TO BE MEN OF STATURE, PERSONALITY, REPUTATION, UNQUESTIONABLE INTEGRITY, GOOD CHARACTER AND STURDY INDEPENDENCE; AND

ADVANCE LAW AND JUSTICE IN SERVICE OF SOCIETY.

Do hereby *Establish* the *Law College Dehradun, faculty of Uttaranchal University, Moot Court Society* and *Adopt* this *Constitution* as its governing instrument on this *2nd* day of *October, 2016*.

The Society hereby assumes all rights and duties stated herein.

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PART I - THE SOCIETY AND ITS OBJECTIVES

1. NAME, COMMENCEMENT, TERM, APPLICATION AND SEAL

- (1) The name of the Society shall be the *Moot Court Society* and this document shall be called its Constitution. It shall come into effect on such date as the Patron may appoint.
- (2) The term for which the Society is organized is perpetual.
- (3) This Constitution shall apply to all students of the college who shall be deemed to be members of the Society and also to persons participating in Society's activities.
- (4) There shall be a seal of the Society which shall be the signature of the Society.

2. OBJECTIVES

- (1) To provide and righteously synchronize programs and activities dealing with or related to the field of law including but not limited to moot courts; mock trials; legal drafting; judgement writing; research; discussions and forums about the law, current legal issues, and legal careers; socio-legal events; lectures; conferences; legal quizzes; and other legal competitions or law-related events.
- (2) To bring together students who have a common interest in law and provide them assistance and an avenue to express their concerns, goals, and interests in the pursuit of a career or education in the legal field.
- (3) To promote the understanding of the legal profession, the rule of law, the legal process, court procedures, court etiquette and the justice system.
- (4) To maintain and enhance the reputation and integrity of competitions and to excel at competitions related to law, and to prepare and select students for external competitions and establish selection criteria thereof.
- (5) To decorate law students who triumphantly represent the University.
- (6) To do every lawful act to fulfill the aspirations enshrined in the Preamble.

PART II – ORGANIZATION

CHAPTER 1 - THE PATRON

3. THE PATRON

- (1) The Dean of Law of the Uttaranchal University shall be the ex-officio Patron of the Society.

- (2) In the event that a question of interpretation or construction of this Constitution should arise, it shall be reserved to the Patron.
- (3) The Patron may seek information on any matter concerning the Society from the President and such information shall be provided as expeditiously as possible by the President either personally or through concerned officers.
- (4) On the request of the President, the Patron shall appoint faculty members to assist the Society in fulfilling its objectives.
- (5) The Patron may award academic credit to any member of the Society for outstanding or distinctive performance in Society activities.
- (6) The Patron may reimburse all costs of any participant or team which has triumphantly represented the University in an external competition.
- (7) The Patron may, by special order, delegate any of his/her powers to the Chairperson of the Faculty Advisory Board. *Provided that such delegation shall not exceed a period of 30 days at once, but, may be renewed for another 30 days in extraordinary circumstances.*
- (8) The Patron may, on the advice of the Chairperson or otherwise, only in the interest of the Society, with reasons to be recorded in writing, veto any decision of the Society, and may pass any order or direction as may be deemed proper. *Provided that before exercising veto, the President shall always be given an opportunity to avoid such action by acting to the satisfaction of the Patron in consonance with this Constitution.*
- (9) In an event that the executive machinery of the Society has failed and the Patron is satisfied that the Executive Board can no longer fulfill the objectives of the Society, he or she may put the Executive Board under suspended animation, and for that period he or she may assign the functions of the Board to the Faculty Advisory Board or to any competent person or a panel of such persons. *Provided that this power shall be sparingly used only in the interest of the Society.*
- (10) The power to dissolve the Society shall be vested in the Patron. *Provided that the Society cannot be dissolved unless the full Faculty Advisory Board recommends such dissolution to the Patron and that 30-days notice shall be given to the Executive Board stating reasons for such dissolution in order to enable it to avoid such dissolution by acting to the satisfaction of the Patron. Provided also that this power shall be sparingly used only and only in the interest of the student community of the College. The founding members of the Society are assured that this provision will remain a dead letter.*

CHAPTER 2 - THE FACULTY ADVISORY BOARD

4. COMPOSITION, STRENGTH, ORDER OF SUCCESSION

- (1) The Society shall have a Faculty Advisory Board (Faculty Board) consisting of the Head of Law Department as its Chairperson and seven other Faculty Advisors whose nomination, removal and tenure, powers and functions (*other than those prescribed in the succeeding article*) shall be at the discretion of the Patron.
- (2) The strength of the Faculty Advisory Board shall not be less than eight, but, may be extended by the Patron by special order on recommendation of the Chairperson.
- (3) When the Chairperson of the Faculty Board is unavailable, his/her functions and powers shall be deemed to have been devolved to the next Faculty Advisor in order of seniority.

5. POWERS AND FUNCTIONS OF THE FACULTY BOARD

- (1) Consistent with its status as an autonomous student-run organization, the Executive Board reserves exclusive authority to make its decisions and selections *in usual course* under this Constitution and as such the Faculty Board shall act only in advisory capacity.
- (2) All powers expressly or impliedly conferred upon the Chairperson by this Constitution shall be exercised by the Chairperson on the advice and with the concurrence of the majority of the Faculty Advisory Board.
- (3) The Faculty Board shall endeavour to enhance the abilities of the Society, assist in resolving internal conflicts of the Executive Board, and render advice to the Executive Board.
- (4) The Faculty Advisors shall sanction members' absence caused due to Society activities on the recommendation of the President.
- (5) The Faculty Advisors shall also ensure that all Executive Members adhere to the Constitution and the University discipline.
- (6) The power to suspend the President is vested in the Faculty Board. *Provided that the President may only be suspended by a resolution of the full membership of the Faculty Board passed by a two-thirds majority for breach of this Constitutions. Provided further that the President shall not be kept on suspension for a period exceeding 30 days without the approval of the Patron.*

CHAPTER 3 - THE EXECUTIVE BOARD

6. COMPOSITION, ORDER OF SUCCESSION AND STRENGTH

(1) The Executive Board shall consist of the following officers of the Society, in order of succession:

(a) President	--	NOMINATED
(b) Vice-President	--	ELECTED
(c) Secretary (Administration)	--	APPOINTED
(d) Convener (Events & Competitions)	--	APPOINTED
(e) Training Coordinator	--	APPOINTED
(f) Research Coordinator	--	APPOINTED
(g) Secretary (Finance & Resources)	--	APPOINTED
(h) Deputy Secretary (Administration)	--	APPOINTED
(i) Co-Convener (Events & Competitions)	--	APPOINTED
(j) President's Adjunct	--	APPOINTED
(k) Chief Court Master	--	APPOINTED
(l) Public Relations Officer	--	APPOINTED
(m) Deputy Secretary (Record & Certification)	--	APPOINTED
(n) Assistant Public Relations Officer	--	APPOINTED
(o) Executive Members	--	SELECTED
(p) Ad-Hoc Members	--	APPOINTED

*The designations signified in bold shall form the Core Committee.

(2) Society's executive membership may vary over the course of a year, but at no time shall there be fewer than 20 and more than 60 members including the ad-hoc members, if any.

7. NOMINATION, ELECTION, APPOINTMENT, SELECTION AND VACANCIES

(1) NOMINATION OF THE PRESIDENT

(a) Whenever the presidency becomes vacant for any reason, the Patron shall nominate a President on the recommendation of the Faculty Advisory Board. For removal of all doubts, the person so nominated need not be a member of the Executive Board, but, as soon as such person assumes office of the President, he/she shall be deemed to be a member of the Executive Board and must take oath before the Patron.

(b) The recommendation of the outgoing President may be considered by the Patron and the Faculty Advisory Board before making a nomination to the presidency.

(2) ELECTION OF THE THE VICE-PRESIDENT

- (a) The President shall be the Election Officer to conduct the election.
- (b) At-least 30 days before the end of each academic session, the President shall notify elections for the succeeding academic session, and such notice shall be communicated to all members of the Executive Board.
- (c) To hold the office of the the Vice-President, a candidate must have been a member of the Executive Board for at least one year.
- (d) Members may re-contest and serve but for no more than 2 terms in aggregate.
- (e) Eligible executive members may contest the election by filing nomination to the Election Officer within 72 hours of the election notice. *Provided that only members from 4th year onwards may contest in case of 5-Years Degree course and only members from 2nd year onwards may contest in case of 3-Years Degree course. Provided further that to compute the study year of the contestant, the session for which election is being conducted shall be considered.*
- (f) Within 7 days of the election notice, the Election Officer shall call a meeting of the Executive Board which shall be attended by all members of the Board to conduct the elections.
- (g) Voting shall be conducted in the election meeting by secret ballot, the votes shall be counted by the Election Officer and results shall be declared forthwith in the presence of the Patron and the Chairperson. In case there is a tie between two or more contestants, the senior most of them on the basis of date of enrollment in Society shall be declared elected, and if the members were enrolled on the same day then the Election Officer shall cast a deciding vote.
- (h) The President-cum-Election Officer shall thereafter make a notification giving effect to the outcome of the election.
- (i) The retiring Vice-President shall nonetheless continue in office for the remainder of the academic session and the Vice-President-elect shall assume charge on the first day of the succeeding academic session.
- (j) Before handing over the charge to the Vice-President-elect, the retiring Vice-President shall make him/her conversant with the responsibilities & expectations of his/her office for the legacy to continue in letter & spirit.

(3) APPOINTMENT OF OFFICERS AND AD-HOC MEMBERS

- (a) The President shall appoint Executive Members as officers to the posts enumerated in article 6(1) after consulting the Chairperson of the Faculty Board and the Vice-President. *Provided that such appointments shall be subject to the approval of the Patron.*
- (b) To assist the officer(s) enumerated from clause (a) to (g) and (k) of subsection 1 of article 6, the President may also appoint Adjunct Officers after consulting the Chairperson of the Faculty Board and the Vice-President. *Provided that there shall never be more than eight adjunct officers at any given time.*
- (c) All officers shall begin their term of office on the date of appointment and shall continue until a new appointment is made by the President.
- (d) If it appears to the President after consulting the Chairperson and the Vice-President that for the smooth functioning of any specific Event, ad-hoc members need to be appointed, he/she may do so. *Provided that such members shall not have voting rights and shall cease to be such members upon the completion of such specific event or when they are discharged by the President, whichever is earlier. Provided further that any person who has been appointed as an ad-hoc member more than twice may be given permanent membership of the society.*

(4) SELECTION OF EXECUTIVE MEMBERS

- (a) Each year, or whenever it deems proper, the Society shall induct such number of Executive Members as may be necessary by conducting competition(s) and/or on the basis of outstanding performance in previous competition(s).
- (b) Notwithstanding the foregoing provision and if need be, the President may, after consulting the Chairperson of the Faculty Board and the Vice-President, call upon such students to become Executive Members who are considered highly suitable for the Society based on their exceptional leadership skills, knowledge, character and integrity.
- (c) The members inducted under article 7(4)(a) shall be put on probation for a period of two months and shall be regularized by the President after consulting the Chairperson of the Faculty Advisory Board and the Vice-President, if found suitable for the Society.
- (d) The Society shall endeavour to induct Executive Members equally from all batches of the college.

(5) FILLING OF VACANCIES

- (a) If the Presidency is vacant, the Vice-President shall become the Acting President until the vacancy ceases or a President is nominated.
- (b) If the Vice-Presidency becomes vacant, the member who had contested the preceding vice-presidential election and secured the second highest votes shall become the Vice-President and otherwise the next person in order of succession shall become the Vice-President.
- (c) If both the Presidency and the Vice-Presidency are vacant and a new President is not nominated by the Patron within 15 days thereafter, the Executive Members will succeed to the Presidency and the Vice-Presidency in order of succession. *Provided that during the said period of 15 days, the next available executive member in order of succession shall act as President and apprise the Patron and the Chairperson of such vacancy.*
- (d) Vacancies in *APPOINTED* positions as enumerated in subsection 1 of article 6, may be filled by appointment. In special circumstances, such as a leave of absence on the part of an officer, the Vice-President shall make a temporary appointment with the approval of the President for the duration of that officer's absence.
- (e) Vacancies for executive membership may be filled by Selection.

8. POWERS AND FUNCTIONS OF THE EXECUTIVE BOARD

- (1) The Board has the power to do everything necessary and proper for the sustenance of the Society and fulfillment of its objectives, so long as it has the approval of the Patron.
- (2) The Board is responsible for conducting scheduled competitions or events, standardization of rules and scoring systems, setting up of criteria for selection of teams, and funding and/or training of teams.
- (3) The Board may constitute, dissolve, or reconstitute committees and may delegate any of its functions or powers to such committees.
- (4) The Board may also delegate its powers or functions to Executive Members.
- (5) The Board will prepare an annual budget of all financial expenses to be incurred during the academic year and shall manage all financial expenditures within the Society by maintaining its own fund. The Board may also request the University to fund for its activities or teams.

- (6) The Board shall also publish an Annual Report at the end of every year.
- (7) The Board shall have the power to issue notifications in order to regulate moot court and allied activities in the University.
- (8) The Board shall discipline officers, committees and competitors for violation of the Constitution or the respective rules.
- (9) The Board may collaborate with external organizations to conduct competitions and events.
- (10) The Board may adopt, repeal or modify its by-laws pursuant to this Constitution by a majority vote of the full Board.
- (11) The Board shall keep the Patron and the Faculty Board informed about all its activities and decisions.

9. DUTIES AND POWERS OF THE OFFICERS

(1) THE PRESIDENT

- (a) The President is the leader of the Society and is ultimately responsible for the supervision of all functions that may affect the Society.
- (b) The President's fundamental purpose is to act as the Society's representative to the students, faculty, administration and public.
- (c) The President shall be responsible to the Patron and the Faculty Board.
- (d) The President shall adhere to the highest standards of leadership, commitment, knowledge, character and integrity, and shall be the mentor of the Executive Board.
- (e) The President may, only in the interest of the Society, with reasons to be recorded in writing and sent to the Chairperson, veto any decision of the Executive Board. *Provided that a presidential veto may be overruled by a two-thirds majority vote of the full Board.*
- (f) The President may, with the approval of the board, create and supervise committees and appoint their chairpersons after consulting the Vice-President.
- (g) The President shall ensure that all members, officers and committees are adhering to the Constitution and carrying out their duties and fulfilling their responsibilities.
- (h) In the interest of the Society or in an exigency, the President may withdraw or authorize the Secretary (Finance) to withdraw money

from the Society fund. *Provided that the President shall be answerable to the Board for such withdrawal and record thereof shall be placed before the Board in its next meeting.*

- (i) When it becomes impossible to call a meeting of the Executive Board to exercise any power or to perform any function vested in it, such powers and functions of the Executive Board shall vest in the President and every act of the President in exercise of such powers or functions shall be deemed to be an act of the Executive Board. *Provided that the President shall consult the Patron or the Chairperson of the Faculty Board and the Core Committee before exercising such powers or functions.*
- (j) As the Vice-Presidency is an elected office under this Constitution, the President shall hold the Vice-President in high regard and avoid any conflicts whatsoever.
- (k) The President shall be assisted by an Adjunct with responsibilities as and when needed.

(2) THE VICE-PRESIDENT

- (a) The Vice-President shall assist the President with responsibilities as needed and shall take over the President's duties when the President is unavailable.
- (b) The Vice-President shall conduct, manage and direct the affairs of the Society, and shall also maintain ultimate responsibility for Society's operations as the leader of the Executive Board.
- (c) The Vice-President shall be responsible to the President and the Executive Board.
- (d) The Vice-President shall delegate tasks to members or officers as appropriate and negotiate change of duties between officers.
- (e) The Vice-President has the right to be consulted by the President prior to exercise of any discretionary power which is vested in the President expressly or impliedly.

(3) THE SECRETARY (ADMINISTRATION) shall

- (a) Assist and work under the direction and supervision of the President and the Vice-President.
- (b) Supervise all officers and delegate functions and powers to Executive

Members whenever so directed.

- (c) Prepare agendas for Board meetings; call meetings; record minutes from all Board meetings; ensure that every member has been notified about Board meetings; keep and maintain organized files regarding Society activities; keep the President informed about all activities of the Society; take custody of the Society seal; and prepare and publish monthly and annual reports.
- (d) Maintain an up-to-date and thorough record of all Executive Members who are active, non-active, past and present, and advise the President or the Executive Board about members not performing functions adequately.
- (e) Keep one up-to-date copy of the Constitution, provide it to the Patron and the Faculty Advisors, and publish and make it available whenever directed.
- (f) Oversee registration, selection, training and orientation of new members; and shall keep a track of member roles, performance and activity.
- (g) Perform any other additional functions or exercise such powers as may be assigned by the President or the Vice-President or the Board.
- (h) Be assisted by a Deputy Secretary (Administration) who shall take over his/her duties when he/she is unavailable and shall otherwise have responsibilities as needed.
- (i) Be assisted by a Deputy Secretary (Record & Certification) with responsibilities to maintain the record of the Society and manage certification and recognition as and when needed.

(4) THE CONVENER (EVENTS & COMPETITIONS) shall

- (a) Supervise and regulate all competitions and perform such functions and exercise such powers which the President or the Vice-President or the Executive Board may assign.
- (b) Research and maintain information of all competitions and events concerning the Society with their rules and schedule; and publicize competitions whether or not the University participates.
- (c) Apply the selection criteria prescribed by the Selection Criteria Committee in order to select participants or teams for competitions or events, and notify teams about their selection.

- (d) Assist and support teams and participants; appoint coaches/liaisons for participants etc.
- (e) Recommend funding for deserving teams that are unable to bear their expenses, to the President.
- (f) Advise the Executive Board or the President to constitute Committees to conduct scheduled events.
- (g) Maintain an Information Bank which shall contain selected resources for the benefit of the members such as briefs, books, research papers, video resources, digital resources etc. and issue or authorize the issuing of such resources for use by members for a reasonable time.
- (h) Be assisted by a Co-Convener with responsibilities as needed.

(5) THE TRAINING COORDINATOR shall

- (a) Instruct and train tyro executive members to develop skills and competency required to discharge their duties effectively and efficiently.
- (b) Be responsible for organising and implementing programs to augment the interpersonal, advocacy and other relevant skills of the executive members or students in conjunction with the Faculty Advisory Board.
- (c) Perform such other functions and exercise such powers as may be assigned by the President or the Executive Board.

(6) THE RESEARCH COORDINATOR shall

- (a) Be responsible for coordinating and administering legal research work within the Society in conjunction with and under the guidance of the Faculty Advisory Board.
- (b) Assist members or participants in research such as analysing issues, researching the relevant laws, preparing written submissions etc.
- (c) Perform such other functions and exercise such powers as may be assigned by the President or the Executive Board.

(7) THE SECRETARY (FINANCE & RESOURCES) shall

- (a) Manage and document the finances and resources of the Society under the supervision of the Board.
- (b) Prepare a budget at the beginning of each semester, and supplementary

budgets when necessary, and get them approved by the Board.

- (c) Authorize expenditures or reimbursements on the recommendation of the Executive Board or the President under article 8(1)(h).
- (d) Expend funds as authorized by the Executive Board or the President under article 8(1)(h), and be the only officer, other than the President, allowed to withdraw money from Society fund.
- (e) Be a custodian of all resources of the Society.
- (f) Perform such other functions and exercise such financial powers as may be assigned by the Board.

(8) THE CHIEF COURT MASTER shall

- (a) Arrange rooms for arguments; record judges' scores; appoint court clerks; ensure observance of court etiquettes etc.
- (b) Assist the President in all matters concerning the Judges and shall perform any other function or exercise such powers as the Patron or the President or the Executive Board may assign.

(9) THE PUBLIC RELATIONS OFFICER shall

- (a) Promote the Society, its programs and its events, and post information on Notice Boards, Facebook and any other medium.
- (b) Manage the reputation of the Society; serve as a key spokesperson and media contact for the Society; represent the Society to the public; write speeches, press releases, event reports; make announcements, give information on behalf of the Society; and oversee advertising.
- (c) Establish and maintain sponsorship relations with potential funding sources, whenever directed by the President or the Executive Board.
- (d) Keep the Chairperson of the Faculty Advisory Board and the President informed about all activities of the Society, meetings and decisions of the Board; and perform such other functions and exercise such powers as may be assigned by the President or the Board.
- (e) Be responsible for developing and maintaining communication between alumni and the Society, and serve as a primary liaison between the Society and alumni. Maintain an updated list of alumni members with contact information and serve as the primary contact person for inquiries from the alumni.

- (f) Design content to highlight accomplishments, updates on competitions and useful information for the general student body.
 - (g) Maintain computer resources and disseminate information through electronic means whenever directed.
 - (h) Be assisted by an Assistant Public Relations Officer with responsibilities as needed.
- (10) EXECUTIVE MEMBERS shall
- (a) Remain well-versed with this Constitution and perform such functions and exercise such powers as may be assigned by the Board or the President or the Vice-President.
 - (b) Pay the prescribed membership fee and serve until the last day of their graduation, or until resignation or termination of membership under this Constitution.
 - (c) Maintain absolute confidentiality regarding the status and scores of competitors, and proceedings of the courts. Furthermore, Board members shall not violate any trust given to them in their capacity as Board members.
 - (d) Not accept membership of any other permanent student body in the University, however, honorary and advisory membership of such bodies can be maintained.
 - (e) Compete whenever required, spend at least 36 hours per year performing Society functions, and attend all Society meetings and events.
 - (f) All board members are responsible for helping to make all events and initiatives a success regardless of their position. This includes but is not limited to taking substantive support roles in all activities and attending all events and meetings.

10. OATH OF OFFICE FOR EXECUTIVE MEMBERS

- (a) Every Executive Member shall, before entering upon his office, make and subscribe in the presence of the Patron or, in his/her absence, the Chairperson of the Faculty Advisory Board, an oath or affirmation in the form prescribed in the succeeding provision.
- (b) I, (name), do swear in the name of God (or on my honour and conscience) - that I will uphold the Constitution and the objectives of

the Moot Court Society; that I will perform the duties of my office to the best of my abilities without fear or favour, affection or ill-will; that I will adhere to the prescribed code of conduct; and that I will in no way betray the trust endowed in me. This is my solemn oath.

11. MEETINGS AND QUORUM OF THE BOARD

- (1) The Board shall meet regularly by informing the Chairperson at a time and place of the President's choosing; by giving advance notice of at-least 7 days to all executive members.
- (2) The President may also call a special meeting, for just cause, by giving urgent notice to all members. Any executive member may also request the President to call a meeting for just cause, and if such request is supported by more than 10 members of the Executive Board, the President shall be obliged so to do.
- (3) The President shall chair and conduct all meetings, and in absence of the President, the presiding officer shall be determined according to the order of succession.
- (4) Board members carry equal weight in the decision making process where every member has one vote except for the President who may only cast a vote in case where the votes are equally divided.
- (5) No issue shall pass without favorable votes from at least a majority of the full Board membership.
- (6) The rules contained in the Robert's Rules of Order shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with the Constitution and any special rules of order the Board may adopt.
- (7) Members may vote by proxy in writing to the Secretary (Administration) and such communication shall be confirmed by the respective member over telephone also.
- (8) Abstention from Board meetings with valid reasons will require the prior permission of the President or the Vice-President, and three missed meetings without prior notification will be considered justification for dismissal from Society.

12. RESIGNATION, SUSPENSION AND REMOVAL OF EXECUTIVE MEMBERS

(1) RESIGNATION

Any Executive Board Member may resign by giving a written notice of his or

her resignation to the President and by expressing it verbally to the Executive Board. *Provided that the President may not accept any resignation unless the later condition is fulfilled.*

(2) SUSPENSION

- (a) The President may suspend any Executive Member for violation of the Constitution either on the recommendation of the Vice-President or otherwise for just cause. The President shall also be obliged to suspend an Executive Member whenever so directed by the Chairperson of the Faculty Advisory Board, for just cause.
- (b) If the suspension is not revoked within 45 days, a removal proceeding shall be initiated by the President. If such proceeding fails, the member shall forthwith be deemed to have been reinstated.
- (c) A suspended member for the duration of the suspension shall not participate in any of the activities of the Society and shall not represent the Society as a member or Officer in any way. Suspension shall be kept on record.

(3) REMOVAL OF EXECUTIVE MEMBERS

- (a) If it appears to the President that an executive member is no more suitable for the society, the President may, after consulting the Chairperson of the Faculty Board and the Vice-President, ask such member to resign and such member shall forthwith render his/her resignation. *Provided that if such member refuses to resign, the President shall recommend removal of such member to the Executive Board. Provided also that the requirement of verbally communicating such resignation to the Executive Board as per article 12(1) shall be dispensed.*
- (b) Notwithstanding the foregoing provision, an Executive Member may only be removed for violation of this Constitution or for abusing his/her office or for compromising the integrity of the Society.
- (c) The Executive Board will consider dismissal of an Executive Member if and only if a minimum of five members of the Executive Board submit a written proposal to the President, citing the grounds for requesting such dismissal, or if the President recommends under article 12(3)(a). Thereafter, the executive member facing dismissal shall be notified of a review hearing which will take place before a committee specially constituted by the Executive Board comprising of five members headed by a Faculty Advisor or the President. This

committee will report its findings, in writing, to the Chairperson of the Faculty Advisory Board within 7 days of its appointment. *Provided that if the removal has been recommended by the President then s/he may not be a member of such committee.*

- (d) Upon receiving the findings of the aforesaid Committee, the Chairperson shall direct the President to remove the Executive Member if the report recommends dismissal and may exercise discretion otherwise. A removed Executive Member will no longer be a part of the Executive Board and must stop exercising all official powers and functions.
- (e) Appointed officers may be removed from office by the President after consulting the Vice-President for failure to fulfill their duties. They shall nonetheless continue as Executive Members.

(4) REMOVAL OF THE PRESIDENT & THE VICE-PRESIDENT

- (a) Upon receiving a request from the Vice-President or more than 10 members of the Board, the President may be removed from office by two-thirds majority vote of the full Board. *Provided that unless the Chairperson of the Faculty Advisory Board sends to the Patron for his/her consent such resolution of the Executive Board, the removal shall not be effective. Provided further for removal of all doubts that the Vice-President shall preside over the removal vote.*
- (b) Upon receiving a request from the President or more than 10 members of the Board, the Vice President may be removed by two-thirds majority vote of the full Board. *Provided that unless the President sends to the Chairperson of the Faculty Advisory Board for his/her consent such resolution of the Executive Board, the removal shall not be effective.*

(5) ACADEMIC AND ATTENDANCE REQUIREMENT

- (a) If an Executive Member's academic or attendance percentage falls below the minimum that is prescribed by the Patron, the member will have his or her membership suspended, after which the member must attest to the fact that he or she has raised his or her percentage back to the minimum requirement to have his or her membership reinstated, and failure to do so within 45 days shall result in self-executing termination from the Society.
- (b) The President may relax the execution of the foregoing provision. *Provided that this power shall be exercised with extreme care only in*

the interest of the Society, with reasons to be recorded in writing and sent to the Patron. Provided further that when the President is a subject of article 12(5)(a), the power conferred by this provision may be exercised by the Vice-President in favour of the President.

13. CODE OF CONDUCT

Every Executive Member of the society shall:

- (1) Observe formal dress code prescribed by the President in all pursuits of the Society.
- (2) Discharge all duties as may be assigned by or under the Constitution honourably, honestly, fairly, ethically and with integrity.
- (3) Hold information treated as confidential by the Society in strict confidence and not divulge any such information for personal advantage or for the advantage of any other.
- (4) Not use their position for personal gain in any manner that would be detrimental to the Society's interests.
- (5) Hold the Hon'ble Patron, the Worthy Chairperson of the Faculty Board, the Faculty Advisors, the President, the Vice-President and the Officers in high regard.
- (6) Be courteous and civil to other executive members and to all persons with whom the executive member has dealings in the course of his or her office.
- (7) When appearing before any Judge, adhere to standards of conduct as high as those required of a lawyer engaged in the practice of law in India.
- (8) Act in good faith, responsibly, with due care, competence and diligence, without allowing their independent judgment or conscience to be subordinated.
- (9) Uphold the aspirations enshrined in the Preamble of the Constitution and endeavour to fulfill the objectives of the Society and assist in the advancement of its goals.
- (10) Behave in a manner so as to inspire the confidence of all students of the College in the Society.

PART III - PROVISIONS REGARDING EVENTS
CHAPTER 1 -EVENTS HOSTED BY THE SOCIETY

14. SCHEDULE OF EVENTS

(1) Every year, the Society shall endeavour to conduct the following competitions:

- (a) Intramural Moot Court Competition.
- (b) National or International Moot Court Competition.
- (c) Mediation / Arbitration/ Client Counselling Competition.
- (d) Call for Research Papers / Judgement Writing Competition.
- (e) Legal Quiz / Legal Discussion Forums
- (f) Seminars/Conferences.

(2) Nothing in the foregoing provision shall prevent the Society from conducting any other event to fulfill the objectives of the Society.

15. EVENT COMMITTEES

(1) A committee of Executive Members constituted by the President after consulting the Vice-President shall run each event mentioned in the Schedule of Events.

(2) It shall be the duty of such a committee to ensure transparent, fair and non-arbitrary execution of all of its functions entrusted by the President or the Executive Board.

(3) Members of such a committee shall not participate in competitions hosted by that committee.

(4) The powers, functions and duties of event committees shall be such as may be prescribed by the President or the Executive Board.

16. COMPETITION DISCIPLINE

(1) COMPLAINTS AGAINST PARTICIPANTS

(a) Any competitor, judge, or person who witnesses a violation of the competition rules may report it to any officer of the Society who shall then forward the complaint to the Convener.

(b) Upon receiving aforesaid report, the Convener shall investigate the complaint and, thereafter, may either appoint an Observer for all remaining rounds of the competition to observe the conduct of the alleged violator (in case of minor violation) or shall forward a formal

recommendation to the President for appropriate action (in case of gross violation). The Observer (if appointed) on witnessing further violations, shall also forward a formal recommendation to the President for appropriate action.

- (c) Upon receiving a formal recommendation from the Convener or the Observer, the President shall impose discipline which shall fit the severity of the violation. The President may impose any or all of the following sanctions: a warning or censure; deduction of points; or dismissal from the competition.
- (d) The Patron or the Chairperson, on the report of the President or otherwise, may impose discipline, if satisfied by convincing evidence that a team/participant has committed serious violation(s) of the competition. The Patron or the Chairperson may: refuse to grant awards or certificates to the violator(s); disqualify the violator(s) from the present or future competition(s); and/or impose any other reasonable penalty.
- (e) Widespread violations of competition rules: If the Convener has reason to suspect that widespread violations of rules are occurring or may occur, he or she shall call a mandatory competitor meeting before the first or next round of the competition to give instructions.

(2) COMPLAINTS AGAINST JUDGES

Complaints regarding judges shall be made in writing to the Patron who shall have the discretion to take appropriate action.

(3) COMPLAINTS AGAINST EXECUTIVE MEMBERS

Complaints regarding Executive Members or officers shall be made in writing to the President who shall have the discretion to take appropriate action. *Provided that if the President or the Vice-President is the subject of a complaint, it shall be made in writing to the Chairperson who shall have the discretion to take appropriate action.*

(4) APPELLATE TRIBUNAL

- (a) An Appellate Tribunal is hereby constituted to address complaints or appeals against actions of the Society vis-à-vis any Competition, with the following members:
 - (i) Patron as Chairperson ex-officio;
 - (ii) Head of Law Department as Vice-Chairperson ex-officio;
 - (iii) 2 other distinguished Members nominated by the Patron; and

(iv) President as Member Secretary ex-officio.

(b) The decision of the Appellate Tribunal shall be final.

(5) EMPLOYING DISCRETE DISCIPLINE PROCEDURE

(a) The procedure incorporated in this article shall be the default procedure to settle complaints, grievances and appeals.

(b) The competent Committee may however, with the approval of the Patron through the Chairperson, devise discrete procedure to settle complaints, grievances and appeals in the best interest of the reputation and integrity of a specific competition.

17. RIGHTS OF PARTICIPANTS OR TEAMS

(1) Every participant or team participating in any competition hosted by the Society shall have the right to know their score sheets, penalty details, and other such relevant information from the competent Committee.

(2) Every participant or team selected to represent the University in a competition, shall have the right to approach the Convener or the competent Committee for any help or assistance that they may require for participation in such competition.

(3) Every participant or team selected to represent the University, shall have the right to be appointed with a team liaison who shall be a member of the Board.

CHAPTER 2 - EXTERNAL COMPETITIONS

18. SELECTION CRITERIA FOR EXTERNAL COMPETITIONS

(1) The Society is charged with the responsibility for all moot court competitions & allied activities and because the reputation of the University is at interest, the Society shall set reasonable criteria for qualification and selection to external competitions.

(2) To perform these functions, a permanent Committee called Selection Criteria Committee is hereby constituted with:

(a) Chairperson of Faculty Advisory Board as Chairperson ex-officio;

(b) President of Executive Board as Vice-Chairperson ex-officio;

(c) Vice-President of Executive Board as Member ex-officio;

(d) Convener (Events & Competitions) as Member ex-officio; and

(e) Secretary (Administration) as Member Secretary ex-officio.

(3) It shall be the primary responsibility of the Committee to ensure that

participation opportunities do not get restricted to a handful.

- (4) The Committee shall notify and may update the selection criteria from time to time and all committees or officers entrusted with the function of selecting participants/teams shall adhere to such criteria.

19. PARTICIPATION IN EXTERNAL COMPETITIONS

- (1) A list of all related competitions, according to priority shall be maintained by the Convener and allocation of regional, national and international competitions to participants or teams shall be made according to the selection criteria notified by the Selection Criteria Committee.
- (2) Teams or participants shall register for all competitions through the Convener or the competent Committee, as representatives of the University.
- (3) At a time, a team shall only be allowed to participate in one competition.
- (4) Teams must ordinarily participate in a competition that has been allotted to them unless they are prevented from doing so due to unavoidable circumstances, in which case another team/participant shall be selected.
- (5) The teams or participants are required to give a mock mandatorily to the person(s) appointed by the Convener (Events & Competitions) or the competent Committee before they can be allowed to represent the University.
- (6) A copy of the briefs (i.e. memorials) or other resources to be submitted for external competitions shall also be submitted to the Convener (Events & Competitions) 48 hours prior to the submission deadline of the competition. Such resources shall be reviewed and kept for reference.

PART IV - AMENDMENTS

20. AMENDMENTS TO THE CONSTITUTION

- (1) A Constitutional amendment may be proposed in writing by the President or the Vice-President or not less than two-fifths members of the full Board. On receiving such proposal, the President shall call a meeting by giving notice of at-least 7 days to all members of the Board, and it shall be the duty of every Board member to attend such meeting and proxy votes shall not count.
- (2) An amendment motion shall only pass with two-thirds majority vote of the full Board and shall become effective only with the assent of the Patron.
