

**BYE – LAWS
OF
CONSORTIUM OF NATIONAL LAW UNIVERSITIES**
[Registered under the Karnataka Societies Registration Act, 1960 and the
rules framed thereunder]

1. GENERAL CLAUSES

1.1. In these Bye-Laws, unless contrary to the context, the following words and phrases shall have the meaning described herein:

- 1.1.1. **“Advisory Board”** means the Advisory Board constituted under Clause 8.2. of Bye-Laws of Consortium of National Law Universities.
- 1.1.2. **“Bye-Laws”** means these rules and regulations of the Society (as defined hereafter) in accordance with the provisions of Section 6 of the KSR Act (as defined hereafter), as it may be amended or modified from time to time in accordance with its terms;
- 1.1.3. **“CLAT”** means all India Common Law Admission Test conducted for students seeking admission to the undergraduate or postgraduate degree programme offered by various Member institutions (as defined hereafter);
- 1.1.4. **“Executive Committee”** means the Executive Committee constituted under Clause 7.2. of Bye-Laws of Consortium of National Law Universities.
- 1.1.5. **“Financial Year”** shall comprise a period of twelve months commencing on the first day of April of any calendar year and ending on the thirty first day of March of the following calendar year. The first “Financial Year” shall commence from the date on which Society is registered and end on the thirty first day of March of the following calendar year;

- 1.1.6. **“Governmental Body”** means the Central Government and the State Government as defined under the General Clauses Act, 1897;
- 1.1.7. **“Governing Body”** means the Governing Body constituted under Clause 6.1. of Bye-Laws of Consortium of National Law Universities.
- 1.1.8. **“Grievance Redressal Committee”** means the Grievance Redressal Committee constituted by the Executive Committee each year to redress the grievances about the conduct of CLAT of that year.
- 1.1.9. **“IT Act”** means the Income-tax Act, 1961;
- 1.1.10. **“KSR Act”** means the Karnataka Societies Registration Act, 1960;
- 1.1.11. **“Laws”** means with reference to the jurisdiction of India, any law (statutory, common, or otherwise), constitution, treaty, convention, ordinance, equitable principle, code, rule, regulation, executive order, or other similar authority enacted, adopted, promulgated, or applied by any Governmental Body, each as amended and now and hereinafter in effect;
- 1.1.12. **“MoA”** means the Memorandum of Association of the Society;
- 1.1.13. **“Member institution”** means any NLU formally admitted to the membership of the Society in accordance with the Bye-Laws and having paid the Subscription Fee and signing the master list of the Member institutions maintained by the Society;



- 1.1.14. **"NLUs"** means the unitary and fully residential National Law Universities established across the country by the State Legislative Assembly by their own enabling statute.
- 1.1.15. **"Officer"** means any individual elected / nominated / appointed to the designated posts in accordance with the Bye-Laws of the Society.
- 1.1.16. **"Registrar"** shall have the meaning under the KSR Act;
- 1.1.17. **"Society"** means the Consortium of National Law Universities registered under the KSR Act; and
- 1.1.18. **"Subscription Fee"** shall have the meaning assigned to word under Clause 15.6.1.
- 1.2. Unless the context otherwise requires:
- 1.2.1. The headings and subheadings in these Bye-Laws are included for convenience and identification only and are not intended to describe, interpret, define or limit the scope, extent or intent of these Bye-Laws or any provision hereof in any manner whatsoever.
- 1.2.2. The words „include," „includes" and „including" shall be deemed to be followed by the phrase „without limitation".
- 1.2.3. Any pronoun or pronouns shall be deemed to cover all genders.
- 1.2.4. Reference to any Laws or to any provision thereof shall include references to any such Law as it may, from time to time, be amended, supplemented or re-enacted, and any reference to any statutory provision shall include any subordinate legislation made from time to time under that provision.



- 1.2.5. Reference to any document shall include all amendments, modifications and supplements thereto.
- 1.2.6. Where a word or phrase is defined, other parts of speech and grammatical forms of that word or phrase shall have corresponding meanings. A reference in the singular shall include references in the plural and vice versa.
- 1.2.7. The words „written“ and „in writing“ includes any legally recognised means of reproducing words in a tangible and permanently visible form with confirmation of transmission.
- 1.2.8. A reference to any Person shall include (i) in the case of a natural Person, such Person"s legal heirs, representatives, administrators, executors and anyone claiming through or under such Person; and (ii) in the case of a Person which is not a natural Person, such Person"s successors and permitted assigns.

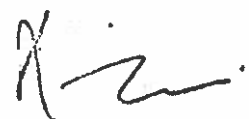
2. PURPOSE

- 2.1. The purpose of the Bye-Laws is to define the system of governance of the Society and the Bye-Laws shall be subject to and bound by the provisions of the KSR Act.
- 2.2. These Bye-Laws and all actions duly taken under its authority, which are not inconsistent with the MoA or the mandate of the Governing Body, shall be effective and regarded as the decision of the Society. The Executive Committee may make rules or adopt policies and procedures that supplement these Bye-Laws.
- 2.3. The Society shall not discriminate on the basis of ancestry, colour, or race; cultural or ethnic background; economic disadvantage, denominational affiliation; sexual orientation; ideological, philosophical, or political belief or affiliation; national or regional origin; and no test or condition shall be imposed as to religious belief or profession in admitting any Member institution to the Society.

3. GOVERNANCE OF THE SOCIETY

- 3.1. The Society shall be a non-profit legal organisation organised and operated exclusively for educational purposes and to carry out the objectives more fully described under the MoA. The Society shall operate consistent with and shall maintain a tax-exempt status in accordance with the IT Act. No part of the surplus, if any, in revenue of the Society after meeting all expenditure in regard to its operation, shall be vested for any purpose other than for the growth, development and carrying out the objectives and purposes of the Society and for its or member institution's self-sufficiency and sustainability.
- 3.2. The Society shall be autonomous in its governance, in that its business and affairs shall be independently determined, managed by and under the ultimate direction and control of the Governing Body. This provision shall not be construed as preventing the Society from contracting any third Persons/bodies for administrative assistance and support in connection with its purposes or from delegating to other committee(s) specific authority to implement the strategy and objectives of the Society.
- 3.3. Subject to the MoA, the power and functions of the Society are to provide the highest standards of legal education for each Member institution, to make Indian legal education comparable with the reputed international institutions of legal education and provide for matters connected with the admission of a Member institution. In connection therewith, and without limiting or diluting the objectives enumerated under the MoA, the Society shall exercise the following powers and perform the following functions, namely:
- 3.3.1. to lay down highest standards of legal education for the Member institutions to make Indian National Law Universities comparable with the best international institutions of legal education;

- 3.3.2. to promote inter-disciplinary and trans-disciplinary approaches to the study of law;
- 3.3.3. to provide for matters connected with the admissions to the Member institutions;
- 3.3.4. to conduct examinations and establish processes for evaluation and performance assessment through a fair and transparent system;
- 3.3.5. to organize the common admission test for under-graduate, post-graduate, doctoral, post-doctoral courses for the National Law Universities across the country;
- 3.3.6. to provide platform for admission to all National Law Universities in India through CLAT for UG & PG Law Courses if such National Law Universities become the members of the Society;
- 3.3.7. to suggest from time to time revision of the law curriculum followed by the Member institutions, keeping in mind contemporary changes;
- 3.3.8. to suggest new and innovative methods and conditions of recruitment of faculty for the Member institutions;
- 3.3.9. to provide for the better co-ordination amongst the Member institutions;
- 3.3.10. to make the benefits of legal education of one or more National Law Universities available to the rest of the National Law Universities;
- 3.3.11. to provide the necessary support including infrastructural support to other law schools, colleges or multi-faculty Universities to streamline legal education and improve its standard;
- 3.3.12. to link up all the National Law Universities through internet/video conferencing and other facilities to utilize the technical infrastructure to the fullest extent possible;
- 3.3.13. once the technological aspect is taken care of, attempt to provide „virtual classroom“ to enable participating National Law Universities to share the expertise available with each one of them, with all other National Law Universities;



- 3.3.14. to encourage the students and the faculty move from one National Law University to another for a semester and evolve policy guidelines in this regard;
- 3.3.15. to devise a uniform scheme of transfer of credits from one Member institution to another Member institution.
- 3.3.16. to develop better relations between contemporary establishments, universities, the bar and the bench;
- 3.3.17. to sign memorandum of understanding with other universities/institutions in India or abroad;
- 3.3.18. to provide for the sharing of library and other resources between Member institutions;
- 3.3.19. to share knowledge and expertise and promote research and publications amongst all NLUs;
- 3.3.20. to facilitate exchange of teachers and students amongst the NLUs subject to availability of resources;
- 3.3.21. to evolve uniform policies in terms of admission, courses, semester system, uniform grading system and the like in tune with global standards;
- 3.3.22. to ensure conduct of scholarly collaborative researches in collaboration not only amongst National Law Universities and also in collaboration with international universities/institutions;
- 3.3.23. to encourage National Law Universities to evolve seminar courses at the undergraduate and postgraduate levels keeping in mind the local priorities that may get reflected in the curriculum of foreign universities as well;
- 3.3.24. to introduce new courses in various fields of law such as Law of the Sea, Maritime Laws, Marine Insurance, Air and space Law, Atomic Energy Laws, Security Laws, Laws on Terrorism; International Business Laws, Investment Laws, Displacement and the Laws, WTO and GATS, Laws on Minerals and Mines, International Economic Laws, Competition Laws, Comparative Federalism, Comparative Constitutional Laws, Diversity Law, Religion & Law, Sentencing, Cyber Forensics, Global Administrative Law; Global Rule of Law, Comparative Environmental Laws, Energy Laws, and EU Laws, etc., or in any other subject of



- law and allied disciplines at the undergraduate and postgraduate levels;
- 3.3.25. to encourage inter-disciplinary and multi-disciplinary approach in both the regular, elective and seminar courses;
- 3.3.26. to facilitate and enhance the importance of clinical legal education;
- 3.3.27. to promote international collaborations amongst institutions of importance for academic research and related objectives;
- 3.3.28. to attract international students and thereby participate in globalizing not only legal education but also develop friendly relations with people from diverse cultures across the world;
- 3.3.29. to facilitate the foreign professors to teach in India on mutually agreeable terms and conditions;
- 3.3.30. to facilitate research in national, transnational and comparative areas of law;
- 3.3.31. to develop skills in research, publication, pedagogy among the law teachers in all the National Law Universities and the law teachers in other institutions imparting courses in law;
- 3.3.32. to organize series of international seminars and conferences on themes of contemporary relevance to the benefit of all National Law Universities under a common umbrella; and
- 3.3.33. to provide financial assistance to the Member Institutions to carry out their academic or other activities in pursuance of any of above functions.

4. GENERAL PRINCIPLES

- 4.1. Every Officer of the Society must be conscious of the responsibilities which his office involves.
- 4.2. Each Officer undertakes to serve and to uphold the Society's interests and objectives in all circumstances.

- 4.3. Each Officer shall discharge his or her duties: (i) in good faith, (ii) impartially; (iii) with the care an ordinarily prudent individual in a like position would exercise under similar circumstances, and (iii) in a manner the Governing Body reasonably believes to be in the best interests of the public.
- 4.4. Each Officer who becomes such member of any committee of the Society by reason of the office or appointment he/she holds or is a nominated member, his membership shall terminate when he ceases to hold such office or appointment or, as the case may be, his nomination is withdrawn or cancelled. An Officer shall cease to be a member if he resigns or becomes of unsound mind or becomes insolvent, or is convicted of a criminal offence involving moral turpitude.
- 4.5. Each Officer shall carry out their functions on a voluntary basis and receive no remuneration. However, an Officer shall be entitled to reimbursement of reasonable actual expenses incurred in the performance of official duties and such honorarium as may be decided by the Executive Committee, from time to time.

5. **AUTHORITIES OF THE CONSORTIUM**

The following shall be the authorities of the Consortium:

- i) The Governing Body;
- ii) The Executive Committee;
- iii) The Advisory Board;
- iv) Such other authorities, as may from time to time be declared as such by the Governing Body on the recommendation of the Executive Committee.

6. **GOVERNING BODY**

6.1. **Composition of the Governing Body**

6.1.1. The Governing Body shall consist of the following:

6.1.1.1. President, Consortium of National Law Universities;

6.1.1.2. Vice-President, Consortium of National Law Universities;

6.1.1.3. Secretary-Treasurer, Consortium of National Law Universities;

6.1.1.4. CLAT Convenor of that year;

6.1.1.5. Institutional Officers.

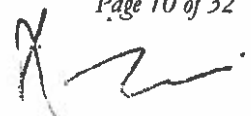
6.1.2. Institutional Officers: The Vice-Chancellors of the Members Institutes in their ex-officio capacity.

6.1.3. The Governing Body shall be chaired by the President and in his absence by the Vice-President or the Senior Most Vice-Chancellor from the member institutions. The President shall preside over meetings of Governing Body, organise and direct its work, ensure that the quorum requirement is satisfied and all agenda items to be tabled at the meeting are freely discussed and effectively resolved. The President shall oversee the proper operation of the committees of the Society and shall ensure that its Officers effectively discharge their duties.

6.2. Scope and Powers of the Governing Body

6.2.1. The Governing Body shall be the supreme governing and policy making body of the Society. It will be responsible for overseeing and formulating the strategy for the general direction and management of the Society, for actively pursuing the objectives, for supervising the disbursement of funds, for discussing and deciding key policy and strategic issues.

6.2.2. The Governing Body may terminate the nomination of any Officer on grounds of his conviction for a criminal offence or involvement in a case of moral turpitude. The Officer shall be given an opportunity to defend himself / herself. The resolution for such a termination is to be passed by 2/3rd majority of total membership of Governing Body. Upon such termination the vacancies shall be filled in by the Governing Body.



6.2.3. The Governing Body will have following powers to carry out purposes and objectives of the Society:

6.2.3.1. Effective fulfilment of the objectives of the Society through determining its vision, mission, core values and strategic objectives;

6.2.3.2. Implementation and review of the institutional policies from time to time;

6.2.3.3. Identifying and addressing relevant policy issues of the Member institutions;

6.2.3.4. The financial affairs of the Society to be managed within the appropriate budgetary parameters;

6.2.3.5. Approval of the annual report and budget for the following Financial Year as prepared by the Executive Committee;

6.2.3.6. To supervise the management of the Executive Committee;

6.2.3.7. To approve creation of additional Authorities and Officers of the Society on the recommendation of the Executive Committee;

6.2.3.8. To elect President, Vice-President, CLAT Convenor and one member for the Executive Committee; and

6.2.3.9. Amendment of the Bye-Laws and the MoA.

6.2.4. For facilitating smooth running of the Society, the Governing Body may delegate such powers vested in it, as may be necessary, to the Executive Committee or other committees constituted by it.

6.2.5. In implementing the Bye-Laws and the MoA, the Governing Body may from time to time formulate regulations or rules of procedure. A copy of such regulation(s) shall be sent promptly to the Officers and the Member institutions depending on the scope of the regulation(s).



6.2.6. No business of the Governing Body shall be discussed except at the Annual Meeting or Special Meeting convened in accordance with these Bye-Laws.

6.3. Meetings of the Governing Body

The Governing Body shall transact its business through the Annual Meeting and the Special Meeting.

6.3.1. Annual Meeting

6.3.1.1. The Governing Body shall hold minimum of one in-person meeting once in each calendar year.

6.3.1.2. Each Annual Meeting shall be held within nine months after the expiry of the calendar year in which the previous Annual Meeting was held, provided not more than eighteen months shall lapse between the date of the two consecutive Annual Meetings.

6.3.1.3. The notice calling the Annual Meeting shall be issued at least twenty days in advance by electronic mode or otherwise to the address registered with the Society. The notice shall specify the time and place of the meeting and the general nature of the business to be transacted and, in the case of an Annual Meeting shall specify the meeting as such.

6.3.1.4. The ordinary annual business of the Governing Body shall be:

- (i) appointment or reappointment of auditors and the fixing of their remuneration;
- (ii) election of the Officers and the Executive Committee members; and
- (iii) consider and approve the report of the management, financial statements and auditor's report of the Society.

6.3.2. Special Meeting

- 6.3.2.1. The President may *suo moto* or alternatively, on the receipt of a requisition in writing signed by not less than $1/3^{\text{rd}}$ of the members of the Governing Body call for a Special Meeting.
- 6.3.2.2. The initiator(s) of such Special Meeting shall specify its purpose and such purposes shall be set forth in the notice calling for the Special Meeting,
- 6.3.2.3. The President shall issue a notice to the members of the Governing Body by electronic mode or otherwise, at least one week prior to convening the Special Meeting. Where a written request for a Special Meeting is received by the President as per Clause 6.3.2.1, the President shall decide the time and the date of such meeting and whether such meeting shall be conducted in-person or through video conferencing. In case of a requisitioned Special Meeting, the President shall be bound within ten days from the date of the receipt of the requisition, to hold such meeting no later than forty days after the receipt by the President of the written request, subject to the provision regarding issuance of prior written notice.
- 6.3.2.4. The video conferencing media shall meet the technical standards that allows the transmission of the image or at least the voice of the participant(s) in a simultaneous and continuous manner, so that the concerned member may be identified and their effective participation at the Special Meeting is guaranteed. Failing this, the concerned member in question may not be counted as present and, in the absence of a quorum, the Special Meeting shall be adjourned.



6.3.3. Decisions of the Governing Body

6.3.3.1. Subject to Clause 6.3.3.3, the Governing Body shall take decisions by a majority of the members present at a quorate meeting. In the event of an equality of votes, the President may exercise a casting vote.

6.3.3.2. All decisions taken by the Governing Body shall be reflected in the minutes prepared for the applicable meeting.

6.3.3.3. No business shall be transacted in any Annual Meeting or Special Meeting unless there be present a quorum of not less than $1/3^{\text{rd}}$ of the members of the Governing Body. Participation by video conferencing shall also be counted for the purpose of quorum. If within one hour from the time appointed for the Annual Meeting or Special Meeting, as the case may be, the prescribed quorum is not present, the meeting shall stand adjourned to the same day in the following week, at the same time and place. If at such adjourned meeting a quorum is not present within one hour from the time appointed for the adjourned Annual Meeting or Special Meeting, as the case may be, those present shall be deemed to constitute the quorum.

6.3.3.4. All business discussed or decided at the Annual Meeting or the Special Meeting shall be recorded without erasures and corrections in a minute book. The draft minutes of the most recent meeting of the Governing Body shall be sent or submitted to all members present at the concerned meeting no later than the date that the notice of the following meeting is sent. The final minutes (as approved by all the member present at the applicable meeting) shall be signed by the President and at least one Officer of the Governing Body who was present at the meeting, to



indicate that in their opinion the minutes are a true and complete record of all matters discussed or decided at the Annual Meeting or the Special Meeting.

6.3.4. Adjournment of Meeting

Subject to Clause 6.3.1.1, the Chairperson may, with the consent of the members present at the Annual Meeting or Special Meeting, adjourn any business from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

7. EXECUTIVE COMMITTEE

- 7.1. The Governing Body shall be assisted by a chief administrative body known as the Executive Committee which shall be responsible for the day to day administration, management and control of the Society and ensuring the operational effectiveness of the Society, and the income shall vest in the Executive Committee which shall control and administer the property and funds of the Society. The work of the Executive Committee shall proceed in accordance with the mandates and delegated authority of the Governing Body.
- 7.2. The Executive Committee shall consist of not more than seven members, as follows:
 - 7.2.1. President, Consortium of National Law Universities;
 - 7.2.2. Vice-President, Consortium of National Law Universities;
 - 7.2.3. Secretary - Treasurer, Consortium of National Law Universities;
 - 7.2.4. Convenor, CLAT
 - 7.2.5. Vice-Chancellor of the National Academy of Legal Studies and Research University, Hyderabad, in his ex-officio capacity;



- 7.2.6. Vice-Chancellor of National Law Institute University, Bhopal, in his ex-officio capacity; and
- 7.2.7. One individual to be elected by the Governing Body of the Society by secret ballot, who shall be the Vice-Chancellor / Director of the Member Institutions having experience of successfully conducting CLAT.

7.3. The powers and duties of the Executive Committee shall include:

- 7.3.1. conduct the affairs of the Society in the interim period between Annual Meetings;
- 7.3.2. implement the objectives of the Society;
- 7.3.3. ensure implementation of the **Society's** institutional strategies;
- 7.3.4. receive and act upon all correspondence and complaints addressed to the Society;
- 7.3.5. conduct of CLAT and take all necessary and consequential actions in this regard;
- 7.3.6. oversee the effective management of the official website developed for CLAT and provide important instructions as regards CLAT;
- 7.3.7. determining the syllabus and pattern of examination for CLAT and improving the quality of the question paper;
- 7.3.8. impose or recommend sanctions upon any Member institution;
- 7.3.9. prepare an annual report and budget for the Governing Body;
- 7.3.10. prepare and circulate to the Member institutions such other reports and publications as may be required;
- 7.3.11. establish such academic and special committees comprising the faculty members of the Member institutions or other experts as it considers desirable to carry on the work of the Society and promote the purposes of the Society;
- 7.3.12. decide the structures and methods to be used to organise the staff;
- 7.3.13. set the objectives for subordinate structures;

- 7.3.14. to recommend to the Governing Body creation of additional Authorities and Officers;
 - 7.3.15. to constitute Grievance Redressal Committee for CLAT every year;
 - 7.3.16. report directly to the Governing Body; and
 - 7.3.17. to recommend to the Governing Body amendments to the MoA & Bye Laws.
- 7.4. The Executive Committee may from time to time appoint such additional agents / consultants / service providers and employees as it deems advisable and determine their terms of office and compensation, if any.
- 7.5. **Meeting.** The Executive Committee shall meet as often as necessary, and in any event at least once in each quarter of the Financial Year. The date, time and place of the meeting shall be determined by the President. All meetings of the Executive Committee shall be called by a notice in writing issued by the Secretary-Treasurer by electronic mode or otherwise, where every notice calling a meeting of the Executive Committee shall state the date, time and place of the meeting and shall be served upon every Officer of the Executive Committee not less than fifteen clear days before the date appointed for the meeting.
- 7.6. **Quorum.** A majority of the members of the Executive Committee shall constitute quorum for the transaction of business at any meeting. The action taken by a majority of members present at a meeting at which a quorum is present shall be regarded as the action of the Executive Committee.
- 7.7. **Presiding Officer.** At all meetings of the Executive Committee, the President, or, in the absence, the Vice-President shall preside over the meetings of the Executive Committee.
- 7.8. **Voting.** Each member of the Executive Committee shall have one (1) vote. The members shall not be entitled to vote by proxy. The matters to be determined by the Executive Committee shall be decided by majority votes, provided that (i) in the event of there

being equality of votes on any question to be decided by the Executive Committee, the President shall have a casting vote; and (ii) in the event of disagreement between the members of the Executive Committee on any financial matter, the matter may be referred to the Governing Body for the final decision. No resolution may be considered at any meeting of the Executive Committee unless a copy thereof and all corresponding reports, documents and agenda papers in support of such resolution, or a summary of such report, are made available to the concerned members prior to the meeting.

7.9. **Representation.** Only the following actions shall be permitted on any resolution submitted to any meeting of the Executive Committee:

7.9.1. that the resolution be amended, provided that the President of the meeting rules that the proposed amendment does not substantially vary the terms. There shall be no appeal from the ruling of the Executive Committee;

7.9.2. that the resolution be “approved”;

7.9.3. that the resolution be “disapproved”;

7.9.4. that the resolution be “referred” either to the Governing Body or to some other standing or special committee of the Society; or

7.9.5. that the Executive Committee take “no action or position” on the resolution.

8. ADVISORY BOARD

8.1. There shall be an Advisory Board to advise the Governing Body and the Executive Committee on policy issues relating to admission to National Law Universities and improvement of legal education in the Member institutions.

8.2. Composition of Advisory Board

The Advisory Board shall consist of the following



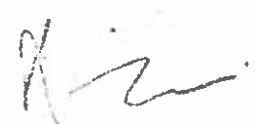
- 8.2.1. A former Supreme Court Judge to be nominated by the Chief Justice of India, who will be the Chairperson of the Board;
- 8.2.2. Chairman, Legal Education Committee, Bar Council of India;
- 8.2.3. Attorney General of India
- 8.2.4. Chairperson, National Testing Authority;
- 8.2.5. Director, Indian Law Institute;
- 8.2.6. One eminent Senior Advocate of the Supreme Court nominated by the Governing Body;
- 8.2.7. President of the Consortium
- 8.2.8. Vice-President of the Consortium
- 8.2.9. Secretary-Treasurer of the Consortium
- 8.2.10. CLAT Convenor
- 8.2.11. An alumnus of NLUs nominated by the Executive Committee

8.3. **Powers of the Advisory Board**

The Advisory Board shall advise and guide the Society in performing the following functions:

- 8.3.1. Improving continuing legal education in India;
- 8.3.2. Collaborative research and co-curricular activities;
- 8.3.3. Providing unbiased insights and ideas from a third point-of-view;
- 8.3.4. Method and means of generating funds through Government/others in furtherance of objectives of the Society;

8.4. **Meetings.** The Advisory Board shall not have any legal or financial obligation. It shall meet at least once every year. The Advisory Board meeting will be generally more informal than a regular meeting (as provided hereunder) with greater flexibility and a looser structure as compared with the meetings of the Governing Body or the Executive Committee. The agenda of the meeting shall be determined by the President of Society, which agenda shall be circulated by electronic mode or otherwise to all Officers of the Advisory Body by written notice at least twenty-one days prior to convening a meeting. The notice shall also



specify the date, place and time of such meeting with an option for attending the meeting either in-person or through video conferencing.

- 8.5. The video conferencing media shall meet the technical standards that allows the transmission of the image or at least the voice of the participants in a simultaneous and continuous manner so that the concerned member may be identified and their effective participation in the meeting is guaranteed. Failing this, the concerned member in question may not be counted as present and, in the absence of a quorum, the meeting shall be adjourned.

9. OFFICERS OF THE CONSORTIUM

The following shall be the officers of the Consortium:

- i) The President;
- ii) The Vice-President;
- iii) The Secretary-Treasurer;
- iv) The CLAT Convenor;
- v) Such other persons as may be designated by the Governing Body on the recommendations of the Executive Committee as an officer of the Consortium.

10. PRESIDENT

- 10.1. The President shall be elected at the Annual Meeting of the Governing Body by a secret ballot and shall hold office for a term of one year or until a successor has been elected.
- 10.2. Should a vacancy occur in the office of President due to the death or resignation of the President or for any other reason, the Vice President shall serve as President until the next Annual Meeting of the Governing Body.
- 10.3. The President shall prepare the agenda for every meeting of the Governing Body, Advisory Board and Executive Committee and transmit it to the Secretary-Treasurer, who shall make it a part of the notice of the meeting. In addition to such items as the President shall determine to be appropriate, the President shall include in the agenda any item directed to be included by the Governing Body, Advisory Board or based on a request received from a Member institution.

- 10.4. The President shall determine the order of business at each meeting of the Executive Committee.
- 10.5. The President shall exercise such powers as may be vested in him/her by the Governing Body and shall be the Chief Executive Officer of the Consortium.
- 10.6. The President may, in writing, delegate such of his/her powers the President may consider necessary to the Vice-President or the Secretary-Treasurer.

11. VICE-PRESIDENT

- 11.1. The Vice-President shall be elected at the Annual Meeting of the Governing Body by a secret ballot and shall hold office for a term of one year or until a successor has been elected.
- 11.2. Should a vacancy occur in the office of Vice President due to the death or resignation or for any other reason, a member of Executive Committee shall be nominated by the President to serve as the Vice-President until the next Annual Meeting of the Governing Body.

12. SECRETARY-TREASURER

- 12.1. The Vice-Chancellor of National Law School of India University, Bangalore shall be the ex-officio Secretary-Treasurer of the Society.
- 12.2. The Secretary-Treasurer shall have custody of the funds and accounts including relevant documents of accounts of the Society.
- 12.3. The Secretary-Treasurer shall be responsible for maintenance of accounts of the Society and of such bodies associated under it.
- 12.4. The Secretary-Treasurer shall receive all the money, funds and income on behalf of the Society and in particular by way of collection of fee including CLAT fee and other dues from the Member Institutions and others and shall report to the Society of all such defaults in payments due even after reminders and normal steps for recovery have been taken by his/her or at his/her direction.
- 12.5. The Secretary-Treasurer shall make a complete statement of the accounts for every Financial Year and get the same audited by

a senior Chartered Accountant nominated by the Governing Body and submit the same with the audited report to the Governing Body at the time of the Annual Meeting.

- 12.6. The Secretary-Treasurer shall perform such other function of act(s) as may be deemed necessary or expedient according to the directions of the Governing Body or the Executive Committee.
- 12.7. The Secretary-Treasurer shall act as Secretary of all meetings of the Governing Body, the Executive Committee and the Advisory Board and shall keep a complete record of the minutes thereof in the proper book and see that all notices required to be given are duly given and served. The draft minutes shall be presented for approval of President / Chairperson, Advisory Board as the case may be. The minutes of every meeting in case of the (i) Executive Committee; or (ii) Governing Body, shall be signed by the President. The minutes of the meetings shall contain: (i) the names of the persons present and represented; (ii) the agenda items; and (iii) the decisions adopted.
- 12.8. The Secretary-Treasurer shall be the custodian of the seal of the Society and shall affix the seal, or cause it to be affixed, to all documents, the execution of which on behalf of the Society under its seal is duly approved by the Governing Body.
- 12.9. The Secretary-Treasurer shall have charge of and preserve the books, documents records and papers of the Society relating to its organisation and management, and shall see that the reports, statements and other documents required by Law are properly kept and filed.
- 12.10. The Secretary-Treasurer shall perform all the duties incidental to the office of Secretary-Treasurer and such other duties as from time to time may be assigned to that office by the Governing Body.

13. CLAT CONVENOR

There shall be a CLAT Convenor.



- 13.1. The CLAT Convenor shall be elected each year by the Governing Body by a secret ballot for assisting the Executive Committee in the smooth conduct of CLAT.
- 13.2. CLAT Convenor shall be ex-officio member of the Executive Committee.
- 13.3. Executive Committee may delegate any power to the CLAT Convenor which may be necessary for the smooth conduct of CLAT and maintaining confidentiality of matters concerned therewith.

14. CONFLICT OF INTEREST The overall interests of the Governing Body, Executive Committee and Advisory Board shall have priority over the interests of the individual Officer. Each Officer shall, at all times, ensure that his/her private or professional interest, directly or indirectly, are not in conflict with the interests of the Society. In connection with their functions, Officers may not demand or accept unjustified benefits from third Person either for themselves or for other Persons or grant unjustified benefits to third Persons. Any Officer, with a potential or actual conflict of interest, is under an obligation to disclose such fact in writing to the President or in case of the President to the Vice-President as soon as the potential conflict is discovered and no later than the beginning of any meeting with regard to a particular item on the agenda. In the event of such conflict of interest, the Officer concerned shall, withdraw from the applicable meeting whilst the relevant item(s) of the agenda is being discussed and voted upon. Such conflict of interest must be clearly noted in the minutes of the meeting of the applicable meeting.

15. MEMBERSHIP

15.1. Membership to the Society shall be open to all NLU's established by Central or State Legislation.

15.2. Application for Membership

15.2.1. An NLU may become a member by making an application in the prescribed form addressed to the Secretary-Treasurer in writing, and stating its agreement, if

elected, to abide by the policies and the rules to which it may at any time be bound by from the time of its admission as a Member institution. The application shall be accompanied by copy of the Act establishing such National Law University and the Subscription Fee by a bank draft payable to the designated bank account.

15.2.2. A membership becomes effective only when the application has been evaluated and approved by the Governing Body and continues in effect until the Member institution withdraws or is no longer eligible for membership.

15.2.3. A Member institution shall deal fairly with applicants for admission to its programmes.

15.2.4. In determining whether a Member institution fulfils and can continue to fulfil the obligations of membership, the controlling issue is the overall quality of the school measured against the standards of quality articulated in Clause 15.3 and satisfaction of the conditions enumerated under the individual enactments establishing the applicable NLU.

15.3. Requirement of Membership

15.3.1. The obligation of membership is to ensure that the Member institution reflects the core values and standards set by the Consortium according appropriate respect for the autonomy of its Member institution.

15.3.2. The Society values and expects its Member institutions to value:

15.3.2.1. a faculty composed primarily of full-time teacher-scholars who constitute a self-governing intellectual community engaged in the creation and dissemination of knowledge about law and allied disciplines, legal



- processes, and legal systems, and who are devoted to fostering justice and public service;
- 15.3.2.2. academic freedom;
 - 15.3.2.3. diversity of viewpoints;
 - 15.3.2.4. excellent scholarship;
 - 15.3.2.5. excellent teaching;
 - 15.3.2.6. a rigorous academic program in the context of a dynamic curriculum that is both broad and deep;
 - 15.3.2.7. a diverse faculty hired, promoted, and retained based on meeting and supporting high standards of teaching and scholarship and in accordance with principles of non-discrimination;
 - 15.3.2.8. competent and professional staff to support the mission of the National Law Universities;
 - 15.3.2.9. selection of students based upon intellectual ability and personal potential for success in the study and practice of law, through a fair and non-discriminatory process designed to produce a diverse student body and a broadly representative legal profession; and
 - 15.3.2.10. honesty, integrity, and professionalism in dealing with students, faculty, staff, and the public.

15.3.3. In order that appropriate intellectual rigor may be maintained, a Member institution shall ensure that admission to every academic course or programme of study in each Member institution shall be based on merit assessed through a transparent and reasonable evaluation namely CLAT operated by the Society, prior to admitting any student. Provided that nothing in this provision shall be deemed to prevent a Member institution from making special provisions for the employment or admission of women, persons with disabilities or for persons belonging to any socially and educationally backward classes of citizens and, in particular, for the Scheduled Castes and the Scheduled Tribes.

15.4. Diversity: Non-discrimination and Affirmative Action

15.4.1. Subject to Clause 15.3.3, a Member institution shall provide equality of opportunity in legal education for all persons, including faculty and employees with respect to hiring, continuation, promotion and tenure, applicants for

admission, enrolled students, and graduates, without discrimination or segregation on the ground of race, colour, religion, national origin, sex, gender (including identity and expression), sexual orientation, age, or disability.

15.4.2. A Member institution shall pursue a policy of providing its students and graduates with equal opportunity to obtain employment, without discrimination or segregation on the ground of race, colour, religion, national origin, sex, gender (including identity and expression), sexual orientation, age, or disability. A Member institution shall communicate to each employer to whom it furnishes assistance and facilities for interviewing and other placement functions the Member institution's firm expectation that the employer will observe the principle of equal opportunity.

15.4.3. A Member institution shall seek to have a faculty, staff, and student body which are diverse with respect to race, colour, and sex. A Member institution may pursue additional affirmative action objectives.

15.5. Physical Facilities and Technology

A Member institution shall have adequate physical facilities, infrastructure and adequate technology to support a broad range of curricular offerings and the development of an intellectual community outside the classroom, and to support the research needs of its faculty and students.

15.6. Admission into Membership

15.6.1. An NLU applicant shall be admitted to membership on application upon payment of a one-time subscription fee of Rs. 5,00,000/- or a fee as determined by the Executive Committee, from time to time, (the "Subscription Fee"). No Member institution shall be regarded as a member where



the Subscription Fee remains in arrears for a period exceeding three (3) months from the date of making an application.

15.6.2. Upon admission the Member Institution's name shall be entered in the register of members.

15.6.3. Subscriptions shall be considered due in advance.

15.6.4. The payment of the Subscription Fee shall entitle the Member Institutions to all privileges of membership of the Society.

15.7. Voluntary withdrawal of Member institution

15.7.1. A member may withdraw from membership at any time by giving a written notice addressed to the Secretary-Treasurer.

15.7.2. The withdrawal shall take effect at the time specified in the notice.

15.7.3. A Member institution that withdraws or becomes ineligible for membership is entitled to receive no portion of the property (real or personal, tangible or intangible) of the Society upon its withdrawal or becoming ineligible for membership.

15.8. Register of Members

The Executive Committee shall maintain a register of members indicating their full names, addresses and details of every Member institution. If a Member institution is relocated to a new address, it shall notify the new address to the Secretary-Treasurer, who shall have the entry in the register of members modified accordingly. Where, however, a Member institution does not notify any change of address to the Secretary-Treasurer of the Society, its address as

given in the register of members, shall be deemed to be the correct address.

16. PUBLICATION OF ACCOUNTS, REPORTS & AUDITS

16.1. The Society shall, on or before June 30 of each year, publish an audited annual financial statement comprising of, *inter alia*:

16.1.1. the receipts and expenditure of the previous Financial Year; and a statement of grants made to Member Institutions for carrying out objectives of the Society;

16.1.2. a summary of the properties and assets and liabilities of the Society giving such particulars as will disclose the general nature of these liabilities and assets and how the value of fixed assets has been arrived at.

16.2. The audited financial statements shall be open to inspection by any Member institution during office hours and in the office of the Society, and a copy thereof shall be submitted to the Registrar within fourteen days after the Annual Meeting each year along with a list of the names, addresses and occupation of the members of the Governing Body then entrusted with the management of the Governing Body.

16.3. The Governing Body shall maintain at the registered office or at such other place with the State as it deems fit, proper books of account with respect to (i) all sums of money received and expended by the Society; (ii) all sales and purchases of goods by the Society; and (iii) the assets and liabilities of the Society.

16.4. The Society shall appoint an independent chartered accountant as an auditor who shall audit the accounts of the Society to be prepared by the Treasurer as hereinbefore provided and shall examine the annual returns and verify the same with the accounts relating thereto and shall either sign the same as found by him to be correct, duly vouched and in accordance with the Law, and specially report to the Society in what respect he finds incorrect, not vouched or not in accordance with the Law.



- 16.5. The external auditor shall be entitled to call for the examination of any papers or documents belonging to the Society.
- 16.6. For the purpose of enabling the Society to discharge its functions efficiently, and for its long-term sustainability, the Society shall maintain a fund to which shall be credited:
- 16.6.1. contributions towards the corpus of the Society at the time of registration;
 - 16.6.2. all fees and other charges received by the students appearing for the CLAT;
 - 16.6.3. all moneys received by way of grants, gifts, donations, benefactions, bequests or transfers; and
 - 16.6.4. all moneys received from utilisation of intellectual property arising from research conducted or rendering advisory or consultancy services by it.
- 16.7. All moneys credited to the fund shall be deposited in a separate bank account or invested in such manner as may be determined by the Governing Body.

17. CONTRACTS AND FINANCES; PROPERTY

17.1. Execution of Contracts

- 17.1.1. The Governing Body may authorise any Officer, in the name of and on behalf of the Society to enter into any contract or execute and deliver any instrument. The authority may be general or confined to specific instances.
- 17.1.2. Unless authorised by the Governing Body or the Executive Committee (under the authority of the Governing Body), no Officer or agent shall have any power or authority to bind the Society by any contract or engagement or pledge its credit or render it liable peculiarly for any purpose or to any amount.



17.2. Loans

No loans may be contracted on behalf of the Society unless authorized by the Governing Body. When authorized by the Governing Body, any Officer may effect loans and advances at any time for the Society from a bank or other financial institution or Person and execute and deliver promissory notes, bonds or other certificates or evidence of indebtedness of the Society and, when authorised to do so, may hypothecate or transfer any properties of the Society as security for any loans or advances. This authority may be general or confined to specific instances.

17.3. Property of the Society

The property, movable and immovable, of the Society shall be deemed to be vested in the Governing Body, and in all proceedings, civil and criminal, the property may be described as the property of the Governing Body of the Society.

18. SUITS BY AND AGAINST THE SOCIETY

- 18.1. The Society may sue and be sued in the name of Secretary-Treasurer.
- 18.2. Any judgment of the court shall be recovered against the property of the Society only and not against any property (movable or immovable), of any Officer of the Society.

19. DISSOLUTION

- 19.1. Notwithstanding the foregoing any number not less than 3/4th of the Member Institutions may determine at a Special Meeting (convened for this purpose) that the Society shall be dissolved and thereupon it shall be dissolved forthwith, and all necessary steps shall be taken for the disposal and settlement of the property of the Society, its claims and liabilities, according to these Bye-Laws and, as the Governing Body shall find expedient. Such Member




institution shall express the wish for such dissolution by their votes delivered in person.

- 19.2. In the event of dissolution, the requisitioning Member Institutions shall notify to the President in writing, indicating the reasons for the dissolution.
- 19.3. In the event of dissolution, the assets remaining on the date of dissolution shall under no circumstance be distributed amongst Officers or Member Institutions of the Society. Upon the dissolution of the Society, its assets remaining after payment, or provision for payment, of all debts and liabilities of Society, shall be distributed to a non-profit fund, foundation, or corporation which is organised and operated for charitable purposes similar to the Society and which has established its tax-exempt status under the IT Act.
- 19.4. The recipient society/trust may be declared by the Member institution present on the meeting by passing a resolution by a majority of not less than 3/4th of the Member Institutions present.
- 19.5. In absence of any such resolution, the disposal of assets and liabilities shall be disposed in accordance with the provisions of the KSR Act.

20. MISCELLANEOUS

- 20.1. **Individual Liability.** No Officer shall be personally liable in respect of any debt or other obligation incurred in the name of the Society pursuant to the authority granted directly or indirectly by the Governing Body or Executive Committee.
- 20.2. **Prohibited Loans.** No loans shall be made by the Society to any Officer or Member institution. Any Officer or Member institution, who assents to or participates in the making of any such loan, shall be liable to Society for the amount of such loan until it is repaid and to be disqualified.



20.3. **Amendments.** No alterations, amendments, additions or deletions shall be made to the MoA and these Bye-Laws without a resolution of the Executive Committee passed by 2/3rd majority of total membership and approved by a majority of not less than 3/4th majority of total membership of Governing Body at the Special Meeting of the Governing Body convened for this purpose. After a resolution for amendment the MoA or these Bye-Laws is passed, a return shall be filed with the Registrar within thirty days from the making thereof, in order to give effect to such amendment.

20.4. **Indemnification.** Any Officer who, while serving in one of the capacities at the Society, shall be indemnified by the Society, to the extent allowed under the Law, against all liabilities and expenses reasonably incurred by him or her arising out of or in connection with any threatened, pending, or completed civil action, arbitration, mediation, administrative proceeding, criminal prosecution, and investigatory action.

SIGNED ON BEHALF OF ALL THE SIGNATORIES

A handwritten signature in black ink, appearing to be 'K. S.', written in a cursive style.