

# CONSTITUTION of ALSA INDIA

Adopted on 1<sup>st</sup> May 2014.



## PREAMBLE:

We, as individual members on behalf of law students,

CONSIDERING the visions and objectives promulgated in the constitution of ALSA;

RECOGNISING the importance of interaction within Asian legal fraternity;

REALIZING the opportunity that contact and communication amongst Asian law students can provide in understanding the kaleidoscopic differences in the legal systems and education of different Asian states;

APPRECIATING that such dialogue can lead to solutions of the problems which our legal systems face today;

HAVE AGREED to the establishment of an association of general cooperation among law students of India based on provisions as follows.

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## **Article 1: Name**

The Association shall be known as the “Asian Law Students’ Association, India”, hereinafter referred to as “ALSA India”.

## **Article 2: Interpretation**

The following words and phrases will take on the assigned meanings unless otherwise stated:

- a. “National Chapter” means such ALSA’s National Chapter in India and an entity that is an association of Local Chapter(s);
- b. “Delegate(s)” means member(s) of ALSA India who are authorized by the National Chapter as representative(s) for certain national/international events of ALSA India/ ALSA;
- c. “ALSA India” means National Chapter of Asian Law Student Association in India.

## **Article 3: General Provisions**

### **Section 1. Extent and commencement**

- a. The constitution shall extend to all the chapters in India.
- b. It shall come into force on the 1<sup>st</sup> May 2014.

### **Section 2. Declaratory Statement**

- a. ALSA India shall be a non-political body.
- b. It shall be a non-profit association.
- c. It shall not indulge in any activity prohibited under the laws of India.

Any act(s) done or representation(s) made by any member contrary to above provisions shall be invalid and shall not bind other members of ALSA India.

### Section 3. Purpose/Objective

The objectives of the ALSA India are:

- a. to serve as a platform for interaction with other Asian law students;
- b. to contribute in improvement of the standard of legal education;
- c. to promote understanding of the diverse ideals of law present in the Asian societies and to conduct comparative studies of these diversities;
- d. to develop a culture of critical dialogue amongst Indian students;
- e. to encourage students to study law with an Asian prospective;
- f. to serve as a platform for capacity enhancement and skill building through cooperation with other Asian students;
- g. to conduct activities of a social, intellectual, and competitive nature amongst law students for the same.

### Section 4. Activities

It shall be the duty of the executive council to decided activities in the executive council meetings. The secretariat shall be responsible for carrying out such activities.

### Section 5. Official Language

English shall be the official language of ALSA India.

## Section 6. Logo

Placed above the Preamble is the logo adopted for ALSA India.

## **Article 3: National Chapter**

### Section 1. Membership

Following may apply for membership to the National Chapter:

- a. any student pursuing degree of law (recognized by Bar Council of India) in India may become a member of ALSA India;
- b. any person not falling in the above category may be inducted at the discretion of the National Board.

### Section 2. Location

The location and address of the National Chapter shall follow the address of the President.

### Section 3. Registration Fees and Membership Dues

- a. A registration fee of INR 100 (Indian Rupees One Hundred) shall be payable upon registration.
- b. The Committee shall have the power to fix a re-entrance fee for any person who has allowed his membership to lapse through arrears.
- c. Each such applicant shall be required to pay INR 100 (Indian Rupees One Hundred) as annual membership dues.



- d. Any member wishing to obtain the Membership Certificate and Membership Card as hard copy via courier, shall be required to pay INR 300 (Indian Rupees Three Hundred).

## **Article 4: National Board**

### **Section 1. Composition of National Board**

The National Board shall comprise of:

- a. Office of the President;
- b. The Executive Council, and
- c. Secretariat.

The President shall be the head of the National Board.

### **Section 2. Composition of Executive Council**

The Executive Council shall be comprise of:

- a. Vice President – Academic Activities
- b. Vice President – Public Relations
- c. Vice President – Seminars and Events
- d. Secretary-General;
- e. Treasurer;
- f. any other post created by the President.

The President shall preside over the Executive Council.

### Section 3. Composition of Secretariat

The Secretariat shall comprise of:

- a. Secretary General;
- b. Convenor – Northern Region;
- c. Convenor – Southern Region;
- d. Convenor – Eastern Region;
- e. Convenor – Western Region;
- f. Convenor – Central Region.

The Secretary General shall be the head of the Secretariat.

### Section 4. Functions and duties of Executive Council

The Executive Council shall have the following functions and duties:

- a. to formulate plans of action;
- b. to issue policy directives;
- c. to issue general directives;
- d. to devise activities for the achievement of ALSA objectives;
- e. to promulgate rules of conduct for the ALSA;
- f. to call a special assembly when extraordinary matters arise.

## Section 5. Functions and duties of the President

The President shall have the following functions and duties:

- a. to head ALSA India and the National Board;
- b. to carry out the constitution of ALSA India;
- c. to lead the National Chapter delegates in both national and international forum;
- d. to co-operate with other organizations for the benefit of the ALSA;
- e. to give directions and supervise the preparation and implementation of national activities;
- f. to elect the executive council;
- g. to constitute committees for any purpose;
- h. to induct honorary members in the National Board with the majority consent of the executive council.

## Section 6. Functions and duties of the Vice-President – Academic Activities

The Vice-President – Academic Activities shall have the following functions and duties:

- a. to assist the National Board President;
- b. to perform any duty delegated/assigned to him by the President;
- c. to establish an academic activities layout plan in accordance with the constitution for the term;
- d. to evaluate the theme and collect information about the conditions of the academic activities in Local Chapters with the assistance of the Secretary General through respective Conveners.

## Section 7. Functions and duties of the Vice-President – Public Relations

The Vice-President – Public Relations shall have the following functions and duties:

- a. to assist the National Board President;
- b. to perform any duty delegated/assigned to him by the President;
- c. to constantly contact and manage the respective sponsors of ALSA India;
- d. to produce promotional materials that is necessary to attract sponsorship of ALSA India;
- e. to oversee the manner of publication;
- f. to be the line of communication of ALSA with the internal organizations;
- g. to manage the day to day job for the cultivation of relationships and collaboration with other law student organizations;
- h. to plan the strategy for the expansion of ALSA India to other colleges, and to oversee the recruitment of new local Chapter.

#### Section 8. Functions and duties of the Vice-President – Seminars and Events

The Vice-President – Seminars and Events shall have the following functions and duties:

- a. to assist the National Board President;
- b. to perform any duty delegated/assigned to him by the President;
- c. to establish an layout plan in accordance with the proposed event/seminar;
- d. to manage the day to day job for the proposed event/seminar;
- e. to plan the strategy and execute the event/seminar.

#### Section 9. Functions and duties of the Treasurer

The Treasurer shall have the following functions and duties:

- a. to oversee all financial matters of the ALSA India;
- b. to prepare in advance the annual budget/ layout plan for the concerned year;
- c. to maintain the financial records of ALSA India;
- d. to make financial reports to the President every 3 months.

#### Section 10. Functions and duties of the Secretary General

The Secretary General shall have the following functions and duties:

- a. to manage the Secretariat;
- b. to collect and keep track of all the information of ALSA India;
- c. to coordinate internal meetings;
- d. to facilitate the flow of information between all ALSA India local chapters;
- e. to collect the progress of all tasks conducted within National Board along with of those conducted as ALSA India National projects;
- f. to record the minutes of all ALSA India national meetings that (s)he attends;
- g. to carry out the decisions of Executive council.

#### Section 11. Functions and duties of Secretariat

The Secretariat shall have the following functions and duties:

- a. to carry out the daily functions of the ALSA India.
- b. to implement plans of action;

- c. to implement directives;
- d. to issue general directives;
- e. to implement devised activities for the achievement of ALSA objectives;

#### Section 12. Functions and duties of the Convenors

The Convenors shall have the following functions and duties:

- a. to manage the respective regions;
- f. to collect and keep track of all the information of local chapters in respective regions;
- g. to coordinate regional meetings;
- h. to facilitate the flow of information between all respective region's local chapters;
- i. to collect the progress of all tasks conducted within the region;
- j. to assist a local chapter in its region in daily functioning;
- k. to advise and oversee a local chapter when the Chapter Head is impeached;
- l. to advise and oversee a local chapter when requested for assistance.
- h. to carry out any such activity delegated by the Secretary General.

#### Section 13. Honorary member

The president may designate honorary membership on any prominent personality of law.

## **Article 5: Selection of office bearers**

Annual call for applications shall be held in the month of April every year and offices shall be passed on 1<sup>st</sup> May every year. Any and all office bearers to the National Board shall be selected from the received applications.

### **Section 1. Eligibility to contest**

1. Any individual seeking to contest a National Board office should meet following educational criteria:
  - a. Completed 2 successful years or more in a 5/6 year integrated law course, OR
  - b. Completed 1 successful year in a 3 year law course, OR
  - c. Should have commenced LL.M degree program, OR
  - d. Should have commenced Ph.D Program.
2. It may be noted, no individual can run for any office at the national board until he/she has been a member with ALSA India for 1 year.

### **Section 2. President**

The outgoing President shall shortlist 3 such suitable candidates from the applicants. He shall appoint the new President from the shortlist after consultation with the Executive Council. (The counsel of the Executive Council shall not be binding on the President)

### **Section 3. Executive Council**

The outgoing President shall shortlist 3 such suitable candidates from the applicants for each post. The members of the executive council shall be appointed by the incumbent President.

#### Section 4. Secretariat

The incumbent office bearers of the executive council shall shortlist 3 such suitable candidates from the applicants for each post. The incumbent Secretary General shall appoint office bearers of the Secretariat.

#### **Article 6: Restrictions on office bearers**

- a. National Board Office Bearer shall not concurrently hold office in any position inside ALSA;
- b. National Board Office Bearer shall not concurrently hold office in any position inside ALSA India, unless appointed by the President in additional in charge capacity where such appointment cannot exceed more than three(3) months;
- c. Of all National Board Officers only an incumbent National Board President has the right to be elected as an ALSA International Board Officer.

#### **Article 7: Term of office bearers**

All office bearers of National Board shall hold office for one year or till 30<sup>th</sup> April of the academic session.



## **Article 8: Resignation and Termination**

### **Section 1. Resignation**

- a. Any National Board office bearers who wishes to resign from the Association shall give ONE (1) months' notice in writing to the Secretary and shall pay up all dues.
- b. Any member who wishes to resign from the Association shall give TWO (2) weeks' notice in writing to the Secretary and shall pay up all dues.

### **Section 2. Termination**

Any member who fails to comply with the rules of the Association or has acted in a manner to bring disrepute upon the Association may be expelled or suspended for a period of time as the President deems fit. Before the President expels or suspends the member, the member shall be informed of the grounds for such expulsion or suspension in writing/electronically and be given an opportunity to explain and clear himself in person. Such suspension or expulsion shall be enforced, unless otherwise reversed by a special meeting of the executive council upon appeal by the said member. On such termination, the member is expected to pay up all dues to the Secretary General.

- a. Tenure of a National Board office bearer found guilty of the above OR Constitution of ALSA India OR Constitution of ALSA International, shall be terminated by decision of President.
- b. Membership of any member found guilty of the above, shall be terminated by decision of the Executive Council.

## **Article 9: Secretary General's AD-Hoc Council**

1. Secretary General of ALSA India may appoint upto three (3) AD-HOC Councils at any given point of time to assist in his functioning and in the projects of ALSA India;
2. Each AD-HOC Council may not exceed more than 15 members;
3. An AD-HOC Council can be appointed for a maximum of three (3) months, with a possible extension of one (1) month on assent from the President;
4. No such AD-HOC member can be such who is not a member of ALSA India.

## **Article 10: Sanctions**

### **Section 1. Impeachment of President**

- a. The President can be impeached for violation of:
  1. Constitution of ALSA; and
  2. Constitution of ALSA India; and
- b. For impeachment of the President, special assembly can be called by 2/3<sup>rd</sup> of all the local chapters.
- c. The Executive Council shall be bound to conduct a special assembly within 1 month of receiving such request by 2/3<sup>rd</sup> local chapters. Such special assembly shall be chaired by the Secretary General.
- d. Majority of the delegates, present and voting, shall form the quorum for the impeachment.

### **Section 2. Sanctions on the Local Chapters**

- a. Sanctions shall be imposed on the local chapter if it violates its duties under the constitution;

- b. The Sanctions shall be executed in the name of the President of ALSA India.

Sanctions under this Section may include:

- a. Reprimand;
- b. Written Warning;
- c. Dissolution of the local chapter with the approval of majority of the delegates present and voting in a National Assembly;  
and
- d. Any other sanctions which the National Assembly deems fit.

## **Article 11: Advisory Board**

### **Section 1. Appointment of the Advisory Board**

The President may appoint an advisory board consisting of people who may help in the functioning of ALSA India.

### **Section 2. Removal**

The President shall have the authority to remove any/all of the member(s) of the board.

## **Article 12: Executive Council Meeting**

### **Section 1. Authority**

The decision of the Executive Council of the ALSA India shall possess the highest authority in all matters affecting the ALSA as a whole.

### Section 2. Frequency

- a. Executive Council Meeting shall be convened once every month by the President.
- b. The gap between two council meetings should not be more than 31 days unless there are special circumstances which make it impossible to convene a council meeting.

### Section 3. Quorum

- a. All decisions shall be taken by majority of the members present and voting.
- b. Each member shall have one vote.
- c. In case of a hung vote, the vote of the President shall be deciding vote.

## **Article 13: Extra Ordinary General Meeting (EoGM)**

### Section 1. Frequency

- a. EoGM shall be convened once every year by the President.
- b. The gap between two EoGM(s) should not be more than one year unless there are special circumstances which make it impossible to convene a council meeting.

## Section 2. Quorum

- a. It shall be compulsory for all National Board Members to attend the EoGM unless there are special circumstances which make it impossible for an individual to attend the EoGM.
- b. All decisions shall be taken by majority of the members present and voting.
- c. Each member shall have one vote.

## Section 3. Functions and duties of EoGM

The EoGM shall have the following functions and duties:

- a. to review the projects and policies;
- b. to establish the registration fee cap for National Assembly;
- c. to amend the executive guidelines of ALSA India;
- d. to accept, grant, and to exempt the status of Local Chapter.

## **Article 14: Annual General Meeting (AGM)**

### Section 1. Frequency

- c. AGM shall be convened once every year by the President.
- d. The gap between two EoGM(s) should not be more than one year unless there are special circumstances which make it impossible to convene a council meeting.

### Section 2. Quorum

- d. It shall be compulsory for all National Board Officers to attend the AGM.
- e. All decisions shall be taken by majority of the members present and voting.
- f. Each member shall have one vote.

### Section 3. Functions and duties of AGM

The AGM shall have the following functions and duties:

- e. to review the projects and policies;
- f. to determine the host of the next National Assembly;
- g. to review financial policy of ALSA India;
- h. to amend the executive guidelines of ALSA India;
- i. to accept, grant, and to exempt the status of Local Chapter.

## **Article 15: National Assembly**

“National Assembly” means the meeting of one representative of each local chapter.

### Section 1. Frequency

- e. National Assembly shall be convened once every year by the President.
- f. The gap between two council meetings should not be more than one year unless there are special circumstances which make it impossible to convene a council meeting.

### Section 2. Quorum

- g. All decisions shall be taken by majority of the members present and voting.
- h. Each member shall have one vote.
- i. Majority of the members of the local chapter will be counted as one vote.

### Section 3. Functions and duties of National Assembly

The National Assembly shall have the following functions and duties:

- j. to determine the Rules of the National Assembly;
- k. to amend the Constitution of ALSA India;
- l. to review the accountability report of the National Board;
- m. to amend the executive guidelines of ALSA India;
- n. to accept, grant, and to exempt the status of Local Chapter.

## **Article 16: Local chapters**

“Local Chapter” means such entity that is an association of members of ALSA India in one law school.

### Section 1. Establishment of a Local Chapter

Following shall be the requirements for the establishment of the local chapter:

- a. Candidate must submit a letter of request for forming the local chapter;
- b. Candidate must have a clear organization structure;

- c. Candidate must submit a plan of action which must include details regarding expansion of ALSA in the local area and funding;
- d. Candidate must be accepted in the National Assembly;
- e. It must be established in accordance with the constitution and the rules framed under it.

### Section 2. Rights of the local chapter

Local Chapter shall have following rights:

- a. to establish policies to coordinate activities that is held by Local Chapter as long as it does not contravene with higher regulations;
- b. establish autonomous policy for each Local Chapter as long as it does not contravene with existing regulations;
- c. to frame and carry out the autonomous policies in each Local Chapter as long as they do not contravene with existing regulations.

### Section 3. Duties of the Local Chapter

Local Chapters shall have following duties

- a. to assist the financing of National Chapter by contributing annual dues, if any;
- b. to send its delegates to national assembly, special national assembly or any other assembly;
- c. to abide by the results of national assembly, special national assembly or any other assembly;
- d. to submit a written draft program at least 3 (three) months after local executive board is established;
- e. to submit a written report periodically to National board for programs which have been executed by Local Chapters;



#### Section 4. Local Chapter Board

- a. The Local Board shall have a Chapter Head.
- b. The Chapter Head shall appoint other members of the board according to the requirements.

#### **Article 17: International Board Nominations**

To seek approval and nomination by any member of ALSA India for the International Board, he/she must have served at least one (1) year at the National Board of ALSA India.

#### **Article 18: Amendment of the Constitution**

- a. Constitution can be amended in the national assembly.
- b. A proposal for amendment must have a support of at least 2/3<sup>rd</sup> local chapters after consultation with the Executive Council.
- c. Amendments must be approved by at least  $\frac{1}{2} + 1$  of the total of attending members.

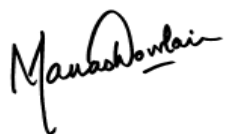
#### **Article 19: Dissolution**

- a. The Association may be voluntarily dissolved by a resolution of not less than 2/3<sup>rd</sup> of the membership present in a National Assembly.

- b. In the event of the Association being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the remaining funds shall be disposed of in such manner as may be decided upon by a National Assembly.
- c. Notice of dissolution shall be forwarded to the Registrar of Societies within 14 days of its dissolution.

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Adopted as on 1<sup>st</sup> May 2014, by:



**Manas Dowlani**  
President, ALSA India



**Sourya Banerjee**  
Secretary General, ALSA India