



THE CONSTITUTION OF SPORTS COMMITTEE

DR. RAM MANOHAR LOHIYA NATIONAL LAW UNIVERSITY
LUCKNOW

THE CONSTITUTION OF SPORTS COMMITTEE

PREAMBLE

This Constitution is to constitute/ reorganize the Sports Committee of Dr. Ram Manohar Lohiya National Law University and with the view to have, a stable and recognizable forum called the Sports Committee in Dr. Ram Manohar Lohiya National Law University, Lucknow.

For it is expedient to have law and regulations, providing for the constitution of the Sports committee and laying down the management, procedure and the functions of the Sports committee, and where necessary, to make provisions for regulating the internal affairs of the Committee so that it can serve the common good.

It is hereby enacted and adopted as follows-

PART I

PRELIMINARY

1. Short title, extent and commencement

- (1) This Constitution shall be called the 'Constitution of Sports Committee'.
- (2) It extends to Dr. Ram Manohar Lohiya National Law University, Lucknow (established by U.P. Act No. 28 of 2005) and matters connected therewith or incidental thereto.
- (3) Provisions of this Constitution (except Part IV) shall become operative after ratification by the Faculty In-Charge (FIC).
- (4) Part IV shall become operative on being notified by the Vice Chancellor.

2. Definitions

In this Act, unless it is specified otherwise or the context so demands-

- (1) "Joint Convener" means the senior most among the student members and the executive head of the Sports committee.
- (2) "Co- Convener" means the next to the Joint Convener (deputy) in the Sports committee.
- (3) "Executive Sub-Committee" means the apex decision-making body of the Committee and shall comprise of all the Office Bearers.
- (4) "Faculty In-charge" (FIC) means the formal head of the Sports committee as appointed or nominated by the University.
- (5) "Honorary Members" means and includes,

- (a) Certain persons picked up by the committee from the student body for a specific purpose on recommendation of the executive sub-committee and ratified by a simple majority of members of the Committee present and voting.
- (b) Previous office-bearers, if the executive sub-committee deems fit.
- (6) “Members” means, the current members of the Sports committee from the student fraternity.
- (7) “Mentor”, if any, means such former office bearer whom the executive sub-committee so appoints. Mentor shall advice the executive sub-committee on certain issues when requested. S/he shall be an honorary member.
- (8) “Office-bearer” means Joint Conveners, Co-Conveners, Secretaries, Treasurer and any other post created under this Constitution.
- (9) “Probationary Member” means those members who have become a part of the Committee on a trial basis. Such member shall have all the normal rights, unless specified otherwise, as any other member of the committee and shall become a full member on the beginning of next academic year or when the Joint Conveners so desire.
- (10) “Senior Member” means a member of the Sports Committee of 3rd year or above excluding the probationary members.
- (11) “Secretary” means a member of the Committee from the 4th year apart from the “Joint Conveners”.
- (12) “Sports Committee” means the committee set up in Dr. Ram Manohar Lohiya National Law University, Lucknow empowered under the provisions of this Constitution to regulate the sports activities of the University.
- (13) “Treasurer” means a member entrusted with the receipt, care, and disbursement of funds of the Sports Committee.
- (14) Any other expression, provision, term or word not defined but used in the Constitution shall be given its meaning as per the literal rule of interpretation, but if the context otherwise requires then recourse may be taken to the golden rule to overcome the ambiguity. The drafter shall be consulted in any such matter.
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PART II

INCORPORATION AND COMPOSITION OF THE SPORTS COMMITTEE

3. Establishment and incorporation of the Sports Committee

- a) A committee called the 'Sports Committee' shall exist as per the provisions of this Constitution.
- b) The committee may sue and be sued in the name of the "Sports Committee, Dr. RML National Law University, Lucknow" and it has a personality distinct from its members. A member shall not be held responsible in her/his individual capacity for discharging her/his functions under the provisions of this Constitution.

4. Composition of the Sports Committee

- (1) The Sports Committee may consist of the following:
 - (a) A maximum of 10 members from 1st year including probationary members. (Not more than 2 probationary members)
 - (b) A maximum of 10 members from 2nd year including probationary members. (Not more than 2 probationary members)
 - (c) A maximum of 10 members from 3rd year. (No probationary member)
 - (d) Under normal circumstances, no member other than the office-bearers from 4th year. However, a maximum of two members may be part of the committee, provided that the executive sub-committee so recommends to the FIC.
 - (e) No member of 5th year except 'Honorary Members' if any.
- (2) The member requirement for each academic session shall be decided by the executive sub-committee but cannot violate the sub-clauses of the abovementioned clause (1).
- (3) The Sports committee may consist of two Joint Conveners. The Joint Conveners shall be from 4th year only.

Provided that, if only one eligible member is elected, such person shall be designated as Convener and the expression 'Joint Convener(s)' shall then be read as 'Convener' for the purpose of interpretation.
- (4) There shall be two Co-Conveners. The Co-Conveners shall be from 3rd year only.
- (5)
 - (a) There shall be two posts of Secretary. They shall be from 4th year.
 - (b) The Secretary shall look after the grievances and complaints of the students regarding any sports activity. S/he shall report to the Joint Conveners regarding the same and apprise the executive sub-committee of the same. S/he shall assist and guide the Joint Conveners and the Co-Conveners in discharge of their duties.

(c) The Joint Conveners may assign other specific functions from time to time including matters related to the Annual Fest and other sports events.

(d) The Joint Conveners may delineate the sphere of functioning between the secretaries for better coordination and efficiency.

Provided that the FIC may, on the recommendation of the executive sub-committee, create an additional post of Secretary whose powers and functions shall be defined on such appointment. Appointment shall be made as per the procedure defined in this article open to all competent persons.

(6) There shall be a Treasurer of the Committee. The Treasurer shall be from 3rd year.

(a) S/he shall keep the copies of the annual budget of the Sports Committee and of every other event.

(b) S/he shall make minutes of meetings of the sports committee and provide a copy to every member through any practical mode of communication.

(7) The composition specified in clause (1) cannot be altered but for cogent reasons to be recorded in writing and consented to by at least 2/3rd of total members of the committee and ratified by the faculty in-charge. This clause supersedes all other clauses insofar as the composition of the Sports Committee is concerned.

(8) Every member of the committee (including probationary members but not honorary members) shall have one vote to exercise in matters where voting is to take place.

(9) It is a strict rule that all the offices of the committee shall be filled from amongst the members through elections unless specified otherwise. Provided that if such a scenario is not possible (no competent member wishes to hold an office), a general notice signed by the FIC is to be put up.

Procedure: A panel shall be constituted by the FIC of which he may be a member and the Joint Convener(s) may be a part of it, if the FIC so desires. The process to be followed for selection shall be informed to the candidates and such process must have the assent of the executive sub-committee. The office-bearer so appointed shall obtain a vote of confidence in the next meeting of the Sports Committee, failing which her/his appointment shall be deemed void.

Explanation: Competent Member for the purpose of clauses (5) and (9) shall mean such person who by virtue of her/his year of study is eligible to hold the office.

5. Entry of new members

- (1) Each academic session, members from all the batches/year of study may become members of the Sports committee as per Article 3 of the Constitution.
- (2) The power to select such members (except in cases of appointment/election) shall vest with the executive sub-committee to which the faculty in-charge shall give her/his assent.
- (3) The new members shall be selected based on interview(s), which shall be taken by the executive sub-committee. Honorary Members who have previously held any office may be requested to assist in such interviews.
- (4) In special and extraordinary circumstances, the above process may be conducted online. Online means include but are not limited to Skype, WhatsApp, Facebook, telephonic interview or any such means as is convenient and does not compromise the quality of the interview process. Such process can only be taken recourse to if the Joint Conveners so allow, the reasons for which are to be placed before the executive sub-committee and assent taken thereto.
- (5) Members selected through the process specified in the above clause shall be 'probationary member' until the next academic session unless a resolution to the contrary is passed in the committee.
- (6) Members from the same batch/year cannot be present as interviewers.

6. Succession in the Sports committee

- (1) Each outgoing office-bearer may nominate one member on her/his behalf. If any member wishes to contest the election, but is not nominated, may do so with the permission of the FIC. One person can contest for one post only.
- (2) The Committee members shall, through voting, elect for each such office under this Constitution in a meeting called for this purpose.
- (3) Notice of such meeting must be served at least 24 hours before election is to take place.
- (4) The meeting shall be presided and/or coordinated by the FIC or a faculty advisor nominated by him.
- (5) Voting may be done through electronic means in extraordinary circumstances, if the FIC so allows.
- (6) The members of the respective batches shall take over such offices as elected to immediately post public notification.

- (7) In case of equal votes for a post, the faculty in-charge shall adopt a just and fair criteria for selection and her/his decision after such process will be binding.
- (8) The election procedure shall be devised by the FIC in consultation with the outgoing Joint Conveners and should be just, fair and reasonable.
- (9) Challenges to the election on grounds of unfair means, misuse of authority by virtue of post and non-conformity to procedure shall be made before the Vice Chancellor who shall dispose of the petition within 30 days in consultation with the Chairperson. Only contesting members shall have *locus standi*.

7. Acting Office Bearers

- (1) A competent member may be given the additional charge of a post by the FIC on the recommendation of the executive sub-committee.
- (2) Such a recourse may be taken to when a post is vacant or the existing office bearer, for cogent reasons, may not be able to discharge her/his functions properly.
- (3) If such recourse is taken due to the post being vacant, such post must be filled within 3 months.

Notwithstanding anything in this article, if a disciplinary proceeding is pending against an office-bearer, the FIC may vest the authority of such office in another office bearer.

PART III

GENERAL FUNCTIONS AND INTERNAL AFFAIRS OF THE SPORTS COMMITTEE

8. Functions of the Sports Committee

- (1) The Sports Committee shall perform all the functions related to or furthering the cause of sports.
- (2) A function, which forms the subject matter of the sports activity of any kind, shall come within the jurisdiction of the Sports Committee.
- (3) Any sporting equipment that has been bought by the funds of the University/Sports Committee or is unclaimed by any person within 1 month of being notified to the University fraternity shall be deemed to be property of the Sports Committee to be used in accordance with the provisions of this Constitution.

- (4) Any member of the Sports Committee may exercise the power specified in the above clause to seize such property if in her/his opinion, it is not being used for the purpose it is intended for or is being misused. S/he shall inform the Joint Conveners of the same.
- (5) It shall be the function/ power of the Sports Committee to make rules/regulations in any matter within its jurisdiction.
- (6) **Rule Making Powers:**
- (a) The executive sub-committee may make rules for any matter under this Constitution in accordance with its provisions.
- (b) Rules made under Part IV shall come into force when ratified by the FIC.
- (7) A Bill may be passed with simple majority if such rules are made in a meeting of the committee.
- (8) A Bill for any other matter may also be passed with a simple majority except amendment to this constitution.
- (9) The Bill shall be sent to the FIC for her/his assent. S/he may send the bill for reconsideration with her/his advice within 1 week. The committee shall consider such advice and resend the bill with changes (if any) for assent and the FIC shall give her/his assent within 3 days post which the amendment shall come into force immediately.

Notwithstanding anything in this article or any other provision, no bill or rules shall come into force if it/they are inconsistent with the provisions of this Constitution.

9. Meetings of the Sports Committee

1. The Joint Conveners (or the Co-Conveners) shall fix meetings and their venue (to be within the University) and their decision shall be binding on the members of the committee.
2. The Joint Conveners shall have the power to make rules in this behalf.
3. Unless it is an emergency, members are to be informed 24 hours before.
4. The quorum for any meeting is 35% of the total members of the Sports Committee.
5. Quorum rule does not apply if the meeting has been reconvened after the last one was adjourned for lack of quorum.
6. No meeting shall be called for during holidays and semester breaks except in emergencies.

10. Procedure for the termination of the members

- (1) If a member is unable to attend the meeting having being notified 24 hours in advance, must inform any office bearer of such absence.

- (2) If there is contravention of the above sub-clause then the member shall not be answerable only if he personally explains a valid reason for her/his prior absence before or at the next meeting.
- (3) Contravention of clause (2) twice or more may lead to expulsion by the executive sub-committee under clause (4).
- (4) For the proceedings under clause (3), the presence of the accused is not essential, if s/he is served a notice 48 hours before such process is to begin. If he s/he so desires, s/he shall be given an opportunity to defend her/himself.
- (5) If in the opinion of the Joint Conveners or the Co-Conveners, a member is not able to perform her/his functions or he is unsuitable for being the member of the Sports committee, they may expel such member but,
 - (a) Notice shall be served 24 hours in advance.
 - (b) The executive sub-committee should pass a resolution to this effect
 - (c) Opportunity to defend him/herself shall be granted
 - (d) There has to be final ratification by the faculty in-charge.
- (6) A member shall be deemed to have vacated her/his office if he has resigned, become insolvent or of unsound mind or disqualified of being the member of the Sports Committee or the University under any of its laws for the time being in force.
- (7) If a member is assigned or delegated a task, which he does not perform diligently, expeditiously and efficiently without just and reasonable cause, it shall become a ground for disciplinary proceedings before the executive sub-committee.
- (8) A probationary member may be removed by simply serving him/her a notice and granting him an opportunity to be heard, if such member is not able to perform her/his functions or he is unsuitable for being the member of the Sports committee. The executive sub-committee should pass a resolution to this effect.
- (9) An appeal shall lie to the FIC who shall dispose of the appeal within 1 month except for proceedings under clause (5). This clause is inapplicable for probationary members.

Notwithstanding anything in this article, the Joint Conveners, on the recommendation of the Co-Conveners, may cease membership of an existing member with immediate effect pending disciplinary proceedings. Such recourse shall be valid for a maximum of seven days and cannot be used twice against one member.

11. Removal of an Office-Bearer

- (1) Any member, along with at least 20% of total members, can move a proposal to this effect after serving a notice to the committee members 48 hours before moving such a proposal.
- (2) If the proposal is being moved against the Joint Convener(s), the FIC shall be informed.
- (3) The reasons for moving a proposal must be discussed in the meeting at length and an opportunity to be heard must be granted. The FIC or a faculty member nominated by him shall preside a meeting called for the removal of a Joint Convener. The Joint Convener(s) shall preside otherwise.
- (4) Such a proposal can only succeed if two-thirds of the members present support it.
Explanation: Abstaining to vote for this purpose shall mean to oppose the motion.
- (5) Once the proposal is passed, it is to be ratified by the FIC. If s/he refuses, the committee shall reconsider the proposal in the light of the FIC's advice. If the proposal is resented to remove the office bearer after such reconsideration, the FIC shall give her/his assent within 7 days.
- (6) An appeal shall lie to the Vice Chancellor, who may set aside the removal by a Speaking Order after a fair hearing.
- (7) An office-bearer removed for the second time after due process shall have no right of appeal to the Vice Chancellor.
- (8) The quorum for such meetings shall be 60% of the total members.

Notwithstanding anything in this article, the FIC may on the recommendation of 2/3rd of the members of the executive sub-committee (excluding the office bearer against whom such recommendation is made) divest such office bearer of her/his authority and vest them in a competent member pending removal proceedings.

12. Dual Membership

- (1) A member of the Sports Committee shall NOT be allowed to hold any post or be a member in any other committee(s) (except Mess Committee) in the University. A member who takes membership of any other committee shall instantaneously cease to be a member of the Sports Committee without any hearing.
- (2) Academic Societies/Centres and similar groups are exempt under the above clause.

13. Procedure for amendment

1. A notice is to be served to every member of the committee at least 72 hours before the meeting for such amendment is to take place. The proposal for such amendment should also be e-mailed/sent to every member of the committee at least 48 hours before the meeting for such amendment is to take place.
 2. Any process for such amendment shall deem to have started once the notice specified in clause (1) is served to every member. No such process can be initiated when the University is not in session i.e. summer/winter break and official holidays.
 3. The Quorum for such meeting is 50% of the total members of the committee.
 4. The provisions of the Constitution shall only be amended by a proposal initiated with the approval of a minimum of 20% of the members of the committee present at the meeting.
 5. That proposal shall contain the object and reasons for the proposed amendment.
 6. Not less than two third majority of the members present shall pass the proposal.
 7. The Bill shall be sent to the FIC for her/his assent. S/he may send the bill for reconsideration with her/his advice within 1 week. The committee shall consider such advice and resend the bill with changes (if any) for assent and the FIC shall give her/his assent within 3 days post which the amendment shall come into force immediately.
 8. Article 13 may be amended following the process specified above.
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PART IV

POWERS OF THE SPORTS COMMITTEE

14. Disciplinary Powers of the Committee

- (1) The Committee shall have wide disciplinary powers to punish any act or omission or conduct of any member of the student fraternity if such an act or omission or conduct:
 - (a) Causes damage to the property of the Committee or anything within its jurisdiction.
 - (b) Brings disrepute or disgrace to the student fraternity or the Sports Committee or the University itself.
 - (c) Creates an environment that is not conducive or becomes a hurdle in promoting sports or activities within and in relation to the University.
- (2) The Committee shall also exercise its disciplinary powers with respect to team(s) or contingent(s) sent to other University/College/Institute if it finds:

- (a) That the conduct of such person or group of persons was unbecoming of a member of the team representing the University and such conduct has brought or had the ability to bring disrepute to the Committee or the University.
 - (b) That the rules formulated for such participation and the conduct of players, have been violated.
 - (c) That any person participating deliberately conducts himself in such a manner that hampers the morale and/or performance of the team(s).
- (3) Proceedings and action:
- (a) Such punishment/action proceedings shall take place in a meeting of the executive sub-committee called for this purpose and one of the office-bearer shall apprise the sub-committee about the matter at hand.
 - (b) If proceedings are under clause (2) of Article 14, the Captain shall be summoned to give her/his viewpoint, provided that the proceedings are not against her/him.
 - (c) After providing a chance of defending her/himself before the sub-committee, it shall take a decision that is just, fair and reasonable.
 - (d) A copy of the order shall be provided to the concerned person for her/his use.
- (4) The maximum punishment in respect of use of sports facilities that can be inflicted upon a person without ratification from the FIC is a ban from using a particular or all the sports facilities for a maximum of 15 days.
- (5) The maximum ban with the approval of the FIC shall not exceed the current semester.
- (6) The Committee may impose fines/ monetary payment of damages caused if the case so requires. Such order shall need to be ratified by the FIC.
- (7) An appeal shall lie to the Vice Chancellor within 7 days from the date of receiving the copy of the order who shall dispose of the appeal in consultation with the FIC within 30 days.
- Without prejudice to provisions of this article, punishment under clause (2) of this article shall be strict and rules shall be enforced in the strictest possible form.

15. Special Powers/Functions of the Committee

- (1) It shall be the exclusive power/function of the committee to send a contingent/team(s)/student(s) to represent the University in sport events/ fests in any other University/College/Institute.

(2) The Committee is bound to reimburse the students as per the policy framed from time to time. Such reimbursement shall be subject to the availability of funds.

(3) General Rules for such participation

(a) In sports for which a 12 to 15 member squad is being sent, under no circumstances shall more than 5 members be from a single year/same batch.

(b) In sports for which a team of 8 to 11 members is being sent, under no circumstances shall more than 4 members be from a single year/same batch.

(c) Without prejudice to the abovementioned clauses, an additional member may be selected provided that the Captain gives the reason in writing to the Joint Convener. The decision of the executive sub-committee shall be final and binding.

(d) It shall be the duty of the Captain, in consultation with senior sportspersons, to select the best possible team from amongst the regular players of the sport without any personal vendetta/interest/prejudice.

(e) The Captain for each sport shall be appointed by the Joint Conveners on the recommendation of the Coach, if any, and the previous Captain.

That such previous Captain shall form his opinion in consultation with the players of the sport.

That the Joint Conveners shall exercise their discretion only in cases of deadlock or alleged impropriety on part of the person so recommended. The Captains are to be appointed at least 1 month before the proposed date of sports event/fest except in exceptional circumstances.

(f) The FIC may appoint a faculty member to supervise the process of selection of the team for one or more sports. In case of conflict between the Captain and the faculty member which cannot be resolved, the decision of the FIC shall be final and binding.

(4) Every other event including but not limited to FENZA (intra-level) events for which the sports committee sanctions any funds shall come under its jurisdiction and control.

(5) The executive sub-committee in consultation with the players of such sport shall appoint the Organizing Committee for each event.

(6) The Organizing Committee shall provide the details and roadmap of the event prior to its commencement and submit a report after completion of the event.

PART V

MISCELLANEOUS

16. Repeals

Any other act or rules/regulations or a similar document such as this applicable to the Sports Committee or any other practice or procedure so applicable is hereby repealed with immediate effect.

Provided that rules enacted for a specific purpose not covered under this Constitution shall remain in effect if they are consistent with the provisions of this Constitution, until repealed.

17. Savings

The Constitution shall neither effect nor shall be deemed to effect any right, title, interest, obligations or liability already acquired, accrued or incurred before the commencement of this Constitution. However, any such inconsistency with the Constitution accrued before its commencement shall have to be ratified by simple majority of the committee and assented to by the faculty in charge.

18. De Facto Powers

- (1) For such duration of time when an office is vacant, the functions and powers shall vest in one of the Joint Conveners as the FIC decides or any member whom the Joint Conveners after consulting the FIC delegate such functions and powers.
- (2) For every matter within the committee's jurisdiction, the committee may frame rules in accordance with the provisions of this Constitution and no other authority shall have this power.

19. Emergency Powers

- (1) In matters where this constitution does not provide remedy to emergent situations, the executive sub-committee may pass a resolution to regulate such matters. Such resolution shall have the force of a Bill passed by the committee. It shall come into force on such date when notified.

- (2) The committee must ratify such resolution passed under clause (1) of Article 20 with a simple majority within 30 days from the date of notification failing which it shall become null and void.
- (3) Successive promulgation under clause (1) for the same matter is prohibited.
- (4) After ratification under clause (2) of Article 20, it must be sent to the FIC for her/his assent. S/he may send such rules back for reconsideration with her/his advice within 1 week. The committee shall consider such advice and resend the rules for assent and the FIC shall give her/his assent within 3 days post which they shall come into force immediately.

20. Interpretation

- (1) In case there arises an ambiguity in the meaning of any provision(s) and it is expedient to clarify, the Office Bearers and the drafter shall be responsible for it.
 - (2) The committee may however over rule their interpretation by a simple majority vote and assign meaning in accordance with the provisions of the Constitution.
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**DRAFTER: SUSHANT KUMAR
(CLASS OF 2023)**