

5.7: Affiliation etc -

- (i) Report on the functioning, Governing Body etc. of the Shillong Law College, Shillong.

The Academic Council in its 54th meeting held on 21st and 22nd November, 1996 constituted a Committee consisting of the following members for inspection of the Shillong Law College and look into the legal Status of the Trust of the College and Constitution of the Governing Body.

1. Prof. A.C. Sinha	-	Chairman
2. Prof. J.P. Singh	-	Member
3. Prof. P. Passah	-	-do-
4. Prof. V.K. Kumar	-	-do-
5. Prof. A.C. Mohapatra	-	-do-

The Committee had submitted its recommendation and report (Annexure-'A' and 'B' respectively) which were placed before the 55th Academic Council meeting held on 2nd and 3rd May, 1997.

The Academic Council deliberated on the state of affairs of the Shillong Law College and resolved as follows:

1. The College may be requested to apply for renewal of its affiliation to the University immediately.
2. By the time of Inspection the Principal, Shillong Law College shall have to constitute the Governing Body of the College.
3. The College be asked to fulfil the conditions/ observations laid down by the special Inspection Team appointed by the Academic Council and the Inspection Team to go in for another inspection to see that all the requirements have been fulfilled failing which the Vice-Chancellor is authorised to stop admission with effect from the next Academic Council.

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4. Information may be sought from the other Law Colleges affiliated to the University to find out if they have been able to fulfil the requirements laid down by the Bar Council of India and the University may approach the BCI to extend the last date for fulfilment of the conditions laid down by it as a special case.

Copy of the Memorandum and Articles of Association of the Shillong Law College is placed at Annexure-'C'.

The matter is placed before the Council for consideration.

The Committee had submitted its recommendation and report (Annexure-'A' and 'B' respectively) which were placed before the Academic Council meeting held on 2nd and 3rd May 1975.

The Academic Council deliberated on the state of affairs of the Shillong Law College and resolved as follows:

1. The College may be requested to apply for renewal of its affiliation to the University immediately.
2. By the time of inspection the Principal, Shillong Law College shall have to constitute the Governing Body of the College.
3. The College be asked to fulfil the conditions observations laid down by the special inspection team appointed by the Academic Council and the inspection team to go in for another inspection to see that all the requirements have been fulfilled. Pending which the Vice-Chancellor is authorised to stop admission with effect from the next Academic Council.

RECOMMENDATIONS OF COMMITTEE CONSTITUTED BY NEHU ACADEMIC COUNCIL TO INSPECT SHILLONG LAW COLLEGE(Under NEHU Statutes 33(4))

1. Terms of Reference(No.AC: 54: 96: 5: 8: (iii)
 - (i) To look into the problems of the Shillong Law College
 - (ii) The legal status of the Governing Body of the college and
 - (iii) The overall requirements of affiliation of the college to NEHU.
2. Members:
 1. Prof.A.C.Sinha (Chairman)
 2. Prof.K.Kumar (Member)
 3. Prof.J.P.Singh (Member)
 4. Prof.P.M.Passah(Member)
 5. Prof.A.C.Mohapatra(Member)
3. General Background :
 - (i) The Shillong Law College was established on 26.9.1964 under the Societies Registration Act,1860 with a Memorandum and Articles of Association with 22 articles.
 - (ii) The College was affiliated to Gauhati University till 19.7.1973 when jurisdictional changes took place resulting from enactment and establishment of NEHU under NEHU Act, 1973 and the college came under affiliation to NEHU.
 - (iii) The college formally approached for affiliation to NEHU and was granted provisional affiliation in 1973(Let No.AFF/MES/LC/Z2/73/5183 dt.Dec.10,1973)*. The last *Ann-'J' available document on affiliation made available to the Committee was of 19.1.79(Let No.F.45/145F/78-79/102.52-31) for renewal of affiliation for 1979-80.
 - (iv) Art 4 of the Memorandum & Articles of Association states "... Governing Body shall be reconstituted from time to time according to the rules of the University to which the College is affiliated ". It may be noted that the college has been reconstituting its Governing Body at interval of 3 years by a "practice" of the outgoing Governing Body suggesting the new Governing Body except for University nominees etc.

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(v) An exception took place to this practice in 1991 when the outgoing Governing Body did not suggest the name of the new Governing Body. Under the principle of Institutional Continuity, since there is no other transitional provision exists in the Memorandum of Association, the Governing Body of the college is a perpetual body, renewing itself from time to time. However, in this case the Secretary of the GB himself suggested a list of members to NEHU which NEHU accepted by nominating two members to the GB for a term of three years. This has been a matter of dispute between several parties from within & outside the College.

(vi) Between 1991 and 1995 the GB of Shillong Law College has been meeting regularly with participation of NEHU nominees. In 1995 the outgoing GB has suggested the names of the new GB, as was the practice earlier.

4. Member present on Inspection of SLC on 16.12.1996 -

1. Prof. A.C. Sinha (Chairman)
2. Prof. J.P. Singh (Member)
3. Prof. P.M. Passah (Member)
4. Prof. A.C. Mohapatra (Member)

Prof. K. Kumar was out of station.

5. The Committee could only visit the college under TOR of the Academic Council on 16.12.96 and not before 10.12.1996 due to administrative delays, met the Principal, called for relevant documents, inspected the Library and other infrastructure of the college which is appended in NEHU College Inspection Report Format separately for ready reference. The Committee also met some teachers and students of the college on 16.12.96 and on 17.12.1996.

6. It recommends the following to the council:

(i) The constitution of the Governing Body of the Shillong Law College is guided by the "Memorandum and Articles of Association of Shillong Law College, Shillong" of September 26, 1964, duly registered under the Societies Registration Act 1860 vide Reg. No. 93 of 1971-72 of 3.9.1971. (Copy of Reg. Certificate and the Memorandum & articles of Association enclosed).

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(ii) It appears that there is a breakdown of communication between the Principal and the teaching staff of the college which has vitiated the academic and administrative atmosphere of the college and construe perhaps the main problem in the running of the college.

(iii) The inclusion of Mr. B.K. Debsarma (the then CDC, NEHU, Shillong) in the GB of SLC as per notification No. LCS (91) 9 dt. 19.3.1991 created an impression that perhaps he along with the other two NEHU representatives into the GB were NEHU representatives (three). Since the Director, CDC administers the affiliation relationship between the University and the college, normally, unless otherwise so desired by the Executive Council of NEHU, should not be a member of the Governing Body of a college.

(iv) In light of representations from various quarters regarding reconstitution of the GB of SLC, the University may consider requesting the outgoing GB to be reconvened and reconsider a list of members and office bearers of the new GB and also may consider the opinion of the teaching staff of the college on the matter while preparing the new list.

Sd/-Prof. A.C. Sinha (Chairman)
Prof. P.M. Passah

Prof. J.P. Singh
Prof. A.C. Mohapatra

FOR NEW COURSE/UPGRADATION

INSPECTION REPORT

1. Name of the college: SHILLONG LAW COLLEGE
2. a) Year of affiliation & corresponding University Notification No. AFF/MEG/LC/72/73/5183 dt. 10 December, 1973.
- b) Level to which affiliation: BA/B.Sc/B.Com./LL.B. LL.B Course (Preliminary, Inter Final) have also applied for Permanent affiliation.
3. Affiliation/Permission sought to upgrade to or B.A/B.Sc/Pass Course in

Introduction	No
Introduce (a new subject	
B.Sc.Hons in	No
B.Com.in	
4. Admission (for the last three years)

YEAR	LL.B			Total	
	Ist Yr.	IIInd Yr.	IIIYr.		
1994-95	544	312	166	-	1122
1995-96	427	393	199	-	1019
1996-97	390	248	235	-	873

5. Result of University examination during the last three years.

EXAMINATION	YEAR	PERCENTAGE PASS
Preliminary	1994(Jan.)	28.04%
Intermediate	"	37.5%
Final	"	28.81%
Preliminary	1994(Oct.)	17.10%
Intermediate	"	61.72%
Final	"	28.81%
Preliminary	June/95	15.9%
Intermediate	"	43.85%
Final	"	11.66%

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Preliminary Law	Jan/96	22%
Intermediate	"	38%
Final	"	37%
Preliminary Law	July/96	20.00%
Intermediate	"	10.98%
Final	"	35.94%

6. In case the College is seeking Honours in a subject(s) for which it has already a Pass Course please give below the No. of students admitted in the last three years and their results for these years in the SUBJECT in which College has applied for Honours.

YEAR	NO. OF STUDENTS APPEARED	% SUCCESS
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7. FUNDS

- (a) Whether the college is having a Reserve Fund in long term Fixed Deposit : Yes
- } Rs. 20,00,000 Lakh till
- } S.B.I., SHILLONG Branch
- } No. of Term Deposit Receipt, etc.)
- (b) Present working fund : (a) No(1) TR. 107616-107618
dt. 3.1.96 (3Nos)
(2) TR No. 107626 dt. 12.1.96
Rs. 9,57,000/-

8. Qualification/Specialization of the teaching staff of the relevant subjects only)

NAME AND DESIGNATION	QUALIFICATION (WITH GRADE & SUBJECT IN P.G.)
1. Mr. H. Ahmed, Principal	M.A., LL.B Part time
2. Mr. L. Marbaniang - Vice-Principal	M.A., LL.B "
3. Mr. B. P. Dutta Lecturer	M.A., LL.B "
4. Mr. V. K. Jindal Lecturer	M.A., LL.M "
5. Mr. K. Rahman Lecturer	B.A., LL.B "
6. Mrs. M. Sarma Lecturer	B.A., LL.B "
7. Mr. S. C. Shyam Lecturer	M.A., LL.B Contract

Contd./.../-

8. Mr.D.P.Chakraverty	Lecturer	M.A LL.B	Contract
9. Mr.B.N.Dutt	Lecturer	B.A.LL.B	"
10. Mr.S.P.Sharma	Lecturer	B.Com.LL.B	"
11. Mr.J.W.Kharir	Lecturer	B.A.LL.B	"
12. Mrs.R.A.Begum	Lecturer	M.A.LL.B	"

Attach extra sheets if necessary

From Sl.No. 1 to 6 Part time Lecturers.

From Sl.No. 7 to 12 on contract basis.

Note: The Principal acts as whole time and takes no remuneration for his Lectures.

1. Mr. H. Anand, Principal	M.A LL.B	Part time
2. Mr. B. Narayanaiah, Vice-Principal	M.A LL.B	"
3. Mr. B. P. Dutta	M.A LL.B	"
4. Mr. V. K. Jindal	M.A LL.B	"
5. Mr. K. Rajan	B.A LL.B	"
6. Mrs. A. Sarma	B.A LL.B	"
7. Mr. S. C. Shyam	B.A LL.B	Contract

NOTE: THE UNIVERSITY REGULATION STIPULATES THE FOLLOWING
STAFFING REQUIREMENT

LEVEL/CLASS	MINIMUM NO. OF TEACHERS IN EACH SUBJECT
a) Degree Non-Laboratory(Pass)	Two in all subjects & 3 in English
b) Degree laboratory(Pass)	Six of whom four should be lects.
c) Degree Non-Laboratory(Pass) + Hons.	Four in all subjects other than English & other Elective languages in which there should be at least five.
d) Degree laboratory(Pass) +Hons.	Seven of whom six shall be lects.

9. LAND AND SITE

a) Whether the college is having permanent building on its own land : Yes

b) Area of the college campus 1.60 (Acres)

c) Accommodation(give size):-

1) One room for the Principal 300 sqf 36 sqf

2) One room for the Vice-Principal No

3) One room for the college office 360 sqf

4) For Staff Common room ----- Adequate 60 sqf

5) Common room for boys and girls 1,500 sqft 72 sqf.

6) Library with reading room 3,900 sqft.

7. Class room 1500 sqft each adequate For 6 Class

10. Workload of Teachers : 6 Lectures Per weeks each

11. Library books: More than 5000 Volumes

Total Volumes.

Subjectwise break-up(of relevent subjects only):

(1) Law subjects
as per University Syllabus

(2) Journal and Law reports.etc.

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- Whether the College has a trained Librarian :- No
12. Laboratory facilities
a) Whether accommodation is adequate or not : Yes
b) No. of shifts the students do their practicals: NA
13. When was the last Governing Body meeting 1.11.95
14. Any other relevant information(s) /Point(s)

RECOMMENDATIONS

Please make your recommendation without any ambiguity. In case you suggest provisional affiliation for a particular period, please mention the academic year specifically. Please also mention the conditions, if any, to be fulfilled if extension of affiliation is to be considered.

1. There are no full time regular teachers.
2. The number of the students is large and the college should follow NEHU norms for the class rooms.
3. Library facilities are adequate
4. It appears that since 1980-81 the college has not sought for academic affiliation. If so, the NEHU may ask for the college seeking affiliation

Sd/-A.C.Sinha

Sd/-J.P.Singh

Sd/-A.C.Mohapatra

Signature of the members
of the Inspection Team

Annexure 'C'Memorandum and Articles of Association of
Shillong Law College, Shillong.

Estd - 26th September, 1964.

1. Name :- The name of the Society is Shillong Law College (Hereinafter known as the College).
2. Situation :- The Head office of the College is situated in Shillong within the State of Assam.
3. Object :- The objects of the College is (I) to propogate the study of law according to syllabus prescribed by the University (2) to propogate education in general.
4. Governing Body :- The College shall have a Governing Body for administration of affairs of the College. The Governing Body shall be reconstituted from time to time according to the rules of the University to which the College is affiliated. One third of the members of the Governing Body shall form a quorum.
5. Power to hold property and to enter into contract :- The Governing Body shall have power to hold or dispose of property and enter into contract on behalf of the College. All properties shall be held and contracts entered into in the name of the Secretary.
6. Meeting of the Governing Body :- The Secretary shall call meetings of the Governing Body as and when necessary. One third of the members may requisition a meeting at least ten days before the date of meeting.
7. Names and address of the members of the Governing Body :- The following are the members of the Governing Body of the College :-

	Name	Address & Occupation	Description
1.	Shri Maham Singh	Advovate, Shillong.	President
2.	" Aaran Alley	-do-	Member
3.	" D.N. Dutt	-do-	-do-
4.	" N.M. Palit	-do-	-do-
5.	" N.Ahmed	-do-	-do-
6.	" L.Sharma	Principal	Secretary
7.	" P.K.Choudhury	Frontier Times, Shillong.	Member
8.	D.P.I., Assam, Shillong	Shillong	Ex-Officio Member
9.	Advocate General Assam, Shillong.	Shillong	-do-

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8. Office bearers of the Governing Body :- The Governing Body shall have a Secretary and a President elected by it.

9. Office bearers of the College :- The College shall have a Principal, Vice-Principal and Teachers and other staff as required from time to time under rules of the University and also according to the volume of the administrative works.

10. Funds :- The principal sources are : (I) Grants from the Government, University Grants Commission and Charitable bodies.

(II) Tuition fee and other fees levied by the College.

(III) House rent income.

(IV) Donations from the members of the public or public bodies.

11. Accounts :- The funds of the College shall be deposited in such banks as approved by the Governing Body. There shall be as many accounts in the bank as may be necessary.

The Secretary and the President shall jointly sign cheques for withdrawal from the general fund. The Principal shall sign cheques for withdrawal from other funds e.g. Building Fund, Annual Social Fund, Exam Fund, Scholarship Fund etc.

12. Annual general meeting :- An annual general meeting of the College shall be held with students and teachers' participation. There shall be a President for the General meeting and the President shall be selected by the teachers and the students, 50 members of which at least 3 are teachers shall form the quorum.

The Secretary shall present an annual report in the annual meeting. A revenue account of the College for the year under report shall be presented in the meeting.

13. Budget :- The Governing Body shall sanction annual budget for the College.

14. Salary :- The Principal, Vice-Principal, Teachers and the staff shall be paid such salary or remuneration as may be sanctioned by the Governing Body from time to time.

15. Audit :- The accounts of the College shall be audited annually by the qualified auditor to be appointed by the Governing Body but the auditor will be eligible for reappointment for another term for a period not exceeding three years.

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16. Qualifications :- Any person of either sex having passed any degree examination of a recognised University is eligible for admission in to the College. Admission shall however be conducted by the Principal according to time schedule laid down by the Governing Body. A member convicted of offence involving moral turpitude or guilty of gross misconduct is liable to expulsion by the order of the Governing Body.
17. Fees from Students :- Student admitted into the College shall be liable to pay fees for tuition, admission library, common rooms, games, building, examination, annual social, magazine and such other purpose at rates as may be determined by the Governing Body from time to time.
18. Collection and deposit :- The collection shall be made by the senior Assistant of the staff. All moneys received by the College shall be deposited in the respective accounts of the banks on the next opening day following the collection.
19. Suit by and upon the College :- The college may sue or be sued in the name of the Secretary.
20. Correspondences :- All correspondences of the College shall be made by the Principal and Secretary as the case may be.
21. Winding up :- If upon the dissolution of the College there shall remain after satisfaction of all its debts and liability any property whatsoever, the same shall not be paid to or distributed among the members of the Governing Body of the College or any of them, but shall be given to some other College to be determined by the votes of not less than three fifths of the members of the Governing Body present personally and voting at the time of the dissolution, or in default thereof by court of competent jurisdiction.
22. Amendment :- The memorandum and Articles of Association can be amended by 2/3rd majority of the members of the Governing Body.

Form of certificate of Rules and Regulations :-

Certified to be true copy of the Rules of the

1. Sd/-Maham Singh. 2. Sd/-L.Sharma. 3. Sd/-D.N.Dutt.
Dated 19.7.91 Members of the Governing Body.

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We, the undersigned, are desirous of forming a Society in pursuance of this Memorandum of Association.

Signature	Address, Occupation & description of signator	Name, Address, Occupation and description of witnesses.
1.Sd/-Tuahid Ali Laskar	Accountant General's Office Shillong.	
2.Sd/-Helen Datta	Assam Civil Sectt., Shillong U.D.A. Rev(G) Deptt.	1. Sd/-Illegible, Govt.Servant, Assam Sectt(C) Appot.(B)Deptt.
3.Sd/-Dipti Roy	A.G.'s Office, Shillong.	
4.Sd/-Errol Majan	MismiCompound Shillong-2	2. Sd/-B.C.Bhowmik C/O Directorate of Admn.Assam, Shillong.
5.Sd/-Illegible	Meghalaya Civil Sectt.Law Deptt., U.D.A.	
6.Sd/-Juanuddin Ahmed	L/D Asstt.ASRTC, Shillong.	
7.Sd/-R.Thangkanglova	Tribal Hostel, Shillong-3	
8.Sd/-Mithu Kumdandar	Asstt.Divn. Acct.CHIEF ACCOUNTS OFFICE ASEB, SHILLONG.	

22. Assentment: - The memorandum and articles of Association can be amended by 2/3rd majority of the members of the Governing Body.

Form of certificate of Rules and Regulations: - Certified to be true copy of the Rules of the

Dated 19.7.91 Members of the Governing Body.

5:7 - Affiliation etc.

- (i) Report of the functioning, Governing Body etc., of the Shillong Law College, Shillong.

No:EC:93:97:5:7:(i): The Council considered the Report of the Committee constituted by the Academic Council and RESOLVED to affiliate Shillong Law College for a period of one year only.

5:8 - Others -

- (i) Nominee of the University to the Council of the Institute of Advanced Study in Science and Technology (IASST) Guwahati

No:EC:93:97:5:8:(i): The Council RESOLVED to nominate Prof. A.L.Verma as a nominee of the University to the Council of the Institute of Advanced Study in Science and Technology, Guwahati, for a period of three years.

- (ii) Increase in the number of seats in some Departments in Mizoram Campus.

No:EC:93:97:5:8:(ii): The Council approved the increase in the number of seats in the Departments of English, Public Administration (M.A and Diploma) and Economics at Aizawl.

Item No. 6 ADMINISTRATIVE MATTERS :

6:1 Selection Committee -

- (i) Panel of Names for Selection Committee for faculty selection in various Deptts./Centres of NEHU.

No:EC:93:97:6:1:(i): The Council considered the panel of Experts for the various Selection Committees of the following Departments and RESOLVED to approve the same subject to the submission of detailed reports by the concerned Heads of Departments/Centres regarding their designation, scale of pay, status etc. of the Experts.

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