



# GURJAR GUJARATI ASSOCIATION OF NEW ENGLAND, INC.

Revision 1.0 (EFFECTIVE JULY 1, 1986)

## \*\*\*\*\* GURJAR CONSTITUTION \*\*\*\*\*

### ARTICLE 1 - NAME:

#### Section 1:

The name of this corporation shall be "Gurjar - Gujarati Association of New England, Inc." here after referred to as the Association.

### ARTICLE 2 - PURPOSE AND POWERS:

#### A. The Association serves:

1. Charitable purposes by making contributions to organizations which are described in section 501 (C) (3) of internal Revenue Code of 1954 and are exempt from taxation under section 501(A) thereof; and
2. Educational purposes by providing for academic, cultural and intellectual interchanges between the people of India and of the United States of America.

### ARTICLE 3 - MEMBERS:

#### Section 1:

The power of association , unless otherwise delegated by the voting members, rests with the General Body of voting members. All persons who are interested in purpose of the Association may become voting members. Voting members shall be entitled to all privileges and subject to all the obligations of membership.

#### Section 2:

Any person who has distinguished himself by his contribution to any field of human endeavours may be elected to honorary membership by the two third vote of the Executive Committee. Honorary members shall be entitled to all privileges of membership except that they may not hold any office or vote.

#### Section 3:

Husband and wife can obtain joint membership whereby each shall have full voting rights and privileges.

### ARTICLE 4 - OFFICERS AND DIRECTORS:

#### Section 1:

The officers of the Association shall consist of a President, an Executive Vice President, a Secretary, and a Treasurer. Each of these must have been a voting member of the Association for at least one year prior to his or her election.

The term of the Executive Vice President (EVP) will be for one year. The EVP is second in command after the President. The EVP will preside over the various sub-committees which are formed to serve the purpose of the association.



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The EVP will take over the duties of the President in his (or her) absence, and will carry out all orders and resolutions of the Executive Committee.

The EVP will take over as President of the Association when the President's term expires (or becomes vacant for any reason).

### Section 2:

Each officer shall be elected by ballot at the annual meeting. The term of membership of Secretary and the Treasurer will be for a period of 2 years. Each officer shall hold office until his term expires or until his successor has been elected and qualified.

### Section 3:

The number of the directors of the Association shall be Six, but may be increased on the recommendation by the Executive Committee. Each of these directors shall have been a voting member of the Association for at least one year prior to his or her election.

### Section 4:

Except in case of a contest, election may be by ballot cast by the Secretary upon the vote of a majority of the voting members.

### Section 5:

Each of the directors shall be elected by ballot at the annual meeting. The directors shall serve a staggered term of two years each, half the number of directors to be elected at each annual meeting, provided, however, that at the first annual meeting following the adoption of this section, one half of the number of directors shall be elected for a two year term. The directors shall hold office until their successors have been elected and qualified.

### Section 6:

The Officers and Directors shall constitute the Executive Committee of the Association.

### Section 7:

The Executive Committee shall recommend the creation of the trusteeship when the assets of the Association reaches \$20,000. The number of trustees will be five elected by the general body at the annual meeting. The trustees shall serve a staggered term of five years each. Two of the trustees to be elected for a two year term, remaining for the three year term following adoption of this section. The Executive Committee shall appoint a three member panel to draft the powers of the trustees.

## ARTICLE 5 - MEETINGS:

### Section 1:

The annual meeting of the Association shall be held in the first week of April, or on such day in April as the Executive Committee may designate. The Executive Committee will take over control of the Association on May 1.



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### Section 2:

Special meeting (except the annual meeting) of the Association may be called by majority of the Executive Committee. The special meeting may also be called by the written request of a minimum of fifty or one third voting members to the Executive Committee. The Executive Committee shall call a special meeting within four weeks from the date of the receipt of the request.

### Section 3:

Twenty percent of the total voting members of the Association shall constitute a quorum. Any action taken at the annual meeting or special meeting shall be decided by the majority of the vote cast.

### Section 4:

Voting by proxy shall be permitted. The proxy vote must reach the secretary two days before the meeting.

### Section 5:

A notice of the place, date, time, agenda, and a list of the candidates of the meeting shall be sent by first class mail by the Secretary to each member at the last address submitted by the member in writing to the Secretary, at least fifteen days prior to the meeting.

## ARTICLE 6 - MEMBERS OF THE EXECUTIVE COMMITTEE:

### Section 1:

The meeting of the Executive Committee may be called by the President, Secretary or by any four Executive Committee members by notice given to all other Executive Committee members either by phone or by first class mail at least 48 hours or 96 hours respectively, prior to the time of the meeting.

### Section 2:

A majority of the Executive Committee, but no less than five, shall constitute quorum. Any action taken by the Executive Committee shall be decided by the majority of the Executive Committee voting.

### Section 3:

The Executive Committee shall meet at least once every two months.

### Section 4:

The Secretary shall keep record of all meetings of the Association and all executive meetings. Upon the completion of his term, he shall hand over all the records of the Association to the incoming Secretary of the Executive Committee within two weeks after the completion of his term.



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### Section 5:

The Treasurer shall be responsible for the receipt, disbursement, recording and safekeeping of all funds belonging to the Association. He shall pay all bills which have been approved in the manner prescribed by the Executive Committee. On the incurring of expenses by the Association, he shall accept proper vouchers with receipt for such expenses. He shall submit an account of all transactions and the financial conditions of the Association to the Executive Committee at least every two months. Within two weeks after completion of his term, the Treasurer shall hand over all assets, bank statements, and financial records, supported by credits and debit vouchers, bills and cancelled checks, including the final report approved by the annual meeting, to the incoming Treasurer or the Executive Committee. He shall also hand over the previous year's financial records and books. He shall also hand over reconciled statements of the accounts signed by his Executive Committee. Proper vouchers shall be submitted for expenses. The Treasurer shall be held responsible for getting the account audited at every three months by a committee appointed by the Executive Committee. The audited accounts shall be submitted to the general body at the annual meeting.

The Treasurer shall prepare a written formal report to the Executive Committee whenever the receipts at any Association event exceeds \$500.00. The report should show how the revenue was derived and what expenses were incurred.

### Section 6:

The President is the chief executive of the Association. The President shall conduct and preside over the meeting of the general body of the voting members and of the Executive Committee. It shall be his duty to see that all orders and resolution of the Executive Committee are carried out to the best of his ability, when the Executive Committee is not in session, the President shall have general control and the management of the activities of the Association, subject to prior recommendations of the Executive Committee and subject to subsequent disapproval of the Executive Committee. The President, as soon as reasonably possible, before the end of each fiscal year, shall submit a report approved by the Executive Committee to the general body on operation of the Association for that year. The President, within his knowledge, from time to time shall report to the Executive Committee all matters of interest of the Association.

### Section 7:

The Committee Members are expected to attend meetings and actively participate in the activities of the Association. The decision to terminate a Committee Member is up to the Committee. In case of termination of an Officer, he shall hand over his charge as defined in section 4 and 5 of this article. The Committee can also replace a Committee Member.

## ARTICLE 7 - ELECTION PROCEDURE:

### Section 1:

During the last week of January of each year, the Executive Committee shall appoint an election committee composed of three voting members other than members of the Executive Committee. The election committee shall carry out the necessary functions of the election in conjunction with the Executive Committee as per constitution.

### Section 2:

Any voting member can contest the election for any office of the Executive Committee provided he has filed in writing the intention for the contest with Secretary one month prior to annual meeting.



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### ARTICLE 8 - POWERS OF OFFICER AND DIRECTORS:

#### Section 1:

The Executive Committee shall manage the affairs of the Association and exercise all powers of the Association which are not required by law, or by this constitution to be exercised by the voting members. It may elect persons as honorary members. It shall have powers to appoint, and then later terminate the tenure of assistance to the officers, and of committees and to prescribe other duties.

#### Section 2:

The Executive Committee shall have power to fill vacancies in the offices of the President, Secretary, Treasurer and any Director, provided, however, that if the office of the President becomes vacant more than six months before the annual meeting, a special meeting shall be called within one month of such a vacancy to elect a new President for the remainder of the term, and provided further that any vacancy in the office of Directors shall be filled by the Executive Committee

until the next annual meeting at which time members shall fill such a vacancy for the remainder of the term if any. The Executive Committee shall fill a vacancy in the office of the President by an elected member of the Executive Committee.

#### Section 3:

The Executive Committee with prior approval of the general body, may operate, lease or dispose of the real estate property for the Association. However the Executive Committee with the prior approval of the majority of the Executive Committee members can hire halls of meeting places without the prior approval of the general body.

#### Section 4:

Any donation or performance for charitable purpose shall be agreed upon in advance by a majority of the members of the Executive Committee. Any donation of over \$500.00 to one organization more than once a year should have prior approval of the general body.

#### Section 5:

Any Expenditure over \$10,000.00 (ten thousand) must be approved by two third majority or seven members of the Executive Committee which ever is greater.

### ARTICLE 9 - FISCAL YEAR

The Association's Fiscal year shall be January 1, through December 31.

### ARTICLE 10 - DISSOLUTION:

#### Section 1:

In the event of dissolution, the assets of the Association remaining after the satisfaction of its creditors, shall be disposed of, as described in section 501 (C) (3) of the Internal Revenue Code of 1954, and exempt from taxation under section 501 (A) thereof, as general body shall determine. The Executive Committee shall remain as the guardian of the Association until final dissolution.

The dissolution of the Association may be carried out in accordance with the provision of Massachusetts General Law, Chapter 180 Section 11A.



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### Section 4:

#### ARTICLE 11 - AMENDMENT:

##### Section 1:

Amendment to the constitution may be initiated by the action of the Executive Committee, or by a petition signed by at least one third voting members. The notice of any meeting at which the amendment will be considered shall include the full text of the proposed amendments. Amendment must be approved by vote of at least two thirds of the members at the annual or special meeting at which a quorum is present.

#### ARTICLE 12 - CHECKS, DRAFTS, NOTES AND OTHER INSTRUMENTS:

##### Section 1:

All funds of the Association shall be deposited in the name of "Gurjar - Gujarati association of New England, Inc." in a bank or trust company designated by the Executive Committee.

##### Section 2:

Checks, Drafts, Notes or other instruments for the payment of money drawn or endorsed in the name of the Association shall, unless the Executive Committee votes otherwise, be signed by the President and the Treasurer, or by the

Secretary and Treasurer, or by the President and the Secretary who have been duly authorized by the Executive Committee. No checks or other instruments as aforesaid shall be signed or endorsed in bank.

Any investment of the assets of the Association for the better growth of the Association should have prior approval of the General Body and should be consistent with section 501 (C) (3) of the Internal Revenue Code of 1954.

##### Section 3:

Payment to Officers and Directors. No member of the Executive Committee of the Association shall receive, directly or indirectly, any salary, compensation or emolument from the Association in any capacity.

#### ARTICLE 13 - CODE OF ETHICS:

##### Section 1:

All members of the Executive Committee are requested to sign and abide by the code of ethics.

##### Section 2:

Any Officer found violating code of ethics is subject to expulsion when voted so by the majority of the Executive Committee members.