

# BAGH, Inc. Constitution

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*Approved on September 7, 2003.*

*By the Annual General Body Meeting,  
held at UConn West Hartford Campus.*

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*Amended on December 15, 2007*

*By the Annual General Body Meeting,  
Held at South Windsor Community Center*

# CONSTITUTION OF BAGH, Inc.

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## Article I: NAME AND OBJECTIVES

### Section I: Name

The name of the association shall be BAGH, Inc., herein after referred to as the Association.

### Section II: Address

Until such time as a permanent address is established for the Association the residential address of the President shall represent the address of the Association. Neither the President, nor any member, shall file for any tax deduction for the use of his/her personal property.

### Section III: Purpose

The Association shall be organized exclusively for the practice of Bengali cultural and religious activities, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law). BAGH, Inc. shall exist as an Association of its members.

### Section IV: Not-for-profit Charter

No part of the earnings of the Association shall inure to the benefit of, or be distributable to its members, trustees or officers. No part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign, local or otherwise, on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on (a) by an Association exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by an Association, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law).

## **Section V: Disposition of Assets**

Upon the dissolution of the Association, the Executive Committee shall, after paying or making provisions for the payment of all of the liabilities of the Association, dispose of all of the assets of the Association exclusively for the purposes of the Association in such a manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) as the Executive Committee shall determine. The choice of organization shall be decided by a two-thirds majority of the Executive Committee.

## **Article 2: MEMBERSHIP and DUES**

### **Section I: Eligibility**

The membership in the Association shall be open to all adults (18 years or above) interested in Bengali heritage and culture. Membership is to be conferred upon receipt of the prescribed application form duly filled in and signed by the applicant(s) along with the applicable dues for the type of membership. The Bylaws of the Association may define categories and types of membership and may set criteria for valid membership.

### **Section II: Rights**

All members shall have the right to participate in Association's affairs, attend General Body Meetings, vote, and contest for an office of the Association, subject to certain restrictions and eligibility criteria set in the Bylaws of the Association.

### **Section III: Funding**

The Association shall be supported mainly by membership dues (fees), donations and other non-profitable assessments.

### **Section IV: Term**

The term of membership shall be from January 1st of a calendar year to December 31<sup>st</sup> of the calendar year.

## **Section V: Fees**

Membership fees (as determined by the executive committee) will be required from all members and shall be payable by the Annual Durga Puja Event preceding the membership year. Members will be provided membership card showing their name, membership term and other particulars.

## **Section VI: General Body**

The General Body of the Association shall consist of all dues paying members of the Association.

## **Section VII: Working Body**

A Working Body shall consist of volunteers from the General Body who volunteer to assist in various activities of the Association as and when called upon by member(s) of the Executive Committee.

## **Section VIII: Membership Roster**

The executive committee will maintain an updated roster of valid members of the association. This roster is to be used to determine quorum for a general body meeting or voter list of the association.

# **Article 3: THE EXECUTIVE COMMITTEE POWER AND FUNCTION**

## **Section I: Function**

The executive committee shall manage the affairs of the Association and exercise all the powers delegated by its Constitution and its voting members. It will engage members of the working body to perform various tasks.

## **Section II: Committee Membership**

The executive committee shall consist of 5 officers (1) a President; (2) a Vice-President; (3) a Secretary; (4) a Treasurer; and (5) a Cultural Secretary. Each officer shall have been a voting member of the Association for at least one year prior to his/her election. The President can appoint up to 5 other committee members.

### **Section III: Term**

The officers shall be elected once every two years at the annual general body meeting of the association to be held in November-December.

### **Section IV: The President**

The President is the chief executive of the Association. He/she shall convene, conduct and preside over the meetings of the general body and of the executive committee. It shall be his/her duty to see that all orders and resolutions of the executive committee are carried out effectively to the best of his/her ability. When the executive committee is not in session, the President shall have the general control over the management of the activities of the Association for that year. The President shall report periodically to the executive committee all matters of interest.

### **Section V: The Vice-President**

The Vice-President shall act as an aide to the President and shall perform the duties of President in his/her absence.

### **Section VI: The Secretary**

The Secretary shall record the minutes of all general as well as executive meetings shall be responsible for all correspondence and shall perform all other duties as delegated to him/her by the President or members of the executive committee.

### **Section VII: The Treasurer**

The Treasurer shall have the custody of all funds. He/she shall keep a full and accurate account of the receipts and expenditures and make disbursement in accordance with the approved budget as authorized by the executive committee.

### **Section VIII: The Cultural Secretary**

The Cultural Secretary shall coordinate all cultural activities of the organization.

### **Section IX: Succession**

If the office of the President becomes vacant, the Vice-President shall automatically assume the Presidency for the remainder of the term of the executive committee. In case of the

vacancy of any other officer, the position will be filled by the incumbent securing the next highest vote. If there was no contest, the executive committee shall have the power to fill the vacancy.

### **Section X: Fiscal Responsibility**

Fiscal responsibility and prudent restraint shall be shown by the executive committee in handling all financial affairs of the Association.

### **Section XI: Term Limit**

No member shall hold the same position in the executive committee for more than four consecutive years.

### **Section XII: Advisory Committee**

Past Presidents and outgoing officers who are current members of the General Body will constitute an Advisory Committee, which shall consist of at least 4 members. If the strength of the Advisory Committee falls below 4, the executive committee may appoint members from the general body. The term of the committee members will be as in the by-laws. The Executive Committee may seek the advice of this committee on key decisions. They are also responsible for overseeing the fairness of elections.

## **Article 4: ELECTION PROCEDURE**

### **Section I: Electorate**

All members shall have the right to vote and to contest for the election of Officers.

### **Section II: Procedure**

The election shall be conducted by show of hands and simple majority shall govern. The quorum for the election meeting shall be at least one fifth of the regular members. If there is no quorum in the election meeting, then the election should be deferred to another date. If that meeting fails to achieve quorum, then election of office bearers should be made through consensus of members present in the meeting.

### **Section III: Election Committee**

An election committee will be formed for proper conduction of election of the office bearers every two years. The committee shall consist of at least three members of the Advisory Committee as selected by them. The election committee shall prepare the voters list. The names of all contestants should be submitted to the election committee in the prescribed written forms three weeks prior to election. The election committee shall follow the guidelines set up by the general body for election conduction. Such guidelines can be established once and used for several elections until a new guideline is issued. If there is no nomination sent to the election committee for any office, the committee may request a nomination from the floor on the day of the election.

### **Section IV: Conflict of Interest**

A person holding a position in the executive committee of the Association shall not concurrently hold membership of executive committee of another organization involved in similar pursuit.

### **Section V: Access to Members**

The election committee shall make available to any contestant, upon his/her request, the complete voter list within a week of such request.

### **Section VI: Election Results**

The election committee will make a written list of elected members for each office and post it on the Association website for dissemination to general membership.

### **Section VII: Succession**

All officers shall deliver to their successors all official materials within a month of the election on a joint meeting of incoming and outgoing executive committees.

## **Article 5: GENERAL BODY**

### **Section I: General Body Meeting**

The general body meeting of the Association shall be held in the month of November-December as determined by the executive committee.

## **Section II: Special General Body Meeting**

Special general body meeting of the Association may be called either by a majority of the executive committee or by a written request of at least one third of the members of the Association to the executive committee. The President shall call a special meeting within four weeks from the date of receipt of such a request.

## **Section III: Dissolution of Committee**

The general body of the Association shall have the power to dissolve the executive committee at an extraordinary meeting convened for that purpose as described in Section II. But the resolution (for dissolving the executive committee) shall have the support of the majority of the Association members, i.e., one half of the voting members.

## **Section IV: Call for Meeting**

A notice of the place, date, time and agenda of the Annual or any Special General Body meeting shall be sent at least four weeks in advance to each member at the last address submitted by the member in writing or electronically.

## **Section V: Amendment to Constitution**

The constitution can only be modified or amended by general membership in a meeting called for the purpose. A copy of the proposed amendments along with the notice of the meeting must be posted on the Association website at least two weeks prior to the meeting. A two third majority of the voting members will be required to carry on the amendment.

## **Article 6: MEANS OF COMMUNICATIONS**

### **Section I: Electronic Communications**

The constitution recognizes modern methods of communications and approves them as an alternate to traditional methods. For example, communications may be made to members through regular mail or in electronic form (email, web postings, etc.) to derive operational efficiencies and cost advantages of new technologies for the association. Electronic forms of communications may be used for information exchange among members as well as to carry out the activities of the association.

## **Article 7: Bylaws**

### **Section I: Bylaws**

The general membership may make bylaws to facilitate the provisions of this constitution where the constitution is not explicit.