

Constitution for Bharatiya Temple and Cultural Center Of Greater Lafayette, Indiana

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ARTICLE I FORMATION

1.1 Name

The name of the organization shall be the "Bharatiya Temple and Cultural Center of Greater Lafayette Ltd." (BTCCGL).

1.2 Legal Formation

The organization shall be incorporated under the laws of the state of Indiana as a non-profit organization. The date of incorporation of the BTCC of Greater Lafayette is 1/15/2012. The Federal Taxpayer I.D. number is 45-4313513

1.3 Location

The principal place of congregation shall be in the State of Indiana, preferably in Tippecanoe County.

1.4 Objectives

- a. To share, foster and promote Indian culture and religions of Indian origin in the community.
- b. To establish a permanent place of worship, such as a temple.
- c. To establish a center for the community to promote social interactions through sharing of knowledge, culture and talents.
- d. To provide a venue for charitable and educational activities based on peace, love, justice, truth and harmony.
- e. To promote friendship and goodwill among people of all religions.

1.5 Values

BTCCGL shall:

- a. Have respect and tolerance for all religions and religious practices of the world.
- b. Not discriminate between persons based on caste, creed, race, religion, gender, or national origin.
- c. Follow all the rules and laws of the U.S. and the state of Indiana.
- d. Be tolerant of the beliefs and practices of all individuals
- e. Provide equal access to all members irrespective of their contributions to the organization.

The BTCCGL temple and organization shall be sensitive to all religions and sects of Indian origin.

ARTICLE II MEMBERSHIP, VOTING, AND RIGHTS

Caste, creed color, race, religion, gender, and national origin shall have no influence on membership, voting, or rights within the organization. Each person (who is a member in good standing) shall have equal rights and one vote irrespective of their contributions to the organization.

2.1 Membership Requirements

A person can become a member of the center by fulfilling the following requirements:

- a. Abide and respect the center's constitution, by-laws and assets.
- b. Follows or respects a religion of Indian origin, for example but not limited to Hinduism, Buddhism, Jainism, Sikhism.
- c. Support the center's activities.
- d. Support peace and compassion in the community.
- e. Pay membership dues as per the by-laws.

2.2 Types of Members and Voting Rights

BTCCGL shall have the following types of members with the appropriate designations, qualifications and voting rights:

a. Individual Members

Individual members shall have paid dues defined for individual membership in the by-laws. They shall be at least 18 years of age, and shall have one vote within the organization.

b. Family Members

This membership is for two adults in a family (husband and wife) and their children below the age of eighteen (18), or full time students up to age 24. Dependent parents of the paying members shall be included in family membership.

Family members shall have paid dues defined for family membership in the by-laws. Only the husband and wife shall each have one vote within the organization. Dependents shall not have a vote in the organization.

c. Life Members

Life members shall have paid dues defined for individual life membership or family life membership in the by-laws.

d. Student Members

Student members shall have paid dues as defined in the by-laws. Student members shall not have voting rights within the organization.

2.3 Membership Rights

All members in good standing, i.e. fulfilling the requirements of Articles 2.1 and 2.2, shall have the following rights:

- a. Voting rights in accordance with article 2.2.
- b. Voting members shall be eligible to hold any elected or appointed office.
- c. Have access and rights to use the facilities for activities in keeping with the constitution and by-laws.

ARTICLE III FINANCE

3.1 Payments

No part of the assets or earnings of the center shall be used for the personal gain of its member(s). The Executive Committee shall be authorized to sanction payment of reasonable compensation for tangible services and costs. All expenses incurred shall be reported to the Executive Committee, and summarized at least quarterly to the general body. The Executive Committee shall endeavor to keep the expenditures within the budgets approved by the general body. The financial statements shall be prepared in generally acceptable accounting practices and made available to any member upon his/her request.

3.2 Assets and Liabilities

Assets and liabilities shall vest with BTCCGL. Any member or members, working on behalf of BTCCGL within the scope and framework of this constitution and by-laws, shall not be individually or collectively liable, in the event of any accidental damage as long as there is no fraudulent and gross negligent behavior.

3.3 Liabilities

BTCCGL shall be held harmless and free of any liens from debt or other liabilities (loans) incurred by any member unless previously authorized by the general body through the budgeting process.

3.4 Fiscal Year

The fiscal year shall be from January 1 to December 31.

3.5 Financial Records

- a. Updated financial records and registers of BTCCGL shall be furnished to the general body at least one (1) month prior to the annual Election Day. The financial status including the balance sheet, income and loss statement with reasonable details and assumptions, and the list of members in good standing shall be furnished to the general body at least one (1) month prior to the announced election day.
- b. Records shall be handed over to the newly elected Executive Committee when the fiscal year begins, after all the unfinished transactions are completed by the outgoing Executive Committee.
- c. In case of default or special situations, the newly elected Executive Committee shall be entitled to take over all records and report the specific circumstances to the general body within one (1) month
- d. Financial status of each project (as defined in the by-laws) shall be presented to the general body by the Executive Committee in each of its scheduled annual meetings.

- e. Financial records shall be audited by the Trustees or their appointees (independent of the Executive Committee) at the end of fiscal year or as deemed necessary.

3.6 Annual Operations

The Executive Committee shall be responsible for:

- a. Preparing an annual operating budget, outlining the required funds and schedule of expenditures.
- b. Preparing a plan to generate the required resources and funds, and presenting it to the general body and obtaining their approval at the annual meeting as per the by-laws.
- c. Annual budget overruns, if any, shall be administered per the by-laws.

3.7 New Projects

The Executive Committee shall be responsible for:

- a. Preparing a specific project budget for each new project, outlining the required one-time funds and recurring schedule of expenditures.
- b. Preparing a plan to generate the required resources and funds. Identifying loan sources and metrics for evaluating them.
- c. Presenting each specific project budget to the Trustees to obtain their formal approval through a simple majority vote.
- d. For projects greater than \$25,000, presenting the specific project budget (along with the Trustees) to the general body during a formally announced and scheduled annual meeting.
- e. Obtaining formal approval of the general body for each specific project by a simple majority vote conducted as per the by-laws.
- f. Project overruns, if any, shall be administered per the by-laws.

3.8 General Rules

Financial activities shall be undertaken by the Executive Committee only. They shall be subject to the following rules:

- a. Financial transactions shall be by means of checks where possible. Other electronic fund transfer methods may be used as long as appropriate receipts are obtained and documented in the financial records.
- b. Checks or withdrawals greater than \$3,000 shall be authorized by both the President and the Treasurer.
- c. Individual financial transactions up to \$10,000 that are pre-approved in the annual operating budget can be expended by the Executive Committee.
- d. Individual financial transactions up to \$25,000 that are pre-approved in a specific project budget can be expended by the Executive Committee.

- e. Individual financial transactions greater than \$25,000 that are pre-approved in a specific project budget can be expended by the executive committee with a final approval from the board of Trustees.
- f. Financial transactions greater than \$3000 (one time) shall be supported with an appropriate procurement process with at least three competitive bids (where possible) and selection justification or sole-source justification. These procurement documents shall be available for review and audit by the Trustees and the general body as needed.
- g. Individual cash expenditures shall be limited to \$201 to the extent possible. Cash transactions greater than \$25 shall be documented using receipts.
- h. All financial transactions (donations or expenditures greater than \$25) shall be documented using appropriate records.

3.9 Asset Management:

The Executive Committee shall periodically review the soundness of asset management and endeavor to obtain the best returns as per the by-laws.

3.10 Contracts, Checks, Deposits, and Funds

- a. Contracts: Subject to the Executive Committee's approval, the President may authorize any officer(s), or its agent(s), to enter into any contract or execute and deliver any instrument in the name BTCCGL.
- b. Checks, drafts, etc.: All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of BTCCGL, shall be signed by the Treasurer, or the designee, subject to the limitations imposed in Article 3.8 and the by-laws.
- c. Deposits: All funds shall be deposited as quickly as possible to the credit of BTCCGL.
- d. Gifts: The Executive Committee may accept, on behalf of BTCCGL, a contribution, gift, or bequest for any special purpose of BTCCGL and will be remitted to BTCCGL as soon as possible.
- e. Books and Records: The Executive Committee shall keep up to date records in the account books and of minutes of all the meetings of its general body and its own. All books and records of the center may be inspected by any member, for any proper purpose, at any reasonable time.
- f. Recognition: The Executive Committee, with the simple majority approval of the general body, may adopt special types and categories of members in recognition of the special services, contributions and other meaningful considerations. But in no event shall such special membership types or categories compromise on the equal voting rights provision for each qualified member in any of the designated forums within the Bharatiya Temple and Cultural Center Organization.

3.11 Budget and Expenditure:

The Executive Committee shall present to the general body the annual operating budget, specific project budget, including any discretionary funds for the fiscal year.

ARTICLE IV ORGANIZATION AND ADMINISTRATION

4.1 The General Body:

The general body shall comprise of all the voting members of the organization that are in good standing as per Article 2.3.

4.2 Executive Committee:

- a. Operation of BTCCGL shall be directed by an elected Executive Committee, consisting of seven (7) officers, including a President, Treasurer, General Secretary and up to four (4) officers without portfolios.
- b. All officers of this Executive Committee shall be elected by the General Body, in a formally convened annual meeting, as detailed in Article V. Executive Committee officers shall serve a term of two (2) continuous years.
- c. Executive Committee Officers shall not be eligible for re-election for at least one year after completing their terms.
- d. In the first year of incorporation of BTCCGL, the Life Members shall appoint the first Executive Committee of the organization. These appointed officers shall be eligible for election to the Executive Committee immediately after their first term.
- e. Executive Committee officers shall not be members of the same family membership to avoid conflict of interest.
- f. Any interim appointee to the Executive Committee (as described in Article 7.5) shall have the right to contest in the next elections.

4.3 Trustees

BTCCGL shall have up to seven (7) Trustees who shall be Life Members of the organization. These Trustees shall be appointed by the Executive Committee, and shall serve important functions as detailed in Article X.

ARTICLE V ELECTIONS

5.1 Election Procedure

- a. Election of the Executive Committee officers shall be by a simple majority vote in a secret ballot, in a formally convened general body meeting.
- b. The nomination and seconding for each post shall be sought from the General Body at least two months in advance before the election date.
- c. The official secret ballot sheet shall be prepared to include: (i) all the positions up for election in the corresponding year, and (ii) the names of all nominees for each position. The ballot shall also include a place to 'write-in' a name for each position.
- d. The election shall be presided over by the Trustees. Absentee voting and online voting shall be permitted, and arranged as per the by-laws. There shall be a runoff vote amongst the top two vote getters if no majority is secured for any post.

5.2 Election Dates

Elections of the Executive Committee officers shall normally be scheduled for the annual meeting of the general body before the end of the calendar year. The terms of the newly elected officers shall start from the first day of January.

ARTICLE VI MEETINGS

BTCCGL shall have annual meetings to: (i) present the annual operating budget to the general body for approval, and (ii) for electing Executive Committee officers.

Additional meetings (referred as other meetings) shall be called as needed to present specific project goals and budgets to the general body for approval.

Special meetings can be called to discuss emergency issues with the general body, for example but not limited to, organizational emergencies, natural calamities, emergency relief or charity projects, etc.

Meetings shall follow a prescribed or selected order, for example but not exclusive to Robert's Rules of meetings, that will be announced by the Executive Committee. Quorum (of attending members in good standing) shall be defined as per the by-laws.

6.1 Annual Meetings

An annual meeting of the members shall be held per Article 5.2 before the end of each calendar year and at such place as designated by the president, for the purpose of electing the Executive Committee officers and for presenting the annual operating budget to the general body for approval.

If the election is not held on the designated day of the annual meeting, or at any adjournment thereof, then the members may cause the election to be held at a special meeting of the general body as soon as practical.

6.2 Other Meetings

The Executive Committee shall notify the general body of additional general body meetings as per the by-laws.

6.3 Special Meetings

A special meeting of the members may be called by the President, the Executive Committee, the Trustees, or at least one-fifth of the members in good standing.

6.4 Place of Meetings

The Executive Committee may designate any place for the meetings, subject to availability.

6.5 Notice of Meetings

Written notice stating the place, date, time and proposed agenda shall be delivered either by E-mail or post, to each member as per the by-laws.

6.6 Meeting Frequency

A minimum of one annual meeting per year shall be called by the Executive Committee to review and discuss BTCCGL's activities and finances.

6.7 Secret Ballot

All voting shall be by a secret ballot unless decided otherwise by a simple majority. However, voting on elections, constitutional amendments, and disciplinary actions shall remain by secret ballot.

ARTICLE VII EXECUTIVE COMMITTEE

7.1 General Powers

The affairs of BTCCGL shall be managed by the Executive Committee.

7.2 Number, Tenure and Qualifications

The Executive Committee shall consist of seven (7) elected officers as stipulated in Article 4.2. Each officer shall hold office until his prescribed term and also until his or her successor shall have been elected.

7.3 Terms of Executive Committee Officers

Each officer of the Executive Committee shall be elected for a two-year term by the general body. Elections shall be staggered such that three (3) primary officers (President, Treasurer, and General Secretary) are elected in one year and the four (4) remaining officers are elected in the following year, and so on.

The first Executive Committee of BTCCGL shall be appointed by the Life Members. The appointed President, Treasurer, and General Secretary shall have a term of two years, and be eligible for re-election after their appointed term. The remaining appointed members shall have a term of one year, and shall be eligible for re-election after their appointed term.

7.4 Executive Committee Meetings

The Executive Committee meetings shall be in accordance with the by-laws

7.5 Vacancies

Any vacancies occurring in the Committee shall be filled by the Executive Committee within 30 days. The Executive Committee shall appoint a member to this position by a simple majority. Such an appointed member shall serve in this interim position till the upcoming elections at the end of the year during which the vacancy occurred.

7.6 Removal

Any Executive Committee officer or Trustee may be removed by the general body by a two-thirds voting majority for violation of the constitution and by-laws of the organization or other just cause. Vacancies thus created will be filled as per Article 7.5.

ARTICLE VIII OFFICERS

8.1 Officers

The officers of BTCCGL shall be the President, Treasurer, and General Secretary. No two positions may be simultaneously held by the same person.

8.2 President

The President shall be the chief executive officer of BTCCGL and shall in general supervise and control all the business and affairs of BTCCGL. He or she shall preside at all meetings. In general, he or she shall perform all the duties as may be prescribed by the Executive Committee, from time to time. The president must be at least a one (1) year resident of Indiana.

8.3 Treasurer

The treasurer shall be responsible for managing all the funds and securities of BTCCGL. He or she shall issue receipts for money received, and will deposit in designated institutions per the by-laws. The treasurer shall perform all the duties incident to the office of Treasurer including the financial statements and other duties assigned by the President or by the Executive Committee.

The treasurer shall be responsible for presenting detailed financial statements to the Executive Committee, general body and the board of Trustees. The treasurer shall be responsible for keeping proper records and make them available for audits. The treasurer is also responsible for filing taxes for the organization as stipulated by applicable federal, state and local laws.

8.4 General Secretary

The General Secretary shall keep the minutes of all the meetings; see that all notices are duly given; be the custodian of BTCCGL's records (non-financial); keep a register of the contact information of each member; and perform all duties incident to the office of General Secretary and such other duties as may be assigned by the President or by the Executive Committee.

8.5 Officers Without Portfolio

The responsibilities of the officers without portfolio shall be determined by the Executive Committee.

ARTICLE IX STANDING COMMITTEES

- a. The Executive Committee shall appoint standing committees to facilitate the management of BTCCGL. These include, for example but not limited to, Facilities and Funds Committee, Puja Committee, Programs Committee, Security and Safety Committee, Children's Committee, Procurement Committee, Food Committee, etc.
- b. These standing committees shall typically be chaired by officers of the Executive Committee to the extent possible. However, the Executive Committee may appoint members to lead these committees. At least one Executive Committee officer shall be a de-facto member of each standing committee.
- c. Standing committee memberships, operations, meeting schedules, procedures, etc. shall be according to the by-laws and as ordained by the executive committee.

ARTICLE X TRUSTEES

10.1 Eligibility

Trustees shall be appointed by a two-thirds majority of the Executive Committee. Each appointed Trustee:

- a. Shall be a Life Member of the organization.
- b. Shall not be a voting member of the Executive Committee during their term.
- c. Should not have been a Trustee for at least one year before their term.

Trustees shall be appointed for a term of three-to-five (3-5) years as determined by the Executive Committee. The Trustee terms shall be staggered to the extent possible.

The Trustees shall be identified clearly (by name and address) to the membership, and informed of their respective terms.

10.2 Functions

- a. Trustees shall manage BTCCGL in emergencies only such as when the Executive Committee operation has become paralyzed. The Trustees shall be the interim guardians and will see that BTCCGL does not get dissolved, until a new Executive Committee is established.
- b. The Trustees shall approve spending requests of the Executive Committee as outlined in Article III.
- c. Trustees shall be responsible for annual audits of the financial records.
- d. Trustees can call a general body meeting for a just cause.
- e. The Trustees shall preside over the elections per Article V

10.3 Responsibilities and Limitations

- a. Each Trustee shall have one vote like any other member.
- b. A Trustee may be elected to any of the committees in any capacity, except the Executive Committee.
- c. A Trustee can be removed from the office per Article 7.6.
- d. Unexpired terms shall be filled by the Executive Committee within six (6) months.

ARTICLES XI AMENDMENTS

11.1 Proposals for Amendments

Any amendments, modifications, or changes to this constitution may be proposed by the Executive Committee, or by a petition signed by at least twenty five (25) voting members and submitted to the General Secretary. The proposed amendment(s) will then be submitted to the general body.

11.2 Adoption of Amendments

An amendment to the constitution shall become effective upon approval by a two-thirds majority of the entire membership.

Amendments to Articles 1, 2 and 13 shall become effective upon approval by a two-thirds majority of Life Members.

ARTICLE XII EXPULSION

- a. Any member, including an Executive Committee member or trustee can be suspended for purposeful (as outlined by the by-laws) violation of the constitution or any conduct disgraceful to BTCCGL. Such a person will be notified of the charges in writing and shall be allowed to present his case to the Executive Committee. A two-thirds majority of the entire Executive Committee shall be required to temporarily suspend a member from the Center.

This decision must be reported at the next general body meeting for an appropriate action, including expulsion from BTCCGL. The General body, by a simple majority vote, may suspend or, by a two-thirds majority vote, may expel a member.

- b. Expulsion of the member shall not absolve him from financial commitment or other responsibilities, nor does it entitle him to any refunds.

ARTICLE XIII DISSOLUTION

In the event that BTCCGL must be dissolved, the assets of BTCCGL will have to be dissolved. Such a decision shall be made by a two-thirds majority of the voting Life Members, provided it is at least the majority of the entire body of Life Members. Upon dissolution of BTCCGL, provisions shall be made for the payment of the liabilities of BTCCGL, and transfer of all of the remaining assets, in the form of a trust, to any non-profit organization with similar objectives and principles, with a provision for future transfer back to a similar organization to serve the needs of the Indian community, preferably in the state of Indiana. Dissolution of BTCCGL shall be supervised by the Trustees. However, if the Trustees are not in place, the life members will appoint a 5-member committee to supervise the dissolution.

ARTICLE XIV EFFECTIVE DATE

This Constitution is effective from January 15, 2012 onwards, as indicated by the signatures of the current Members below:

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