

THE MAHARASHTRA MANDAL - CHICAGO

**A NOT FOR PROFIT ORGANIZATION
REGISTERED WITH THE STATE OF ILLINOIS**

411 SEWARD LANE, PARK FOREST, ILLINOIS 60466

THE CONSTITUTION AND BY-LAWS

CONSTITUTION

Article One - NAME :

The Name of the organization shall be "**The Maharashtra Mandal Chicago** " hereinafter referred to as the Mandal.

Article Two - OBJECTIVES :

The Mandal shall be a not-for-profit organization chartered with the State of Illinois and with the following objectives:

1) The Mandal is organized exclusively for literary, educational and charitable purposes which without limiting the generality thereof shall include the promotion of various cultural activities such as musical performances and plays depicting the culture of "Maharashtra (India)", a western state of India hereafter referred to as Maharashtra.

2) The Mandal will aid and acquaint students and visitors from around Maharashtra with American way of life.

3) The Mandal will create for the residents of America an understanding of the culture of Maharashtra.

4) The Mandal will provide funds for charitable purposes.

Article Three - OFFICIAL LANGUAGE:

The official language of the Mandal shall be "Marathi" and/or English.

Article Four - MEMBERSHIP:

Categories:

1) There shall be three categories of members:

- a) Regular Members
- b) Life Members
- c) Honorary Members

2) The above mentioned categories a) and b) shall be open to any individual who subscribes to the objectives of the Mandal and who pays the membership dues.

3) Further, these categories will be of two types:

- a) Individual Membership consisting of a single person.
- b) Family Membership consisting of husband, wife and their dependant offsprings.

4) Dependent persons staying with the member, other than the offsprings, shall be treated as family members. However they shall have no voting right.

5) The above mentioned category c) will be open to any individual who has made significant contribution to the growth and success of the Mandal and/or the Indian community. Such a member shall be elected as an Honorary Member by the board.

Article Five - DONATIONS:

The Mandal shall accept donations.

Article Six - OFFICERS:

The officers shall be:

- 1) President
- 2) Two Vice Presidents, one of which shall be
a female
- 3) Secretary
- 4) Treasurer
- 5) Ten Board Members

Article Seven - BOARD OF DIRECTORS:

All of the officers listed in Article Six shall
comprise the Board of Directors of the Mandal.

Article Eight - ELECTION OF OFFICERS:

1) The first five members in Article Six and five out of the ten Board Members shall be elected by the General Body and the remaining five Board Members shall be co-opted by the elected officers.

2) The election of the officers shall be by a simple majority of the members present and voting at the Annual General Body meeting.

Article Nine - DUTIES OF OFFICERS:

Duties of the officers shall be as follows:

1) **President:** He/She shall represent the Mandal, call and preside over the meetings and execute the resolutions. He/She shall be ex-officio member of all standing committees and shall have the right to delegate his/her power to any other member of the Board.

2) **Vice Presidents:** Shall assist the President in the execution of his/her duties and act on the President's behalf when he/she is absent. They represent the Mandal and coordinate with other organizations in programs and activities of mutual interest.

3) **Secretary:** Shall be the custodian of the Mandal records, shall maintain the current membership directory, be responsible for keeping the members informed about events of interest to them and keep the minutes of all Board and General Body Meetings. Other incidental duties shall be the responsibility to file the Annual Report as required by the office of the Secretary of State, State of Illinois. All records maintained by the Secretary shall be available and open to inspection and examination by any member of the Mandal on request.

4) **Treasurer:** Shall be the custodian of the financial records and funds received and shall disburse the same only upon sanction by the Board. Responsible for collection of dues, preparation of statements of

account after every program and also when desired by the Board, and briefing the Board on the financial status of the Mandal at each of the Board meetings. Also responsible for filing the income tax returns by the date specified by the IRS. He/She shall also participate in the financial negotiations and transactions pertaining to the Mandal. All records maintained by the Treasurer shall be available and open to the inspection and examination by any member of the Mandal on request.

5) The officers without portfolio shall help the President and execute his/her directives in any field that he/she or the Board may desire.

Article Ten - ELIGIBILITY OF OFFICERS:

1) Candidates for the office shall be a member in good standing and must be a member for at least six months prior to the election date.

2) A candidate shall be eligible for the same office for no more than two consecutive terms.

3) Any member engaged in a business in which the Mandal has a direct or indirect interest shall not be eligible for office.

4) All of the above eligibility requirements shall be applicable to the co-opted officers as well.

Article Eleven - CODE OF CONDUCT FOR OFFICERS:

1) All officers shall work within the framework of the Constitution and By-laws.

2) All officers shall attend all Board meetings. Any officer who, without valid reason, fails to attend two consecutive meetings or fails to perform his/her duties shall be subject to expulsion at the discretion of the Board.

3) No officer or member shall use his/her

membership of the Mandal for personal profit or gain. Anyone found guilty of this is liable to be expelled from his/her office or membership of the Mandal by action of the Board or General Body.

4) Any officer who starts a business, in which the Mandal has a direct or indirect interest, shall have to resign.

Article Twelve - BOARD OF TRUSTEES:

Board of Trustees shall comprise of three members elected as Trustees.

Article Thirteen - ELIGIBILITY AND TERM OF TRUSTEES:

1) A candidate for the office of a Trustee shall have experience as a member of the Board for at least one year.

2) The term of each Trustee shall be for three years.

3) The General Body shall elect one Trustee each year to replace one retiring Trustee for office of Board of Trustee.

4) In case of departure of a Trustee from the Board, for any reason other than expiration of the term, the vacant seat shall be filled by election at the General Body meeting and the elected Trustee shall serve for remaining term of the departing Trustee.

Article Fourteen - DUTIES OF THE BOARD OF TRUSTEES:

1) The Board of Trustees shall advise the Board of Directors about the policy matters.

2) The Board of Trustees shall oversee the smooth transfer of documents from outgoing to incoming Board of Directors every Year.

3) The Board Trustees may submit an annual report to the General Body to highlight any aspects of the working of the Maharashtra Mandal and comments on

the management of the Mandal by the Board of Directors.

4) The attendance of the Trustees at the meetings of the Board of directors shall be at the discretion of the Trustees.

Article Fifteen - MEETING AND THEIR QUORUM:

1) General Body meetings shall be called by the president at least once a year and on such occasions as the Board deems necessary, by giving a notice to the members neither less than 15 nor more than 40 days before the date of the meeting.

2) General Body meeting may also be called under signatures of at least 25 % of the total membership, by giving a notice neither less than 15 nor more than 40 days to the members.

3) The Quorum at any General Body meeting shall be one-third of the membership. If the quorum is not met within one-half hour of the stipulated time, the meeting shall be valid with as many members as are present.

4) Board meeting shall be called by the Secretary at places agreed upon by the Board at the previous meeting. The quorum for the Board meeting shall be one-half of its composition. If the quorum is not met within one-half hour of the stipulated time, the meeting shall be valid with as many officers as are present, provided not less than one-third of the Board members are present.

5) Parliamentary procedure as set forth in "Robert's Rules of Order" as periodically revised shall govern all the Mandal meetings.

Article Sixteen - ADVISORY COMMITTEE AND SUB-COMMITTEES:

A. Advisory Committee: The Ex-President, Ex-Vice Presidents, Ex-Treasurer, and Ex-Secretary of the previous year shall serve in an advisory capacity for the current year to help the existing Board. They may

attend Board meetings only by invitation but shall have no voting rights.

B. Sub-Committee;

1) The Board may form sub-Committees to carry out its program of activities.

2) The convener of each sub-committee must be a Board member. The other members of the sub-committee must be approved by the Board.

3) Each Sub-committee shall elect a chairperson and a secretary from among its members to conduct its business.

4) All sub-committees shall submit their report to the Board periodically.

Article Seventeen - AUDITORS:

1. All accounts of the Mandal shall be audited by a committee of two persons other than Board members, approved by the General Body.

2. The term of the appointed auditors shall coincide with the term of the Board of Directors.

3. The auditing shall be completed no later than 3 months after the end of fiscal year.

Article Eighteen - RESERVE FUND:

1. As of the last day of the fiscal year, any amount in balance which is in excess of \$1,000 shall be earmarked for a special account called the "Reserve Fund" and transfer of this amount to the Reserve Fund shall be carried out within one month after the closing of the fiscal year.

2. The General Body shall be solely responsible for the utilization of the Reserve Fund in any manner consistent with its objectives. The Board of Directors cannot withdraw any amount from this fund without an explicit sanction from the General Body for

such withdrawal.

Article Nineteen - DISSOLUTION:

1. The Mandal can be dissolved only by a resolution of the General Body passed by at least two-thirds members present in the General Body meeting.

2. Upon dissolution of the Mandal, the Board of Directors shall, after making provisions for the payment of all the liabilities of the Mandal, dispose off all the assets of the Mandal exclusively for such purposes or to such organization or organizations occupied and operated exclusively for the charitable purposes.

3. Any of such assets not so disposed off, shall be disposed off by the proper court of law of Cook County, exclusively for such purposes or to such organization or organizations as the court shall decide which are organized and operated exclusively for charitable purposes.

Article Twenty - ADOPTION AND AMENDMENTS:

This constitution and its future amendments shall be ratified only by a two-thirds majority of the members present in a General Body meeting. Notice of the proposed amendment shall be sent to the members neither less than 15 nor more than 40 days before the date of the General Body meeting.

BY - LAWS

Article One - FISCAL YEAR:

The fiscal year of the Mandal shall be from January 1 through December 31.

Article Two - DUES:

1) For regular membership, the dues shall be \$10.00 per family or individual per year.

2) The membership shall be effective from the date the dues are paid until the end of the fiscal year.

3) Dues for the Life membership shall be \$101.00 per family or individual.

4) There shall be no dues for the Honorary Members.

Article Three - TERM OF THE BOARD:

The term of the Board shall be the same as fiscal year.

Article Four - PROCEDURE FOR ELECTION OF OFFICERS:

1) The election shall be held at the Annual General Body meeting at Diwali function, for the officers of the following year by a secret ballot.

2) The Board of Directors shall appoint an Election Committee prior to the election. The committee shall consist of four persons, two of which shall be Board Directors, and other two from the general membership. The committee shall receive nominations for various offices. The nominations could be from individual member seeking office or could be proposed and seconded by other members of the Mandal and accepted by the candidate.

3) The nominations shall reach the election committee in writing at least two weeks prior to the election date. the election committee shall scrutinize the eligibility of candidates seeking office and shall prepare a list of eligible candidates, a copy of which shall be submitted to the Board of Directors at least one week before the election date.

4) The details of election shall be worked out by the election committee. The election committee shall be responsible for carrying out the election. The chairperson of the election committee shall act as the presiding officer whose decision regarding the election shall be final.

5) Any vacancy caused by resignation, disability, death or expulsion shall be filled by co-option by the officers. The eligibility requirements for a new member co-opted to fill the vacancy shall be the same as described in Article Ten of the Constitution.

Article Five - PROCEDURE FOR ELECTION OF TRUSTEES:

1) The election committee as outlined in By-Law 4 shall have the responsibility to present a candidate for the Board of Trustee to the General Body.

2) The election of the Trustee(s) shall be by a simple majority of the members present and voting at the Annual General Body meeting.

Article Six - BANKING PROCEDURE:

1) The bank account shall be opened by the Board upon the signatures of the President, Treasurer and Secretary.

2) Any withdrawal shall bear the signatures of any two of the above three officers.

Article Seven - FINANCIAL LIABILITIES AND COMMITMENTS:

The overall functions during the year, shall be so budgeted by the Board that at the end of the year,

the net loss, if any, during the term of the Board shall not exceed \$ 500.00.

Article Eight - APPOINTMENT OF AUDITOR:

1) The election committee as outlined in By-Law 4 shall also present the names of two auditors at the General Body meeting for election along with the new Board of Directors.

Article Nine - AMENDMENTS:

1) These By-Laws and any future amendments of the By-Laws shall be ratified by a simple majority of the members present in a General Body meeting.

2) Notice of any proposed amendment(s) to the By-Laws shall be sent to the members neither less than 15 nor more than 40 days before the date of the General Body meeting.