

Indo-Us Cultural Association

(IUCA)

BY-LAWS

INDO-US CULTURAL ASSOCIATION

(IUCA)

BY-LAWS

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Preamble, Aims, and Objectives

Migration is in the nature of man/woman and though he/she is appreciative of the fact that he/she has to adopt the way of life in the new land, he/she need not abandon the people, the culture, and the tradition of the land he/she once lived in.

It is in such pursuit that, we, the people from India, living in North Carolina agreed to remain united by virtue of a common and glorious past, with a view to:

- Provide a common forum for the people from India to exchange views affecting their social life.
- Promote social and cultural activities of India in North Carolina.
- Promote the general welfare of people of Indian origin and ancestry both in India and US through charitable activities. Such activities may include providing scholarships, helping disadvantaged financially and with basic human needs etc.
- Arrange seminars and meetings concerning India and their interrelationship with the United States generally to promote the welfare of the people of Indian origin and ancestry.
- Assist people seeking vital medical and educational help.
- Assist visitors, immigrants, and dignitaries from India in accomplishing their noble missions in North Carolina.

Article I

Name & Location:

Section 1. The name of the non-profitable organization shall be **INDO-US CULTURAL ASSOCIATION** (herein after referred to as **IUCA**).

Section 2. The headquarters shall be located in the city of Winston Salem and its vicinity designated by the Executive Committee. Headquarters may be located at the current office/ resident of the president of the Association.

Section 3. The broad objectives of the Association shall be as enunciated in the preamble to the By-Laws.

Article II

Membership:

Section 1. Any individual eighteen years or older, who subscribes to the objectives of the (UCA may become a member subject to the rules and regulations prescribed by the By-Lows of the IUCA.

Section 2. Whenever the word "member" is hereafter mentioned, it shall mean a member in good standing on the current membership roster. The Executive Committee shall verify all signatures on the petition, ballots, and etcetera, for purposes of validation.

Section 3. The immediate family of IUCA members shall be entitled to participate in all activities of IUCA and shall be entitled to all privileges of IUCA members except voting rights. Immediate family may consist of a husband, wife, and minor children and dependent parents.

There will be four types of memberships:

- a. Individual
- b. Couple
- c. Student
- d. Family

Section 4. An honorary membership may be awarded to a distinguished person upon approval of the Executive Committee. He/she shall be entitled to all membership privileges other than the voting rights as provided in Article II, and shall be exempt from membership fees dues as required by Article II.

Section 5. Membership will be open from January 1st to the date of Diwali function for that fiscal year.

Section 6. There will be a fee for membership except in the case of an honorary membership. Changes in membership fee will be under the jurisdiction of Executive Committee. Executive Committee can increase it up to 20%. More than a 20% increase must be approved in general members meeting. If increased, fee cannot be increased again for another two years.

Section 7. All members are expected to treat any communication via email as official. It is member's responsibility to provide current valid email address for record.

Article III

Executive Committee:

Section 1. The business and the property of the IUCA shall be managed and controlled by an Executive Committee which shall serve for a term of one calendar year. The Executive Committee shall hold office until the annual meeting of all members or until the election and induction of their respective successors, except as hereinafter provided for the purpose of filling up vacancies. The President shall be elected by secret ballots of the members voting in the annual meeting of IUCA members with his/her team announced in advance of the election. The president has the liberty of choosing whom he/she shall serve with to encourage team approach.

Section 2. The Executive Committee shall be formed for a term of one year in order to formulate, plan, and administer such activities as to fulfill the aims and objections of the IUCA and shall consist of the following office bearers: Executive Committee will be made of the President, Vice President, Secretary, and Treasurer. President \will have option, if he/she wishes, of including up to four more Executive Committee members to facilitate bigger programs, more community involvement. No member shall hold more than one post at any time. President and Vice President cannot serve for more than two successive terms in their respective positions.

Section 3. The President shall preside over all meetings of the Executive Committee as well as the general membership meetings of the IUCA. He/she shall hold and exercise general charge and supervision of the affairs of the IUCA and shall additionally perform such other duties as may be assigned to him by the Executive Committee in keeping with the policy of the IUCA regarding organizational and administrative matters.

Section 4. Vice President shall be responsible for promoting membership of the IUCA. In addition, he/she shall assist the President in carrying out his/her responsibilities and, in the event of the President's absence or disability, shall hold and exercise the powers of the President.

Section 5. The Secretary shall have charge of such 000ks, documents, and papers as the Executive Committee may determine. He/she shall attend to and keep the minutes of the meetings of the members of the IUCA. He/she shall keep a record, containing the names, alphabetically arranged, of all members of the IUCA, showing their places of residence, and such books shall be open for inspection by request as prescribed in the By-Laws. He/she may sign, with President in the name and on behalf of the IUCA, and contracts or agreements authorized by the Executive Committee. He/she shall, in general, perform all duties relating to the office of the General Secretary, subject to the control of the Executive Committee, and shall do and perform such other duties as may be assigned to him/her by the Executive Committee.

Section 6. The Treasurer shall have the custody of all funds, and property of the IUCA, subject to such regulations as may be imposed by the Executive Committee. When necessary or proper, he/she may endorse on behalf of the IUCA all collections of checks, notes, and other obligations and shall deposit the same to the credit of the IUCA at such bank or banks or depository as the Executive Committee may designate. He/she shall make such payment as may be necessary or proper on behalf of the IUCA. He/she shall enter regularly on the books of the IUCA to be kept by him/her for the purpose, full and accurate account of all money and obligations received and paid or incurred by him/her for the account of the IUCA and shall exhibit such books at all reasonable times to any member on application at the office of the IUCA. He/she shall, in general, perform all the duties incumbent on the office of the Treasurer, subject to the control of the Executive Committee.

Section 7. The members of the Executive Committee shall participate in the planning of activities of the IUCA in conjunction with other office bearers of the Executive Committee. They will become members and/or coordinators of special subcommittees as and when designated by the President and on the advice of the Executive Committee. A IUCA member/ non-member may be asked to serve on such committees if beneficial to the cause of such committee.

Section 8. All members of the Executive Committee shall be honorary and shall receive no salary for their services, except as reimbursement for expenses incurred on behalf of the IUCA.

Section 9. Any member of the Executive Committee may resign at any time by given written notice of such resignation to the President of the LUCA and shall take effect upon the approval by the President and on the advice of the Executive Committee.

Section 10. Any member of the Executive Committee may be removed from the Executive Committee by the affirmative vote of either two thirds of Executive Committee or members present at a special meeting of the members of the IUCA called for the purpose. The removal from the Executive committee shall be for the malfeasance, for conduct detrimental to the interest of the IUCA, for lack of sympathy with its aims and objectives, or for refusal to render reasonable assistance in carrying out its purposes. Any executive member proposed to de removed shall be given two weeks' notice and shall be entitled to appear before and be heard by the Executive Committee at such meeting.

Section 11. Executive committee members shall take the necessary steps to:

- a) Ensure that the highest ethical standards are followed by any and all persons performing/transacting any activity on behalf of the IUCA.
- b) That all actions fully comply with the intent and spirit of these bylaws
- c) That all relevant Local, State and Federal laws are complied with in all such actions/transactions.
- d) That no member acting on behalf of the IUCA will initiate an action/transaction, for personal gain, be it direct or indirect, monetary or otherwise.
- e) That a committee member, called to vote or participate in an action/transaction, that might be construed as a potential conflict of interest, properly notify the other members of the committee and, if necessary, recuse himself/herself from such proceedings.
- f) That no preferential treatment, bias, mistreatment or propaganda of any nature be directed toward any individual or group anywhere or anytime.
- g) That all correspondence (email or otherwise) intended for all IUCA members not exclude any member or group within the IUCA.
- h) That each and every member of the Executive Committee be present and be entitled to one vote each in all Executive Committee meetings where a majority vote is required to determine a course of action on behalf of the LUCA.
- i) That no member granted authority in the IUCA will allow himself/herself to be manipulated by any person, group, political organization etc. to promote their/its interests at the expense of the IUCA or its members.

Section 12. A vacancy on the Executive Committee occurring during the term of the Executive Committee may be filled for the unexpired portion of the term as follows:

- a) **President:** The Vice President shall become President for the remainder of the term.
- b) **Vice President, Secretary, and Treasurer:** Executive Committee members shall fill in such vacancies for the remainder of the term.
- c) **Executive Committee Members:** The vacancy shall be filled from the general membership of the IUCA for the remainder of the term by nomination by the Executive Committee.

Section 13. At any meeting for the Executive Committee, the presence of five members shall constitute a quorum in the transaction of any business. When a quorum is present to conduct a meeting, it will not be broken by subsequent withdrawal of any member.

Section 14. The members of the Executive Committee may not enter into transaction, or otherwise act for and on behalf of the IUCA prior to the approval of the Executive Committee.

Section 15. The Executive Committee shall present at the annual meeting of members and file with the minutes there of a report verified by the President and the Treasurer, showing:
A complete financial statement showing a balance sheet, and statement of Receipt and expenditure incurred during the year.

Section 16. The fiscal year of the IUCA shall be from January 1 to December 31 of the year.

Section 17. An outgoing Executive Committee shall brief the new incoming committee of any outstanding issues/ commitments and hand over all bank accounts, keys, assets, accounting books, directory listings, any digital storage media containing member information, access information and passwords to IUCA web servers etc. within the next 60 days.

Article IV

Meetings:

Section 1. A general meeting of the members of the IUCA shall be held annually for the election of the President with his/her team announced in advance and of the transaction of other business.

Section 2. A meeting of the Executive Committee shall be held as needed, at least semi-annually at designated places and times.

Section 5. Special meetings of the Executive Committee for any purpose or purposes may be called by the President or a member of the Executive Committee,

Section 6. All Executive Committee members are expected to treat any communication via email as official. It's member's responsibility to provide current valid email address for record.

Article V

Election:

Section 1. In order to hold the election for the President with his/her team announced in advance, the Executive Committee shall meet in the month of November and nominate a four member Election Committee consisting of two members of the Executive Committee not seeking election and two members of the IUCA. The Election Committee shall conduct the general election on the basis of the constitutional provisions related to the election. The Election Committee may request the assistance of members of the executive Committee in issuing the notice of election, ballot papers, counting of votes, etc.

Section 2. The election shall be held at a place designated by the Election Committee. The Election Committee shall schedule the election date.

Section 3. The Election Committee shall mail or email a notice announcing the date, time, and place for election at least two weeks before the election day.

Section 4. Any nomination to be valid must be written in English, signed and dated by the candidate, and seconded by two current members of IUCA and must be received by the Election Committee by a date designated by the Election Committee. No member may run for two offices simultaneously. Only members as defined in Article II shall be eligible for voting. No member may second more than one nomination for the same post.

Section 5. The Election Committee shall keep a chronological record of each nomination received. It shall verify and acknowledge each nomination. Any nomination can be withdrawn by the candidate by notification in writing to the Election Committee one week before the election day. The final list of candidates will be announced one week prior to the election date.

Section 6. An IUCA member not able to attend the election may vote by email. His /her choice of candidates shall be written in English and addressed to the election committee. The absentee ballot should reach election committee by a date designated by the election committee.

Section 7. The Election Committee shall verify the qualification of all voting members.

Section 8. On the Election Day, each member present at the designated place will be issued a ballot paper. Every adult member will have a right to vote subject to a maximum of two voting right per family. Voting will be done by secret ballot. After the polls are closed, the ballots will be counted and tabulated. The Election Committee shall certify and announce the results (name of the President) as soon as thereafter as may be practical.

Section 9. The election result certified by the Election Committee shall be final and binding to all parties.

Section 10. The Election Committee shall follow Sections 1 through 12 of Article V as guidelines in conducting the elections of the IUCA. The Election Committee may take suitable changes in the schedule, time, place, and date of the election if deemed necessary, to conduct the election properly.

Section 12. After the successful completion of the election, the Election Committee shall cease to exist.

Article VI

Amendment to the By-Laws:

Section 1. A proposed amendment to the By-Laws shall be submitted to the Secretary in a written petition signed by not less than Three Executive Committee members of the IUCA. The Executive Committee shall study the proposed amendment, and after its approval present it for voting at an extraordinary meeting of the general body of the IUCA. For amendments to pass, each must be approved by at least two-thirds of the Executive Committee of the IUCA present and voting at the Executive Committee meeting, and by a majority of the members present and voting at the general body meetings.

Article VII

Bank Account:

Section 1. The Treasurer will be in charge of the bank passbooks, check books, etc., and shall maintain proper vouchers and/or cancelled checks for all expenses.

Section 2. For special purposes, the Executive Committee may empower the Treasurer to open more than one bank or Money Market accounts. These accounts shall cover such purposes only.

Section 3. The bank accounts shall be operated under the name of INDO-US CULTURAL ASSOCIATION, and funds may be placed in interest bearing accounts or checking accounts or in both.

Section 4. The bank account shall be operated by any of:
a) The Treasurer/General Secretary/President for IUCA transactions not exceeding \$500 (five hundred dollars).

3) By the joint signatures of any two of the Treasurer, President or the General Secretary for amounts in excess of \$500 (five hundred dollars).

Article VIII

Contracts:

Section 1. Except as otherwise provided herein, the Executive Committee may authorize any member or agent to enter into any contract or execute and deliver any instrument in the name of and on behalf of the IUCA and such authority may be general or confined to a specific instance; and unless so authorized by the Executive Committee, no member or agent shall have any Power or authority to bind IUCA by any contract or engagement or to pledge its credit, or render it liable for any purpose, for any amount,

Earnings and Investment:

Section 1. No member(s) of the Executive Committee or person connected with IUCA, or any other private individual shall receive at any time any of the net earnings or profits from the operation of IUCA provided, however, that this shall not prevent the payment to any such person of compensation for expenses incurred on behalf of IUCA in effecting any of its purposes as shall be fixed by the Executive Committee.

Exempt Activities:

Section 1. Notwithstanding any other provision herein, no member, member of the Executive Committee or the representative of IUCA shall take any action or carry on any activity by or on behalf of IUCA not permitted to be taken or carried on by an organization exempt under section 501(c) (7) or section 501 (c) (3) of the Internal Revenue Code and its regulations as they now exist, or as they may herein after be amended.

Article IX

Dissolution of the Organization:

Section 1. In the event of the dissolution of the organization, the assets and the liabilities of the organization shall be transferred to a willing organization of a comparable nature. The decision about the dissolution, as well as the transfer of assets and liabilities shall be approved by the Executive Committee. This proposal will be sent to the general body. An affirmative vote at the general body meeting will be required to approve the dissolution of the organization.

Section 2. In the event of the dissolution of the organization, the assets, and liabilities of the IUCA will be transferred to an organization of a comparable nature. The recipient organizations must be one which satisfies the requirement of the section 501 (c) (7) or section 501 (c) (3) of the Internal Revenue Code, or Corresponding section of any future Federal tax Code or the assets shall be distributed to the Federal or State or local government for a public purpose.

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