

Sindhi Association of Metropolitan Chicago

(A Non-Profit Organization established in 1965)

CONSTITUTION & BY-LAWS

Article 1 NAME

The name of this organization shall be **SINDHI ASSOCIATION OF METROPLITAN CHICAGO**.

Article 2 OBJECTIVES

The objectives of this organization shall be:

1. To function as a catalyst in the development of civic consciousness and the promotion of Hindu Sindhi culture awareness among all individuals of the Sindhi origin.
2. To initiate organize and support activities that contribute to preservation of unique "Sindhiyat" values of the Hindu Sindhi culture and passing on the same to the next generation.
3. To initiate, organize and support activities of charitable nature to help Sindhi community anywhere in the world.
4. To help Sindhi community when their fundamental human rights are violated.
5. The Corporation is organized to operate for charitable and educational purposes within the, meaning of Section 501 c (3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue Law).

Article 3 MEMBERSHIPS

3.1. Eligibility

Any person, at least 18 years of age, who subscribes to the objectives in Article 2 may become a member of the association.

3.2 Dues

A family will be considered a unit of two members – husband and wife and any minor children under 18 and other blood relatives living in the same household. There shall be annual membership dues for individuals and families.

The annual membership dues are good for each calendar year from January 1, through December 31.

Alternatively, there shall be life membership dues for individuals and families who subscribe to it.

The annual membership dues and life membership dues are nonrefundable.

3.3 Rights

Individual paid members in good standing can vote and run for any office of the Association. Individual members will have one vote. Families will have two votes, one for each spouse. The right to vote is not assignable and cannot be exercised by proxy. There shall be equal participating rights for all members.

In a family, only one spouse can run for any office of the association.

3.4 Duties

The annual members must pay the membership dues by September 30 of each year. All members shall conduct themselves in an orderly and disciplined manner.

3.5 Removal

a) A member may be expelled for gross misconduct, willful breach of the By-Laws, or outrageous behavior. A member can only be expelled with the approval of a three-fourths majority of the General Body Quorum. The member must be given a fair-hearing.

b) Non-payment of dues by annual members by September 30 of the current year will result in forfeiting the right to vote and the right to run for any office during the next election.

3.6 Benefits

a) Right to attend all the activities of the Association.

b) Receive SAMC newsletter and other periodicals.

c) Eligible for SAMC assistance during the times of need.

Article 4

EXECUTIVE COMMITTEE

4.1 General Powers

The Executive Committee will have the authority to organize the Association's activities pursuant to the objectives stated in Article 2, to appoint various committees, to call general and special meetings, to raise funds - to collect membership dues, to incur legitimate expenses, to conduct business functions and to engage in all other activities to meet the goals of the Association. Increase in annual or life membership dues above 25% a year shall be subject to approval by the General Body by a simple majority.

4.2 Duties

To conduct activities in accordance with the By-Laws, to comply with Federal & State requirements, to call an Annual General Body meeting ~~within 90 days after the close of the fiscal year (December 31)~~, to hold elections bi-annually and to submit a financial report.

4.3 Number (Min. /Max.), Qualifications, Tenure, Invitees

- a) Number: The Executive Committee shall consist of not less than 7 and no more than 13 elected members.
- b) Qualifications: Members in good standing and whose dues are paid to date.
- c) Tenure: ~~One-Two~~ years term or until the next elections at the Annual General Body Meeting. ~~for SAC elections.~~
- d) Invitees: The Executive Committee may co-opt at the time of the Annual General Body Meeting or at any other time, a maximum of four members as invitees during the tenure of the committee. They will have no voting rights. _
- e) The immediate past President may be invited to the meetings of the present Executive Board as an ex-officio member with no voting rights.

4.4 Meetings- Regular-Special

- a) The Executive Committee must meet at least four times a year. The committee members should have at least 5 days' notice.
- b) Special Meetings: The President may call a special Executive Committee meeting by giving 24 hours' notice.

c) At any time, one-third members of the Committee may request that the President call a special meeting. After receipt, of such notice,' the President must call a special meeting within 15 days. If for any reason such a special meeting is not called, the members may themselves call for a special Executive Committee meeting at which time, two-third members of the committee must be present to constitute a quorum.

4.5 Quorum

There should be 50 percent or more of the SAMC Executive Committee Members present at the meeting to form a quorum.

4.6 Removal

If it is found that the Executive Committee cannot carry on its normal functions as a result of misconduct of a member(s) , it may, by a two-thirds majority of the entire Executive Board, remove any member or members with the reasons stated in writing.

However, the aggrieved member or members must be given an opportunity to address the concerns' voiced by the Committee. Further, a right to petition the Executive Committee within 15 days and to call a special General Body Meeting to confirm or annul removal shall be offered to all members. The Committee must call a special General Body meeting within 30 days of the date of receipt of such a petition. Fifteen days' notice to members should considered sufficient for holding such a meeting.

4.7 Resignation

Any member can resign in writing to the Executive Committee. Resignations from the executive committee must be in writing and made to the general secretary. When a vacancy on the executive committee exists mid-term, the secretary must receive nominations for new members from present committee at-least two week(s) in advance of the next scheduled executive committee meeting. These nominations shall be voted upon at the next committee meeting. These vacancies will be filled only to the end of the particular executive committee term. The committee can also decide to keep the position vacant, if there is no impact to normal business functions of the association.

ARTICLE 5 OFFICERS

5.1(a) Officers of the Executive Committee shall be:

President

Vice President

Secretary

Joint Secretary

Treasurer

Joint Treasurer

Program Coordinator

Youth Coordinator

Editor

Public Relations

Others, as needed.

5.1(b) Auditor: The Auditor will function independently of the SAMC Executive Committee (refer to See 5.12 for details).

5.2. Election and term of office

a) All officers shall be elected at the Annual General Body Meeting for a term ~~of one~~ two years or until the next elections at annual General Body meeting.

b) No member shall be nominated as president unless he/she has been on the committee for a ~~term of one year~~ term.

c) The Executive committee shall appoint an "Election Committee" of at least three (3) member, 2-months prior to the election, for the purpose of inviting nominations for officers and ; conducting elections at an Annual General Body meeting held in the month of December of each year.

d) The Election Committee, who shall also act as a nominating committee, shall invite nominations from all members in good standing, in writing for all positions to be received at least five (5) days prior to election. Nominations will also be invited from the floor for all the positions at the time of elections.

e) The voting for an election shall be done by secret ballot and the candidates will be selected by majority votes.

f) In case of a tie for any position {s), a coin-toss approach will be used to break the tie.

g) The New Executive Committee shall take charge within thirty (30) days after the elections.

h) The maximum consecutive terms on the Executive Committee served by any individual shall be three (3) terms in the same role.

i) The names on Ballots will be placed alphabetically for each position.

j) The nominating committee will have the power to stop any canvassing prior to the SAMC elections in the election hall on that day.

k) Any nominated person who is unable to attend the election in person will be considered only if he/she has pre-informed to that effect, to any member of the nominating committee.

5.3 President

Shall be the Executive Officer of the Association. He/she shall preside at all meetings of the Committee and shall be a member of all committees of the organization. He/she shall see that all resolutions and directives of the committee are carried out into effect and shall discharge all duties incident to the office of the President and as prescribed by the committee.

5.4 Vice President

Shall preside in the absence of the President and shall be responsible for organizing meetings and performing such other duties as maybe assigned by the President or by the committee.

5.5 Secretary

Shall have custody of the Association's By-Laws, all records and documents of the organization, except those kept by the Editor and Treasurer for the designated purposes of those positions. He/she shall record the minutes of meeting of the committee, see that notices are given in accordance with the By-Laws or as required by law; keep a register of members with addresses, and perform all duties related to the office of the Secretary and such other duties as may be assigned by the President or by the committee.

5.6. Treasurer

Shall be responsible for the Association's maintenance of adequate books of accounts; have charge and custody of all Association funds and securities, and be responsible for the receipt and disbursement thereof with approval of the committee and perform all the duties incidental to the office of Treasurer and such other duties as may be assigned by the President or by the committee.

5.7. Joint Treasurer and Joint Secretary

Shall perform such duties as shall be assigned to them by the treasurer or the secretary, respectively, or by the President or by the committee.

5.8 Program Coordinator

Shall co-ordinate and assist in all cultural & social events of the organization and perform such other duties as assigned to his/her by the President or by the committee.

5.9 Youth Coordinator

Shall co-ordinate and assist in all cultural & social events of the organization youths/children and perform such other duties, as assigned to him/her by the President or by the committee.

5.10 Editor

Shall be responsible for publishing the Association's Directory, [website](#) and Newsletter(s) as directed by the committee.

5.11. Public Relations Officer

Shall be responsible for the promotion of the image and interest of the Association; co-ordination and participation with other organizations in America; and shall perform other duties as may be assigned by the Committee.

5.12 Auditor

Shall be elected by the General Body. He/she shall audit the accounts of the Association and other related documents and records to the best of 'his/her ability r' and submit a report to the committee.

ARTICLE 6 OTHER COMMITTEES

- 6.1.** Other committees may be designated by a resolution adopted by a majority of the Executive Committee present at a meeting at which a quorum is present.
- 6.2.** The Executive Committee will determine the size of each committee, its purpose and its term.
- 6.3.** Each committee may adopt governing rules as needed consistent with these By-Laws.

ARTICLE 7 AD HOC COMMITTEE

- 7.1** The General -Body of the Association shall form a "Ad hoc Fund Committee" as and when the Association's need arises.
- 7.2** The ad hoc Fund Committee will consist of at least three (3) Ex-Presidents of the Association.

- 7.3 The main function of the Special Funds committee shall be to operate, invest, recommend and disburse the special funds, as approved by the three-fourths majority of the entire Executive board.
- 7.4 At the beginning of the formation of the Special Fund Committee, one-third the members shall be elected for a term of one year, one-third for a term of two years and one-third for a term of three years. Thereafter, each member shall be elected for a term of three years. Members of this Committee shall be elected at the annual general body meeting.

ARTICLE 8 GENERAL BODY MEETINGS

- 8.1 The Executive Committee shall call for annual general body meeting and special general body meetings of the Association by giving 15 days' notice in writing, to all members.
- 8.2 Twenty-five percent of the eligible members of the Association, at any time, can request the committee in writing to call for a special. General body meeting for specified purpose (5)" The committee must call for a special general body meeting within 30 days from the receipt of such a petition.
- 8.3 **Quorum:** All eligible to vote SAMC members in good standing, who are present within 45-minutes of the prescribed time of activity, shall constitute a quorum for that activity if:
- a) They are 30 or more in number AND
 - b) When the President of EB or his designate is present.

ARTICLE 9 BUSINESS ADMINISTRATION

- 9.1 **Funds:** All Association funds shall be deposited to ~~the a FDIC insured bank account of the association. credit of the Association.~~ All deposits and checking accounts of the organization shall be operated by the President and/or Treasurer and/or Joint Treasurer jointly with other committee member(s). The committee shall authorize at least four signatures from the committee to-operate all banking operations.
- 9.2 **Deposits/Payments:** All payments received by the organization shall be deposited in the ~~operating checking~~ account of ~~the Association.~~ ~~All life membership dues received will be transferred to a fixed deposit periodically. All payments for the organization shall be made by check where ever possible.~~ Any payment over \$500.00 shall be approved or ratified by the committee. The Executive Committee is authorized to utilize, if needed earnings earned on fixed deposits during a year, for its operating requirements. The Committee is further authorized to withdraw up to \$2,500.00 from deposits for contingent needs. Any amounts in excess of \$2,500.00 withdrawal from fixed deposit or other funds shall be subject to approval of the General Body.

~~Some of the SAMC youth activities may be subsidized by withdrawing moneys from the SAMC reserved funds to a maximum of \$1,000.00 per term.~~

9.3. Investment

The committee will transfer excess of its operating funds to a ~~fixed deposit~~insured financial product.

9.4. Fiscal Year and Audit

The fiscal year of the association will be from January 1st to Dec 31st. The committee shall see that the Associations financial accounts and records are audited each year within 90 days of fiscal year end. ~~statement~~ ~~dated December 31.~~

9.5. Report

The committee will submit its Annual Report along with Financial Statement to all members before the next annual ~~general~~ body meeting.

9.6. Records

The Association through its general secretary shall keep adequate books of accounts, minutes of proceedings of the committee, annual ~~general~~ body meetings and other special meetings and membership records.

ARTICLE 10 PROVISIONS FOR TAX EXEMPTIONS

The objectives for which the Sindhi Association of Metropolitan Chicago is organized appears in Article 2 and in other provisions in Article 11.

ARTICLE 11 OTHER PROVISIONS

(A) In no event shall any funds of the Association inure to the benefit of, or be distributable to its Directors or officers or to other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in these Articles.

(B) No substantial 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 on behalf of any candidate for public office

(C) Notwithstanding any other provision of these Articles, the Association shall not carry on any other activities not permitted to be carried on (i) by a Association exempt from Federal income tax under Section 501 @ (3) of the Internal Revenue Code {or the corresponding provision of any future United States Internal Revenue Law} or (ii) by a association, contributions to which are deductible under Section 170 c (2) of the Internal

Revenue Code (or the corresponding provision of any future United States Internal Revenue Law).

(D) Upon dissolution of the Association, the Board of Directors shall, after paying or making provision for the payment of all the liabilities of the Association, dispose of all the assets of the Association exclusively for the purpose of the Association 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 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine; provided, however, that should the Board of Directors fail to agree upon a distribution then the assets shall be disposed of by the appropriate court of law, to such organization or organizations as the court shall determine, which are organized and operated exclusively for exempt purposes

ARTICLE 12 AMENDMENT TO CONSTITUTION & BY-LAWS

The By-Laws maybe altered, amended or repealed or new By-Laws adopted by affirmative vote of ~~3/4ths~~2/3rd majority of members at any General Body Meeting or special General Body Meeting of the Association.

ARTICLE 13 APPEALS

- 13.1. Any dispute, between a member and a member, a member and an outsider relating to the Association business, and member(s) and the Association shall be referred to private-arbitrator (s)
- 13.2 Selection of Arbitrator(s) shall be by mutual consent between the parties.