

MID AMERICA BENGALI ASSOCIATION
322 Brook Mead Drive, Clarksville, Tennessee 37042

CONSTITUTION

(This is the constitution of Mid America Bengali Association (MABA), proposed by Executive Committee meeting held on April 30, 2005 at Florence, Alabama for the general body's approval.

Recognizing that service to the public is the fundamental obligation of the human beings, the MABA does hereby dedicate itself to the promotion and preservation of Bengali culture, vital to the welfare of the community and mankind.

ARTICLE I

1. The name of the organization shall be MID AMERICA BENGALI ASSOCIATION (MABA).
2. The Executive Committee shall be elected every (2) Two Years.

The Executive Committee shall consist maximum of (11) Eleven members consisting of one President, one Past President, one Vice-President, one General Secretary, one Public Relation Officer, one Treasurer and other (5) Members.

3. The past President shall serve as ex-officio in executive committee and shall have full voting rights in all executive committee meetings.

4. The tenure of MABA Executive Committee shall be (2) Two Years. A member of MABA can only be elected as President for two consecutive terms, each term is for two years.

5(a). The venue of Bangamela (Annual Cultural Program by MABA), shall be decided by MABA Executive Committee on a competitive basis from the participating cities and will be hosted by the paid affiliated Bengali associations of the participating City.

5(b). Bengali Associations of Mid American cities are eligible to be members of MABA upon paying an annual affiliation fee of \$100.00. If defaulted in renewing affiliation, a penalty of \$50.00/defaulted year will be imposed. MABA executive committee has the right to restrict the number of cities for MABA affiliation.

5(c). Any Bengali association proposing to host Bangamela must accept all the guidelines set by MABA executive committee.

5(d). Financial responsibilities for hosting Bangamela shall be the responsibilities of the Bangamela organizing committee of the host city Bengali association.

ARTICLE II

Said Organization is organized exclusively for educational purposes, within the meaning of section 501 (C) (3) of the Internal Revenue Code (or corresponding section of any future Federal tax code).

ARTICLE III

No earnings of the organization shall be used to the benefit of, or be distributed to its members trustees, directors, officers or private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501©(3) purposes. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in

or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE IV

Upon dissolution, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, such as charitable, educational, religious or scientific, or corresponding section of any future federal tax code, or shall be distributed to the Federal Government, or to a state or local government for a public purpose.

ARTICLE V

The objectives of MABA is:

- 1 Promotion of Bengali Culture, Art, and Heritage among the Bengali communities residing in Mid and South America and among non-Bengali general public
- 2 Maintenance and enhancement of co-operation and association among the people who are interested in the objective of MABA
- 3 Advancement of educational and cultural interest of MABA.

ARTICLE VI

Section 1. The membership shall consist of:

- (a) Benefactors (Life Members)
- (b) Patrons
- (c) Family and Single Members
- (d) Honorary Members

Section 2. A benefactor (life member) shall be a member of MABA who is no longer required to pay dues provided he/she meets either one of the following requirements:

Either (a) has reached the age of 65 (sixty five), retired from active career, and has been a member of MABA for (10) ten years prior to his/her retirement, and is a member in good standing at the time of application

Or (b) paid minimum sum of five hundred dollars (\$500) in one occasion.

(b) Any member believing himself/herself to be eligible for this classification may apply in writing to the Executive Committee. The Committee's decision shall be final.

Section 3. A patron member shall be defined as a family composed of husband and wife upon a payment of one hundred dollar (\$100) per year. Both members shall have voting privileges.

Section 4. A family member shall be defined as a family composed of husband & wife and children under 18 years of age upon payment of annual dues.

Section 5. A single member shall be defined as an individual of over 18 years of age and is not married.

Section 6. An honorary member shall be a person who has attained eminence in the society, and has been elected such membership by the Executive Committee. An honorary member shall not pay any annual dues.

Section 7. All members other than Honorary members shall have voting privileges, and that only Benefactors, patrons, family and single members may hold any elected offices of MABA.

ARTICLE VII

Section 1. The Executive Committee shall determine the Annual Membership dues. Paid members will receive a 10% discount on the registration fee for Bangamela.

Section 2. The procedure for billing and collecting all dues shall be made by the Executive Committee as stated in the Bylaws.

ARTICLE VIII

Section 1. The members of the Executive Committee shall be current paid members.

Section 2. The duties of the officers shall be as defined in the Bylaws.

Section 3. The elected officers shall take office on January 1 following their election and shall hold office (two years) or until their successors have been duly elected and installed.

Section 4. Should a vacancy occur in the office of president, the order of precedence shall be the Vice-president and the General Secretary. Other vacancies occurring during the period shall be filled by appointment by the Executive Committee.

ARTICLE IX

Section 1. Nomination for elective officers shall be made by paid members.

Section 2. Existing and new members must pay the membership dues by the last day of Bangamela (of the current year) to be eligible to vote or to hold any elective office.

Section 3. The Election Committee will consist of 3 (three) paid members recommended by executive committee. One of the three Election Committee members will work as the Chairperson for Election Committee. Election Committee will be formed in the annual meeting. Election process will be conducted according to by laws and the Election Committee will run the whole election process.

Section 4. Nomination for any or all officers could be made by any paid member of MABA by via Regular Mail or E-Mail or fax to Election Committee at least forty-five days prior to the Election. Each nomination should be seconded by another paid member of MABA. The nomination petition should be signed by nominee, nominating member and the nomination supporting member.

Section.5. Election of the Executive Committee shall be by letter ballot or by E-Mail. The E-Mail address of the voter must be his or her own or any member of the same house can have hold mailing address same as the voter.

ARTICLE X

Section 1 An Annual General Meeting of which date, time, and place is to be fixed by the current Executive Committee. An agenda item shall be circulated to all members minimum two weeks in advance.

Section 2. Roberts Rules of orders (revised) shall constitute the accepted parliamentary procedures of the Meetings.

ARTICLE XI

The Executive Committee shall determine the location of the Headquarter of MABA.

ARTICLE XII

Section 1. Sub-Committees or Functional Committees, as may be desirable, shall be established in accordance with the provisions set forth in the Bylaws.

Section 2. The Executive Committee shall define the duty of Sub-Committees or Functional Committees.

ARTICLE XIII

Section 1. This constitution shall become effective upon its adoption by the Executive Committee.

Section 2. Amendment to the Constitution may be proposed by two-thirds vote of those present, at a regularly scheduled Annual Meeting. The proposed amendment shall be furnished to the members at least ten calendar days before the general meeting at which a vote on the amendment will be taken.

ARTICLE XIV

Section 1. The Executive Committee shall prepare and adopt a series of bylaws, which shall govern procedures under this constitution.

Section 2. The bylaws may be amended by an affirmative vote of three-fourths of all members of the Executive Committee present at a regular meeting providing that the text of a proposed amendment shall be furnished to each member of the Executive Committee at least ten days before the meeting at which a vote on the amendment will be taken.

ARTICLE XV

Section 1. All duly paid members shall have the following rights and privileges to:

- (a) Vote in the election of the Executive Committee.
- (b) Approve the constitution and the Bylaws and any subsequent amendment as they will arise.

Section 2. Bylaws:

I. The Executive Committee may take necessary action if an Executive Committee member does not attend at least one of three consecutive Executive Committee meetings

II. The Executive Committee can be dismissed if two-third majority of the paid members' vote for the resolution of a "No Confidence Motion".

III. The Executive Committee shall be responsible for notifying and collecting annual Membership dues.

IV. The Executive Committee shall form various Sub-Committees or Functional Committees to run the organization and assign responsibilities to each of the Sub-Committees.

V. The Executive Committee shall present the annual budget to the Annual Meeting of MABA for approval.

VI. The Executive Committee may appoint a Certified Public Accountant for the annual Audit of the Income and Expenses Report if needed.

ARTICLE XVI:

Member of MABA can only be elected as President for maximum two consecutive terms, each term is for two years

ARTICLE XV II:

If the post of the President becomes vacant, new election should be held within 3 months. Vice president will act as president for the interim period. Other vacancies occurring during the tenure of the committee shall be filled by the Executive committee subject to ratification at the general body meeting.

Bylaws: (Section 2. Responsibilities)

I. PRESIDENT:

The President shall be the head of the Executive Committee and in this capacity shall perform the duties of the Executive committee in the best interest of the Association according to the Constitution to meet its stipulated objectives. The President will do so in consultation with, or on the recommendations of the Board, the Executive Committee, the Core Committee, or the Sub- Committees, as and when required. The President shall also preside over all the meetings of the Association with the exception of the meetings of the Board and any sub-committee Meetings.

II. VICE PRESIDENT

In the absence of the President, the Vice- President shall act on behalf of the President. This office shall also have the responsibility of establishing and maintaining communications channels with all other ethnic groups and of directing the Association closer to the Association. The Vice President shall perform such duties as assigned by the Executive Committee from time to time.

III. GENERAL SECRETARY:

The General Secretary shall be responsible for recording and maintaining the minutes of meetings, sending notices of meetings, reporting regularly to the Executive Committee and taking such steps in consultation with the President as to help achieve the objectives of the Association. . In addition, the Vice President shall have responsibility for all Public Relations matters pertinent to the Association. The General Secretary may be assigned, by the Executive Committee, with certain other responsibilities as and when required.

IV. PUBLIC RELATION OFFICER:

The Public Relation Officer shall be responsible for all public relation matters related to association including maintenance of a user friendly website, periodic communications with the members and possibly publishing newsletter.

V. TREASURER:

The Treasurer shall maintain all accounts of the Association and reimburse all legitimate expenses from Association Fund upon receipt of formal approval of President from time to time. Treasurer will help in membership drive and will maintain records of all paid members.

VI. MEETINGS:

The Annual General Meeting of the association shall be held at the Bangamela venue. Written notice of the call for every Annual General Meeting, together with a copy of the agenda and the financial report of the past year shall be sent to each member by the General Secretary at least fourteen days before the date of meeting.

One-fifth (20%) of the membership of the Association will constitute quorum for the Annual General Meeting. The following items must be covered in the Annual General Meeting: financial report of the past year, plans for activities of the Association and budget proposal for the coming year, report on the accomplishment per plan from the previous year ratification of the minutes of the last Annual General

Meeting, and ratification of any amendments to the by – laws of the Association, as proposed and adopted By the Executive Committee. Special General meeting of MABA may be held at any time upon a written request, either from two-thirds member of the Executive committee and/or two-thirds of paid members.

CONSTITUTION STATEMENT: The undersigned MABA officers certify that the above constitution as submitted is a true, correct and complete copy of the MABA organizational document as approved and Adopted by the membership on:

November 11, 2002, Amendments on July 25, 2004 and July 24, 2005.

Subir Paul, President, Gouranga Banik, General Secretary and Parimal Bhattacharjee, Immediate Past President.