



# **USA TISI/TIV/TIM SANGAM CONSTITUTION**

**A non-profit organization 501(c) (3)**



**MAY 26, 2018  
USA SANGAM  
(APPROVED)**

**USA (TISI-TIV-TIM) SANGAM**  
*(A CULTURAL, EDUCATIONAL & SPORTS ORGANIZATION)*





## THE CONSTITUTION &amp; MEMORANDUM OF ARTICLES

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## MEMORANDUM OF ARTICLES

### PREAMBLE

We, the members of this Organization; in order to form a more perfect unity; establish democracy and justice; ensure tranquility; provide for a common cause, promote cultural, educational and sporting activities; and secure blessings of our forefathers and stalwarts of Sangam to ourselves and our posterity, do ordain and establish this constitution for this Sangam Organization established in the United States of America and as named herein.

### CITATION

These articles of the Organization may be cited as the Revised Articles of USA Then India Sanmargya Ikya (TISI), Then India Valibaar (TIV) and Then India Mathaar (TIM) Sangam

### Article 1: NAME OF ORGANIZATION

- 1.0** The name of this Organization shall be USA (TISI, TIV, TIM) SANGAM
- 1.1** Short Title: This Organization shall hereinafter referred to as "USA SANGAM"

### Article 2: INTERPRETATION-

In these Articles, unless the context otherwise requires:

USA Sangam - means an Organization of Then India Sanmargya Ikya Sangam, Incorporating TISI Sangam, TIM (Mathaar) Sangam and TIV (Valibaar) Sangam of Seattle, Riverside, Hayward, Sacramento, Golden Gate, Stockton, and other districts as and when incorporated under this constitution; and

- **TIV** - means Then India Vaalibar Sangam (youth wing)
- **TIM** - means Then India Maathar Sangam (Ladies wing)
- **Council** - means Council of Management/Board.
- **Member** - means prospective member whose membership application is approved.
- **Subscribed Member** - a member who is current in payment of the current year's membership dues.
- **Financial Member** - means a subscribed member who is currently entered on the membership Register, kept at the Organization's Head Office.
- **Bona-fide Member** - a member made, done, presented, etc., in good faith without deception or fraud.
- **Head Office** - the Registered Office of the Organization. (A Non-Profit Organization Registered under Federal Code 501(3) (c) in USA.
- **Provisional Affiliation** - temporarily accepted as an affiliated district pending processing of the application for affiliation under Article 41
- **Limited Privileges** - Not eligible for election to any administrative position for the purposes of Article 6; and not eligible to take part in any sporting activities of the Organization. The limited privileges may be extended from time to time by the specific approval of the Council/Board on a case-by-case basis, which shall be applicable for the term of that current Board/Council.
- **Good Standing** - *any member or district who:*
  1. Does NOT hold an investigation pending against them or had NOT been discharged or penalized by USA Sangam within the preceding 24 months or is NOT currently serving a penalty imposed by this organization; or
  2. Has within the preceding 24 months NOT complied fully with the Objects of the Organization per Article 3 including but not limited to ensuring payment of all outstanding dues in full by the deadlines established by the National Board.



**Article 3: OBJECTS AND PURPOSES OF THE ORGANIZATION:**

Shall be:

- a) To promote and sponsor South Indian Religious, Cultural, Sporting and Educational activities within the members of the South Indian Community Settled in United States of America.
- b) To establish, maintain, assist, and capitalize on South Indian Religious and Cultural facilities. Conduct regular classes for advancement of article 3 (a).
- c) To receive, acquire and hold gifts, donations, and bequests.
- d) To promote closer co-operation between this Organization and other religious and cultural communities with similar objectives, both locally and internationally, without prejudice against creed, color, or race.
- e) To serve as a conduit for the expression and representation of the legitimate concerns and interests of the member community, free from any political biases or interests.

**Article 4: NOT-FOR-PROFIT STATEMENT:**

This Organization is a NOT-FOR-PROFIT organization.

**Article 5: STATEMENT OF NON-DISCRIMINATION**

This Organization shall always be affirmative, action oriented and there shall be no discrimination within the ambit of these articles.

**Article 6: ADMINISTRATIVE SETUP**

COUNCIL OF MANAGEMENT/BOARD OF DIRECTORS (Elected).

(Appointed officers shall have administrative powers but shall not be required to form a quorum for the Board)

- PRESIDENT
- EXECUTIVE VICE-PRESIDENT
- VICE – PRESIDENTS

(One from each affiliated district)

- General Secretary
- Asst. Gen Secretary
- General Treasurer
- Asst. Gen Treasurer
- National President Elect Mathaar Sangam
- National President Elect Valibaar Sangam
- ADVISORY BOARD (Appointed)
- Trustees X 3 (2-year term -Appointed)

**Article 7: NUMBER OF MEMBERS**

For the purposes of Registration, the number of members of the Organization shall be declared to be unlimited.

**Article 8: QUALIFICATION OF MEMBERS**

The qualifications for the membership in this Organization shall be:

**BONAFIDE MEMBER**

All persons, at least 18 years of age, on the date of registration; and of South Indian origin of Fiji descendants from either paternal or maternal side of the parents, who subscribe to all the objects of the Organization and who sign the declaration form prescribed or to be prescribed from time to time by the Council, shall be eligible for membership of the Organization. Without prejudice to this clause, any person legally and fully adopted by a USA Sangam member through a USA court of law; or a Legal wife or legal domestic partner of an eligible male Bona-fide Member, who may not otherwise meet the qualification of a Bona-fide member on her own accord, as described in this article, shall also be eligible for membership.

- a) Paid a one-time subscription as described in Article 9; or
- b) Has served the Sangam for at least 5 consecutive years and has shown, in the opinion of the Board of Directors, an exemplary and extraordinary support towards accrediting the USA Sangam shall be bestowed the honor of an Honorary Life Member.

**Article 9: SUBSCRIPTION**

The rate of subscription payable for the members by each district shall be ten dollars (US\$10.00) annually and may be changed only through a resolution of the Annual General Meeting or Special General Meeting. This



subscription shall be monitored at district level and shall be payable to USA Sangam for each registered bona-fide member at their District level. Paid Life Membership shall be \$300 for individuals, of which 50% shall be payable to the USA Sangam, and \$500 for a couple and shall be exempt from annual membership.

#### **Article 10: DISTRICT COUNCILS**

1. Each affiliated district shall issue approved district Council receipts with the Council's seal/stamp for all funds collected either as membership fee from the registered member or for any other objects described in Article 3. The districts shall register at least 40 bona-fide members to be eligible to meet the requirements, for recognition or continuation of recognition as a Branch in Good Standing.
2. All districts shall have convened their AGMs or SGMs prior to March 31st of the current year and to be eligible to participate in Board Meetings it is mandatory that they submit the approved minutes of the meeting to the Secretary General and the required membership due to the General Treasurer within 21 days of holding such meetings. After a grace period of another 7 days, disciplinary actions will be initiated.
3. All affiliated districts shall obtain Certificate of Registration for nonprofit corporation (ACTIVE STATUS) from Secretary of State of their respective States (UBI #) which shall be printed on district receipt books. Such councils shall be registered under Fed Law 501C (3) as a NON-PROFIT ORGANISATION.
4. District By-laws, or District Constitution, shall NOT supersede the USA Sangam Constitution.

#### **Article 11: APPROVAL OF MEMBERSHIP**

The Council/Board may, in its absolute discretion, refuse or approve any application for membership on a case-by-case basis.

#### **Article 12: MEMBERSHIP REGISTER**

Upon approval of membership of any person and payment of the applicable fee for subscription, his/her name shall be entered into the membership Database kept by the districts and such entry in the Database shall be conclusive evidence of the membership which shall be submitted to the General Secretary at least seven (7) days prior to the National AGM. The districts shall issue a membership receipt number to each of their members upon completion of registration.

#### **Article 13: CODE OF CONDUCT / DISCIPLINARY ACTION**

##### **A. CODE OF CONDUCT**

USA Sangam members are required to adhere to and maintain the principles of respect, integrity, ethical and professionalism in their interactions and activities related to the Organization including sabotage of its objects and purposes described in Article 3. To foster a safe environment of trust and accountability, any fraudulent behavior or action shall carry severe consequences including but are not limited to immediate termination of membership and/or legal action.

##### **B. DISCIPLINARY ACTION**

Any member, player or official of any affiliated district whose conduct is found to be detrimental to the interest of the Organization may, after proper investigation by the Advisory Board, be liable to disciplinary action(s) wherein the member may either be:

- a) Suspended or removed from the membership register or barred from taking part in any Sangam activity; or
  - b) Disciplined at the absolute discretion of the Organization:
- provided that,
- At a meeting of the council such an action is approved by 2/3 of the Board present.
  - Any member facing disciplinary action shall be given a 7-day notice in any written form and communicated properly and if no response is received in his defense, within the following 7 days, it shall be deemed that the member is guilty of the offense and shall immediately be suspended from the Organization until the matter has been completely disposed of. The decision by the USA Sangam Council/Board shall be final and binding and shall be indemnified by any appeals or legal actions pertaining to the said disciplinary action.
  - The Executive Board may, by a simple majority vote, immediately terminate the membership of any member who is proven beyond doubt to have violated any clause in these Articles of Organization. This action is to be reviewed by the Board/Council at their next Meeting or 45 days whichever is earlier. A two-third (2/3) majority vote will be required to confirm the action and needs to be reported to the National Board within 7 days.



**Article 14: ANNUAL GENERAL MEETING (AGM)**

There shall be an AGM of the Organization held once every year during the Memorial Day convention. For any reason if the AGM is postponed it should be held no later than July 31st of the same year. A minimum 21-day Notice shall be mandatory for the AGM and/or a postponed AGM. The quorum for such a meeting shall be 2/3 (66%) or as amended (ref amendment 1/3 per AGM May 27, 2023) of the Bona-fide members present. The quorum for District level AGMs or SGMs shall be 2/3 (66%) of Bonafide members. A 21-day Notice of Meeting is mandatory.

**Article 15: SPECIAL GENERAL MEETING (SGM)**

A Special General Meeting of the Organization may be convened either by the express authority of The National President or by a requisition signed by no less than 2/3 (66%) of bona-fide members of the Organization. Time and place of such SGM shall be determined by the President. Such meeting shall only be convened if, in absolute discretion of the President, there is genuine special business required to be dealt with in such meeting. The quorum for such a meeting shall be 2/3 (66%) of Bonafide members. A 21-day Notice of such a meeting is mandatory.

**Article 16: COUNCIL OF MANAGEMENT (BOARD) MEETINGS/ GUIDELINES & DIRECTIONS**

- a. Council (Board) Meetings shall be conducted at least once a quarter or more frequently, if needed. The quorum for These meetings shall be (2/3) 66% of the Executive Board members and a 14-day meeting notice shall be mandatory. Any member who does not attend two consecutive meetings, without an acceptable and valid reason, shall be deemed to have vacated his/her position as a Board Member. In such an event, a new Board Member shall be co-opted for a term until the next general elections.
- b. All resolutions, guidelines, Rules, and directions by the Board/Council in existence or to be made, altered or added to, for the management and control of the district branches, committees, sub-committees, boards, TIVS, TIMS or other establishments shall be deemed to be incorporated herein and form a part hereof as if initially contained herein.

**Article 17: NOTICE OF MEETING**

Any notice of meeting or otherwise, required to be served by the Organization to its members under these articles, shall be deemed to be sufficiently served provided it is delivered through the US mail system, electronic mail, telephone, or facsimile. For the purposes of this article, publication in newspapers and telecasts shall also suffice. An electronic return mail may be requested for acceptance of such notice but not required per these articles. Virtual meetings conducted on conference audio/video calls shall only be for the purposes of interaction of ideas for resolving of issues. No resolutions shall be adopted as a result of voting's conducted during an audio conference call.

**Article 18: RIGHT TO VOTE**

Each subscribed member as described in article 8 (I) shall have a single vote at the Annual or Special General Meeting of the Organization. At Board Meetings, only Board Members as described in Article 21, shall have one vote each; except that the President shall be entitled to another casting vote in case of a tie, in any of these meetings.

**Article 19: CHAIRPERSON**

The President of the Organization and in his absence, the Executive Vice President shall preside as chairman at any AGM or any Council/Board meetings of the Organization. In the absence of both, any Vice President selected per simple majority vote by the Council/ Board Members present shall act as the chairman.

**Article 20: MEETING PROCEDURES, NOMINATIONS and NOMINATIONS COMMITTEE****A. Standard Meeting Procedures:**

All Sangam meetings shall be conducted strictly under the Parliamentary Procedures as prescribed in the "Roberts Rules of Order."

**B. Nominations:**

- i. All nominations shall be in writing on the prescribed forms and shall only be invited from the date of notice convening the AGM or SGM and closed with the Secretary General at midnight seven (7) days prior to the date of such a meeting. Every Candidate shall be nominated and seconded by two different subscribed members and the candidate shall consent to this nomination on the same nomination form. In an event there are insufficient nominations for any position, verbal nominations shall be permitted at the AGM or SGM provided such verbal nominations shall be consented to, by the candidate either verbally or in writing.
- ii. In the event that only one candidate is nominated for a position, he shall be declared elected unopposed.
- iii. In an event that there is more than one nomination for any position, the election shall be held by secret ballot unless the chairman with the consent of the meeting shall decide otherwise. Scrutinizers shall be appointed by the chairman for this purpose, and all used secret ballots shall be preserved for records by the secretary's office for a minimum of 3 years from the date of the meeting unless there is a pending issue on the ballots and in



which case it shall continue to be archived until the said issue is cleared.

### **C. Nominations Committee:**

There shall be a nominations committee consisting of three (3) independent people, including the General Secretary, appointed by the Council (Board) who shall appoint a chairperson from among the appointees. Those appointed to the nominations committee shall not be seeking election to any office except for the General Secretary. The term shall expire at the end of 90 days from the date of election unless there are any issues pending related to elections or nominations.

*The duties of the nominations committee shall be:*

- a. To verify the eligibility of each nomination based on, but not limited to the assessment of the District's Good Standing per Article 3.
- b. To prepare and circulate ballot papers for election purposes and there after conduct and supervise elections at the Annual General Meetings or any such meeting conducted for elections to office.
- c. To collect, tally, count, and recount, if necessary, completed ballot papers, process and announce the results of election immediately thereafter.
- d. To ensure eligibility of members is cross-checked with membership register with valid identification (membership card with picture or a valid receipt issued by the Organization).
- e. To ensure a signed register of all members' attendance record is kept and five years thereafter.
- f. All election documents including ballot papers, nomination records and the membership register of Elections Day shall remain in the custody of the chairman of the nominations committee for three (3) years and destroyed thereafter upon approval by seventy five percent of the Council/Board of USA Sangam.

### **Article 21: ADVISORY BOARD:**

The Advisory Board shall consist of no more than three (3) members who shall be appointed by the Council/Board of Directors at their first Council/Board meeting after the AGM. Their term of office shall be for two years, and they may be re-appointed for another two-year term if so desired.

**Members:** The members of the advisory Board shall only be selected from those current Bonafide members who have served on the USA Sangam Board for at least 5 years and who show continued interest in the welfare of the organization. and hold current membership.

**Duties:** The duties of the Advisory Board shall be to provide guidance and advice to the Board of Directors relating to the matters of the organization and as requested by the Council/Board. They shall also provide advice as to the interpretation of the constitution if a conflict arises or as and when required. The Advisory Board may from time to time provide advice regarding the affairs of the organization with a view to improving or enhancing the organization. The Board of Directors shall give all due diligence to any guidance or advice given and while it shall not necessarily be binding and final, but shall be returned for reconsideration without prejudice, with a decision from at least a simple majority of the Council/Board.

### **Article 22: THE COUNCIL OF MANAGEMENT FOR (COUNCIL/BOARD)**

- a. All district members, committees, and subcommittees of TISI/TIV/TIM Sangam, elected, appointed or established are formed as per the guidelines outlined in these articles of USA Sangam.

1. The TISI Sangam Council/Board of Management shall consist of the following elected or appointed members:

- National President
- Executive Vice President
- Vice Presidents (one from each affiliated district of the Organization)
- Secretary General
- Assistant Secretary
- General Treasurer
- Assistant Treasurer
- Trustees x 3 (appointed) per Amendment # 3, Motion 1: Eligibility for Appointment of Trustees

(Members who had served on an executive post for at least 2 years who may take part in Board meetings with eligibility for voting but shall not be required to form part of the Board for the purposes of forming the required quorum)

2. TIV Sangam members shall be limited to youths between the ages of 18-45 years. Over 45 years shall only remain TISI members. The TIV Sangam Council/Board of Management shall consist of the following elected members:

- National President
- Executive Vice President
- Vice President – Masters' Representative (co-opted position)
- Vice Presidents x 4– (Regional as approved by the TIV Board)
- Secretary General
- Assistant Secretary
- General Treasurer
- Assistant Treasurer

3. The TIM Sangam Council/Board of Management shall consist of females over 18 years and shall consist of the following elected members per the TIMS constitution duly approved by TISI Board of Management.

- National President
- Executive Vice President
- Vice Presidents (District Presidents)
- Secretary General
- Assistant Secretary
- Treasurer
- Assistant Treasurer

Office Bearers will serve for two (2) years from the date of election. The districts may hold elections every year as per their bylaws.

**a. Qualifications of the President and the Executive Vice President:**

No member shall be eligible to contest for election as

**NATIONAL PRESIDENT OR EXECUTIVE VICE PRESIDENT** unless he has been a bona-fide member of the organization for at least five years and had served as an Executive Board Member of the USA Sangam Council/Board for at least three (3) consecutive years immediately preceding the elections and, on the District, Executive Board level for at least three years.

**Article 23: THE AFFAIRS OF THE ORGANIZATION:**

- a. This will be managed by the TISI Sangam Council/Board, who may exercise all such powers of the Organization as described in these articles. No resolution made by the Council/Board and adopted at an Annual General Meeting (AGM) or at a Special General Meeting (SGM) shall be invalidated by any successive Council/Board and shall be deemed to be valid and current, except that an amendment to the resolution as passed and adopted at the respective meetings shall only be considered valid reform.
- b. The Board/Council may, through a specific resolution, set forth guidelines or directives to oversee the administration and control of district branches, committees, subcommittees, boards, or other entities. It may also alter, add to, revise, or rescind these resolutions, guidelines, or directions from time to time.

**Article 24: HAND-OVER**

The Official Handover of all Assets and documents including but not limited to the Minutes of the previous Annual General Meeting or the Special General Meeting, shall be completed by the outgoing Board and received by the new Board at the First Scheduled Board Meeting after the said AGM or SGM. In case of default of Handover, Trustees shall have powers to demand for the Handover to be made accordingly within 21 days from the first board meeting where it was defaulted by TISI, TIV or TIM Sangam.

**Article 25: RESIGNATION AND /OR RETIREMENT**

- a) Any Member of the Board may at any time retire or resign from the Council/Board by giving notice in writing of his intention to do so.
- b) The Council/Board may fill any vacant position arising from vacation, resignation, or death of its office bearers and members for the unexpired term.

**Article 26: DECISION BY MAJORITY VOTES**

All matters before a meeting of the Council/Board shall be decided by a simple majority of votes.

**Article 27: ALTERATION ADDITION OR RESCISSION OF ARTICLES**

The Council/Board may, by special resolution, propose to the Annual General Meeting or a Special General Meeting with a motion to alter, add, revise, or rescind any or all these articles or bylaws as protected under this Constitution. Any alteration or addition so made in these articles or bylaws shall be as valid as if originally contained therein.

**Article 28: ESTABLISHMENT OF BRANCH COMMITTEES**

To facilitate better management of the affairs of the Organization, all Branches should appoint their own



committees in running their day-to-day affairs under these articles of the Organization. All matters shall be dealt within their branch level and any unresolved matters, if warranted, may be referred to the Council/Board for a decision which shall be final and binding.

#### **Article 29: DUTIES AND RESPONSIBILITIES**

##### **A. THE PRESIDENT**

The President shall be the chief executive officer of the Organization and shall hold executive powers to run the activities and affairs of the Organization. He or she shall preside at all meetings of the Organization unless another person is specifically appointed as chairperson per article 15.

##### **B. EXECUTIVE VICE PRESIDENT AND VICE PRESIDENTS**

In the absence of the President, or in the event of his inability or refusal to perform his duties, the Executive Vice President shall perform all the duties of the President, and when so acting, shall have all the powers of the President, provided all consideration is given to any restrictions or limitations given by the President.

##### **C. (I) GENERAL SECRETARY**

The Secretary General shall:

- a) Keep all records of the minutes of the Organization signed by the President or chairman.
- b) Call all the meetings of the Organization at least once every 3 months and at least 14 clear days' notice shall be given of any such meetings; and
- c) Handle all administration and operational matters of the Organization.

##### **(II) ASSISTANT GENERAL SECRETARY**

The Assistant General Secretary shall, from time to time in the absence of the General Secretary, or in the event of his inability or refusal to act, perform all duties of the General Secretary per Article 29 (C) (1) or as directed by the President under specific powers vested in him through the Council/Board.

##### **D. (I) GENERAL TREASURER**

The General Treasurer shall:

- keep accounts of all receipts and disbursements and a register of the members.
- Shall collect all funds due, donations, contributions, and subscriptions from the members and others. All deposit such money in any banks in the name of the Organization within 7 days.
- Present financial reports at every Council meeting and an audited report at an AGM of the Organization. A copy of the Audited balance sheet shall be presented, discussed, and approved at the last Council/Board meeting before presenting the same at the AGM or an EOGM convened for the purpose.
- Prepare operational Budget for the Council/Board and take charge of all Fundraising activities

##### **(II) ASSISTANT GENERAL TREASURER**

The Assistant General Treasurer shall from time to time in the absence of the General Treasurer, or in the event of his inability or refusal to act, perform all duties of the General Treasurer per Article 29 (D) (1) or as directed by the President under specific powers vested in him through the Council/Board

#### **Article 30: LIABILITY OF THE MEMBERS**

The Organization of USA Sangam indemnifies and holds its members, officers or directors harmless for personally being liable for any debt, obligation, or liability of the Organization or for any action taken in good faith within the scope of their prescribed duties.

#### **Article 31: UNDERTAKING BY THE ORGANIZATION**

- A. USA Sangam and its affiliates shall undertake the responsibilities, in the event of the Organization is being wound up during the time of windup, or within one year of such a windup, liquidate all debts and liabilities of USA Sangam contracted before the time at which it got wound up, and such charges and expenses of winding up the same, and for the choice of the contributories of any assets of the Organization, ordinarily to another not-for-profit organization as agreed at a special general meeting held for the purpose or in absence of such a meeting held within 30 days of windup, as decided by a mediator, attorney or as justified by a court of law.

- B. Data Privacy

USA Sangam defines confidential information as all non-public data, materials, and communications concerning the Organization's strategic plans, programs, financial matters, donor records, and internal processes. Such information must not be shared or disseminated without prior authorization. Board members shall take reasonable steps to protect confidential information from unauthorized access or disclosure, including but not limited to securing documents and protecting data. Breach of confidentiality policy may result in disciplinary actions, including warnings or suspension from the Organization.

USA Sangam recognizes the importance of safeguarding personal data and commits to handling all information



in compliance with applicable data privacy laws and regulations, to the best of its abilities and knowledge.

#### **Article 32: WINDING UP**

If, upon the winding up or dissolution of the Organization there remains, after satisfactorily providing for a its debts and liabilities, any property whatsoever, the same shall be paid to or distributed among the affiliated districts of the Organization who at the time of wind up, had been in good standing or to be determined by the members of the Organization at or before the time of the dissolution, and if default, as directed by the judge of a court of Justice who may have or acquire jurisdiction in the matter.

#### **Article 33: TRUE ACCOUNTS**

True accounts shall be kept of the sums of money received and paid by the Organization, and the matter in respect of which such receipt and expenditure takes place, and of the property, credits and liabilities of the Organization and subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed in accordance with regulations for the time being of the Organization shall be open for inspection by its members provided that if the books are audited by a duly appointed auditor any finance query shall be referred to that auditor in writing.

#### **Article 34: (a) EXAMINATION OF ACCOUNTS**

Once at least every year the accounts of the Organization shall be examined, and the correctness of the balance sheet ascertained and signed by the chairman of the Internal Audit Board approved by the Council/Board. The districts shall comply with article 34 (a) only as Best Practices.

#### **(b) SIGNATORIES TO CHECKS**

The National President, the Executive Vice President and the National General Treasurer shall be the approved signatories, or as authorized by the Council/Board, to withdraw funds. A minimum of two signatures shall be required for any check to be valid. All bank statements shall be directed to the President and copied to the Internal Audit Board.

#### **Article 35: RESERVE FUND**

Any fund that has been collected, donated, or accrued for any specific purpose shall be reserved, earmarked and used for that purpose only.

#### **Article 36: OPERATIONS OF ACCOUNTS**

All moneys, deposits, accounts, and other security shall stand in the name of the Organization. The Treasurer with the President or in his absence, a nominated member of the Council shall take joint responsibility for all moneys, draw interest or securities and sign checks in accordance with the resolutions passed by the Council/Board.

#### **Article 37: USE OF ASSETS OR SERVICES OF THE ORGANIZATION**

All subscribed members shall be entitled to use any asset or service of the Organization in accordance with the resolutions, guidelines, directions, rules, and regulations that may be in force from time to time in respect of use of such assets and services. The Council/Board, however, reserves full right to refuse any member from the above at any time with a valid reason in writing.

#### **Article 38: EXECUTION OF DOCUMENTS**

All documents including deeds executed on behalf of the Organization shall carry the approved seal/stamp of the Organization and shall be signed by the President and the Executive Vice President and co-signed by the Secretary General or such other Officer as the Council may from time to time appoint.

#### **Article 39: ANNUAL REPORT**

An Annual report of activities of the Organization shall be presented at the AGM or SGM convened for that purpose.

#### **Article 40: ANNUAL CONVENTION**

The Organization shall hold the annual convention during the Memorial Day holiday weekend every year and all affiliated branches shall participate or provide a valid reason, at least 90 days prior to the convention date and which shall be acceptable to the Council/Board for non-participation. The Board may accept or reject the reason(s) depending upon the extent of validity of the said reasons. If rejected, the non-participating district shall face penalties as decided by the Board or The Advisory Committee. The Sunday of this weekend shall be known as "Sangam Day" in the USA Sangam. The venue of this event shall be decided at the AGM or SGM and each branch shall have turns in hosting this event with two in the State of California and one out of that State. A calendar showing advance plans of dates and host districts shall be approved by the Council/Board, endorsed by the AGM or SGM and shall be provided to each affiliated district.



**Article 41: DISTRICT AFFILIATION AND APPROVAL****1. PROVISIONAL AFFILIATION**

Districts seeking affiliation to USA Sangam, or its incorporations shall apply on prescribed form and meet the following requirements to qualify for a Provisional Affiliation:

- a) Register a minimum of 40 (forty) members under Article 8 who shall be located more than 30 miles from an existing boundary of the nearest affiliated district of USA Sangam from whom a letter of sponsorship or a written consent to register another branch would be required.
- b) Register as a Non-Profit organization in their respective States and provide a 501(c) TIN number per article 10.
- c) Within the previous 12 months, shall have followed and abide by the constitution of the USA Sangam in every aspect of promotion and maintenance of the same and had strictly followed every decision of the Council/Board as and when implemented.
- d) Sign a Memorandum of Understanding with the USA Sangam releasing the Council/Board of any liability incurred due to the actions of any subscribed member of the Organization.
- e) Prepare and maintain audited financial affairs of the district including but not limited to the filing of taxes under Non-Profit regulations and any pending issue with U.S Internal Revenue Services.
- f) A non-refundable application fee of \$150 shall be submitted with any new application for affiliation.
- g) Pay the USA Sangam an annual Affiliation fee set by the AGM, which shall be at least \$400.00 which shall be refunded if the application is not approved by the Board.

**2. FULL AFFILIATION**

A Full Affiliation or Approval may be granted to any district who applies for the same and having satisfied the requirements of Article 41 (I) and complied with the following:

- a) Provide evidence of the location of the new district to be at least 30 miles from the nearest fully affiliated district.
- b) Presented activity reports at all Board Meetings preceding the application for full affiliation. Failure to participate or present activity reports in more than three consecutive meetings will result in disqualification without a subscription refund.
- c) Provide the minutes of the most recent AGM of the district showing the election of office bearers.
- d) Provide written evidence or pictures of circumstances where the district completely met the requirements of promoting the objects of the Organization as outlines but not limited to Article 3 (a), (b), and (c) with emphasis on social, cultural, educational, and sporting interests. Neither a Financial Member nor any district applying for a full affiliation shall have any pending enquiries or issues with USA Sangam regarding any article of this constitution.

**Article 42: SPORTS RULES AND BY-LAWS**

- i) Sports Rules and By-Laws together with other By-laws as approved shall form part of this constitution and is exempt from AGM or SGM approval and shall have an independent status when duly approved/signed at Council/Board meetings.
- ii) The council/Board may, from time to time, review and approve new or amendments to Sports Rules & By-Laws
- iii) At the Board meetings with at least 2/3 (66%) of the Council/Board members present. The rules and bylaws take effect immediately upon approval
- iv) Not with standing with clause (ii) above; the Board may also approve and/or create new By-laws (non- Sports related) from time to time, for ease of understanding and meaning of these Articles of Memorandum which if approved by the Council/Board but shall be submitted to an AGM or SGM only for the purposes of formal endorsement as a constituted By-Law of the Organization. These shall not be allowed for discussion.

**Article 43: NO-CONFIDENCE MOTION**

A no-confidence motion shall be in writing and signed by at least 2/3 (66%) of the Vice Presidents or their

district nominees or 50% of the Council/Board members whichever is the less. Such a motion shall be considered at a Special General Meeting held for that purpose and the notice for such meeting shall be properly constituted and served at least 21 days prior to the proposed meeting and per conditions in these articles. A chairperson for such a meeting shall either be elected by the members present at the meeting per Article 15, or if unanimously agreed at the meeting, by the President. Should a no-confidence motion be carried, the members shall elect a new person(s) to the office for the remaining term

*This Memorandum of Articles of the constitution of the USA (TISI, TIM, TIV) Sangam is hereby approved under my hands and seal/stamp.*

*With the express approval of the Annual General Meeting held at. Sacramento,*


*California*

*On, May 26<sup>th</sup> day of 2018.*

*And as witness thereof are the seal and Signatures.*

  
National President

  
Executive Vice President

  
General Secretary  
05/24/2018

#### **ADDENDUM: CONSTITUTIONAL AMENDMENTS.**

##### **Amendment# 1**

- 1) 2014 AGM held in Hayward Passed a Motion: Mover- Arvinda Parkash; Seconded by VJ Goundar that "Effective after this convention, all sports related motions, passed at any previous AGM or Special AGM will be nullified and going forward all sports related motions will be discussed and approved at the National Board meeting only."

**Motion Carried.**

Authorized / Name: ..... Signature: .....

Office: Date.....

##### **Amendment # 2**

**2015 AGM held in Seattle Passed the following Motion:**

That ....

The Presidential election should be held every 2 (two) years instead of yearly thus allowing the President elect to fully utilize his expertise and carry out the plans of long-term achievements put forward in his presidential manifesto.

Moved: Bal Ram (Seattle)

Seconded: Rudy Samy (Seattle)

Motion carried.

##### **Amendment # 3**

**The following Motions passed in the AGM on May27th,2023 held at Riverside.**

##### **Motion 1: Eligibility for Appointment of Trustees:**

Trustees shall be Past Presidents of USA Sangam and shall have been actively involved in National Sangam activities for at least two consecutive years prior to appointment and shall be either present at the time of appointment or provide a signed letter of acceptance of Trustees' duties and responsibilities. In the absence of a person's written consent or physical



presence nominations may be invited from the floor. Trustees have a fiduciary responsibility to trust beneficiaries and shall make unbiased decisions to the best of their ability.

Moved - Gyan Pillai  
Seconded - Bal Ram  
5/18/23

**Motion 2:** Motion to amend Article 29: DUTIES AND RESPONSIBILITIES:

— To add clause E) - Trustees

- Act as a fiduciary: Ensure USA Sangam (trust) is administered in accordance with the Constitution.
- Ensure the safety of the assets: Accounting for the funds and assets within the organization and provide knowledge and guidance for understanding the beneficiaries and their rights. Ensure all assets are properly and correctly accounted for.
- Administration: Audit and take charge of all transactions and distributing assets as required and anytime the elected administrators are to vacate their positions for any reason.
- File reports: Ensure proper Reporting to state and federal regulators as required and keeping the members updated.
- Make decisions: Trustees will be required to make decisions about the assets from time to time as circumstances change.
- Invest: Oversee investable assets, allocations, or adjustments needed in accordance with the wishes of its members.
- Communicate with beneficiaries: Trustees should initiate communication with the beneficiaries and members. Emails, phone calls, or other methods can be used to check in for the purposes of Article 32 (winding up) of the constitution.
- Majority Decision -majority decision will be required by the appointed Trustees.

Moved by - Gyan Pillai  
Seconded by - Bal Ram  
5/17/23

**Motion 3:** To add to Article 22

Chairpersons of Appointed Sub-committees.

Each appointed chairperson shall have a voting right provided he/she is physically present at the Board meeting but shall not be required to be part of quorum formation. Provided a chairperson holds another position on the Board, he/she shall be restricted to one vote only.

Mover- Gyan Pillai  
Seconded - Karun Pillay  
5/19/23