



Greater Austin Nepali Society (GANS)

BYLAWS

Dates of Approved or Amended Conventions

1. First Convention: February 15, 2015
2. Second Convention: January 15, 2017
3. Third Convention: February 10, 2019
4. Fourth Convention: May 16, 2021
5. Last Approved or Amended by Seventh Annual General Meeting: September 25, 2022 (Recent)

Part 1: Introduction / Preamble

We, the Nepali people residing permanently in and around the Austin, Texas, USA area,

— To maintain the identity of our community,

— To preserve and promote Nepali art and culture and to advance community rights and interests through various social activities,

— To strengthen mutual brotherhood and social unity while respecting personal freedom and equality without discrimination based on gender, religion, region, caste, or political belief,

— To develop and facilitate cultural exchange with other Nepali or non-Nepali communities and their respective cultures while respecting their peaceful coexistence,

— The non-profit, purely social organization, Greater Austin Nepali Society, formed on September 15, 2013, to operate under this Bylaws amended by the Seventh Annual General Meeting of GANS on September 25, 2022.

Part 2: Definitions of some words

Unless the context suggests otherwise, the following terms are used in this bylaws:

- 1) "GANS" refers to the Greater Austin Nepali Society.
- 2) "GANCS" refers to the Greater Austin Nepali Community and Spiritual Center, also known as the GANS Community Center.
- 3) "Bylaws" refers to the document of rules or laws passed by the GANS convention or Annual General Meeting, applicable to all members and the organization.
- 4) "Member" refers to an individual registered as a member according to the GANS bylaws.
- 5) "Nepali" refers to all individuals of Nepali origin residing in the Greater Austin area, including those who have acquired citizenship of other countries such as Bhutan, Burma, India, or elsewhere, and their descendants.
- 6) "Greater Austin" refers to the Austin area and its surroundings. Given that Texas is vast and local community organizations like GANS are active in Dallas, Houston, and San Antonio, the Greater Austin area is defined by the following 19 counties in Central Texas according to the organization's Bylaws:



McLennan, Falls, Coryell, Bell, Milam,
Burleson, Robertson, Brazos, Lampasas,
Burnet, Williamson, Lee, Travis,
Bastrop, Blanco, Hays, Caldwell, Comal
and Guadalupe.

- 7) "Executive Committee" refers to the group elected by the GANS convention and appointed as per section 6(b) of the bylaws, responsible for the official leadership of GANS.
- 8) "Operation Committee" refers to the leading body formed under this bylaws responsible for the purchase, construction, preservation, and operation of the Greater Austin Nepali Community and Spiritual Center, a key project of GANS.
- 9) "Donor" refers to any individual or legally established institution that selflessly provides financial or material assistance to the organization.

Part 3: Name and Definition

The organization's name shall be "Greater Austin Nepali Society," and it may be abbreviated as "GANS." GANS is an independent non-profit community organization not affiliated with any political or other organizations.

Part 4: Logo



The organization's logo is a symbol representing its name, identity, and dignity. The colors used—blue, red, and white—hold special significance as they are found in both the Nepali and American flags. The star symbolizes the Texas state flag, while the sun and moon from the Nepali flag and the map of Nepal are also incorporated.

Part 5: Membership

There are two types of memberships: Ordinary Membership and Lifetime Membership.

(a) Ordinary and Lifetime Members: People of Nepali origin aged 18 or older residing in the Greater Austin area, who agree with the organization's bylaws, objectives, and U.S. laws, may obtain Ordinary or Lifetime Membership by providing the required details and paying the necessary fees as determined by the Executive Committee.

(b) Rights and Limitations of Members:

(1) All members have the right to present their views, discuss, and elect or be elected for the organization's leadership, without any form of bias or discrimination, based on the bylaws or U.S. law (except where the bylaws or organization's decisions have imposed limitations). Members are entitled to receive services and assistance from the organization without bias, but the exercise of these rights must be in full compliance with the bylaws, laws, and decorum.

(2) To be a candidate for the GANS Executive Committee President, one must be a trustee of the Community Center and have at least one term of experience working on the Executive Committee. Members who have been expelled or left the committee before completing their term are not eligible for the presidency.

(3) Individuals affiliated with any political party or its subsidiary organization in Nepal are ineligible to run for or be nominated to any position within the Executive Committee.

(4) To be a candidate for any position within the GANS Executive Committee, one must be a Lifetime Member of the organization. Furthermore, to hold the positions of President, Vice-President, General Secretary, Secretary, or Treasurer, one must also be a trustee of the Community Center.

(c) Cancellation of Membership

(1) Membership, whether Ordinary or Lifetime, will be automatically canceled if a member relocates outside the Greater Austin area. However, Lifetime Members will be granted honorary status, retaining all honors except the right to vote or be elected.

(2) The Executive Committee may cancel the membership of any individual whose behavior is deemed contrary to the bylaws and principles of GANS or who is found involved in unethical or criminal activities. However, the concerned party must be given a full hearing.

(d) Reinstatement of Membership

(1) If a person whose membership is canceled submits a written request to regain membership, the Executive Committee may investigate and decide whether to reinstate the membership.

Part 6: GANS Executive Committee

(a) Definition:

The Executive Committee is the responsible executive leadership of the organization. It will be elected through free and fair elections held every two years at the convention. The elected Executive Committee will consist of:

1 President, 2 Vice Presidents, 1 General Secretary, 1 Secretary, 1 Treasurer, and 9 members, totaling 15 individuals.

(b) Nominations to the Executive Committee: The Executive Committee may nominate up to 6 additional members if deemed necessary. This could bring the total number to 21. If any position becomes vacant, the Executive Committee meeting can fill it as needed.

(c) Term: The term of the Executive Committee will be two years. However, if special circumstances arise, the Executive Committee meeting may extend the term by up to six months, only once.

(d) Filling Vacancies: If the position of President becomes vacant for any reason, one of the two Vice Presidents will be appointed as President by consensus or majority of the committee. In the case of other vacancies, the Executive Committee meeting will decide on filling the positions.

(e) Responsibilities: The GANS Executive Committee is responsible for managing the organization in a disciplined and respectful manner, prioritizing the unity and interests of the community while following and enforcing the bylaws. This includes both individual and collective responsibilities. Below is a general overview of individual responsibilities:

President:

— Lead the organization, upholding social unity, the organization's reputation, and taking major responsibility for social activities.

— Chair the Executive Committee meetings and various conventions.

— Play a leading role in planning, decision-making, and implementation.

— Fulfill all tasks specifically assigned by the organization.

— Supervise all organizational activities.

Vice President:

- Perform all the duties of the President in his/her absence.
- Monitor and support all organizational activities.
- Fulfill all tasks specifically assigned by the organization.

General Secretary:

- Play a leading role in planning, decision-making, and implementation.
- Call meetings, write minutes, and keep all files and records organized.
- Fulfill all tasks specifically assigned by the organization.

Secretary:

- Perform all the duties of the General Secretary in his/her absence.
- Monitor and support all organizational activities.
- Fulfill all tasks specifically assigned by the organization.

Treasurer:

- Manage the organization's financial plans and financial management.
- Maintain transparent accounts of income, expenses, and tangible assets, conduct audits, and publicly release financial reports every year.
- Given that financial transparency is the backbone of the organization, the Treasurer will be responsible for maintaining financial discipline and transparency, even if it requires technical assistance or teamwork.
- Fulfill all tasks specifically assigned by the organization.

Members:

- Assist in implementing the organization's policies and programs according to the organization's objectives.
- Fulfill all tasks specifically assigned by the organization.

Part 7: Departments

The GANS Executive Committee may form departments such as the Education Department, Sports Department, Literature and Culture Department, Health Department, Women's Department, or any other department as needed. These departments will be dissolved along with the Executive Committee.

Part 8: Greater Austin Nepali Community and Spiritual Center - GANCS

This is a significant project under the Greater Austin Nepali Society (GANS) aimed at preserving the Nepali language, religion, and culture. The goal is to create a community center that includes a Hindu-Buddhist temple, providing a place that brings the entire community together, addresses their needs, and offers support during difficult times. To manage this center efficiently, an Operation Committee and sub-committees will be formed. If needed, additional regulations will be established, and the center could be officially registered as a crucial part of GANS.

(a) Greater Austin Nepali Community and Spiritual Center Operation Committee and Sub-Committees:

To manage the community and spiritual center effectively, a committee will be formed from among the trustees. This committee will consist of a Coordinator (1), Deputy Coordinator (1), Secretary (1) (ex officio, the President of the GANS Executive Committee), Treasurer (1), and members from the GANS Executive Committee, including Vice Presidents, General Secretary, Secretary, and Treasurer, as well as heads of the sub-committees. The term of this committee will be two years, and it will be primarily responsible for managing the center, with support and coordination from the GANS Executive Committee. An annual progress and financial report of the committee's work will be presented at the GANS Annual General Meeting (AGM) for discussion and approval. Every three months, the financial statements will be transparently published on the organization's website. The head of the sub-committees must be a trustee, but sub-committee members can also be GANS members.

(b) Trustees, Honorary Trustees, and Donors:

Any individual or family willing to support the community center in a significant way, as defined by the organization's criteria, can become a trustee through the decision of the Executive Committee. Trusteeship not only involves a financial contribution but also a commitment to positively contribute to GANS's objectives. Those who do not wish to maintain this commitment but still want to contribute financially will be considered donors, not trustees. Trustees from outside the Greater Austin area will be deemed honorary trustees and will not be involved in the Executive or Operation Committee. Trustees will serve as guardians of the center.

(c) Board of Trustees:

The group comprising all trustees and honorary trustees is called the Board of Trustees, and it will be led by the Operation Committee. Regular activities will be managed by the Operation Committee through its meetings. However, a full extended meeting of all trustees should be held at least once every six months, and any major decisions should ideally be made in such a full meeting.

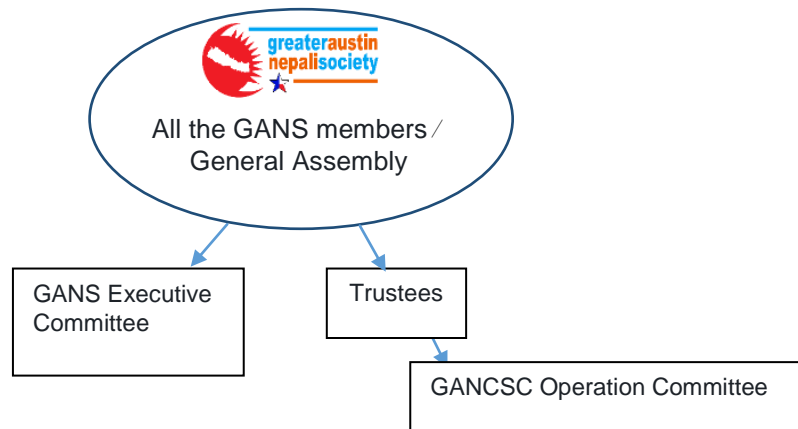
(d) Relationship Between GANS Executive Committee and the Operation Committee:

(1) These are not separate organizations but are different committees within the Greater Austin Nepali Society, each with distinct responsibilities. The community center is a significant permanent project of GANS, managed by the Operation Committee, while the GANS Executive Committee handles all organizational tasks and responsibilities as per the GANS bylaws.

(2) The official representation and executive duties of GANS lie with the GANS Executive Committee. The role of the Operation Committee is limited to the construction, improvement, maintenance, and management of the community and spiritual center. However, the Operation Committee will carry out its work without interference, with the GANS Executive Committee playing a supportive role. No decisions directly related to the community center will be made solely by the GANS Executive Committee; joint meetings of both committees may be called for discussions and decisions on such matters. The Operation Committee will also not interfere in the regular activities of the GANS Executive Committee but

will instead support them. Similarly, the Operation Committee will not organize events outside its domain that fall under the responsibilities of the GANS Executive Committee, and vice versa.

(3) The GANCSC Operation Committee will be formed from among the general trustees. Volunteers willing to contribute financially, with time, experience, and intellect, will always be highly respected. The GANS Executive Committee will play a role in maintaining and encouraging this respect. The relationship between the GANS Community Center Operation Committee and the GANS Executive Committee will be as close as nails and flesh, and they will cooperate with each other. The GANS Operation Committee, which runs an important project of GANS, will be accountable to all trustees and general members of GANS but is not a department under the GANS Executive Committee. This is illustrated in the chart below.



Part 9: Meeting Procedures and Committee System:

(a) All committees must hold meetings at least once every three months, with the annual general meeting held once a year and a convention held every two years. Each convention will elect a new leadership, and it will carry out the functions of an annual general meeting, including other responsibilities.

(b) For a meeting of any committee or department, including the Executive Committee, to be valid, at least 51% of the total membership must be present, which constitutes a quorum. If members cannot attend due to unavoidable circumstances, written consent expressing agreement with the decisions will be counted as a proxy. However, since the general assembly and trustee meetings are not executive in nature, any attendance after proper notification will be considered valid.

(c) When calling a meeting, written information including discussion topics must be shared in advance with everyone. Necessary and appropriate decisions should be made after sufficient discussion and deliberation. If a unanimous decision cannot be reached despite efforts, decisions can be made by a majority vote, but internal disagreements should not be brought out in a manner that harms the organization's reputation. It is everyone's mandatory duty to abide by and implement organizational decisions. Unity, friendship, and harmony within the committee will be prioritized.

(d) Any officer or member who fails to attend three meetings without a valid reason or who cannot adhere to organizational discipline will be dismissed by the related committee, and the position will be filled accordingly.

Part 10: Annual General Meeting and Convention:

(a) Definition:

A gathering of all members, authorized to discuss and make decisions on the organization's policies, principles, and leadership, must be held every year, which is known as the Annual General Meeting (AGM). However, since the AGM must also conduct elections for the GANS Executive Committee every two years, this gathering is referred to as a convention. The both Executive Committee and Operation Committee's progress report, including all financial accounts, must be presented for discussion and approval. Any member or the Executive Committee can propose amendments to the bylaws or other matters, which must be discussed and decided through democratic means. The convention will also involve the dissolution of the old Executive Committee and the election of a new one. Each AGM or convention must be numbered sequentially, with AGMs counted annually and conventions every two years.

(b) Election Commission:

At least three months before the election, the Executive Committee will form a 3 to 5-member Election Commission, which will publicly announce the conference. The Election Commission will be responsible for conducting a fair and impartial election. It will have the independence and authority to make necessary decisions as per the bylaws, with the Executive Committee providing necessary support. The Election Commission must publish the election programs at least two months in advance.

(c) Oath: Executive Committee officers must take the following oath:

"I,, in the presence of God and the Nepali community, solemnly swear that, while holding the honorable position of an officer of the Greater Austin Nepali Society's Executive Committee, I will never engage in any activities contrary to the organization's bylaws and spirit. I will always prioritize and contribute to the rights and welfare of this organization and the Nepali community above any personal, political, or factional interests."

Part 11: Adherence to the Bylaws and Unchangeable Matters:

No amendments or interpretations affecting the core objectives of the organization, as stated in the preamble of this bylaws, will be allowed. If any amendment is necessary, a suitable study team must be formed, and the proposal must be discussed and decided democratically at the AGM or convention. Proposed amendments must be made public at least one week in advance. Such amendments will only take effect after the convention. During the AGM or convention, the existing provisions of the bylaws will remain in force. If any aspect of this bylaws conflicts with U.S. law, it will automatically be void.

If there are any shortcomings in adhering to the bylaws or if disputes arise, a meeting including former leaders and senior members of GANS must be held to resolve the issue. If at least 10 members submit a written request, the Executive Committee will be obliged to convene such an extended meeting.

Thank you.