

# CONSTITUTION AND BY LAWS



## HINDU CULTURAL SOCIETY OF WESTERN NEW YORK, INC

1595 North French Road  
Getzville, NY – 14068  
(January 1987)  
Updated January 2023

### Update Committee:

Dr. Dilip Sinha, Chairman

Dr. Ashwani Sood

Mr. Lakhpat Rai

Mrs. Meena Vivek

Mrs. Neelam Chatrath

Mr. Raj Joshi

Mr. Sriram Balasubramanian

Mr. Sujith Narayanan

## PREAMBLE

The Hindu Cultural Society of Western New York Inc, hereafter referred to as H. C. S. is an organization of peoples with diverse cultural backgrounds sharing a common belief in Hindu culture. Preservation and promotion of Hindu philosophy, values, traditions and practices help present and future generations of Hindus experience sustain a rich cultural and religious heritage. Through Hindu concepts, the Society aspires to create healthy minds; purposeful, progressive individuals; and happy, stable family units and promote friendship among members. This, in turn, contributes to the wholesomeness of the community and of the adopted nation, while maintaining spiritual and cultural identity.

## ARTICLE I

### Name

The name of the organization shall be HINDU CULTURAL SOCIETY OF WESTERN NEW YORK, INC.

Hereafter, wherever the word Hindu is mentioned in this constitution, it includes Jain and others who are interested in Hindu philosophy and thoughts.

## ARTICLE II

### Purposes

The main objectives of the H C. S. are:

- (1) to promote religious, cultural, educational and social activities ‘which are consistent with Hindu philosophy and practices
  - a. to hold “Kirtan” or ‘prayer meetings” based upon Hindu philosophy at regular intervals to fulfill the religious and cultural needs of the Hindu community.
  - b. to hold classes and discourses for members where they can learn about Hindu culture, tradition and Indian languages
- (2) to foster interaction and unity and enhance identity among members;
- (3) to provide opportunities for members to develop leadership skills, confidence, and positive self image;
- (4) to promote good citizenship among members by instilling Hindu values in them and creating an awareness of the relevancy of these values in contemporary society;
- (5) to develop among members an appreciation for and an understanding of rich and diverse cultures within the Indian community;
- (6) to generate understanding of Hindu philosophy and culture among other religious and ethnic groups within the area;
- (7) to generate understanding and respect for other religious and ethnic groups within the area;
- (8) to serve the community at large by participating in humanitarian activities
- (9) to work towards fulfilling total cultural needs of community by expanding current facilities.

## ARTICLE III

### Membership

Membership in HCS. shall be open to persons who subscribe to its purposes. The members shall uphold the Constitution and By-Laws of HCS.

(1) Types of Membership:

H.C. S. shall offer the following memberships:

a. Single: Any person who is 18 years or older

b. Family:

**FAMILY MEMBERS ARE, HUSBAND, WIFE AND DEPENDENT UNMARRIED CHILDREN OF AGES 18 TO 25. DEPENDENT CHILDREN WILL HAVE TO BE FULL TIME STUDENTS LIVING WITH THE PARENTS TO BE ELIGIBLE TO VOTE. FULL TIME COLLEGE-GOING STUDENTS LIVINGAWAY FROM HOME DURING COLLEGE, WILL BE CONSIDERED AS DEPENDENT VOTERS.**

c. Life: A life member shall have the same privileges as a single or family member..

**d. *Student:* Independent student members shall not have voting privileges.**

(2) Dues:

All **four** categories of members shall pay dues as fixed by the General Body of H. C. S., upon recommendation of the Executive Committee. The period of membership covers the **calendar** year and members shall be considered in good standing until **DECEMBER 31 OF THE YEAR OF MEMBERSHIP** Any member who does not pay annual dues by DECEMBER 1, his/her -membership shall lapse for that year. **The existing members shall pay the dues by JANUARY 31<sup>st</sup> to continue their membership for that year without lapse.-FOR NEW MEMBERS THE MEMBERSHIP SHALL BE ACTIVATED AFTER 30 DAYS FROM THE DATE OF PAYMENT OF DUES.**

(3) Privileges: A member in good standing shall be entitled to receive all publications and membership mailings, attend meetings, which are open to all members, vote and hold office, participate in all general organizational activities and rent the center for a special purpose, consistent with purposes and policies of H C.S. The husband and wife shall be considered as a family membership, but entitled to vote individually. **DEPENDENT UNMARRIED CHILDREN OF AGES 18 TO 25 SHALL BE ELIGIBLE TO VOTE. DEPENDENT CHILDREN WILL HAVE TO BE FULL TIME STUDENTS LIVING WITH THE PARENTS TO BE ELIGIBLE TO VOTE. FULLTIME COLLEGE-GOING STUDENTS LIVING AWAY FROM HOME DURING COLLEGE WILL BE CONSIDERED AS DEPENDENT VOTERS.**

(4) Termination: Termination of membership upon recommendation by the Executive Committee, when approved by two-thirds majority of present members of the General Body, shall take place.

## ARTICLE IV

### Officers of the Executive Committee

#### (1) Number of Officers

The elected officers of the H. C. S. shall be:

- a. President
- b. Vice President.
- c. General Secretary
- d. Treasurer
- e. Secretary of religious affairs
- f. Secretary of Education and Cultural affairs
- g. Secretary Youth, Sports and Humanitarian Activities
- h. Secretary of Center Facilities
- i. SECRETARY OF FACILITIS RENTAL
- J. Secretary of planning and Building

#### (2) Qualifications

##### a. General

- i) A candidate must be a voting member in good standing at the time of election and throughout the term of the office.
- ii) A candidate must be residing within 50 miles of H.C.S. Center.
- iii) A candidate must not have been convicted of a misdemeanor or felony. **Conviction of a misdemeanor also includes a person who is convicted of a sexual offense, or pleads Guilty or No-Contest of the same.**
- iv) A candidate must have been a resident in the community for the past two years and also member of H.C.S for the same period.
- v). No member can be nominated for more than one office at a time.

##### b. Specific:

- i) The candidates for the offices of President, **Vice-President** must have been members of the Executive Committee for at least **two terms**.
- ii) **AMMENDED OUT** [A candidate for Secretary of Religious Affairs must have attended at least 40% of “Kirtans” in the past year]
- iii) **Any member of the Executive Committee or Trust Committee, who has in their possession any HCS property (physical and/or intellectual), such as temple keys, information to operate bank accounts, any articles belonging to HCS, account user IDs, passwords for any financial instruments, Social Media platforms, websites and applications such as Facebook, Instagram and others, shall hand over all the above to the newly elected committee members on or before January first of the new HCS**

**calendar year. Failing to do so will make the person ineligible to hold any future Executive or Trust Committee position. The Election Nomination Committee shall verify and certify such handover from the old to the new Committee.**

**iv) Two or more members of one family cannot hold a position in the Executive Committee or Trust Committee at the same time in the same year.**

(3) Term of Office

- a. Officers shall be elected for a term of **two years** or until their successors are elected and assume office. No officer shall serve more than **two (2)** consecutive terms in the same office.
- b. The term of office shall begin on **JANUARY 1<sup>ST</sup> OF THE FIRST YEAR AND END ON DECEMBER 31<sup>ST</sup> OF SECOND YEAR.**

(4) Vacancy in Office

In the case of a vacancy in the office of President, the Vice President shall fill the vacancy of the office of President. The vacancy thus created in the office of Vice President shall be filled by one of the Executive Committee members. A vacancy in any other office shall be filled by the Executive Committee appointing a member of H. C. S.

In case of vacancy of five or more Executive Committee members, the **immediate past years** Nomination Committee shall fill those positions by appointing H. C. S. members

(5) Nomination of Officers

- a. The Nomination Committee. Shall be comprised of five members
  - **Two (2) members appointed by the Executive Committee** including one (1) **of the previous** President, one (1) **of the previous** Vice President. If none of the past presidents is available, substitution shall be made, first, from the preceding Vice `Presidents; second, General Secretaries; and third, Treasurers. **One of the previous President appointed** shall chair the `committee.
  - and three (3) members of the General Body appointed by Trust Committee.A candidate for any office is not eligible to become a member of the Nomination Committee. A member of the Nomination Committee can not become a member of the Executive Committee. Members of this committee must be voting members at the time of nomination.
- b. The Executive Committee shall notify the prospective chairperson of the Nomination Committee before **end of AUGUST** so that the chairperson can contact the prospective members in time, in order to carry out the nomination process.
- c. The nomination Committee shall issue a notice, by mail, inviting nominations for the forthcoming election, to the members at least. **THREE (3) MONTHS** prior to the date of the election. **SENDING NOTICE TO MEMBERS REGARDING ALL NOMINATION & ELECTION MATTERS MAYBE DONE BY ELECTRONIC MAIL. If any member does not have e-mail address in HCS file, then that member will be notified by regular mail.(decided by the General body of members at the general meeting in 2012)**
- d. All nominations shall be duly proposed, seconded and accepted by the candidate. All nominations shall be verified by the Nomination Committee. In case of nomination by the Nomination Committee only, acceptance by the candidate is necessary. All nominations, in writing, must be submitted to all members of the Nomination Committee **TWO** months prior to the election. However, a nomination

received by anyone of the committee members, in time, is valid. **Person who is nominating and seconding the nomination shall be member in good standing at time of nomination.**

- e. The Nomination Committee shall post the list of valid nominations and current list of voting members on the notice board of H.C.S. Center **SIX (6) WEEKS** prior to election day. Nominations can be withdrawn **FIVE (5) WEEKS** prior to the election day.
- f. If there are no nominations for any office, the Nomination Committee is authorized to nominate an eligible voting member to fill the vacancy.

#### (6) Election of officers

- a. The nomination Committee shall act as the Election Committee.
- b. Election of officers shall be by secret ballot to be held on the second Sunday of **DECEMBER**. In case of unavoidable circumstances, it will be on the third Sunday of **DECEMBER**.
- c. If any of the candidates fail to secure more than 50% of the valid votes cast, a runoff election shall be held between the two highest vote-getters on the **following Sunday**.
- d. Elected officers shall assume the office on **JANUARY 1<sup>st</sup> OF THE FOLLOWING YEAR**. The departing officers shall have to transfer all the necessary papers and any necessary items on **LAST SUNDAY OF DECEMBER**. At H.C.S. Center, in the presence of the outgoing Election Committee, after the “Kirtans” are over.
- e. **IN THE EVENT THAT A MEMBER CAN NOT BE PRESENT TO VOTE PERSONALLY ON THE ELECTION DAY, SHALL HAVE THE OPTION TO VOTE BY AN ABSENTEE BALLOT. THIS BALLOT SHALL BE ISSUED TO THE MEMBER IN ADVANCE, UPON REQUEST AND FULFILLING THE REQUIRED CRITERIA. THE BALLOT WILL HAVE TO BE SENT TO THE ELECTION COMMITTEE SO THAT IT REACHES BEFORE THE ELECTION DAY.**

#### (7) Oath of office

- a. The oath of office shall be given to the newly elected members by the departing Election Committee on the last Sunday of **DECEMBER**, after “Kirtans”, at the H.C.S. Center.
- b. Oath of officers  
Officers shall hold a Hindu scripture of his/her choice in one hand and repeat, “In the name of the omnipresent and omniscient Lord, I promise to discharge the duties of the office to which I have been elected, faithfully, honestly, cooperatively, and to the best of ability. I shall uphold the constitution and By-Laws adopted by the Hindu Cultural Society of Western New York, Incorporated, and maintain uppermost.”

#### (8) Duties of the Executive Committee.

The Executive Committee shall be responsible for the day to day affairs of the H. C. S., and the regular and special activities of the H C.S, in accordance with the Constitution and By-Laws.

The Executive Committee shall carry out long-range plans mandated by the General Body.

The Executive Committee is authorized to appoint other committees as described in Article V. Prior to the appointment of any committee; the Executive Committee shall notify the General Body of the respective fact. The General Secretary shall notify the voting members of the formation of such committee within two weeks

(9) Duties of Officers

a. President:

- (i) shall preside at all meetings of the General Body and of the Executive Committee;
- (ii) shall execute all recommendations directed to him/her by the Executive Committee or General Body;
- (iii) shall be Ex-Officio member of all committees except the Nomination Committee;
- (iv) shall coordinate work of all the officers;
- (v) shall sign all contracts and other legal instruments which are approved by the Executive Committee/General Body.
- (vi) shall have tie-breaking vote as far as proceedings of the Executive Committee and General Body are concerned.

b. Vice President:

The Vice President shall, in the absence of the President, be called upon to carry out the duties of the President. In addition, he/she will carry out those functions which are delegated to his/her by the President. The Vice-President also chair the Membership Committee.

c. General Secretary:

- (i) record the minutes of all meeting of the General Body and Executive Committee. He/she shall maintain permanent records of these minutes in good order for reference at any time;
- (ii) call the roll when requested by the President;
- (iii) have available for reference at all meetings a current copy of the Constitution and By-Laws and lists of officers, committee chairpersons, committee members, and H.C.S members.
- (iv) Have custody of all documents belonging to H.C.S.;
- (v) Conduct all correspondence for the H.C.S. under the direction of the President or Executive Committee
- (vi) Shall chair the Publication Committee;
- (vii) Notify all members of meetings in time, as outlined in this Constitution and By-Laws. Such notification shall include the date, time, place and agenda of the meeting.
- (viii) Shall ensure announcements of H.C.S. activities at the "Kirtans".

d. Treasurer

- (i) shall have custody of all the funds of the H.C.S.;
- (ii) be responsible for the billing and collection of dues and donations;
- (iii) receive all monies due to the H. C. S .and deposit them in the bank account (s) approved by the Executive Committee; **All money collections shall be counted at HCS premises and signed by atleast two members;**
- (iv) make disbursements in accordance with the approved budget as authorized by the executive committee or the General Body of H.C.S.;
- (v) keep full and accurate financial record;
- (vi) serve as chairperson of the Finance Committee;
- (vii) be prepared to present a current financial status of H.C.S. at the Executive Committee ` ` ` meetings;
- (viii) sign checks as approved by authorized governing bodies. **Expense Transaction over \$1000 (ONE THOUSAND) shall be signed/authorized jointly by the Treasurer and President.**



**Any other financial transactions over \$1000 (ONE THOUSAND) in financial institutions will require the approval of majority members of Executive Committee. E.g., for money transfer to different bank, Changing accounts.**

(ix) make a full Financial Report at the Annual General Body meeting.

(x) **appoint an independent CPA to audit and review the H.C.S accounts and finance**

e. Secretary of Religious Affairs

(i) carry out religious activities consistent with the purposes and policies of H.C.S, including “Kirtan”, and preside at these gatherings;

(ii) arrange religious classes and discourses;

(iii) invite religious speakers

f. Secretary of Education and Cultural Affairs

Consistent with the purposes and policies of H.C.S., carry out:

(i) educational activities, e.g. language and yoga classes, establishing a library, encouraging children by setting up scholarships, etc. Invite scholars from here or India;

(ii) cultural activities, e.g. programs related to dance, music, musical instruments, poetry, plays, etc.

g. Secretary of Youth, Sports and Humanitarian Activities Consistent with the purposes and policies of H.C.S., carry out :

(i) all youth-related activities, e.. youth camp, debates, public speaking, essays, painting and general knowledge competition. Also provide youth counseling;

(ii) all the sport activities, e.g. volleyball, basketball, swimming, softball, cricket, tennis, golf, bowling, etc.

(iii) all the humanitarian activities sponsored or promoted by H.C.S.

h. Secretary of Center Facilities shall be responsible for:

(i) maintaining the H.C.S facilities;

i. Secretary for Facilities Rental

(i) shall be responsible for the use of the center for any purposes including rental

(ii) keeping the center open for as many hours as possible with the help of voluntary or paid help.

J Secretary of Planning and Building

(i) shall be responsible for:

a) planning future expansion, working in conjunction with the Trust Committee;

b) supervising construction of any planned expansion.

c) fund raising activities towards expansion

(ii) shall be ex-officio member of the Trust Committee

(10) Removal from office

An officer shall be removed from office for due cause and with due process if any of the following is true:



- a. fails to uphold the constitution and by-Laws;
- b. fails to perform his/her designated duties for any reason;
- c. fails to attend 50% of meeting in the first three(3) months of four consecutive meetings of the Executive Committee;
- d. moves out of the area as described in Article IV, Section 2a.
- e. Any member of the Executive Committee may be removed from office for reasons described above by a two-thirds vote of the membership present a special meeting of the General body. Such a meeting shall be called by the two-thirds vote of total membership of the Executive Committee or by the greater of 50 members or 25% of the total membership of H.C.S. This petition for removal, made to the Executive Committee, must be signed by the requesting members. After receiving the petition, the Executive Committee is required to call a General Body meeting within 45 days.
- f. If a member is convicted of a misdemeanor or felony, he/she shall be automatically removed from office.

## ARTICLE V

### Committees

There shall be at least the following committees to assist and guide the Executive Committee:

#### A. Trust Committee

##### 1) Responsibilities

- a) initiate long-range plans and oversee their implementation.
- b) actively participate in major fund-raising for the H.C.S., working closely with the appropriate committees.
- c) help resolve critical issues brought up by the Executive Committee. The Executive Committee shall be bound to accept these resolutions.
- d) advise the Executive Committee on critical issues related to the Constitution and By-Laws and policy matters, when deemed necessary by this committee. The Executive committee is not bound to accept this advice.
- e) appoint three (3) members to the Nomination Committee.
- f) conduct Trust Committee meetings at least four times a year. Additional meetings should be held as considered necessary. **First meeting for the year will be a combined meeting with Executive Committee.**
- g) **Any member of HCS can bring up to Trust Committee if any violation to constitution by the Nomination Committee. Trust Committee is bound to review and advice the Nomination committee if anything is found wrong. The Nomination Committee shall be bound to accept the resolution.**

##### 2) Membership

a) 'The Trust Committee shall consist of **9** members representing a broad spectrum of the community. The Trust Committee should be formed of members who enjoy the support and trust of their community and who can work in an objective, mature and cooperative manner and in view of what is best for the HCS. ***Trust Committee member should be an active member of HCS in terms of either being in any HCS committee before or been actively involved in community actively for 5 years. Trust Committee member***

- (i) **must be a voting member in good standing at the time of the selection and throughout the term of the office.**
- (ii) **must be residing within 50 miles of H.C.S. Center.**
- (iii) **must not have been convicted of a misdemeanor or felony. Conviction of a misdemeanor also includes a person who is convicted of a sexual offense, or pleads Guilty or No-Contest of the same.**

b) The first **9** members of the Trust Committee shall be nominated by the Executive Committee for a maximum term of three (3) years within two weeks of commencement of its tenure. At the end of the third year and for every year thereafter, **three (3)** members shall **be automatically removed from** the Trust Committee. Their places shall be respectively filled by new members for three year terms, nominated by the current Executive Committee. **If there are more than 9 members in Trust Committee at any year, then a maximum of 5 members can be removed by Executive Committee at end of the year.**

c) **In the event of any vacancy in Trust Committee, the replacement will be made by the Executive Committee.**

(3) Procedures

- a) The Trust Committee shall elect its own Chairperson, and Secretary every year at their first meeting
- b) The Secretary shall keep records and minutes of each meeting
- c) The committee's decision shall be made based on two-thirds majority members present
- d) The President of the HCS and the Secretary of Planning and Building shall be Ex-officio members of the Trust committee.
- e) The Chairperson of the Trust Committee shall be a member of the planning and Building Committee.
- f) The Trust Committee can decide to call a meeting of the General Body if decided by **two-thirds of Trust Committee members**
- g) **Two-thirds** members of the Trust Committee shall constitute a quorum.

(4) Termination

**Trust Committee member shall be removed from office for due cause and with due process if any of the following is true:**

- a. **fails to uphold the constitution and by-Laws;**
- b. **fails to perform his/her designated duties for any reason;**
- c. **fails to attend 50% of meeting in any year;**
- d. **moves out of the area as described in Article V, Section 2a.**

**Any member of the Trust Committee may be removed from office for reasons described above by a two-thirds vote of the membership present on a special meeting of the Executive Committee. Such a meeting shall be called by the two-thirds vote of total members of the Trust Committee or by atleast 50% of the Executive Committee members. If a Trust Committee member is convicted of a misdemeanor or felony, he/she shall be automatically removed from office.**

- B. Membership Committee (Chaired by the Vice President)
- C. Publication Committee (Chaired by the General Secretary)
- D. Finance Committee (Chaired by the Treasure)
- E. Religion Committee (Chaired by the Secretary of Religious Affairs)
- F. Education Committee (Chaired by the Secretary of Education and Cultural affairs)
- H. Sports Committee (Chaired by the Secretary of Youth, Sports, and Humanitarian Activities)
- I. Youth Committee (Chaired by the Secretary of Youth, Sports, and Humanitarian Activities)
- J. Humanitarian Committee (Chaired by the Youth, Sports, and Humanitarian Activities)
- K. Maintenance Committee (Chaired by Secretary of Center facilities)
- L. Planning and Building Committee (Chaired by Secretary of Planning and Building)
- M. Ladies Club (Chairperson will be appointed by the Executive committee)
- N. Library Committee (Chaired by the Secretary of Education and Cultural affairs)
- O. Food Committee (Chairperson will be appointed by the Executive committee)
- P. **Custodian**
  - 1) **Responsibilities**
    - a) shall be responsible to collect all records every year.
    - b) At end of the year General secretary of the Executive committee is bound to give all records to the custodian.
    - c) shall keep all records in premise of the temple.
    - d) shall be responsible to show records to the Executive Committee, in an event of a conflict, if general body member approaches Executive Committee on the same.
  - 2) **Membership**
    - a) shall be selected by Executive committee for a longer term.
- 2. Each committee chairperson, except the Trust Committee, shall select additional members to serve on his/her committee. Each committee shall adopt rules of conduct for its own affairs and the H.C.S affairs for which it is responsible, subject to review by the Executive committee.
- 3. Chairpersons and members of the committee shall serve for a term of one year unless otherwise specified, corresponding to the term of the executive committee
- 4. All committees except the Trust Committee shall report their work to the Executive Committee. Plans of work must be approve by the Executive Committee before they can be implemented.
- 5. The members of all the committees shall be voting members of the H.C.S
- 6. **For all committees, conducting meetings and making decisions and proceedings should follow Roberts rule of orders. E.g., Matters of the committee are decided by Majority votes.**

## ARTICLE VI

### Meetings

#### 1. Executive Committee Meetings

The Executive Committee shall hold regular meetings at least bi-weekly, However, not more than two successive meetings may he cancelled.

A majority of the membership of the Executive Committee shall constitute a quorum, and business may be conducted by a majority vote of the members present.

#### 2. General Body Meetings

- A. There shall he an annual meeting of the General Body to be held on a weekend at least a month prior to the election. The business of this meeting shall be to receive reports from each officer and to transact other business as may properly come before the meeting. A **two** week s notice, **for**

**minor\* changes**, in writing, shall be required for any voting member to request an item on the agenda of the meeting.

- B. Special meetings of the General Body may be called to discuss specific issues. These meetings may be called (1) by the Executive Committee, of (2) by a petition signed by greater of 50 members or 25% of the total membership of H. C. S., or (3) by two-thirds vote of **registered** membership of the Trust Committee. After receiving the petition, the Executive Committee is required to call such a meeting within 45 days.
- C. Notice of the annual meeting and any special meeting shall be given in writing by the General Secretary to each voting member by mail **or email**, not less than **one month** prior to such a meeting. Such notice of the meeting shall state the time, place and agenda
- D. Only members in good standing, as defined in article III, Section 3, shall have the privilege of voting at the General Body meeting.
- E. At least 25% of the voting membership shall constitute a quorum necessary at any General Body meeting. For meetings called for removal of an elected officer, the quorum shall be a minimum of 50% of the total voting membership.

If a quorum is not achieved within one hour of the time of the General body meeting,, the members present shall be requested to attend a General Body meeting, scheduled on the same day and time, two weeks later. The requirement for a quorum shall be waived for he second meeting, except for a meeting called for the removal of an officer. Notice of the second meeting shall be given in writing by the General Secretary to each voting member by mail **or email**, not less than two (2) days prior to such a meeting.

**Only the items in agenda to be formally discussed in the general meeting. Any proposals taken from the floor should be discussed in the next general body meeting. No new agenda will be added to the follow up general body meeting of annual general meeting.**

- F. All business which may properly come before any General Body meeting, except those regarding removal of an elected officer, shall be decided by a simple majority of the voting members present. For removal of an officer, a two-thirds majority of the voting members present is necessary. In points of procedure, Robert’s Rules of Order shall govern , unless otherwise stated in the By-laws.

### **3. Joint Executive and Trust Committee Meeting**

**There will be a combined Executive Committee and Trust Committee meeting within first 3 months of the year.**

## ARTICLE VII

### Non-Profit Organization

The Corporation was formed as a non-stock and not-for-profit corporation, organized and operated in furtherance of the purposes specified in the Certificate of Incorporation.

Notwithstanding any other purpose set forth herein, the corporation is organized solely and exclusively for charitable, educational and beneficial purposes and the corporation shall not carry on any activity not permitted to be carried on by:

- A. A corporation exempt from federal tax under Section 501(C)(3) of the Internal Revenue Code of 1954 ( or the corresponding provision of any future United States Internal Revenue Law):
- B. A corporation exempt under the Estate Powers and Trust Laws of Title 13:
- C. A corporation, contributions to which are deductible under Section 170(C)(2) of the Internal Revenue Code of 1954 (or corresponding Revenue Law)
- D. In the event of the dissolution of the H. C. S., the assets, after clearing off all indebtedness, shall be donated to a HINDU CULTURAL CENTER in the State of New York, to be named by the General Body.

## ARTICLE VIII

### Finances

1. Accounts shall be maintained for a fiscal year from **JANUARY 1 THROUGH DECEMBER 31**. The accounts of the H.C.S. and annual financial statement, prepared by the Treasurer, shall be compiled each year in **JANUARY** for the previous year's transactions by an independent CPA, appointed by the **Executive** Committee. The compiled financial statement should be sent to the voting members before the end of **MARCH**

2. The Treasurer, in consultation with the Executive Committee, Shall prepare a budget and present it to the Executive Committee for their approval before **FEBRUARY 15**.

No expenditure in any account shall exceed the budgeted amount for such an account by more than 10% without the approval of the Executive Committee. The budget, as approved must be published by end of **FEBRUARY**.

The President, Vice President, General Secretary and Treasurer shall be allowed to spend **UP TO \$1000** on non-budgeted items without prior approval of the Executive Committee. **SUCH EXPENDITURE SHOULD NOT EXCEED MORE THAN \$1000** for any of the above officers during any year.

3. The Treasurer shall submit to the Executive Committee the previous quarter's financial report which shall include a statement of income and expenses including breakdown. This quarterly financial report has to be submitted within one month after the end of the quarter.

4. Officers and committee chairpersons may act as purchasing agents for H. C. S. for budgeted items **UP TO \$1000**, under their jurisdiction.
5. The Treasurer shall be responsible for any government reports or forms to be filed in time for the year when he/she was in office.
6. The Executive Committee shall establish the bank account(s) for day-to-day transactions of H..C. S. The account(s) shall he operated by the Treasurer.

The Executive Committee may establish a hank account for any special purpose to he operated by the Treasurer and a voting member appointed by the Executive Committee.

Checks over **\$1000** shall be signed jointly by the Treasurer and the President.

Change in personnel shall he reported to the bank by the Executive Committee.

7. The Treasurer shall be bonded for \$25,000.00.

## ARTICLE IX

### Use Of The Hindu Cultural Center

The Hindu Cultural Center (hereafter referred to as Center) is the central meeting place for all Hindus for religious, cultural and social activities. The center facilities should be available for each and every sub community, recognized by H.C.S, in order to encourage the development of their own ethnic heritage and to enrich the heritage of other sub communities by strengthening their ties to them. Until a separate facility for the temple is built, the current facility shall be used as temple and, therefore, non-vegetarian food, alcoholic beverages and smoking are not to be allowed inside. Shoes are not to be worn inside the prayer hall all members and sub communities, recognized by H.C.S., shall have equal privileges for using he center facilities.

## ARTICLE X

### Amendments

The By-Laws may be amended by a two-thirds vote of voting members at any meeting of the General Body.

A 45-days notice, in writing signed by greater of 25 voting members or 10% of total membership of the H.C.S shall be required to put an amendment on the agenda of any General Body meeting.

## ARTICLE XI

### Access to And Storage of Records

Every H.C.S. member shall have the right to **request for records from the past in the last 7 years**, in person, or by attorney, at any reasonable time, for a **valid** reasonable purpose, the membership register, the books or records of account and of inventory, and minutes and/or records of the proceedings of all meetings of the General Body and make extracts therefrom

The archives, including all past records, deemed necessary to the current year's operation of the H.C.S., shall be kept together and located in designated place at the H.C.S

Each officer and committee chairperson shall file an inventory of all equipment under his/her jurisdiction with the General Secretary no later than **DECEMBER 15** of that year.

These are the only By-Laws which define the organizational structure of the H. C. S. and outline various procedures for carrying out the intent of this Constitution.

The office of the Hindu Cultural Society of Western New York, Inc. shall be located at 1595 North French Road, Getzville, New York 14068.

**\*\*\*\*\*ALL AMENDMENTS ARE PRINTED IN BOLD CAPITAL LETTERS\*\*\*\*\***