



## CONSTITUTION OF DFW MAHARASHTRA MANDAL

### PREAMBLE

Desirous of preserving and promoting the rich cultural heritage of Maharashtra, and of promoting cultural ties among the people of Marathi origin, we, the Marathi loving people of DFW Metroplex do hereby constitute the DFW Maharashtra Mandal and bequeath to ourselves the Constitution and Bylaws.

### ARTICLE ONE

This organization shall be known as the Dallas/Fort Worth Maharashtra Mandal (hereinafter called DFWMM or the Association).

### ARTICLE TWO

An Executive Committee (EC) duly elected by DFWMM members as described in Article Seven shall manage all the business and affairs of DFWMM as per Constitution and Bylaws.

### ARTICLE THREE

Section I: DFWMM shall proceed under the general laws of the State of Texas.  
Section II: DFWMM shall be a non-profit organization, and its business and activities shall be governed by the Constitution and Bylaws. No dividends or pecuniary profits shall be declared or paid to the EC or DFWMM members thereof.

### ARTICLE FOUR

The post office address of the Association shall be that of the treasurer of the acting EC for each year.

### ARTICLE FIVE

Section I: The aims and objectives of DFWMM shall be to promote literary, educational, and cultural activities that will be individually and collectively beneficial to the DFWMM members, to encourage acts of charity and benevolence, and to create an opportunity for inter-cultural exchange.

Section II: No substantial part of the activities of DFWMM shall be the carrying on propaganda, or otherwise attempting to influence legislation, and DFWMM shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Section III: No part of the earnings of DFWMM shall inure to the benefit of, or be distributable to the EC, DFWMM members or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of DFWMM.



Section IV: Any member wishing to participate in the activities of DFWMM shall not be discriminated against on the basis of gender, age, race, national origin, color, creed, marital status, sexual orientation, religion, or the state of handicap.

## **ARTICLE SIX**

Section I: Any person who subscribes to the objectives of the Association and pays the annual dues, as decided by the EC, is entitled to be a member of DFWMM. Every such member shall have an obligation to uphold the constitution and the bylaws of DFWMM.

Section II: The membership of DFWMM shall consist of the following categories:

- 1) Primary membership- Married couples and single adults of age 21 and above
- 2) Associate membership (only if accompanied by primary membership)
- 3) Dependent youth of ages 17-20 (Student Membership)

Section III: Primary members of category (1) shall each have one vote. Associate members of category (2) shall be nonvoting members.

## **ARTICLE SEVEN**

Section I: The EC shall be comprised of the following elected office bearers:

- a) President
- b) Secretary
- c) Treasurer

These EC positions shall be elected or appointed by the members of DFWMM at an Annual General Body Meeting of DFWMM for a one-year term of office. The EC may also contain up to twelve appointed office bearers (members at large) as outlined in Section III of this Article Seven. A Co-Treasurer position can be filled in on as needed basis. The person holding this position will become part of Executive Committee for the Mandal year. This position can be filled in by nominations/elections at Annual General Body Meeting or through due process by majority vote by the entire DFWMM Committee throughout the Mandal year. The Co-Treasurer would have the same role and responsibility as primary Treasurer and can back-up and represent Treasurer Activities as need be.

Section II: Term Limits: All EC members (elected or appointed) shall be allowed to hold a particular office/position for one term only. However, they shall be allowed to hold another position on the EC for two more terms. No member (elected or appointed) can serve more than three consecutive terms on the EC.

Section III: Members at Large: The EC members by majority vote may appoint up to three additional members to serve on the EC for a one-year term of office. These three appointed members shall be full voting members of the EC. The current DFWMM Committee through due process can also include additional members at large, anytime during Mandal year, by majority vote. These



members will be at par with other members at large, included at GBM. Audio/Video Technical Representative and Assistant Webmaster positions can be filled in by appointing a committee member in that role.

Section IV: The EC term of office shall begin on the Ganesh Chaturthi day (according to the Indian calendar, which falls in August/September timeframe every year) and will end on the same day a year after.

Section VI: If any vacancy arises on the EC through any cause, the EC may choose to appoint any current member of DFWMM to fill that vacancy by majority vote. This selection should be communicated within 30 days to all DFWMM members.

Section VII: Any EC member may be dismissed from the EC by a minimum of 6 EC members voting for dismissal. Twenty-one days notice shall be required to be given to the EC member being considered for dismissal.

#### **ARTICLE EIGHT**

If the EC or any EC member contemplates any litigation or legal proceedings of any kind that will bind DFWMM or its resources, the EC (or the EC member) must obtain the approval of three-fourth majority of the members of DFWMM before initiation of litigation or legal proceedings.

#### **ARTICLE NINE**

Section I: The Association shall be dissolved either by written order received from an appropriate court of law in the United States, or by a three-fourth majority of all DFWMM members.

Section II: Upon dissolution of the Association, the Executive Committee shall, after paying or making provision for the payment of all the liabilities of the Association, dispose of all of the assets of the Association exclusively for the purposes of the Association in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes or shall at the time qualify as an exempt organization or organizations under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law), as the Executive Committee shall determine. Any such assets not so disposed of shall be disposed by the Court of Common Pleas of the county in which the principal office of the Association is then located, exclusively for such purposes or to such organization, as said Court shall determine, which are organized and operated exclusively for such purposes.

#### **ARTICLE TEN**



Notwithstanding any other provision of these articles, the Association shall not carry on any other activities permitted to be carried on (a) by an Association exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law); or (b) by an Association, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law).



## BYLAWS OF DFW MAHARASHTRA MANDAL

### ARTICLE I

The Association may by its Bylaws make any other provisions or requirements for the management or conduct of the Association provided the same are not inconsistent with this Constitution or contrary to the laws of the State of Texas or of the United States.

### ARTICLE II - Location of the Association:

The headquarters of DFWMM shall be located at such a place as decided by the Executive Committee.

### ARTICLE III - Membership:

(a) The payment of membership fees shall keep the members in good standing and entitle them to membership for one year or part thereof. Membership shall not be transferable. The annual fee for DFWMM membership shall become due and payable on *Ganesh Chaturthi* day (according to Indian Calendar). In the case of persons newly moving into the DFW Metropolitan area and joining DFWMM on or after March 1st, the EC may decide to charge one-half of the regular annual fee for the remainder of their first year of membership.

(b) All primary members are eligible to vote in elections, run for any office and inspect any books and records of DFWMM.

### ARTICLE IV - Meeting of the EC:

Section I: No meeting of the EC can be held without a seven-day notice to the EC members. Minimum of five EC members shall constitute a quorum for the transaction of business meetings of the EC. Decisions of the EC shall be passed only by a majority vote of those present.

Section II: The Secretary may prepare an agenda for the proceedings of the meeting of the EC. He/she shall prepare minutes of the meeting in English, and these minutes shall be ratified at the next EC meeting.

Section III: Only an EC member or a DFWMM member authorized by the EC shall represent DFWMM at any conference, meeting, seminar or gathering.

Section IV: Each EC members and his/her heirs, executors and administrators, and members of all ad-hoc committees of DFWMM shall at all times be indemnified and held harmless from and against all costs, charges and expenses which such members sustains or incurs as a result of any action, suit or proceeding brought, initiated or prosecuted against him/her in respect of any act, deed, matter or thing legitimately undertaken by him/her in the execution of the responsibility of office.

### ARTICLE V - Ad hoc Committees



The EC may appoint committees of members of DFWMM to perform special tasks consistent with the realization of the aims and objectives of DFWMM, to investigate specific problems, procedures and matters of interest, and to make recommendations to the EC. These ad hoc committees shall cease to operate after completion of assigned tasks, or at the discretion of the EC.

## **ARTICLE VI - Fiscal Year and Finance**

Section I: The fiscal year of DFWMM shall be the year from Ganesh Chaturthi (according to Indian Calendar) to the next Ganesh Chaturthi. This usually falls in August or September every year.

Section II: The EC shall be responsible for the finances of DFWMM. The EC may purchase, lease or otherwise acquire, hold and maintain personal and real property, and enter into any legal contract or undertaking, including the engagement of personnel and services. The EC may also dispose of or sever any of the above transactions.

Section III: The account in the name of DFWMM shall be maintained in a bank or a savings institution and operated jointly by the President and the Treasurer. No ad hoc committee of DFWMM will be authorized to receive funds or separately maintain a bank account in the name of DFWMM.

Section IV: Notwithstanding Section II, any contract or financial transaction exceeding \$5000 shall require the consent of the General Body.

Section V: The EC may in its judgment, receive, acquire and hold gifts, donations, trusts, legacies and devices for and in the name of DFWMM.

Section VI: The EC shall be responsible for the Maintenance of all accounts and financial matters of DFWMM, as well as for arranging audit by an external auditor for their fiscal year/term in office.

Section VII: The outgoing EC shall prepare the financial statements of their fiscal year four weeks prior to the beginning of the next financial year. A copy of the financial statement shall be published on its website.

Section VIII: Only the members of the EC and the members at large shall make expenditures on behalf of DFWMM. Expenditures of more than \$500 by any EC member must have prior approval from the EC.

Section IX: The Treasurer shall be responsible for receipt, disbursement, recording and safe keeping of all funds of DFWMM The Treasurer shall pay all bills which have been approved in the manner prescribed by the EC.

## **ARTICLE VII - DFWMM Meetings**

Section I: The EC, by a majority vote, shall be allowed to call a general body meeting of the DFWMM membership for any purpose it deems fit. A written notice of this meeting, including an agenda for the meeting, shall be given to all DFWMM members no less than 21 days before the date of the meeting.

Section II: The EC shall call an Annual General Body Meeting anytime between April 1<sup>st</sup> and July 31<sup>st</sup> of each calendar year. A written notice of this meeting,



including an agenda for the meeting, shall be given to all DFWMM members no less than 21 days before the date of the meeting.

Section III: Special meetings of DFWMM shall be called by the EC, on receipt of a requisition by at least fifty primary voting members of DFWMM. A written notice of this meeting, including an agenda for the meeting, shall be given to all DFWMM members no less than 21 days before the date of the meeting.

Section IV: At any meeting of DFWMM, the presence of one-third or twenty-five members (whichever is less) shall constitute a quorum.

Section V: Eligible DFWMM Members must cast their ballots in person. No proxy voting or absentee ballots shall be permitted at any DFWMM meeting.

**ARTICLE VIII - Amendments:**

The Association may amend this Constitution and the Bylaws as follows:

a) The majority of the EC members proposing an amendment shall adopt a resolution that the amendment is advisable. A special meeting of the members shall then be called to vote on the amendment. Twenty-one days written notice of such meeting and of the proposed amendment together with the reasons thereof shall be given.

b) An amendment proposed by a member shall be first submitted in writing together with the reasons thereof to the EC, at least six weeks in advance of the date of an Annual General Meeting of the Association. The EC shall consider the proposal promptly. If the proposal is rejected by the EC, this member may submit it for consideration by the members at such Annual General Meeting, provided the said member has arranged to give written notice of the proposed amendment and the reasons thereof through the EC to all DFWMM members at least 21 days before that meeting.

c) Any proposed amendment of constitution shall be approved by a two-thirds majority of members voting at the meeting in person but not less than one-third of the total membership.

d) Any proposed amendment of bylaws shall be approved by a two-thirds majority of members voting at the meeting in person.

**ARTICLE IX - Election Procedures:**

a) Nominations for all positions on the EC shall be received by the current EC at least one week prior to the annual general body meeting.

b) At the annual general body meeting, the current EC will announce the nominations. If more than one nomination is received for office bearing position on the EC, the members will vote for the contesting candidates. If not, the candidate will be elected uncontested.

c) The results of the election shall be declared prior to adjournment of the annual general body meeting.

**ARTICLE X - Official Publication**

FULBAJYA shall be the official publication of DFWMM, and shall be distributed annually to the members free of charge. This publication shall be the principal mode of communication between the officials and the members of DFWMM.