

# **The Constitution of Triveni Inc.**

(The Tri-State Kannada Cultural Association)

## **Preamble**

So, the Kannada culture oriented community in the Delaware Valley (Pennsylvania, New Jersey and Delaware), in order to cultivate and present the cultural, literary, scientific and educational heritage of Karnataka, and contribute toward promotion of inter and intra cultural understanding and integration, do hereby join together to form an association.

## **Article I: Name**

The name of the association shall be TRIVENI (TRI-STATE KANNADA CULTURAL ASSOCIATION), hereafter called the association.

## **Article II: Aims & Objectives**

1. To provide a forum for Kannada oriented cultural activities.
2. To promote Kannada literary and educational activities.
3. To promote inter and intra-cultural understanding and integration.

## **Article III: Status of the Association**

The Association shall be a non-profit, cultural organization.

## **Article IV: Membership**

Section 1: Eligibility: Any person who subscribes to the objectives of the Association may become a member of the Association under any of the categories described in Section 2, on payment of the appropriate dues to be determined from time to time by the Executive committee.

Section 2: Membership Categories:

Sub-Section (a) Patron Membership: Those persons who pay in a lump sum, the patron membership dues to be determined by the Executive Committee, may become patron members. Privileges for whom to be determined by the Executive Committee.

Sub-Section (b) Donor Membership: Those persons who pay in a lump sum, the donor membership dues to be determined by the Executive Committee, may become donor members. Privileges for whom to be determined by the Executive Committee.

Sub-Section (c) Life Membership: Those persons who pay in a lump sum, the life membership dues to be determined by the Executive Committee, may become Life Members.

Sub-Section (d) Family Membership: Those with spouse/children under 18 years of age, on payment of the annual family membership dues to be determined by the Executive Committee, may become Family Members.

Sub-Section (e) Individual Membership: Single persons, on payment of the annual dues

to be determined by the Executive Committee, may become individual members.

Sub-Section (f) Honorary Membership: Upon recommendation of the Executive Committee Honorary Membership of the Association may be granted to the persons who have made a significant or a special contribution toward promoting the aims and objectives of the Association.

### Section 3: Voting Rights

Sub-section (a) Under Family Membership the Member and the spouse each shall carry one vote.

Sub-Section (b) The Life Member and the Individual Member shall carry one vote

Sub-Section (c) The Honorary Member shall have no voting rights.

Section 4: Revoking Membership: Membership of the Association may be revoked with one month's notice, for any conduct considered undesirable by two-thirds vote of the assembled membership.

## **Article V: The Executive Committee**

Section 1: The Executive Committee of the Association shall consist of :

- i. Five office bearers
- ii. Six representatives, two each from Pennsylvania, New Jersey and Delaware areas
- iii. One Editor for "Triveni Vahini" – Association's Newsletter.
- iv. ~~One member~~ from the previous Executive Committee

**Deleted:** Two members

Section 2: The office bearer's of the Association shall be a President, a Vice-President, a General Secretary, a Treasurer, and a Cultural Secretary.

Section 3: Eligibility to the Executive Committee Each member of the Executive Committee shall be a member of the Association, in good standing.

Section 4: Election to the Executive Committee: The Office bearers and the Representatives to the Executive Committee shall be elected by the Members of the Association at its Annual General Body Meeting. Voting shall be by any acceptable method in case of a contest. The candidate receiving the maximum number of votes shall be deemed to have been elected. The outgoing Executive Committee shall nominate its representatives (to be chosen from the outgoing office-bearers) to the incoming Executive Committee.

Section 5: The term of the Executive Committee shall be for a period of ~~two years~~.

**Deleted:** one year

Section 6: Each person in the Executive Committee shall carry one vote; however, the nominated members from the previous Executive Committee shall have no voting rights.

Section 7: At no time the Executive Committee shall consist of less than two office bearers, failing which new elections shall be held to fill the vacancies.

#### **Article VI: Duties of the Office Bearers**

1. The President shall represent the Association, preside over its meetings and shall execute its resolutions. The President shall not commit the Association without the consent of the majority of the Executive Committee.

2. The Vice-President shall assist the President in his duties and act on his behalf in his absence. He shall also perform such other duties delegated from time to time by the Executive Committee.

3. The Treasurer shall be responsible for the financial records of the Association. The Treasurer shall also perform all other duties incidental to the office of Treasurer of an organization of this character. In the absence of the Treasurer, the Executive Committee shall nominate a member as the Treasurer.

4. The General Secretary, in general, shall be responsible for all non-financial records of the Association. He shall maintain an up-to-date list of all the members of the Association. He shall give or cause to be given notice of all meetings of the Association. He shall also perform all other duties incidental to the office of the General Secretary of an organization of this character.

5. The Cultural Secretary, in general, shall be responsible for organizing the cultural activities of the Association to be determined by the Executive Committee from time to time.

#### **Article VII: Special Committee**

Special Sub-committees may be appointed by the Executive Committee to accomplish special assignments, to investigate specific problems, procedures on matters of interest, and to make recommendations to the Executive Committee. The terms of such committees shall be terminated any time at the discretion of the Executive Committee.

#### **Article VIII: General Body Meetings**

Section 1: An Annual General Body meeting shall be held at a suitable time and place designated by the Executive Committee.

Section 2: Additional General Body meetings of the Association may be held at the call of the Executive Committee or at the request of members upon receipt of a petition calling for such meeting and signed by at least ten members.

Section 3: The notice for the General Body Meeting shall be sent at least 15 days prior to the date fixed for such a meeting..

Section 4: Quorum: The quorum for the Annual General Body meeting shall be 10% of the active members. If the quorum of this meeting is not satisfied, then an additional

Annual General Body Meeting shall be held within fifteen days and no quorum will be necessary for this meeting. No quorum shall, however, be necessary for the additional General Body Meetings called by the Executive Committee, but only the resolution on the agenda shall be voted upon.

Section 5: Voting by proxy shall not be permitted.

### **Article IX: The Fiscal Year**

~~Fiscal Year shall be changed to coincide with the calendar year.~~

**Deleted:** The fiscal year of the Association shall be from April 1 through March 31.

### **Article X: Finance**

Section 1: The Executive Committee shall be responsible for finances of the Association.

Section 2: A financial account in the name of the Association shall be opened in a Bank and operated jointly by the President and Treasurer of the Association.

Section 3: The Executive Committee shall be responsible for, and be required to report on all financial transactions conducted during the preceding year, at the Annual General Body Meeting of the Association.

### **Article XI: Location of the Association**

The headquarters of the Association shall be located at the place as decided by the Executive Committee.

### **Article XII: No-confidence Motion**

A no-confidence motion against office bearers of the executive committee may be passed by a majority decision of the members. In such an event a new election for the office bearers or the Executive Committee, as the case may be, shall be held. The terms of the new office bearers so elected shall expire at the usual time as specified in Article IX.

### **Article XIII: Amendments**

The constitution may be amended by a majority vote at a General Body Meeting, provided,

- i. that the amendment is introduced by a petition signed by at least ten members, or by the Executive Committee;
- ii. that the amendment is submitted to the Executive Committee which shall distribute it to the members at least 15 days prior to the date of the meeting.

### **Article XIV: Directive Principles**

1. The Headquarters of the Association shall be located in New Jersey at the address of the President. If the President's address is not in New Jersey then the Headquarters of the association shall be located at the address of an executive committee member residing in New Jersey as determined by the executive committee.

2. In order to hold the office of the President, Vice-President, and General Secretary, the person shall be a current member of the Association for at least a period of one year.

3. The logo of the Association shall be as shown below:



4. It is the intention of this association at all times to qualify and remain qualified as exempt from income tax under section 501 (c) (3) of the United States Internal Revenue Code of 1954, as the same may from time to time be amended.

5. The association is not to have authority to issue capital stock.

6. The association shall not be conducted or operated for profit, and no part of the net income, gains profits, earnings, funds or property of the association shall inure to the benefit of any private person or individual or any member or director of this association but the same shall be devoted solely to the purposes for this association is formed as the same are herein above declared and set forth.

7. No part of the activities of this association is or shall consist of carrying on propaganda or otherwise associated with any political party or political candidate; nor shall the association participate in any political campaign of any candidate for public office.

8. Upon the dissolution of the association, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of 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 or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

9. None of the Executive Committee shall be required to furnish any bond or surety. None of them shall be responsible or liable for the acts or omissions of any of the Executive Committee member or of any predecessor or of a custodian, agent, depository or counsel selected with reasonable care.

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### **Record of Ratification and Amendments**

1. Original draft constitution was drafted by Dr.H.V.Vasudev Rao and Mr. Shrikant Bhat. The draft constitution was ratified by the General Body in the General Body Meeting held on April 3, 1976.

2. First amendment to constitution was drafted by a committee consisting of H.K.

Ramchandra, S.K. Harihareshwara and B.T.Lakshman. Amendments were approved by the Executive Committee in the Executive Committee meeting held on December 4, 1982. Amendments were approved by the General Body in the General Body Meeting held on April 23, 1983.

3. Second amendment to constitution was drafted by a committee consisting of Dr. Umamahesh Babu, H.K. Ramachandra, Dr. Prabhu Dev, Dr. L.P. Setty, and H.S. Ashwathnarayana. Amendments were approved by the Executive Committee in the Executive Committee meeting held on July 27, 1986. Amendments were approved by the General Body in the General Body Meeting held on September 14, 1986.

**Note:** The list of amendments is incomplete. We are in the process of identifying them and they will be posted as soon as they become available. Send your questions and/or comments to Triveni Executive Committee (email address: [committee@triveniusa.org](mailto:committee@triveniusa.org))

4. The constitution of Triveni Inc., was re-ratified in the above form at the General Body Meeting held on 12/17/2006.

5. Article IX was changed to allow the calendar year to be the Fiscal Year of the organization at the General Body Meeting held on 12/16/2007.

6. At the General Body Meeting held on 12/14/2008, Article V Section 1 was changed wherein the Executive Committee will include only one member from previous Executive Committee instead of two members.

7. At the General Body Meeting held on 12/14/2008, Article V Section 5 was changed to extend the term of the Executive Committee for a period of two years instead of one year.

Page Last Updated On 12/25/2009 (Added amendments approved in previous GBMs).