



AIA NATIONAL NEWSLETTER

BETWEEN US



A Newsletter of the Association of Indians in America

A Non-Profit Organization of Indians founded in 1967

VOLUME 4

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AMENDED BYLAWS 10/3/94

Article I: Preamble

WHEREAS a growing number of peoples of (Asian) Indian heritage have become (permanent) residents of the United States of America, and WHEREAS many of them have become citizens of the United States of America, be it resolved THAT a non-profit organization be formed to provide a common forum of common action to all whose Indian heritage and American Commitment offer a bond of unity.

Article II: Name

The name of this organization shall be THE ASSOCIATION OF INDIANS IN AMERICA, hereafter referred to as the ASSOCIATION or AIA.

Article III: Objectives

1. to concern itself with the social welfare of Indians who have decided to live in the United States, and to help them become a part of the mainstream of American life.

2. to facilitate involvement of the members of the Association in American community life through charitable, educational and cultural activities.

3. to facilitate communication and cooperation

among the people of Indian Heritage world wide.

4. to facilitate participation in India through charitable, educational and cultural activities.

Activities IV: Membership

Section 1: Any person who is at least 18 years of age and of Indian descent or married to a person of Indian descent who subscribes to the objectives of the Association and is willing to contribute to the achievement of those objectives can become a member of the Association.

Section 2: To be a member in good standing, each member shall be required to pay annual dues or life membership dues.

Section 3: Members in good standing shall be eligible to hold elective positions in the Association and shall have the right to (i) nominate candidates for elective positions, (ii) vote for the election of the President, and other members of the National Executive

Committee, ('N.E.C') and the Board of Trustees, (iii) vote on Committee, and (iv) vote on amendments of the constitution and the ByLaws of the Association.

*We wish you all
Happy Deepavali and
a Healthy New Year*

**Request for nominations
for N.E.C. elections
for 1996-97 see page 2.**

contd. on page 3

Section 4: Any member who is qualified for membership according to Section 1 above can become a life member of AIA by paying a sum of \$ 300.00. Life members shall have the same rights and privileges as stated in section 3. above. Annual membership fees shall be \$ 25.00

Article V: The National Council

Section 1: The National Council should be activated for the purpose of assisting the NEC in its various tasks including creating a vision, fund raising and providing a liaison with local chapters etc.

Section 2: The National Council membership will consist of the three immediate past presidents of the NEC; and three immediate past presidents of individual chapters as defined in Article VIII. These past presidents will automatically become members of the National Council provided that they are life members.

Section 3 : The council shall meet at least twice in a calendar year.

Section 4: The Chairperson of the National Council will be the current NEC President and will serve as the chairperson of the National Council.

Section 5: The quorum of the Council meeting shall be 20% or a third of the membership of the Council, or fifteen, whichever is less.

Article VI: The National Executive Committee

Section 1a. Elective Officers: The elective officers of the NEC shall consist of (i) the President of the NEC, (ii) no more than four vice presidents, (iii) the treasurer, and (iv) no less than ten members-at-large. The tenure of the elective officers shall be two years.

Section 2. Administrative Officers: The Administrative officers of the Association shall be the Secretary, the Parliamentarian, and other officers to be appointed by the President with the advice and consent of the NEC.

Section 3(a): Voting members: Voting members of the NEC shall consist of the elected Officers and the immediate past president of the Association.

Section 3(b): An oath ceremony shall be conducted to induct the newly elected President and members of the NEC.

Section 4: Duties: The National Executive Committee shall be fully responsible for all the executive functions of the Associations and shall establish general policies governing all activities of the Association. The N.E.C.'s powers and responsibilities shall include:

(a) To actively engage in furthering the objectives of the Association;

(b) To review all activities of the Association to ensure that they do not conflict with the basic objectives of the Association;

(c) To propose amendments to the constitution and bylaws, as may be recommended by the Committee on Bylaws and Rules;

(d) To appoint special councils and committees, or to initiate programs as may be necessary and to terminate those programs whose objectives have been fulfilled;

(e) To authorize the establishment of local chapters, and to improve their bylaws and amendments thereto, as may be recommended by the President of the Association;

(f) To nominate members for election to the Board of Trustees;

(g) To adopt resolutions affecting programs, policies and objectives of the Association.

(h) **CHECKS, NOTES & CONTRACTS:** The NEC is authorized to select such depositories as it shall deem proper for the funds of the Association and shall determine who shall be authorized on the Association's behalf to sign bills, notes, receipts, acceptances, endorsements,

checks, releases, contracts and documents.

(i) **INVESTMENTS:** The funds of the Association may be retained in whole or in part in cash or be invested and reinvested from time to time in such property, real, personal or otherwise, including stocks, bonds or other securities, as the NEC may deem desirable.

(j) **OFFICE:** The office of the Association shall be located at such place as the NEC may from time to time determine; and

(k) **BOOKS:** All books of account of the activities and transactions of the Association shall be kept at the office of the Association. Such books shall consist of, but not be limited to, a minutes book, which shall contain a copy of the certificate of incorporation, a copy of these by laws, and all minutes of meetings of the N.E.C and of the Board of Trustees.

Section 5. Appointment of Councils, Committees/Programs: All appointments shall be made by the President with the advice of the National Executive Committee.

Section 6. Committee Meeting: The National Executive Committee shall meet no fewer than three times in a calendar year to conduct the business of the Association.

Section 7. Terms of Office: No Elective Officer of the Association shall serve more than two consecutive terms for the same office.

Section 8. Recall: The N.E.C. or any member thereof can be recalled by sixty percent of the members in good standing, so voting and petitioning.

Section 9. Recall of NEC members by the NEC : If an elected member of the NEC fails to attend or participate in two consecutive meetings of the NEC, the NEC has the authority to vote to recall the member and to elect another member as a replacement. A member can attend or participate in a meeting of the NEC by (i) being present at the meeting in person or (ii) by oral or written

communication with the President or Presiding officer.

Article VII. Duties of Officers

Section 1: The President shall be the Chief Executive Officer of the Association and shall:

- (a) Preside at meetings of the National Executive Committee, and shall be responsible for the development and presentation of major programs, in collaboration with the vice-presidents;
- (b) Execute and safeguard the execution of the Bylaws of the Association;
- (c) Have the determinative vote in the event of a tie at the National Executive Committee meetings;
- (d) Oversee the financial transactions of the Association in collaboration with the Treasurer of the Association; and
- (e) Appoint one of the vice-presidents of the Association as acting president in the event of his/her absence or sickness. The term of the acting President shall not exceed 60 days. During this interim period, the acting president shall have all the authority, power and privileges of the elected President.

Section 2: Vice Presidents shall be responsible for membership enrollment, the formation of new chapters, the development and organization of programs, and other tasks assigned by the President, at regional and/or national level(s), as may be determined by the President after due consultation .

Section 3. The Treasurer shall:

- (a) Present a budget for the fiscal year for approval by the National Executive Committee no later than 30 days after assuming office;
- (b) Be responsible for collecting all sums due to the Association and for directing the due disbursement of all sums payable by the Association;
- (c) Submit an up-to-date report on the financial status of the Association at each meeting of the National executive Committee;
- (d) Prepare an annual financial report of the Association for submission to the National Executive Committee; and

(e) Communicate the annual report to the membership. Sign the accounts before delivering them to the Treasurer-elect on or before the last of his/her term.

Article VIII, Local Chapters

Section 1. A local chapter can only be formed subject to the approval of the National executive Committee.

Section 2. Local chapters must consist of a minimum of ten members in good standing.

Section 3. Within eighteen months of its formation a local chapter shall have its own by-laws consistent with the Bylaws of the Association. No provision of the local chapter by-laws shall conflict with the By-Laws of the National Association.

Section 4. All local chapter By-Laws, or any amendments thereto, must be approved by the National Executive Committee.

Section 5. The President of each local chapter shall be an member of the National Executive Committee, and shall serve as the chapter liaison with the National Executive Committee.

Section 6. In the event of violations of the objectives of the constitution and By- Laws of the AIA by a local chapter, the National Executive Committee shall have the power to dissolve the chapter.

Section 7. If a chapter treasurer does not file treasurer's report with the NEC within 30 days of due date as requested by NEC, the chapter treasurer can be held personally responsible and the NEC can dismiss treasurer for failing in his duties.

Article IX: Membership Dues and Chapter Share

Section 1. The Association's fiscal year will run from January 1 through December 31 of each calendar year. Membership dues shall be paid on an annual basis, covering the Association's fiscal

year. The NEC shall establish such annual dues.

Section 2a : Life membership dues collected by the chapters shall be turned over to the National Treasurer of A.I.A for deposit in the Life Membership account. In turn N.E.C. shall remit every year 60% of income generated from these funds to the chapter as its share.

Section 2 b: Every local chapter shall publish a quarterly journal. A copy of each chapter quarterly journal and any other communications sent to the chapter membership in general shall also be sent to the President.

Section 2 c: Every June 15 and December 15, every chapter president should file a written activity report with the NEC President.

Section 2 d: No elective officer of a local chapter shall serve more than two consecutive terms for the same office.

Section 2e. Each member in good standing shall join the local chapter of his/her residence if such a chapter exists.

Section 3. Annual dues are due by March 1 of each fiscal year. The local chapter shall collect dues from the chapter members. Any membership received at the National office shall be duly credited to the national account and the chapter concerned shall be advised of each such transaction.

Section 4. By the last date of each quarter, membership accounts between the national headquarters and each chapter office shall be distributed on the following basis : 60% of the membership dues collected during that quarter shall go to the local chapter and the remaining 40% of the dues collected during that quarter, shall go to the National office.

Section 5. The Treasurer of the Association shall be responsible for collecting membership dues from the non-chapter members by March 1 of

each fiscal year.

Section 6. By February 1 of each fiscal year, each local chapter and/or each unit of the Association shall prepare the consolidated accounts for the Internal Revenue Service and shall make the same available to the National office for preparation of the IRS pseudomonad of the Association, which, for its tax exempt status, is one consolidated account.

Article X, Board of trustees

Section 1. The Board of Trustees, (the "Board"), shall consist of twelve members nominated by the National Executive Committee and elected by the members in good standing.

Section 2. The term of each trustees is 6 years. A third of the trustees shall retire every two years.

Section 3. The Trustees shall elect their own chairperson and adopt rules to conduct their business.

Section 4. The Board shall have no executive function nor shall be responsible for executive duties. The Board shall assist the NEC in (i) developing prospective plans (ii) raising funds (iii) reviewing financial reports (iv) acquiring and managing permanent assets of the Association (v) making judicial review as and when called by the NEC.

Section 5. In the event the NEC fails to function according to the provisions of the constitution "the Board" shall take over the management of the Association and shall function as the NEC, pending the election of a new NEC, which shall take place in ninety days thereupon.

Section 6. In nominating candidates for election to the Board, the NEC shall give consideration to each candidate's (i) service to the Association (ii) service to the Indian immigrant community (iii) and willingness and availability of the nominee.

Article XI. Standing Committee

Section 1. The Committee on Nomination and

Election.

The Committee on Nomination and Election ("CN&E") shall be responsible for conducting the election of the National Executive Committee. The Committee shall consist of a chairperson and four other members in good standing, all to be elected by the National Executive Committee.

Section 1-A. The Nomination for election of the National Executive Committee.

(i) A member in good standing can nominate one person for each office.

(ii) All valid nominations shall be placed on the ballot.

(iii) The two conditions of validity shall be:

(a) For the office of the President, Vice-Presidents, and the treasurer, the nominee shall be a member of the Association, in good standing for no less than the three preceding consecutive years. For members-at-large, the nominee shall be a member in good standing for at least one year. The Committee on Nomination and Election shall have the power to use its discretion insofar as representation of members-at-large on the NEC from new chapters is concerned.

(b) For the offices of the President, Vice-Presidents and the Treasurer, the nomination shall be signed by at least fifteen members in good standing representing no less than three local chapters and at least three signatories from each chapter. For the offices of members-at-large, each nomination shall be signed by one proposer and one seconder in good standing.

(iv) Nomination for all positions shall be accepted by the nominee in writing.

(v) If no valid nominations are received on or before the due date, as established by the Committee on Nomination and Election, the CN&E shall have the right to nominate one or more candidates for each office, with options for write-in candidates.

Section 2: The By-Laws and Rules Committee. The By-Laws and Rules Committee shall be responsible for supervising and reviewing the by-laws and rules of the Association. It shall also be responsible for drafting a chapter affairs manual to assist formation of new chapters. The By-Laws and Rules committee shall consist of a chairperson and four members in good standing to be appointed by the President with the advice and consent of the National Executive Committee.

Article XII. Amendments

Section 1. Amendments to the Constitution and By-Laws may be proposed by the National Executive Committee, or by a petition signed by at least 50 members in good standing.

Section 2. An amendment proposed in accordance with Section 1 shall be presented to the By-Laws and Rules Committee for review. The By-Laws and Rules Committee shall examine the proposed amendment with respect to its effect on the Association's tax exempt status.

Section 3. Upon review by the By-Laws and Rules Committee, and approval by the National Executive Committee, the President shall submit the proposed amendment to the chairperson of the By-Laws and Rules Committee for mailing. The mailing shall include a statement of the National Executive Committee's position regarding the proposed amendment.

Section 4: A proposed amendment shall require for its adoption a favorable vote of two-thirds of the members in good standing who return the ballots.

Article XIII. Tax-Exempt Status

Section I: The Association is a non-profit organization. No part of the net earnings of the Association shall inure to the benefit of, or be distributed to its members, trustees, officers, or other private persons, except that the Association shall be authorized to pay reasonable compensation for services rendered, and to make

payments and distribution in furtherance of the objectives set forth in Article III of these By-Laws.

Section 2. No substantial part of the activities of the Association shall be the carrying on of any activity not permitted to be carried on by a corporation exempt under Section 501 (c) (3) of the Internal revenue Code of 1954 for the corresponding provision of any future United States Internal Revenue Code), and by tax-exempt organization of the type described in Section 500 (a) (2) of the Internal revenue Code.

Article XIV. Parliamentary Authority

Robert's Rule of order, except when inconsistent with the Constitution and By-Laws of the Association, shall govern the meetings of the National executive Committee, the Board of trustees, the National Council and all the committees.

NEW YORK TIMES RECOGNIZES AIA's EFFORTS

AIA has been active in protecting the rights of Indians. This was recently brought forth in an article in The New York Times as quoted here:

"Persons with origins from the Indian subcontinent were moved from 'Caucasian/White Category' after Association of Indians in America successfully lobbied to be included in the 'Asian/Pacific Islander' category, said Juanita Tamayo Lott, president of a demographic consulting firm."

*(From New York Times,
Week in Review, May 9, 1993)*