

CONSTITUTION

ARTICLE I FORMATION

The name of the organization is “ Hindu community Center of Knoxville Inc.”

The HCC is incorporated under the laws of the state of Tennessee as a not for profit organization.

ARTICLE II - LOCATION:

The Physical location of the principal place of the HCC is :

HINDU COMMUNITY CENTER OF KNOXVILLE INC.

8550 HICKORY CREEK ROAD,

LENOIR CITY, TN 3771.

ARTICLE III - OBJECTIVES:

A: To provide a religious organization through which the hindu religion philosophy and the way of life may flourish.

B: To establish a permanent place of worship and a center for cultural activities.

C: To form a charitable ,educational organization that will not actively participate in politics and segregation.

D: to Promote social, cultural, and religious understanding based on peace, love, justice, truth and harmony based o Hindu philosophy.

E: To promote friendship and goodwill among all people.

F: to pursue the techings of Vedas, Vedant, Bhagvad-Gita , Ramayan, Yoga and other Hindu religious traditions.

G: The duration of the corporation is perpetual.

1.

ARTICLE IV – MEMBERSHIP:

Section 4.1 Any person irrespective of caste, creed, color, race or origin can become a member of the HCC by fulfilling all the following requirements:

- A: A member shall be minimum of 18 years of age.
- B: Shall be believer of Vedic Philosophy and Hindu religious traditions.
- C: Shall agree to abide by and respect the constitution of the HCC.
- D: Shall support the activities of the HCC.

Section 4.2 A: All members in good standing on the date of adoption of constitution of HCC, shall continue to be members. There after the new members shall be admitted only by the approval of the Executive Committee.

All new members shall submit a written application in prescribed form along with dues to the president of the Executive committee, and shall be subject to approval by the Executive committee.

B: If application for membership is not approved by the Executive Committee, then the applicant shall be notified in writing as soon as a decision is made.

C: A person under 18 years of age, whose parent /or Gurdian is a member, shall automatically become a member, but shall have no voting right.

Section 4.3

A: A member shall be entitled to become a member of either the Board of Trustee or the Executive committee- Subject to Article VIII.

Each member shall exercise one vote. In case of family membership, husband and wife each shall have right to vote individually.

B: Each member shall be required to make an annual contribution to the HCC as set forth in the by- laws except the life members.

C: Members shall have right access to the minutes of meetings of the Executive Committee, the Board of Trustees, and the General body upon written request make to the president of the Executive committee or the chairman of the Board of Trustees.

Section 4.4

The resignation or termination of the membership of a member shall, unless specifically stated otherwise, include both husband, and wife.

Section 4.5

The Executive Committee will keep an up to date list of membership in good standing.

ARTICLE V- FINANCE:

HCC shall have a two tier accounting structure:

- 1) Trustee Account:
- 2) Operating Account:

Section 5.1

The TRUSTEE ACCOUNT shall be handled by the board of Trustees. The Chairman, Vice Chairman, Treasurer and Secretary of the board of Trustees shall be authorized to carry out Trustee Account transactions. Any two of the above four trustees must sign a check for withdrawal and disbursement of the funds from the Trustee Account. All proceeds collected from the membership dues, donations and any other source shall be deposited in the Trustee Account. The disbursement from the Trustee Account shall consist of payment of regular dues (e.g. property taxes) and money to be handed to the Executive committee for approved budget and other expenses.

Section 5.2

The OPERATING ACCOUNT shall be handled by the elected Executive Committee. The president , Vice president, Secretary and the Treasurer of the Executive committee shall be authorized to carry out operating account transactions.

Deposits to the operating Account shall come only from one source, The Trustee Account. The Trustees shall give money from the Trustee Account for the approved expenses based upon the approved annual budget and for special disbursements as requested by the Executive Committee and approved by the Board of Trustees.

The Treasurer of the Board of Trustees shall be responsible for the maintenance of the Trustee Account and the Treasurer of the Executive committee shall be responsible for the maintenance of the operation account.

Section 5.3

At the end of each year , these treasurers shall prepare respective consolidated statements for these accounts which shall indicate all deposits, disbursements, and money at hand. These consolidated statements shall be audited by an audit committee. The audit committee shall submit their report to the Board of Trustees before the annual General body meeting. The audited consolidated statements shall be available for review by the members.

The Executive committee and the Board of Trustees shall exercise adequate financial responsibility to ensure that the expenses do not exceed the income expended from all sources. Any excess funds at hand shall be invested in a relatively safe risk free manner by the Board of Trustees.

The Treasurer of the Board of Trustees shall be responsible for ensuring that the handling of the finances meet all federal and state requirements of the “not for profit” organization including filing of necessary annual returns, if required.

Section 5.4

Assets of the organization shall not be used as a collateral.

ARTICLE VI - BOARD OF TRUSTEES:

Section 6.1

The HCC shall have a board of Trustees consisting of eleven members.

Nine members shall be elected.

Two members shall be appointed.

President of the Executive committee shall automatically become an appointed member of the board of Trustees; and one member shall be appointed from the General membership by the elected nine members of the Board of the trustees.

Section 6.2

Only the elected members of the Board of Trustees shall annually elect their own chairman, vice chairman, Secretary and Treasurer before 31st December

Section 6.3

The trustees shall hold office for a term of three years. Appointed Trustees shall hold office for one year only.

Section 6.4

The election of the Trustees shall be in such a way that three new Trustees shall be elected every year.

The first election shall elect Trustees for one year, two years and three years term respectively.

Section 6.5

The Board of Trustees shall meet atleast once every 6 month to discuss and review the activities of the HCC, and such other times as may be called by the chairman of the Board of Trustees.

A simple majority of the Board of Trustees shall constitute a quorm.

Atleast two week notice shall be given for the formal meeting for the Board of Trustees.

Section 6.6 The Board of Trustees Shall:

A: Create and maintain a permanent fund for the HCC for the use of various activities and improvement of the HCC.

B: Be responsible for major policy making, long term development & planning, objectives and activities of the HCC.

Keep custody of important documents, minutes of Executive Committee and board of Trustees and policy, contracts, plans etc.

C: Hold the title of real estate, capital alterations and improvements in the name of HCC.

D: Have power to approve the budget prepared by the Executive committee and to resolve conflicts.

E: Takeover affairs of the organization in case of resignation or incapacitation of the Executive committee and to call the membership meeting for the new election.

F: Act in the supervisory capacity over the Executive committee as necessary. In case of any conflict, the decision of the Board of Trustees shall be final binding on the Executive Committee.

G: Appoint the following committees as and when needed:

- 1) Development & Planning
- 2) Fund raising
- 3) Documentation
- 4) Constitution
- 5) Advisory (If necessary)
- 6) Others as necessary

H: The Board of Trustees shall be responsible for any matter related to priest or priests.

i.e. (appointment salary, number of priest, related expenses etc.)

Section 6.7

A: Any member of the HCC in good standing atleast for preceeding two years shall be eligible to become a Trustee. For the election for the year in '92 preceding one year shall be acceptable.

B: The minimum annual contribution for the Trusteeship including appointed Trestee, but excluding President shall be as specified in the by-laws.

Section 6.8

To reverse any action or decision of the Board of Trustees a petition signed by 20% of the members of HCC is necessary. If the Board of Trustees agrees to reverse the action or the decision, then no further action is required.

In case the Board does not agree with the petition, then a notice for a special General Body shall be issued within 30 days of the receipt of such a petition or resolution.

Any action of the Board of Trustees is reversed if resolution is adopted by the least 2/3 affirmative votes of the membership present, provided that such voting is not less than 1/3 of the entire membership.

ARTICLE VII - ADMINISTRATION:

Section 7.1

The HCC shall be served by the Executive Committee. This committee shall have full authority to act on behalf of the HCC with respect to day-to-day activities.

In case of conflict, decision by The Board of Trustees shall prevail.

Section 7.2

The executive committee shall consist of :

- 1) President
- 2) Vice President
- 3) Secretary
- 4) Treasurer
- 5) Five Executive members

Section 7.3

A simple majority of the Executive committee shall constitute a quorum. An affirmative vote of the majority of these present shall be required to pass a motion.

Section 7.4

The elective term of the Executive Committee shall be of one year. The Executive Committee members shall be elected annually.

Section 7.5

- A: Should the office of the president of the Executive Committee become vacant at any time during the term, vice president shall assume the responsibility of the office for the remainder of the year.
- B. Should the office of the vice President, Secretary, treasurer become vacant during the term, the Executive committee shall elect a person from within the committee to serve the remaining of the term.
- C: Should there be a vacancy for the member at large, the president shall appoint a person from the general membership with the approval of the majority of the Executive committee.

Section 7.6

The Executive Committee shall present an annual budget, have it approved by the Board of Trustees, and present the approved budget to the general membership for information not later than 1st March. Members shall notify the secretary in writing comments if any, within one month of the budget news letter.

Section 7.7

The executive committee shall have the administrative duties of the HCC including routine maintenance and minor repairs of the property. The amount of such repairs outside the approved budget shall be approved by the Board of Trustees before the expenditure is made. Emergency repairs shall be approved by the president of the Executive committee or the chairman of the Trustees.

Section 7.8A: The Executive Committee shall appoint sub-committees as necessary provided such appointments do not duplicate or conflict with the responsibilities of the Board of Trustees.

B: The audit committee shall be nominated by the Board of Trustees. Members of the Executive Committee and Board of Trustees shall not serve on this committee.

C: The election committee shall be appointed by the Board of Trustees and shall have three members. Members of the Executive Committee and Board of Trustees shall not serve on this committee. The members of this committee shall not be nominated for any office for the election year.

Section 7.9 Audit committee shall be required to audit the account of the HCC semi-annually and present a financial report annual for publication in the newsletter and at the annual general meeting. The accounts and suggestions of this committee shall be submitted to the joint body separately and simultaneously together with a financial report. The Board of Trustees and the Executive Committee shall furnish all accounts explanations to this committee.

Section 7.10 A: The Treasurer should sign all the checks and the financial documents

and make payments in the name of the HCC, in the not exceeding \$500.

B: Any check or financial document involving the expenditure above \$501 at one time, president shall co-sign the check.

C: Any expenditure above \$10,000 other than capital expenditure shall be approved by the Board of Trustees by 2/3 majority.

Section 7.11 The Secretary of the Executive Committee shall maintain an up-to-date list of total membership by categories.

Section 7.12 Dead bodies shall not be brought to the HCC or within its premises.

Section 7.13 Alcoholic beverages, street drugs, and meat or other non-vegetarian food items shall not be permitted on the premises.

Section 7.14 Any office bearer who does not attend three consecutive scheduled meetings shall be subject to disciplinary action which shall be decided

by the President or Chairman.

Section 7.15 The Executive Committee members shall meet at least once a month.

Section 7.16 Indemnification:

The office bearers of the Hindu Community Center shall not be liable for any damage, loss of property, or personal injury resulting on the premises of the HCC.

ARTICLE VIII-ELECTION:

Section 8.1 The members of the Board of Trustees and Executive Committee shall be elected annually.

Section 8.2 The Election Committee shall be appointed by the Board of Trustees and shall have three members. The Executive Committee and Board of Trustees shall not serve on this committee. The members of this committee shall not be nominated for any office for the same election year.

Section 8.3 The Election Committee shall be responsible for making arrangements for annual elections during that year.

It shall inform the members of HCC at least 60 days in advance about the number of office bearers and members to be elected as well as the date, time, and place of meeting. It shall call for nominations, and if sufficient nominations are not received, the election committee shall request the Board of Trustees to find a suitable nomination.

Announcement shall be made by newsletter and/or on bulletin board of HCC.

Section 8.4 Nominations for each of the elective officers shall be made by a member, seconded by another member, and must be consented by the nominee. A member can either nominate or second only one candidate for each position.

All valid nominations shall be duly proposed, seconded, and accepted by the candidate with due signature and submitted to the Election Committee before closing date which shall be determined by the Executive Committee.

Section 8.5 The Election Committee shall circulate valid list of nominations and issue a notice of election at least four weeks before election.

Members interested in proxy ballots should register with the Election Committee three weeks before the election date.

Section 8.6 The Election Committee shall conduct the elections. Voting shall be by secret ballot or Proxy ballot. Proxy ballot should be received before the election date. Proxy ballot shall be treated as secret ballot and opened on election date.

The Election Committee in consultation with the Executive Committee shall device election procedure for fair election.

Section 8.7 The husband and wife shall be considered a single membership but entitled to vote individually.

Section 8.8 A person nominated for the office of the Executive Committee must be in good standing in preceding twelve months.

Section 8.9 A: Nominations for the Board of Trustees and Executive Committee must be submitted on the prescribed form only to the chairman of the Election Committee in a sealed envelope at least 30 days prior to the election date.

B: Nominations blank shall clearly indicate basic rules of nominations and withdrawals. It shall have the following statement incorporated in it:

“I have read and understood the Constitution and the by-laws of the Hindu Community Center and I pledge to abide by it. I also pledge to offer my voluntary service for all activities of the HCC in addition to duties and responsibilities of the position for which I may be nominated.”

The reverse side of the nomination blanks shall be self addressed to the chairman of the Election Committee.

C: The nomination received in sealed envelope shall be opened after the deadline in the presence of at least two members of the election committee. The nominations shall be verified immediately for validity after opening. The invalid nominations,

if any, shall be rejected and the reason of rejection shall be communicate to the candidate in writing within five days.

D: Floor nominations of the day of the election shall be received to fill the position for which no nominations have been received by the deadline.

E: The candidate has the option to withdraw his nomination 72 hours prior to the election time.

Section 8.10 A: A majority of votes cast by the members and proxy ballots received shall decide the election. In case of tie for any position, there shall be a recount and then if required, a draw shall decide the election.

B: The Election Committee shall reject the ballot papers that are:

i) unmarked

ii) not properly marked

iii) signed by the voter

iv) anything else is written on the ballot paper

C: The proxy ballot received by dead line shall be counted.

Section 8.11 At the conclusion of the election, a statement showing names of all candidates, the votes received by them, and signed by all the members of the Election Committee present at the time of the election, shall be submitted to the newly elected president, president of the current Executive Committee and the Chairman of the Board of Trustees.

Section 8.12 Election shall be held in the month of DECEMBER at the date set forth by the Executive Committee.

Section 8.13 The decision of the Election Committee shall be final unless appealed, in which case, they will be subject to review by the existing Board of Trustees. Any appeal shall be submitted in writing to the Board of Trustees within one week of the announcement of the election results.

Section 8.14 Based upon the request of the Board of Trustees and the President of the Executive Committee, deferral of the election may be decided by a General Body Meeting for a period of up to six months.

ARTICLE IX- AMENDMENTS:

Any amendments, modifications, or changes to this constitution may be proposed by the Executive Committee, or by a petition signed by at least twenty percent of the voting members, submitted to the Executive Committee. The proposed

amendment will then be submitted to the membership at least 60 days prior to a meeting where it shall be voted upon.

An amendment shall become effective upon approval of the two-third majority of the voting members present, provided that such affirmative vote is no less than one-third of the entire membership.

ARTICLE X- SUSPENSION AND EXPULSION:

Any member of the HCC (except the members of the Executive Committee or the board of Trustees) can be expelled for purposeful violation of the constitution of the HCC or any conduct disgraceful to the HCC. Written charges against the individual must be brought by at least (20%) twenty percent of the membership. The Executive Committee shall notify the person in writing of the charges against him or her.

The person shall be given an opportunity to present his/her case to the Executive Committee. A two-third majority of the Executive Committee shall be required to expel a member from the center.

The individual(s) affected by such expulsion shall have the right to appeal the decision of the Executive Committee to the Board of Trustees. The Board of Trustees will concur with or overrule the Executive Committee Decision by a simple majority of Trustee's vote.

Expulsion of a member does not absolve him/her from financial or other liabilities.

In order to remove a member of the Executive committee or the Board of Trustees from his/ her elected position a no-confidence resolution must be brought against him/her with a written endorsement of at least 20% of the membership. Such a resolution shall require the support of two-thirds of the voting majority at general body membership present for its passage.

A member of the Executive Committee or The Board of Trustees must be removed from their elected or appointed position before he/she can be expelled from Quorum shall be as per Section 12.6.

ARTICLE XI: DISSOLUTION:

In the event that The HCC has to be dissolved, the assets will be liquidated.

The Board of Trustees shall pay or make provisions for the payment of all liabilities of the HCC.

The residual/monies/assets of the organization will be turned over to one or more organizations which themselves are exempt as organizations described in Sections 501 (c) (3) and 170 (c) (2) of the Internal Revenue Code of 1954 or corresponding Sections of any prior or future Internal Revenue Code, or to the Federal, State, or local governments for the exclusive public purpose.

ARTICLE XII: MEETINGS

Section 12.1 Meetings of general body and the Executive Committee shall be held in accordance with the Roberts rule of order.

Section 12.2 There shall be an annual meeting of the general body held on during the month of March. The business of this meeting shall be to present reports of the Board of Trustees and office bearers of the HCC and to transact other business as may properly come before the meeting.

A 30 day notice shall be required for any members to put an item on the agenda of the annual meeting.

Section 12.3 Special meetings of the General Body may be called to discuss specific issues. These meetings may be called by the Board of Trustees or by the president.

If a petition by 20% of the members is received then the secretary of the Executive committee shall issue the notice and agenda calling the special meeting within ten days, and the meeting shall be held within 30 days after receipt of the petition. The president officer will be the president or his nominee for these meetings.

Section 12.4 Only members in good standing, as defined in Article I, Section I, shall have the privilege of voting at the General Body meeting.

Section 12.5 A notice of the annual meeting or any Executive Committee or Board of Trustees meeting shall be given preferably in writing by the Secretary to elected officer, not less than ten days prior to such meeting. Such notice

shall indicate agenda and other appropriate information.

Section 12.6 At least 1/3 of the voting membership in good standing shall constitute a quorum necessary at any regular or special meeting of the HCC called by the chairperson of the Board of Trustees or the President.

For meetings called for suspension of any elected office bearer, the quorum shall be a minimum of 1/2 of the voting membership in good standing. If a quorum is not achieved within one hour of the time of the meeting, members present may fix a time at a later date, not earlier than ten days from that date to which the meeting shall stand adjourned. Notice of such adjournment must be sent to all members within five days from the day of adjournment. For following meeting, the rules pertaining to the necessary quorum may be disregarded.

Section 12.7 All businesses which may properly come before any General Body Meeting, except those regarding suspensions of elected office bearers, resolution of such business shall be decided by a simple majority of members present and voting. For suspension or removal of office bearers, a two-third majority of the members present and voting is necessary.

Section 12.8 Extra-ordinary meeting may be called by the Chairman/ President/ Secretary whenever and as needed with due notifications to the office bearers.

ARTICLE XIII- EFFECTIVE DATE:

Section 13.1 This constitution shall be adopted in General Body Meeting based upon 2/3 majority of the members present and voting.

New constitution shall supersede the previous one. For the current year,

present office bearers shall continue until new election shall be held under the new constitution.

The Board of Trustees shall be elected at the 1992 election.

ARTICLE XIV- DEVASTHANA:

Section 14.1 The Devasthan shall not be named after any individual, and the set of seven Deities installed there in ie;

RADHA & KRISHNA

RAM PARIVAR (RAM, LAXMAN, SITA, HANUMAN Parivar)

GANESH

AMBAMATA

SATYA NARAYAN

HANUMAN and

SHIVLING :

shall not be removed or altered except for repairs and/or replacement by a similar deity of the same GOD/GODDESS of the identical size.

Section 14.2 Subject to Section I, any one or any number of Deities and pictures may be brought to the center for religious celebration at the designated area, and not on the Devasthan, and the same shall be removed from the premises as soon as the ceremony is completed.

Section 14.3 Installation of any God of Deity other than named in Section 14.1 above, shall be in accordance with the amendment described in Article IX of the Constitution.

ARTICLE XV - BY-LAWS:

Section 15.1 The Board of Trustees and the Executive Committee at its option shall prepare new by-laws or elect to adopt or modify the then current by-laws in force to regulate all affairs of the HCC.

Section 15.2 By-laws may be amended by a simple majority of the combined Board of Trustees and Executive Committee.

1. Contibution

(A) The annual contribution for the family membership shall be \$51 which may be revised from time to time.

(B) The life membership for the HCC shall be \$251

(C) HCC as a non-profit organization shall continue to collect funds.

The donors can select any of the following categories of Donations:

- i) Sponsor \$501 and up
- ii) Pioneer \$1001 and up
- iii) Silver Pioneer \$2501 and up
- iv) Golden Pioneer \$5001 and up
- v) Diamond Pioneer \$10,001 and up

(D) Annual contributions for the elected trustees and President of the Executive Committee shall be minimum \$501/- during his/her tenure.

2. (A) All members in good standing shall have voting rights.

(B) All the general agenda or matters unless otherwise specified, shall be adopted by a majority vote of the members in good standing, present and voting.

3. (A) Chairman of the Board of Trustees and the President of the Executive Committee together shall have right to call emergency or special

meeting of the General membership.

- (B) The Executive Committee shall notify members at least thirty days in advance for the annual general membership meeting.

4. USE OF CULTURAL HALL:

- (A) The Executive Committee shall permit the use of the hall to any member on “first-come first-serve” basis. And only after the members, non-members may use the hall in the same way. The final decision shall be up to the Executive Committee members.

- (B) The safety and cleanliness of the premises during and after the use of the premises, by a member or non-member, shall be the responsibility of the person or group in charge of the activity. Any damage caused shall be corrected or paid by such person or group to the satisfaction of the Executive Committee.

- (C) All the requests for the use of the hall should be directed to the Secretary of the Executive Committee in writing at least one week in advance.

- (D) The Cultural Hall shall be used only for cultural and social activities.

- (E) Smoking or pets shall not be allowed inside the HCC building

- (F) Rent of the facility shall be \$75 for members and \$100 for non-members. Deposit shall be \$50 or as determined by the Executive Committee. Rent shall be determined by the Executive Committee members as and when necessary.

- (G) In case of damage or accidental, Executive Committee shall be notified immediately.

- (H) Injudicious use of the property shall not be permitted.

5. MEETINGS:

The order of business at all business meetings shall be as follows:

- i) Call to order by the president
- ii) Report of previous meeting by the secretary
- iii) Report of the Treasurer
- iv) Unfinished old business
- v) New business
- vi) Motion to adjourn meeting