

La Société de Musique Bharatiya, Montréal

Bharatiya Sangeetha Sangham, Montréal

3351 Boul. St-Charles, bureau 158

Kirkland, Qc. H9H 3C4

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CONSTITUTION

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TABLE OF CONTENTS

CONSTITUTION

CHAPTER 1
Article 1 -	Name of the Association.....
CHAPTER II
Article 2 -	Constitution.....
CHAPTER III
Article 3 -	Objectives.....
CHAPTER IV
Article 4	Accessibility to membership.....
Article 5	Membership.....
Article 6	Membership meetings.....
CHAPTER V
Article 7	Board of Directors.....
Article 8	Responsibility of the Board.....
Article 9	Formation of the Board.....
Article 10	Term of office on the Board.....
Article 11	Functions of President.....
Article 12	Functions of Vice-President.....
Article 13	Functions of Secretary.....
Article 14	Functions of Treasurer.....
Article 15	Conflict of jurisdiction.....
CHAPTER VI
Article 16	Banking Procedures.....
Article 17	Audit of Accounts.....
CHAPTER VII
Article 18	Rules of Procedures.....
Article 19	Election by-laws.....
CHAPTER VIII
Article 20	Amending of the Constitution.....
Article 21	Proposal for Amendments.....
CHAPTER IX
Article 22	Proposal for Dissolution.....
Article 23	Dissolution.....

BY-LAWS

Article 1
Article 2
Article 3
Article 4
Article 5
Article 6
Article 7
Article 8
Article 9
Article 10
Article 11
Article 12
Article 13
Article 14
Article 15
Article 16
Article 17
Article 18
Article 19
Article 20
Article 20
Article 21
Article 22
Article 23
Article 24
Article 25
Article 26
Article 27
Article 28
Article 29

CONSTITUTION

CHAPTER I

Article 1 – Name of the Association

The Association shall be known as the BHARATIYA SANGEETHA SANGHAM. (In these articles, the SANGHAM shall mean BHARATIYA SANGEETHA SANGHAM).

CHAPTER II

Article 2 – Constitution

Herein referred to as the “CONSTITUTION”, this document governs all activities of the SANGHAM. The president rules on constitutional interpretations during and in-between meetings. Such interpretations may be changed by a two-thirds majority vote of the Board of Directors (as defined in CHAPTER V).

CHAPTER III

Article 3 – Objectives

The objectives of the SANGHAM shall be:

- a) To maintain a non-sectarian, non-political and non-profit, cultural organization with a view to educating in the form of training of individuals or groups in the music and dances of India, particularly Carnatic music, and other artistic activities pertaining to South India, and promoting the aesthetic tastes of the public by the direct exhibition/presentation of artistic works.
- b) To organize concerts and dance performances in cooperation with other cultural associations with similar objectives in Quebec and the rest of North America.
- c) To assist in establishing and operating music and dance classes as appropriate; and
- d) To promote and encourage other expressions of fine arts.

CHAPTER IV

Article 4 – Accessibility to Membership

Membership of the “SANGHAM” shall be open to all adults who are desirous of furthering the objectives of the “SANGHAM” and remains in effect after the initial approval by the Board of Directors as long as the member remains in good standing, having paid all the current dues as set out in the by-laws, and abides by the Constitution.

Article 5 – Membership

Membership shall consist of five types: Benefactor, Single Member, Family Member, Patron, Donor.

- i) Benefactor --an individual, a Company or a Corporation making an appropriate donation as set out in the by-laws.
- ii) Patron --an individual, a Company or a Corporation making an appropriate donation as set out in the by-laws.
- iii) Donor --an individual, a Company or a Corporation making an appropriate donation as set out in the by-laws.
- iv) Family Member --a married couple
- v) Single Member – an individual

Note: Single and Family Memberships are annual memberships and shall expire on 31st December of any given year, unless renewed by paying the annual membership fee as set out in the by-laws.

Article 6 – Membership Meetings

The “SANGHAM” shall hold membership meetings in accordance with the by-laws.

CHAPTER V

Article 7 – Board of Directors

The business of the “SANGHAM” shall be conducted by a Board of Directors, herein after called the Board, elected from membership, whose members shall serve in an honorary capacity. The Board shall be assisted as necessary by any committee set up for a specific purpose with specified terms of reference, as defined in the by-laws.

Article 8 – Responsibility of the Board

The Board shall be responsible to the general membership.

Article 9 – Formation of the Board

The Board shall comprise of the following:

- i) An Executive, comprising of four Office-bearers, namely
President, Vice-President, Secretary and Treasurer, and
- ii) Three Directors

Article 10 – Term of Office on the Board

The term of office on the Board shall be two ‘years’ (a year, in this context shall be the interval between two General Membership meetings). Four Directors shall be elected in every even year of operation, and three in every odd year. These seven Directors shall, among themselves, elect the Office-bearers.

Article 11 – Functions of the President

The President provides general leadership and coordination, presides at meetings of the “SANGHAM” and signs official documents. The President is an ex-officio member of all committees.

Article 12 – Functions of the Vice-President

The Vice-President assists the President and fulfills all functions of the office during the President’s absence. The Vice-President becomes the President if the post is declared vacant and serves until the annual election. The Vice-President shall be the Chair of the Program Committee, if such a committee is established.

Article 13 – Functions of the Secretary

The Secretary of the “SANGHAM” conducts all general correspondence. The Secretary shall issue notice to all Membership Meetings and keep accurate minutes of such meetings.

All correspondence related to contractual obligations set out in the by-laws of the “SANGHAM” duly authorized by the Board shall be signed by any two of the following: The President, the Secretary and the Treasurer. The Secretary shall maintain records of all the approved minutes of the Membership Meetings as well as of any important correspondence in a format that allows retrieval for at least five years. The Secretary shall carry out such other duties as may, from time to time, be assigned by the general membership or the President.

Article 14 – Functions of the Treasurer

The functions of the Treasurer will be as follows:

- a) To keep an accurate account of the receipt and expenditure of funds, and all assets and liabilities of the “SANGHAM”;
- b) To deposit all funds received for, or on behalf of the “SANGHAM” in a bank approved by the general membership;
- c) To maintain an up-to-date record of membership;
- d) To make recommendations to the Board on the investment of the assets;
- e) To facilitate the task of the Auditor(s) of the accounts of “SANGHAM” and in collaboration with the Secretary, arrange for the copies of the accounts and Auditors’ certificate to be circulated with the notice of the General Membership Meeting;
- f) To maintain records of all financial transactions and Auditors’ reports in a format that allows retrieval for atleast five years; and
- g) To perform such other duties as may be assigned by the general membership or the

Article 15 – Conflict of Jurisdiction

In case of conflict of jurisdiction, the President shall coordinate matters between the Office-bearers and if necessary, act as an arbitrator.

CHAPTER VI

Article 16 – Banking Procedures

The general membership shall approve the bank in which the accounts of the “SANGHAM” shall be kept. All accounts shall be kept in the name of the “SANGHAM”. Transactions shall normally be by means of cheques. All cheques must be signed by any two members of the Executive, who shall have the authority to approve expenditures, up to a limit as set out in the By-laws, for the furtherance of the objectives of the “SANGHAM”.

Expenditures over this amount must be authorized by the Board. The maximum operating deficit for each year shall be determined by the general membership. Any increase in this deficit can only be authorized by the general membership.

Article 17 – Audit of Accounts

The Auditor(s) shall be approved by the general membership (no auditor shall be a member of the Board). The Auditor(s) shall audit and certify all accounts for the “SANGHAM”, including the annual statement of accounts at the end of the tenure of the Treasurer.

CHAPTER VII

Article 18 – Rules of Procedures

Membership Meetings may adopt such rules of procedure, not inconsistent with these Articles, as required for the proper conduct of their business. Without prejudice to the general provisions set out above, the President may, unless the membership decides otherwise, restrict the discussion on a motion to two interventions by any one member, each intervention being limited to two minutes duration.

Article 19 – Election By-Laws

Detailed procedures for the appointment of Nominating Committee, date of election, publication of ballot papers, etc., with respect to the election of the Board of the “SANGHAM” shall be contained in the by-laws enacted by the general membership.

CHAPTER VIII

Article 20 – Amending the Constitution

The Constitution may be amended by a two-thirds majority of the Benefactors, Patrons and Donors in conjunction with a two-thirds majority of the Annual Membership voting at a General Membership Meeting. A written copy of every proposed amendment must be received by the Secretary at least one month prior

to the meeting. The Secretary shall issue in accordance with the by-laws (Article 9) text of the notice indicating the Article(s) proposed for amendment and the proposed amendments.

Article 21 – Proposals for amendment

Proposals for amendments may originate from the Board or by means of written request from at least fifteen percent of the membership.

CHAPTER IX

Article 22 – Proposals for Dissolution

Proposals for dissolution of the “SANGHAM” shall originate only by means of a written request addressed to the Secretary signed by a simple majority of the Annual Membership and that of the Patrons and Donors. The Secretary shall convene a meeting to discuss the dissolution of the “SANGHAM” not less than one month and not more than two months after the receipt of the request. For the purpose of this meeting, the presence of a simple majority of the Annual Membership and that of the Patrons and Donors, shall constitute the quorum. The dissolution requires the approval by a two-thirds majority of the Annual Membership as well as a two-thirds majority of the Patrons and the Donors present at the meeting. For this meeting, no proxy votes shall be allowed.

Article 23 – Dissolution

In case of dissolution, all remaining assets after the payments of debts will be distributed to one or more eligible charitable organization(s). The name(s) of charitable organization(s) will be decided during the dissolution meeting.

BY-LAWS

ARTICLE 1

These by-laws complement the Constitution of the BHARATIYA SANGEETHA SANGHAM.. In cases where there are conflicts between the by-laws and the Constitution, the Constitution shall prevail.

ARTICLE 2

The by-laws can be amended at any General Membership Meeting by a simple majority of the members present or validly represented at the meeting.

ARTICLE 3

The membership of the “SANGHAM” shall consist of five types:

- i) *Benefactor*: An individual, married couple or an institution that makes a donation of at least \$1,000 to the “SANGHAM”, in lump sum or in installments during the same year
- ii) *Patron*: An individual, married couple or an institution that makes a donation of at least \$300.00 to the “SANGHAM”
- iii) *Donor*: An individual, married couple or an institution that makes a donation of between \$125.00 and \$300.00 to the “SANGHAM”
- iv) *Family Member*: An individual or married couple that pays an annual membership fee of \$20.00
- v) *Single Member*: An individual that pays an annual membership fee of \$10.00.

ARTICLE 4

An individual benefactor, patron, or donor shall be entitled to a life family membership. If the benefactor, patron or donor is an institution, such an institution shall be entitled to an individual life membership.

ARTICLE 5

If an annual member wishes to change his/her status to that of a benefactor, patron or donor, his/her current annual membership fee shall be credited towards the donation required to be a benefactor or patron or donor.

ARTICLE 6

If a donor wishes to become a patron or a benefactor, an amount equal to the current donor's donation shall be credited towards the donation required to be a patron or a benefactor, respectively. If a patron wishes to become a benefactor, an amount equal to the current patron's donation shall be credited towards the donation required to be a benefactor

ARTICLE 7

If a Patron, Donor or a Benefactor is an institution, it shall designate one individual to represent it at membership meetings.

ARTICLE 8

The "SANGHAM" shall hold General Membership Meetings normally once every calendar year, but under no circumstances shall the interval between successive meetings exceed fifteen months.

ARTICLE 9

Special Membership Meetings may be convened

- (a) by the Board on its own initiative; or
 - (b) within twenty-one days of the receipt by the Secretary of a request for such a meeting signed by at least fifteen percent of the membership.
- (a) Subject to the agreement of all persons signing the request, the twenty-one maximum may be waived.

ARTICLE 10

The Secretary of the “SANGHAM” shall issue notice to all the members, at least two weeks in advance, of any General or Special Membership Meetings. In the absence of the Secretary, the President shall perform this task or assign this task to one of the other board members. With the notice shall be forwarded the agenda and any supporting documentation. In the case of the General Membership Meeting, the supporting papers shall include the President’s Report, the Treasurer’s Report, the Auditor’s report and the Report of any subsidiary body not covered in the President’s Report.

ARTICLE 11

The following items shall be included in the agenda of the General Membership Meeting:

- i) Approval of the Minutes of the previous General Membership Meeting;
- ii) Consideration of the President’s Report;
- iii) Discussion of Treasure’s and Auditor’s Report
- iv) Election of Board of Directors for the following year;
- v) Approval of the maximum operating deficit for the following year; and
- vi) Approval of the Auditor(s).

ARTICLE 12

The Agenda for a Special Membership Meeting shall consist only of those items mentioned in the notice (see Article 9).

ARTICLE 13

The quorum at any Membership Meeting shall be fifteen percent of the membership; for the purpose of the quorum, a member may be validly represented by a proxy, as described in Article 16.

ARTICLE 14

All meetings shall be conducted in accordance with Robert's Rules of Order.

ARTICLE 15

Each member of the "SANGHAM" who is present or is validly represented shall be entitled to one vote at all Membership Meetings. The President shall exercise his vote only in case of a tie.

ARTICLE 16

Voting by proxy shall be admissible, provided this has been communicated to the Secretary in writing in advance of the meeting. Each member present including the President may carry no more than two proxies.

ARTICLE 17

The following motions in order to be carried, shall require a two-thirds majority of those present and/or validly represented and voting:

- i) Removal of a Director from office
- ii) Expulsion of a member from the "SANGHAM"

ARTICLE 18

The membership year for the "SANGHAM" shall be the calendar year. Each annual member of the "SANGHAM" shall pay annual dues in advance, on or before the first day of January of each year.

ARTICLE 19

The term in office of the Executive (President, Vice-president, secretary and treasurer) shall be one “year”, which in this context shall be the interval between two general Membership Meetings.

ARTICLE 20

All Directors and members of the Executive shall perform their constitutionally assigned duties in an honorary capacity.

ARTICLE 21

In order to be nominated for election as a Director, a person shall have been a member of the “SANGHAM” at the time of nomination. Candidates shall be nominated by one member and seconded by two others. Nominations may be sent to the Secretary prior to the meeting. Alternately, nominations may also be made from the floor. No nomination is valid unless the nominee is present at the time of the nomination or has provided acceptance of the nomination in writing to the Secretary.

ARTICLE 22

The Board of Directors may appoint a Nominating Committee to bring in a slate of nominees, without prejudice to article 21.

ARTICLE 23

A vacancy arising through a Director ceasing to hold office shall be filled by holding a by-election, if such a vacancy arises more than six months prior to a planned General Membership Meeting. The elected member shall hold office for the balance of the term. Should such a vacancy arise less than six months before planned General Membership Meeting, the Board may, at its discretion, hold a by-election, leave the position vacant, or co-opt a qualified member. The co-opted member shall serve for the remaining period of the ‘year’, as defined in Article 10 of the Constitution. The Board may not have more than 2 co-opted members at any one time.

ARTICLE 24

A Director may be removed from office in accordance with the provisions of Article 17. A Director so removed shall be replaced in accordance with Article 23.

ARTICLE 25

The meetings of the Board of Directors shall be called by the President, at intervals of not more than three months. Four Directors shall constitute a quorum. The President shall also call a meeting of the Board of Directors if required in writing by at least three Directors.

ARTICLE 26

The Board of Directors may establish, in order to deal with specific questions, such committees or working groups as deemed necessary. In establishing such bodies, the Board of Directors shall define their terms of reference. The Chairperson, committee members and members of such groups need not all be Directors. However, each such body shall include at least one Director, besides the President.

ARTICLE 27

All accounts of the "SANGHAM" shall be kept in a chartered bank. Transactions shall normally be by means of cheques. All cheques must be signed by any two of the Executive Committee members, who shall have the authority to approve expenditures under \$200.00

ARTICLE 28

All contracts with other organizations and individuals shall be in writing, and must have the prior approval of the Board of Directors. Contracts shall be signed by any two of the Executive Committee Members.

ARTICLE 29

The auditor(s) shall be approved by the general membership and no Director shall be an auditor. The auditor(s) shall audit and certify all accounts of the "SANGHAM" including the annual statement accounts for the financial year ending 31 December.