

**THE BYLAWS  
OF  
THE NON-RESIDENT MADHESHIS ASSOCIATION**

2010 September 8

**ARTICLE I: NAME AND ABBREVIATIONS**

The name of this organization, established according to these Bylaws, shall be the Non-Resident Madheshis Association, hereinafter also referred as the Association or the NRM-A interchangeably.

**ARTICLE II: AIM AND OBJECTIVES**

The aim of the NRM-A is to foster the identity and the awareness of the issues of Madhesh and Madheshis and to promote the welfare of **all** Madheshis. The objectives of the NRM-A are (a) to promote the awareness of Madhesh and the Madheshi identity around the world, (b) to educate the world about the problems and issues of Madhesh and Madheshis, (c) to participate in the social, educational and economic development agenda of Madhesh, (d) to voice a concern for the rights of all Madheshis, (e) to encourage the investment and development projects in Madhesh (f) to promote tourism in Madhesh, (g) to promote an environment of cooperation and support among the Madheshi students and professionals, and (h) to promote interaction and coordination among the organizations around the world with similar interests.

**ARTICLE III: MEMBERSHIP AND DUES**

1. Membership Types: There shall be four types of memberships: (a) General Members, (b) Life Members, (c) Honorary Members, and (d) Organizational Members.

Only general and life members shall be eligible to vote. The honorary membership may be given to any individual or organization, and organizational membership to any institution, supporting the objectives of the NRM-A.

2. Qualifications:

- 2.1 The general membership of the NRM-A shall be open to all non-resident Madheshis willing to support the purpose of the NRM-A and work within the framework of these Bylaws.

- 2.2 The non-resident Madheshis are defined by the people who or whose ancestor has/had a permanent residence in Madhesh, speaking one of the language among Maithili, Bhojpuri, Abadhi, Hindi, Urdu, Bengali, Marwadi, Punjabi, Tharu, Bajjika, Rajbanshi, Santhali, Jhangar, Angika, and Magadhi as a mother tongue and is/was eligible (to be) citizen of Nepal. The region of Madhesh, for the membership purpose, includes 22 administrative districts of Nepal: Jhapa, Morang, Sunsari, Saptari, Siraha, Dhanusha, Mahottari, Sarlahi, Rauthat, Bara, Parsa, Chitwan, Nawalparasi, Rupandehi, Kapilbastu, Dang, Banke, Bardia, Kailai, Kanchanpur, Sindhuli, Udaypur.

- 2.3 A prospective member requires to complete a membership application, paying appropriate dues as determined by the Officers (Article IV) of the Association. Other means of the membership as determined by the officers after approval of the Executive Committee (Article IV) will also be acceptable. In case any conflict, incompleteness or vagueness of the Bylaws concerning the membership of an individual or institution arises, the Executive Committee shall decide about it, based on their best intention and judgment considering these Bylaws and the very foundation of the NRM-A.
  - 2.4 The honorary membership shall be given by the Executive Board to individuals or organizations that have made substantial contribution towards the aim and objectives of the Association. Honorary Members do not have to pay any membership dues, and are not allowed to vote in the affairs of the Association.
  - 2.5 All memberships to the association except the life membership shall last for two years, effective from the first date of the membership. The membership should be renewed biannually.
  - 2.6 All individual membership require the person to be at least 18 years old.
3. Termination: Any member may resign by giving notice in writing to the President. Membership dues already received by the Association will not be refunded. Membership may also be terminated due to nonpayment of dues. Any person may be relieved of his/her membership by the Executive Board, if there is substantive evidence that such person is acting against the aim and objectives of the Association. A membership of an individual or organization may be also terminated in case the Executive Board finds that the member is ineligible for the membership or has used the incorrect information unfairly to obtain the membership.

## **ARTICLE IV: THE EXECUTIVE BOARD AND ELECTIONS**

1. The Executive Board shall consist of Officers, Director(s) and Executive Members.
2. Officers: The Officers shall consist of the following elected positions (a) President, (b) Vice President, (c) Secretary, (d) Treasurer, and (e) Information Officer.
  - 2.1 These Officers shall be elected by mail-in ballots or voting through electronic media or at a general convention, whichever seems appropriate to the incumbent Executive Board. Each officer must be proposed and seconded by at least 20 general members in good standing.
  - 2.2 All Officers shall serve without compensation for the position he/she is elected and is eligible for reelection to the Executive Board.
  - 2.3 Election for the Officers shall be held every two years.
  - 2.4 Any officer may be relieved of his/her duties if there is a substantive evidence that such person is acting against the aim and objective of the Association or not fulfilling his/her duties. A no-confidence motion has to be passed by a majority of the Executive Committee members for the removal of the officer. Upon approval of the no-confidence motion by the Executive Board, a mail-in ballot must be sent to all current members of the organization to approve/deny the no-confidence motion against the officer in question. Alternatively, voting via secure electronic media can also be done. A simple majority of the members vote shall decide whether the no-confidence motion is approved or denied.

3. Executive Members: The Executive Members, numbering no more than twenty-five (25), shall be selected by Officers. The Executive Members shall be selected on the basis of their contribution or anticipated contribution to the affairs of the Association. Any Officer can propose a member for the position of Executive Member and must be approved by at least three of the Officers to be elected as an Executive Member. The term of the Executive Membership shall be the same as the term of the Officers.

Any Executive Member may resign by giving notice in writing to the President. Any person may be relieved of his/her executive membership by the Executive Board, if there is substantive evidence that such person is acting against the aim and objective of the Association.

## **ARTICLE V: ELECTIONS AND NOMINATIONS**

1. An election will be held for the positions of the Officers of the Association biannually in the month of July.
2. A Nomination and Election committee consisting of at least of three (3) members from the membership at large shall be appointed by the Executive Committee at least three (3) months prior to the election of the Officers of the Association. The Executive Committee shall appointing one of these members as the Chair. The Committee shall determine the candidates for each position based on nominations and conduct the election process. The nomination should be announced during the General Meeting of the Association.
3. One must have been a member of the Executive Board in the past, and must have paid the membership dues for at least 1 year prior to the nomination to run for a position.
4. To be eligible for voting, one must be a member of good standing for at least 3 months prior to the date of election.
5. Voting ballots and/or other means of voting via electronic media such as secure email or website may be used for election purposes. Members must either mail their secret ballots (in-case of a mail in vote) or cast their votes via secure electronic media within a time frame as specified by the Election Committee.

## **ARTICLE VI: THE DUTIES OF THE EXECUTIVE BOARD**

1. The Executive Board shall transact the business of the Association. A majority of the Board shall constitute a quorum of the Executive Board meetings.
2. The Executive Board shall have the authority to form various committees and appoint members to look after these committees.
3. The Executive Board is responsible for assessing the membership applications and granting or revoking the membership of individuals or institutions based on the criteria defined in these Bylaws. Similarly, the Executive Board can also provide Sister Organization status to other organizations, granted the organization is a non-profit, non-political organization in good standing.
4. Duties of the Committee Members

- 4.1 The President shall preside at all business meetings of the Association and act or do as the head of the Association. The President shall sign all papers of the Association as he or she may be authorized and directed to sign on behalf of the Association. The president should look after all the performance of the Association and approve all the programs presented by the Secretary. The President shall lead the delegation or participate in delegation or send representative to participate programs. The President shall perform such duties and have such powers as the Executive Committee may delegate him or her.
- 4.2 The Vice President shall perform such duties and have such powers as the Executive Board may, from time to time, delegate him or her. In the absence of the President, the Vice President shall perform the duties of the President, as delegated to him or her by the President.
- 4.3 The General Secretary shall keep or cause to be kept, at such place as the Executive Board may direct, a book of minutes of all meetings and actions of the Executive Board. The General Secretary shall be responsible for notifying all members of general meetings of the Association and notifying Executive Board Members of the Executive Board meetings. The General Secretary shall record the proceedings of such meeting and perform such duties as the Executive Board may direct.
- 4.4 The Treasurer receives and is the custodian of all funds of the Association and shall pay all bills upon authorization of the Executive Board. The Treasurer shall maintain a record of all monies received and disbursed by the Association, and shall prepare a financial report as the Executive Board may, from time to time require. The Treasurer shall maintain an up-to-date roster of the membership of the Association.
- 4.5 Information Director shall be responsible for publication and mailing of the Association's Newsletter, maintaining the Association's website and other communication initiatives.
- 4.6 Executive Board Members must attend at least two Board Meetings annually. Failure to do so may lead to their termination of Board Membership. Other duties of the Executive Members shall be as determined by the Officers.
- 4.7 Resignation of Officers: If the President resigns, the Vice President will replace that position for the remainder of the term. The vacant position of the Vice President and of any other Officers due to their resignations will be filled by a member selected by the Executive Committee for the remainder of the term.

## **ARTICLE VII: ADVISORY BOARDS AND COMMITTEES**

1. Establishment: The Executive Board may establish one or more Advisory Boards or Committees, based upon the need.
2. Size, Duration, and Responsibilities: The size, duration, and responsibilities of such boards and committees shall be established by a majority vote of the Executive Board.

## **ARTICLE VIII: MEETINGS**

1. General Meetings: General meetings of the Association shall be held biannually at a convention site. The General Meeting shall be held to inform the members of the activities, progress, financial matters, and plan of the Association, and discuss other matters of general interest to the Association and members.

2. Special Meetings: A special meeting may be held at the call of the President or upon the request of twenty-five percent of general members.
3. Executive Board Meetings: The Executive Board meetings shall be held up to four times a year or as called by the President. These meetings may be held using electronic media (teleconference, video conference, Internet chat etc.) in lieu of at a physical location. Executive Board members may authorize someone to vote on their behalf by proxy, which may be in writing, or sent via fax or email.

## **ARTICLE IX: FINANCIAL ADMINISTRATION**

1. Fiscal Year: The fiscal year of the Association shall be July 1 - June 30 but may be changed by the resolution of the Executive Board.
2. Accounts, Deposits and Checks: All funds of the Association, not otherwise employed, shall be deposited from time to time in general or special accounts in such banks, trust companies, or other depositories as the Executive Board or any committee to which such authority has been delegated by the Board may select, or as may be selected by the President. For the purpose of deposit and for the purpose of collection for that account, checks, drafts, and other orders of the Association may be endorsed, assigned, and delivered on behalf of the Association by any officer or agent of the Association.

## **ARTICLE X: PERSONAL BENEFIT**

No part of the Association shall inure to the benefit of any member, trustee, director, officer of the Association, or any private individual, except that a reasonable compensation may be paid for services rendered to or for the Association. No member, trustee, officer of the Association, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Association.

## **ARTICLE XI: SUPPLEMENTARY OBJECTIVES**

Notwithstanding any other provision of these articles, the Association is organized exclusively for one or more of the following purposes: religious, charitable, scientific, testing for public safety, literary or educational purpose, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletics facilities or equipment), or for the prevention for cruelty to children or animals, as specified in Section 501(c)(3) of the Internal Revenue Code. The Association shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income taxation under 501(c)(3) of the Internal Revenue Code and the applicable regulations as they now exist or as they may hereafter be amended.

## **ARTICLE XII: RECORDS AND BOOK-KEEPING**

1. Financial Records: A proper book accounting the activities and transactions of the Association shall be maintained by the Treasurer. The Treasurer shall prepare a detailed financial report at the end of each fiscal year. The report shall be submitted to the board within one month of the end of the fiscal year.

2. Corporate Records: The secretary shall maintain a minute book, which shall contain a copy of the Certificate of Incorporation, a copy of these Bylaws, and all minutes of meetings of the Executive Board. Record of all the legal and official affairs of the Association shall be kept in that book.

### **ARTICLE XIII: AMENDMENTS**

The Executive Board shall have the power to make, alter, amend or repeal the Bylaws of the Association, except that the Bylaws so amended, or repealed shall be approved by a two-third majority of the general members within 90 days. Such amendments may be also proposed through a written petition signed by at least 20 voting members or ten percent of all voting members, whichever is less. The General Secretary shall arrange for the voting for the approval of the amendments by general members, either through a mail-in ballot system or at the General Meeting.

### **ARTICLE XIV: LIQUIDATION OR DISSOLUTION**

1. The liquidation and dissolution of the Association or the amendment or these Bylaws may be decided upon by a two thirds of the votes cast by the members at a General Meeting, provided that a notice of the proposed dissolution or details of the proposed amendment shall have been circulated with the notice of the meeting. In the event of dissolution, no part of the net income or assets of the Association shall be used to the benefit of any private individual.
2. Upon the dissolution of the organization, remaining assets and property of the Association shall, after necessary expenses thereof, 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 disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.