



# CONSTITUTION OF KANNADA KOOTA NEW YORK, INC.

## KANNADA KOOTA NEW YORK INCORPORATED

### (NON-PROFIT ORGANIZATION)

**Preamble:** We, the members of the community in New York and surrounding areas interested in Kannada culture and tradition, do hereby together to form an association:

### CONSTITUTION OF KANNADA KOOTA NEW YORK, INC. (1976)

(Amendments: 1990, 1994, 1995, 1996, 2009, 2014, 2018, 2019, 2020 & 2021)

## CHAPTER 1

### ORGANIZATION AND MEMBERSHIP

- Article I**
- (A) Name: the name of the association shall be KANNADA KOOTA NEW YORK INCORPORATED, hereafter referred to as Koota.
  - (B) Logo: The map of Karnataka with "Bhuvaneshvari holding Karnataka Flag", as appearing in this document shall be the official logo of the Koota. (Amended in May 2021)
  - (C) The song: "Elladaru Entadaru Iru" shall be the Koota's official song.
- Article II**
- Commencement: This constitution shall come into effect immediately on adoption by the General Body of the Koota as amended on April 26, 2009.
- Article III**
- Aims and Objectives:
- (A) Provide a platform for the Koota members to promote and maintain traditional, educational, social, cultural, sports events, health/wellness/physical fitness, and humanitarian activities. (Amended in 2019)
  - (B) Build and maintain a cultural relationship among people of Kannada speaking origin throughout the world.
  - (C) Promote and encourage activities pertaining in Kannada language, Karnataka culture and tradition.
  - (D) Provide necessary support to promote educational, social, cultural, and humanitarian causes, subject to criteria set in Article VI (B).
  - (E) Provide a platform for the children and young adults of KKNY to promote all activities stated in Article III (A) by means of classes, workshops, seminars, expeditions, conferences, and assemblies.

All persons under the age of nineteen shall be considered children and



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young adults (regardless of their parent(s)' membership status), given parental consent for their participation. (Amended in 2019)

### MEMBERSHIP

**Definitions:** For the sake of membership, definition of the family will include husband and wife and all their children under 17.

Eligible voters include Patrons, Life members and all other over 18 who are current on their membership dues.

Prerequisite for all categories of membership is a subscription to the aims and objectives of the Koota as prescribed in Article III of this document.

- Article IV**
- (A) Any person who has completed the age of thirteen (13) and who subscribes to the aims and objectives of the Koota shall be eligible for the membership of the Koota.
- (B) The membership shall be classified as follows:
1. Patron: Any person over 18 who subscribes \$1,000 (one thousand dollars) to the Koota shall be a patron, with all the privileges of a member (Amended in 1996)
  2. Life: Any person over 18 who subscribes \$100 (one hundred dollars) to the Koota shall be a member for life with all privileges of a member
  3. Family Life member: Any family who subscribes \$250 (Two hundred fifty) to the Koota shall be regarded as Family Life member with all privileges of a Member (Amended in 1996)
  4. Annual Member: Any person over 19, who subscribes \$50 (Fifty dollars) to the Koota shall be a general member (Amended in 2009)  
Student Any student (with proper proof) who subscribes \$25 (Twenty-five dollars) of annual membership shall be a Student member.
  5. Family Annual Member: Any family subscribing \$50 (fifty dollars) annually will be considered annual family members of the Koota.
  6. Honorary Member: Any person who has made a significant contribution to Koota or to the society in general, may be inducted as an Honorary Member by the Executive Committee. Such member shall not have the power to vote or hold office in the Koota.
  7. Corporate: Any organization or agency that supports the aims, objectives



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Membership: & activities of the Koota upon payment of \$2000 (Two Thousand dollars) shall be considered as Corporate Sponsor for one year and if such organization pays a sum of \$ 5000 (Five thousand dollars), considered as Grand Corporate Sponsor for a minimum period of 2 consecutive years All Corporate or Grand Corporate Sponsors will be admitted free (up to 2 families) for all events and provided amenities to display their advertisement in web site or at the event conducted by the Koota for the specified period in agreement with the Executive Committee. (Amended in 2009)

8. **Active Member:** Any person who is actively participating in Kannada Koota events, and supports the Kannada language, culture, & heritage. The status of being an active member shall be deliberated & approved by the Executive Committee currently holding office. Such persons must pay “suggested donation” upon attendance to all events and proper dues as shall be determined by the Executive Committee. (Amended in 2014)

Membership category and fees amended as follows: (Amended in May 2021)

|   |  |
|---|--|
| <p><b>Life Member Family \$250</b><br/>First-time life members get the first year free entry for 4 scheduled yearly events (Ugadhi, Summer Picnic, Gowri-Ganesh Hubba, and Rajyotsava) 20% discount on gate price for all other KKNY Events. After the first year 20% discount on gate price for all other KKNY Events. Voting rights in KKNY elections KKNY Website access Contest for KKNY executive committee positions. 1 year after becoming a life member. After the first year 20% discount on gate price for all KKNY Events.</p> | <p><b>Life Member- Individual \$150</b><br/>First-time life members get the first year free entry for 4 scheduled yearly events (Ugadhi, Summer Picnic, Gowri-Ganesh Hubba, and Rajyotsava) 20% discount on gate price for all other KKNY Events. After the first year 20% discount on gate price for all other KKNY Events. Voting rights in KKNY elections KKNY Website access Contest for KKNY executive committee positions. 1 year after becoming a life member. After the first year 20% discount on gate price for all KKNY Events.</p> |
| <p><b>Annual Membership Family \$100</b><br/>family renewed every year. Free Entry for 4 scheduled yearly events (Ugadhi, Summer Picnic, Gowri-Ganesh Hubba, and Rajyotsava) 20% discount on gate price All other KKNY Events. Voting rights in KKNY elections KKNY Website access Contest for KKNY executive committee positions</p>   | <p><b>Annual Membership Individual \$50</b><br/>Renewed every year. Free Entry for 4 scheduled yearly events (Ugadhi, Summer Picnic, Gowri-Ganesh Hubba, and Rajyotsava) 20% discount on gate price All other KKNY Events. Voting rights in KKNY elections KKNY Website access Contest for KKNY executive committee positions</p>  |

### PRIVILEGES:



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- (a) All members and their families shall be eligible to participate in the Koota's activities.
- (b) All members shall be entitled to receive notices, communications, program information, newsletters and other such material that may generally be sent to all regarding Koota's activities.
- (c) All members shall be entitled to professional treatment regarding admissions, participation, and opportunities in comparison to non-members as may be decided by the Executive committee.
- (d) Youth members till the age of 18 shall not have voting privileges.
- (e) Each family can have up to 2 votes (applies to Family annual membership)
- (f) To be eligible for any award or recognition by the Koota the person should be an active member of the Koota for at least one year prior to the event.  
ex: SAT Award or Scholarship Award (if applicable)
- (g) Email or electronic circulation or electronic mediation shall be sent to those who have registered their email and those who do not have access shall be communicated by regular mail (USPS). When sent either via email or regular mail, it shall satisfy the clause (b) of the privileges for all purposes.  
(Amended in 2009)

**Membership Registry:** A membership roster in a ledger book shall be maintained detailing the name and address and email (if available) of all members including corporate sponsor's name address and other details. This process shall be completed before the end of 2010. (Amended in 2009)

### CHAPTER II

#### FINANCE

- Article V**
- (A) The fiscal year of the Koota shall be May 1st through April 30th of the Following year.
  - (B) All money received by the Koota shall form the fund of the Koota and fund shall be deposited in a bank in the name of "KANNADA KOOTA NEW YORK INC" and operated jointly by the Treasurer and any of the following: The President, the Vice President, the Secretary, or the Joint-Treasurer.
- Article VI**
- (A) The Executive Committee shall be limited to withdraw no more than 15% of the opening balance for the fiscal year for conducting the Koota business during any fiscal year.
  - (B) The Executive Committee shall be limited to allocate no more than two thousand dollars (\$2000) in a fiscal year for distribution to Educational, Cultural and Humanitarian purposes as specified in Article III (D)



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- (C) The Executive Committee can raise funds to promote objectives of the Koota per Article III.
- (D) Net profits from the Koota's 40<sup>th</sup> year anniversary celebration shall be deposited in a separate bank account. Said funds may be grown and used to construct a building named "Kannada Bhavana of New York" (Amended in 2014).

### Article VI

- (E) Up to 50% of the Koota's available bank balance may be invested in a secured investment, after proper due diligence and consideration by the President, Treasurer, and members of the Executive Committee, which must include consultation with the appropriate experts in the respective investment market (Amended in 2018).
- (F) Executive committee should ensure that proper insurance coverage is in place while conducting events under the Kannada Koota banner. (Amended in 2020).

### Article VII

Executive Committee shall appoint an Internal Auditor from among the committee members other than the President, Vice President, Secretary or Joint Secretary, Treasurer or Joint Treasurer. Internal auditor shall have access to all the books of the account and other records of the Koota including the minutes and shall audit the accounts and report to the Executive Committee at least twice during a fiscal year.

## Chapter III

### General Body

### Article VIII Eligibility:

- (A) The voting General Body shall consist of all the active members over the age of 18 (eighteen years of age)
- (B) Any person who becomes a new member on or before September 30<sup>th</sup> of the year is eligible to vote in the next ensuing election.
- (C) The existing members may renew their membership by paying the annual subscription fee on or before September 30<sup>th</sup> of the year and be eligible to vote in the following election.

### Article IX GENERAL BODY MEETING:

- (a) The General Body shall meet at least once a year before the end of April.
- (b) The Secretary shall send the meeting notice, which shall contain the time and place of the meeting, the agenda of the meeting including the amendment proposed, (if any), and the name and address of the



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Returning Officer (during the election year) to each member by mail or by circulation, post marked twenty-two (22) days in advance of the meeting.

- (c) The members attending the General Body Meeting shall sign in the "Meeting Register".

The proceedings of the General Body shall be recorded in the "Meeting Register" by the Secretary.

- (d) The quorum for the General Body Meeting shall be 1/5 of the current members of the Koota eligible to vote or 50 eligible voters whichever is less.
- (e) If there is no quorum at any such meeting for half an hour after the time fixed for the meeting the President may adjourn the meeting to another date, no later than fifteen (15) days and inform the members present accordingly. On such adjourned meeting, the business on the agenda of the original meeting shall alone be transacted whether there is a quorum or not. A notice of each meeting shall be sent to the members postmarked at least seven (7) days in advance.
- (f) The President of the Koota shall preside over the General Body Meeting. In his or her absence, the Vice President shall preside over the meeting. In the absence of both, any Executive Committee Member may be nominated by the Executive Committee to preside over the meeting.
- (g) At every General Body Meeting, the Secretary shall provide upon request a list of names and addresses of members who are eligible to vote.
- (h) When faced with unavoidable circumstances and/or hardship, the General Body Meeting may be postponed to a future date no later than thirty days of the original (Amended in 2014).

### CHAPTER IV

#### VOTING

##### **Article X** Scope of Membership and Voting Procedure

- (a) All eligible members over 18 will have one vote.
- (b) Voting at the General Body Meeting shall be in person. No postal ballot is permitted.
- (c) Secretary should have voting members list available to the General Body. (Amended in 2020).



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A presiding officer nominated by the Executive Committee will preside over the election procedures.

### **Article XI** Scope of the General Body

- (a) The decision of the General Body members shall be final in all matters of the Koota.
- (b) All decisions of the General Body shall be carried by a simple majority. In case of a tie, the presiding officer shall have a casting vote, except in the election of the Executive Committee.
- (c) The General Body shall have power to revoke, repeal and amend the constitution of the Koota or make a new constitution.

### **Article XII** Transactions of the General Body:

The General Body shall transact the following business:

- (a) Discuss and approve with or without amendments, the submitted financial report of the previous year.
- (b) Discuss and decide on any amendments proposed to the constitution of the Koota.
- (c) Elect the Executive Committee members for the next term during the election year.
- (d) Appoint the External Auditor(s) to audit or certify the statements of accounts of the Koota. If the General Body fails to appoint the External Auditor, it may empower the Executive Committee to fill in the position. Any vacancy caused after the appointment may be filled in by the Executive Committee. Only the General Body shall have the power to remove the External Auditor(s) by a simple majority.
- (e) Discuss any other subject brought before the General Body in accordance with the provisions of the Article XII.

### **Article XIII** Amendments:

- (a) Any member desirous of sending any amendment or subjects for discussions at the General Body Meeting shall send the same in "writing", to the Secretary or the President, postdated at least thirty (30) days in advance of the General Body Meeting. However, the President/officer has the authority to bring before the General Body any matter of urgency for discussion.
- (b) Amendments suggested must be posted and/or communicated to the members prior to the General Body meeting. (Amended in 2020)



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- (c) Any amendment to the constitution shall be considered passed when carried by at least 2/3 vote of the eligible members present at the General Body Meeting.
- (d) Constitutional amendments should be effective and implemented within a reasonable time during the upcoming fiscal year by the existing committee or the new committee (during election year). (Amended in 2020).

### Article XIV Extraordinary General Body Meeting

- (a) If the Executive Committee or at least 1/5 of the members of the Koota eligible voters requests the President to call for an extraordinary General Body Meeting for the discussion of any subject, the President shall call such a meeting within twenty (20) days from the date of receipt of such a request. The Secretary shall send the subject(s) to be discussed to every member either by mail or circulation (includes email or electronic media), at least ten (10) days in advance of the meeting.

## CHAPTER V

### ELECTION OF THE EXECUTIVE COMMITTEE

- Article XV**
- (A) The Executive Committee shall consist of
    - a) President
    - b) Vice President
    - c) Secretary
    - d) Joint Secretary
    - e) Treasurer
    - f) Joint Treasurer
    - g) Six (6) Members
    - h) Two (2) Youth Members
  - (B) All active members of the Koota over 18 will have equal opportunity to contest the Executive Committee positions.
  - (C) The Executive Committee members shall be elected once every two years at the annual/General Body Meeting by a secret ballot. The Executive Committee members shall be active members of the Koota during their tenure of office. In the event, the General Body is unable to elect all the members, the returning officer shall request the general body to empower the elected executive





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committee to fill in the rest of the positions within 30 days after the election

### Article XVI

The Executive Committee shall nominate a presiding officer among the active members of the Koota. The presiding officer may solicit assistance from other members to carry out his/her duties.

Election Officer must announce the names of all contestants prior to the election. (Amended in 2020).

Each contestant will be given few minutes to state/present what will be their contribution to Kannada Koota if they get elected. (Amended in 2020).

Each contested member has a right to know how many votes she/he received and presiding officer must make the results available. (Amended in 2020).

### Article XVII

The presiding officer shall initial and issue one ballot paper to each voter. Election results declared by the presiding officer are final and cannot be contested.

### Article VIII

The term of office:

- (A) The term of office of the Executive Committee shall be for a period of two years or until the General Body elect the new Executive Committee.
- (B) The outgoing Executive Committee shall continue in office for a period of 30 days following the election of the next Executive Committee. At the conclusion of thirty (30) days, the outgoing Executive Committee shall handover charges to the new committee following standard reporting procedure.

## CHAPTER VI

### POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

### Article XIX

- (A) The Executive Committee shall be responsible to carry out the policies and the decision of the General Body of the Koota and shall abide by the constitution of the Koota
- (B) It shall be responsible for handling the finances of the Koota
- (C) It shall meet at least four times between General Body meetings.



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- Article XX**
- (A) If any member of the Executive Committee including the co-opted members is absent for three consecutive committee meetings without valid reasons, in spite of receiving meeting notices, shall be deemed to have ceased to be a member of the Executive Committee and the member shall be informed by the committee and a new member will be co-opted in his/her place. If the remaining period of the term provided in such unexpired period is at least forty-five (45) days. If such vacancies fall within forty-five days of the next elections, no new member shall be co-opted to the Executive Committee
  - (B) The Executive Committee is authorized to accept resignation from any committee member. Any vacancy caused by resignation or any other reason may be filled in by the Executive Committee by co-opting a current active member of the Koota for the remaining period of the Executive Committee, in accordance with Article XX(A).
  - (C) If any Executive Committee member fails to fulfill his/her responsibilities as assigned by the President and is agreed by both the parties, the Committee has the right to remove the member from the Executive Committee by a 2/3 (two-thirds) majority.
- Article XXI**
- (A) The President of the Koota shall preside over the Executive Committee meetings. In his/her absence, the Vice President shall preside over the meeting. In the absence of both, one of the members may be elected by the committee to preside over the meeting.
- Article XXII**
- (A) All issues in the Executive Committee meeting shall be decided by a simple majority vote of the members present. The presiding officer shall cast the deciding vote in case of a tie.
  - (B) Volunteer committee members should not have voting power in decision making process of the Executive Committee. (Amended in 2020)

### CHAPTER VII

#### DUTIES AND POWERS OF THE OFFICE BEARERS

- Article XXIII**     **PRESIDENT**
- (A) The President is the Chief Executive of the Koota. He/she is in charge of all the activities and finances of the Koota and is responsible to the General Body for the same.
  - (B) He/she shall convene The General Body Meeting and the Executive Committee meeting in consultation with the Executive Committee at the time and place decided by the Executive Committee and shall preside over the meeting.



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- (C) He/she shall have a casting vote in case of a tie, both in the General Body and the Executive Committee meeting.
- (D) He/she may assign specific duties to the various members in the Executive Committee or to the members of the Koota and coordinate their activities.
- (E) He/she may form sub-committee for dealing the special matters or arranging special functions.

### **Article XXIV** VICE PRESIDENT

- (A) He/she shall preside over the General Body and the Executive Committee in the absence of the President and shall be in charge of all the duties of the President in his his/her absence.

### **Article XXV** SECRETARY

- (A) The Secretary is responsible for the executions of all the activities of the Koota under the direction of the President.
- (B) He/she shall arrange the agenda for all meetings, in consultation with the President and issue meeting notices at specified elsewhere in the Constitution.
- (C) He/she shall get the signature of the members present in the meetings in the meeting register.
- (D) He/she shall be responsible for keeping the minutes of all meetings in the meeting register and such other records as are necessary.
- (E) He/she shall read the proceedings of the previous meeting at the following meeting and get the approval of the members for the accuracy of the record of the proceedings and document any changes.
- (F) He/she shall present a written report of the activities of the Koota during his/her term of office as approved by the Executive Committee or the General Body meeting.
- (G) He/she shall be responsible for filing any amendments to the constitution to the concerned authorities and alert the Bank of the names of the office bearers authorized to operate the bank account.

### **Article XXVI** JOINT SECRETARY

- (A) The Joint Secretary shall assist the Secretary in his/her duties and shall perform the duties of the Secretary in his/her absence.



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### Article XXVII TREASURER

- (A) The Treasurer is responsible for maintaining the accounts of the Koota and collect the fees of all the members.
- (B) He/she shall be responsible for depositing the funds of the Koota in an approved Bank in the name of the Koota at least once in a month.
- (C) He/she shall get the accounts of the Koota audited by the internal and external auditor and place the audited report before the Executive Committee and / present the same to the General Body at the annual meeting.
- (D) He/she shall in consultation with the President, correct any irregularities pointed out by the auditors and carry on the instructions issued by the General Body on financial matters.
- (E) He/she shall be responsible for filling any necessary financial statement to external authorities.

### Article XXVIII JOINT TREASURER

- (A) The Joint Treasurer shall assist the Treasurer in his/her absence and shall perform the duties of Treasurer in his/her absence.

## CHAPTER VIII

### DISSOLUTION OF THE KOOKA

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|---------------------|-----|---|
| <b>Article XXIX</b> | (A) | The General Body may decide to dissolve the Koota for any reason and appoint a committee to prepare a plan for liquidation of the Koota for consideration and approval by the General Body. The Committee, after paying or making provisions for the payment of all the liabilities of the Koota, shall dispose of all the assets of the Koota and donate the proceeds exclusively for fulfilling the aims and objectives of the Koota or donate these proceeds to any such organization(s) organized/operated exclusively for charitable, educational or scientific purposes, which shall at the time qualify as an exempt organization under the Section 501 (c) 3 of the Internal Revenue Code of 1934 or the corresponding provisions of any future United States Internal Revenue Law, as the Executive Committee shall determine. |
| <b>Article XXX</b>  | (A) | On the adoption of this revised constitution by the General Body of the Kannada Koota New York Inc., the previous constitution of the Koota in operation until this date is hereby repealed. But the action taken, the contracts or given agreements entered into, shall be deemed to have been taken, given or entered into under this constitution unless it is repugnant to the provisions of the constitution.  |