

## **Constitution of the Indian Association Geneva**

### **ARTICLE I NAME AND SEAT OF THE ASSOCIATION**

There shall be an Indian Association Geneva. Hereafter called the Association. The seat of the Association shall be Geneva.

### **ARTICLE 2 AIMS AND OBJECTS**

The association shall have the following aims and objects:

- (a) to serve as a social and cultural forum for the Indian Community,
- (b) to foster friendship with the Swiss and international Community resident in Geneva,
- (c) to contribute to the social and cultural life of the city,
- (d) to contribute to humanitarian causes.

### **ARTICLE 3 MEMBERSHIP**

- (a) Any individual, above the age of 18 years, who agrees with the aims and objects of the Association, and who undertakes to abide by this constitution, shall be eligible to membership of the Association,
- (b) Membership dues shall be normally paid at the beginning of each calendar year. A penalty of CHF 10 will be charged after 31<sup>st</sup> March. New Members enrolling after 30<sup>th</sup> June shall pay at half yearly rates.
- (c) Anyone who wishes to cease membership may do so by informing in writing to the secretary of the Association.
- (d) Membership fees are fixed by the General Assembly,
- (e) No member must indulge in activities against the interests of the Association

### **ARTICLE 4 STRUCTURE OF THE ASSOCIATION**

The structure of the Association shall be as follows:

- (a) General Assembly
- (b) Executive Committee

## ARTICLE 5 THE GENERAL ASSEMBLY

- (a) The General Assembly composed of all the members of the Association shall be the supreme authority. Each member shall have one vote. It shall meet at least once a year. The Annual Meeting of the General Assembly shall take place on or before 15 February of each calendar year to
- (i) Consider and adopt the Annual Report,
  - (ii) Consider and adopt the audited accounts of the preceding financial Year,
  - (iii) Decide the policy of the Association and provide guidance for the Executive Committee,
  - (iv) Consider for approval the new Executive Committee based on the proposals submitted by the current Executive Committee and any other proposals including self-nominations made on the floor of the General Assembly,
  - (v) Elect an auditor, who shall be responsible to the General Assembly,
  - (vi) Fix annual membership dues,
  - (vii) Discuss any other questions raised by the members.
- (b) The General Assembly may meet in additional session to consider any question provided that at least fifty members or the Executive Committee have so requested. At least one-month notice shall be given for such a session.
- (c) The quorum for the meeting of the General Assembly shall be one third of the membership or thirty members present, whichever is less. In the absence of a quorum the meeting shall be adjourned and re-convened after a lapse of 15 minutes at which time the attendance at the re-convened meeting shall constitute the quorum.
- (d) The General Assembly shall conduct its business in accordance with the Rules of Procedure as given in the Annex 1 to this Constitution.

## ARTICLE 6 THE EXECUTIVE COMMITTEE

- (a) The Executive Committee shall consist of 10 members of whom up to 9 shall be elected by the General Assembly as follows:
- (i) - a President  
- a Vice-President  
- a Secretary  
- a Treasurer, and  
- up to five members
  - (ii) One or two members nominated by the Permanent Mission of India to UN and Consul General of India office in Geneva. He/she should be member of the Association.
- (b) (i) The life of the Executive Committee shall be for a period of two years.

(ii) The Executive Committee shall, in the event of a vacancy arising out of resignation or other causes of an elected office bearer of the said Committee will fill the same through internal reorganization. The Executive Committee may fill the resultant vacancy by co-opting from the membership of the Association.

(c) The Executive Committee shall:

(i) organise and carry out all the activities of the Association within the framework of the directives and decisions of the General Assembly.

(ii) co-operate with other organisations and institutions where appropriate in pursuit of the aims and objectives of the Association as defined in Article 2.

(iii) prepare and circulate to the membership at least two weeks before the Annual Meeting of the General Assembly, inter alia

- the draft agenda

- the annual report

- the audited statement of accounts.

(iv) The Executive Committee is responsible to propose new Executive Committee and remain in office till it hands over properly to the new Executive Committee.

(d) The Executive Committee will determine the functions and responsibilities of its members and frame its rules of procedure.

(e) The Executive Committee may organise consultation with members of the Association on questions requiring departures from the provisions made in the Constitution through correspondence or by calling an extraordinary meeting of the General Assembly when they are considered urgent and cannot wait for the annual meeting of the General Assembly.

(f) The Executive Committee may establish ad-hoc committee as necessary. The composition and the terms of reference of the ad-hoc committee shall be decided by the Executive Committee.

(g) The Executive Committee may enter collaborative arrangement with other organisations in pursuit of the aims and objects under Article 2 on ad-hoc basis for each specific activity after the consideration of the matter by the Committee.

- (h) The Executive Committee may incur expenses of the Association within the mandate of the General Assembly. However, the total expenses for the year shall not, exceed the income of the year.
- (i) The Executive Committee may utilise up to sfr.5000.- to organise activities in the first few months of the year if there is an equivalent amount available from previous year's excess of income over expenditure.
- (j) The bank accounts of the Association shall be operated by any two of the office-bearers of whom the Treasurer shall normally be one. However, for accounts less than Sfr.500.- the Treasurer's signature alone shall suffice.
- (k) The Treasurer shall maintain the accounts of the Association in accordance with annex 2 of the constitution and in consultation with the auditor. He/she shall report periodically to the Executive Committee on the financial situation of the Association.
- (l) The Secretary of the Association shall maintain a record of correspondence and commitments undertaken by the Executive Committee on behalf of the Association including minutes of the Committee meetings. Such records shall be handed over to the newly elected Executive Committee within two weeks of taking office.
- (m) The financial year of the Association shall be Calendar year, namely 1 January to 31 December of each year.
- (n) Executive Committee will appoint Auditor for certifying account each year.

## ARTICLE 7 DISSOLUTION

The Indian Association Geneva shall be dissolved at an annual General Assembly or a specially called for AGM as per article 5(b). For this purpose, a two thirds majority of the membership is required either in writing or present and voting at the General Assembly. The Assembly shall decide the disbursement of any assets of the Association.

## ANNEXE 1

### RULES OF PROCEDURE FOR THE MEETINGS OF THE GENERAL ASSEMBLY

(See paragraph (d) of Article 5 of the Constitution)

1. Normally voting shall be by show of hands. However, if at least five members so request voting shall be by secret ballot.
2. Any member unable to participate in the meeting may authorise in writing another member to exercise his/her right to vote by proxy by filling out and signing a proxy form to the Secretary to reach him at least 48 hours before the General Assembly. The number of proxies by a member is limited to number of family members plus one additional member. The letter of delegation should indicate clearly the name of the member to whom the delegation is made. If, however, due to unforeseen circumstances it has not been possible to observe this time stipulation, the letter of delegation may be sent to the Secretary through the member to whom the delegation is made, to reach him before the commencement of the General Assembly.
3. Proxies shall count in determining the quorum defined in paragraph (c) of Article 5 of the Constitution.
4. Majority for the purposes of these rules shall mean a simple majority of members present and voting. However, if the number of abstentions exceeds half the members present and voting, then a further ballot shall be held in which abstentions shall be disregarded.
5. In the case of a tie in voting, which means equal number of votes for or against a proposal there shall be a further ballot.
6. The General Assembly shall elect among the members present to preside over the meeting.
7. The General Assembly shall take appropriate action if any constitutional procedure is not adhered to and/or any erring individual.
8. On any questions of procedure, not covered by these rules the General Assembly shall decide by simple majority.

## ANNEX2 Financial Operation Guidelines

**The finances of the Indian Association Geneva shall be managed by the Elected Executive Committee in line with the constitution and under the following guidelines.**

The Finances of the Indian Association Geneva consists of two parts. The first one, General operating account which consists of UBS current account and the Post office account from which the day to day expenses and income, including membership subscription is transacted. The second is the Reserve fund which is kept as a deposit in the UBS.

The elected committee is fully responsible for the day to day expenses and income of the association and is fully empowered to transact on the UBS current account and the Post office account.

The reserve fund shall be managed directly by the Membership through their AGM. The executive committee would be in-charge of implementing the decisions of the Membership as regards to the reserve fund. The Movement of funds from the current account to the reserve fund or the other way around is done by the executive committee by a decision of the Membership in the AGM.

### **Guidelines for the management of the day-to-day income and expense of IAG by the committee**

The expenses and commitments made by the Committee on behalf of the association shall not exceed the current cash balance of the association at any point of time.

The expenses and commitments made by the Committee on behalf of the association shall be within the planned income of the association during any particular year.

If the expenses and commitments made by the Committee on behalf of the association during any particular year exceeds that particular year's income, a special explanatory note shall be produced to the AGM for adoption along with the audited statement of accounts of the year by the Committee explaining the reasons for it along with the auditors observation on the situation.

In any case, if the committee anticipates that the expenses will exceed 150% of a particular year's income; such situation should be brought to the notice of the auditor before committing to such a situation by the Committee. The Auditor may convene an AGM specifically for this purpose to get approval as it deems necessary. In such instances the auditor may use his/her discretion for necessary action before approving such a situation. The committee shall not proceed on such spending before getting the approval from the auditor or the AGM.

Every committee is encouraged to have savings on the yearly operations. To this end, the committee is encouraged to initiate fund raising activities during the course of the year.

## **Guidelines for the management of the Reserve Fund of IAG**

The Reserve fund of IAG was created with the intention of setting aside excess of income over expenses over the period of years. The purpose of the reserve fund is to execute specific projects for the IAG within their goals and scope. This fund shall be kept under the deposit of UBS and shall be automatically renewed by the committee under instruction from the AGM, as and when it matures.

The funds situation in the current accounts will be analysed at the end of each year by the AGM and instruct the committee to move funds from the current account to the reserve fund or the other way around.

The current accounts need to have only a limited amount to supplement the income of that particular year to address any eventuality. The AGM normally instructs movement of funds to the reserve if there is more in the current accounts (i.e. more than 100% of the expected income of a particular year). Expected income of a particular year shall be defined for the purpose of this guideline as the previous year's income.

The committee will propose specific projects to the AGM, which need funding from the Reserve fund. Any member can bring a proposal to the committee for such a proposal and the committee will first review it in the context and scope of IAG and propose as appropriate.

And if the committee finds it fit, put it to the AGM for approval.

When approved by the IAG, the Committee will be responsible to coordinate and implement this project. While taking the funds from the deposit, care should be taken to see that IAG financial interests are taken care of and that the auditor is involved during the transaction.

The committee shall and the treasurer in particular, exercise financial prudence in transferring the funds from the deposit account for the project and ensure that these funds are handled separately.

The treasurer shall strictly adhere to the AGM's sanction of the funds for the project when withdrawing money from the Reserve fund.

Any violation to the above financial guidelines when identified needs to be brought to the attention of the AGM by a special report from the President and the treasurer with the auditor's comments for approval and adoption. The adoption of the yearly accounts is not valid without adoption of this special report.