

CONSTITUTION OF
AMERICAN ORGANIZATION FOR THE DEVELOPMENT OF BIHAR
(A NON-PROFIT ORGANIZATION)

ARTICLE I: NAME

The name of this non-profit organization shall be thus: American Organization for the Development of Bihar, hereafter called AODB. Its headquarters will be located and registered in the San Francisco Bay Area. All its papers will be kept at headquarters under the care of local active members as appointed by the Executive Council.

ARTICLE II: AIMS AND OBJECTIVES

- A. The said organization is organized exclusively for charitable, educational, scientific, social and cultural purposes to qualify as an exempt organization under Section 501(c)(3) of IRS of 1954 (or corresponding provision of any future United States Internal Revenue law).
- B. To establish an educational fund to supply current scientific and professional journals and textbooks and other necessary equipment to local institutions.
- C. To organize lectures by members and other experts.
- D. To establish any activity which will promote the general purpose of the development of the people of Bihar.
- E. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, office bearers, or other private persons. The reimbursement of out-of-pocket expense by any founder, office bureau, or member will be permitted subject to availability of satisfactory proof of expenditure, which must be solely for the benefit of AODB. Notwithstanding any other provision of these articles, this association shall not carry on any activities not permitted (a) by the organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or any corresponding provisions of any future United States Internal Revenue law), or (b) by an organization contributions t which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law).

ARTICLE III: CAPITAL

1. The organization shall raise capital in the form of donations, plus annual dues for different levels of members. Further funds may be raised by sponsoring events, and the proceeds derived shall be used to advance the objectives of the organization.
2. The annual dues can only be raised by the general body, during the annual meeting, by a majority vote.

ARTICLE IV: MEMBERSHIP

There will be two categories of membership:

- (a) Active. Any person who is interested in the development of the people of Bihar is eligible for active membership. To become an active member, they will be required to pay the annual dues as assessed from time-to-time.
- (b) Auxiliary. Persons who are not active members will be auxiliary members. No dues will be assessed of them. They will not seek any elected post and will not have voting rights.

ARTICLE V: OFFICE BEARERS

The following will be office bearers:

1. President.
2. Vice-President.
3. Secretary-Treasurer.
4. Members at Large, four Members.
5. President-Elect.
6. Ex-President.

ARTICLE VI: DUTIES AND FUNCTIONS OF THE OFFICE BEARERS

1. President.
 - a. The term of the President shall be for a period of two years, at the conclusion of which he or she will continue as a member of the Executive Council for the next term.
 - b. The President shall be the chief spokesperson of the organization and shall represent the organization as such.

c. The President will chair all Executive Council meetings and general body meetings. In his or her absence of a temporary nature, the Vice-President will conduct the meeting.

d. In the event of inability of a President to serve in the middle of a term, the President-Elect shall assume his duties.

2. President-Elect.

a. The term of office of the President-Elect will be for a period of two years. The following year, he will succeed to the Presidency.

b. In the event of inability of the President to serve his term, the President-Elect will assume his post.

3. Secretary-Treasurer.

a. The term of the Secretary-Treasurer will be for a period of two years.

b. He/she will be responsible for the day-to-day working of the organization.

c. He/she will be chief organizer and coordinator of all meetings and functions of the organization.

d. In all matters of importance, he/she will seek guidance from and approval of the President.

e. He/she will be accountable to the Executive Council.

f. In the event of disagreement between the President and the Secretary-Treasurer, the matter will be decided by the Executive Council convened for that matter by the President or the Secretary-Treasurer.

g. He/she will be responsible for the management of the funds of the organization.

h. He/she will maintain a standard bookkeeping system, submit accounts annually to the accountant appointed by the Executive Council for that purpose, and submit the same in his annual report to the general body during its annual meeting.

ARTICLE VII: GENERAL BODY

1. The general body of the organization shall consist of all active members in good standing.
2. There shall be one annual meeting of the general body every year. Its venue and date will be fixed at least one year in advance, during the annual meeting.
3. The annual meeting will provide a forum for exchange of information, discussion of policies, consideration of amendments to its constitution, holding elections for all officers, and for transaction of all other proper business.
4. The quorum for the general body meeting shall consist of at least 20% of the total active members and a majority vote shall be required for passage of any issue, with the sole exception of the amendments of the constitution, which shall require an affirmative vote from 75% of the voting members physically present before it can be adopted.

ARTICLE VIII: EXECUTIVE COUNCIL

1. The general body shall appoint a controlling administrative body which shall be known as its Executive Council.
2. All the parts of this organization, statutory, residual or otherwise, shall be vested in the Executive Council hereby created, subordinate only to its constitution.
3. Membership of the Executive Council shall consist of
 - (a) The President, President-Elect, Vice-President, Secretary-Treasurer, and immediate (non-voting) Past-President.
 - (b) Four Members at Large will be elected from the general body. In order to give wide representation, due consideration will be given to the geographical location of such candidates.
4. Meetings of the Executive Council.
 - (a) There shall be four meetings of the Executive Council in one year, one of them being at the time of the annual meeting of the general body.

(b) During its last quarterly meeting, the Executive Council, after due deliberation, will recommend a panel of names to the general body for its consideration as its office bearers for the next term. However, it will remain open for any other names for any other post duly proposed and seconded by any active member physically present at that annual meeting of the general body.

(c) Special meetings will be called by the President or by a majority of the members of the Executive Council. Reasonable advance notice will be given for this purpose.

(d) If for some unavoidable reason, or during a crisis or for a matter of significant importance, reasonable advance notice is not possible or physical assembly of the majority members is not possible, the matter will be decided by a telephone conference.

5. Mid-Term Vacancy.

The Executive Council will fill all vacancies, occurring in their own body or in any other office of the organization, for the unexpired term.

ARTICLE IX: ELECTIONS

1. Names of all proposed nominees for each office will be recorded by the Secretary-Treasurer. Only active members can propose a nominee. One name will be picked out blindly for each office from the pool of names, except Members at Large, in which case it will be four.
2. Election of Executive Council shall be held at the time of the annual meeting of the general body every alternate year.

ARTICLE X: RULES OF ORDER

1. The rules of parliamentary procedure as laid down in Robert's Rules of Order shall govern all Executive Council and general body meetings of the organization.

ARTICLE XI: AMENDMENTS TO THE CONSTITUTION

1. The constitution may be amended at any annual or special meeting of the general body for which notice has been properly given by any active member to the President sixty days in advance, in writing, duly proposed and seconded by active members.
2. During annual meetings, any active member may propose an amendment to the constitution if it is deemed relevant by the general body.
3. The amendment will be adopted provided a quorum is complete and it receives 75% affirmative votes of all active members physically present during that meeting.

ARTICLE XII: FINANCIAL POWERS OF THE EXECUTIVE COUNCIL

1. The Executive Council shall have the full controlling powers in all financial matters of the organization.
2. The Secretary-Treasurer shall be obligated to carry out the will of the Council with regard to collection and/or disbursement of all funds.
3. The Secretary-Treasurer will present annually an audited financial report to the general body during its annual meeting.

ARTICLE XIII: STATUTORY AND RESIDUAL POWERS OF THE EXECUTIVE COUNCIL

All the powers of the organization, statutory, residual or otherwise, shall be vested in the Executive Council hereby created, subordinate only to its constitution.

ARTICLE XIV: INTERPRETATION OF THE CONSTITUTION

Three-fourths majority views of the Executive Council will be binding during the interim period pending its ratification at the next annual meeting of the general body.

ARTICLE XV: DISSOLUTION OF ORGANIZATION

1. To dissolve the organization, a resolution in writing, asking for such dissolution, shall be adopted by the Executive Council.

2. The Executive Council shall then call a special meeting of the general body for the purpose of consideration and acting upon such resolution, and if at such a meeting members representing a three-fourths majority vote for dissolution, the Executive Council shall take necessary steps to wind up the affairs of the organization in accordance with the statutory requirements existing at the date such action is taken.

3. Upon the dissolution of the organization, the Executive Council shall, after paying or making provisions for the payment of all of the liabilities of the organization, dispose of all of the assets of the organization exclusively for the purposes of organizations organized and operated on a non-profit basis exclusively for charitable, educational or scientific purposes as shall at the time qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provisions of any future United States Internal Revenue law), as the Executive Council shall determine.

4. Any such assets not so disposed shall be disposed by the Court of Common Pleas of the county in which the headquarters of the organization is then located, exclusively for such purposes or to such organization as the said court shall determine, which are organized and operated exclusively for such purposes.

AMENDMENT

Article VI Section 3 will read as follows:

Section 3. Treasurer

- a. The term of the Treasurer will be for a period of two years.
- b. He / She will be responsible for the management of the funds of the organization.
- c. He / she will maintain a standard book keeping system, submit accounts annually to the accountant appointed by the executive council for that purpose, and submit the same in his annual report to the General Body during its annual meeting.

Article VI Section 4 will read as follows:

Section 4 Secretary

- a. The term of the secretary will be for a period of two years and will expire with the term of executive council.
- b. He / She will be responsible for the day-to-day working of the organization.
- c. He / She will be the chief organizer and coordinator of all meetings and functions of the organization.
- d. In the matter of importance, he / she will seek guidance from and approval of the President.
- e. He /she will be accountable to the Executive Council.
- f. In the event of any disagreement between the President and the Secretary, the matter will be decided by the Executive Council convened for that matter by the President or the Secretary.

**AMERICAN ORGANIZATION FOR THE DEVELOPMENT OF BIHAR
PER GENERAL BODY MEETING DATED 1/7/96**

ARTICLE IX: ELECTIONS, Section 1 of the Constitution is amended to read as follows:

1. Names of all proposed nominee for each office will be recorded by Secretary. Only active members can propose a nominee. The election of the President-Elect., Vice President, Secretary and Members at Large shall be by simple majority vote determined by secret ballot.

ARTICLE IX, Section 3 to read as follows:

3. If an executive council member is absent from three consecutive council meetings or resigns from the executive council, his/her seat shall be deemed vacated. In case of such vacancy, the executive council shall nominate and elect by simple majority vote a person to fill in the position. The secretary shall notify the outgoing member in writing that his/her seat has been deemed vacated and a new member has been elected.

ARTICLE V, Section 4 is amended to read as follows:

4. Members at large, Five Members.

Recorded by: _____

AMERICAN ORGANIZATION FOR DEVELOPMENT OF BIHAR

PER BALLOT RESULTS HELD ON 8/28/2011

ARTICLE VII: GENERAL BODY, Section 4 of the constitution is amended to read as follows:

4. The quorum for the general body meeting shall consist of at least 20% of the total active members and a majority vote shall be required for passage of any issue, with the exception of the amendments of constitution, which shall require an affirmative vote from 75% of the voting members who voted either by physical presence or through secured online voting or absentee ballot voting method before it can be adopted.

ARTICLE XI: AMENDMENTS OF THE CONSTITUTION, Section 3 of the constitution is amended to read as follows:

3. The amendment will be adopted provided a quorum is complete and receives 75% affirmative votes of all active members who voted either by physical presence or through secured online or absentee ballot voting method.

ARTICLE IX: ELECTIONS, Section 1 of the Constitution is amended to read as follows:

1. Names of all proposed nominee for each office will be recorded by Secretary. Only active members can propose a nominee. The election of the President-Elect, Vice President, Secretary and Member at Large shall be by simple Majority vote determined by secret ballot voted by either by physical presence or through secured online or absentee ballot voting method.

Recorded by: _____

Original Signed by EC members present on 09/25/11

1) Animesh Mishra - Animesh Mishra
2) Sanjay Kumar - Sanjay Kumar
3) Pinaki Mohapatra - Pinaki Mohapatra
4) Raja Uttam - Raja Uttam
5) Rohit Kumar - Rohit Kumar
6) Shobhan... S.M. - Shobhan...

7) Rejiv Sinha - Rejiv Sinha
8) Prashant Kumar - Prashant Kumar