

**BAGLUNG SAMAJ AMERICA MARYLAND
BY-LAWS
2023**



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TABLE OF CONTENTS

BAGLUNG SAMAJ AMERICA - MARYLAND: PROPOSED BY-LAWS

Article I - Name of the Organization

Article II - Address of the Organization

Article III - Objectives of the Organization

Article IV - Membership of the Organization

- **General Members**
- **Life Members**
- **Honorary Members**

Article V - Advisory Board of the Organization

Article VI - Board of Trustees of the Organization

Article VII - Committees of the Organization

- **Executive Committee**
- **Duties of the Executive Committee**
- **Executive Committee Meeting**

Article VIII - Duties of the Officers

- **President of the Organization**
- **Other Officers of the Executive Committee**

Article IX - Meetings of the General Assembly

Article X - Nominations and Elections

Article XI - Termination of Positions and Fulfilments

Article XII . Other Committees of the Organization

ARTICLE XIII - Governance Structure

Article XIV - Parliamentary Authority

Article XV - Amendments in By-Laws

Article XVI - Liquidation and Dissolution

Annexes

Annex 1 - Proposed Organizational Chart

Annex 2 - Chart of the Executive Committee

Annex 3 - List of Advisors

Annex 4 - List of Board of Trustees

Annex 5 - List of Life Members

Annex 6 - List of General Members

Annex 7 - List of Honorary Members

BAGLUNG SAMAJ AMERICA - MARYLAND: PROPOSED BY-LAWS

Article I - Name of the Organization

The organization shall be named as - 'Baglung Samaj America - Maryland' and shortly it shall be called or written as 'BSA - Maryland'. This organization shall be a nonprofit organization incorporated under the laws of the State of Maryland and particularly registered under section 501(C)(3) IRS Tax Exempt category.

Article II - Address of the Organization

The address of this organization will be - 4132 E Joppa Rd, Nottingham, MD 21236.
(Family Kitchen Restaurant)

Article III - Objectives of the Organization

The general objective of this organization is to enhance socio-cultural, educational, sports and community welfare activities and promote mutual cooperations among the members of the organization by creating community-based resources especially on charitable basis. Correspondingly, there are some other specific objectives of this organization too and can be listed as follows:

- List-out and incorporate all the community members of the Nepalese origin especially immigrated from the Baglung District of West Nepal and currently living here in Maryland, USA.
- Promote the socio-cultural, educational, and sports activities among the members of this organization and other Nepalese Americans living in this area.
- Enhance the relationship and promote cooperation among the community members of this organization and others of Nepalese origin living in this area.
- Promote and foster the relationship of its members with different levels of local, state, and federal government agencies for mainstreaming purposes.
- Organize fund raising campaigns to help the victims of disasters, human rights violation, discrimination, civil liberty, etc. as needed for the community members of this organization including other local Nepalese communities and maintain the connections back to the origin place Baglung Nepal as well.
- Advocate, coordinate and conduct community welfare related activities and campaigns that can address and uplift the interests of its own community members and other communities including Nepalese Americans in this area.

Article IV - Membership of the Organization

Community members demonstrating a sincere, constructive role in promoting the interests of this organization, subscribing to the proposes of the organization as stated in the Articles of incorporation and paying the defined fee, may become a member with completing a membership application. The Executive Committee shall

have the primary right to change the membership fee complying with terms with the approval of the General Assembly. For now, the fee structure different types of memberships are defined as follows:

General Members

The general membership is valid for a period of two years term concurrent with the then Executive committee. The fee will be \$ 25/per person. Valid members are counted as eligible for voting and the membership validity starts from January and expires in December of the term year. All the general members shall always be in touch with the Executive Committee and work voluntarily as needed and directed. Their physical presence is mandatory at the General Assembly.

Life Members

Community members fulfilling the requirements of general membership and paying one-time single payment of \$ 100 per person or \$ 200 per family of 2 members. All additional members of the family who are 18 years and above can be included as a life member paying onetime \$ 50 whereas minor kids who are under 18 years are automatically enlisted or included for until they reach 18 years. All the life members shall always be in touch with the Executive Committee and work voluntarily as needed and directed. Their physical presence is also mandatory at the General Assembly.

Honorary Members

Persons who have made substantial contributions to this organization or have earned name and fame in various fields or enhanced prestige of this community organization and country itself can be recognized as the Honorary Member(s) of this organization. The Executive Committee will decide this type of membership first by the majority of members present at special or annual meetings and approved by the General Assembly. The Honorary members will have no voting and contesting rights to in this organization but can take a part in general activities and other regular, special assembly meetings as if he/she is present in this area.

Article V - Advisory Board of the Organization

The Advisory Board is primarily comprised of seven or less individuals as nominated by the Executive Committee from among the members of the organization for possible advice and support to the organization and its missions or programs. The Advisors shall at least be a life member to be nominated for the advisory board and particularly help in operating various activities and during policy formulation of the organization. The immediate past President will automatically be included in the advisory board as he/she is believed to be the most know person of the organization

in regard to the recent past activities, experience and knowledge. The General Assembly will have to ratify the nomination, and the term of this board will be two years. A few members' roles and needs might be realized further in coming years too and thus can be extended their nomination for one more term.

Article VI - Board of Trustees of the Organization

The provision of the Board of Trustees (BOTs) has been adopted for overall guiding purposes in this organization and the membership hierarchy is accepted to be above the Executive Committee. The BOT members will be nominated who can donate more (5 times more than the fee of the Life Members) and prove capable of playing vital guiding role for this organization and its activities will be incorporated in this group. For now, there are no limits for BOT members who are nominated once a year by the Executive Committee with an approval by the General Assembly.

The BOTs shall be responsible for the overall guidance on the activities of the BSA – Maryland on a voluntary basis. More specifically, the BOT shall serve as the legal advisory body of the Executive Committee and the General Assembly in the major decisive activities that might bear long term consequences in this Organization. All the BOT members shall always be available by phone or online during the time of consultation by the Executive Committee and be physically present at least in the General Assembly. In a difficult situation like during the time when the Executive Committee is dissolved or so forth, this group shall play the vital role in the transition of the Executive Committee with full effect.

Article VII - Committees of the Organization

Executive Committee

The Executive Committee shall consist of 15 members entitle as: President, Senior Vice President, Vice President, General Secretary, Secretary, Treasurer, Membership Director, Information Director and Seven at large members. All the members will be elected for a term of two years by the General Assembly which starts from the month of January of the first year of the term and lasts until the month of December of the second year of the term. Similarly, all members will be eligible for re-election for one more consecutive term. The executive committee members receive no compensation for their jobs and their services as it is charitable work and entirely voluntary nature of work.

Duties of the Executive Committee

The Executive Committee shall have authority to take necessary steps to implement the decisions and conduct activities or programs of this organization as approved by the General Assembly. A majority of the committee members shall constitute a

quorum of the meeting and correspondingly a majority of those present members shall decide on the given issues. Written letters and e-mails shall be valid for the Quorum to discuss the agenda of the meeting and decisions as well. Similarly, written letters and printed copies of the emails will be counted as valid for Proxy Authority while voting on the issues in the meetings.

Executive Committee Meetings

The Executive Committee shall meet at least once a month especially at the last week or as often as called by the President of this organization. Moreover, for the specific purpose of conducting regular activities and organizing occasional programs, the Executive Committee meetings may be held more often. Similarly, temporary sub-committee meetings are also subject to be led by the Executive Committee and therefore, such need-based meetings are imperative to be frequent even weekly and daily. All Executive Committee members are required to attend all meetings for a quorum number in decision making purposes.

The quorum of the Executive Committee meeting shall be valid with the presence of at least 75 % members in any meetings and otherwise meetings shall be rescheduled for the following 30 days' notice. This following meeting will require only 50 % members. Any decisions can be made by a simple majority of the members present at the meeting.

Article VIII - Duties of the Officers

President of the Organization

- The President shall conduct overall activities demanded by the position and maintain overall supervisions in the work and activities of the organization.
- Similarly, preside at all meetings of the Executive Committee in coordination with the core team members and assign them different tasks as per the necessity.
- The President shall mandatorily consult BOTs in policy change issues or not overtake in any activities that are subjects to the roles of the BOTs.
- The President shall cast the decisive vote in cases of a-tie-in decision time in the voting process of the Executive Committee and the General Meetings.
- He/she shall represent the organization in meetings and activities held by other like-minded organizations and local government bodies as if invited for.

Other Officers of the Executive Committee

- The Senior Vice President shall perform assigned duties by the President with the advice of the Executive Committee. In absence of the President, the Vice President will serve all duties as the Acting President.

- In the absence of the President and Senior Vice President, the Vice President will serve all duties as the Acting President and or as the Acting Vice President.
- The General Secretary is considered as the main administrator of the organization and shall perform overall administrative responsibilities such as, but not limited to, calling and operate meetings, maintain all records and communicate with the other members of the Organizations, advisors and BOTs, etc. Basic office recording activities also comes on his/her implied responsibilities and can take help of the Secretary as needed.
- The Secretary will help the General Secretary in his/her duties as needed and will work as an acting General Secretary in his/her absence.
- The Information and Communication Director will be responsible for the documentation and communication roles in the organization.
- The Membership Director will be responsible for driving the membership programs, UpToDate record keeping for the organization.
- The Treasure shall be responsible for overall financial jobs and activities of the organization. He/she shall maintain the organization's daily banking, financial bookkeeping, and annual auditing and tax filing, etc. with due consultation with the Executive Committee, Advisors and BOTs. The Treasure also has a daily spending limit of \$ 500 on the amount to be spent on any single transaction which is subject to change by the majority decision of the Executive Committee. Any amount over the limit spending must be pre-informed to the Executive Committee and approved thereby.
- In the Executive Committee there will be 7 At-Large members who will be responsible for attending all the meetings and doing the jobs assigned by the Executive Committee, Advisors and BOTs.

Article IX - General Assembly Meetings

- The meeting of the General Assembly of the organization will be held at least once a year in Baltimore County or as defined by the Executive Committee. All paid members will be valid voting members for the General Assembly and candidacy too. The General Assembly will be the Highest Authority of the organization and its governance. The annual meeting will be held with 4 weeks' notice to approve the balance sheets, other policies and activities. Notably, the General Assembly will not bypass the advisory body of Board of Trustees (BOTs) in terms of new and long-term policy concerns.
The quorum of the General Assembly meetings shall be valid with the presence of at least 75 % of the members and otherwise meetings shall be rescheduled for the following 30 days' notice. Thereafter, the second meeting will require only 50 % members. Any decisions can be made by a simple majority of the members present at the meeting in the General Assembly.

- Elections of the Executive Committee Officers and Members will be held during the annual meeting of the General Assembly every two years slightly 60 days prior to the end of each term notice shall be given for election.
- Special Meetings of the General Assembly can also be called by the President or the Executive Committee upon the written request of 25 percent members.
- Any notices of regular meetings, special meetings and General Assembly shall be given via - E-mails, Facebook, Organizations' Website, Local Nepali Media, etc.

Article X - Nominations and Elections

- The term of the Executive Committee shall be two years starting from the month of January of every two years right after the election of a new Executive committee. Upon necessity, the executive committee may extend the term and election date up to 90 days maximum.
- The Executive Committee shall set a date for election prior to the end of the term. The President shall in consultation with the Executive Committee, advisors and BOTs shall form an Election Committee and Election Officer comprising up to 7 members at least 60 days prior to the election date.
- General members who renew or apply for new membership for the ensuing term at least Sixty (60) days prior to the Election date shall be eligible to vote in the election. On the nomination day and the election day including candidates all members shall present valid photo ID for validating voter list, and residency status in the State of Maryland.
- Similarly, for validity, all prospective candidacies shall have to file of candidacy at least with the signature of two proposing members and one supporting members in front of the Election Committee.
- A simple majority of the vote cast in the election shall elect the candidate for the office he/she is pursuing in the Executive Committee. Where there is only one candidate for an office or there are not more than four nominations for the members at large, election results may be declared by a voice vote as well.
- All Life Members and Board of Trustees are always eligible to vote in elections of this organization.

Article XI - Termination of Positions and Fulfillments

Any vital position of the Executive Committee may be vacant by any kind of terminating situation. And as per the by-laws they will be fulfilled in due course of time. Here, we have also assumed that under these circumstances the positions will be terminated:

- **Resignation:** If resignation is voluntarily submitted by a person to the Executive Committee or the President and approved thereby.

- **Death Reporting:** Any positions are subject to be automatically vacant while deaths are verified and reported.
- **Vote of No Confidence:** Motion of vote of no confidence also makes any position vacant as if submitted by 25% members and approved by the Special Meeting of the General Assembly which will require at least 30 days' notice.
- **Absences:** In normal circumstances anyone members shall legally notify the President or the Executive Committee in upcoming absences but without this if there are more than 5 continuous absences that will be pushed his/her position to be vacant by the meeting of the Executive Committee.
- **Fulfilments:** In general and regular situations, if any vital positions gone as vacant, the immediate hierarchical position holders will assume the role followed by other subsequent positions until the fulfillment by the special meeting of the General Assembly within 60 days. The Senior Vice position holder or hierarchical immediate seniors in the Executive Committee will take the fulfillment responsibility in case of vital position vacancy but in case of the at large members the vacant position will not be fulfil until the next term election.

Article XII - Other Committees of the Organization

- As per the need to operate various regular and occasional activities of this organization, few special and ad-hoc committees can be formed by the President with the approval of the Executive Committee.
- After completing the assigned tasks, such committee members shall report to the Executive Committee as directed by the President. Such committees are of a temporary nature and thus will be automatically dissolved after completing the assigned tasks for a defined time frame.

ARTICLE XIII - Governance Structure

- Generally, the governance of Baglung Samaj America - Maryland shall be through the Executive Committee by excusing the rights and duties of its officers as defined by the By-Laws. The coordinated meetings and the general assembly are the execution venues to exercise the rights and the duties of the team.
- In due course of the governance the immediate guiding or supervising roles of shall be performed by the Advisors and the Board of Trustees as needed and consulted by the Executive Committee. The consultation requirement has been placed as the mandatory aspect of the duties of the Executive Committee by the by-laws of this organization.
- Similarly, beyond internal governance and supervisory roles, in general disputed or contradicted or interrupted situations within this organization and its governance process, the common laws of the State of Maryland shall be imperative aspect and that is acknowledged here in this organization too.

Article XIV - Parliamentary Authority

To comply with the existing laws of the State of Maryland, in this organization's article too, the Robert's Rules of Order, as revised from time to time, has been absolutely acknowledged. Obviously, these are the sets of rules and ethics for conducting meetings, making decisions, resolving issues, validity concerns, and many more guiding principles that are most popular and standard rules to acknowledge for the smooth operations and governance of such non-legislative organizations.

Article XV - Amendments in By-Laws

The General Assembly shall have the power to make, alter, amend, or repeal the By-Laws of the Organization. The General Assembly also has the authority to decide on the proposals forwarded by the Executive Committee with the consent of the Board of Trustees and the Advisors in reference to plan, protection and control of the BSA - Maryland. In this connection the role of Advisors and BOTs is very important and thus the Executive Committee should first compulsorily consult them before forwarding to the General Assembly meetings.

Article XVI - Liquidation and Dissolution

The liquidation and dissolution of the organization may be decided by the decision of two-thirds of present members at the meeting of the General Assembly. For a wider study of the proposed amendment bills shall be circulated among the members before the meeting. In the event of dissolution any residual funds of the organization shall be forwarded or accepted for the next step by the Executive Committee, Advisors, and BOTs before vacating the office in furtherance of the organization's aims, and no member shall have any claim against the organization in respect to fees and subscription paid already.

Annexes

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