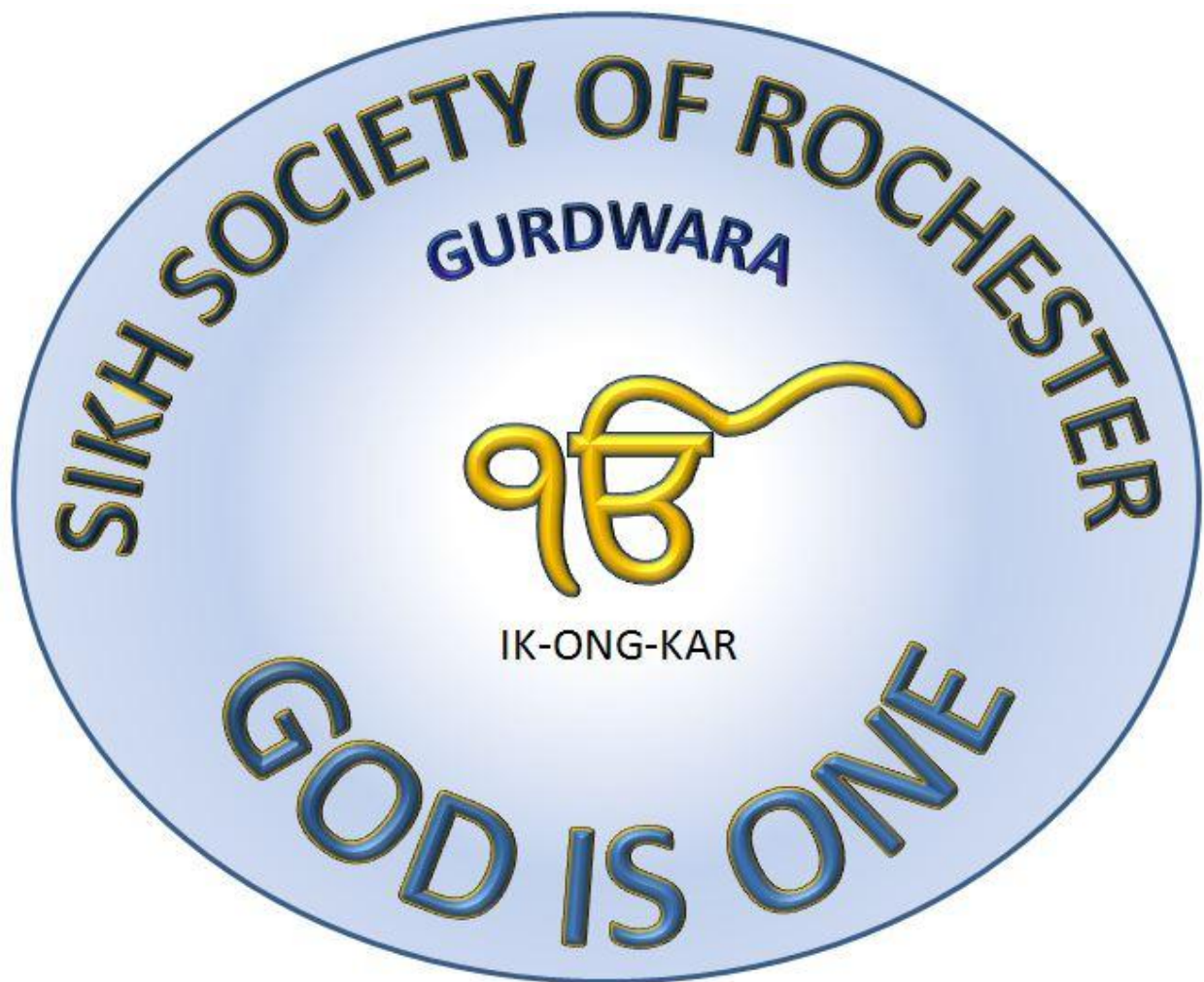


April 14, 2015

Constitution Of The Sikh Society of Rochester



Constitution Of The Sikh Society of Rochester



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Constitution Of The Sikh Society of Rochester

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PREAMBLE

We, the members of the Sikh community of Greater Rochester and surrounding area of New York, do ordain and establish this constitution of the Sikh Society of Rochester (SSR) to preserve and promote the spirit of *Sikhism*.



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The Sikh Society of Rochester is non-profit Sikh organization with a specific mission. The following articles state the mission and objectives, and establish the basis for membership, organizational structure, and other functions of the Society.

1. MISSION

To become a model non-profit Sikh organization committed to the following goals:

- 1.1.1. To preserve and promote the Sikh religion, Sikh history, Sikh philosophy, and the spirit of *Sikhism* by promoting the way of life as prescribed in the Sikh Rahit Maryada (Code of Conduct).
- 1.1.2. To place the *Sikh* ideals of universal equality of mankind in a contemporary world perspective to promote universal peace and harmony.
- 1.1.3. To construct and operate a Gurdwara (a place of worship for SIKHS, open to all) in accordance with the Sikh Rahat Maryada. In addition to providing facilities for holding regular religious services and celebrating Sikh religious functions, the Gurdwara premises will provide space for Sunday School and Library to encourage the Sikh youth to develop an appreciation for Sikh values; Sikh history; Sikh traditions and Sikh Literature.

2. ADMINISTRATION

2.1. Main Body of SSR (The Sangat of SSR)

All voting members collectively form the General Body of the Members here-in-after called "The Sangat of SSR".

- 2.1.1. Only the Sangat of SSR is empowered to make amendments to this constitution; approve the annual budget of the SSR (as presented by the Treasurer and reviewed by the Board) and approve all Resolutions no matter where they originate.
- 2.1.2. All assets including the real estate and other property of the SSR shall vest in the Main Body" The Sangat of SSR".
- 2.1.3. No assets or property of the SSR shall be sold, mortgaged, or transferred without a resolution approved by a two third majority of the Sangat of SSR. Any items not covered in this constitution shall be reviewed and approved by a simple majority of the Sangat of SSR before implementation, provided such items do not violate Sikh Rahit Maryada.

2.2. Board of Trustees (BT)

- 2.2.1. The Board of Trustees, here-in-after called "the Board", shall be elected from eligible voting members of the SSR..

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- 2.2.2. The Board shall have five trustees. Four trustees will be elected and fifth trustee will be incoming General Secretary. The Board will elect its own



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chairman who will call meetings of the Board; set agenda for the meetings and act as chief spokesman for the Society with media and local and state officials. In case a vacancy opens up on the Board or Executive committee in between elections, the chairman will have the power to appoint a replacement till the next elections. This will have to be approved by simple majority of the Sangat of SSR.

2.2.3. No more than one member from a family unit shall serve as a trustee concurrently.

2.2.4. Election process is described in [# 5.7.5](#).

2.2.5. Term for Elected Board members will be 6 years.

2.2.6. Responsibilities of the Board:

2.2.6.1. Policy making and strategic planning for the SSR.

2.2.6.2. Soliciting endowments for the Society, and reviewing the SSR's annual budget for approval by the Sangat of SSR.

2.2.6.3. The Board shall make a recommendation (for or against) on all resolutions for final approval by the sangat. Such resolutions can originate from a member of the Sangat, a member of the executive committee or a member of the Board. If it originates from a member of the sangat, it must have at least five sponsors, should be routed to the Board thru Executive Committee. Executive Committee after due deliberations will forward it to the Board who in turn, after extensive discussion, will forward it to the sangat with its recommendation. Sangat has the right to vote against the Board's recommendation. If it does, the resolution is dead till a modified resolution is drafted by the sponsors.

2.2.6.4. Other functions and responsibilities as described elsewhere in the constitution.

2.3. The Executive Committee (EC)

2.3.1. The EC shall be entrusted with the day to day administration of the SSR. The Committee shall implement the policies (both strategic and financial) of SSR as approved by the Board. The Committee shall consist of the following:

2.3.1.1. **General Secretary:** Shall be responsible for routine administrative duties and shall also serve on the Board as a Trustee for the duration of his/her term as the *Gen Secretary*, shall be responsible for the overall administration of the SSR, including maintenance of the SSR's property; and shall prepare and present an annual progress report on the activities of the SSR to the Board and the Sangat of SSR.

2.3.1.2. **Assistant Secretary:** Shall be responsible for organizing and conducting all Committee and Main Body meeting; shall keep meeting minutes, all official records and shall maintain a current list of the voting members of the SSR.

2.3.1.3. **Treasurer:** Shall maintain the financial records of the Society in accordance with the generally accepted accounting practices, shall collect



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all dues, keep accounts of all receipts and expenses, deposit all funds in the SSR's bank account, shall make all payments authorized by the Committee or the Board, shall prepare annual budget for approval by the Board and the Main Body (the Sangat of SSR), and shall prepare and present the annual financial reports to the Board and the Sangat of SSR. Also File Tax Returns with IRS.

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- 2.3.1.4. **Sunday School Organizer** shall be responsible for implementing the educational policies of the SSR.
- 2.3.1.5. **Langar Organizer** shall be responsible for managing the Langar (community kitchen) in accordance with the *Sikh Rahit Maryada*.
- 2.3.2. Election of the Executive members:
 - 2.3.2.1. The *Executive members, except Langar organizers and Sunday School Organizers*, shall be elected by voting members as described in [# 5.7.5](#)
 - 2.3.2.2. Langar organizers and Sunday School Organizers will be nominated by newly elected Executive Committee.
 - 2.3.2.3. The term of Executive Committee members will be two years and shall be limited to a maximum of two consecutive terms.
- 2.4. **Election Committee**
 - 2.4.1. The election Committee shall consist of five members; 5 members proposed by simple majority of the Sangat, for a limited term. The main purpose of the election Committee shall be to facilitate election of the qualified voting members to serve as *members* of the Executive Committee/ Board. The "limited term" means that the election Committee shall be instituted just prior to the election process and its term shall end soon after the election process is completed.
 - 2.4.2. To facilitate the election process, the election Committee shall:
 - 2.4.2.1. Get a list of the current voting members from the Executive Committee.
 - 2.4.2.2. Solicit nominations for positions of committee / board members
 - 2.4.2.3. Announce results of election process to Main Body (The Sangat of SSR)
 - 2.4.2.4. Follow voting process as described in [# 5.7.5](#).
- 2.5. **Eligibility for Serving on the Board / Executive Committee / Election Committee**
 - 2.5.1.1. All voting members over 25 years of age, who have been member for at least five consecutive years, if serving on Board and last two consecutive years, if serving on Executive or Election committee (except at time of inception and incoming General secretaries serving on Board)



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provided at least one voting members nominates and at least another voting members second his/her nomination.

2.5.1.2. A person who is a current officer, or has been an officer in the past 2 years of another similar religious organization, shall not be eligible for serving on the board.

3. MEMBERSHIP

3.1. Voting Membership Eligibility :

Voting membership of the SSR is open to all Sikhs over 18 years of age who meet the following requirements:

3.1.1. Pledge to fully abide by the constitution of the SSR.

3.1.2. Believe in one God, and always regard Siri Guru Granth Sahib Ji (the Sikh scriptures) as the only eternal Guru, have full faith in the teachings of the ten Sikh Gurus from Siri Guru Nanak Dev Ji to Guru Gobind Singh Ji.

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3.1.3. Resident for minimum of one year in the New York State and resides within 100 miles radius and is regularly attending the Gurudwara services.

3.2. Voting Membership Enrollment

3.2.1. The prospective voting members shall apply for such membership on an application form (#8.1) provided by SSR.

3.2.2. The Executive Committee shall process all voting membership applications for approval within thirty calendar days of receipt.

3.2.3. If the application is not approved, the Committee shall inform the applicant in writing, within fifteen calendar days of the decision. Applicant can file an appeal requesting a review, in writing, within thirty days of the date of the notice. The Board, shall review the Committee's decision, and present their recommendation to the Sangat of SSR for approval within 15 days from receipt of appeal.

3.2.4. The Boards' decision shall be approved by two third majority of the voting membership, within fifteen calendar days of the Boards' decision.

3.2.5. Annual fee for voting membership will be \$21.00, must be paid with application and is due by 15th of February every year. Life membership fee will be \$ 500.00 is to be paid with application, any donations made within last 6 months can be counted towards Life membership fee (donations paid for langar, or fee paid for personal use of Gurdwara property cannot be counted towards membership fee). The Board can recommend a change in this fee to the Sangat who may then approve it by a simple majority.

3.3. Honorary Membership



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3.3.1. An honorary Membership of SSR may be awarded to non sikhs and persons living outside the geographic area (refer to #3.1.3) to recognize his/her exemplary service to the Sikh community. The Honorary Members shall not have any voting rights.

4. FINANCES

4.1. Fiscal Policy

4.1.1. The fiscal year of the Sikh Society of Rochester shall be from January 1 to December 31. The SSR shall follow the generally accepted accounting practices and local, state and federal regulations for a non-profit organization.

4.1.2. The Treasurer will present budget to the Sangat annually by the last Sunday in January of the succeeding year.

4.1.3. The final budget for current year shall be approved by a simple majority of the Sangat of SSR no later than second Sunday of March.

4.1.4. All financial records of the SSR shall always be kept current. The Committee shall be responsible for turning over the updated records to the succeeding Committee prior to the incumbent Committee's last working day at the end of its term.

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4.1.5. No part of the income of the SSR shall insure to the benefit of or be distributed to any of its Members, Trustees or other individuals, except, for services rendered including the utility bills, maintaining of the buildings and premises. The SSR shall make distributions for furtherance of its mission and objectives as written in [# 1](#).

4.2. Bank Accounts

4.2.1. All income of the SSR shall be deposited in the Sikh Society of Rochester's bank account by the Treasurer.

4.2.2. The account shall be operated jointly by the Gen Secretary and the Treasurer. Additionally, Chairman of the Board, shall have the secondary authority to sign checks in unforeseen circumstances.

4.2.3. A check shall require two signatures.

4.2.4. All payments shall be approved by the Committee. Payments over Five thousand (5,000.00) dollars shall require an approval by the Sangat of SSR. Any payment above Five Thousand dollars will be presented to The Sangat of SSR on Sunday service for approval.

4.3. Financial Audit

4.3.1. At least once a year, the Sangat of SSR of SSR shall appoint, through a resolution, an audit subcommittee of at least two voting members, to verify the



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financial records of the SSR. The audited statements of accounts for each fiscal year shall be presented to the Sangat of SSR for approval within one month of the end of that fiscal year.

4.3.2. The Sangat shall have the power to appoint a Certified Public Accountant (CPA) as an independent auditor of the SSR's accounts through a resolution approved by a simple majority.

4.3.3. Members or family members of the Board or Committee shall not be eligible for the audit sub committee.

4.4. Dissolution

4.4.1. In the unlikely event of dissolution of the Main Body or Sangat of SSR, the Board and the Committee, shall after paying all liabilities of the Society, liquidate all the assets of the SSR and donate the total proceeds to a functioning non-profit Sikh organizations approved by the last gathering of The Sangat of SSR.

5. MISCELLANEOUS

5.1. Terminations

5.1.1. Membership of voting members, who do not pay their annual membership fee by 15th of February of current year shall be terminated. They can attend the services but will not be able to vote. Once appropriate fee is paid this membership will be renewed. If fee is paid by May 1st of current year, membership renewal will be effective from original date of membership.

5.1.2. Voting Membership (this includes life members) may be terminated voluntarily through a written resignation to the Committee.

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5.1.3. Voting Membership (this includes life members) will be terminated if one moves out of the geographic area as described in [3.1.3](#)

5.1.4. The SSR reserves the right to terminate membership of any person (including the EC/BT members) whose actions violate this constitution and are detrimental to the interests of the community. All such terminations shall be approved by a two third majority of The Sangat of SSR.

5.2. Amendment

5.2.1. Only The Sangat of SSR shall have the authority to amend this constitution by a two thirds majority.

5.3. Meetings

5.3.1.1. The Sangat of SSR (Main body) shall meet at least once a quarter. The Committee and the Board may call additional meeting(s) of the Sangat of SSR for approval of resolutions or other business.

5.3.1.2. All voting members shall be given at least a fifteen day advance written notice of the date, time and place of each meeting and the meeting agenda.



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- 5.3.1.3. The Committee, with the Board's consent, may call special meeting of The Sangat of SSR for urgent business without written notice to the voting members. However, any decisions made at such meetings shall be approved by a simple majority of The Sangat of SSR within fifteen days of making such decisions.
- 5.3.2. Twenty five or more voting members may send a written request to the Committee for calling a meeting of The Sangat of SSR, Committee, or the Board for a specific purpose. The Committee shall call such a meeting within thirty days of receiving such a request.
- 5.3.3. The Committee and the Board shall meet as often as necessary for an efficient management of the Society, but not less than once every two months.
- 5.3.4. All decisions made shall be recorded by the Gen Secretary and signed by all attending the meeting.
- 5.3.5. Parliamentary procedures and practices shall be followed in conducting all business meetings of the Society in reference to this constitution and the latest edition of the "Robert's Rule of Order".
- 5.4. Quorum
- 5.4.1. The presence of at least one-half of the voting membership of SSR shall constitute a quorum for the Main Body meetings. If quorum is not met, meeting will be called again. Should the quorum not met for two consecutive meetings, requirement of one half of voting membership will be waived and decision will be made by voting members present during that meeting.
- 5.4.2. The presence of majority membership of the Board, Executive Committee, and other committee meetings shall constitute a quorum.
- 5.5. Use of the SSR Property: The Sikh Society of Rochester property, including real estate, shall be used for furtherance of its mission and objectives. The Committee and the Board may jointly permit use of SSR property, for a fee, for specific activities provided the letter and intent of the Sikh Rahit Maryada is not violated by such activities.

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- 5.6. Interpretation The intent and spirit of the Constitution shall govern interpretation of these Articles primarily using the definitions given in [#5.7](#). A two thirds majority of The Sangat of SSR shall approve any interpretation, which then shall be documented in a resolution of the SSR.

5.7. Definitions

5.7.1. Family Unit:

One household including both spouses and children under 25 years of age.

5.7.2. Guru:

The spiritual eternal master of the Sikhs, Siri Guru Granth Sahib ji.

5.7.3. Gurdwara:



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The place of worship for Sikhs which traditionally includes a congregation hall, and a community kitchen called the Langar hall. The facilities are usually open at no charge to all mankind without any distinction of race, religion, color, gender or national origin. The Gurdwara is managed exclusively in accordance with the Sikh Rahit Maryada by Sewadar Committee.

5.7.4. Langar:

The community kitchen in a Gurdwara, which is open to all at no charge as described in the definition of Gurdwara. A unique feature of Langar is to emphasize equality of mankind by serving, collectively prepared, simple food to all, while sitting together without distinction of social status.

5.7.5. Voting:

- 5.7.5.1. Nomination for vacant positions in BT or EC will be accepted by last Sunday of February each year. The election process will begin if there are more than one nominations for the same-position received. The candidates will be allowed to communicate with each other in peaceful and amicable manner and elect the capable and suitable candidate for the vacant positions.
- 5.7.5.2. If no compromise is reached then the ballots will be cast in a traditional manner.
- 5.7.5.3. The election committee will conduct the election process. Absentee votes, ballots by fax, mail or email will not be entertained.
- 5.7.5.4. It will be the duty of the general secretary to provide accurate list of voting members to the Sangat of SSR by March 1st each year. The open enrollment of voting membership will close on February 15th.
- 5.7.5.5. Five members of the election Committee will assist and observe the process of election. The results of ballots will be announced immediately after counting the ballots in front of Guru Granth Sahib on the same day.
- 5.7.5.6. The election of new Members shall be completed by the second Sunday of April of each year.
- 5.7.5.7. The incumbent *Members* shall automatically cease to hold office on April 30 midnight that year (unless re-elected for another term) and the new *Members* shall assume office on May 1 of that year. The incumbent Members shall gradually turnover all responsibilities and duties to the new Members after election of the new Board

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/Committee is completed. This transition period shall begin at end of the election process and last till May 1, when the new Committee shall be installed.

5.7.6. Resolution:



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A formal statement expressing the opinion, will or intent of the Main Body (The Sangat of SSR). All resolutions shall be approved by a simple majority of the Main Body except as noted in the Constitution.

5.7.7. Sikh:

One who believes in only one God, follows the teachings of the ten Sikh Gurus from Siri Guru Nanak Dev Ji to Siri Guru Gobind Singh Ji, regards Siri Guru Granth Sahib Ji as the only eternal Guru and does not follow any other religion or rituals.

5.7.8. Sikh Rahit Maryada:

One document published by the Siromani Gurdwara Prabandhak Committee (SGPC), Amritsar, Punjab, describing the code of conduct for a Sikh. This document was adopted by the SGPC Resolution #14 on December 10, 1936, and resulted from a five year consultation with fifty Sikh scholars and twenty one Sikh institutions regarded as authority on the Sikh religion.

5.7.9. Siri Guru Granth Sahib Ji:

The holy scripture of the Sikhs, regarded as the only eternal Guru.

5.7.10.

Simple Majority:

For the purpose of this constitution, the “simple majority” means a majority of voting members present at each meeting.

5.7.11. Two Third Majority For the purpose of this constitution, the “two third majority” means a two third majority of total membership of the Main Body. In matters which need two third majority vote, mail ballots will be allowed **only** if Quorum is not met in first 2 consecutive meetings.

5.7.12. The Sangat of SSR: Voting members of SSR.

5.7.13. The General Sangat: Body of men and women who meet in the presence of the Guru Granth Sahib

6. Arbitration Board

6.1. Arbitration Board will settle any conflicts arising in the Gurdwara affairs.

6.2. None of the internal conflicts will be taken to court of law and will be settled by Sangat of SSR (Main Body)

6.3. The Executive Committee is bound by this constitution to refer any religious, disciplinary, or legal issue that is not of a routine administrative nature, or one, which they cannot resolve amicably among themselves, to the Arbitration Board.

6.4. Any voting member can bring complaints to Arbitration Board, if executive committee/ Board is not responding to genuine complaints. Please refer to 5.3.2

6.5. Arbitration Board would meet as a team and come up with a majority decision. If required, they can seek advice from World Sikh Council, before making their decision. However, once the

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decision has been made and announced, the Executive Committee and Board would have to accept all its terms unconditionally.

6.6. The Arbitration Board will have no direct role in the routine running of the Gurdwara and would take up an issue only when the Executive Committee or a voting member of Gurdwara makes a request. As disciplinary action the Arbitration Board can cancel individual's membership. If the individual is a committee member, he/she shall thus be automatically removed from that position

6.7. Selection Of Arbitration Board

6.7.1. Selection of the Arbitration Board: This Board will have an elected chairman, elected for two years. Eligibility will be same as that of General Secretary, except for first term. The other four members should be ad-hoc selected randomly from a list of 20 members of the congregation (not necessarily voting members). A list of 10 male and 10 female members of the congregation should be developed (and updated annually) for this purpose. These members should be mature, unbiased, fairly familiar with the constitution of SSR, well integrated into the American Society and men/ women of high integrity. Whenever a dispute is referred to this committee, four members will be randomly selected form this pool for deliberations on the matter at hand. Once the decision has been reached, the ad-hoc members will be returned to the pool .

7. **CO-SIGNERS FOR THE GURDWARA BUILDING MORTGAGE** This section would be applicable whenever the mortgage for the Gurdwara building purchase required personal guarantees from members of the Sangat of SSR (co-signers for the mortgage). The co-signers would have a free access to the financial statements of the Gurdwara. The Executive Committee will have to maintain a minimum balance of \$ 6000.00 or monthly mortgage installments for three months (whichever is bigger amount) in the Gurdwara's bank account (sum of all Checking, Savings, and Cumulative Deposit accounts). To withdraw any more cash from the bank, the Executive Committee would require written permission of acceptance from EACH and EVERY co-signer. All attempts should be made to get the Gurdwara building mortgage refinanced with no co-signers, at the earliest.

8. **Forms**

8.1. Membership Form See -----Appendix 1

8.2. Nomination/Consent form board/EC/Election Committee/Arbitration board Chairman-----See Appendix 2

Drafted by: