

COUNCIL OF INDIA SOCIETIES OF EDMONTON
BY-LAWS

Revised as of 21st March, 2007

1.0 GENERAL

- 1.1 The name of the Society shall be the 'Council of India Societies of Edmonton'. As an abbreviation which may also be referred as 'Council' or 'CISE'.
- 1.2 The fiscal year of the Council shall commence on 1st January and end on 31st December of the same year. The operational year of the council shall commence on 1st April and end on 31st March the following year.
- 1.3 The activities of the Council shall be primarily carried out in the City of Edmonton and surrounding localities in the province of Alberta. However activities in other areas are not to be precluded - if found to be in the interest of the Council or its declared objectives.
- 1.4 India – in these by-laws – refers to the Republic of India or the Indian subcontinent or persons with ancestry in the Indian subcontinent. Without prejudice to any other interpretation per any law or statute of municipal, provincial or federal jurisdiction – the interpretation by the Council will govern. The Council – for the application of these by-laws - will have the jurisdiction to conclude what constitutes 'Indian' or 'Indian origin' or who is of 'Indian ancestry'.

2.0 OBJECTIVES

- 2.1 To develop and to encourage co-operation and goodwill among its members.
- 2.2 To foster appreciation and a sense of duty and responsibility towards the multi-cultural society of Canada.
- 2.3 To safeguard, promote and support the Indian cultural, social, general interests and the well being of Albertans of Indian origin.
- 2.4 To establish liaison with and as found prudent to acquire membership of other organizations with similar objectives.
- 2.5 To help and to assist in the co-ordination of activities among member associations of the Council.

- 2.6 To participate in the local, provincial and national bodies and institutions - as an interested society of persons of Indian origin.
- 2.7 To act as a general representative and 'spokesperson' of persons of Indian ancestry on issues of interest or concern.
- 2.8 To support or to object or to express an opinion on issues at municipal provincial federal or international level important to Indians. The Council will not become a member of or otherwise actively participate in a political party.
- 2.9 To provide service to the Indian Community in areas such as settlement of immigrants, safeguard the welfare of senior citizens, counseling for vulnerable groups such as abused women, assistance to Indian students in Edmonton etc. When such services are already provided by other organizations, Council should actively be supportive of their work.

3.0 MEMBERSHIP

The membership of the Council shall consist of the following categories:

- 3.1 Regular Members
- 3.2 Ex-officio Delegates
- 3.3 Associate Members

3.1 Regular Members

These shall include registered societies whose membership is mostly and primarily of Indian origin or Indian ancestry. These shall be non-profit societies and be in good standing per Societies Act of Alberta. The society shall promote the objectives of the Council and shall abide by all the by-laws of the Council. The Society must have a membership of not less than 50 paid-up individual members. For purpose of clarity and abbreviation the member societies may be termed 'regular members' or a 'member' or a 'member society'.

Each member society having a paid-up and voting membership of upto one hundred (100) shall nominate two (2) 'delegates' to the Council, one of who should be an executive of the society. Member societies having membership exceeding one hundred (100) paid-up individual members may nominate one additional 'delegate' to the Council. The delegates duly nominated by the member society shall be the spoke-person for the respective member society and shall represent the member society to the Council.

These representatives of the member societies herein after referred as 'delegates' or 'delegate'.

3.2 Ex-officio delegates

The immediate past-president of the Council will be an 'ex-officio delegate' of the Council. Similarly, all elected members of the 'executive committee' per section 7.0 will be ex-officio 'delegates' of the Council for the operational year for which they have been elected. The ex-officio delegates shall have the same privileges and responsibilities as 'delegates' and have similar right to 'vote'.

An elected executive - who is thus also an ex-officio delegate - may or may not represent the member society as a delegate. In the later case, the concerned member society may nominate another delegate in place of the elected executive.

3.3 General Body of the Council

The 'General Body' of the Council shall consist of

- a) The 'delegates' nominated by the member societies
- b) 'ex-officio delegates' as elected to the Executive
- c) 'ex-officio delegate' as immediate past-president.

The 'General Body' shall be the policy making body of the Council. The deliberations of the General Body shall be by consensus. In the absence of a consensus, a majority vote will prevail – except indicated otherwise in these by-laws.

4.0 **RULES AND PROCEDURES FOR MEMBERSHIP**

4.1 Any society seeking the membership with the Council shall do so by submitting an application addressed to the President of the Council. The application shall be accompanied by:

- 4.1.1 Membership registration fee (one time, non refundable).
- 4.1.2 Registration certificate with the Government of Alberta per Societies Act.
- 4.1.3 A copy of the constitution/by-law of the Society.
- 4.1.4 A resolution of the society supporting the request for membership to the Council and that the society agrees to abide by the objectives and by-law of the Council. This resolution shall also

indicate that in case of any conflict with applicant society's by-laws and that of the Council, the later will prevail.

- 4.1.5 Documentation supporting the community activities of the society.
- 4.1.6 List of current paid membership with their address, telephone number and e-mail if available.
- 4.2 The society should have existed for at least one year and should have been registered per Societies Act for at least one year prior to the date of application for membership.
- 4.3 In order to ensure a fair and a balanced representation with respect to regional, linguistic or cultural interests of the community, the Council may restrict membership on its body of such societies whose interests are already represented through other member societies. Similarly, Council may encourage membership of other societies whose interests have not been represented at the Council and their membership is desirable to promote Councils objectives.
- 4.4 The President in consultation with the executive committee shall place the membership application at a General Body meeting with appropriate comments, recommendations or findings. The applicant society will be accepted as a member upon approval by a majority of 2/3 of the voting members present at the meeting. Members in good standing (paid annual dues) will be allowed to vote in any meetings.
- 4.5 No more than two (2) new member Societies/Association shall be admitted in any fiscal year.
- 4.6 The Council will have jurisdiction to review from time to time that the member societies or their delegates are in compliant with the by-laws, including for maintaining of the eligibility or acceptance criteria. For this, the Council may request the member associations – from time to time – information or documentation. The executive committee may declare a non-compliant member/delegate as such and at this the affected member/delegate will lose the status with the Council.
- 4.7 All members (Associations/Societies) must pay their membership dues every year and provide a. list of executive committee, b. current paid general membership list, c. name and address of nominated delegates, d. and major events/activities for the year.
- 4.8 Any member Society/Association who is in default for payment of membership fees by 31st July will be considered 'non compliant'. Non-compliant member Society/Association delegates will become non-voting delegates until the said dues are paid as of the 1st August. Member Association will be sent a written notice by registered mail informing them

of this change in their status. A second reminder will be sent on 31st October if dues are not paid informing the member Association that if the dues are not paid by the 31st December, their Society/Association will lose status with the Council. No further reminders will be sent. The membership will be re-instated only by re-applying as a new member and approved at the annual general body meeting.

- 4.9 Member Societies/Associations may nominate one (1) 'alternate delegate'. An alternate delegate may participate in the General Body or other meetings of the council to represent a regular delegate. The alternate delegate will have the same status and voting rights as if the regular delegates were present at the meeting. Alternate delegate representing regular delegate will take no part in the meeting if regular delegates are also present- will be an observer only.
- 4.10 All member associations should provide a copy of their latest registered By-laws to the council for the records.

5.0 NOMINATION OF DELEGATES

- 5.1 The member associations will nominate the delegates and alternate delegates as they see fit.
- 5.2 The President of the member society or a pre-designated deputy will be considered the rightful authority in all affairs relating between the Council and the member. President (or pre-designated deputy) will nominate or withdraw or re-nominate delegates or alternate delegate to the Council. The nominations and withdrawals, so exercised - shall remain valid at least for 30 days.
- 5.3 All nominations of delegates and alternate delegates per record with the Council as of *31 December* will be considered final. No new nomination or alteration is permissible after this date for the period between 1st January and 31st March of the operational year. Similarly no *new* member shall be elected or accepted in the period between 1st January and 31st March of the operational year.

6.0 MEMBERSHIP DUES AND REGISTRATION FEE

The General Body shall review and set the membership dues for different member categories and the registration fee for new members or re-instated members. Any motion for a change in fee must be declared in advance as an

agenda item for a General Body meeting. The motion shall be carried when approved by 2/3 majority of delegates attending.

A membership fee is due at the beginning of the fiscal year and shall be paid up on or before July 31 of the fiscal year.

7.0 EXECUTIVE COMMITTEE

7.1 Executive committee shall consist of the following office bearers:

President
 Vice President (Administration)
 Vice President (Programs)
 General Secretary
 Joint Secretary
 Treasurer
 Assistant Treasurer
 Immediate Past President (ex officio)

7.2 No member society/organization shall have more than one office bearer (Past President excepted).

7.3 No individual shall hold the same office in the executive committee for more than two years in succession.

8.0 POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

The executive shall be responsible for the implementing and executing the policies and decisions of the council.

8.1 The President

- (a) The President shall be the Chief Executive of the Council and shall preside over all the meetings of the Council and the Executive.
- (b) He shall be the chief spokesman for the council and the community.
- (c) He shall be responsible for calling all the meetings of the council and executive.
- (d) He shall be responsible for making applications with the assistance of Vice-President (Administration) for the government grants, casino and bingo licenses to various agencies.

- (e) He shall be responsible for planning the programs with the assistance of Vice-President (Programs) and shall serve as a liaison with various levels of the government.

8.2 Vice-President (Administration)

- (a) He shall act as the Chief Executive of the Council in the absence of the President and shall be responsible for special tasks assigned to him by the Executive and the Council from time to time.
- (b) He shall assist the president in planning the administration and in making applications to various agencies for grants and other revenue generating activities such as casinos and bingos.
- (c) He shall be responsible of managing and maintaining the Council's buildings and premises.
- (d) He is responsible for media relations.

8.3 Vice-President (Programs)

- (a) He shall co-ordinate all the programs of the Council.
- (b) He shall officiate the duties and the functions of the Vice-President (Administration) in his absence.

8.4 General Secretary

- (a) He shall maintain the records of the membership of the Council.
- (b) He shall send notices and write minutes of all the meetings of the Council and the Executive.
- (c) He shall be in charge of the seal of the Council; the seal, when used, shall be authenticated by the signature of the President.

8.5 Joint Secretary

- (a) He shall assume the responsibilities of the General Secretary in his absence.
- (b) He shall assist the General Secretary.

8.6 Treasurer

- (a) He shall be chief accountant and bookkeeper of the finances of the council. He shall monitor expenses and budgetary allocations and

shall transmit to the Executive and the Council whenever so required any and all relevant facts about financial matters.

- (b) He shall prepare for submission to the Council at its annual meeting a financial statement for the period covering April 1st to December 31st of the current year.
- (c) He shall present an up-to-date report of the financial status of the Council at every meeting.
- (d) He shall ensure that all the accounts for the fiscal period covering 1st January to 31st December are in the hands of the auditors by 15th February.
- (e) He shall prepare and submit accounts and statements to the government when needed.
- (f) He shall have the audited report for the fiscal year of his term ready to present at the annual general meeting in March.

8.7 Assistant Treasurer

- (a) He shall assume the responsibilities of the Treasurer in his absence.
- (b) He shall assist the Treasurer.
- (c) He shall have no signing authority.

9.0 **CONDUCT OF MEETINGS**

Quorum

- 9.1 30% + 1 of eligible voting delegates present at a General Body meeting will constitute a quorum on any scheduled meeting of the Council.
- 9.2 Four executive members present will constitute a quorum on any scheduled meeting of the Executive.
- 9.3 If a quorum does not exist at duly notified and duly called meeting, the meeting shall be adjourned. In this case the President may call another meeting immediately and a requirement of quorum will not be applicable.
- 9.4 The President will call and preside over all the Executive Committee and all the General Body meetings. In the absence of President, Vice President I will preside the meeting.
- 9.5 The agenda will be notified 10 days in advance by the presiding officer. Any new agenda item may be proposed in advance by any member. Subject to availability of time or on other consideration, the President may decline inclusion of the agenda item in the ensuing meeting. In this case the item may be placed as an agenda item in the next meeting..

- 9.6 Meetings of the General Body or the Executive committee shall be called as and when business requires. Minimum four general body meetings (including annual general body meeting) shall be called in a fiscal year. There shall be at least one meeting every 120 days.
- 9.7 Meetings of the General Body shall be called with a minimum of 10 days Notice and delegates will be notified by mail/telephone/fax/e-mail. Executive committee meetings can be called with a minimum of 3 days notice and executive members will be notified by telephone/fax/e-mail.
- 9.8 For any urgent or extra ordinary circumstances – if a regularly constituted meeting (whether general body meeting or executive committee meeting or a sub committee meeting) can not be organized – due to time constraints or otherwise - a telephonic vote or consent in writing on a proposal is permissible. This will be considered extra- ordinary meetings and all delegates shall be approached to consider the proposal.
- 9.9 **Special Meeting:** For any urgent or extraordinary circumstances, President can call a special meeting by telephoning all delegates by giving them minimum of three days notice.
Quorums at Special meetings: 30% + 1 of eligible voting delegates will constitute a quorum for the Special meeting.

10.0 **POWERS AND DUTIES OF THE COUNCIL**

- 10.1 The General Body of the Council shall be the supreme authority in the laying down policies and the principles for the operation and conduct of the Council under the constitution.
- 10.2 The General Body of the Council may appoint a committee(s) or sub-committee(s) as and when necessary. Such committees shall work under the direction of the Executive.
- 10.3 The General Body of the Council may seek affiliation with the National and International Organizations.
- 10.4 The General Body of the Council shall have the authority to levy annual dues and to issue directives as and when necessary.

11.0 **ELECTION**

- 11.1 The members of the Executive committee shall be elected each fiscal year during the first week of March at an annual general meeting of the General Body.
- 11.2 A minimum of 3 weeks notice shall be given to each delegate of good standing for the election. With this notice of election, the President will advise the name of a “returning officer” with address, tel/fax/e-mail (as applicable) and include a list of delegates in good standing.
- 11.3 The returning officer shall accept written nominations (for seven executive positions and two Auditors) from delegates in good standing per above list. The acceptance of such written nominations will cease 7 days prior to the date of election. The returning officer- on being satisfied with the eligibility criteria per the by-laws - shall officially declare the nominations received.
- 11.4 Dead line for withdrawal will be 3 days prior to the date of election.
- 11.5 After withdrawals have been taken place, Returning Officer shall declare the remaining candidates 48 hours prior to the time of start of election by posting a list of candidates at India Centre and at Poling Station.
- 11.6 The ex-officio delegates – unless they are also the nominated ‘delegates’ of the member societies - are not eligible to be a candidate for election to the Executive committee.
- 11.7 Voting shall be conducted in person and by secret ballot. No proxy vote is permitted.
- 11.8 The election process shall be open – in as much as the candidates or their nominees will be allowed to observe the polling and their counting of the ballots..
- 11.9 If the nomination slate is not complete, the Returning officer shall invite nominations from the floor for vacant positions only at the meeting. If the slate is still incomplete the newly elected executive may nominate or elect delegates as they see fit to fill the vacancies.
- 11.10 In case of a tie in any of the positions, the Returning officer shall conduct a ‘re-vote’ at this annual general meeting. The delegates present at the meeting will be eligible to vote and the outcome of this ‘re-vote’ shall prevail. In case of a ‘tie’ in this re-vote – the current President will cast a tie-breaking vote.

12.0 VOTING PROCESS

- 12.1 All uncontested positions will be declared elected by acclamation.
- 12.2 If more than 1 delegate from the same Society/Association is nominated for executive office, once a delegate is elected, all remaining nominations from the same Society/Association are declared withdrawn.
- 12.3 All remaining positions will be voted upon as follows in the order presented one at a time, starting with the President.

President
 Vice-President (Administration)
 Vice-President (Programs)
 General Secretary
 Treasurer
 Joint Secretary
 Assistant Treasurer

- 12.4 The New Executive takes office 1st April.

13.0 NO CONFIDENCE MOTION ON EXECUTIVE

- 13.1 A no-confidence motion can be brought against the executive or any member of the executive. Such motion must be signed by at least 30 % + 1 of the delegates in good standing at the Council.
- 13.2 A special meeting of the Council will be 'called' by the President within one month of presentation of the motion to the President.
- 13.3 If the President declines to or do not call such a special meeting, this motion may be forwarded to the Vice-President –I.
- 13.4 The Vice-President - I shall call such a special meeting within one month of receipt of this motion.
- 13.5 The motion shall be decided by a 3/4 of the voting delegates present in the meeting.

14.0 WITHDRAWAL AND EXPULSION OF MEMBERS

- 14,1 Any member wishing to withdraw from membership may do so upon a notice in writing to the council through the Secretary.
- 14,2 Any member upon a two-thirds vote of all members of the Society in good standing at a meeting called for the purpose may be expelled for any cause, which the society may deem reasonable.
- 14.3 No part of membership or such dues may be refunded in case of withdrawal or expulsion.

15.0 EXPULSION OF A DELEGATE

- 15.1 The Executive committee or 25% of the members in good standing through a signed and written motion may request expulsion of a delegate to the Member Association concerned. If the member association declines to accept the request, a motion for expulsion of the delegate may be instituted:
 - 15.2.1 This motion of expulsion shall be indicated as an agenda item of a general body meeting.
- 15.3 The motion shall be decided by 2/3 of the voting delegates present in the meeting.

16.0 DISPUTES

- 16.1 Any dispute arising out within the Council and which has not been resolved by the Executive committee or by the General Body shall be referred to a three- member Arbitration Committee. Any question with respect to the interpretation or intent of the by- laws also – without prejudice - shall be referred to this Arbitration committee. All or any such dispute on the Council business – whether amongst members or amongst delegates or amongst executives or a combination - shall be referred to this Arbitration Committee.
- 16.2 The members of the Arbitration committee shall be appointed as follows:
 - A chairman appointed by the Executive committee.
 - A delegate appointed by the General Body at a duly scheduled meeting.
 - A delegate appointed by the disputant party.

17.0 AMMENDMENT OF BY-LAWS

- 17.1 A special resolution is necessary for any amendment to the bylaws..
- 17.2 A notice of amendment and for a special resolution shall be given 21 days in advance.
- 17.3 Any amendment shall be an agenda item for the General Body meeting.
- 17.4 Any amendment must be carried by at least 75% majority of delegates attending and forming a quorum. If a quorum does not exist, another meeting may be convened within a period 3 to 7 calendar days. If duly notified and a quorum does not exist in this second meeting, the delegates present will constitute the quorum.
- 17.5 Alternatively, in lieu of above, a resolution consented in writing by at least 75% of all eligible delegates will be considered carried.

18.0 AUDITING

- 18.1 Two General Body members of the Council elected for the purpose shall audit the books, accounts and records of the Treasurer at least once each year.
- 18.2 Any member of the Council may inspect the books and records of the Council by giving a minimum of two week's notice in writing and arranging a time satisfactory to the Treasurer.

19.0 SIGNING AUTHORITY FOR CHEQUES

All the cheques of the Council shall bear the signatures of the President and the Treasurer. In the absence of either one of them, one of the Vice-Presidents shall sign the cheques.

20.0 BORROWING MONEY

A special resolution to borrow money shall be approved by 50% plus one members of the general body present.

21.0 Remuneration

No current delegate or any past delegate for 3 consecutive years or(executive member) of the council at arms length shall receive any remuneration for his services to the Council.

22.0 DISSOLUTION

- 22.1 In the event of dissolution or winding up of the Council, all remaining assets after discharging of liabilities shall be distributed to one or more registered member societies meeting criteria as below:
- 22.2 The society must be registered society per Societies' Act of Alberta.
- 22.3 A majority of the members of the Society shall be of Indian origin/ancestry.
- 22.4 The society shall be a non-profit organization & shall have the status of a charitable organization per Canada Customs Revenue Agency.

NOTE: The gender in this document has been used as common gender meaning male or female..