



BHARATIYA ASSOCIATION BERNE

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CONSTITUTION

ARTICLE 1: NAME

The Bharatiya Association Berne (**BAB**) is an Association founded on 14th July 1996 in accordance with articles 60 to 79 of the Swiss Civil Code.

ARTICLE 2: SEAT

The seat of the Association shall be in the city of Berne, Switzerland.

ARTICLE 3: LANGUAGE

The work of the Association shall be carried out in English.

ARTICLE 4: AIMS

The Association shall be a non profit making body whose aim shall be to develop closer relations amongst Indians and well wishers in Switzerland.

ARTICLE 5: MEMBERS

5.1 Individual Members

Persons of 16 years of age and above at the beginning of the annual year who accept the aims of the Association and agree to abide by the constitution of the Association, can, at any time, become Individual Members under one of the following categories: single, couple, single-pensioned, couple-pensioned (either or both pensioned) or student. Persons wishing to become members shall apply in writing to the Secretary of the Association. They will be informed of the decision taken by the Executive Committee, which shall be subject to the approval of the Annual General Body.

5.2 Associate Members

Persons wishing to advance the aims of the Association without being Individual Members shall, at any time, be eligible for acceptance as Associate Members by the EC. Such persons will have no rights other than to attend the Annual Function cum Diwali Celebrations by paying the entrance fee applicable to Individual Members, and no obligation other than to donate at least the amount fixed by the GB per annum.

5.3 Honorary Members

Individual Members who have contributed with distinction to the aims of the Association may, with their consent and on the proposal of any member, be elected by the Annual General Body as Honorary Members by a two-third majority of the members present.

5.4 Patron

The Ambassador of India in Switzerland shall be, with his consent, the Patron of the Association.

ARTICLE 6: GENERAL CONDITIONS AND RIGHTS OF MEMBERS

6.1 A Member having fulfilled his financial obligations towards the Association can resign at any time by making known his intentions to that effect in writing to the Secretary of the Association. If this resignation takes place within two months of the Annual General Body no membership fee shall be levied.

6.2 Persons adversely affecting the aims and objectives of the Association can, on the proposal of the Executive Committee, be excluded from membership by the Annual General Body by a two-third majority of members present. In such a case the Association shall be obliged to substantiate fully and in writing the reasons for termination to the person concerned.

6.3 Persons who have resigned or have been excluded from the membership of the Association shall have no claim to the assets of the Association.

ARTICLE 7: ORGANS

The organs of the Association shall be:

- The General Body (**GB**)
 - * Annual General Body (**AGB**)
 - * Extraordinary General Body (**EOGB**)
- The Executive Committee (**EC**)
- The Auditor (s)

ARTICLE 8: GENERAL BODY

8.1 The GB consists of Honorary and Individual Members.

8.2 Within the framework of this constitution, the GB shall be the ultimate decision making authority on all matters relating to the Association.

8.3 The AGB meeting will normally be held in January or in February every year. The invitation accompanied by the agenda, annual report, annual accounts, Auditor's report, next years programme, budget and any proposal and/or amendments to the constitution shall be circulated by the EC at least 10 days prior to the meeting.

8.4 An EOGB meeting can be called by the GB and/or by the EC at any time. The EC is obliged to hold an EOGB meeting within a month's time if one-fifth of the members demand it, having given the agenda which they propose to bring up at this meeting. EOGB meetings are called to consider matters that must be settled before the next AGB. The invitation to the EOGB meeting with the agenda must be sent by the EC at least 10 days prior to the meeting.

8.5 During the course of its meeting, the AGB shall deliberate and decide, inter-alia, on the following matters though not necessarily in the order mentioned below :

1. President's welcome address;
2. Election of the Day's Chairman, from amongst non-members of the existing EC, to conduct the business of the meeting;
3. Nomination of the Proceeding's Recorder;
4. Approval of the membership of new members (new members are eligible to vote only after their application for membership has been approved by the AGB);
5. Consideration and approval of the minutes of the last meeting of the AGB and/or EOGB;
6. Consideration and approval of the annual report;
7. Consideration and approval of the annual accounts and the Auditor's report;
8. Relieving the EC of its responsibilities for the past year;
9. Nomination and election of the President, Secretary, Treasurer and other member of the EC. Proposals for the President, the Secretary and the Treasurer shall, with the due consent of the persons proposed, be forwarded to the Day's Chairman in writing;
10. Nomination and election of Auditor(s);
11. Consideration and approval of the next years programme, membership fees and budget;
12. Consideration and approval of proposals and / or amendments to the constitution put forward by the members or by the EC;

Proposals and/or amendments to the constitution put forward by the members shall be addressed to the Day's Chairman and sent to the Secretary of the Association not later than the 15th of December, the date of dispatch as indicated by the PTT Stamp being considered valid. All proposals and/or amendments to the constitution to be considered by the AGB shall be sent to the members along with the invitation to the meeting of the AGB;
13. Any other matter with the consent of the AGB, except amendment of the constitution and the dissolution of the Association.

8.6 All matters before the GB will be decided by a simple majority of the voting members. Amendments to the constitution shall require approval by a two-third majority of the voting members. Persons abstaining from voting shall not be considered as voting members.

8.7 Every Individual and Honorary Member has one vote. Vote by proxy is not permitted.

8.8 Election of the President, the Secretary and the Treasurer, if a contest takes place, shall be by secret ballot. Election to other posts shall be by open ballot. If a majority is not attained in the first round, the person having the maximum number of votes in the second round will be considered elected.

8.9 Minutes of the GB (record of decisions only) prepared and signed by the Proceeding's Recorder and the Day's Chairman should be sent to all members (past and current year) within a maximum period of four weeks.

8.10 All decisions of the GB shall be recorded by the Secretary separately. These decisions shall continue to remain applicable in the future unless decided otherwise.

ARTICLE 9: THE EXECUTIVE COMMITTEE

9.1 The EC shall normally consist of 3 to 5 Members elected by the GB. The President, Secretary and Treasurer will be elected separately. Distribution of other charges among EC members and guidelines to be followed in subsequent meetings will be decided by the EC at its first meeting.

9.2 Any Honorary or Individual Member of the Association who had voting rights at the last AGB meeting and is of Indian Origin is eligible for election as President.

9.3 Any Honorary and Individual Member of the Association who had voting rights at the last AGB meeting is eligible for election as Secretary, Treasurer and other Member of the EC.

9.4 The EC shall represent the Association in all matters, shall enforce the decisions taken by the GB and shall decide on all matters relating to the Association. It is responsible to the GB for all its actions and decisions.

9.5 The normal tenure of the members of the EC shall be one year. Re-election is permissible. In case any member of the EC resigns before the end of his or her tenure, one month's notice being obligatory, the EC may, after this period of one month, co-opt any member of its choice with due consideration to articles 9.2 and 9.3 until the next AGB. If both the President and the Secretary and/or 50% or more of the EC members resign before the end of their tenure, an EOGB shall be called by the EC immediately. Any resigning EC member shall remain responsible to the next GB for all actions taken by him/her up to the date his/her resignation becomes effective.

9.6 The EC can take decisions only when a majority of its members are present. In the event of a tie the President shall have the casting vote.

9.7 For every cultural function to be organised by the Association a convenor or a sub-committee headed by a convenor will be appointed by the EC with the consent of the concerned members. The appointed convenor or the sub-committee will be responsible for the organisation of the function and will submit details of all bills, payments etc. to the treasurer as soon as possible. The convenor will take part in the meetings of the EC when the concerned matter is taken up, and shall also have voting rights in matters relating to the concerned function.

ARTICLE 10: AUDITORS

10.1 Any Honorary or Individual Member who is not already a member of the EC is eligible for election as auditor.

10.2 One Auditor and one Standby Auditor shall be elected by the GB.

10.3 The Auditor and Standby Auditor shall be directly responsible to the GB.

10.4 The Auditor shall check the accounts and all financial transactions and give a report in writing to the EC for distribution to the members. If for any reason the Auditor is unable to discharge any of his functions, the Standby Auditor will replace him/her.

10.5 The normal tenure of the Auditor and the Standby Auditor shall be one year. Re-election is permissible.

ARTICLE 11: THE ANNUAL YEAR

11.1 The annual year of the Association shall begin on 1st January and end on 31st December of the same year.

11.2 Annual accounts shall be closed two weeks prior to the GB at the latest.

ARTICLE 12: ANNUAL MEMBERSHIP FEE AND VOLUNTARY CONTRIBUTIONS

12.1 All Individual Members shall pay an annual non-refundable membership fee, the amount being fixed by the GB.

12.2 All Associate Members shall pay an annual non-refundable donation; the amount being fixed by the GB.

12.3 The Patron and Honorary Members shall be exempted from payment of the annual membership fee.

12.4 The Patron, Chief Guests, members of the EC, the convenor and members of the Sub Committees shall be exempted from payment to attend the respective function of the Association. Children below 16 years of age at the beginning of the annual year of Individual Members shall also normally be exempted from payments to attend the functions of the Association.

12.5 With a view to furthering its aims, the Association may accept and collect voluntary contributions.

ARTICLE 13: SPORTS EVENTS

The EC shall organise and conduct sports tournaments annually in accordance with the rules and regulations postulated in Annexe. Changes in the rules and regulations can be made only by the GB.

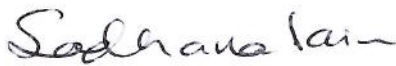
ARTICLE 14: LIABILITIES

Liabilities of members are limited to the membership fee and that of the Association to its assets.

ARTICLE 15: DISSOLUTION

The Association can only be dissolved at an EOGB meeting especially called for this purpose. The decision to dissolve can only be taken by a three-fourths majority of the members present. The distribution of its assets shall also be decided at the same meeting.

This constitution and its Annexe had been adopted by the members at its constitutive meeting held on 14th July 1996 and approved by the first Annual General Body meeting held on 16th February 1997. The amendments were adopted at the third AGB meeting held on 16th January 1999 and the fifth AGB meeting held on 27th January 2001.



Sadhana Jain, President



Akhilesh Mathur, Secretary

Berne, 16th February 1997 / 16th January 1999 / 27th January 2001

Enclosure: Annexe

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ANNEXE TO ARTICLE 13: SPORTS EVENTS

Rules and regulations for organising and conducting the Annual Sports Tournaments

ARTICLE 1: RESPONSIBILITY FOR ORGANISATION

The sports convenor elected by the GB or nominated by the EC shall be responsible for organising and conducting the annual sports tournaments.

ARTICLE 2: PARTICIPANTS

Participation in the sports tournaments is restricted to individual and honorary members of BAB.

ARTICLE 3: EVENTS

- Bridge: Doubles
- Chess: Singles
- Bowling: Singles
- Badminton: Singles
- Carom: Singles
- Table Tennis: Singles
- Rummy: Singles

ARTICLE 4: AGE GROUPS

Games will be played according to the following age groupings:

- Bridge: Open
- Chess: Juniors (Mixed), Adults (Women and Men)
- Bowling: Children (Mixed), Juniors (Mixed), Women, Men
- Badminton: Children (Mixed), Juniors (Mixed), Women, Men
- Carom: Children (Mixed), Juniors (Mixed), Women, Men
- Table Tennis: Children (Mixed), Juniors (Mixed), Women, Men
- Rummy: Open

Age groups shall be defined as follows:

- Children are those who have not attained 12 years of age at the beginning of the annual year.
- Juniors are those who have not attained 16 years of age at the beginning of the annual year.

ARTICLE 5: NEW SPORTS EVENTS

The EC can introduce new sports events. These events should be organised in accordance with one or more of the above age groupings. The continuation of the new sports events shall require the approval of the GB.

ARTICLE 6: DATES AND VENUES

The dates and venues of the sports tournaments shall be announced at least 6 weeks in advance. These shall not be held during the school vacations in the Canton of Berne.

ARTICLE 7: ENTRIES

Entry forms shall be sent to members by the convenor or the EC. Entries sent by members must reach the convenor at least 2 days prior to the particular sports event.

In general only persons whose forms are received at least 2 days prior to the particular sports event shall be allowed to participate.

In every age group nominations of at least 4 players or teams are required. In case the quorum has not been attained, players/teams belonging to the age groups children and juniors may be clubbed together. Similarly the age groups women and men may also be clubbed together. In any case the winners list will be made for each age group separately. Medals will be awarded only when there are at least two players/teams in the particular age group.

ARTICLE 8: SCHEDULE

Games shall commence punctually. All matches shall be completed on the announced date. If for any reason a match has to be postponed an alternative date shall be agreed upon by the players concerned. If no agreement is reached the winner shall be decided by drawing a lot.

ARTICLE 9: MODE OF PLAY

The convenor shall decide upon the mode of play (knock out or robin round) according to the number of entries received and the time available.

ARTICLE 10 DRAW

On the day of the event, 15 minutes prior to the start of the particular event, an open draw shall be conducted by the convenor. Participants not present at the time of the draw shall not be eligible to participate in the event.

ARTICLE 11: SEEDING

As per the current ranking list the four highest ranked entries shall be seeded so that they cannot meet before the closing round of the event.

ARTICLE 12: RULES OF PLAY

Rules of play shall be in accordance with current national standards. Exceptions as decided by the convenor shall be announced to the players/teams before the commencement of the event. The decisions of the convenor in this matter shall be final.

ARTICLE 13: ENTRY FEES

Entry fees shall be fixed by the EC. Players/teams who had sent their entries but were unable to participate in the event shall nevertheless be obliged to pay the entry fee.

ARTICLE 14: MEDALS

To the first four players/teams medals or certificates shall be awarded for each event and each age group.

The amendments were adopted at the second AGB meeting held on 21st February 1998 and sixth AGB held on 19th January 2002.