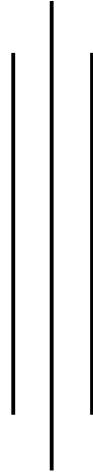


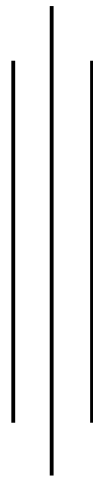


ASSOCIATION OF NEPALI TERAIAN IN AMERICA
For Teraiyan Identity, Integration and Empowerment

Association of Nepali Teraians in America (ANTA)



BYLAWS



Adopted on
12th March, 2017



ASSOCIATION OF NEPALI TERAIAN IN AMERICA **For Teraiian Identity, Integration and Empowerment**

ARTICLE I: NAME & OFFICE

Section1: Name

The name of this organization shall be the Association of Nepali Teraiian in America (hereinafter called "ANTA" or "the Association"- doing business with official website as www.terai.org). It shall be an autonomous, independent, non-profit, non-political organization, which shall be registered as a tax-exempt organization under Section 501(c)3 of the Internal Revenue Code.

Hereafter, "Teraiian" means the people from Nepal with Madheshi origin. "Madhesh" is the Southern Plain of Nepal from East to West and the term "Madheshi" refers to the people, whose relatives or ancestors has/had permanent residence in Madhesh and speaks languages spoken in Madhesh as mother tongue, and is/was citizen or is eligible for citizenship of Nepal.

Section2: Office

ANTA shall maintain a registered office in the State of Texas and shall have a registered agent at such office, and ANTA may have other offices within or outside the state.

ARTICLE: II: VISION

Promote unity and identity among Nepali Teraiians (Madheshis), facilitate close co-operation and networking to integrate and empower Madheshis and friends of Madheshi in North America. Towards that goal, ANTA's programs will focus on the opportunities and challenges in the following three pillar areas:

1. Professional Development & Communication among madheshis;
2. Cultural Awareness; and
3. Community Service & Philanthropy.

ARTICLE III: GOALS AND OBJECTIVES

The Goals and Objectives of ANTA are as follows:

- a. Promote close cooperation and networking among Madheshis in North America.
- b. Promote advancement of the Madheshi's Identity, Linguistic and Cultural heritage in North America.
- c. Promote collaboration, and strengthen close relations with Madheshi and other Nepali organizations dedicated to the welfare of Nepali Madheshi people in North America and beyond.
- d. Help people/organization(s) to conduct and promote social welfare programs in Madhesh. Provide support to the promising Madheshi students coming to the USA for the higher education.



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- e. Promote women's cause to promote equality and professional development of Madheshi women.
- f. Promote Madheshi culture to the young generations in the North America, and to help build and develop platform for young generations to actively promote the sports, skill development and technology.
- g. Support and raise funds for charitable causes.

ARTICLE IV: RESPONSIBILITIES

The responsibilities of ANTA shall be:

- To direct, manage, supervise, and control the business, property, and funds of ANTA and any sponsored organization or program.
- To govern the organization, make overall decisions and create policies and procedures on behalf of all chapters in order to guide and steer the organization.
- Create, set standards for, and coordinate with affiliated Chapters and committees of ANTA.

ARTICLE V: CENTRAL EXECUTIVE COMMITTEE

1. ANTA Central Executive Committee (hereafter called, "the Executive Committee or CEC") shall consist of Executive Officers, Members, Immediate past president, and Chapter President representing each affiliated Chapter. The Executive Committee shall formulate policies, plans and implement programs and activities to achieve the objectives of the Association. The interpretation of this by-laws by the Executive Committee shall be final and binding. To revise the interpretation, the proposer must provide the wording of the proposed changes per the amendment process provided in the By-laws to the Executive Committee for their review and consideration. The Executive Committee will review the proposal and will make final decision in regard to the proposed amendment.
2.
 - a. The Central Executive Committee shall comprise of nine (9) executive Officers. The CEC officers position will be for a President, Senior vice president, two (2) Vice Presidents, a General Secretary, a Joint Secretary, a Treasurer, a Spokesperson, and a Chief Technology Officer. The Executive Committee shall always have odd number of voting members.
 - b. The central executive committee can nominate a maximum of 5 members in addition to elected 5 members to guarantee representation and participation from various regions and to ensure inclusiveness and to encourage diversity, after the convention, if deemed necessary.
 - c. The Executive Committee shall have at least two (2) woman members. In case women are not represented in central executive committee through election process, the CEC will nominate at least 2 (two) women members in the CEC after the convention.
 - d. As the Chief Technology Officer (CTO) requires educational background in the field, the CTO position will NOT be an elected position. The Chief Technology Officer will be nominated by the President and approved by the Executive Committee.



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- e. All elected officers and members of the Executive Committee will have the voting right. The executive committee members nominated by the Central Executive Committee will also have the voting right; except the Chief Technology Officer.
3. Any CEC member and/ or Chapter Executive member who has any serious criminal charges or violated the Bylaws of ANTA or declared felony by US justice system or local law enforcement, will be suspended by the recommendation of ethics committee and approved by CEC until cleared of such charges. Also, the details of such charges and eligibility will be verified by the Ethics committee and CEC for future reinstatement.
 4. The election of the Executive Committee shall be conducted as stated in this by-laws. Each elected Executive Committee Member shall be an active member in good standing of affiliated Chapter or ANTA. All the Executive Committee members shall be elected in the manner prescribed in this by-laws.
 5. The term of Executive Committee members shall serve for two year term. The term will start from 1st January following the convention till December 31 for the next 2 years. No Officer of the Executive Committee shall hold the same post for more than one (1) term.
 6. Once elected, Executive Committee members shall serve for a full term except in the event of the person's death, resignation, removal, or recall or loss of membership in the Association.
 7. The Executive Committee shall have the authority to hire and terminate an administrative staff as deemed necessary, and compensate for the person's services.
 8. The Executive Committee is authorized to appoint and organize various Committees to fulfill the functions of the Association to attain the objectives set forth in these Bylaws. Each committee shall consist of at least one (1) Coordinator from the Executive Committee. Such committee will develop the programs and procedure for implementation of activities with approval of CEC. The Executive Committee is authorized to modify committee proposition, amend or terminate any committee at any time. The Executive Committee may form or authorize the President to form a committee and to appoint, or nominate members of such Special Committees as deemed necessary to achieve the goals and objectives of the Association.
 9. The Executive Committee shall take any action or decision required to be taken at the meeting of the Executive Committee through any means including email, internet facility, social media, new technology tools and conference calls.
 10. The central executive committee, by simple majority can take all operational administrative decision. In any case, the decision taken must be validated by the majority of central executive committee. The decision of the majority of central executive committee shall be valid against any decision of the individual officer including president.
 11. The Executive Committee shall hold meetings periodically as required for the administrative



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operation. CEC shall have a meeting at least once a year, to discuss the organization's work, including but not limited to, review the past year's activities, review accounts, consider and recommend policy changes, consider any other business of the agenda that is allowed by the presiding officer at his or her sole discretion. The central executive committee shall make an annual calendar plan for activities of ANTA. The annual meeting can be organized during a cultural event (*like.Holi, Chhatha etc.*) at any chapter of North America.

12. The Executive Committee shall hold a general convention, at least once in two years for planning activities, update, and review progress towards achieving its objectives, to review books and accounts, and to recommend policy changes and to consider any other business on the agenda.
13. The Executive Committee shall appoint an Audit Committee consisting of at least three (3) officers and/or members of the Executive Committee. The Audit Committee shall review and submit audit report to the Executive Committee at the next annual meeting of the Association.
14. Notwithstanding any other provision in the by-laws, not more than two persons serving on the Executive Committee may be an interested person. For purposes of this section, an "interested person" means:
 - (a) Any brother, sister, father, mother, son, daughter, spouse or in laws of any Executive Committee Member;
 - (b) Any Executive Committee member serving on other boards or maintaining business interests that does not constitute a conflict of interest
15. In order to avoid any conflict of interest, President of ANTA cannot serve as an executive officer at any other Non-Governmental Organization affiliated with Madheshi/Teraian, Nepali (with exception of Professional Organization), for current and immediate next tenure. If anyone is found in violation of this requirement, such person can be removed from ANTA's membership.

ARTICLE VI: RESPONSIBILITIES AND DUTIES OF EXECUTIVE OFFICERS

1. **PRESIDENT:**

The President Shall:

 - a) Preside at all meetings, annual, general conventions of the Association and meetings of the ANTA Central Executive Committee.
 - b) Act as chief executive officer and in consultation with the Executive Committee shall develop and implement short term and long-term goals, vision, and plan for ANTA. Provide overall leadership of the Association, supervise, monitor and carry out general affairs and ANTA activities. Adopt and implement, resolutions and directives of the Executive Committee, and perform such other duties expected from the President of ANTA.



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- c) Report on ANTA affairs at the convention and other reports as decided by the Executive Committee.
- d) Comply and ensure that all regulatory requirements (such as filing IRS Tax Forms, etc.) have been met on a timely fashion.
- e) Be liable to the association, and will not misuse the position for the personal benefits which constitutes a conflict of interest.

2. SENIOR VICE PRESIDENT:

- a) The responsibilities and duties of the Senior Vice President shall include, but not limited to; the growth of memberships, fund raising, support to committee, publications, and conferences.
- b) He/ She shall develop and implement short- and long-term strategies, goals, objectives, policies and procedures in coordination with president and CEC.
- c) He/ She shall help promoting chapter activities in order to effectively execute on key goals in coordination with the Chapter president.
- d) The Senior Vice President shall act as President in the event of the President's death, resignation, removal or temporary absence and shall have all the authorities and duties of the President.

3. VICE PRESIDENT (National)

- a) The responsibility of Vice President (National) shall include, but not limited to the growth of memberships, fund raising, outreach, education, internet, press, publications, and conferences in cooperation with Sr. Vice president, President, and CEC. He/ She shall help to develop and implement short-term and long-term goals, objectives, policies and procedures to the affiliated chapters.
- b) The Vice President (National) will also support all committees, coordinate with them and report on their activities to the Executive Committee.
- c) The Vice President (National) shall act as Sr. Vice-President in the event of the Sr. Vice-President's death, resignation, removal or temporary absence and shall have the authority and will be responsible to carry out duties of the Sr. Vice-President.

4. VICE PRESIDENT (International)



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- a) The responsibility of Vice President (International) shall be liaison, and will coordinate international activities including Nepal, but not limited to share the responsibilities of Senior vice president.
- b) The Vice President (international) will also support and develop networking with international communities and organizations.
- d) The Vice president (International) will carry out any other responsibilities as designated by the CEC.

5. GENERAL SECRETARY

- a) The General Secretary shall record and maintain all the proceedings, of the meetings of the Executive Committee and distribute minutes of the meetings to the appropriate members within one month from the date of the meeting.
- b) The General Secretary shall maintain a current membership list indicating the names and addresses of all the members of the Association, and indicating those members that are entitled to vote on any proposed action to be submitted for consideration by the members.
- c) The General Secretary shall serve all notices required by this by-law. The General Secretary shall be responsible for all reports required by law and shall perform such other duties as may be required by the Association or delegated by the Executive Committee.
- d) The General Secretary shall be responsible for maintaining and securely archiving all official records of the Association. At the conclusion of his or her term, the General Secretary shall turn over to his or her successor all books and others papers of to the Association that the General Secretary may have in his or her possession.
- e) The General Secretary shall act as the coordinator of disciplinary and ethics committee formed for disciplinary actions (suspensions, revocation, etc.) against any ANTA member.

6. JOINT SECRETARY

- a) The Joint Secretary shall act as General Secretary in the event of the General Secretary's death, resignation, removal or temporary absence and shall have all the powers and duties of the General Secretary.
- b) The Joint Secretary shall work as the Chief Editor of ANTA's news Letter anticipated to be published periodically, at least every six months.



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- c) The Joint Secretary shall perform all other duties delegated by the President in consultation with the CEC.

7. SPOKESPERSON

- a) The Spokesperson's duties include arranging press conferences, appearing for media interviews, and corresponding with individuals and groups on behalf of ANTA.
- b) The Spokesperson, under the supervision and direction of the President with approval of the Executive Committee shall manage affairs outside the organization, including developing and implementing goals for corporate relations and community/public relations, and shall assist the President and the Executive Committee.
- c) The Spokesperson, must take the consent from the Executive Committee for press release or corresponding media interviews.

8. TREASURER:

- a) The Treasurer shall be the custodian of all funds of the Association, shall maintain bank accounts, receipts and disbursement of funds and shall give complete financial reports to the Executive Committee.
- b) The Treasurer shall prepare a financial statement sufficiently detailed for the preparation of any annual reports or tax returns required by the Internal Revenue Service. He/she shall fulfill all regulatory requirements such as filing IRS tax returns etc. on a timely fashion; sign all documents issued by ANTA when required; affix the corporate seal of the organization when required; keep the financial accounts and records; and be responsible for proper internal control procedures and also make a report thereof at the general convention.
- c) The Treasurer shall prepare annual budget and give a report of the financial condition of the Association at each meeting of the Executive Committee and at the Association's Convention. The Treasurer shall perform such other duties as prescribed by the Executive Committee. At the conclusion of his or her term, the Treasurer shall turn over to his or her successor all financial books and records of the Association that are in his or her possession, and shall relinquish to his or her successor all rights to corporate accounts and monies.

9. CHIEF TECHNOLOGY OFFICER:

- a) The Chief Technology Officer (CTO) under the supervision and direction of the President and the Executive Committee shall serve as the Chief Technology Officer for the Organization and manage affairs related to the use and implementation of technology for ANTA operations,



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including but not limited to; social media, website management, ANTA's member relationship management software, the blog and other technical requirements.

- b) The CTO will be responsible for creating short and long term goals to enhance the operations of ANTA through the use of technology.
- c) The CTO will be responsible to ensure that the only designated representatives as identified by the Executive Committee have access and permission to update, upload information/messages on ANTA website and on ANTA's social media outlets.
- d) The CTO shall make a report to ANTA annual and the general convention and as directed by the President or the Executive Committee. When term is over, CTO must handover the passwords, technological information to new CTO by the recommendation of central executive committee.

10. EXECUTIVE MEMBERS:

- a) ANTA shall have five (5) elected executive members, one (1) immediate past president, president of each approved chapter, and a maximum of 5 nominated members by the CEC.
- b) The executive members will support and perform the duties delegated by the executive officers for the activities to achieve the goals and objectives of ANTA as and when required.
- c) The executive members will be responsible for providing opinions and to take decisions on the action items of the executive committee.
- d) The executive members will help to coordinate with the committees formed by the president or the CEC as required. The executive members can represent ANTA proposed by the president and validated by the CEC.
- e) The executive members will participate in all central executive committee meetings to discuss on the agenda forwarded by the president and /or the general secretary.

ARTICLE VII: BOARD of ADVISORS

Section 1:

- a. The Association shall have a Board of Advisors consisting of individuals whose primary responsibility shall be to advise the President and Executive Committee on broad spectrum of issues that will be in the best interest of ANTA's vision, goals and objectives as outlined in this by-laws. The Board of Advisors will also be available to represent ANTA and perform any duties requested/assigned by the Executive Committee. The Board of Advisors shall be



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individuals with proper qualifications as seen fit to advise the current Executive Committee officers and members in meeting short-term operational and long-term strategic goals. The board of advisors will also help and oversee the smooth transfer of powers from outgoing CEC to upcoming CEC.

- b. The Executive Committee shall constitute the Board of Advisors within two months of the beginning of its term. To appoint an individual to the Board of Advisors, the President, after consultation with the Executive Committee, must make a nomination. The member must be confirmed by a simple majority vote of the Executive Committee. The nomination of board of advisors must be done in the following categories: Professional or Academician, Social activist or Senior citizen, Entrepreneur or Media specialist, Past-president or chapter past president, Life member or honorary member, ANTA award winner or ANTA well-wisher and past executive committee members.
- c. The Board of Advisors shall have up to 7 members where no more than two (2) persons will represent from each category. The Board of Advisors shall not have the voting rights. Board of Advisors may have a chairperson who will call advisors meeting in case of emergency.
- d. The Board of Advisors shall not serve as Executive Committee members. However, they may serve as Officers of Chartered Chapters or the chairs and members of a committee constituted by ANTA CEC.
- e. The tenure of the members of Board of Advisors shall be for two years as is for the CEC, and is renewable. To remove a member of the Board of Advisors, the President must submit a resolution to the Executive Committee. The member of the Board of Advisors shall be removed by a simple majority vote of the Executive Committee. A member of the Board of Advisor may choose to resign at any time upon written notice to the President.

Section 2:

- a. All the members of the Board of Advisors may be allowed to participate in the Executive Committee meetings.
- b. All of the members of the Board of Advisors may be included in any executive committee communication and kept updated on ANTA's activities.
- c. All of the members of the Board of Advisors will be allowed to participate in ANTA events.
- d. In the event, when the ANTA Executive Committee has a severe dispute /conflict to operate the organization effectively intended for its purpose, CEC may reach out to the Board of Advisors or Board of Advisors will request to convene the meeting to the executive committee, if necessary, and do it's best to ensure that ANTA remains an organization to function its duties as outlined in these bylaws.



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e. If the Executive Committee is unable to resolve the conflict, the board of advisors will analyze the cause and may seek opinion of the general members. For such a conflict condition, after consultation with the general members, the advisory committee will provide the decision in compliance with ANTA bylaws within one month, and that will remain valid as final decision to run the organization by the CEC. In case CEC does not agree with the proposed decision of advisory committee, the CEC may provide alternate proposition, and the final decision can be made by the CEC through the approval of any of alternate proposition by 2/3rd majority of CEC members.

ARTICLE VIII: MEMBERSHIP

1. MEMBERS

Membership shall be open to any individual who supports the goals and objectives of the Association as stated in the bylaws. Such persons may become members after completing a Membership Application, obtaining the approval of the Central Executive Committee (CEC) and paying the applicable dues. The central executive committee will determine the fee for membership on recommendation by the appointed committee. The membership fee will be reviewed by the membership committee during the annual meeting for each category. The profile of life member will be reviewed and updated before the annual meeting by the membership committee. If any ANTA life member is found inactive for continuous five years, the voting right of such member can be on hold after notification. The Association membership shall be of following categories:

- a. **GENERAL MEMBER:** To become a General Member, one must be at least 18 years old, living in North America and submit an application and pay membership dues. Anyone seeking membership as General Member shall directly submit his/her or designated application and dues, on line or by mail/email, to the Treasure or to the person authorized by the Association. Each General Member shall have the voting right of one.
- b. **LIFE MEMBER:** To be a Life Member, Member must pay life membership dues. Life Membership will eliminate any outstanding dues as a general member. Life membership shall be valid for rest of the Member's life. The Life Membership cannot be inherited, bequeathed, assigned or transferred. A Life Member shall have the voting right of one.
- c. **ORGANIZATIONAL MEMBER:** ANTA membership will be open to any organization that will promote collaboration and close relations with ANTA and will work in support and to promote ANTA's goals and objective. Any organization seeking organizational membership shall directly submit membership application and dues, on line or by mail/email, to the Treasurer; or to the person authorized by the Association. An Organizational Member shall have the voting right of one, and all conditions applicable to General member. The



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Organizational member will also be provided free Registration for up to maximum of two (2) individuals at ANTA conventions.

- d. **ASSOCIATE MEMBER:** To be an Associate Member, one must be at least 18 years old, living in North America, attend the general convention with an application and pay convention fees. The associate member will not have voting right. An associate member will be considered a valid member only for 2 years (up to the next convention) for the communication purpose only. A general membership will be required to participate in ANTA organizational activity.
- e. **HONORARY MEMBER:** The Association may, at its discretion, confer Honorary Memberships to distinguished persons who are recognized nationally or internationally in their profession and have significantly contributed to the betterment of ANTA, Nepal and Nepalese in general. Honorary members shall not be required to pay membership dues. Honorary members shall have no voting rights. Honorary members shall be entitled to membership for the assigned term.

2. ADMISSION AND REVOCATION

The Executive Committee shall have power and discretion to issue procedure for filing an application for a membership. The application for membership shall be reviewed and approved, at its discretion, by the Executive Committee. The membership can be revoked by the Executive Committee if the Executive Committee determines that a member has violated or acted against the objectives or by-laws of the Association.

3. MEMBERSHIP DUES

Membership dues for each class of membership shall be as mentioned in this by-laws. Renewal of the membership is due (in two years) on January 1 of the beginning of the tenure of executive committee, and the membership will be valid for the period of current Tenure of executive committee. Registration to attend general convention will automatically pay for associate membership fee for two years for next tenure of central executive committee. Persons who fail to pay dues when they are considered in arrears will be removed from the membership list and his or her membership shall be automatically and immediately terminated. In any case the membership will be valid for only current tenure.

At the sole discretion of CEC, a terminated member can be reinstated as the active continued member once all outstanding dues are paid or the cause for termination is clarified. Otherwise, a new membership will be required to be obtained.

ARTICLE IX: GENERAL CONVENTION



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1. The Executive Committee shall hold at least one GENERAL CONVENTION for each tenure of central executive committee (every two years) at an appropriate time during fall season to transact the Association's business such as, conduct elections as provided in Article XII of this by-laws, review activities for the past two years, receive and adopt amendments, if any, to the by-laws, consider any policy changes or new policies and transact any other business included in the agenda or allowed by the presiding officer at his or her discretion.
2. The Executive Committee will conduct election for the upcoming executive committee officers and members. However, nomination of the additional executive members, committee chairs and advisors for the new term as required and as described in this by-laws will be done by the new executive committee. The new Executive Committee will have to be in full shape prior to starting its term (say January 1).
3. In the event the above-described arrangement is not possible in a particular year due to unforeseen circumstances, Executive Committee shall make appropriate decisions to hold General Convention for the particular year at an appropriate time and place but not later than 120 days of the termination date (December 31) of CEC. In such event, all members of the association should be informed for the postponement of the convention with the valid reasons.
4. The date of next convention will be proposed during the convention preferably in the week of labor day, and the date will be confirmed during the annual meeting. The final date of convention will be informed to all the stakeholders through the website and suitable means of communication.

ARTICLE X: MEETINGS

1. The President shall preside over the meetings. Each Executive Committee member qualified to vote shall have only one vote each, which shall be exercised by the members at the meeting. The Executive Committee shall have the following meetings:
 - a. Annual Meeting: The Executive Committee shall hold at least one Annual Meeting every year at an appropriate time to transact the Association business such as, review the activities for the past year, receive and adopt amendments, if any, to the by-laws, consider any policy changes or new policies and transact any other business included in the agenda or allowed by the presiding officer at his or her discretion as stated in bylaws.
 - b. Regular meetings: The Executive Committee will meet at least once every month to discuss the business of the Association.
 - c. Special meetings: If for any reason, a meeting of the Executive Committee is deemed necessary by Executive Committee Officers or members and a representation to that effect is received by the Executive Committee, such a meeting shall be called by the Secretary within 15 days of the receipt of such a request.



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- d. Extraordinary/Emergency meetings: The President or the G. secretary may call an extraordinary/emergency meeting at any time if such meeting is necessary.
2. Notice of Meetings : R e g u l a r meeting or meetings shall be called upon no less than 7 days written notice to each Member.
3. Venue and Means of Meetings: The President and/or G. Secretary, with the consent of the Executive Committee, shall specify the place, date and time of annual, regular, special and other meetings of the Executive Committee. Meetings can be held as Conference Call meetings. Executive Committee Members should be provided the Conference Call Number and Passcode to call in no later than at least one day before the meeting.
4. Conduct of Meetings: The order of business at meetings shall be fixed by the President and all meetings schedule of the Executive Committee shall be made public by placing on ANTA website.
5. Agenda for Meetings: The agenda for each regular Executive Committee meeting shall be assembled by the President or General Secretary as designated. Any Officer or Delegate may transmit material and recommend guests for inclusion on the agenda. Such material shall be submitted no later than 7 calendar days prior to the meeting. The President or General Secretary shall distribute the agenda to the Executive Committee members no later than 5 calendar days prior to the date of the meeting. Additional items may be placed on the agenda at a regular meeting by a majority vote of the Executive Committee members present.
6. Decision: The decisions of the Executive Committee shall be made by a majority of those present in a meeting, at which quorum is satisfied, except when otherwise designated in this by-laws.
7. Motion to Reconsider: A motion to reconsider may be made at the same meeting at which the vote was taken or a subsequent meeting by any Executive Committee officer or member who did not vote with the majority.
8. Compensation of Executive Committee Members: All members shall serve voluntarily without compensation.
9. If a member of the Executive Committee is absent from the Executive Committee meetings consecutively three times without any notice, the Executive Committee may take proper action including dismissal from the Executive Committee . The notice must be sent to the President or General Secretary by an email or regular mail with the reason of absent.

ARTICLE XI: QUORUM

In the case of the Executive Committee meetings, a simple majority of CEC members will constitute



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the quorum. Members of the Executive Committee may participate in a meeting of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other and such participation shall constitute presence in person at such meeting.

ARTICLE XII: ELECTIONS

1. An election shall be held for the positions of the upcoming Central Executive Committee every other year. The election will be held for eight (8) executive Officers and five (5) executive members. The executive officer position for which election will be held are: a President, a senior vice president, a Vice President (national), a vice president (international), a General Secretary, a Joint Secretary, a Treasurer and a Spokesperson. An Executive committee is considered effective for a period of 2 years effective from January 1 and terminating on December 31 of the following year unless otherwise stated in this By-laws. The election process and procedure will be reviewed during the annual meeting. The election procedure must be confirmed at least 60 days in advance of the date of convention by central executive committee. In any case, the election should be completed by the noon of the inauguration of the convention.
2. During election year, at least 60 days prior to Association's general convention, the President in consultation with the Executive Committee shall appoint an Election Committee consisting of a minimum of 3 (three) to a maximum of 5 (five) members, one of whom shall be designated as the Chairperson of the committee. The president will provide an election calendar plan with the consent of central executive committee to election committee.
3. Election Committee members shall not be a candidate for any of the positions in the election of that year. The valid member must be registered prior to 30 days of the convention date in order to be eligible to vote for election of that year.
4. The Election Committee shall publish the election timelines and start the election process at least 45 days prior to the convention date.
5. The Election Committee shall invite nominations from members for the position(s) to be elected as defined in election calendar. All the nominations for the positions shall be filed within the timeline specified by the election calendar. The candidates nominated must be valid general member or life member, and nomination must be with the consent of the member. One person shall contest election for only one position .
6. Candidates filing for the President of ANTA, who is serving currently as an executive officer at any other Non-Governmental Organization affiliated with Madheshi/Teraian, Nepali (with exception for Professional Organization) will not be eligible for filing the nomination due to conflict of interest. After being elected, President of ANTA cannot serve as an executive officer of any Non-Governmental Organization affiliated with Madheshi/Teraian, Nepali (with exception



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for Professional Organization), for current and immediate next tenure. The candidate may need to sign the commitment letter for conflict of Interest per requirement of election committee.

7. Any ANTA member, charged with felony under federal or State law will not be eligible for the nomination until the charges are cleared. The details of such charges and member's eligibility will be verified by the election committee, and ethic committee.
8. In case when found not in compliance with election and organizational requirement, the person can be disqualified even after being elected. In such case, the CEC will decide the process to fill such position.
9. All candidates must be current members of ANTA in good standing, and have not violated or acted against the objectives or by-laws of ANTA and CEC decision. Candidates seeking officers position must be a voting member of ANTA in good standing at least for 2 years at the time of filing nomination. The candidates nominated for the positions of President and Treasurer shall at least be permanent residents/green card holder or citizen of USA and have served ANTA at least for a Tenure. The eligibility criteria for other CEC officers and members will be defined by election committee.
10. The Election Committee shall publish the list of the candidates before the election date, shall give the candidates time to withdraw and publish the revised final list of the candidates before the election date as defined in election calendar.
11. The Election Committee shall hold election by members. The voter status will be verified for the valid member by the secretary of the election. The final list of voting members shall be made available before the election to the election committee.
12. Along with the election rules and regulations, the Election Committee shall distribute ballots and all necessary election materials to ANTA members before the election, and the timeline will be defined (provided) in the election calendar.
13. The election shall start before Association's general convention. All votes shall be cast by secret ballots, via online/website, mail, email or any other means as set forth by the Election Committee. The Election Committee shall count all votes and declare election at the General Convention.
14. The person receiving the majority votes for a designated position shall be declared elected by the approval of election committee.
15. The Election Committee shall complete the entire election process, certify the results, and announce the names of the elected officers.
16. If election committee determines that a fraud has occurred for the electronically casted votes, the Election committee may reject, put on hold or accept the result of that post based on the facts available before the announcement of results at convention. If the result of that post is rejected,



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the election for that post will be held within 30 days, but before the term starting date (Jan 1) for new Executive Committee. This situation will be announced at the convention, and the special election date may be announced at the convention as well.

17. If a vacancy in the Executive Committee occurs at any time during the term of the Executive Committee members, the Executive Committee, shall temporarily appoint a member to fill the position. The term of the appointed Executive Committee member shall be only for the remaining period of the term of the elected Executive Committee.

XIII: AWARDS

1. At the time of ANTA Convention every two years, ANTA awards shall be given to individuals who have achieved significant milestone in their professional life, have shown their leadership skills by leading major international organization or have contributed significantly for strengthening organizational capability of ANTA in the past. The award category can be added by the award committee with the consent of the central executive committee. At least one person in each of the following category may be awarded with the approval by the award committee. The nominee and nominator must be a valid member of ANTA.

AWARD Category

- 1. ANTA Outstanding Leadership Award:** This award will be given to an individual from Madheshi origin and ANTA member who have shown the leadership at Global Level or contributed significantly by leading major organizations at Global Level.
- 2. ANTA Outstanding Executive Award:** This award will be given to an individual who is in the current leadership team at Executive Committee who has worked very diligently to contribute in success fully carrying out activities of ANTA.
- 3. ANTA Outstanding Academic Award:** This award will be given to an individual student from Madheshi origin and ANTA member who have achieved significant milestone during the current 2 year achieved the highest degree or award, honor, scholarship in the American Educational System and has proven to be the pioneer in his/her chosen professional field such as Engineering, Law, Business, Medicine or in any such professions. ,
- 4. ANTA Entrepreneurship Award:** This award will be given to an individual who have started their own business and achieved milestone, success during current 2 years' time period. This is to encourage many fellow ANTA members or Madheshi origin to be an Entrepreneur and achieve the American Dream.
- 5. ANTA Woman Empowerment Award:** This award will be given to a female ANTA member who has achieved the milestone, shown leadership or worked for woman empowerment or contributed and volunteered significant time toward ANTA during 2 years.



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- 6. ANTA Excellence Award:** This award will be given to ANTA member who has demonstrated outstanding performance in different fields, including, but not limited to, sports, quiz contests, science inventions, etc. through National/International level competition.
 - 7. ANTA President Award:** This award will be given by the president to the person from Madhesh whose contribution is significant within last two years in ANTA's organizational development and activities to achieve the ANTA's goal nationally and internationally.
 - 8. ANTA School Student of the Year Award:** This award will be given to an individual school student to ANTA family member of madheshi origin who has achieved significant milestone during the current 2 year. Recipient of this award will be nominated by a student or parent.
 - 9. ANTA Honor Award:** This award will be given to the person of non-madheshi origin whose contribution is significant in ANTA's organizational development and activities to achieve ANTA's goal. This award will be nominated by the executive committee.
 - 10. ANTA Donor of the year Award:** This award will be given to the person who has contributed financial support, time, or resources in order to achieve the objective and goal of ANTA.
 - 11. ANTA Outstanding Chapter Award:** This award will be given to the chapter, where the work has been carried out diligently to develop social activity to strengthen the identity, integrity and empowerment of Madheshi community at the chapter level.
 - 12. Life-time Achievement Award:** This award will be given to a senior citizen of age 55 or older who has achieved significant milestone in his/her professional life, has shown leadership skills by leading major international organization, or has contributed significantly in the improvement of people's quality of life in the community.
2. The Executive Committee shall form an ANTA Award Committee every two years at least 60 days before the convention. The ANTA Award Committee shall have three members, and one of them shall be the Coordinator.
 3. The Award Committee shall decide the process, including a call for nomination and selection procedure to select recipient of the award. For the selection of the recipient, the Award Committee may develop the procedure based on the criteria described in this by-laws.
 4. Any ANTA member can nominate himself/herself for the award in any of the above categories. One person can be a nominee for one award category only.
 5. ANTA current or past central committee executive or chapter committee executives may nominate one candidate for one category only with the consent of the candidate.



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6. If no nomination is received in any category within the deadline, current executive committee may nominate up to three persons only for such category.
7. The award will be given for the category only when the nominee is competent for such category.
8. The Awards shall be given to selected awardees at the Convention.
9. The ANTA well-wishers and active members can be rewarded during the convention. The rewards can be provided to various categories recommended by the president and award committee. The reward categories and related process will be defined by the award committee.

ARTICLE XIV: FINANCIAL TRANSACTION

Section 1: Financial Transaction of ANTA

1. The president and treasurer both will have the rights to operate the bank account and both will have access to the bank accounts at any time.
2. In general the treasurer shall be the prime choice for the check transaction with the bank. However, in the absence of treasurer if required due to any unavoidable reasons, the president will operate the bank transactions by informing CEC. Treasurer will be updated with all transactions as required.
3. A suspected and unauthorized financial activity observed at any time by either treasurer or president should be brought into the knowledge of CEC. Irregularities will be identified and CEC will take appropriate action as required as per by-laws.
4. No financial commitment and contribution to anybody for any reason could be made without the knowledge of treasurer and without the approval of CEC. Any fund raising activities initiated must be with the approval of CEC.
5. Any CEC members found guilty of any financial irregularities shall be dealt with the laws applicable for a USA nonprofit 501 (C) (3) organizations.

Section 2: Financial transaction between ANTA CEC and its Chapters

1. Chapter president shall collect membership fee on behalf of ANTA Executive Committee. At least the chapter executive must be the member of ANTA, and the chapter president may complete the process of membership of chapter members, if required.
2. Chapter fund will be generated through membership fee (25%) to the corresponding territory of the chapter.
3. Any other fund raised by the chapter for charitable cause shall be sent to ANTA Executive Committee. The administrative fund will be deposited to 5% to chapter and 5% to Executive committee from such fund. If the Executive Committee decides to send such fund back to respective chapter fund for the cause it was raised, then the Executive Committee shall deduct the agreed administrative fund. The fund raised for charitable



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- cause may not be deducted with administrative cost by the decision of CEC with sufficient rationale.
4. The Executive Committee and chapters both shall maintain administrative fund and charitable fund in separate buckets. The deposit of fund will be at central executive committee, and the fund can be transferred to chapter for local activity as required.
 5. The chapter may have its own bank account under the federal tax identification number of ANTA
 6. Once a year, prior to filing of 990, chapters shall provide annual financial activities report to the Executive Committee.
 7. Only the Central Executive Committee shall issue a tax-exempt letter to the donor. It should be noted that there shall be no tax-exempt letter for membership fee as well as convention registration fee.

Section 3: ANTA Contribution/Donation to Other Organization

1. ANTA shall make direct donation to existing non-profit organization associated with the work related to donation purpose.
2. If the person who is administering the fund is not associated with any non-profit organization then donation shall be made to the third party non-profit organization who can administer the fund. Proper paper evidence shall be required.
3. ANTA members shall directly disburse the fund. Proper evidence of disbursement shall be needed.

ARTICLE XV: NOTICES AND CORRESPONDENCE

1. Signatures on Notices and Correspondence: Signatures of the President or designee by the President shall be required for:
 - a. All meetings and decisions of regular and special meetings; and
 - b. All notices and correspondence signifying final elections of the Executive Committee.
2. The Executive Committee shall determine the editorial and publication policies of any official member publications.

ARTICLE XVI: NOTICES AND WAIVERS



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1. NOTICES

Notices required by this by-laws to be given to members shall be deemed to have been sufficiently given if in writing to each member at his or her preferred address as it shall appear on the records of the Association.

2. WAIVERS

Any member may waive notice of any meetings of the Executive Committee of this by-laws. Such notice shall be in writing and may be given by signing a waiver, mailing a card or by sending an e-mail, telegram or fax, and may be given either before or after a meeting. Attendance at any meeting shall constitute a waiver of notice and no written waiver shall be required.

ARTICLE XVII: AMENDMENTS

1. ADOPTATION OF BY-LAWS

This by-laws has been approved unanimously on **12th March, 2017**.

2. AMENDMENTS

An amendment to the by-laws can be implemented by 2 ways:

- a. By the recommendation of at least 2/3 members of Executive Committee.
 - b. By the petition of general members as below.
3. a. The proposed amendment to these by-laws may be submitted in writing through the recommendation of 2/3 members of executive committee with full quorum.
 - b. The proposed amendment to these by-laws may be submitted in writing to the Executive Committee over the signatures of at least 25 members.
4. The following process shall apply:
 - a. The CEC will constitute a by-laws amendment committee.
 - b. The draft amendment will be submitted to the president by the by-laws amendment committee.
 - c. The President shall cause a copy of the proposed amendment to be circulated to all members.
 - d. Upon receiving seven (7) calendar days advance notice, the proposed amendment shall be placed on the agenda of the next duly constituted meeting of the Executive Committee.
 - e. Such amendment will be effective upon adoption by two-thirds of the members having voting rights.

ARTICLE XVIII: SEVERABILITY



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1. AUTHORITY

If any provision of this by-laws is found in violation of any superseding law or Authority, such will not affect any other or provision of this by-laws.

ARTICLE XIX: NON- PROFIT STATUS

The organization will be registered exclusively for charitable, religious, education, and/or scientific purposes under section 501 (c) (3) of the Internal revenue Code. No substantial part of the activities of the organization shall participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

ARTICLE XX: CHAPTERS

ANTA may decide to open local chapters within United States or recognize any other local organization as ANTA's chapter. In the case it is affiliated with other organizations ANTA will not be responsible for the any financial activities of such organizations. ANTA shall enter into an operating agreement which will form the basis of working with such affiliated organizations. The guidelines for chapters and affiliated organizations are as follows:

In general, a chapter should have its own by- laws suitable to their geographical region; however, that by-laws would be made in compliance with Central ANTA by-laws or simply they can use central by-laws, but it should be mentioned.

1. Definition and Purpose

A Chapter is a group of Association of Nepali Teraian in America (ANTA) members who live or work in a particular locality and who, as a matter of geographic convenience, organize themselves to promote the goals and objectives of ANTA in co-operation, coordination and collaboration. Chapters can engage only in those activities that conform to the ANTA's goals, policies, and procedures.

2. Boundaries

The Chapter boundaries are proposed by the original organizers and approved by the Chapter committee. Any change to the boundaries must be submitted to ANTA for approval. The Chapter



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Committee, with the agreement of ANTA's CEC, may change a Chapter's boundaries if deemed in the best interest of the ANTA.

3. Petition for Chapter Recognition

- b. **Application:** To establish a Chapter, ten or more regular voting members of ANTA must submit a written application to ANTA Central Executive Committee (CEC). The application shall state the name and proposed boundaries of the new Chapter and name the temporary officers.
- c. **Approval Process:** The Chapter committee of ANTA shall determine if the application for charter as a Chapter meets the minimum criteria for approval, and if so, will present it to CEC for approval. Upon approval, the Chapter is granted Chapter status.

4. Operational Relationships with the ANTA

- a. Only ANTA members in good standing may be Chapter members. All members residing or working within the geographic boundaries of the Chapter may voluntarily assign themselves to that Chapter. However, a member may request a specific Chapter affiliation where more than one Chapter is in bounds. A member shall be associated with only one Chapter at a time.
- b. The ANTA Executive Committee shall maintain contact with all Chapters by assisting Chapters, as required, through the Chapter Committee, providing names and other information of members located in the Chapter's boundaries, and sending news of ANTA activities to the Chapter.
- c. A Chapter shall verify ANTA membership status of potential Chapter members and ensure that Chapter members are first ANTA members. A Chapter shall notify the ANTA office of new Chapter members so that the ANTA database can reflect Chapter affiliation.
- d. A Chapter shall inform the Chapter Committee promptly of the names of its newly elected officers.
- e. A Chapter shall furnish progress information on a quarterly basis and an annual activities report, to the Chapter Committee.
- f. A Chapter shall submit annual financial report to the Chapter Committee and ANTA Treasurer.
- g. A Chapter shall operate under local rules and procedures that are consistent with the governing by-laws, and operational policies and procedures of ANTA. Any variations from the governing documents must be cleared through the ANTA's Chapter Committee and CEC.



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5. Chapter Officer:

The Chapter membership is represented by an elected Chapter Executive Committee with authority to take whatever legal and proper actions are necessary for the fulfillment of the ANTA's purposes. A Chapter Officer will consist of at least the President, Vice President, Treasurer, Secretary, and the most recent Past-President.

6. Responsibilities:

The Chapter President, as head of the Chapter, will be responsible for all operations. The Chapter President delegates duties to the other officers. The Chapter President's responsibilities include, but not limited to: scheduling at least two meetings per year, recruiting new ANTA members, compliance with U.S. IRS requirements regarding annual information returns, and overseeing elections conducted by the Chapter nominating committee in accordance with Subsection 7 below.

7. Chapter elections:

It is the president's duty to see that procedures for Chapter elections are carried out properly. The results of the election should be reported to ANTA CEC at least 10 days before the ANTA convention. A Chapter nominating committee will handle the elections. The nominating committee, which consists of a members of the Chapter, is/are appointed by the Chapter President.

8. Chapter Dissolution:

If a Chapter persists to act which are not considered to be in best interests of the ANTA, the CEC by a two thirds vote may take any action it deems proper, including dissolution of that chapter. Chapter dissolution does not affect ANTA membership status of the members assigned to that a Chapter. Upon dissolution, residual Chapter funds shall revert to the ANTA treasury, and use of the ANTA name as a Chapter shall cease immediately after.

ARTICLE XXI: ANTA FOUNDATION

ANTA may create ANTA foundation to promote charity work. Appropriate policy will be developed as needed to create ANTA foundation. The policy must be approved by ANTA Executive Committee.

ARTICLE XXII: DISSOLUTION

The property of this Association is irrevocably dedicated to the purposes mentioned in ARTICLE III: GOALS AND OBJECTIVES, and no part of the net income or assets of this organization shall ever inure to the benefit of any advisor, officer, or member of this Association, or



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to the benefit of any private individual, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. Upon the winding up and dissolution of this corporation, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed to a non-profit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.