

# INDIAN ASSOCIATION - LAUSANNE

P.O. Box 11, 1015 Lausanne - Postcheque account(CCP) 10-11030-2

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## CONSTITUTION INDIAN ASSOCIATION - LAUSANNE

### Article 1: NAME

The Indian Association - Lausanne (IAL) is an Association, founded in the year 1995 in accordance with the Swiss Civil Code, Articles 60 to 79 of Chapter II (Association).

### Article 2: SEAT

The permanent seat of IAL shall be in Lausanne, Switzerland. Postal Box 11 of 1015 Lausanne shall serve as the official address for correspondence.

### Article 3: LANGUAGE

For practical convenience, all the work of the IAL shall be carried out in English.

### Article 4: AIMS

- 4.1 The IAL shall be a non-profit cultural organization above all differences based on politics or language, region or religion, race or caste, creed or faith, sex or age.
- 4.2 To develop closer relations amongst Indians.
- 4.3 To foster mutual understanding between the Indians, the Swiss and other nationals.

### Article 5 : ACTIVITIES

- 5.1 To arrange discussions on various subjects of mutual interest
- 5.2 To organize cultural activities, excursions, meetings, sports etc.
- 5.3 To provide information of general interest to its members.

### Article 6: MEMBERS

- 6.1 **Individual Members** Persons over 18 years of age at the beginning of the annual year (single, couple, single-pensioned, couple-pensioned, student), accepting the aims of the IAL and agreeing to abide by the constitution of the IAL, can at any time become

Individual Members. Persons wishing to become members shall apply in writing to the Secretary of the IAL. They will be informed of the decision taken by the Executive Committee (EC).

- 6.2 **Junior/Student Members** Children of the Members (age 18 - 25 at the beginning of the annual year, having the same residential address as their parents) or students (age  $\leq$  25) of Educational Institutions are eligible for admission as a Junior and Student Member respectively.

- 6.3 **Honorary Members** The Consul-General of India based in Geneva shall be, with his consent, the Patron of IAL. Individual Members having contributed with distinction to the aims of IAL, with their consent and on proposal by any Individual Member may be elected by the GB by a two-third majority of the members present as Honorary Members.

- 6.4 **Collective Members** This membership shall be available to only organizations and associations accepting the aims of the IAL and agreeing to abide by the constitution of the IAL. The Collective Membership proposal can only be approved by the General Body (GB). The general conditions of membership (membership fee, number of votes etc.) shall be decided case to case by the GB. The number of votes assigned to Collective Membership cannot exceed at any time, one-fourth of the total membership of IAL.

### Article 7: GENERAL CONDITIONS AND RIGHTS OF MEMBERS

- 7.1 Every Member is entitled to participate in all activities of the IAL
- 7.2 Subject to conditions specified by the Executive Committee (EC), members shall be allowed to invite guests to participate in the functions of IAL.
- 7.3 A member having fulfilled his financial obligation towards IAL can resign at the end of the current annual year by making

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known his intentions to the EC. Any member who has not paid his dues before 31st March forfeits his/her membership of IAL.

- 7.4 Persons adversely affecting the aims and objectives of IAL can, if put forward by the EC, be excluded from the membership by the GB by a two-third majority of members present. In such a case, the IAL would be obliged to substantiate the case in writing by giving full explanation of termination to the person affected.
- 7.5 Persons who have resigned and those excluded from the membership of IAL shall have no claim to the assets of IAL.
- 7.6 If necessity arise, the EC can limit the number of participants for any event, on a first-come first-served basis.

#### **Article 8: ORGANS**

The organs of the IAL shall be:

- The General Body (GB)
- The Executive Committee (EC)
- The Auditors

#### **Article 9: GENERAL BODY**

- 9.1 The GB consists of Individual Members, Honorary Members, and representatives of Collective Members. Junior/Student Members may attend the GB meeting.
- 9.2 Within the framework of this constitution, the GB is the ultimate decision making authority on all matters relating to IAL.
- 9.3 The annual meeting of the GB will normally be held in March every year. The invitation accompanied by the agenda, annual report, annual accounts, auditors report, plans for next year's activities, budget and any proposal and/or amendments to the constitution being sent by EC at least 14 days prior to the meeting.
- 9.4 Extraordinary meetings of the GB can be called by the GB and/or by the EC at any time. An extraordinary meeting of the GB shall also be called within a month's time if one-fifth of the members demand it, having given the agenda which they propose to bring up at such a meeting. These meetings are called to consider urgent matters that must be settled before the next annual meeting of the GB. The invitation to the extraordinary meeting of GB with the agenda must be sent by the

- 9.5 EC at least 14 days prior to the meeting. The annual and the extraordinary meetings of the GB are only valid if at least one-fourth of the members are present. In case of invalidity of a meeting due to the above mentioned reason, a second meeting shall be called with the same agenda within a maximum of 30 days and minimum notice of 30 minutes. This second meeting is valid irrespective of the number of members present.
- 9.6 During its annual meeting the GB shall deliberate and decide, inter-alia, on the following matters though not necessarily in the order mentioned:
- a) President's welcome address.
  - b) Election of Day's Chairman, from amongst non-member of the existing EC to conduct The business of the meeting .
  - c) Nomination of the proceedings recorder.
  - d) Consideration and approval of the minutes of the last meeting of the GB.
  - e) Consideration and approval of the annual report written by the Secretary.
  - f) Consideration and approval of the annual accounts and the Auditor's report.
  - g) Relieving the EC of its responsibilities for the past year.
  - h) Consideration and approval of the next year's program, membership fee and budget.
  - i) Nomination and election of the President, Secretary, and other members of EC (if appropriate, generally every alternate year). The proposals for the President and the secretary with the due consent of the persons proposed, shall be forwarded to the Day's Chairman in writing.
  - j) Nomination and election of Auditor/Auditors.
  - k) Consideration and approval of proposals (including proposals for collective membership) and / or amendments to the constitution.
    - put forward by the EC
    - put forward by the members
- The 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 IAL not later than 28th February (date stamped by PTT being considered as valid). All the proposals and / or amendments to the constitution to be considered by the GB shall be sent to the members along with the invitation to the meeting of the GB.



- l) Other matters with the consent of the Chairperson, except amendment of the constitution and the dissolution of the IAL.
- 9.7 All matters before the GB will be decided by a simple majority of the voting members (absentees from the voting not being considered as voting members) with the exception of amendments to the constitution for which the approval of a two-third majority of the members present is necessary.
- 9.8 Every Individual Member and Honorary Member has one vote. Couple has two votes by implication. Junior and Student members have no voting rights. Vote by proxy is not permitted.
- 9.9 Each Collective Member has the number of votes decided upon by the GB. Every representative of the Collective Member, if present has one vote. Vote by proxy is not permitted.
- 9.10 Election of the President and the General Secretary, if a contest takes place, will be by secret ballot and those of others by open ballot. If a majority is not attained in the first round, then, the person having the maximum number of votes in the second round will be considered as elected.
- 9.11 Minutes of the GB shall be prepared and signed by the proceedings recorder and the Day's Chairman. These minutes must be sent by the EC to all members within sixty days of the GB meeting.
- 10.3 Other members of the EC: Persons residing in Switzerland and having been a member of IAL for the preceding one year, are eligible.
- 10.4 The EC shall represent the IAL in all matters, shall enforce the decisions taken by GB and shall decide on all matters relating to IAL. It is responsible to the GB for all its actions and decisions.
- 10.5 The normal tenure of the members of the EC shall be two years. Re-election is permissible. In case any member of the EC, giving a months notice, resigns before the end of his or her tenure, the EC may co-opt unanimously any member of its choice with due consideration to art 10.2 and 10.3 ad-interim, till the next meeting of the GB, at which his or her nomination shall have to be ratified.
- 10.6 The EC can make decisions only when at least half of its members are present, the decision being taken by a majority of the members present in case of a tie, the President shall have a casting vote.
- 10.7 For special activities, the EC may appoint subcommittees comprising of any member of IAL. For all their actions the subcommittees are principally responsible to the EC.

#### **Article 10: THE EXECUTIVE COMMITTEE**

- 10.1 The EC normally consists of five members elected by the GB: The President, Secretary, Treasurer and two Members.
- 10.2 The President and the Secretary: Persons of "Indian origin" residing in Switzerland and having been a member of IAL for the preceding two years, are eligible. Persons of Indian Origin, in the present case refer to those who qualify as "non-resident Indians" as defined by the Government of India for visa and tax purposes: Indian citizens resident abroad, past holders of Indian Passport, those whose spouse is a holder of Indian Passport and those for whom one of their parents or grand parents was citizen of India by virtue of the Constitution of India or Citizenship Act, 1955 (57 of 1955)).

#### **Article 11: THE AUDITOR/AUDITORS**

- 11.1 The Auditor/Auditors: Persons residing in Switzerland, having been member of IAL for preceding two years, are eligible.

#### **Article 12: THE ANNUAL YEAR**

- 12.1 The annual year begins at 1st January and ends on 31st December of the same year.
- 12.2 The yearly accounts shall be closed by 31st December or 28 days prior to the meeting of the GB at the latest.

#### **Article 13: SUBSCRIPTION AND VOLUNTARY CONTRIBUTIONS**

- 13.1 All Individual Members shall pay an annual non-refundable subscription, the amount being fixed by the GB annually. Junior and Student Members, as defined in art.6.2 shall pay 50% of the Individual Membership subscription. Honorary




Members (including the Patrons) are exempted from payment of the annual subscription. From the new and departing members only a half yearly pro rata membership fee is also possible.

- 13.2 A Collective Member shall pay an annual non-refundable subscription the amount being fixed by the GB annually.
- 13.3 New members shall pay an entrance fee of SFr. 5.-.
- 13.4 With a view of furthering its aims, IAL may accept and collect voluntary contributions.
- 13.5 The accounts of the IAL shall be regulated through a Swiss PTT checking account. The President and the Treasurer will be the sole representatives of IAL to operate this account. The Treasurer of the IAL will be the person responsible for receipt of membership fees, membership register and the accounts.
- 13.6 The expenses of each activity organized by IAL (cultural events, social get-togethers, sports meet,...) shall be shared by the IAL members and the guests present. The EC will decide prior or during the event the amount to be shared by the persons present for that particular function. Junior, Student Members and Children of Members above 12 years of age shall share the expenses at the same rate as Individual Members. The guests will pay a surcharge and the EC will fix this amount for each event.
- 13.7 Honorary Members (including the Patrons), the Chief Guests for the events shall be exempted from payments to all the IAL functions.
- 13.8 Subject to reciprocity measures, Members of other Indian and Cultural Associations in Switzerland shall be admitted to all the IAL functions after making payments applicable to the Individual Members of IAL. Participation in sporting events where prizes are awarded shall not be permitted.

#### **Article 14: LIABILITIES OF MEMBERS**

Liabilities of the members are limited to the membership fee and that of the IAL

to its assets.

#### **Article 15: INSURANCE**

The IAL shall not carry any insurance to cover damages arising from accidents, loss or theft. The Member is required to have his/her own insurance (third part/responsibility civil RC) to cover themselves, as is the practice in Switzerland. The EC can authorize payments under third party responsibility only under exceptional circumstances.

#### **Article 16: MEMBERSHIPS OF OTHER ASSOCIATIONS**

IAL can be a collective member of other Associations with common aims.

#### **Article 17: DISSOLUTION**

IAL can only be dissolved at an extraordinary meeting of the GB especially called for this purpose. The decision to dissolve can only be taken with a majority of three-fourth of the members present. The distribution of the IAL assets shall be decided at the same meeting.

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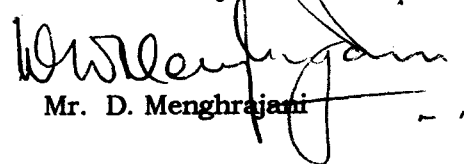
Mr. H. Premjee



Mr. K. Kalyanasundaram



Mr. O.P. Joneja



Mr. D. Menghrajani