

Bichitra



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BY-LAWS

OF

BICHITRA

THE BENGALI ASSOCIATION OF MANITOBA INC.

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1. DESCRIPTION OF ORGANIZATION

1.1 The name of the Organization shall be referred to as BICHITRA – The Bengali Association of Manitoba Inc., hereinafter referred to as "Bichitra" or "Organization".

1.2 OBJECTIVES AND POLICIES

- 1.2.1 To celebrate, promote, and advance the traditions and customs of the Bengali speaking people for purposes that benefit the community
- 1.2.2 To encourage members and their families to uphold, support, and help sustain the Bengali language, literature, performing arts, and history.
- 1.2.3 To conduct its activities on a voluntary basis.
- 1.2.4 To be a democratic, non-sectarian, non-political, and non-profit organization.
- 1.2.5 To foster a positive relation and cooperate with other arm's-length organizations having similar interests to promote ethnic and racial equality.
- 1.2.6 To encourage and promote an environment where members provide constructive feedback among the members and executives to create a healthy progressive Bengali community.

2. MEMBERSHIP

2.1 ELIGIBILITY

Any person interested in the objectives and policies of Bichitra, as stated in Section 1.2 of these By-laws, is eligible for membership, on recommendation from a member in good standing of Bichitra. An application shall be made in the prescribed "Membership Form" which can be obtained from the Secretary or from the Organization's virtual environment (e.g. website).

2.2 MEMBERSHIP TYPES

There shall be four types of memberships

- a) Single/student, b) Family, c) Life, and d) Honorary.

2.3 MEMBERSHIP DETAILS AND PRIVILEGES.

- 2.3.1 A regular member must be at least 18 years of age and may hold elected or appointed office.

2.3.2 Regular membership will consist of the following three categories:

a) Single/student:	This membership is for a person who is 18 years of age or older and pursuing post secondary education in Manitoba. The member is eligible to attend all Bichitra events and participate in various activities of the organization. The member has to align with the organization's core objectives as stated in Section 1.2 of the by-laws. This membership entitles for one vote only. The membership fee will be in accordance with Section 2.6 of these by-laws.
b) Family:	The members are eligible to attend all Bichitra events and participate in various activities of the organization. The member has to align with the organization's core objectives as stated in Section 1.2 of the by-laws. A family membership entitles the family to two votes. Additional members of this family who are more than 18 years of age must obtain single membership or if the family member is a student can obtain a student membership. The membership fee will be in accordance with Section 2.6 of these by-laws.
c) Life:	A life member is eligible to attend all Bichitra events and participate in various activities of the organization. The member has to align with the organization's core objectives as stated in Section 1.2 of the by-laws. A life member is identified as the person who makes a one-time contribution to Bichitra in an amount of \$1000. A life membership entitles the family to two votes.

2.3.3 Honorary membership: An honorary member is considered a distinguished member of the society who has demonstrated an outstanding contribution to the society or who has a genuine affinity for the aims and objectives of Bichitra as stated in Section 1.2 of these By-laws. An honorary member(s) may be identified by the general membership and their name(s) may be submitted to the Executive Committee for review and approval no less than 30 days prior to the Annual General Meeting. An honorary member is eligible to attend all Bichitra events and participate in various activities of the organization. The member has to align with the organization's core objectives as stated in Section 1.2 of the by-laws. An honorary member will have the right to cast one vote.

2.3.4 Member in good standing:

2.3.4.1 Any member who is at least 18 years or older, and has paid membership dues for the fiscal year (i.e., starting April 1 of a calendar year) on or before October 30th of the same calendar year, for two consecutive years, shall be considered member in good standing.

2.3.4.2 Any member in good standing is eligible to vote in the election.

2.3.4.3 If in case, a member has not paid membership within October 30th of the same calendar year for two consecutive years may not be considered member in good standing even if the member agrees to pay previous fiscal year's due on the membership.

2.4 MEMBERSHIP TERM

2.4.1 New Membership: The membership term of a new member shall, upon receipt of the membership fee by electronic transfer or by any member of the Executive Committee, commence from April 1st of previous year to March 31st of the current year.

2.4.2 Renewal Membership: The renewal of the existing membership shall, upon receipt of the membership fee by electronic transfer or by any member of the Executive Committee, continue for one year plus a grace period of no more than 6 months or the Sharodotsav, whichever comes first.

2.4.3 The membership terms for a life member never expires.

2.5 MEMBERSHIP FEE PAYMENT

2.5.1 A member must pay the membership fee according to the fees in effect at the time of payment. No refund is given if a membership is terminated.

2.5.2 The membership fees may be paid preferably by electronic transfer to manitobabichitra@gmail.com or by cash or by cheque/draft (payable to Bichitra- The Bengali Association of Manitoba Inc.).

2.5.3 The Executive Committee shall, upon receipt of the membership fee, send an acknowledgement of receipt to the member.

2.6 MEMBERSHIP FEE ESTABLISHMENT

Membership fees shall be established and reviewed by the Executive Committee whenever deemed necessary, and ratified by members at a general meeting, via a motion in accordance with section 6.7 of these By-laws.

2.7 TRANSFER OF MEMBERSHIP

No member may transfer or assign membership to another person or Organization.

2.8 GUESTS

2.8.1 Guests may be invited by a member to Bichitra's events. A guest fee set by the Executive Committee may be charged for such attendance.

2.8.2 Member(s) shall, prior to one week of any event, inform the General Secretary by email the number of member's guest(s) attending the event to ensure that the executive committee can arrange for extra food and space, or meet the restrictions set by the government, as applicable.

2.9 EXPULSION OF A MEMBER

- 2.9.1 The Executive Committee may recommend, with appropriate supporting documentation, to the general body of membership the expulsion of a member from the Organization, on the ground that the member has in some way acted or is acting in detriment to the Organization.
- 2.9.2 Actions such as slanders, manipulative actions, partisan motives, bigotry and internet trolling etc. could be considered grounds for considering expulsion of a member if such actions are deemed a serious threat to the peaceful operation of the Organization.
- 2.9.3 The Executive Committee shall notify the decision of the committee to the affected person(s) in writing within seven (7) calendar days.
- 2.9.4 Such a member may appeal this action via the procedures in section 2.11 of these By-laws.

2.10 REJECTION OF AN APPLICANT

- 2.10.1 The Executive Committee may reject an applicant if the Executive Committee has reasonable ground to believe that the person does not qualify to hold Bichitra membership in accordance with Section 2.1 of these By-laws or that this person's membership may not serve the best interest of the Organization.
- 2.10.2 The Executive Committee shall notify the decision of the committee to the affected person(s) in writing within seven (7) calendar days.

2.11 APPEAL OF EXPULSION OF A MEMBER

- 2.11.1 A member who has been expelled from the Organization may appeal the decision of the Executive Committee within 30 days from the date of expulsion by requesting the General Secretary and/or the President that such expulsion be executed via a motion in accordance with section 6.6 of these By-laws.
- 2.11.2 The Executive Committee shall provide an opportunity to such a member(s) to present their case to an Appeal Committee consisting of a minimum of 5 members and not exceeding 9 members of the Organization appointed by the President without prejudice. The Appeal Committee shall be formed via an expression of interest from the general membership. Any decision by the Appeal Committee must have the support of a two-third majority of the Appeal Committee. The Appeal Committee shall provide its recommendation to the President of the organization. The person retains the membership until the Appeal Committee finalizes their decision.

3. OFFICERS

3.1 ELECTED OFFICERS

3.1.1 The Executive Committee shall have seven (7) elected officers. The positions are:

- I. President
- II. Vice President
- III. General Secretary
- IV. Treasurer
- V. Cultural Secretary
- VI. Publication and Digital Media Specialist and
- VII. Member-At-Large

3.1.2 The term of the elected officers including the immediate past President is for a period of two consecutive years.

3.1.3 Section 3.1.1 will be effective from April 1, 2023.

3.2 EXECUTIVE COMMITTEE

The Executive Committee, whose members are called Executive Officers, shall consist of all the seven elected officers and the immediate Past President. All eight members of the Executive Committee will have voting rights.

3.3 APPOINTED OFFICERS

The President, in consultation with the members of the Executive Committee, may appoint such officers and establish ad-hoc committees from among the members as necessary in performing the duties and the activities of the Organization. Terms of appointment and tenure of all such appointments must be recorded in the minutes of the executive meetings.

3.4 FILLING OF OFFICER POSITIONS

3.4.1. Election may be conducted by electronic or postal ballot with a notification period of 30 days to the general members in good standing. If this cannot be done, then general election can be conducted at the Annual General Meeting, which can also be held virtually or in-person.

3.4.2. If an elected officer vacates the position or is relieved from the respective responsibilities with cause (i.e., non-participative and/or non-contributive, etc.), then that position shall remain vacant until it is filled in accordance with Section 3.8 of these By-Laws.

3.4.3. The General Secretary shall give a written Notice of Election to all members in good standing, at least 30 days prior to the Annual General Meeting stating the mode of election (i.e., electronic or postal ballot or physical/in-person voting). The notice shall include the date, time, and location of this meeting. The vacancy shall be filled immediately by the elected candidate.

3.5 DUTIES OF OFFICERS

3.5.1. The President shall:

- a) call and conduct all general meetings and executive meetings,
- b) appoint committees with chairpersons as required,
- c) act as the chief executive and ethical officer, and supervisor of the Organization's affairs,
- d) have the deciding vote in the case of a tie at a general meeting or executive meeting,
- e) be one of the three elected officers with authority to sign cheques,
- f) endorse correspondence,
- g) sign all the minutes of meetings,
- h) transact other business which may apply to their office,
- i) ensure that the yearly audit of the books is made, and
- j) instruct the General Secretary to issue written notices of elections, motions, ballots, etc.

3.5.2. The Vice President shall:

- a) in the President's absence, death, resignation, or inability to act, perform the duties of the President,
- b) be one of the 3 elected officers with authority to sign cheques,
- c) report whether a quorum is present at general meetings and executive
- d) meetings,
- e) in the absence of any officers, perform the duties of the position until a position is filled in accordance with the executive positions, and
- f) form committees and sub-committees in consultation with the President as appropriate, involving members from the existing membership base for running day-to-day operations of the organization.

3.5.3. The Past President shall:

- a) perform the duties of the President if neither the President nor the Vice President is able or available to act,
- b) act as the acting CEO if the President and Vice President resigns and the corresponding executive positions become empty,
- c) call for an Emergency AGM within one month from the resignation date of the President for filling the President and/or the Vice President Position in
- d) accordance with Section 3.8 of these By-Laws, and
- e) in the absence of any officers including the President and/or Vice President, be requested to perform the duties of the position until a position is filled in accordance with executive positions.

3.5.4 The General Secretary shall:

- a) keep records (in the form of minutes) of all general meetings and executive meetings,
- b) record all decisions and authorizations made at these meetings,
- c) provide the minutes of each executive meeting to the Executive Committee within two weeks from the date of the meeting,
- d) monitor all incoming and outgoing correspondence of the Organization,
- e) keep records of all important Organization's correspondence,
- f) keep the Executive Committee apprised of any organizational correspondence for review and action,

- g) regularly transfer all or any payments received to the Treasurer,
- h) make available, at all general meetings and executive meetings, a current copy of these By-laws and appended motions, and
- i) circulate prior to the Annual General Body Meeting an electronic copy of the most recent By-Laws to all current members of the organization.

3.5.5. The Treasurer shall:

- a) prepare the annual budget,
- b) keep account of all financial transactions of the Organization,
- c) deposit all funds received to a chartered bank or registered financial institution,
- d) disburse by e-transfer, cheque or petty cash (which may be held up to a sum of \$100) all funds owed to others,
- e) obtain executive approval of all expenditure above \$500 that is not budgeted, except in the case of expenses relating to Sharodotsav,
- f) ensure that all cheques of the Organization are signed by any two of the following officers: Treasurer, Vice President and/or President,
- g) attend all general meetings and present the Organization's most recent financial statement,
- h) attend Executive Committee meetings to present a statement of the financial position of the Organization and,
- i) communicate, in consultation with the President, to the Executive Committee members, as appropriate, a current list of members of the Organization, when necessary.

3.5.6. The Cultural Secretary shall in consultation with the Executive Committee, organize all cultural and educational activities, that support the Organization's objectives as stated in Section 1.2 of these By-Laws.

3.5.7. The Publication and Digital Media Specialist shall:

- a) in consultation with the Executive Committee, be responsible for the production of the Organization's publications such as literary magazines, newsletters, newsmagazines and books as necessary,
- b) maintain the Organization's website with updated information of events and activities,
- c) maintain the Organization's various social media platforms with updated information of events and activities,
- d) be responsible for maintaining the Organization's social and digital platforms free from any form of racial, ethnic, political, and personal prejudice, bias and discrimination.

3.5.8. The Member-At-Large shall assist the Executive Committee to perform their duties in various activities as the needs arise.

3.6 COMMUNICATION BY OFFICERS

The elected and appointed officers shall keep members informed of the Organization's activities through regular acceptable communication methods (i.e., email, telephone conversation, in person discussion, and/or by presenting information at general meetings).

3.7 DELEGATION OF POWER AND AUTHORITY BY OFFICERS

No officer may delegate their power or authority vested by these by-laws to any other member(s) of the Organization unless authorized by the by-laws and the Executive Committee.

3.8 SEARCH COMMITTEE

The role of the Search Committee is to facilitate the nomination of representatives for the Executive Committee from general members of the Organization in good standing as defined in Section 2.3.4 and appoint the new Executive Committee through a free and fair electoral process, if applicable, without prejudice. The Search Committee shall not discriminate in any form (i.e., undue interference, coercion, etc.) the Nomination (and Electoral, if applicable) process, and will execute the process(es) through an established tool and/or process that preserves anonymity and integrity of the said activity(ies).

3.8.1 A Search Committee shall be appointed by the President at least 45 days prior to the Annual General Body Meeting (See Appendix A for timeline), and shall accept nominations by electronic media (i.e., email) or by regular mail for the open officer positions from all members in good standing.

3.8.2 The President may not be a member of the Search Committee.

3.8.3 The Search Committee's recommendation should be neutral and reflective of the community members' response to the need for both continuity of the Executive Committee from one term to the next as well as for new representation on the Executive Committee.

3.8.4 A Search Committee shall also be appointed by the President when:

- a) an elected officer vacates the respective position,
- b) any elected officer(s) is/are relieved from the respective duties of that position, and/or
- c) not all seven Executive Officer positions are fulfilled at the Annual General Body Meeting, and open positions are to be filled at a later date.

3.8.5 The Search Committee, upon approval from the Executive Committee, may

- a) convert into an Election Committee where the respective roles may include facilitating members to cast their ballots in a respectful and confidential manner, or
- b) be dissolved after the search/nomination process and a new Election Committee may be formed by the Executive Committee to facilitate the electoral process, as necessary.

3.9 THE SEARCH (NOMINATION) AND ELECTORAL PROCESS

The Search process and the Electoral process are **two separate** events.

The following are the steps to successfully conclude the Search and Electoral Processes:

- 3.9.1 The Search Committee shall extend the invitation for the search/nomination process to all general members to nominate member(s) in good standing for all/any of the seven executive officer positions.
- 3.9.2 The nomination from general members shall not be for any particular executive position, but a reflection of the right candidate to represent the Executive Committee to serve the needs of the Organization.
- 3.9.3 The chairperson of this committee shall provide the committee's findings (i.e. distinct nominations received from the member in good standing) without prejudice to the General Secretary two weeks prior to the Annual General Body Meeting for circulating among the general membership.
- 3.9.4 a) if the number of distinct nominated candidates match the number of available Executive positions, then no election occurs. The Search/Election Committee appoints the Executive Committee through a motion from the general membership.

b) Once the Executive Committee is established, the Executive Committee internally decides the appointment of officers to the available positions through a fair and democratic process.
- 3.9.5 a) If the number of distinct nominated candidates exceed the number of available Executive positions, then an election will occur. The Search/Election Committee conducts the voting process to elect the top seven nominated candidates. The Search/Election Committee then appoints the Executive Committee comprising of the top seven elected candidates through a motion.

b) Once the Executive Committee is established, the Committee internally decides the appointment of officers to the available positions through a fair and democratic process.
- 3.9.6 a) If the number of distinct nominated candidates is less than the number of available Executive positions, then no election occurs. The Search/Election Committee appoints the Executive Committee through a motion from the general membership.

b) Once the Executive Committee is established, the Executive Committee internally decides the appointment of officers to the available positions through a fair and democratic process. The open positions shall be filled no later than 2 months from the date of establishing the Executive Committee in accordance with sub-section 3.8.4 c) and 3.9 of these By-Laws.

4. MEETINGS

4.1. GENERAL MEETING

- 4.1.1 The general meeting shall be held at least once every two years.
- 4.1.2 It should, if possible, be held before the 31st of March, preferably during the second week of March, to deal with the annual elections, President's and Treasurer's reports, and other business (i.e., preparing for Bengali new year). Voting shall be conducted electronically only, and upon request from the members requesting for postal or physical ballots, the same (postal or physical ballots) may be organized by the Election Committee for those members only.
- 4.1.3 Under extraordinary circumstances, if it cannot be held at this time then election of executive officers should be carried out with electronic or postal ballots and the election of the Executive Committee must be conducted before 31st March.
- 4.1.4 An Executive Committee may decide to merge the Annual General Meeting with another Bichitra event to save cost and money of the association, and to help the executive committee to carry out the upcoming cultural event.
- 4.1.5 After the procedures in Section 3.8 of these By-laws have been executed, the General Secretary shall give a written Notice of Elections to all members in good standing, at least 30 days prior to the Annual General Meeting, indicating the day, time, and location of this meeting.
- 4.1.6 The General Secretary shall inform the membership the findings of the Search Committee two weeks prior to the Annual General Meeting.
- 4.1.7 The results of the election become effective on the first day of the fiscal year (April 1st).
- 4.1.8 The quorum shall be 15 members in good standing or 30% of the total membership, whichever is the lesser of the two.

4.2. SPECIAL GENERAL MEETING

- 4.2.1 Two thirds of the general membership shall submit a written a request to the President of the Organization for an emergency meeting outlining the intent of the emergency meeting to the President.
- 4.2.2 In emergencies, special general meetings may be called by the President provided all general members are notified.

4.3 EXECUTIVE MEETINGS

- 4.3.1 The executive meetings will be held at the call of the President to transact executive business of the Organization.
- 4.3.2 The quorum shall be four members.
- 4.3.3 The Executive Committee should meet at regular intervals at least four times in a year.

5. PUBLICATIONS

- 5.1 An annual literary magazine (Agomoni) shall be published in conjunction with the Sharodotosav celebration in autumn.
- 5.2 A newsletter may be published for written interactions and information exchange for members of Bichitra.

6. GENERAL

6.1. FISCAL YEAR

The fiscal year shall be from the April 1 to March 31.

6.2. AUDITOR

- 6.2.1 An auditor, who may not be a member of Bichitra, shall be appointed annually by the Executive Committee to audit the books.
- 6.2.2 The audit report should be presented to the membership in a general meeting.
- 6.2.3 An audit shall be done immediately after a Treasurer vacates their position or is removed and shall be completed prior to a new Treasurer assuming office.

6.3. OTHER ASSESSMENTS

Other assessments (e.g., review of membership, electronic voting, etc.) may be levied from time to time by Bichitra to carry out its purposes, and the Organization may exempt some members from such assessment by reason of age, residence, or other relevant factors.

6.4. SPECIAL PROJECTS AND BOARD OF TRUSTEES

Money set aside, if any, for special projects shall be invested in a registered financial institution. The amount shall be clearly identified and shall be managed by a Board of Trustees, consisting of a Chairman and two members in good standing of Bichitra. Terms of appointment for the Board shall be as follows: One member two years, two members - three years. The Board will be appointed by the Executive Committee and subject to approval by the general membership. The Trustees shall manage Bichitra's special investment accounts and keep an inventory of assets of the Organization.

6.5. RECORDS

All records (print and electronic documents, account credentials, etc.) pertaining to the Organization, in the possession of an officer, shall remain the property of Bichitra, and shall be surrendered to the President of the Organization upon request from the Executive Committee and also when an officer vacates their position or is removed.

6.6. MOTIONS

Every motion concerning the establishment, amendment, and repeal of these By-laws and passed at a general meeting shall be appended to the set of By-laws maintained by Bichitra.

6.7. MOTIONS REQUIRING A WRITTEN NOTICE, INCLUDING AMENDMENT OF BY-LAWS

Such motion requiring a written notice, as specified in these By-laws, must be initiated by a written notice of motion to the General Secretary at least 30 days prior to the general meeting in which the motion will be presented. The General Secretary shall distribute this Notice of Motion to the general membership, at least 15 days before the meeting at which the motion will be presented, indicating the date, time and location. The motion must have support of the majority of the voting members, present at the meeting, in order to be carried.

6.8. RULES

The business part of the general meeting shall be conducted in accordance with these By-laws.

6.9. DISSOLUTION

In the event that the group decides to dissolve the Organization by a majority of the membership, all material goods will be liquidated and all assets remaining after obligations are paid shall be donated to another Organization serving a function generally similar to that of Bichitra or a registered charitable organization in agreement with the general membership.

Bichitra Timelines for Formation of Executive Committee

