

BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN) CONSTITUTION AND BY-LAWS

INTRODUCTION:

We the people with strong affinity towards Bengali culture, living in the Greater Nashville area and having roots in the Indian subcontinent, or any other country or region decided to unite among ourselves for the purpose of celebrating common Bengali traditional festive occasions, to foster friendship, goodwill, and cooperation among ourselves and other members of the community at large. We have resolved to form an association by agreeing to and adopting the rules, principles, and objectives stated in this constitution.

Article I: Name

This Association shall be known as Bengali Association of Greater Nashville (BAGN).

Article II: Registered Office

The Registered Office of the Association will be a place designated by the Coordinating Committee (CC).

Article III: Purpose

Bengali Association of Greater Nashville (BAGN) is organized exclusively for charitable, social, cultural, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Article IV: Vision and Mission

VISION:

The vision of the Bengali Association of Greater Nashville is cross-cultural interaction and appreciation with particular emphasis on the literature, art, and the cultural heritage of Bengal.

MISSION:

- To organize and celebrate Bengali social, cultural, and spiritual events in the Greater Nashville area.
- To promote appreciation and mutual understanding of Bengali culture, language, and traditions.
- To teach Bengali language, culture, and traditions to the next generation of the community.
- To cooperate with other diverse, cultural groups and regional organizations in promoting and sharing Indian culture and traditions.
- Not to discriminate based on ethnicity, religion, caste, creed, nationality, language, or sexual orientation.
- To participate in Philanthropic or Charitable events.

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

Article V: Limitations

Bengali Association of Greater Nashville shall abide by the following provisions:

1. No part of the net earnings of BAGN shall inure to the benefit of, or shall be distributed to its members, trustees, officers, or other private persons, except to the extent that BAGN shall be authorized and empowered to pay reasonable compensation for services rendered for BAGN activities. BAGN will utilize qualified professional services as appropriate.
2. No substantial part of the activities of BAGN shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and Bengali Association of Greater Nashville shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.
3. Notwithstanding any other provision of this document, BAGN 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.
4. Bengali Association of Greater Nashville will abide by all federal and state rules that may be applicable. Bengali Association of Greater Nashville will not promote or allow any kind of discrimination. Similarly, Bengali Association of Greater Nashville will also not promote or allow any kind of political agenda or slogans.
5. It will be the responsibility of office bearers to ensure that such practices are diligently followed. If any violations are observed or brought to the attention of the office bearers, such members will immediately be informed and advised to avoid any such future violations.

Article VI: Dissolution

Upon the dissolution of Bengali Association of Greater Nashville, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of, shall be disposed of by the Court of Common Pleas of the county in which the principal office of Bengali Association of Greater Nashville is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

Article VII: Fiscal Year

The fiscal year of BAGN shall be changed from the current dates. New Fiscal year shall be From January 1 to December 31 of each year. The business year of BAGN shall be from January 1 to December 31 of each calendar year.

Article VIII: Membership

Types of membership of the Bengali Association of Greater Nashville are as follows (individual/ couple/ family):

- Annual Membership
- Student Membership
- Term Membership
- Life Membership

Any individual irrespective of their age, color, race, ethnicity, religion, sexual orientation and country of origin, who agrees with the rules, bylaws, principles, and objectives of the Association may become its member upon payment of appropriate dues. The membership dues shall be determined by the CC for the fiscal year. A member would be considered in good standing if they have paid their applicable dues.

An annual membership or student membership is valid for one fiscal year. A term membership is valid for ten consecutive fiscal years. No new Life membership is being offered now; all current life members are grandfathered.

A family membership covers the following members of the family:

- Spouse or live-in partner of the individual member.
- Children below 25 years of age and living with the individual member and
- Parents/Grand Parents of the individual member above 60 years of age,

Only adult members above eighteen (18) years of age, who are in good standing, are eligible to vote in the Association's elections.

Article IX: Bona fide Member

All life members, term members and annual members with dependent members and student members, who have paid their dues for the current fiscal year shall be considered as bona fide members of BAGN for that fiscal year.

Article X: Organization

The Association shall be composed of the following:

- A. The General Body (GB), which is the supreme body of BAGN. The GB shall consist of bona fide members only.

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

- B. The Coordinating Committee (CC) of BAGN shall be elected by GB. All CC members shall be bona fide members over twenty-one (21) years of age and must be residents in and around Greater Nashville. The CC shall consist of seven members elected annually in a GB meeting by majority vote. The CC is responsible for conducting its business in a transparent manner within the framework of the BAGN constitution.
- C. The term of office of the CC shall be for one fiscal year. The CC shall consist of President, Secretary, Treasurer, Food Coordinator, Festival Coordinator, Cultural Coordinator, and Media and Fund-Raising Coordinator.
- D. Major responsibilities of members of the CC and their eligibility shall be as follows:
- E. **President**: A bona fide member of the BAGN for at least three (3) consecutive years who has served at least once in the BAGN CC, is eligible for the position. The President shall provide leadership, direction, and shall maintain discipline in the CC. Other members of the CC shall discuss issues under the guidance of the President, or the Secretary, in the President's absence. The President will work with CC in finalizing the facilities for BAGN activities and may form a subcommittee for this purpose. The President shall be the assigned person for all matters related to the State of Tennessee grant.
- F. **Secretary**: A bona fide member of BAGN for at least twelve (12) consecutive months who has served at least once in the BAGN CC is eligible for the position. The Secretary shall be responsible for taking suggestions from members, scheduling meetings of the CC, be the liaison between the BAGN members, CC, and other organizations. The Secretary shall plan, support, and organize events of BAGN. The Secretary shall draft and maintain all minutes of the CC and GB meetings, maintain, and ensure media storage of all official documentation (memos, announcements, minutes of meetings, correspondences, references, regulatory and financial documents etc.). Some of these documents may be presented in the GB meeting for approval, when necessary. The Secretary shall communicate final decisions, announcements or plans approved by the President to all the members of the CC and GB. The Secretary shall be responsible for all event setups (decoration, seating, etc.). The Secretary will be required to form a subcommittee for this purpose.
- G. **Treasurer**: A bona fide member of BAGN for at least three (3) years who has served at least once in the CC is eligible for the position. The Treasurer shall be responsible for maintaining financial accounts, inclusive of tracking of income & expenses and filing income tax returns to IRS. The Treasurer shall be responsible for ensuring submission of Annual Report, maintenance of sales tax exemption status with State of Tennessee. The Treasurer shall be entitled to authorize payments for activities decided by the CC and approved by the President. The Treasurer shall cooperate with the auditor in the audit of the BAGN financials at the end of the fiscal year. The Treasurer shall draft the final Income-Expense report for GB approval. The Treasurer will be required to form a subcommittee for this purpose.

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

- H. **Festival Coordinator**: A bona fide member of BAGN for at least twelve (12) consecutive months is eligible for the position. Festival Coordinator shall be responsible for planning, organizing, and executing festival activities during BAGN festivals (e.g., Saraswathi Puja, Durga Puja, Laxmi Puja, etc.). The Festival Coordinator will be required to form a subcommittee for this purpose.
- I. **Cultural Coordinator**: A bona fide member of BAGN for at least twelve (12) consecutive months is eligible for the position. Cultural Coordinator shall be responsible for planning, organizing, and executing cultural activities during BAGN festivals and special events (e.g., Saraswati Puja, Durga Puja, Laxmi Puja, Bijoya Sammelani, Picnic etc.). Cultural Coordinator shall be responsible for shortlisting and selecting of artists in consultation with CC. Cultural Coordinator shall be responsible for proper functioning and maintenance of BAGN sound or music appliances during all festivals and special events. The Cultural Coordinator will be required to form a subcommittee for this purpose.
- J. **Food Coordinator**: A bona fide member of BAGN for at least twelve (12) consecutive months is eligible for the position. Food Coordinator shall be responsible for planning, organizing, and making food related arrangements during all BAGN festivals and special events (e.g., Saraswati Puja, Poila Baisakh, Durga Puja, Laxmi Puja, Bijoya Sammelani, Picnic, GB meeting, etc.). The Food Coordinator will be required to form a subcommittee for this purpose.
- K. **Media and Fundraising Coordinator**: A bona fide member of BAGN for at least twelve (12) consecutive months is eligible for the position. The coordinator shall be responsible for planning and organizing for collecting information like articles and artifacts for BAGN Agamoni, bringing sponsorships for events and Agamoni, broadcasting information on social media. The Media and Fundraising Coordinator will be required to approve all content published on the website, social media (e.g., Facebook, Instagram, YouTube, Twitter, etc.) and print media (e.g., Agamoni, etc.). The Media and Fundraising Coordinator will be required to form a subcommittee for this purpose.
- L. No CC members can serve on the committee for more than two consecutive years. They can be re-elected as a CC member only after a break of one year. All CC members must meet these criteria and conditions: a) Minimum three years of residency in the Greater Nashville area; b) Actively involved with the community. All CC members must form their own separate sub-committees within four (4) weeks of the start of the fiscal year. Each sub-committee must comprise of at least three (3) members. All selected sub-committee members' names will need to be communicated to CC within the four (4) weeks' timelines. No CC member will serve as a sub-committee member in any other sub-committee. Both CC and all sub-committees must reflect equal distribution of diversity.
- M. **Transfer of Responsibilities**: At the end of each term, a formal GB meeting will be held between the outgoing CC and the incoming CC members. A formal transfer of knowledge, legal and electronic documents must take place.

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

- N. **Webmaster(s):** For the website, webmaster(s) shall be selected by the CC to work per CC guidelines under direct supervision of the Media and Fundraising coordinator. The duties of the webmaster(s) include updating and technical maintenance of the website. Webmaster(s) shall also operate, maintain, and coordinate media storage in coordination of the Secretary. Webmaster(s) shall ensure that all CC members have access to media store and view its contents. The webmaster(s) will be required to form a subcommittee for this purpose.
- O. **Grant Committee:** A grant committee shall be formed by each CC to work per CC guidelines under direct supervision of the President in coordination with the current cultural coordinator. The Grant Committee must consist of a minimum of five (5) BAGN members. The President and Cultural Coordinator must be members of the Grant Committee. The term of the Grant Committee will be minimum one (1) year. The purpose of the Grant Committee is to request grants from the Tennessee Arts Commission and other state and federal agencies. Before submission of any grant application, the Grant Committee will be required to submit electronically a summary of what is being applied for to the CC. That will include whether the grant will be a matching grant or not. If a matching grant, CC must be clearly notified up to how much maximum money CC will be required to generate from its own resources. The Grant Committee will also be required to submit a detailed draft report to CC including expenses and detailed budget to be submitted to the Commission in support of the grant. The Grant Committee shall be responsible for ensuring that BAGN is registered with Tennessee Arts Commission and other appropriate bodies related to grant.
- P. BAGN shall sponsor various community programs in a year, such as picnics, festive celebrations, socio-cultural and volunteer services, as determined by the CC/GB. To ensure greater participation of the Bengali community of Greater Nashville, communications shall be sent about these programs to all members of the community through various platforms (website, email, social media), irrespective of the membership status.
- Q. No member is allowed to use the BAGN name for personal use. The group email list of BAGN should only be used by the current Secretary with approval of the President and/or CC. Any CC member who has a financial, personal, or professional interest in any matter being considered by the CC must disclose the nature of their interest to the CC. The CC member must recuse themselves from any discussions or decisions relating to the matter in question
- R. Any unresolved conflict(s) or issue(s) within the CC must be resolved by the majority vote in the CC meeting. Any unresolved issues should be brought to the GB meeting for final resolution. All matters of conflict of interest and their resolutions must be recorded by the Secretary and shall be made available to the GB upon request.

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

- S. Resignation: Any CC member may resign from their responsibility at any time by giving written notice to President. In case of a President's resignation, that should be communicated to the CC. Such resignation shall take effect on the date such notice was received or at any later time specified in the notice, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Article XI: Election

- A. The GB will elect three (3) Nomination Committee members. Any bona fide member who has lived in the Greater Nashville area for the last three (3) years will be eligible to be elected for the Nomination Committee.
- B. The tenure of the Nomination Committee shall be for one fiscal year only, same as the CC. They shall nominate candidates, excluding themselves, for the next CC and for interim vacancies of current CC. Forty-five (45) days before General Election Day; the Nomination Committee shall propose to the current CC the names of at least one candidate for each of the seven (7) positions of the CC for the next year.
- C. In addition to the list of candidates nominated by the Nomination Committee, any bona fide member can nominate other members for any of the seven (7) positions in the CC, with the permission of the candidates whose names are proposed and must be seconded by another bona fide member of the BAGN. The President of the CC must receive all these new nominations thirty (30) days before the General Election Day.
- D. There shall be an annual GB meeting in the first or second weekend of December of each year. However, the new CC shall formally take over the responsibility on January 1st, beginning of the new fiscal and business year.
- E. Besides life members/term members, the members who have paid their dues by June 30th of the current fiscal year shall be eligible voting members for the election of the CC.
- F. If a member is going to be absent on the election day, they can request CC for an absentee ballot paper to cast their vote at least fifteen (15) days before the election day. Members shall be allowed to cast their votes in absentee ballots via US Mail only. Ballots must reach BAGN P.O. Box forty-eight (48) hours before the election day. Absentee ballots shall be opened before the election officers.
- G. Three (3) election officers, appointed by the CC from bona fide members, shall conduct the elections. The decisions of the election officers shall be final and binding. The counting of votes shall happen in a transparent manner and conducted by the election officers only.
- H. Campaigning for any candidate from the floor during the election day is not allowed.

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

Article XII: Meeting and Business

- A. General body meetings shall be convened in person. Virtual meetings may happen in extraordinary circumstances including natural disaster, emergency, epidemic, and other unforeseen circumstances if approved by the CC. Depending on circumstances, hybrid combined in person and virtual meetings may be held. Virtual and in person members shall have the same rights and responsibilities including expressing opinions and voting rights.

- B. The President of the CC shall call the meetings of the CC. The Secretary of the CC shall coordinate the activities of the CC. Any written suggestions from the General Members should be discussed in the meeting of the CC. Final decision of the CC on the suggestions should be communicated to the requested member. At the discretion of the CC, suggestions may be put before the General Body for approval/disapproval.

- C. The CC shall call the General Body meeting at least once a year, excluding the Election Day. One General Body meeting shall be held at the beginning of the year for the planning of activities of the new fiscal year. At this meeting, the outgoing Treasurer shall present the year ending account, along with the audit report for approval. The incoming Treasurer shall propose the budget for the current fiscal year for the approval by majority members of the General Body.

- D. There shall be a separate General Body meeting at least forty-five (45) before the Durga Puja, focusing on matters of Durga Puja celebration. This meeting is to encourage general members for their active involvement and constructive input.

- E. The Annual General body meeting shall be held at the end of the year in the month of December.

- F. *The agenda of the GB meeting shall be proposed by the CC. Inputs for the agenda from the general members shall be considered, if received at least seven (7) days before the meeting; but inclusion may be at the discretion of the CC. The agenda should include a "miscellaneous" item related to BAGN. The minutes of the meeting shall be recorded by the Secretary and validated by the President of the CC for approval at subsequent GB meetings. The minutes of the meetings shall become the property of the Association.*

- G. *Ten (10) percent of the total strength of the membership may request the CC to call a GB meeting at any time. The meeting should be for discussion of any issues important to the Association. The meeting shall be called by CC in less than six (6) weeks of the receipt of the notice.*

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

- H. *For a GB meeting, ten (10) percent of the total strength of the membership or twenty-five (25) people, whichever is higher shall constitute a quorum. If the quorum is not achieved in a GB meeting, CC shall reschedule the meeting later. The quorum requirements will not apply to the rescheduled GB meeting.*
- I. *All decisions and resolutions shall be made by the majority vote of the members present in the meeting. The notice of the GB meeting should be dispatched at least one (1) month before the date of the meeting to encourage maximum participation. Under exceptional or rare circumstances, a special GB meeting may be called by the President of the CC for input from the members.*

Article 9: Registration

The association is incorporated as a nonprofit organization in the State of Tennessee.

- 1. The association is a registered member of TFTA (Tennesseans For The Arts).*
- 2. Donations/contributions to BAGN are Income Tax exempted.*
- 3. Any purchase for the use of BAGN is Sales Tax exempted.*

Article 10: Amendments

Amendment of the constitution may be initiated by the General Body by electing an Amendment Committee. The Amendment Committee shall submit the

proposed amendments to the Chairperson of the CC by the assigned date. The CC in turn will present them to the General Body one month before the General Body meeting for their consideration. All or part of the proposed amendments of the article(s) of the constitution must be approved by at least 75% members present at the General Body meeting. All approved changes shall be incorporated in the constitution.

Article 11: Funds

- A. *The CC will designate the custodians of money and property belonging to the Association. Depending on the availability of the fund, the properties of BAGN, excepting idols should be put in a self-storage facility. The outgoing CC will make an inventory list of all the properties and must handover to the Treasurer of the newly elected CC of the next fiscal year on or before March 31 of that year. The money will be deposited in a bank for safekeeping. The CC will be the Trustee of the Association for the funds and property. There must be a year-end audit of the annual account of BAGN.*
- B. *Other than the regular events, the CC is allowed to spend a total of \$500 in other expenses for their current fiscal year, without the approval of the General Body.*
- C. *The surplus money should be deposited in the Certificate of Deposit Account (CD) of the bank. This money will be used only when necessary towards new idols (Pratima), new sound systems, or any other items, with the approval of the General Body.*

**BENGALI ASSOCIATION OF GREATER NASHVILLE (BAGN)
CONSTITUTION AND BY-LAWS**

- D. Treasurer will submit the financial report (*unaudited*) of that current fiscal year by 31st March, which will cover the income and expenses of the fiscal year, to the elected new Treasurer. All statements of the bank account, documents of the CDs, Check Books and all finance related documents must be handed over to the newly elected Treasurer of the next fiscal year committee on March 31 of every year.

ADOPTION:

*We, the members of the Bengali Association of Greater Nashville, having faith in the Bengali Culture and in the values enshrined in this Constitution, had unanimously adopted this Constitution on 10/31/1992, and in witnesses whereof the members of the General Body had set and subscribed their hands as under. We approve the amendments to the original constitution (Including Amendments of March 6, June 26, 1993; March 30, 1996; February, September 4, 1999; January 2001; July 27, 2003; March 24, 2007; June 9, 2007 and March 19, 2011). We also hereby approve the latest amendments in the constitution in the General Body meeting held on **March 15, 2026** by **100%** vote.*

(Including Amendments of March 6, June 26, 1993; March 30, 1996; February, September 4, 1999; January 2001; July 27, 2003; March 24, 2007, June 09, 2007, March 19, 2011, 2023 and March 15, 2026)

A copy of the present version of the constitution should be mailed to the following agencies:

- 1) Internal Revenue Service*
- 2) The Secretary of State, Tennessee State Government.*
- 3) The Department of Finance, Tennessee State Government*