



*Copy of Original Constitution of The  
Sikh Cultural and Educational Society of  
WNY Inc*

*Mailing Address: PO Box 1041, Williamsville, NY  
14231-1041*

*Main Building Gurdwara Sahib  
6569 Main Street, Williamsville, NY 14421-5820  
Phone: (716) 632-3849*

*Federal ID # 16-1372357*

*Prepared by: Gurmukh Singh*

RS

*Rajinder Singh*

SECTION 1

1.1 The name of the Society is "Sikh Cultural and Educational Society of Western New York".

1.2 Address: 6569 Main Street Williamsville, NY 14221  
(716) 632-3849

1.3 The objectives of the Society are:

- (a) To establish a Gurudwara (sikh place of prayer and religious services) and conduct regular religious meetings in conformity with the Sikh Religion and traditions.
- (b) To operate as a strictly non profit organization for the purpose of promoting and preserving the Sikh Religion, culture, and customs.
- (c) To promote awareness of and articulate interest in the Sikh Religion and Socio-cultural heritage and to promote punjabi in gurmukhi script.
- (d) To promote goodwill and understanding towards american of all creeds and faiths.
- (e) To encourage the development of and co-operation with similar organizations.

1.4 Custody and use of the seal of the Society:

The Society shall have a common seal and it shall be kept in the custody of the President or the Secretary of the Society. The seal shall be fixed to all the instruments or any documents by the President or the Secretary on the authority of a resolution of the Executive Committee and approved by the Board of Trustees.

SECTION 2

MEMBERSHIP

2.1 General Requirements:

The following membership requirements shall apply to all classes of members:

*Anajit Kaur*  
*Jagdish Kaur*

*Aneta = Balu*  
*Randhir Singh*

- (a) Only a person who is sikh by religion or who believes in the teachings of the Ten Sikh Gurus and Guru Granth Sahib and who is 18 years or over, can be a voting member of the Society.
- (b) Any member who acts against the aims and objectives of the Society shall have his/her membership revoked by the Membership-Revoke Committee after due investigations by the Membership Committee.

2.2 There shall be four classes of members:

- (1) Life Members
- (2) Honorary Members
- (3) Associate Members
- (4) General Members

2.2.1 Life Members

- (a) Any member in good standing may apply and become a Life member of the Society on payment of \$500.00 life-membership fee.
- (b) All life members at the time of their application shall be residents of Western New York (WNY). If, subsequently they move away from WNY, they shall have the option to retain their life membership.

2.2.2 Honorary Members

The Society may confer honorary membership on any person in recognition of his/her contribution to the Society. An honorary member shall not have the voting rights.

2.2.3 Associate Members

- (a) Any eligible person may on application and payment of \$2.00 become an associate member of the Society. An associate member shall not have the voting rights.
- (b) All children under the age of eighteen (18) shall be considered as associate members of the Society and shall not have to pay any membership dues and shall not have any voting rights.

2.2.4 General Members

- (a) Any person complying with the requirements of

section 2.1 (a) may apply for membership of the Society.

- (b) Membership fee shall be decided by the Executive Committee from time to time and reported to the members in the written Annual Financial Statement which shall be forwarded by ordinary mail to each member at the last known address.
- (c) Members in default of fees shall not exercise a vote or hold office and shall be deprived of other membership privileges until all such arrears have been fully paid.

2.3 If any member or office bearer (Board of Trustees or Executive Committee) tries to, or actually creates any trouble or disturbance at any Gurudwara function or any meeting of the Society or refuses to accept the rulings of the person conducting that function or meeting, chair can call for a vote to suspend his/her membership. Membership of that person can be suspended until Membership-Revoke Committee's decision, only by 2/3 or more member present at that function or meeting. Membership-Revoke Committee, which shall consists of Executive Committee and Membership Committee, shall decide within 30 days of suspension that if his/her membership should be revoked. If his/her membership is revoked then he/she shall cease to be an office-bearer of the Society. Membership of such persons may be reinstated only after the Membership-Appeal Committee, which shall consists of the Board of Trustees, have approved it and the member has performed the public service rendered to him/her by the Membership-Appeal Committee. If reinstated; such person shall not be allowed to hold any office bearer position for two calendar years after the date of reinstatement of his/her membership.

#### 2.4 Membership Committee

- (a) The Membership Committee shall consist of three members to be appointed every year by the new Executive Committee. One of these members shall be the incumbent President of the Society.
- (b) The Membership Committee shall be responsible for promoting new membership applications, and investigating matter concerning the conduct of the members and reporting them to the Executive Committee.
- (c) Any complaints received by the Executive Committee with respect to the conduct of the members shall be referred to the Membership Committee for investigations. The

Membership Committee shall carry out the investigations and report back to the Executive Committee for necessary action by the Membership-Revoke Committee within 30 days.

### SECTION 3

#### 3.1 Voting and Election

- (a) The Executive Committee shall appoint (by its majority vote of three members) a Presiding Officer, who shall be (i) able and competent to hold elections, and (ii) not be a member of the appointing Executive Committee.
- (b) The Presiding Officer shall be appointed at least 21 days in advance of the election date. The members of the Society shall be informed about his/her appointment, his/her name, address and phone number at least 15 days before the election date.
- (c) The Presiding Officer shall (i) scrutinize the membership register, (ii) receive and check nomination papers, and acknowledge receipt of nomination papers, (iii) conduct the election according to the provisions of this constitution, (iv) declare five officers, and trustee(s) elected and (v) submit a list of five elected officers and trustee(s) under his/her signature to the outgoing Executive Committee and the Board of Trustees the same day.
- ✓(d) The Executive Committee shall inform the date, place and time of election in writing to every member at least fifteen days before the election.
- ⓔ(e) The Executive Committee shall also forward to every member a "Nomination Form" which can be used for nomination purposes.
- (f) All nominations shall be made in the prescribed form. A nomination in order to be valid, must show (i) consent of the candidate contesting the election, (ii) office for which the candidate is nominated, (iii) his/her name, address and phone number, (iv) signature, address and phone number of the nominator, (v) signature, address and phone number of the seconder, and (vi) date on which the form was filed and mailed.
- ✓(g) All nomination forms duly completed must reach the Presiding Officer seven days before the election date.
- ⓔ(h) The candidate contesting the election, his/her

- nominator and seconder must meet the requirements of this constitution.
- (i) The candidate contesting the election must be a member of the Society in good standing for the entire preceding year.
  - (j) The candidate contesting the election can withdraw his/her name at least three days prior to the election.
  - (k) The elections must be held on or before November 30th each and every year.
  - (l) Only members with six month's standing in the Society and present at the time of voting shall have the right to vote.
  - (m) Election shall be by secret ballot.
  - (n) Out of the total number of candidates contesting the election for each office, the candidate getting the maximum votes shall be declared elected.
  - (o) During the election meeting, no member shall be entitled to address members present in the meeting unless specifically requested to do so by the Presiding Officer.
  - (p) In case of two or more candidates getting equal number of votes, the Presiding Officer shall hold the election a second time of just those two or more candidates getting equal number of votes. This process shall be repeated until the required number of candidates have been elected in the same meeting.

### 3.2 Officers

- (a) The Executive Committee shall consist of five elected members. All five members shall be elected by the Society, will be to the specific positions of (i) President, (ii) Vice-President, (iii) Secretary, (iv) Joint-Secretary, and (v) Treasurer. In the event of members retiring before the expiration of their terms, the Executive may co-opt a member(s) to fill the vacant position(s).
- (b) The President, Vice-President, and the Secretary, in order to be able to represent the Society adequately, must be "SAABET-SURAT" sikhs who are well versed in written and spoken Punjabi and English.
- (c) Members of the Executive Committee shall serve the

society without any remuneration.

- (d) The Executive Committee as a whole shall be responsible both for carrying out the functions and for managing, maintaining and operating the physical facilities of the Society subject to the By-laws.
- (e) The Executive Committee shall have no power to convey mortgages or in any way charge the property of the Society except upon an extraordinary resolution of the Society at a general meeting.
- (f) The Executive Committee, in keeping with the tenets of Sikhism, shall have the powers to formulate and implement rules necessary for the purpose of regulating the conduct of persons entering its religious congregations, lands and other premises.
- (g) The Executive Committee may appoint sub-committees for any purpose. Each sub-committee shall be responsible to the Executive Committee and gets its terms of reference in writing from the Executive Committee.
- (h) The Executive Committee shall meet at least once every three months.
- (i) Any member of the Executive Committee or sub-committee may withdraw from office by giving 15 days notice. The resignation shall be accepted in writing after all dues and charge have been handed over to another member designed for this purpose by the President.
- (j) The term of the newly elected Executive Committee shall be same as the fiscal year of the Society (i.e. January 1st to December 31st).
- (k) In the event of a new Executive Committee not getting elected till the end of the fiscal year on account of some extraneous circumstances, the outgoing Executive Committee shall continue to function until such time as a new Executive Committee is elected and shall provide for a election as early as possible.
- (l) No member of the Executive Committee can be elected more than three time consecutively.
- (m) A member of the Executive Committee can be removed from the Executive Committee by a petition signed by 2/3 members of one years's standing of the Society.
- (n) The office of a Executive Committee member shall be vacated:

- (1) If he/she becomes bankrupt or suspends payment or compounds with creditors, or makes an authorized assignment or is declared insolvent,
- (2) if he/she is found to be mentally incompetent,
- (3) if he/she is convicted of any criminal offence,
- (4) if by notice in writing to the Executive Committee, he/she resigns his/her office.

### 3.3 Duties of officers

#### (a) The President

- (i) The president shall preside at all meetings (except the Board of Trustee's meeting) of the Society and of the Executive Committee and shall ensure that the decisions of the Society and its Executive Committee are carried out.
- (ii) He/she shall call general, special, annual and executive meetings. In addition, he/she may also call the meetings of any sub-committee if such a need arises.
- (iii) He/she shall give two weeks notice for any meetings. In case of an emergency he/she may call a special meeting of the Executive Committee without any prior notice.
- (iv) In the event of a resignation or death or extended absence (120 days) of a member of the Executive Committee, he/she shall appoint another member to the Executive Committee for the rest of the term of the Executive Committee. The person so appointed must meet the requirements of this constitution as applied to a candidate seeking election to the Executive Committee.
- (v) The President shall accept the resignation, in writing, of a member of the Executive Committee or a sub-committee, after such a member has handed over all charge and cleared of any obligations.
- (vi) The President can be removed from the office following the procedure as set forth in Section 3.2 (m) of this constitution. The



President, in such an eventuality, shall not preside over the meeting or take part in the proceedings. If his/her removal goes through, he/she shall resign at once from the Executive Committee and hand over charge to the Vice-President.

- (vii) The President shall give at least fifteen days notice to the Executive Committee in writing if he/she wishes to resign from his/her position.
- (viii) The Executive Committee by its resolution shall accept the resignation of the President in writing after he/she has handed over all charge to the Vice-President.
- (ix) The President shall be a non-voting member of the Board of Trustees and shall act as a liaison between the Board of Trustees and Executive Committee.

(b) The Vice-President

- (i) In the absence or disability of the President, he/she shall perform the prescribed duties of the President.
- (ii) In case of vacancy in the office of the President by death, resignation or removal, the Vice-President shall perform the duties of the President until his/her successor has been elected. In such an eventuality the Vice-President, as acting President shall appoint another member to the Executive Committee in keeping with the requirements for its members in the constitution.
- (iii) The Vice-President shall hold the election of the President no later than thirty days after the office of President becomes vacant.
- (iv) The Vice-President shall assist the President in the activities of the Society whenever called upon to do so.

(c) The Secretary

- (i) The Secretary shall attend and keep the minutes of all the meetings of the Society and the Executive Committee.

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- (ii) He/she shall keep the record of the Society in English.
  - (iii) He/she shall be in charge of all correspondence and shall send out all notices and letters concerning the functions and meetings of the Society and the Executive Committee under the direction of the President.
- (d) The Joint-Secretary
- (i) He/she shall assist the Secretary in his/her work as and when requested to do so within reason.
  - (ii) He/she shall perform all the functions of the Secretary or Treasurer in their absence or disability.
- (e) The Treasurer
- (i) The Treasurer of the Society shall have charge of and keep all accounts thereof and shall pay into the bank account of the Society such monies as may be received by him/her and shall keep all records of monies received and disbursed and of all debts and shall report to the Executive Committee when required to furnish a statement and produce all the books showing all the accounts.
  - (ii) He/she shall disburse only upon the consent of the Executive Committee and no debts or obligations shall be incurred or undertaken except by consent of the said Committee and subject to Section 9 (c) of this constitution.
  - (iii) He/she shall prepare a yearly financial report duly audited within 15 days before the end of his term in office to be submitted to the members of the Society.
  - (iv) The Treasurer shall not keep on hand, any time, a sum exceeding \$50.00 in cash, the property of the Society; and all sums in excess thereof shall be promptly deposited in the bank account of the Society.
  - (v) The Treasurer shall also maintain an up-to-date register of members and submit a copy of the same

to the Secretary.

#### SECTION 4

##### 4.1 Composition

- (a) The Society, in addition to the annually elected Executive Committee, shall elect a Board of Trustees.
- (b) The Board of Trustees shall consist of the President of the Society plus five trustees to be elected by the members of the Society.

##### 4.2 Qualifications

A trustee shall be a member in good standing for at least five years immediately preceding his/her election and during the tenure of his/her office.

##### 4.3 Elections

The Presiding Officer appointed under section 4.1 shall also conduct the election of the trustees according to the procedures and terms stated in section 4.1 except expressly stated otherwise in the by-laws.

##### 4.4 Term of office

- (a) In addition to the annually-elected President of the Executive Committee, the rest of the trustees shall be elected for a term of five years.
- (b) Notwithstanding section 4.4 (a), initially the trustees shall be elected in the manner and for the terms specified below in order to give continuity to the Board of Trustees:

At the end of the first year, the trustee elected with the least number of votes shall retire and a new trustee shall be elected in his/her place. At the end of the second, third, fourth, and fifth year, the trustees with the second, third, fourth and fifth least number of votes respectively shall retire; and each time a new trustee shall be elected to replace the retiring trustee. This procedure shall eventually result in a trustee being elected for a five year term.

- (c) In the event of death, resignation or absence of more than one year from the WNY, a new trustee shall be elected only for the remainder of the term.

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- (d) A trustee ceases to be a trustee when he/she loses his/her basic membership of the society.
- (e) A trustee can be removed from the Board of Trustees by a petition signed by 2/3 members of one year standing in the society.
- (f) The office of a trustee shall be vacated:
  - (1) If he/she becomes bankrupt or suspends payment or compounds with creditors, or makes an authorized assignment or is declared insolvent,
  - (2) if he/she is found to be mentally incompetent,
  - (3) if he/she is convicted of any criminal offence,
  - (4) if by notice in writing to the Executive Committee, he/she resigns his/her office.

#### 4.5 Authority and Responsibility

- (a) The Board of Trustees, subject to the by-laws, shall give counsel to the Executive Committee to facilitate their smooth working.
- (b) It shall exercise full control over the property and the affairs of the Society in accordance with the by-laws.
- (c) It shall help resolve disputes and/or complaints referred to it by the members or the Executive Committee. Failing to resolve such disputes, it shall present the same to the members of the Society for consideration.
- (d) It shall carry out responsibilities given under Section 9 (c) of this constitution.
- (e) Appointment and dismissal of a Granthi (Priest) by the Executive Committee must have written approval of the Board of Trustees.
- (f) The Board, except as provided in the by-laws, shall not interfere in the day-to-day management of the Society's business and affairs which shall be main responsibility of the Executive Committee. However, the Board has the authority to intervene and resolve any matters to ensure the smooth working of the Society in accordance with the by-laws.

- (g) The Board of Trustees shall meet at least once every four months and shall keep minutes of all the meetings.
- (h) The Board of Trustees shall serve the Society without any remuneration.
- (i) The Board of Trustees shall serve the Society as an Membership-Appeal Committee, which shall have the power to reinstate the revoked membership of a person.

#### 4.6 Officers

- (a) The Board of Trustees, by majority vote, shall annually elect a Chairman who shall have these responsibilities:
  - (i) Preside at all the meetings of the Board of Trustees.
  - (ii) Appoint a Secretary who shall keep minutes of all the meetings of the Board.
  - (iii) Appoint a Vice-Chairman to act as a Chairman in his/her absence.
  - (iv) Ensure that the decisions of the Board are carried out.
- (b) The President of the Society shall not hold any office with the Board of Trustees and shall not be entitled to vote in any of the Board's meetings.

#### 4.7 Protection of Directors

Every director or officer of the Society or other person who has undertaken or is about to undertake any liability on behalf of the Society, and their heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times be identified and saved harmless, out of the funds of the Society, from and against

- (1) All costs, charges and expenses whatsoever, which such director, officer or other person sustains or incurs in or about any action, suit or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him/her in or about the execution of the duties of his/her office, or in respect of any such liability;
- (2) All other costs, charges and expenses which he/she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses

as are occasioned by his/her own ~~and~~ neglect or default.

## SECTION 5

### MEETING OF THE SOCIETY

- (a) The Secretary shall give at least two weeks written notice of a general meeting, or special meeting, specifying the place, the day and the time of meeting by ordinary mail to the last known address of each member. He/she shall also inform the nature of the business to the members. However, the non-receipt of the notice by any member shall not invalidate the proceedings at any general meeting.
- (b) All meetings of the members shall be held at such places as may be decided upon by the Executive Committee and/or the Board of Trustees and designated in the notice calling such meeting.
- (c) No business shall be transacted at any general meeting unless a quorum is present at the time when the meeting proceeds to business.
- (d) One tenth of all member of the Society personally present shall be the quorum in a general meeting. Three voting members personally present shall constitute a quorum in the Executive Committee and three voting members personally present shall constitute a quorum for the Board of Trustees.
- (e) No amendment to the by-laws will be considered as passed until 2/3 of the members present vote in its favor.
- (f) If within half an hour from the time appointed for the meeting, a quorum is not present, the meeting shall be dissolved.
- (g) The President of the Society shall preside as Chairman at every General meeting of the Society.
- (h) If the President or the Vice-President are not present at the start of the general body meeting or in the case of unwillingness of either of the above two to act as Chairman of such meeting, the members present shall choose one member of the Executive Committee to act as the Chairman.
- (i) At any general, annual or special meeting a resolution put to vote at the meeting shall be decided by a secret ballot unless it is a unanimous decision.

- (j) At all the meetings, matters shall be decided by the majority of votes except in cases specifically provided for in these by-laws.
- (k) Every member (except non-voting members) present in person shall have one vote.
- (l) No member shall be entitled to address any meetings or make any speech in any religious or other palace, unless specifically requested to do so by the Chairman of such meeting.
- (m) The minimum number of member to call a general body meeting in writing should be 15% of the total members at a given time.
- (n) The proceedings of the (any) meeting could be conducted either in Punjabi, English or both.

#### SECTION 6

##### RELIGIOUS MEETINGS AND CELEBRATIONS

- (a) The "Sat Sangh" (religious meeting) or other religious celebrations shall be arranged by the Executive Committee. The Executive Committee shall convey the place, date and time for such religious functions to all members.
- (b) The medium (of language) to be used in the religious meetings could be either Punjabi, English or both.
- (c) A person of any religious faith or origin can attend a religious meeting provided he/she is willing to conduct himself/herself in accordance with sikh traditions.

#### SECTION 7

##### DISSOLUTION OF THE SOCIETY

- (a) In event of dissolution or winding-up of the Society all its remaining assets, after payment of liabilities, shall be distributed to one or more recognized organizations.
- (b) The assets shall be disposed of by the then existing Board of Trustees with the approval of the members of the Society, if any, at that time.

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## SECTION 8

### RECESSION, ALTERATION OR ADDITION

Seven percent or more members of one year's standing in the Society may propose in writing a recession, alteration or addition to the by-laws of this constitution, by submitting the same to the President, thirty days prior to the meeting of the members, at which, the same is to be considered. Written notice for such a proposed amendment shall be given by the President to the members by ordinary mail to the last known address at least two weeks before the meeting at which the proposed amendments are to be voted upon. The by-laws shall then be rescinded, altered or added to by way of extraordinary resolution being passed by a majority of not less than 2/3 of such members entitled to vote as present in person.

## SECTION 9

### FUNDS, ASSETS AND APPROPRIATIONS

- (a) For the purpose of carrying out its objectives, the Society may borrow or raise or secure the payment of money in such manner as it thinks fit; the income and the property of the Society, whencesoever derived, shall be applied towards the promotion of its objectives; and no portion thereof shall be paid or transferred directly or indirectly to the members of the Society.
- (b) All checks, promissory notes, drafts, bills of exchange and other negotiable or transferable instruments, and receipt for money in excess of \$100.00 paid to the Society, shall be signed, drawn, accepted or endorsed or otherwise executed of the case may be, by any two of these three office bearer namely, the President, the General Secretary and the Treasurer in such manner as the Executive Committee may decide from time to time.
- (c) Purchase, sale, lease, mortgage or otherwise disposal of the property, and all transactions involving mortgage in excess of \$5,000.00 shall have written approval of the Board of Trustees.
- (d) The Executive Committee shall cause to be kept proper both of accounts with respect to:
  - (i) the matters in respect of which the receipt and expenditure takes place.



- (ii) the assets and liabilities of the Society.
  - (iii) all sales and purchases of the Society and personal property.
- (e) The books, accounts and records of the Secretary and Treasurer shall be audited at least once a year by a duly qualified accountant. A complete and proper statement of standing of the books of the previous year shall be submitted by such auditor at the Annual Meeting of the Society. December 31st in each year shall be the end of the fiscal year of the Society. The books and records of the Society may be inspected by any member of the Society at the Annual Meeting provided for herein or at any time upon giving reasonable notice and rearranging a time satisfactory to the officer or officers having charge of the same. Each member of the Executive Committee and the Board of Trustees shall at all times have access to such books and records.
- (f) For the purpose of carrying out its objects, the Society may borrow or raise or secure the payment of money in such manner as it thinks fit, and in particular by the issue of debentures; but this power shall be exercised only under the authority of the Society; and in no case shall debentures be issued without the sanction of an extra-ordinary resolution of the Society with 2/3 majority of members present.

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*Sikh Cultural & Educational Society of WNY*  
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Mailing Address: PO Box 1041, Williamsville, NY 14231-1041

Constitution Amendment#2 - As per General Body Meeting held on December 11, 2011 and as authorized by Section5(e) of the current constitution)

Section 2.3.1 - DISORDERLY CONDUCT AND RELATED OFFENSES

Sec. 2.3.1a DISORDERLY CONDUCT - A person (member/nonmember) of the Sikh Cultural and Educational Society of WNY) commits an offense as below, intentionally or unintentionally:

- (1) Uses abusive, indecent, profane, or vulgar language in Gurdwara premises and the language by its very utterance tend to incite an immediate breach of the peace;
- (2) Makes an offensive gesture or display in Gurdwara premises, and the gesture or its mere display tends to incite an immediate breach of the peace;
- (3) Abuses or threatens a person in Gurdwara premises in an obviously offensive manner;
- (4) Incites fights or fights with another person in Gurdwara premises;
- (5) Displays a firearm or other deadly weapon in Gurdwara premises in a manner threatening to other members of the congregation or person;

Section 2.3.1b - RIOT - For the purpose of this section, "riot" means the assemblage of one or more persons resulting in disorderly conduct which:

## Gurdwara Constitution Amendment#2

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- (1) Creates an immediate danger of damage to property or injury to any member of the congregation or person(s) in Gurdwara premises;
- (2) Substantially obstructs law enforcement or other Gurdwara functions or services; or
- (3) By force, threat of force or physical action deprives any member of the congregation or person of a legal right or disturbs any person in participation of peaceful worship in the Gurdwara premises.

### Section 2.3.1c - DISRUPTING MEETING OR PROCESSION

- (1) A person commits an offense if, with intent to prevent or disrupt a lawful General Body or Executive Committee meeting, procession, or gathering, he/she obstructs or interferes with the meeting, procession, or gathering by physical action or verbal utterance.

#### CONSEQUENCES:

- (1) If a person (member/nonmember of the Sikh Cultural and Educational Society of WNY) commits an offense as described under Section 2.3.1 and its subsections, the individual will be politely requested to leave the congregation by management committee officer bearers present in the congregation and in case the member/nonmember is still adamant thereby, Amherst Police will be called to restore peace and order in the Gurdwara (decision at discretion of management committee, by majority of its members present in the congregation)
- (2) By 2/3 majority, Executive Committee may suspend the member temporarily from the Gurdwara membership in response to unethical conduct that resulted in harming to others. Protecting the others from physical harm and injury is paramount. The suspension shall continue until there is clear evidence of rehabilitation of the guilty member/nonmember. At that time, the member/nonmember may petition to the Executive Committee for cessation of the suspension.
- (3) By 2/3 majority, Executive Committee may suspend the member/nonmember permanently from the Gurdwara membership or restricting his/her entry into Gurdwara premises, in response to unethical conduct that resulted in substantial harm to others, the Order, and the community. Protection of others from physical and mental harm and protection of the integrity of the Order are paramount.

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- (4) The Gurdwara Executive Committee also reserves rights to seek legal action to bar the unruly congregant from entering within 300 yards of Gurdwara property or as much as the town of Amherst court permits. This legal action will be commenced with written approval of 2/3 members of management committee. Nonmember's entry shall be barred permanently from Gurdwara premises.

### SECTION 4.5.C(1) - DISPUTES AND COMPLAINTS FILING PROCESS

- (1) Any complaints about any other person (member or non-member of the Gurdwara) or such should be addressed to the Executive Committee or Board of Trustees, preferably to the Secretary in written.
- (2) Secretary will present the written complaint to the Executive Committee and/or Board of Trustees for consideration, after all evidence or documents have been received.
- (3) The Executive committee shall review the facts and circumstances pertaining to the complaint and may, at its discretion, call Respondent, and/or Witnesses at the meeting and request documents, information etc.
- (4) If the issue is in the interest of the Gurdwara sangat, the Committee may discuss the issue with sangat at the General Body meeting, to solicit feedback, comments etc.
- (5) After collecting all the evidence and careful investigation of the facts, within 30 days, the Executive Committee will provide all the parties with information regarding the resolution of the incident/complaint.
- (6) If the subject of the complaint wishes to appeal the recommendations, he/she will be offered the opportunity to attend one-on-one meeting with the Executive Committee, and thereafter the decision will be final and binding to the Complainant and Respondent, and will not be subjected to appeal further.

NOTE: Amendment #2 to the Constitution was unanimously approved by the Gurdwara Sangat during the General Body meeting held on March 18, 2012, and now is finally and officially part of the main Constitution.

President:  5/5/2012

Vice President:  7/1/12