

**Constitution**  
**Of**  
**Federation of Kerala Associations**  
**In North America, Inc. (FOKANA)**

**(ESTABLISHED IN 1983)**

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By

**Constitutional Committee 2008**

**Dr. M Anirudhnan-Chairman**

Committee Members

**Dr. Parthasarathy Pillai**

**T S Chacko**

**John Isaac**

**Dr. Mammen C Jacob**

**Thomas Ninan**

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## Preface

Nainan T. Chandy

From the late nineteen seventies, many Malayalees became concerned about organizing an American Federation of Kerala Associations. When that concept crystallized, it was generally accepted that the Federation should be secular, objective, non-political, non-patrician, and not-for profit. Also, it should promote cultural, economic, educational and social affairs of the Keralites in America and Kerala. These concepts constituted the guiding spirit of the Constitution, created by a Constitutional committee consist of Mr. K.S. Antony, Dr. Koshy Chacko (Chairman, Constitutional Committee), Mr. V.P. Menon, and Dr. A.K. B. Pillai.

On 4<sup>th</sup> of July, 1983, on the concluding day of the historic First Convention of Keralites held in New York, under the chairmanship of Dr. M. Anirudhan, the General Body discussed and adopted the Constitution of Federation of Keralites in North America, Inc. (FOKANA). In the last decade, few amendments were made in this constitution.

**“Coming together is a beginning,  
keeping together is Progress,  
working together is success.”**

**-Henry Ford.**

**To conclude, the leaders have shown us how to begin, how to progress and above all, how to work together with a commitment to succeed.**

# CONSTITUTION & BY – LAWS OF THE FEDERATION OF KERALA ASSOCIATIONS IN NORTH AMERICA, INC. (FOKANA)

*- A FEDERAL NON- PROFIT ORGANIZATION -*

## ARTICLE 1 NAME AND OBJECTIVES

Section 1. The name of this organization shall be the ‘Federation of Kerala Associations In North America’ (FOKANA), hereinafter referred to as the ‘Federation’.

2. It shall be a non-political, non-profit, secular organization to provide a common Platform to the various member organizations and interested individuals and to co-ordinate cultural, educational, social, and economic and community affairs of the people of Kerala Origin residing in North America.
3. The term ‘secular is defined as the institution or organization that is not sectarian on the basis of religion, sex, or political affiliations.
4. The location of the principal office of this organization shall be decided by the Board of Directors.
5. The ‘objectives of the Federation’ shall be:-
  - i) to represent the interests of Kerala community in North America ;
  - ii) to preserve and popularize Kerala culture and heritage;
  - iii) to promote the cultural, educational and social life of Keralites and their descendants in North America;
  - iv) to foster friendship and understanding between the Keralites and others;
  - v) to organize and co-ordinate activities for the purpose of contributing to Kerala’s development;
  - vi) to raise, solicit and receive funds, charities and donations to carry out the above and other worthy humanitarian causes.

## ARTICLE II. CATEGORY OF MEMBERSHIP

**Section 1.** There shall be five categories of members in the 'Federation':-

- i) Regular Members
- ii) Members-at-large
- iii) Associate Members
- iv) Honorary Members
- v) International Members.

2. The above five categories of memberships are defined as follows.

- i) **Regular member.** A regular member shall be a Kerala Organization in North America which is eligible for membership as per Article III, Section 1.
- ii) ***Member-at-Large.*** *A member-at-large is a Keralites or descendant of Keralites who does not have a Kerala organization or an active Kerala organization in FOKANA with in 50 (fifty) miles radius and has permanent residence in North America is eligible for membership – at-large.*
- iii) **Associate Member.** An Associate Member shall be a Kerala Organization in North American which is eligible for membership as per Article III, Section1, subsection vi.
- iv) ***Honorary Member.*** *Any person, who has rendered a conspicuous and outstanding service to the Kerala community, may be elected to Honorary Membership on recommendation of Board of Trustees and elected by Board of Directors. Honorary Membership shall be exempt from all dues, but be entitled to all privileges except the right to vote in general election.*
- v) **International Members.** International Members shall be those foreign Kerala Organization or other fraternal organizations determined by the Board of Directors who subscribe the aims and objectives of the 'Federation'. International Members shall be exempt from all dues at the discretion of the Board of Directors, but shall be entitled to all privileges of membership except the right to hold office and to vote.

## ARTICLE – III. MEMBERSHIP

**Section 1. Eligibility.** Any socio-cultural non-political and secular organization of Keralites located in North America is eligible to apply for Regular / Association

membership of the Federation provided that organization meets with the following qualifications:-

- i) Is not for profit organization
- ii) Has adopted and function under duly written constitution and/or by-laws
- iii) Hold duly constituted meeting and elects its officers and other members to the Governing Body.
- iv) Subscribe to the aims, objectives and purpose of the Federation and agrees to abide by the constitution and/or by-laws of 'Federation'
- v) Agrees to pay the prescribed membership dues upon admission to the Federation'.
- vi) ***Has completed two years of its in corporation/registration in their respective states and cannot / shall not be a member of other Keralites / Malayalee umbrella organizations.***
- vii) ***Is located geographically away from cities in which similar member associations of existing FOKANA organization are functioning.***

Section 2. Admission. An organization seeking membership to the 'Federation' shall submit an application in the prescribed form along with the following documents to the Secretary of the 'Federation'.

- i) Copy of the Certificate of Incorporation
  - ii) Copy of the Constitution and / or by-laws.
  - iii) A current list of elected officers, their titles. Address and telephone numbers.
  - iv) ***Name address and telephone #'s of active member of the association. Any cross-membership with other existing FOKANA member associations will be disqualified for the # of members for the newly applying organization.***
  - v) ***If association (s) are existing in the same geographical area or region, letters from the member associations and a letter from the Regional Vice president, is needed for the admission of a new association to FOKANA.***
3. An organization seeking the membership of the 'Federation' should submit the application in the prescribed form with a ***non-refundable fee of US \$ 100.00 per year*** (equivalent Canadian Dollars for organization based in Canada) paid with respective organization's check payable to FOKANA.
4. ***The application for membership received from and organization shall be reviewed, date stamped by the FOKANA General Secretary and recommendation should be forwarded within 3 (three) months to the Board of***

***Trustees. Upon receiving the reviewed application from the national committee the Board of Trustees should inquire and notify the 'membership status' to the newly applied association.***

5. Upon approval of the application for membership, the applicant shall:-
  - i) Pay Annual dues to the 'Federation' as per Article 1.
  - ii) Submit to the secretary of the 'Federation' the names addresses and the telephone numbers of its representatives who will serve on the board of Directors and the General Council of Representatives of the 'Federation'.
- 6 An organization admitted as an Associate Member of the 'Federation' is not eligible to vote in the 'General Council' Meetings until the Associate Member is conferred with the Regular Membership of the 'Federation' as per section 7 of this Article.
- 7 Upon completion of two years from the date of incorporation/ registration of an Associated Member, the Executive Committee shall reconsider its membership application as per Section I, Article III and may confer Regular Membership.
- 8 A member organization shall be responsible to notify the Secretary of the 'Federation' any and all changes relating to article III, section 2 (ii), 2 (iii), and 5 (ii) within a period of 30 days after such changes have taken place.
- 9 Individuals seeking membership as 'Member-at-Large shall have to apply on the prescribed form and submit their application together with a non-refundable fee of US \$ 25.00 (or equivalent Canadian Dollars) to the Secretary of the 'Federation'. They shall pay the membership dues on receipt of the approval letter from the 'Federation'.
- 10 If a member organization / representative of Member-at-large fails to attend three consecutive meetings, the 'Federation' shall have the right to remove such organization/representative from membership by a majority vote of the General Council' of the Representatives.
- 11 Membership of all categories can be revoked if and organization/individual has been proved to be guilty of violating the Constitution and / or by-laws of the 'Federation' and a resolution to that effect is passed by two-thirds of the members present voting in the 'General Council' of Representatives.
- 12 A written notice of at least twenty-one (21) days specifying the alleged charges be given to the member/ organization prior to the commencement of action contemplated under Section 10 and 11 of this Article.

- 13 An organization/ individual whose membership has been deleted as per section 10 and 11 of this Article is not entitled to receive any unexpired portion of annual dues.

#### **ARTICLE-IV.MEMBERSHIP DUES**

Section .1 *Membership dues shall be US \$100.00 (one hundred) (equivalent Canadian Dollars) a year for regular members and US \$50.00(fifty) for Member-at-Large. (Single Membership) per year.*

2. *Dues are payable upon the first day of the official year of the “Federation” and should not be a member of other Keralites / Malayalee umbrella organization.*
3. If any member shall fail to pay the dues within ninety (90) days from the due date, all rights and privileges of membership shall automatically be suspended, except that upon application of any member, the executive committee may, in its discretion, extend the time for payment of dues, during which period the member shall have all the rights and privileges of membership.
4. If upon determination of the Board of Directors, a member is found not adhering to the schedule of dues and who without just cause does not pay the dues, the Board of Directors is empowered to drop the member from membership. Before any such action is taken, the member shall be given an opportunity to explain and pay the dues.

#### **ARTICLE - V. ‘GENERAL COUNCIL’ OF REPRESENTATIVES.**

Section 1. The ‘General Council’ of Representatives, hereinafter referred to as the ‘**General Council**’ or ‘**Council**’, is the supreme forum of the ‘Federation’ and shall be composed of the following representatives drawn from the constituent member of organization/individuals:-

- i) Board of Trustees.
- ii) All the Members of the ‘Board of Directors’
- iii) Representatives of member organization based on proportional Representation as per section 2 of this Article.
- iv) Representatives elected from among the ‘members-at-large’.

Section 2. **Regular/Associate Members.** *Regular and Associate Members shall have proportional representation in the ‘Council’ on the basis of the following table:-*

<i>Up to 99 dues paying members</i>	<i>1 representative</i>
<i>100 to 199 dues paying members</i>	<i>2 representative</i>
<i>200 to 299 dues paying members</i>	<i>4 representative</i>
<i>300 to 399 dues paying members</i>	<i>6 representative</i>
<i>400 and above dues paying members</i>	<i>7 representative</i>

- Section 3 Member-at-large. *Member-at- large shall elect their own representatives to the general council based on one delegate for every 10 paid members at-large or its fractions there o to the general council. . .(Up to 10 (ten) members-at-large = 1 delegate, 11 to 20 = 2 delegates and so on The number of such representatives shall not exceed one tenth of the eligible delegates who can represent the general council from regular member associations.*
- Section 4 Representatives of the Members-at-Large shall have equal rights and privileges in the ‘General Council’ except the following:-
- i) That they can not hold the position of the President of the ‘Federation’
  - ii) *That they can hold any elected position only after completing two (2) years in the category of Member-at-large.*
- Section 5 An Honorary Member may be invited to attend the ‘General Council of representatives as an observer.
- 6 Representatives attending the ‘General Council’ is required to carry appropriate credential issued by the ‘Federation’ and/or by the head of their organizations.
  - 7 Decisions of the ‘General Council’ of Representatives shall be final and binding on the organization/ individual members unless otherwise decided by the subsequent meeting of the ‘Council’.
  - 8 Each representative qualified to vote shall have one vote.
  - 9 A meeting of the ‘General Council’ of Representatives shall be held at least once every two years within six months of the closing of the second official year to transact the following business:-
    - i) Review the activities of the past two years.
    - ii) Received the audited financial reports.
    - iii) Elect officers of the ‘Federation’.
    - iv) Adopt Amendments to the Constitution and/ or By-laws.
    - v) Transact other business duly included in the agenda.
  - 10 **Special Meeting.** *If for any reason a special meeting of the General Council deemed necessary has requested by the 35% (thirty five) of the eligible member association in writing (approved by the member organization’s managing*

*committee and signed by association Secretary) or the majority of National Committee or Board of Trustees of FOKANA, such special meeting or meetings shall be convened by FOKANA General Secretary.*

- 11 **Requisitioned meeting.** If or any reason, a special meeting of the council is deemed necessary by a majority of the members and representation to that effect is received by Board of Directors or the Executive Committee, such a meeting shall be called by the Secretary within **30 (thirty) days of post mark notice** such representation.
- 12 **Place of meetings.** *The Board of Trustees or the National Committee shall specify the place, date and time of annual, special and requisitioned meetings of the 'General Council'.*
- 13 **Notice of Meetings.** *Any meeting or meetings called shall upon 30 (thirty) days of post mark notice in writing send* by mail to each of the members at such address as appears in the records of the 'Federation'. In the case of a Special Meeting or when required by the statue or by this constitution, notice of meeting shall be deemed delivered when deposited in the postal mail addressed to the member at the address as it appears on the official record of the 'Federation' with adequate postage prepaid.
- 14 **Quorum.** *A quorum shall consist of 51% (fifty one) of the eligible members of the council.* If a quorum is not present at any meeting, the members present shall have the power to adjourn the meeting. An adjourned meeting due to lack of quorum can be held as a carry-over meeting after notice is given as per Section 13. Such carry-over meeting need not have a quorum.
- 15 **Voting.** *Voting at any meeting of the 'General Council' shall be one vote for each member, cast in person.* When there is a quorum, a majority vote of the members vote of the members present and voting shall constitute a decision unless the vote of greater number is required by the constitution and/ of By-laws.

## **ARTICLE – VI.**

### ***EXCUTIVE COMMITTEE HEREIN KNOWN AS NATIONAL COMMITTEE***

Section 1. The General Council of Representatives shall elect a “**National Committee**” to manage the activities of the 'Federation'.

2. i) *The elective officers of the National Committee shall be :*  
*President*  
*Executive Vice President*  
*Vice President*

*General Secretary*  
*Associate Secretary*  
*Additional Associate Secretary*  
*Treasurer*  
*Associate Treasurer*  
*Additional Associate Secretary*  
*Ten Regional Vice Presidents*  
*12 (Twelve) Committee members*  
*1 (One) Committee member Canada*  
*Youth Members ages between 18 – 30*  
*Youth Members (5 from USA and 2 from Canada)*

*Total members 39.*

- ii) *The Executive Committee shall be*  
*President*  
*Executive Vice President*  
*Vice President*  
*General Secretary*  
*Treasurer*  
*Associate Secretary*  
*Additional Associate Secretary*  
*Associate Treasurer & Additional Associate Treasurer*

3. **Election of Regional Vice Presidents.** *The Regional Vice Presidents, one from each geographical region as per Article XI, shall be elected at the meeting of the General Council. The Board of Trustees, the National Committee members, and members' at large representatives have no voting rights in the election of the Regional Vice Presidents.*

4 **Term of office of elected officers.** All officers shall hold office for approximately two (2) years, with their term of office ending on the next day following the last day of the convention provided the newly elected officers take charge simultaneously. *The current Executive Committee shall remain in power until the newly elected Executive Committee officially takes charge and is approved by the Board of Trustees.*

5. **Succession of officers.** In the event of death, resignation, removal from office, or otherwise, the orders of succession shall be as follows:-

- i) The Executive Vice President shall succeed to the office of President.  
ii) All other vacancies except the Regional Vice President (s) are to be filled by the Board of Directors.

6. In the event of death, resignation, removal from office, or otherwise, of a Regional Vice President, a successor to that position be elected at a meeting of the respective Regional Representatives.

7. Duties of Elected officers

- i) **The President** shall be the chief executive officer elected by the ‘council. He/ she shall be an ex-officio of all committees, shall see that orders and resolution of the Board of Directors and Executive Committee are carried out, and shall have all the powers and duties usually vested in the office of the president.
- ii) **The Executive Vice President** shall act in the place of the President in the absence or inability of the President. He/she shall perform such duties as may be assigned to him/ her by the President, the Board of Directors, or the National Committee. The President shall be responsible for assuring that the Executive Vice-president is kept informed of all matters and is actively involved therein to the extent that, if necessary, the person can act instead of the President.
- iii) **The Vice President** shall act in the place of the Executive Vice President in the absence or inability of the Executive Vice President. He/She shall perform such duties as may be assigned to him/her by the President, the Board of Directors, or the National Committee.
- iv) **General Secretary-** shall attend all meetings of the Board and the National Committee and record all votes. He/she shall record or supervise the recording of the minutes of all proceedings in a book to be kept for that purpose. He/she shall give, or cause to be given, notice of all meetings of the Board of Directors, the National Committee and ‘General Council’. The Secretary shall perform such other duties as may be required for the efficient and effective functioning of the ‘Federation’.
- v) **Associate Secretary-** shall act in the place of the Secretary in the absence or inability of the Secretary. He/she shall also assume such other duties as may be assigned by the Board of Directors and/or the National Committee.
- vi) **Additional Associate Secretary-** shall act in the place of the Associate Secretary in the absence or inability of the Associate Secretary. He/she shall also assume such other duties as may be assigned by the Board of Directors and/or the National Committee.
- vii) **Treasurer-** shall have general supervision over funds of the ‘Federation’ and see that full and accurate accounts of receipts and disbursements are maintained that all funds and valuable assets belonging to the ‘Federation’ shall be deposited in such depositories as may be designated by the National Committee and shall render whenever required, an accurate account of the financial condition of the ‘Federation’.

- viii) **Associate Treasurer-** shall assist the Treasurer and perform such other duties as assigned by the Board of Directors and/or the National Committee.
- ix) **Additional Associate Treasurer-** shall assist the Treasurer and perform such other duties as assigned by the Board of Directors and/or the National Committee.
- x) **Regional Vice-president(s) Committee Members-** shall assist the president and vice-president in coordinating Regional and National activities and perform such other duties as assigned by the Board of Directors and/ or the Executive Committee.
- xi) **Removal of National Committee Member(s) –** Any National Committee Member who is absent for three consecutive Committee Meetings shall automatically be removed from the office. Such vacancy shall be filled by the National Committee with a majority vote of the members present at the meeting.

## **Article – VII (A) BOARD OF DIRECTORS.**

- Section 1. Composition and Number.** There shall be a ‘**Board of Directors**’ composed of the members of the ‘**Board of Trustees**’, ‘**National Committee, Presidents, and Immediate Past-Presidents**’ of all Member Associations’.
2. **Term of Directors.** Directors shall hold office for a period of approximately two (2) years and shall continue until their successors are elected. The Presidents of Associations shall automatically be replaced by the next elected President.
  3. **Power of Board of Directors.** The Board of Directors shall have the power to make such rules and regulations and take such action not inconsistent with the constitution and/ or by-laws, as may be necessary for the general management of the affairs and activities of the ‘Federation’. Whenever the Board is not in session, the National Committee shall have all the powers of the Board, except as to matters of general policy.
  4. **Meetings of Board of Directors. Regular and Special.** The meeting of the Board shall be held prior to the meetings of the ‘General Council’. The Board may by resolution establish such other regular meetings as in its judgment are proper and necessary for the effective functioning of the ‘Federation’.
  5. ***Special Meetings of the Board of Directors - shall be called by the General Secretary at the written request of Majority of Board of Directors or a majority of the National committee and or a majority of the Board of Trustees.***

**Notices:** *The notice of any annual or regular meeting of the board shall be sent to each director by mail at least 30 (thirty) days by post mark receipt in advance*

*of such meeting. The notice for any special meeting of the Board shall be send to each director by mail at least 10 (ten) days of post mark notice in advance. Emergency meeting by mail or email or telephone at least ten 10 days of advance notice*

7. **Quorum.** *At all meeting of the board of directors 51% (fifty one percent) of the directors shall constitute a quorum to transact business.*
8. **Voting.** *Voting at any meeting of the Board of Directors shall be by one vote for each Director present not-with-standing the fact that a Director may be present in more than one capacity.*
9. **Action of Directors without a meeting. By written consent.** *Any action required or permitted to be taken at any meeting of the Board of Directors or any Committee may be taken without a meeting of all members of the Board or any Committee consent thereto in writing and the writings are filed with the minutes of proceedings of the Board or Committee as the case may be.*
10. **Telephone Conference Meeting:** *Members of the Board or Committee may participate in a meeting of such Board or Committee by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other and such participation shall constitute a presence in person at such meeting. **Election or filling of any vacancies should not be held by telephone conferencing***

## **ARTICLE – VII (B) BOARD OF TRUSTEES**

- Section 1 *There shall be a body of 9 (nine) trustees herein after referred to as the “Board Of Trustees” formed from the “past and immediate past presidents and secretaries of the Federation”, four individuals and a youth member elected from the General Council. The youth member should be between the ages of 20 – 35. The current president and secretary shall serve as ex-officio member to the Board of Trustees.*
2. **Eligibility –** *The Board of Trustees members including the youth member must have served the National Committee of FOKANA at least one term in the past.*
  3. *The term of office for the Board of trustees shall be for four (4) years. The vacant position of the Board of Trustees shall be filled by direct election conducted at the ‘General Council’ Meetings.*
  4. *The Immediate past President and Secretary of the ‘Federation’ will automatically become the Board of Trustee Members for a period of four years.*

5. A member of the Board of Trustee Member can be removed by the 'General Council' by a two-third (2/3) majority vote present at the 'Council'.
6. A Board of Trustee Member who is absent for three (3) consecutive Trustee Board meetings shall automatically be removed from office. Such vacancy for the remaining period of the removed member shall be filled by a majority vote of the Board of Trustees.
7. The Chairman, Vice-Chairman and the Secretary of the Board of Trustees shall be elected from the Trustee Board members by a majority vote of the Trustees present at the meeting for a period of two (2) years.
8. *Elected Board of Trustees member can serve in the capacity as B Of T for one terms (4 years). The position has to be vacated at least for one term before they are re-elected.*

**ARTICLE – VIII (A). Powers of the National Committee:**

***THE EXECUTIVE COMMITTEE HEREIN REFERRED AS NATIONAL COMMITTEE.***

- Section 1 National Committee shall be vested with and exercise all the powers of the Board of Directors when such Board is not in session, and report its actions to the Board at each session of the Board.
2. **Meetings of the National Committee.** National committee shall meet as often as required at the call of the president or a majority of the members of the national Committee.
  3. **Notices.** The National Committee may be called into session with at least seven (7) days mail notice or three (3) days telegraphic telephone notice.
  4. **Quorum.** At any meeting of the National Committee, a majority of its members shall constitute a quorum to transact business.
  5. **Voting.** Voting at any meeting of the national committee shall be one vote for each member present notwithstanding the fact that such member may be present in more than one capacity.

**ARTICLE – VIII (B) POWER OF BOARD OF TRUSTEES.**

- Section 1. The Board of Trustees will serve as a long range planning and implementing body and will advice other bodies of governance regarding policies and projects for the benefits of the North American Kerala Community, as per the guidelines of the General Council.

2. The Board of Trustees shall be the custodians of all permanent assets of the 'Federation'.
3. The Board of Trustees shall submit, **biannually**, a report of recommendation with the financial status of the 'Federation' to the 'General Council' for review.
4. The Board of Trustees shall arrange and conduct General Election at the BI-annual General Council Meetings.
5. The Board of Trustee (s) shall not hold any other position of governance of the 'Federation' elected of the 'Federation'.
6. The Board of Trustees shall not interfere in the day-today activities of the Executive Committee of the 'Federation'.
7. *The annually internally audited convention account and accounts of FOKANA should be presented and transferred to B of Trustees within 150 (one hundred fifty) days from the last date of the convention. The B Of T will take necessary action including appointing individuals, consultants, legal counsel and management personnel for the proper external audit. All reasonable expenses will be paid by FOKANA.*  
  
*If fail to meet the deadline, president, secretary and treasurer from the term that the accounts are in default will be barred for at least six months from the FOKANA Board of Trustees, FOKANA Foundation or any elected or convention committee position. If those officials continue further noncompliance with the bylaws in presenting the accounts, they will be permanently barred from holding any official or elected position of FOKANA, including a Convention Committee position.*  
  
*In this situation, the respective member association (s) that the defaulted president, secretary, and treasurer hail from will forfeit their right to participate or send delegates to future General Council meetings.*
8. **Quorum.** At any meeting of the Board of Trustees, a majority of its members shall constitute a quorum to transact business.
9. Chairman and the Secretary of the Board of Trustees shall be non-voting members of the National Committee.

## ARTICLE – IX. SUB-COMMITTEES

- Section 1. The Board of Directors shall form as many sub-committees as is required in its judgment to efficiently carry out the functions of the Federation.

2. The Chairperson of the sub-committee shall be member of the Board except those who are appointed by the Board of Directors.
3. The President and Secretary or in their absence, the Vice President and Associate Secretary shall be members of each sub-committee.
4. The sub-committee shall be directly responsible to the Board of Directors for all its actions.
5. The chairperson of the sub-committee shall convene and conduct its meetings as and when needed.
6. The sub-committee may co-opt members not exceeding the elected members from the community on the basis of their social standing, community service or expertise in given field of activity.

## **ARTICLE – X. (A) ELECTION COMMITTEE.**

- Section 1. The Board of Trustees shall appoint a three member Election Committee with a designated chairperson at least three (3) months prior to the meeting of the General Council of Representatives.
2. *The election committee shall invite nominations for the National Committee, board of trustees, two internal auditors and name of delegates (association representatives ) at least 75 (seventy five) days prior to the election.*
  3. *All nominations shall be approved by the general body or executive (managing) committee of the respective association of the candidate. Nominations in the prescribed form, duly signed by any two of three persons: president, secretary, or treasurer of the nominating organization and accepted by the nominee must be filed at least 45 (Forty five) days prior to the annual election.*
  4. The person nominated by an Association shall be one of the ‘official representatives’ eligible to participate and vote at the ‘General Council’.
  5. The Election Committee shall announce the name of the nominees and the office at least twenty (20) days prior to the ‘General Council’. *A member association can only nominate 2 (two) positions for the election of the National Committee and the Board of Trustees.*
  6. The Chairperson of the Election Committee shall submit the names of the nominees to the meeting of the ‘General Council’ and supervise the election process.

7. The 'General Council' at its discretion may call for additional nominations from the representatives at the time of the election of officers, if no nominations for a particular position are received by the Election Committee.
8. *A member association cannot forward more than one nomination for the same position to be elected at the general election.*
9. *The Election Committee must receive all dues and fees in arrears, along with the delegates list at least 60 (sixty) days prior to the General Council which election is held.*
10. *Any bounced check will void the association' voting right for at least the following one term (2 years).*
11. *The election committee shall announce the final list of the nominees and the respective offices and the delegates at least 15 (fifteen) days prior to the election and no changes there after.*
12. *Election of the new office bearers can be conducted at the convention site. The place to conduct the election must be provided by the President.*

## ARTICLE – X (B) ELECTION PROCEEDURE

*The candidates contesting for the various position of FOKANA general election has to solemnly pledge that once they are elected to the respective position they uphold Constitution and by – laws of FOKANA. The candidates once elected 'individually and collectively' as member of FOKANA National Committee indemnifies FOKANA and its trustees against any financial losses or expenses incurred during their term in the office.*

## ARTICLE XI. GEOGRAPHICAL REGIONS.

Section 1. Until otherwise decided by the Board of Directors for our purpose, North America shall be divided into ten (10) geographical region as:-

- Region 1.** Marine, Vermont. New Hampshire, Massachusetts, Rhode Island, and Connecticut.
- Region 2.** New York.
- Region 3.** Pennsylvania, New Jersey and Delaware.
- Region 4.** Maryland, the District of Columbia, Virginia, West Virginia, North Carolina, and South Carolina.

- Region 5.** Florida, Alabama, Mississippi, Louisiana, Georgia, Arkansas, and Tennessee.
- Region 6.** California, Nevada, Utah, Arizona, New Mexico, Colorado, Hawaii, Idaho, Montana, Oregon, Washington, and Wyoming.
- Region 7.** Missouri, Kentucky, Ohio, Indiana, Illinois, Iowa, Wisconsin, Minnesota, and Michigan.
- Region 8.** Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota.
- Region 9.** Ontario, Quebec, Nova Scotia, Brunswick, Prince Edward Island and Newfoundland.
- Region 10.** British Columbia, Alberta, Manitoba, Northwest Territories, Saskatchewan and Yukon.

## **ARTICLE – XII AFFILIATED ASSOCIATIONS.**

- Section 1. The Board of Directors may provide for formal affiliation of related autonomous associations with similar aims, Objectives and purposes as that of the ‘Federation’.
- 2 An affirmative vote of majority of the Directors present shall constitute a decision.

## **ARTICLE – XIII. OFFICIAL YEAR**

The Official year of the Federation shall begin on July 1<sup>st</sup> end on June 30<sup>th</sup>

## **ARTICLE – XIV. AMENDMENTS.**

- Section 1 *The constitution may be amended by the General Council at any meeting thereof provided written notice of the proposed amendment has been mailed to all member associations no later than 45 (forty five) days prior to such meeting.*
2. *An affirmative vote of majority of the members present and voting at such a meeting shall constitute and acceptance of the proposed amendments.*
3. *Eligibility. A candidate running for the elected office shall be a person of good standing and be recommended by their respective association.*

i) *The candidates contesting for the positions of President, General Secretary and Board Of Trustee must have served at least one term in the FOKANA National Committee or B of Trustee.*

4. **Removal from Office:** Any elected official, who has violated the ethical code of FOKANA Constitution and / or misappropriation of funds, shall be removed from the office by the 'Board of Trustees'.

## **ARTICLE – XV DISSOLUTION.**

In the event of the dissolution of the 'Federation' shall, after paying or providing for payment of all liabilities and deposits of member organizations dispose of all the assets in accordance with the provisions of applicable law.

## **ARTICLE – XVI. BANK ACCOUNTS AND COLLECTION.**

- Section 1. The Federation shall open and operate bank accounts in any commercial banks or savings and loan associations in the United States.
2. The accounts shall be jointly opened and operated by the Treasurer, President and Secretary of the 'Federation'.
  3. Payments shall be made by the Treasurer, however, a check in the amount of \$100.00 (one hundred) and more shall be signed by any two of the Treasurer, President or Secretary of 'Federation'.
  4. All collection in the name of the 'Federation' shall be deposited with the Treasury of the 'Federation' within ten working days of the receipt.

## **ARTICLE – XVII. AUDITING AND TAX FILLING**

1. *The General Council shall elect 2 (two) internal auditors for internal auditing.*
2. *The internal auditors are non voting members of National committee.*
3. *The internal auditors have to audit the FOKANA accounts semi annually.*
4. *The annual corporate tax filing is mandated.*
5. *FOKANA president must present the accounts and board of trustees has to coordinate the annual federal and state income tax filing.*

6. *The internal auditors must audit and return the biennial account within 20 (twenty) days of receiving the accounts.*

## **ARTICLE- XVIII. PROCEDURE.**

Unless otherwise herein provided, Robert's Rule of Order on Parliamentary Procedure shall be the authority relied upon to govern procedures of meetings held by the 'General Council' of Representatives, Board of Trustees. Board of Directors, the Executive Committee or any other Committee established by or pursuant to this Constitution.

## **ARTICLE XIX DISCIPLINARY ACTION**

1. *If biennial internally audited convention account and other FOKANA accounts have not been presented and transferred to Board of Trustees within 150 (one hundred fifty) days from the last date of the convention, president, secretary and treasurer from the term that the accounts are in default will be barred for at least six months from the FOKANA Board of Trustees, FOKANA Foundation or any elected or convention committee position. If those officials continue further noncompliance with the bylaws in presenting the accounts, they will be permanently barred from holding any official or elected position of FOKANA, including a Convention Committee position.*
2. *In this situation, the respective member association (s) that the defaulted president, secretary and treasurer hail from will forfeit their right to participate or send delegates to future General Council meetings.*
3. *Removal from Office:*  
*Any elected official who has violated the ethical code of the FOKANA constitution and / or misappropriation of funds can be suspended from the office by the majority of the Board of Trustees. Any unethical, immoral, or financial misconduct by any elected present or past official of FOKANA will be permanently suspended from FOKANA and all its activities. A permanent removal from the office requires the majority of the General Council.*

**PRESENTED FOR DISCUSSION AND ADOPTED BY THE  
GENERAL BODY ON ITS 1<sup>st</sup> CONVENTION OF KERALITES IN NORTH  
AMERICA HELD IN NEW YORK.**

New York, NY  
July 4, 1983

## **RESOLUTION I. (Applicable for the 1998 Election)**

It is resolved that in the seven (7) vacancies of the members of the ‘Board of Trustees’ whose term of office will be completed in 1998, new election is conducted only for five positions, two from the past Presidents or Secretaries, two from the General Council and one from the youth’. (Article VII (B) – Section 1.)

## **RESOLUTION 2 (Applicable for 1998 Election)**

It is also resolved that for 1998, the first two members of the Board of Trustees shall be elected for a term of two years.

## **AMENDMENTS**

### **AMENDMENT NO.1**

Amendments in Article – III, Section (1) and Article – XI Section (1) were unanimously passed and ratified by the ‘General Council’ held on July 12, 1992 at Washington D.C.

### **AMENDMENT NO.2**

Amended the Constitution to include Article- VII (B) and Article- VIII (B) was unanimously passed and ratified by the ‘General Council’ at its meeting held on July 3, 1994 at Toronto, Canada.

### **AMENDMENT NO.3**

Amendments in Article- III Section (4); Article V [Section (1), Section (2), Section (9)], Article VII (A) Section (1); Article VII (B) [Section (1), Section (6), and Section (7)]; Article VIII(A) [Section (3) and Section (6)]; Article VIII(B) [Section (1), Section (7) and Section (9)]; Article IX [Section (2), Section (3)]; Article X [Section(1) [Section (2), Section (5), and Section(7)]; Article XIV [Section (3), Section (4)]; Article XVI [Section(4) Article XVII Section (1), and Resolution (2) were unanimously passed and ratified by the ‘General council held on November 8, 1997 at New York.

**AMENDMENT NO.4** The following articles were amended by the General Council held on 16<sup>th</sup> March 2002 at New York.

Article VI [Section (2), Section (3)]; Article VII (B)[Section (1), Section (2) and added Section (8)], and, Article -XI [Section (1), Section (2)][Connecticut is removed from Region(2) and added to Region (1)]

## **AMENDMENT NO. 5**

The following articles were amended by the General Council held on July 4 2008 at Valley Forge Convention Center PA.

Article II Section 2 ii& iv;

Article III Section 1, vi,& vii, Section 2, iv & v, Section 3, Section 4.

Article IV Section 1, Section 2.

Article V Section 2, Section 3, Section 4, 10, 11, 12, 13, 14, 15.

Article VI Section 2, Section 3, Section 4.

Article VII (A) Section 5, Section 6, Section 7, Section 10.

Article VII (B) Section 1,Section 2, Section 8.

Article VIII (A)

Article VIII (B) Section 7

Article X (A) Section 2, Section 3, Section 5, Section 8 Section 9, Section 10,  
Section 11, Section 12.

Article X (B)

Article XIV Section 1, Section 2, Section 3.

Article XVII Section 1, Section 2, 3, 4, 5 & 6.

Article XIX Section 1, Section 2, Section 3.

## **AMENDMENT NO. 6**

The following articles were amended by the General Council held on July 2, 2010 at Albany, New York.

Article VI

Section 2 i,ii

Section 5 i

Section 7 ii, iii, vi, ix

**PRESENTED FOR DISCUSSION AND ADOPTED BY THE  
GENERAL COUNCIL ON JULY 1, 2012 AT HOUSTON, TEXAS.**

## **RESOLUTION #1**

Dr. Madhavan Anirudhan as Founding Father of FOKANA has been granted to attend National Committee meetings, Board of Directors, any other subsequent committees of FOKANA. He would also be a member of the General Council meetings of FOKANA. He can cast one vote at Board of Director's meeting & one vote as a delegate for the General Council Meeting.

**RESOLUTION#2**

Advisory Board Members:

Four members were nominated to serve in the Advisory Board. Their role would be to Advise FOKANA and to give support when needed or deemed necessary. General Council can nominate others who have served FOKANA into the Advisory Board. Those members would not be able to serve in any other capacity of FOKANA unless they resign from the Advisory Board. They can be invited to attend meetings and be present for the General council meetings.

**E. & O. E.**                   -----0-----