

JAIN CENTER OF AMERICA INC.

CONSTITUTION AS AMENDED OF
JAIN CENTER OF AMERICA
PRESENTLY IN EFFECT APPROVED BY THE GENERAL BODY ON
[OCTOBER 19, 2008](#)

TOTAL PAGES 25 INCLUDING
THIS COVER PAGE

JAIN CENTER OF AMERICA INC.
NEW YORK

CONTENTS

		PAGES
ARTICLE 1	NAME	3
ARTICLE II	OBJECTIVES	3
ARTICLE III	POWERS	4
ARTICLE IV	MEMBERSHIP	4-7
ARTICLE V	ADVISORY BOARD	7
ARTICLE VI	JAIN YOUTH COMMITTEE	8
ARTICLE VII	BOARD OF TRUSTEES	8-11
ARTICLE VIII	EXECUTIVE COMMITTEE	11 -14
ARTICLE IX	MANAGEMENT AND ADMINISTRATION	14-15
ARTICLE X	COMMITTEES AND SUB-COMMITTEES	15
ARTICLE XI	ELECTION	16-17
ARTICLE XII	GENERAL BODY (ORDINARY & SPECIAL) MEETING	17
ARTICLE XIII	AMENDMENTS	18
ARTICLE XIV	DISSOLUTION AND DISTRIBUTION OF ASSETS	18
ARTICLE XV	CODE OF CONDUCTS AND POLICIES	19-25

ARTICLE I: Name

Section 1

The name of this non-profit membership corporation shall be JAIN CENTER OF AMERICA INC. incorporated in the State of New York, United States of America, hereinafter referred to as "JCA^M".

Section 2

The principal place of JCA at present is located at

43-11 Ithaca Street.
Elmhurst, NY 11373

The principal place of this organization shall be at such place as permitted by law, certificate of incorporation and as may be determined by the Board of Trustees. Regional and branch offices may be established as determined necessary by the Board of Trustees.

ARTICLE II: Objectives

- (a) to promote ideals and values of Jainism.
- (b) to promote principles of non-violence (**AHIMSA**), truth (**SATYA**), manifold aspects (**ANEKANTVAD**) and pure vegetarianism;
- (c) to promote understanding of sacred Jain Scriptures and teaching of **ARIHANTAS** and to celebrate Jain festivals;
- (d) to establish teaching and research facilities, libraries, reading facilities, study circles and also to publish articles, journals, books, letters and audio-video materials;
- (e) to support and encourage the participation of Jain Youths and all other members in JCA activities and establish facilities including but not limited to computer and technology centers, web-sites and home page for accessibility of information related to ideals, values and principles of Jainism;
- (f) to support other Organizations and Jain Centers around the world who are promoting principles of Jainism;
- (g) to build temples and other houses of worship at a place in the State of New York it deems necessary to promote the ideals, philosophy, values and principles of Jainism;
- (h) any other activities not included in above which relates to general well-being of Jains around the world;
- (i) to operate exclusively for religious, charitable, cultural, social and educational purposes that qualify under Section 501 (C) (3) of the Internal Revenue Code.

ARTICLE III: Powers

Section 1

The JCA shall have all powers enumerated in **SECTION 202 OF NOT-FOR-PROFIT CORPORATION LAW OF THE STATE OF NEW YORK** and/or powers to do everything and anything reasonably and lawfully necessary, proper and suitable for accomplishment of the objectives of JCA and furtherance of the said objectives including but not limited to:

- (a) Solicitation of contribution and donations either in cash or in kind or both;
- (b) Purchase, sell, own, lease of real estate and other assets. The purchase and sell of real estate property would require prior approval (majority vote) of General Body;
- (c) Buy, sell, exchange, publish religious materials, audio-video materials, register web-sites to promote solicitation and/or contribution of donations;
- (d) Sponsor, co-sponsor and/or participate in the events and conventions supporting the objectives of JCA;
- (e) Invest into US Treasuries and deposit with well established United States and Indian financial institutions only;
- (f) Borrow, mortgage, lien and/or raise funds for organizational purposes as permitted by the law of the State of New York and within the frame work of Article II in any manner on any and/or all properties and assets of JCA.

ARTICLE IV: Membership

Section 1: Eligibility

Membership will be open to all those people and their families who believe, observe and practice fundamental principles and values of Jain religion.

Section 2: Application

Application for all members will be submitted to the Executive Committee along with full amount of dues applicable thereto. The application will be considered approved by Executive Committee unless letter of rejection with refund of fee are sent by Certified Mail within (90) ninety days from the receipt of application.

The Board of Trustees must be informed of such action. The Board will reserve the right to overrule the decision of the Executive Committee.

ARTICLE IV: Membership *(Continued)*

Section 3: Type of Membership

(a) There shall be six categories of membership:

i. Annual Membership	\$ 51.00
ii. Life Membership	\$ 301.00
iii. Donor Membership	\$ 10,001.00
IV. Patron Membership	\$ 25,001.00
v. Benefactor Membership	\$ 100,001.00
vi. Honorary Membership	Not applicable

Membership fees may be revised from time to time by the Board of Trustees, however approval of general body is necessary for such action to be effective.

Honorary membership may be bestowed on any individual in recognition of his/her contribution to Jain community and knowledge of Jainism.

Category (vi) above must be approved by (3/4[^]) three-fourth of the Board of Trustee to award such a membership.

(b) Donor, Patron and Benefactor membership dues must be paid within (5) five years from the date of pledge with minimum of (20%) twenty percent due at time of membership. The balance must be paid with minimum of (15%) fifteen percent each calendar year and final balance must be completed in full at the beginning of the (5th) Fifth calendar year. Additionally Patron and Benefactor Members must be in good standing for minimum of 2 consecutive years before he/she is eligible to contest for election to be selected or elected. Good standing is considered only by membership dues amount paid for the first 2 years during election year before contesting for election. Additionally upgrades are allowed provided current membership has been satisfied in good standing and payment have been documented.

(c) In case of non-payment of dues by donor, benefactor and patron member who are also trustees on board, the board may request those members either to pay the dues as per section 3(b) of Article IV above, or request those members as to willingness to pay dues within (182) one hundred eighty two days (six months) or relinquish them from the trustee position. If the payment is not received as per above scheduled guideline, the

Member will be converted automatically to next lower eligible category class depending on the amount paid. If the member decides to convert back to its original membership, they will require to pay the balance in full within the remaining time left from the initial pledge date according to schedule guideline. If the member's non- payment lapse over the schedule time, member will require to the complete the balance in one full payment in one shot in order to convert to the membership to the original status.

ARTICLE IV: Membership *(Continued)*

Further the member will not be eligible to contest for the next immediate election but will be eligible for the following election. Again, Article IV- Section 3 (b) guidelines will be applied to each member in order to be eligible to contest in the election. Those who have paid 100% due payment are eligible to contest the election.

(d) All payments received towards the membership dues must be from member itself. Any payments received from 3rd party other than (immediate family, family members, family trust or self business) towards membership dues will be considered invalid and will not count as a payment towards the membership due. Payment receipt will only be allowed to remit in the name of the payee only.

This was further explained that any member presenting check from other person or entity towards their membership will not be allowed and JCA receipt will be only made in the name of the payee as required by IRS tax laws for non profit organization.

Section 4: Voting Rights

- (a) All members with minimum of (1) one year membership shall have right to vote if they have paid minimum dues for membership in that year, and;
- (b) Members over age (21) twenty-one years and in good standing shall have right to vote.

Section 5: Membership Term

- (a) In case of annual member, term shall be one calendar year;
- (b) In case of life, donor, patron, benefactor and honorary members, term shall be for lifetime of that person and his/her spouse. Further, both spouses shall be considered one member for the purpose of Section (2) of Article VII and Article VIII of this Constitution;
- (c) JCA recognizes the role of family in spiritual development. All memberships are for family except for parents and/or children over (21) twenty-one years of age;
- (d) The existing benefactor member will continue to become a member under the guidelines of the old provisions of the constitution. Thus, they will have right to designate an individual as his/her successor. This membership can become effective upon death, permanent disability or voluntary retirement of benefactor member. Nominated member must be a member of JCA at the time of becoming a benefactor member.
- (e) Original two term remains
- (f) Patron and Benefactor will not be eligible to contest as Trustees from the General Trusteeship. These members will be eligible as trustees other than from General Trusteeship for (1) one term in their life time of membership except other members from the same membership category have give up their right to contest per Article VII section 2 (c).

ARTICLE IV: Membership *(Continued)*

Any members makes pledges, Ghee Bolis or promised contribution in the amount of (\$5000) Five Thousand dollars or greater must complete the commitment of payment in the given specified time period of the pledges. Any payment not received as per the time schedule will consider the member as in not good standing. Further those members will not be allowed to take participation of any future pledges, Ghee Bolis or contributions until the past due pledges, Ghee Bolis or promised contribution are fully completed.

Section 6: Resignation and Termination

- (a) Resignation from membership is effective upon request in writing from the date it is submitted.
- (b) Any elected official either from Executive Committee or Board of Trustees who resigns or has been terminated in middle of his/or her elected term for a reason other than personal medical emergency, that member will not be eligible to contest in the next immediate election. They may be eligible to contest in the following term depending on their status.
- (c) Membership privileges may be withdrawn if, in the judgment of the Board of Trustees, and/or Executive Committee, a member no longer subscribes to the objectives of JCA or has committed an act discreditable to JCA. Such action shall occur only if:
 - i) This action against the member has been discussed and approved by the Board of Trustees;
 - ii) The member has been given a written notice within (60) sixty days of the approved action by the Board;
 - iii) The member has been given reasonable opportunity and time to present his position to remain a member;
 - iv) Any member convicted of material criminal offense;
 - v) Any member who wishes to terminate his/her membership.

ARTICLE V: Advisory Board

The Board of Trustees shall have right to create a body of advisors comprised of minimum of (5) five, however not more than (11) eleven members for a period of (3) three years (renewable for one more term only) of individuals with outstanding knowledge, experience and service in Jain community.

The Advisory Board will advise on specific and general project of JCA to accomplish its mission, objectives and direction as outlined in this constitution. All advisory board members shall (except in special circumstances) attend General Body meetings.

The member of Advisory Board must be at least a life member and/or honorary member of Jain Center of America. The member of Executive Committee and Board of Trustee will not be eligible to become a member of Advisory Board. A representative member of Advisory Board selected among themselves shall attend meetings of Board of Trustees and in Executive Committee (without voting rights).

ARTICLE VI: Jain Youth Committee

The Executive Committee shall with the help of Youth Members form a Jain Youth Committee consists of not more than (9) nine young members for a period upto (3) three years (renewable for one more term only) in accordance with the Article IV (except for age of members) of this constitution. These members requires to be of at least (15) fifteen years of age but not more than (21) twenty-one years of age at the time of membership and must believe, observe and practice fundamental principles and values of Jain religion.

The Jain Youth Committee will formulate plans and policies under the guidelines of Board of Trustees and Executive Committee to achieve the objectives of JCA as it relates to involvement, participation and association of youth members and non-members in the activities of JCA. The Committee will reports its activities and plans on a quarterly basis to the Executive Committee.

Two representative of youth members selected among themselves shall attend meetings (without voting rights) of the Executive Committee. Additionally, all Youth Committee members shall (except in special circumstances) attend General Body meetings.

ARTICLE VII: Board of Trustees

Section 1: Powers and Responsibilities

The Board of Trustees shall be vested with the following powers, unless specifically directed otherwise by General Body:

- (a) To set policies and long term goals, planning and execution to achieve objectives of JCA as described in the article II of this constitution;
- (b) To appoint members in Advisory Board;
- (c) To appoint election commissioner;
- (d) **To** set up, change, and dissolve committees and nominate members for those committees and delegate responsibilities and powers to achieve objectives of those committees;
- (e) All members of Board of Trustee shall attend all General Body meetings;
- (f) To deliver all properties and documents to the successors at the end of the term.

Section 2: Formulation

- (a) A total of (15) fifteen trustees shall comprise from the following group of members
 - i) (5) Five from benefactor members
 - ii) (5) Five from patron members
 - iii) (2) Two from Executive Committee and
 - iv) (3) Three from members at large (excluding benefactor and patron members).

ARTICLE VII: Board of Trustees *(Continued)*

The above number may be increased to a total of (17) seventeen at the discretion and approval by (3/4[^]) three-fourth majority of trustee members. Trustee members may be requested to resign upon occurrence of non-attendance of (3) three consecutive (except in special circumstances) Board meetings;

- (b) Trustees from benefactor and Patron member will be selected by rotation for a period of (3) three years. A method of secret draw by and among themselves will be used for selection of these positions.
- (c) The benefactor and Patron member trustee is eligible to serve for of (1) one term and will not become eligible for another term until all remaining members within that group are given an opportunity to serve or if the remaining member(s) have given up their right to serve as a trustee.
- (d) The selection of trustee (except for President) from Executive Committee shall rest with them and period of service will not exceed (1) one year or their remaining term, whichever is less.
- (e) The selection of trustee from all other members will be thru the process of election and period of service will not exceed (3) three years. These members are eligible to become trustee for one more term only thru the process of election.

Section 3: Organization

- (a) The Board of Trustees will elect Chairman, Vice-Chairman, Secretary, Chief Financial Officer, and Public Relation Officer. The term of their office will be up to (3) three years.
- (b) A trustee shall be required to vacate his/her office if he/she (i) ceases to be a member and/or (ii) convicted of material criminal offense and/or (iii) has not paid his/her dues and pledges as per the provision (c), (b) and (a) of section (3), Article **IV** of this constitution.
- (c) The Board of Trustees has right to overrule with (3/4[^]) three-fourth majority to retain **such** member as trustee who is not in compliance with sub-section (b) (iii) section (3) of article VII of this constitution.
- (d) Any vacancy of the board shall be filled from the same classification of member by a (3/4^m) three-fourth majority of the Board only for remaining term of vacated trustee.

Section 3: Organization (Continued)

- (e) Trustees will hold their office honorary, however will be reimbursed for all expenses and Indemnified by all available means for all legal and technical claims. Additionally, JCA shall provide liability insurance coverage for its office bearers and trustees.

Section 4: Duties

- (a) Duties of Chairman of Board of Trustees
 - i) Chairman shall be the Chief Executive Officer of the organization.

ARTICLE VII: Board of Trustees (*Continued*)

ii) Shall preside over meetings of Board of Trustees and combined meetings of Board of Trustees and Executive Committee. iii) Shall preside over general and special meetings of the General Body. iv) Shall submit to General Body meeting.

1. Progress report of the year.

2. Financial statements audited, if applicable and financial highlights received from Chief Financial Officer.

3. Future plans and projects.

v) May invite an individual or a group of individuals to address Board of Trustees pertaining to activities of JCA. vi) To arbitrate any conflict/ambiguity out of the provisions in the Constitution. Such

interpretation shall be binding to the Board of Trustees and Executive Committee.

(b) Duties of Vice-Chairman

i) In the absence of the Chairman, to preside over the meetings of the Board of Trustees, General and Special meetings of the General Body.

ii) If for any reason Chairman is incapacitated and cannot attend to the duties as Chairman, then the Vice-Chairman shall perform his duties.

(c) Duties of Secretary

i) Keep the minutes of the meeting of the Board of Trustees.

ii) Keep the minutes of the general and special meetings of the General Body.

iii) Send notice of the meetings of the Board of Trustees, general and special meetings of the General Body. iv) Conduct the correspondence of the

Board of Trustees. v) Perform such other duties as usually pertains to that office.

(d) Duties of Chief Financial Officer

i) Shall collect and receive funds except as designated to Treasurer.

ii) Shall keep update and accurate account of funds, securities and titles of assets belonging to JCA. iii) Shall disburse funds and pay bills of JCA as stated in section (4)

of Article IX of this

constitution. iv) Shall submit quarterly financial report to the Board of Trustees.

Section 4: Duties (Continued)

(d) Duties of Chief Financial Officer (*Continued*)

v) Shall submit audited accounts, (if applicable) financial reports and budget to the Chairman prior to General Body Meeting. vi) Shall file tax and other financial

reports as required by law. vii) Shall perform all other duties associated with Chief Financial Officer. viii) Shall review and receive financial reports from a treasurer on a quarterly basis. ix) Shall update and maintain fixed assets records periodically.

ARTICLE VII: Board of Trustees (*Continued*)

- (e) Duties of Public Relation Officer
 - i) Shall develop and maintain relation with all regulatory officers and law enforcement officers.
 - ii) Shall work with the attorneys and accountants on legal and professional matters.
 - iii) Shall participate and make representation before political and other religious organizations.
 - iv) Shall serve as joint editor of all publications of JCA.
- (f) The Board of Trustees has rights to appoint fee based Certified Public Accountants, internal auditors and legal and professional advisors for auditing financial statements and other fiscal and operational matters. The appointment of CPA for auditing financial statements must be approved by General Body.

Section 5: Meetings

- (a) The Board of Trustees shall hold minimum of (4) four meetings in a calendar year.
- (b) The meeting shall be called by the Chairman or the Secretary:
 - i) By giving at least (7) seven calendar days notice for regular meeting.
 - ii) In case of urgent meeting, by giving at least (1) one day notice to the trustees.
- (c) Special meetings to discuss the matter of importance or urgency may be requested by at least (5) five Trustee Members. Such request in writing may be made either to the Chairman or to the Secretary of the Board. Upon receipt of the request, the officer receiving the request shall call for a meeting of the Board of Trustees within (10) ten days.
- (d) The minimum quorum requirement of the Board of Trustees meeting will be (50%) fifty percent within (45) forty-five minutes of scheduled time of such meetings.

Section 6: Records

Upon reasonable notice, all official records and accounting books of preceding (3) three years of JCA shall be made available for inspection to any JCA member during normal working hours.

ARTICLE VIII: Executive Committee

Section 1: Powers and Responsibilities

- (a) The Executive Committee shall manage, organize and execute day-to-day operations of JCA.
- (b) The execution of operations will be based and limited by policies and goals set by the Board of Trustees.
- (c) The Executive Committee may set up operational and working committees and Sub-Committees to carry out the function of the Executive Committee.

ARTICLE VIII: Executive Committee *(Continued)*

- (d) All committee members shall attend General Body meetings (except in special circumstances).
- (e) The Executive Committee members and its office bearers shall deliver to successor all documents and properties belonging to JCA.

Section 2: Formulation

(Includes organization & duties of office bearers in this section)

- (a) The committee shall comprise of (13) thirteen members. These members shall be elected by all members thru the process of election (as defined in article XI) and shall be for a period of (3) three years. These members may be re-elected for one more term only. The Board of Trustees and/or Executive Committee Members shall have right to appoint (2) two additional members in the Executive Committee to represent a wide cross section of JCA members. Such action is effective only upon approval by combined simple majority of Board of Trustees and Executive Committee members.
- (b) All action of the committee shall be by a majority vote. A quorum shall be considered present when (50%) fifty percent or more of total executive members are present in a meeting within (30) thirty minutes of the scheduled time of such meetings.
- (c)
 - i) In the first meeting after the election, the board of trustees and executive committee will jointly elect President. The Vice-President, Administrator, Manager, Joint Administrator, Youth Co-ordinator and Treasurer will be nominated by the President with the approval of the executive committee. These officers may be re-elected for one more term only thru the process of election, and;
 - ii) Designate President for a period of (3) three years and one more member (to be selected among themselves) on the Board of Trustees for a term of (1) one year or their remaining term, whichever is less.
- (d) A member shall vacate office if the person ceases to be a member and/or convicted of material criminal offense. The vacancy arising out of such situation may be replaced by (3/4^h) three-fourth majority vote of the committee members for the remaining term only.
- (e) Executive Committee member shall not receive any compensation, however actual expenses incurred for JCA may be reimburse with valid expense receipts and prior approval of the executive committee before expenditure.

Section 2: Formulation (Continued)

- (f) JCA shall provide liability insurance coverage for the members of the Committee.
- (g) The President shall be the Chief Administrative Officer, preside over all Executive Committee meetings and attend all Board of Trustees Meetings. Additionally, the President may designate certain responsibilities from time to time to appropriate office bearers members, and/or individuals other than members from Executive Committee.
- (h) The Vice-President shall perform duties of the President in his/her absence and responsibilities and duties as assigned by the President.

ARTICLE VIII: Executive Committee (Continued)

- (i) The Administrator shall perform following functions:
 - i) keep minutes of the Executive Committee meetings and forward them to the Secretary of the Board of Trustees.
 - ii) appropriate correspondence to conduct day to day operations and activities of JCA in consultation with the President.
 - iii) shall serve as joint editor of all publications of JCA.

- (j) The Joint Administrator shall perform following function:
 - i) inform committee members for meetings.
 - ii) process application for membership and update list of members.
 - iii) complete the work assigned by the Administrator.

- (k) The Administrator or appointed responsible executive member shall perform following functions:
 - i) Responsible of overseeing and guiding JCA manager to maintain and upkeep of all properties with the help and direction of the Committee.
 - ii) Provide direction and necessary help to caretaker of the temple.

- (l) The Treasurer shall perform following functions:
 - i) The collected funds must be deposited in the bank within 30 days from the date of collection.
 - ii) shall disburse funds only by way of check as directed and approved by the members of Executive Committee and Board of Trustees. All disbursement must be pre-approved as stated in the Section (4), Article IX and signed as stated in Section (3), Article IX of this Constitution.
 - iii) shall submit financial activity report to the Committee and Chief Financial Officer on a quarterly basis.
 - iv) maintain fixed assets records.

Section 3: Meetings

- (a)
 - i) The Executive Committee shall hold minimum of (10) ten meetings in each calendar year.
 - ii) The meeting shall be convened preferably at a Registered place of JCA and be called by the President (i) for regular meeting by giving (10) ten days notice to the members of the Executive Committee; (ii) for special meetings by giving (1) one day notice to the members of the executive committee.

- (b) Special meeting has to be requested by at least (50%) fifty percent of the members of the Executive Committee in writing either to the President and/or the Administrator, Such meeting may be held in (1) one business day, however no later than (10) ten days from the date of such request.

ARTICLE VIII: Executive Committee *(Continued)*

- (c) Every Committee member shall participate in at least /5) five meetings per calendar year. If the member does not do so, he/she may be asked to resign by majority vote of the Executive Committee.

ARTICLE IX: Management and Administration

Section 1: Board of Trustees

- a) The Trustees are responsible to understand, represent and communicate with their constituents and members of JCA to the best of their abilities.
- b) Determine and implement the mission, long term goals, philosophies, and general policies of the organization.
- c) Ensure the continuity, vitality and faithfulness of the organization to its charter and by laws.
- d) Determine and maintain strong financial direction and procedures of the organization, assuring its financial soundness.
- e) Assured that the organization is well managed and fulfill its mission, primarily by selecting, appraising, supporting and giving counsel to the Chairman of the Board.
- f) Determine policies and procedures to ensure the board and committee's own strength, growth, organization, procedures and effective representation and communication with the members of JCA.

Section 2: Executive Committee

The daily administration and management will be the responsibility of all members of the Executive Committee.

The Executive Committee will ensure that all activities and events are performed and the functional responsibilities are completed by selecting appropriate individuals to fulfill those activities and events within the budgeted amount.

Section 3: Funds

All disbursements must be made by checks. Petty cash imprest will be maintained. All checks would bear two authorized signatures comprised of following office bearers:

- (a) For accounts operated by Board of Trustees:
 - i) Chairman or Designated Trustee; and;
 - ii) Chief Financial Officer

ARTICLE IX: Management and Administration (Section 3 - Continued)

- (b) For accounts operated by Executive Council:
 - i) Treasurer
 - ii) Either President or designated Council Member.

Section 4: Expenditure

Expenditure as single item under (\$2500) twenty five hundred dollars may be authorized by the President as long as the (\$2500) twenty five hundred dollar amount is a total expense amount of expenditure and not a line amount of a total expenditure. All expenditure as single item over (\$2500) twenty five hundred dollar but under (\$5000) five thousand dollars requires approval of the Chairman and all expenditure as single item over (\$5000) five thousand dollars but under (\$10,000) Ten Thousand Dollar requires majority approval of the Board of Trustees. All expenditure as single item over (\$10,000) ten thousand dollars will requires majority approval by General Body.

Additionally any expenditure incurred and paid/payable over the budgeted amount would be require (2/3rd) two-third majority approval of the Board of Trustees up to (10%) ten percent of the over the budget amount. Any expenditure more then (10%) ten percent over the budgeted amount would require prior approval of General Body. The detailed budgeted amount approved in General Body does not require approval of any member and/or offices of Executive Committee and Board of Trustees unless budget goes over the approved amount.

Special funds collected of significant amount can be disbursed only after majority approval of Executive Committee and Board of Trustees up to (\$100,000) one hundred thousand dollars of the collected amount. Any amount over (\$100,000) One hundred thousand dollar will require approval of General Body.

Section 5: Regulations:

Robert's rule of order, latest revised edition will govern in all cases where regulations are not inconsistent with **NOT-FOR-PROFIT CORPORATION LAW**, the constitution, by laws, Jain religion and philosophy.

ARTICLE X: Committees and Sub - Committees

The Board of Trustees and Executive Committee may form committees and sub-committees as and when deemed necessary. The Chairman of each committees and sub-committees should report the findings to the designated body.

Section 1: The Board of Trustees may form following Committees:

- a) Fund Raising; b) Planning; c) Public Relations.

Section 2: The Executive Council may form following Committees:

- a) Rituals; b) Education; c) Property Management; d) Sadharmic Bhakti e) Jivdaya; f) Library
- g) Youth Wing; h) Ladies Wing; i) Membership; j) Cultural; and k) Publication.

ARTICLE XI: Election

Section 1

The article VII and VIII of this constitution requires that Board of Trustees and Executive Committee members are elected for a three calendar year term. The trustees from category (e) of section (2) Article VII and Executive member as described in Article VIII can be re-elected for one more term only. This election shall be by ballot and in person.

Section 2: Date / Day of Election

The election shall be held generally in the last quarter of the year. The newly elected members shall assume their office on the first day of calendar year after the election. Under the special circumstances, the Board of Trustees may postpone election only for one time for a period of up to (180) one hundred eighty days by a majority vote. Further postponement of election can be approved and made effective by a (2/3rd) two-third majority vote in the General Body meetings.

Section 3: Eligibility

Any members who wish to contest for an election must be a legal permanent residence or Citizen of United States of America. Members with temporary visa or other Non-residence status will not be eligible to contest for an election but could be appointed by Board of Trustees as a volunteer. He/ or She will not be eligible to hold any responsibility which concerns JCA finance. The nominated candidate to contest for a election should be an individual member of at least (25) twenty five year of age who is permanent legal Residence of USA or Citizen of USA in a good standing for at least three years prior to the date of election and will require nomination by any two members of JCA (two nominee cannot be a husband and wife since it counts as a one member). Additionally both spouses cannot contest election at a given time either for Board of Trustees and/or Executive committee. Also each candidate can apply for only (1) one position at a given time either for Executive Committee or Board of Trustee.

The (2) term limit will apply to the positions held from original Constitution 1981. The (2) two term limit will count in combination of positions held either (1) one term as a executive member and (1) one term Trustee from General membership or (2) two term of Executive Committee or (2) two term of Trusteeship. Further they must be in Good standing.

Section 4: Election Committee

The Board of Trustee will appoint Election Commissioner at least (90) days prior to date of election. The election committee will consist of four additional members. Election commissioner will submit fifteen (15) names to the Board of Trustees and BOT will to approve four additional names to be added to the Election committee. The election committee members shall be outside the Executive Committee and Board of Trustee members and none of them shall contest the ensuing election. Once the Election Committee is appointed by Board of Trustees, they have given full power of attorney to Election committee and will waive the right to over rule any election procedure.

Election committee will follow the General Body Approved Election procedure to conduct the election. The place of election shall generally be principle place of JCA.

ARTICLE XI: Election (Continue)

Section 5: Certifying of the Nominees:

Election Committee will issue eligibility and nomination to all candidates who wish to contest the election one the election board is appointed. These Nomination forms and Certification of Eligibility forms will be submitted together by the contestant to the Election board before submittal dead line date set by the election Board. Once the election submittal dead line is over, the Election board will forward all contestants Certification of Eligibility forms to the BOT to get certified. Once the BOT certifies the eligibility of the contestant, BOT will return the forms back to the Election board. Election board will then notify all contestants with the status of their eligibility to contest or denial.

ARTICLE XII: General Body (Ordinary & Special) Meeting

Section 1: Annual Meeting

The annual meeting of JCA will take place before end of the calendar year for presentation of operational and financial activities of the JCA during the previous year. The financial information of previous year prepared by a licensed CPA along with the variation analysis and current year budget shall be presented. The members and officers may transact Such other matters as may properly come before them.

Section 2: Notice of Meeting

The Board of Trustees shall decide the date, time and place of General Body meeting. The notice of such meeting shall be displayed in the temple or similar appropriate place at least (30) thirty days before the date of meeting. The notice in writing of such meeting shall be sent to each member on record at least (30) thirty days but not more than (60) sixty days before the date of such meetings.

Section 3: Quorum

The presence of (10%) ten percent of the member or more shall constitute a quorum. In the absence of a quorum, meeting may begin to discuss the agenda of meeting upon lapse of (30) thirty minutes. However a resolution, if any, passed by (50) fifty members or less would require majority approval of Board of Trustees to become effective and valid resolution.

Section 4: Special Meetings

Special general body meeting may be called upon the request from minimum of (10%) ten percent of the members to discuss special matters. These meetings may also be called by the (273rd) two-third majority resolution of Trustee Board Members and/or Executive Committee Members. The Chairman can also convene such meetings under special circumstances. Such meetings must be held with in (45) forty-five days from the date of such request.

ARTICLE XIII: Amendments

- (a) The constitution may be amended, superceded, altered and replaced by the General Body at its (ordinary and/or special) meetings.
- (b) In order of constitution to be amended, altered, superceded and/or replaced, the request must be proposed by the Board of Trustees and/or 10% of the JCA members to the Secretary in the form and substance to hold General Body meeting as per Article XII of this constitution.
- (c) The notice of such action including the text of the amendment, replacement and alteration must accompany the notice of such meetings, and;
- (d) A (2/3rd) two-third majority of those eligible to vote at such meeting, a quorum being present, must approve such action.

ARTICLE XIV: Dissolution and Distribution of Assets

Section 1: Proposal

A proposal to dissolve JCA may be made in writing to the Secretary by (75%) seventy-five percent of the members entitled to vote. The Secretary shall submit such proposal to the next regular (ordinary) meeting of the Board of Trustees.

Section 2: Actions

The Board of Trustees will adopt such a proposal by a majority vote. If Board of Trustees adopt the proposal, the Board of Trustees shall determine, subject to applicable provision of law, the future distribution of the assets and properties of JCA. The Board of Trustees shall choose from the Jain Religious non-profit organization for such distribution having tax exempt status from Internal Revenue Service.

Section 3: Notice

Upon the approval of the Board of Trustees, notice to the proposed dissolution, including the Board's recommendations as to the distribution of assets and property, shall be made to all members as part of the notice of the annual meeting or a special meeting of the General Body for the purpose.

Section 4: Approvals

- (a) A (4/5*) four-fifth of total members eligible to vote at such meeting, a quorum of minimum of (51%) fifty-one percent of total members being present, is required to approve for the dissolution and distribution of the assets of JCA.
- (b) If applicable, required approval of governmental body or officer shall be obtained before dissolution.
- (c) If applicable, required approval of Justice of Supreme Court having jurisdiction upon JCA shall be obtained before dissolution.

ARTICLE XV : Code of Conducts and Policies

Code of Conducts and Policies of operation for Jain Complex at Ithaca Street, Elmhurst, NY 11373 approved on Nov. 13, 2005 by General Body meeting. This document is incorporated as part of the Constitution approved by General Body on October 19, 2008. This is added as an attachment to the amended Constitution.

The above Constitution was read and approved by General Body in The General Body Meeting held on Sunday, October 19, 2008

Date: November 17, 2008

A handwritten signature in black ink, appearing to read "Jawahar A. Shetti". The signature is written in a cursive style with some loops and flourishes.

Jawahar A. Shetti

Chairman

JAIN CENTER OF AMERICA – NEW YORK

CODE OF CONDUCTS & POLICIES OF OPERATION FOR JAIN COMPLEX AT 43-11 ITHACA STREET, ELMHURST, NY 11373

I. GENERAL:

1. There are many factors that contribute to the Success of an organization and operation of their facilities. One of the most important factors is our commitment to fair, ethical behavior and volunteer work.
2. This document addresses the code of conduct and policies of Jain Center of America (JCA) for operation of its premises at 43-11 Ithaca Street, Elmhurst, NY 11373 applicable to JCA members, JCA officials, visiting scholars, monks/nuns, guests and all other users of the facility.
3. The objective is to accommodate all reasonable religious activities. There is no way that these policies can cover each and every conceivable circumstance. JCA will exercise good judgment to apply Jain principles and practices in each different situation.
4. High ethical standards are essential to our success as a Jain organization. Our understanding of and adherence to the principles discussed here are critical to the JCA's continued maintenance of the highest standards and integrity to operate this facility.
5. JCA members, JCA officials, visiting scholars, monks/nuns and all other users of the facility should create a safe, religiously correct and supportive environment that is consistent with the Jain practices. They should not take any action that damages our reputation as Jains or result in unfavorable publicity or potential embarrassment to the organization and the place. They should create an environment that every Jain can practice Jainism without any significant compromise. Each & every Jain should be treated equally. JCA officials should closely follow the prevailing JCA constitution and its by-laws.
6. JCA members, JCA officials, visiting scholars, monks/nuns and all other users of the facility should follow all applicable local, state and federal laws at all times.
7. Unlawful or unethical conduct, conflict(s) of interest (putting personal interest, individual sect's interest or interest of other organization ahead of the interest of JCA), unsafe conditions and improper security should be avoided and reported to the responsible JCA official upon notice.
8. Puja, Aarti, Divo and similar rituals (Kriyas) should be performed to only the past twenty-four (24), the current twenty (20) Tirthankars and Siddhas/Kevlis in the temple room and at the major JCA events. Traditional rituals to deities of Devatas and Devis are also permitted.
9. Alcoholic beverages, smoking, chewing tobacco, use of intoxicating drugs, meat, seafood, poultry and eggs will not be permitted in any form at any place in the temple and its premises.
10. Jain principles are briefly described in Appendix A of this document

II. OBJECTIVES:

1. Maintain, Preserve, Protect, Promote and Practice the highest standards of Jainism and adhere to Jain principles.
2. Provide religious needs of all sects of Jain Religion i.e. Svetambar, Digambar sects at large and its major sub-sects like Murtipujak, Sthanakvasi, Terapanthi etc. here in after referred to as "Jain religious groups"
3. Invite scholars and monks/nuns to satisfy the spirituals needs of the various Jain religious groups
4. Arrange religious lectures, religious discourses, suguru bhakti, bhavana, jaap, meditation etc.

JAIN CENTER OF AMERICA – NEW YORK

CODE OF CONDUCTS & POLICIES OF OPERATION FOR JAIN COMPLEX AT 43-11 ITHACA STREET, ELMHURST, NY 11373

5. To satisfy reasonable needs of the next generation of Jains and the Jain community. Encourage that the JCA activities should be for all ages - Children, youths, adults and seniors.
6. Provide following facilities for use of different Jain Religious Groups:
 - Temple of Svetamber Tradition
 - Temple of Digambar Tradition
 - Ashtapad and Dadawadi
 - Upashrya/Sthanak for various uses of all sects
 - Swadhyaya/Meditation hall (Dhyan Mandir) for followers of Shrimad Rajchandra
 - Library (Gyan Mandir)
 - Dining Hall (Bhojanshala) for Swami-vatsalya, Ayambil and Ekashna etc.
 - Office & security
7. Provide equal and uniform treatment and respect to all Jains, JCA members and their guests visiting the Premises
8. Provide equal access to all jains to the center complex. Encourage feeling amongst each and every Jains that the Jain Complex and its premises are for all and that each Jain is encouraged to practice Jainism in this facility of JCA
9. Maintain religious devotion in the religious area during all the events and activities such as:
 - Only religious prayers, Pujas and Bhavana in Rangmandap of temples
 - Religious & JCA activities in the Upashrya/Sthanak
 - Not to allow / provide food in this complex after sunset except private residence (Apartment)
 - Not to allow / serve religiously prohibited food items in dining hall and other public area
10. JCA shall not permit or rent any of the religious areas for any non-religious purpose or activities.

III. DEDICATED AREA AND INSTALLATION/DISPLAY OF AUSPICIOUS ITEMS:

1. This building is the religious complex entirely dedicated for the Jain religious activities. In this building only religious activities should be permitted. The designated religious areas are Svetamber Temple on 2nd floor, Digambar Temple on 3rd floor, Meditation hall on 3rd floor, and Ashtapadji / Dadavadi on 4th floor. Upashrya/Sthanak on 2nd floor may be used for other religious celebrations, lecturers, and meetings of JCA etc.
2. The religious area and the associated items that are installed therein as per the decision of the JCA-BOT (Board of Trustees) should be maintained. No Alteration, addition, improvement or modification of any kind to any permanently installed items in the designated religious areas shall be undertaken by any individual or group of people including office bearer of JCA-BOT & JCA-EC and/or General Body.
3. In the temples, the permanent installation should be limited to the key items. Permanent installation of the key items should not be permitted outside the religious areas. The key items are defined as murties (Idols), Chitrapats (Paintings or Photographs), Carving (Images) etc. of Tirthankars, Gandhars, Kevalis, Devis & Devatas, pilgrimages and historical Jain Tirths, Jain Scriptures like Agams, canonical books and events of the life of Tirthankars and/or Kevalis / Siddhas.
4. No name(s) of Donor(s) (Individuals or Groups) shall be displayed at the items installed or any part of the building or rooms except on the Display Board on 1st Floor. This rule cannot be changed or altered by any future JCA - EC/BOT or General Body of Members.

JAIN CENTER OF AMERICA – NEW YORK

CODE OF CONDUCTS & POLICIES OF OPERATION FOR JAIN COMPLEX AT 43-11 ITHACA STREET, ELMHURST, NY 11373

IV. RITES AND RITUALS:

1. The rites and rituals performed by any Jain Religious Groups as per guidelines of JCA-EC (Executive Committee) should be allowed and respected. The rituals include but not limited to Puja, Bhakti-Bhavana, Stuties Sutras, Meditation, Jaaps, Pratikraman, Vandana and lecture (Vyakhyan) on Jainism. However conflict of use of space and time should be avoided on the basis of merits by JCA-EC in consultation with conflicting parties and first come first served basis. When perishable items such as fruits and/or sweets are used in the rites and rituals, the group performing the rites/rituals should appropriately dispose off those items on completion of the program

V. VISITING SCHOLARS, MONKS/NUNS AND OTHER GUESTS:

1. Choice of the visiting monks/nuns and scholars should be reasonably and proportionally balanced as much as possible to satisfy the spiritual needs of the various religious groups. The visiting monks/nuns and scholars should be adequately qualified and experienced as a speaker. The invitations should be approved by JCA-EC in conjunction with individual tradition.
2. Religious discourse period of any particular scholar or monk/nun should be limited to maximum four (4) months in period of four years
3. Their discourses should be spiritually oriented emphasizing on the major path preached by Bhagwan Shri Mahavirswami, other Tirthankars and Kevlis without any purpose of entertaining the listeners. Their story telling should be from Jain Agams and Jain Scriptures (Shastras) as far as possible
4. JCA-EC should take appropriate steps to assure the following in the discourses by visiting scholars, monks/nuns and other guests etc.
 - a) The major path of Samvar and Nirjara by self effort is emphasized
 - b) There is a reasonable balance between various Jain beliefs including the Vyavahar and Nischaya nayas
 - c) Beliefs of all Jain Religious Groups are respected
5. The discourses during the Paryushan Parva and Dashlakshana Parva should be based on Jain Philosophy & Principals by the individual who is a follower of Jainism
6. All their advice pertaining to JCA and its activities should be communicated directly to the JCA-BOT or JCA-EC and should not become a part of their discourses. The visiting scholars, monks/nuns or other guests should not decide and/or influence the decision as to who should be the leader and/or coordinator of any particular JCA activity
7. Any compensation, donation, expenses or fees if any to be paid to any scholar, monk/nun or guest should be paid thru JCA as per general policies. Individual or any religious group should not reimburse or pay any amount directly for the lectures, discourses and program at this facility
8. JCA-EC will make sure that the reasonable needs of the visiting scholars; monks/nuns or other guests are properly catered.
9. Schedule of the discourses by visiting scholar's, monks/nuns or other guests should be such that it does not create interference with regularly ongoing JCA activities like Puja, Svadhyaya etc. as well as other religious discourses at this facility
10. All the guests of JCA (except the guest for discourses for Chaturmas / four (4) months) may be allowed to stay at the most for 15 days at this facility

JAIN CENTER OF AMERICA – NEW YORK

CODE OF CONDUCTS & POLICIES OF OPERATION FOR JAIN COMPLEX AT 43-11 ITHACA STREET, ELMHURST, NY 11373

VI. FUNDS:

1. All sects, groups shall raise appropriate fund to maintain this facility
2. JCA-EC and JCA-BOT will raise, manage and control all funds for this facility. All funds raised at this facility should be deposited in JCA accounts before disbursement.
3. JCA should keep One Million dollars (\$1,000,000.00) as Maintenance Fund reserved for structural maintenance and replacement of equipment of this facility from the income of Ghee-boli for Bhoomi Poojan, Shilaropan, Pratistha of this temple and donations or other income specifically collected & received for this facility before using for any other facility. This fund should not be used for any other purpose and kept reserved in bank. Income generated from this fund should be added in the maintenance fund only to the extent it reach \$1,300,000.00. Any fund generated after the above shall go to Sadharan Fund. In exceptional cases, if required the income of this fund may be used for operation of the Ithaca Street facility.
4. Funds for day-to-day operating expenses including salaries, utility, cleaning etc. and for any events of JCA shall be raised from regular income/donation or collection.
5. Good judgment and common sense shall be exercised in accepting the donations from any individuals or organizations. Commitment of any kind should not be made for use of this facility while accepting such donation.
6. Funds collected during JCA religious activity at this facility shall belong to JCA and should be deposited in JCA accounts without any exception. No direct expenditure shall be done from these funds or donation be given to any individuals or institutions.

VII. ASHATANAS:

1. Ashatanas (Disrespects) as described in the Jain canonized/sanctified books shall be avoided. Disrespect to auspicious books, Sudev, Suguru, Sthapanaji, Temples and all religious items shall be avoided in the premises of the center
2. Performance of Puja of idols and similar kriyas shall be performed with clean body and wearing clean clothes. One shall not wear dirty clothes or leather articles like belt, watch strap, pocket books or any article containing leather material while performing pujas or other similar kriyas
3. Eating and/or drinking in temples shall be prohibited.
4. Destruction of temple property and/or any religious item is a very serious ASHATANA such activities should be prohibited. Any one found desecrating or destroying this property specifically the designated religious area (temples) would be subject to disciplinary action by JCA-EC/BOT. The degradation of any and all religious items shall be prohibited.
5. All religious articles like Idols (murtis), Books, Chitrapats (paintings) etc. shall be respected and shall not be touched with foot, dropped on ground, wiping with spittle and sitting over such articles. All above and other similar acts should be prohibited

VIII. MAINTENANCE OF COMPLEX:

1. A permanent committee of five (5) members should be formed for building maintenance to look after construction improvements and major maintenance work. The committee to be formed by appointment of three (3) members by JCA-BOT and two (2) members by Dr. Rajanikant Shah or his designated representative. This committee should be renewed or reformed every three (3)

JAIN CENTER OF AMERICA – NEW YORK

CODE OF CONDUCTS & POLICIES OF OPERATION FOR

JAIN COMPLEX AT 43-11 ITHACA STREET, ELMHURST, NY 11373

years. The expenses incurred for improvement or repair for this complex shall be paid from Maintenance Fund reserved for this purpose.

2. Maintenance committee will be responsible for structural and major maintenance of the building and other facilities of this complex and also to advise JCA-EC for regular day-to-day upkeep of the complex.
3. JCA –EC will be responsible for regular maintenance and day-to-day upkeep of the building. The expenses for these to be paid from yearly maintenance budget of JCA.
4. JCA will deploy competent staff for operation and upkeep of this complex

IX. MISCELLANEOUS:

1. JCA-BOT can take a temporary exception to the policies and guidelines stated in this document as and when necessary for a special event or a special situation and/or to better serve the religious and community needs of the Jain community.
2. All rooms of this facility and main gates should be locked at appropriate time to avoid and prevent misuse. The timings should be displayed at gate.
3. The swamivatsalya / Sadharmikvatsalya meals arranged by any particular group or individual be posted ahead of the time and should be open to all. No root (tuberous) vegetables (like potatoes, onion, Carrot, garlic etc.) shall be permitted for above meals. Dried ginger and turmeric powders are permitted. Green & tuberous vegetables shall not be permitted on five (5) tithes.
4. Poshadhvratis must use the Toilets & Bathrooms for natural discharges. They should not be allowed to use open areas.
5. Self-promotion of any individual or promotion of non-religious activities of any individual/group or promotion and/or advertise of any business shall not be permitted. In promoting or backing or selling of any individual's religious items like videos, cassettes, pictures, books etc., reasonable fairness should be exercised so that other individuals, who has similar items to offer do not get offended. JCA-EC should prepare guidelines and decide above prior to promotion such items.
6. Monthly schedule of special and regular events should be posted on notice board

X, CONFLICT RESOLUTION:

1. In case of conflict as to the interpretation of the Jain Principles and its application, the conservative (stricter) interpretation shall be applied. If the conflict cannot be resolved, JCA Board of Trustees will take appropriate action.
2. In case of scheduling conflicts, the main events approved and conducted by the JCA have the highest priority. After the major JCA events regularly scheduled activities like Puja, Bhakti-Bhavana, Meditation, Japs, Pratikraman, Vandana and lecture (Vyakhyan) on Jainism shall have next priority. Other scheduling conflicts should be resolved on first come first serve basis where possible. In special case, the JCA-BOT can make an exception in the best interests of the majority of the JCA members.

END OF DOCUMENT

Approved in General Body Meeting on November 13, 2005

**Dr. Dilip Mukhtyar
Chairman**

JAIN CENTER OF AMERICA – NEW YORK

CODE OF CONDUCTS & POLICIES OF OPERATION FOR
JAIN COMPLEX AT 43-11 ITHACA STREET, ELMHURST, NY 11373

APPENDIX - A

JAIN PRINCIPLES:

Jain Principles include, but not limited to:

1. Non-violence (Ahimsa)
2. Non-possessiveness and Non-aversion (Aparigrah)
3. Multiplicity of views (Anekantvad)
4. Non-stealing (Asteya)
5. Speaking truth (Satya)
6. Forbearance – Forgiveness (Kshama)
7. Humility (Mardav), Straightforwardness (Arjav), Desirelessness (Saucha), Self-discipline (Samyama), Austerities (Tapas), Renunciation (Tyaga), Non-possessiveness (Akinchanya) and Celibacy (Brahmsharya)
8. Control activities of body, speech and mind
9. Spiritual path as preached by our Tirthankars
10. Doctrine of Karma
 - Six (6) Essentials - Samayika, Chaturvimsati-stava, Vandananka, Pratikraman, Pratyakhyana, and Kayotsarga or Puja, Vratra, Dana, Savdhyaya, Samyama and Tapa
 - Six (6) Substances – Jiva (Living), Pudgalasthikaya (Matter & Energy), Dharmasthikaya (Medium/Principle of motion), Adharmasthikaya (Medium/Principle of Rest), Akashasthikaya (Space) and Kal (Time)
 - Jain concept of Universe
 - Jain concept of God
 - Nine (9) Tatvas (Principles) – Jiva (Livingbeings), Ajiva (Matter and Energy), Punya (Auspicious karmas), Pap (Inauspicious karmas), Asrava (Influx of karmas), Samvar (Stoppage of influx of karmas), Nirjara (Eradication of karmas), Bandh (Bondage of Karmas), and Moksha (Liberation)
 - Fourteen (14) Gunsthanak (Spiritual progressive steps) – Mithyadristi (The stage of false belief), Saswadan Samyagdrishiti (The stage of having tested righteousness), Mishra (The mixed stage), Avirat Samyagdrishiti (Uninterested in Sadhana), Deshviriti (Partial practice of Sadhana), Parmatta Samyati (The state of a Sadhu who is not always mindful of Sadhana), Apramatta Samyati (Absolutely careful regarding a high level of Sadhana), Nivritti-badar (The stage of renunciation), Anivritti-badar (Passionless state), Sukshma Samparoy (The state of subtle grid remaining), Upashant Moha (Periodically Passionless), Kshina Moha (The stage in which moha is completely conquered), Sayogi Kevali (The stage of the integrated powers and Ayogi Kevli (Totally free from Karmas)
11. Similar philosophies as mentioned in the canonical books of Svetamber and Digambar sects
12. To Attain Salvation (Moksha)