

Jayaguru

By-Law of America Saraswata Sangha
A registered non-profit organization under MN statutes Chapter 317A
Registration Number: 548107-2



Nilachala Saraswata Sangha, Puri
Branch: America Saraswata Sangha

1. Preamble:

Paramahansa Paribrajakacharya Srimat Swami Nigamananda Saraswati Deb (hereinafter referred to as Shri Shri Thakur) felt a divine urge and established a religious organization in Orissa, India on 24th August 1934 which was his birthday. He named the organization Nilachala Saraswata Sangha¹ (hereinafter referred to as NSS) and blessed it by becoming its founder-President. Since then, NSS has been a faithful and honest propagator of the philosophy and the underlying ideologies of Shri Shri Thakur in India and abroad. A few members of NSS have settled in the United States of America over time. As they are scattered all over the USA, they found it hard to assemble to follow the religious doctrine promulgated by Shri Shri Thakur and NSS. Thus, seven families started an informal gathering over teleconference in August, 2001. Within months an organization was formed as a branch of NSS in America and it was named America Saraswat Pathachakra. This organization was registered in Minnesota under the state statutes 317A as a non-profit religious organization. In August 2003, all members of America Saraswat Pathachakra gathered in Minnesota and formally asked the Administrator of NSS to grant a branch organization status. With the grant the name of the said organization was changed to America Saraswata Sangha (hereinafter referred to as AMSAS).

2. Objectives of AMSAS:

To adopt and actualize the ideologies of Shri Shri Thakur.

The following are the ideologies of Shri Shri Thakur as expressed by him.

- (a) Propagation of eternal religion².
- (b) Spreading of true education that enhances spiritual knowledge.
- (c) Serving all living beings with a firm belief that they are none other than the embodiment of God.

He has instructed his disciples to materialize the above mentioned ideologies through the following actions:

(a) Leading an ideal household life.

A member of AMSAS considers that his household belongs to Shri Shri Thakur. The disciple is a mere caretaker of the family along with its possessions. He worships Shri

¹ Nilachala Sarawata Sangha, Puri is a tax-exempt religious organization registered with state of Orissa, India. The registration number is 739/390 of 73-74. At present the governing body of NSS consists of the following members:

1. Shyam Sunder Dash – President
2. Sangram Kesari Sinha – Vice President
3. Umesh Chandra Samantray – Secretary
4. Sarat Chandra Singhdeo – Asst. Secretary
5. Shyam Sunder Mohanty – Treasurer
6. Satyananda Tripathy – Member
7. Natabara Singh Samant – Member
8. Bhagabat Panigrahi – Member
9. Pramod Kumar Mohanty - Member

² Commonly referred as Hinduism, it is the religion that originated before historic era. The followers of this religion believe that the religion started by the creator himself at the start of the universe and will continue forever. They also believe in the immortality of the soul and excellence of humanism.

Shri Thakur in his home thinking that the Lord of the universe is rightly the Lord of his household. He believes that his family members actually belong to God as all other beings of the world, and have united together as family for a limited period according to their individual *'praarabdha karma'* (deeds of past lives). Therefore, he develops no blind attachment to any of his family members whom he loves dearly all the same, for they all belong to god.

(b) Establishing and transcending the power of spiritual union through its organization.

AMSAS is a spiritual organization built upon the directives of Shri Shri Thakur with a goal to attain spiritual enlightenment. Its members are united to achieve the stated goal via spiritual discourses and by faithfully following the advices of their Guru, Shri Shri Thakur. The members connect with each other at least once a week on Sundays to discuss the teachings of Shri Shri Thakur. The discussions help them to acquire knowledge and empowers them to perform *Seva (Spiritual service)*, propagating his universal spiritual principles among the masses.

(c) Exchanging the spiritual experiences and feelings amongst the devotees.

Shri Shri Thakur has advised his disciples and devotees to share spiritual experiences and exchange ideas and spiritual feelings whenever they meet in order to enrich themselves and to learn from each other for their spiritual progress. AMSAS members connect with each other every week and share their experiences by participating in Sunday service and also through an annual event, a gathering of disciples, called Bhakta Sammilani.

3. Statement of faith:

We (the members of AMSAS) accept Shri Shri Thakur as our only spiritual master (Guru) and the ultimate reality of life (Ista). We believe in the eternal existence of Shri Shri Thakur through his *Nama* (Jayaguru as his namesake), *Rupa* (his Eternal being), *Leela* (discourses on his life and teachings, the recorded interaction with his devotees), and *bigraha* (worship of his image at the place of worship). We accept NSS as the trustworthy retainer, the faithful promoter and the honest propagator of the philosophy of Shri Shri Thakur and we accept its directives on all spiritual matters.

4. Summary of beliefs:

- We believe in Shri Shri Thakur as our only spiritual master (Guru) and in his eternal existence as the Supreme Being and ultimate reality of life (Ista).
- We believe in the existence of Shri Shri Thakur through:
 - By reciting "Jayaguru" as his namesake (Mantra),
 - His eternal existence as the ultimate reality of all creation (Rupa),
 - Discourse on his life and teaching amongst the devotee (Leela), and
 - Anthropomorphic way of worshiping his image (Bigraha).
- We believe, NSS as the outer expression of the inner will of Shri Shri Thakur.

5. Form of Worship:

Any action which contributes towards fulfilling Shri Shri Thakur's will is regarded as his worship. This action could be performed as an individual or in a group. Whether worship is performed

individually or as a group, it has three aspects: Physical, Mental and Spiritual. Although these three aspects look distinct but in reality they are all interconnected. By performing these three forms of worship, a devotee actually fulfills all the three ideologies of Shri Shri Thakur in this world and in the process of fulfilling Shri Shri Thakur's will, transcends earthly limits and attains the ultimate realization of Guru.

Physical form of worship:

- Worshiping Shri Shri Thakur in an anthropomorphic way^{3*}.
- Chanting the holy mantra "Jayaguru", performing prayers and reading the spiritual scriptures as prescribed by NSS.
- Accepting Shri Shri Thakur as the head of the household and by performing household duties as his representative.

Mental form of worship:

Worshipping Shri Shri Thakur through deep meditation. This form of worship is higher compared to physical form of worship, where one goes deep into meditation to understand and then materialize his expressed and unexpressed will. In deep meditation one can do all the worship in his inner world like one does in his outer world (physical form of worship)⁴⊗.

Spiritual form of worship:

This is the highest form of worship where individual ego is transformed into collective consciousness, where creation in its entirety is perceived as the expression of undivided singular reality. This form of worship is performed when a devotee serves Shri Shri Thakur through all of creation, realizing his eternal presence everywhere.

^{3*} This is a form of worship in Hindu tradition where an image of a spiritual personality is worshiped as if he is alive through the image.

⁴⊗ According to Hindu philosophy, our outer world is our inner expression. In other words an individual's physical reality is his or her mental epiphenomenon.

6. Membership:

America Saraswata Sangha shall have three categories of membership: - a) Probationary Members, b) Regular Members and c) Associate Members.

a. Probationary Member:

The minimum qualification for being considered as a probationary member of AMSAS is as follows:

- i. One must possess good moral character and must have accepted Shri Shri Thakur as the sole Guru and Ista.
- ii. Must accept NSS, as the parent governing organization for the association.
- iii. Must be observing Niyama Panchaka (The five rules) as specified by Shri Shri Thakur.
- iv. Should abide by the rules and regulations as detailed in 'Sangha Niti' promulgated by the NSS from time to time.
- v. Must believe in Shri Shri Thakur, willingly embrace and dutifully follow the spiritual path laid down by Him. Membership in AMSAS entails making every effort to live the life of a bhakta (devotee) as ordained by Shri Shri Thakur.
- vi. Should resolve to be dedicated as a sebak (servant) of Shri Shri Thakur, His devotees and the Sangha.
- vii. Should be leading a household life and should have the aim to develop it into an "ideal household life" (Aadarsha Gruhastha Jeevana) as enunciated by Shri Shri Thakur.

On being enrolled as a probationary member, with recommendation from AMSAS and approval of NSS, the member is issued a permission letter. A probationary member shall have the right to vote on all matters of AMSAS. A probationary member is not eligible to be either the President or the Secretary of AMSAS.

b. Regular Member:

- i. In order to be a member of AMSAS one must have continued as a probationary member of either AMSAS or NSS for at least a year.
- ii. The probationary member must have undergone spiritual training under the guidance of NSS for at least one year.
- iii. On completion of the training period, the probationary member becomes a full-fledged member of NSS and AMSAS and shall be issued an Identity Card (Parichaya Patra) by NSS.
- iv. The administrator (Parichalaka) of NSS can suo moto enroll someone as a member of NSS and direct him or her to be a member of AMSAS.
- v. The membership of AMSAS is valid for one year. In order to continue as a member of AMSAS, one must submit application yearly to the president of AMSAS to continue such membership and renew Identity Card (Parichaya Patra) from NSS.
- vi. A regular member of NSS can become a member of AMSAS by applying and obtaining approval from the president of AMSAS.

- vii. Membership entails a pledge that a person will willingly make every effort to join in the activities and the religious observances of the association. If a person is aware that he or she will miss any of the activities, then he or she will let the President and the Secretary know of this absence well in advance.
- viii. AMSAS is governed by a committee consisting of a President, a Secretary, a Treasurer, and six other members elected by the General Body of AMSAS. Membership in AMSAS assumes acceptance of this committee as the Governing Body and a willingness to abide by the deliberations of this committee.
- ix. A regular member shall be entitled to attend all meetings and religious functions of AMSAS and will be entitled to vote on any matters of AMSAS.
- x. Members not residing in North America shall be considered as associate members.
- xi. Must be at least 21 years of age.

c. Associate Member:

- i. AMSAS can recommend any person as an associate member of the organization considering his or her active participation and sympathetic attitude towards any program undertaken by AMSAS or NSS. Upon recommendation, the Administrator of NSS can grant associate membership to the applicant.
- ii. The associate member shall be entitled to attend all meetings and religious functions of AMSAS, but will not be entitled to vote on any matters of AMSAS.

d. Cessation of Membership:

- i. The membership of any member of AMSAS automatically ceases after death, non-renewal of the annual identity card (Parichaya Patra) or the permission letter (Anumati Patra) as the case may be or absence in three consecutive weekly religious functions of AMSAS without the permission of President of AMSAS.
- ii. The membership of AMSAS automatically ceases with the cessation of the membership of NSS.
- iii. The membership of NSS automatically ceases with the cessation of the membership of AMSAS unless the Administrator directs the continuation of membership in NSS.
- iv. On receipt of a report from the President of AMSAS or any member of the Governing Body of NSS, NSS can revoke the membership of any member on the following grounds:
 - o For the misdemeanors of the member
 - o For indulging in activities contrary to the ideology of Shri Shri Thakur
 - o For violating the rules and regulations of AMSAS and/or NSS
 - o For lack of faith in the ideologies of Shri Shri Thakur
 - o For reasons of moral turpitude

7. Constitution of AMSAS:

AMSAS will mainly consist of two organs:

- a. A Governing Body
- b. A General Body

a. **Governing Body:**

- i. The Governing Body of AMSAS shall consist of nine members who shall be elected by the General Body of AMSAS.
- ii. A member of the Governing Body must also be a regular member of the General Body of AMSAS for at least three consecutive years. If a member ceases to be a member of AMSAS, he/she also ceases to be a member of the Governing Body.
- iii. The members of the Governing Body shall nominate/elect from amongst the Governing Body members: a) President, b) Secretary and c) Treasurer. Henceforth these three positions are referred as office bearers.
- iv. The term of each member of the Governing Body shall be three years. Each member of the governing body shall be term-limited to two consecutive terms. In the event of a member getting elected to the governing body in the middle of a term, the partial term shall be counted as a full term for term-limit purpose. However, each term-limited member can be reelected to the governing body after a break of at least one term.
- v. The terms of each member including the office bearers shall start on the auspicious day of Baisakha Purnima per Hindu calendar with an oath to fulfill their duties and it shall end three years after the start of the term.
- vi. In the event of any office bearer resigning or removed from the office bearer position but not from the Governing Body, an election must be held within one month to fill that position. However, if the office bearer resigns or is removed from the Governing Body, the vacated position will not be permanently filled until a new member is elected to the Governing Body. Election process to fill the Governing Body position must start immediately and be completed within two months. Until the vacated office bearer position is filled, one of the current members of the Governing Body shall be selected by the Governing Body to serve as the interim office bearer. The vacated office bearer position shall be filled as per the normal process described in the section below after a new member is elected to the Governing Body.
- vii. In case of a midterm election to fill an open governing body position, the newly elected member's term shall end at the end of the current three year term.
- viii. In case any member of the Governing Body resigns or otherwise loses his/her membership, the departing member shall be considered to have used that term toward his/her term limit.
- ix. In case of any office bearer violates the principles of Shri Shri Thakur's teachings and/or that of our Sangha, the office bearer can only be removed from the office bearer's position by a no-confidence motion brought by any General or Governing Body member that receives the approval of at least two-thirds of the members of the Governing Body. Only the General Body has the right to remove a member from the Governing Body. Under no circumstances, the Governing Body has the right to remove a member from the Governing Body.

- x. Any regular member of the General Body can bring a no-confidence motion against a member of the Governing Body by producing an agreement from at least twenty percent of the total regular membership of the general body. Upon verification of the validity of the no-confidence motion, the president or the secretary only if the motion is against the president, shall instruct the election committee to conduct a general body meeting within one month of the validation to decide on the no-confidence motion. If the general body approves the no-confidence motion by simple majority, the member with no-confidence loses the membership to the governing body immediately. This clause supersedes the previous clause x.
- xi. Two or more people who are related cannot serve in the Governing Body at the same time. The definition of a relative is depicted in the following table:

Spouse <ul style="list-style-type: none"> ● Husband ● Wife 	Parent (Mother/Father) <ul style="list-style-type: none"> ● Biological ● Adoptive ● Step ● <i>In Loco Parentis*</i> ● In-law 	Child <ul style="list-style-type: none"> ● Biological ● Adoptive ● Foster ● Step ● <i>In Loco Parentis*</i> ● In-Law
Brother/Sister <ul style="list-style-type: none"> ● Biological ● Adoptive ● Step ● Half ● In-law 	Grand/Great <ul style="list-style-type: none"> ● Parent ● Child ● Step ● In-law 	Dependents <ul style="list-style-type: none"> ● Living in the employee's household
<i>*A person who is in the position or place of a parent.</i>		

- xii. The Governing Body shall meet once a month to discuss the management affairs of AMSAS. The quorum of the meeting shall be five members.

b. Election of Governing Body and Office Bearers

- i. The President of AMSAS shall nominate, with the approval of the Governing Body, a three-member committee to elect the members to the Governing Body. The members of the election committee shall not be the members of the Governing Body or relatives of the members of the Governing Body or related to each other. The appointment of the election committee shall be for three years.
- ii. The nominee of any election can neither be a member of the election committee nor related to the election committee.
- iii. Once the election process starts, no member of the Governing Body may interfere with the election process and/or discuss any election related matters with any member of the election committee. Any feedback to the election committee must only be given by having the election committee join a session conducted by the Governing Body.
- iv. All members of the governing body shall be elected for a three-year term starting with the year 2021. Hence the regularly scheduled election shall occur once every three years. In order to elect the members to the governing body the election committee shall notify the general body to nominate the candidates before 1st of February of the election year. The general body shall have two weeks' time to nominate any member. If there are more than nine valid nominations, the election committee shall conduct an election.

- v. The election committee shall determine reasonable process for election in accordance with common practice. It shall notify the General Body, at least one month in advance with the process and election related dates.
- vi. If less than nine valid nominations are received, the existing governing body shall nominate the remaining positions at its next meeting. The governing body shall nominate any vacant positions for a midterm election if the election committee did not receive enough nominations.
- vii. The tenure of the members starts from the Baisakha Purnima and shall be for three years.
- viii. Any member of the newly elected Governing Body wanting to be elected as one of the office bearers must either self-nominate or be nominated by someone in the Governing Body. If multiple nominations for any of the office bearer positions are received, the election committee shall conduct the election and communicate the members elected to these office bearers' positions.

c. Functions of the Governing Body:

- i. The overall management of AMSAS shall be entrusted to the Governing Body. It will take decisions on policy matters in accordance with the philosophy dictated by Shri Shri Thakur and rules promulgated by NSS. It shall remain the custodian of all liquid and illiquid properties of AMSAS.
- ii. It shall formulate an annual budget for AMSAS including all its religious functions, anticipating the income and expenditure for the year. It will also monitor the actual income and expenditure.
- iii. It shall frame rules and regulations with guidance from NSS for smooth functioning of AMSAS.
- iv. It shall also frame rules for the purpose of celebration of the annual session of the Bhakta Sammilani and shall look to its proper management as sermonized by Shri Shri Thakur. This Bhakta Sammilani will be treated as an annual general body meeting of AMSAS which will be convened by the Secretary of AMSAS.

d. Duties of the President:

- i. The President shall preside over all the meetings of the Governing and General Bodies, and all religious functions of AMSAS.
- ii. The President shall have general supervisory powers over all the office bearers and members in charge of various responsibilities to ensure smooth functioning of AMSAS.

e. Duties of the Secretary:

- i. The Secretary shall preside over all the meetings in absence of the President.
- ii. The Secretary shall prepare the agenda and minutes of all the meetings of the Governing Body and General Body in consultation with the President.
- iii. The Secretary shall maintain all the records, accounts and documents for AMSAS.
- iv. The Secretary shall make arrangement for sending all the necessary documents and reports to any concerned members, as needed.
- v. The Secretary shall ensure the implementation of all decisions taken by the Governing Body as well as the General Body.
- vi. The Secretary shall prepare an Annual Report of the activities and send it to NSS.

f. **Duties of the Treasurer:**

- i. The Treasurer shall prepare annual budget for the Governing Body to consider.
- ii. The Treasurer shall be in charge of the funds of AMSAS and maintain proper accounts of cash as well as bank accounts as regards to all the receipts and disbursements.

g. **General Body:**

All Regular, Probationary and Associate members of AMSAS shall constitute the General Body. The membership of AMSAS and the General Body is subjected to annual renewal.

h. **Duties and Functions of the General Body:**

- i. The General Body shall meet at least once a year at the time of annual get together (Bhakta Sammilani) of AMSAS.
- ii. The General Body meeting can also be convened by the Secretary with prior approval of the Governing Body
- iii. The annual report of AMSAS shall be read out for the information of members of the General Body.
- iv. Any member of the General Body can send agenda for the General Body meeting to the Secretary one month in advance. The Secretary shall present all the agenda items to the Governing Body. Upon approval of the Governing Body, the agenda for the General Body shall be adopted.
- v. At least one half of the voting members need to be present in order to constitute a quorum.
- vi. The General Body shall consider any amendment to the By-Law and approve it with a two-third majority vote for adoption of the proposed change.

8. Audit:

- i. The account of AMSAS shall be audited on annual basis by appointing a committee drawn from the General Body. The President shall appoint the committee with consultation from the Governing Body. A member of the Governing Body can not be a member of the committee.
- ii. The audit report shall be submitted to the Governing Body. Upon approval of the Governing Body, the report shall be placed before the General Body and NSS by the secretary.

9. Power to Amend:

Whenever any difficulty arises in giving effect to the provisions of the by-law, or whenever it is felt that due to absence of a particular provision in the By-Law, the proper functioning of AMSAS is affected, the General Body can add, amend or delete any provision by at least two third of the members voting in favor of such a resolution. The following guidelines shall be followed in amending the By-Law.

- i. Any member or a group of members of the General Body can submit a resolution to amend the constitution. The resolution shall be submitted to the Governing Body.
- ii. The Governing Body shall scrutinize the proposal and need to approve by a simple majority in order to be presented to the General Body for approval.
- iii. The General Body needs to approve the amendment(s) by two-third majority.

10. Dissolution:

For any reason if it is deemed necessary for AMSAS to be dissolved, the Governing Body shall consult NSS. Upon permission from NSS, the Governing Body shall determine how to disburse any remaining assets after all liabilities are paid off in accordance with the meaning of section 501 (c) 3 of Internal Revenue Service. The Governing Body shall select organizations that have similar mission and value as AMSAS and are recognized by the IRS as organizations with 501 (c) 3 status. In absence of the resolution by the Governing Body, the state law of North Carolina shall determine the disbursement of the remaining assets.
