



## **FEDERATION OF MALAYALEE ASSOCIATIONS OF AMERICAS (FOMAA)**

**AMENDMENT AND ADDITIONS TO BY-LAW 2017  
PRESENTED, ACCEPTED AND PASSED  
AT THE GENERAL BODY MEETING HELD AT VISION OUTREACH INTERNATIONAL  
(TYSON CENTER) 26 NORTH TYSON AVENUE, FLORAL PARK, NY 11001  
ON SATURDAY, OCTOBER 21<sup>ST</sup> 2017.**

### **ARTICLE I - NAME, NATURE AND ADDRESS**

ARTICLE I - 1            FOMAA is an umbrella organization of Malayalee/Kerala  
Associations in the Americas



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### **ARTICLE II – AIMS AND OBJECTIVES**

ARTICLE II – c -           To educate and encourage Keralites to fulfill their civic, social and cultural responsibilities.



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### **ARTICLE III - MEMBERSHIP**

- ARTICLE III – 3 b - Delete (FOMAA MRR 2016)
- ARTICLE III – 4 b - The biennial membership shall be valid from October 01 to September 30 of the second year.



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### **ARTICLE IV – ORGANIZATIONAL STRUCTURE**

ARTICLE IV – 1 – b - Executive Officers

ARTICLE IV – 1 – c - “National Committee” replaced the “Executive Committee”.  
National Committee consists of members as per ARTICLE VII 2 of the By-law.



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#### **ARTICLE V - GENERAL BODY**

- ARTICLE V – 2 - Composition: Delete the Executive Committee – Read as National Committee Executive Officers is part of National Committee - The General Body shall consists of all the members of the National Committee and Delegates of all categories of members as follows: Please refer Article VII – 2
- ARTICLE V – 2 – a. A Member Association shall have seven (07) delegates in the General Body.
- ARTICLE V – 2 – c. No proxy voting is allowed for any member of the General Body.
- ARTICLE V – 2 – d - Addition : All Delegates qualified to vote must be registered for the Convention where the General Election is conducted.
- ARTICLE V – 3 – Amended : Delegates shall be 18 years or older, Kerala origin, members of FOMAA member association and they must be approved by President or Secretary of member Association. Delegates may include at least one woman. Election Commissioners shall have the authority to verify the eligibility of the delegate.



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### **ARTICLE V – GENERAL BODY contd.**

- ARTICLE V – 3 - b** The list of Delegates shall be sent to the General Secretary and General Secretary should send the List to Election Commissioners at least thirty (30) Days prior to the General Body in the prescribed form.
- ARTICLE V – 4 – b – ii** Amend to delete this provision and clause. National Committee consists of the Executives. Original provision of Article V – 3 – ii of the By-law is reinstated and as follows:
- “Twenty-five percent of the total number of Member Associations’ Presidents may convene such a Special General Body Meeting by giving two weeks written notice about the meeting to all members and known Member Organizations”



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### **ARTICLE VI – EXECUTIVE COMMITTEE**

- ARTICLE VI-2-iii**      **The title Secretary is replaced by “GENERAL SECRETARY”**
- ARTICLE VI – 14 – a**      Amended as “The Vice President, Joint Secretary and Joint Treasurer shall succeed respectively to the offices of the President, General Secretary and Treasurer”
- ARTICLE VI – 14 – b**      **In the event of Article VI – 14 –a.** The vice President, Joint Secretary and Joint Treasurer shall be appointed by the National Committee in consultation with National Advisory Council. Regional Vice-Presidents, National Committee Members shall be elected by the Respective Regions. The Woman Members, Youth Members shall be nominated by the Executive Committee.
- ARTICLE VI - 15 -b**      The President shall preside over all the meetings of the General Body, National Committee and Executive Officers
- ARTICLE VI - 19 -e**      The Treasurer shall make all payments of the Federation with the approval of the Executive Officers and National Committee wherever is applicable



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#### **ARTICLE VII - NATIONAL COMMITTEE**

##### **ARTICLE VII- 2 – a – i**

Executive Officers Six (06)

##### **ARTICLE VII – 2 –vii**

The President of FOMAA shall invite former FOMAA Presidents, General Secretaries and Treasurers to the General Council without voting right.

##### **ARTICLE VII - 6**

At any meetings of the National Committee, 51 per cent of its members shall constitute the quorum to transact business.

##### **ARTICLE VII – 14**

In the circumstances where there is confusion and/or ambiguity in by-law; the Executive Officers and National Committee shall not derive conclusions of convenience; and refer the matter to National Advisory Council for their opinion and advice. Such advises from National Advisory Council shall be a guide line for the Executive Officers and National Committee.





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### ARTICLE VIII COMMITTEES

#### ARTICLE VIII – 1 Standing Committees

Amend the Title “Chairperson” with “Coordinator”.

#### ARTICLE VIII – I) Credential and By-law

Amended as "Credentials Committee" This committee screens the credentials of membership seeking Associations to its eligibility. The committee will verify the qualifications of member Associations. During the General Body meetings, it will assist the President in conducting the meetings in accordance with Parliamentary procedures and will assist the members in drafting the resolutions for making smooth decisions. It will ensure that the provisions of the constitution and By-laws are complied with at all times.

#### ARTICLE VIII – x) Addition

**By-Law Committee.** The Executive Officers will appoint a By-law committee not to exceed seven (7) members at the recommendations of the Compliance Council. The Committee shall have a Chairman, Vice Chairman, Secretary and members as selected among themselves. The FOMAA President, General Secretary and Treasurer will be Ex-Officio members. The Committee will study and amend as necessary the by-law in consultation with the member Associations and FOMAA well-wishers. The Committee shall recommend amendments to the By-laws as deemed necessary to the General Body.



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**ARTICLE VIII – COMMITTEES contd.**

**ARTICLE VIII – vi) Youth affairs**

**The Title Amended as "YOUTH FORUM".** Youth Forum will be constituted with a Co-coordinator and other two members of youth from National Committee. Chairperson, Vice-Chairperson, Secretary and youth representatives will be appointed by the Executive Officers giving the Committee a wide Regional representation of youths. This committee will ensure that there are forums for the Kerala origin youth to voice their concerns and for interactions among youths in different regions. Program shall be developed to attract the youth to the activities sponsored or coordinated by the Federation and keep the youth interested in such activities and thereby instill a sense of cultural pride in them and appreciation for the many good aspects of Kerala Culture.

**ARTICLE VIII – xi) Sports & Games Forum**

**FOMAA Sports & Games Forum** shall be constituted to encourage and attract talents of our youths in Sports and Games activities. Co-coordinator of Sports and Games forum shall be a National Committee member. A committee of the Sports & Games Forum shall be appointed by the Executive Officers from various Sports and Games. FOMAA National Sports and Games Event shall be conducted on a yearly basis.

**ARTICLE VIII – viii Language and Educations**

**Language & Education and Malayalathinnu Orupidi Dollar.** Responsibility of this committee shall further extend to benefit, revitalize and promote Malayalam language and revive the "Malayalathinnu Orupidi Dollar". FOMAA biennial Literary & Education day celebration shall be held.



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### **ARTICLE VIII – COMMITTEES... contd.**

**ARTICLE VIII – xi) WOMEN’S FORUM**      **Women’s Forum - National Women's' Forum and Regional Women's Forum** will be constituted to actively participate and involve in the Federation and the socio, cultural and political areas of the Keralites in USA. A Woman member of the National Committee will be the coordinator. National Women's' Forum Committee will be constituted by appointment by the Executive Officers having its Chairperson, Vice Chairperson, Secretary and Chairpersons of the Regional Forum as members. The committee duration will be for the term of the Executive Officers and continue till the next National Women's Forum committee is constituted and transfer of credentials. The President, General Secretary and Treasurer will be Ex-officio members of the National Women's Forum. It is the task and responsibility of the National Women's Forum to constitute and function all the Regional Women's Forum. The National and Regional Women's Forum shall have the responsibility to outline their programs, functions and address the issues which concerns the Pravasi Keralite Women.

### **ARTICLE VIII xii - ADDITION**

All the Standing Committees under ARTICLE VIII shall have a functioning structure with Chairperson, Vice-Chairperson, Secretary, and a minimum of three members who are appointed by Executive Committee from outside the National Committee; who shall be members from the Keralite community and associated with member association of FOMAA and having expertise and eminence in the respective fields. FOMAA President, General Secretary and Treasurer will be ex-officio members of the Standing Committees.



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### **ARTICLE IX – REGIONAL STRUCTURE**

#### **ARTICLE IX – 5 – ADDITION**

FOMAA Regional Committees shall be formed in all Regions with Chairperson, Vice Chairperson, Secretary, and Women's Representative. Presidents of all member Associations will be members of the committee. Region can include the committee members based on the programs and agenda. FOMAA National Committee members from the Region will also be in the Regional Committee. Regional Vice President from the region has the responsibility to constitute this committee. Regional committees programs and plans should go along with the FOMAA programs and plans.



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### **ARTICLE X - NATIONAL ADVISORY COUNCIL (N.A.C.)**

#### **ARTICLE X – 2 - a. Addition**

The Chairperson, Vice Chairperson, Secretary and Joint Secretary shall be elected from this council and shall be the officers of N. A. C. **ELIGIBILITY:** Candidates for the Officers of the National Advisory Council shall have served in the FOMAA National Committee or FOMAA National Advisory Council or FOMAA Judiciary Council.



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### **ARTICLE XI - JUDICIAL COUNCIL**

#### **AMENDMENTS / ADDITIONS 2017**

##### **ARTICLE XI – 3 DUTIES - ADDITION**

TRANSITION OF POWER AND HANDING AND TAKING OVER.  
FOMAA Judicial Council shall have the responsibility of smooth transferring the duties and responsibilities from the Outgoing Executive Officers to the newly elected Executive Officers. Judicial Council will oversee the handing over and taking over procedures, ascertain the records handed over, the transition of Websites and password, etc., as per ARTICL XII - 13 - b of the By-law. Any discrepancies or lapses may be reported to the General Body

##### **ARTICLE XI – 4 ADDITION**

Any member of the Federation shall have the right to file a complaint with judicial council about the actions of any of the committees of FOMAA or its officers. If an individual member of a member-association has a complaint, the plaintiff should submit a written complaint to Judicial council. The complaint shall not be released to the media or press.

A complaint must be filed with the Judicial Council within three months of the action(s) causing the complaint.

The Executive Officers, National Committee or Judicial Council shall not act or discuss based on hearsay, media reports or posting from any source.



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#### **ARTICLE XII - ELECTION PROCEDURES**

##### **ARTICLE XII – 3**

Amended as "Nominations in the prescribed form supplied by the Election Commission of that year along with nomination fee shall be filed at least forty (40) days prior to the General Body meeting for the General Election. Election Commission must notify the date at which nominations to reach the Election Commission based on the forty (40) day period. Nominations from an organization or chapter member of the Federation shall be endorsed by the President and Secretary of the organization or two (02) Chapter members to which the nominee belongs"

##### **ARTICLE XII – 3 NOMINATION FEES ADDITION**

Nominations for all National Committee positions from Associations and from the Regions must include nomination papers duly filled and signed as per the instructions from the Election Commissioners and must include nomination fees even though the positions are uncontested. Any position not filled during the General Election and later nominated from Region must submit the required form and full fees of the position to the Executive Officers for consideration. No candidacy is valid and approved without nomination papers and fees. All nominations shall be submitted to the election commissioners.

##### **ARTICLE XII – 4**

Amended as "Nomination can be withdrawn with full refund amount of the nomination fee thirty (30) days prior to the General Election or prior to the date announced for withdrawal by the Election Commissioners.



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#### **ARTICLE XVIII – COMPLIANCE COUNCIL - ADDITION**

The General Body shall elect five (05) members, who shall not otherwise be members of the current National Committee of FOMAA or National Advisory Council or Judicial Council, to serve as members of the Compliance Council.

Term:

Term of the Compliance Council will be for four (4) years. Election to the Compliance Council must be held other than the General Election year.

Election:

The General Body will elect the Compliance Council from active members of the Federation who have proven experience in the field of Accounting, Legal and Management and have served in the FOMAA National Committee or National Advisory Council or Judicial Council. General Council will decide about the election of the Compliance Council for each term.

For each term, the first meeting of the elected Compliance Council shall be convened and presided over by the President of the Federation. The Chairperson, Vice Chairperson and Secretary shall be elected from this elected council and they shall be officers of the Compliance Council. All subsequent meeting of the Compliance Council during their term shall be presided by the Chairperson of Compliance Council.

Duties:

- i) To oversee all Compliance issues for the federation in terms of Annual Tax Filing, Federal and State compliance.
- ii) Registration of FOMAA Corporate entity with respective States where the President domicile.
- iii) Compliance Council will act as custodian of all FOMAA intellectual properties.
- iv) Will oversee all FOMAA official records including Past Minutes Books, FOMAA Election documents, Accounting Records and Tax and Official Registration Records.
- v) Will oversee all Physical properties and FOMAA Banners and any other properties acquired by FOMAA in future.





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**ARTICLE XVIII – COMPLIANCE COUNCIL – ADDITION contd.**

- vi) Ensure compliance of the FOMAA By-Law Article XII Para 13 ‘a’ and ‘b’ for Handing over / taking over procedure by immediate past and the newly elected Executive Committee.
- vii) The Council shall not interfere with any day to day operations and functioning of the Federation.
- viii) If the outgoing committee does not comply with tax filing, submitting other audited reports along with good standing certificate, the Council shall bring it to the attention of the General Body.
- ix) Recommend to the Executive Officers constituting a Sub Committee for “By Law Revisions, Changes and Amendments” as deemed necessary.

The Compliance Council will be responsible to the General Body of FOMAA and submit its reports, views, suggestions and recommendations to the General Body.

**FOR THE CREDENTIALS AND BY LAW COMMITTEE 2017**

Mr. Joseph Ouso Chairman \_\_\_\_\_

Mr. Easow Sam Oommen, Secretary \_\_\_\_\_

Dr. James Kurichi, Co-Chairman \_\_\_\_\_

Mr. Raju Varghese, Co-Chairman \_\_\_\_\_

Mr. Benny Vachachira, President \_\_\_\_\_

Mr. Jiby Thomas, General Secretary \_\_\_\_\_

Mr. Josey Kurisinkel, Treasurer \_\_\_\_\_

Mr. Vinod David Kondoor, Recording Secretary \_\_\_\_\_



## **CREDENTIAL AND BY-LAW COMMITTEE 2017**

Mr. Joseph Ouso - Chairman

Mr. James Kurichi – Co-Chairman

Mr. Raju Varghese – Co-Chairman

Mr. Easow Sam Oommen – Secretary

Mr. J. Mathews - Member

Mr. John Varghese – Member

Mr. George Mathew - Member

Mr. Mathew Cheruvil – Member

Mr. Vinson Palathingal – Member

Mr. Benny Vachachira - President

Mr. Jiby M. Thomas – General Secretary

Mr. Josey Kurisinkel – Treasurer

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