



কুঁড়ি থেকে ২০ দুই দশকের ঐতিহ্য
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Swisspuja Statutes of the Association

PREAMBLE

'Durga Puja' (also known as 'Durgotsava' or 'Sharodotsava') is the foremost festival of the state of West Bengal in India, and Bangladesh with deep roots in Indian mythology, and is of high economic and social significance. Globally Indians, especially Bengalis, celebrate the festival in all parts of India and many countries all over the world in the Indian calendar month of 'Ashwin', which corresponds to September–October in the Gregorian calendar. Durga Puja in Kolkata has been inscribed on the Intangible Cultural Heritage List of UNESCO in December of 2021.

A group of Swiss citizens and residents of Bengali origin first celebrated this festival in Switzerland in 2004. Being open to the public the festival was named 'Sarbojanin Durga Puja'. With foresight and wisdom, they formed an association that would keep organizing the festival in the future years, and aptly named it 'Swisspuja'.

The following statutory articles are based upon the experience gathered over the previous years and is in accordance with the legal formalities of Switzerland. These will guide the association in the future.

Statutory Articles

ARTICLE 1 INTRODUCTION

"Swisspuja" is a nonprofit socio-cultural and religious association, organized according to the articles 60 -79 of Swiss Civil Code (ZGB)¹. In all social and cultural activities related to rituals and events of the association, the norms and practices of Bengali and Indian culture and civilizational heritage is followed, as well as every effort is made to integrate with other socio-cultural communities in Switzerland.

In all the association's activities and events, every individual is considered as equal and may contribute towards any of the tasks according to his or her capability, irrespective of age, gender, and religious, financial, and social status (e.g., caste, class etc.).

ARTICLE 2 SEAT

The present seat of the association is at 5400 Baden, Kanton Aargau, along with:

- Postal address: Swisspuja, 5400 Baden
- Bank account: Post Finance, Swisspuja Baden A/C No. 60-154235-4
- Bank account for reserve fund: UBS, Swisspuja Baden, A/C No. 232121448M1W
- E-Mail: ecmember@swisspuja.org
- Website: www.swisspuja.org



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For any legal dispute resolution, the relevant civil court is that of Baden. Efforts shall be made to settle any dispute through arbitration and conciliation before taking a step to court.

ARTICLE 3 OBJECTIVES

The objectives of Swisspuja are the following:

- Promote Bengali and Indian traditions and culture in Switzerland and in Europe
- Create a platform for the Indian diaspora to socialize and celebrate festivals.
- Engage and integrate with local socio-cultural communities.

To achieve the objectives Swisspuja will organize and perform the following events.

1. 'Sarbojanin Durga Puja' in Switzerland, as per the Bengali almanac ('Panjika') and rituals of worship, and open to everybody to visit or participate in
2. A cultural festival, 'Rabindra Jayanti' or 'Nazrul Jayanti', to celebrate and honor the work and life of the greatest poets and authors of Bengal.
3. A summer picnic as a socio-cultural and community building exercise for the members
4. 'Bijaya Sammelani', a forum for promoting and nurturing the cultural heritage of Bengal in Switzerland among the association members.
5. Any additional events or activities that either promote the culture and heritage of Bengal and India, independently or in cooperation with like-minded associations, communities, and organizations of Switzerland. Such events should be:
 - approved by the last Annual General Body Meeting (AGBM) or Special General Body Meeting (SGBM) with appropriate guidance.
 - Otherwise, if decided by the EC, the estimated expense should not exceed 20% of the total income or expense of last year, whichever was lower and the budgeted expense for the current year including this additional event should not exceed the budgeted income for the current year.

ARTICLE 4 ORGANIZATION

The organs of the SWISSPUJA are:

1. The General Body, operating through:
 - a. The Annual General Body Meeting (AGBM)
 - b. The Special General Body Meeting (SGBM)
2. The Executive Committee (EC) of at least 5 members
3. Two auditors
4. Five custody account signatories

All the above four organs of Swisspuja must consist of bonafide members of Swisspuja as defined in Article 5



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ARTICLE 5 MEMBERSHIP

5.1 Definition

Any individual aged 18 years (as on the current year) and above, who is interested in participating in any manner in Swisspuja's activities and events, may become a member of this association. It is understood that the members will actively take part in celebrating 'Sarbojonin Durga Puja' and other Swisspuja events and will willingly take up necessary tasks according to their capabilities, if individually requested or collectively called upon by the EC. A member may also offer to contribute his help on his own. It is expected that the members will take initiatives for improving the performance of the events. Each member will be registered with the following required data (First Name, Family Name, Postal Address, Contact Phone Number, Contact E-Mail).

5.2 Membership fees and payment deadline

Annual membership is valid for a calendar year starting on the 1st of January. The annual membership fee becomes due on the 1st of January. The EC must send an annual membership fee payment reminder, with a payment period of 30 days, to all members latest by the 28th of February. All members must pay the annual membership latest by 31st March.

Annual membership fee for an adult, or a family, defined as a married couple (along with their non-adult children, if any), is CHF 100. Annual membership fee for an adult student or trainee (single) up to the age of 30 years is CHF 50. The above fees will be reviewed each year at the AGBM.

Only for the first-time members (new members) membership fee will be accepted until 'Bijoya Dashami', the last day of 'Sarbojonin Durga Puja'.

It is expected that families will contribute a higher amount if they can afford to do so. The exact membership (or any additional donation or sponsorship) amount contributed must not be shared outside the EC without a prior explicit approval of the concerned member.

It will be expected from guests that each of them will pay a reasonable amount of subscription against a receipt at the welcome desk during Swisspuja events. Only the registered members who have paid their dues within the dates specified above are eligible to attend the AGBM.

5.3 Lapse of membership and membership restoration fees

Upon non-payment of membership fees by the deadlines defined in section 5.2 above, membership will lapse and may be restored on explicit approval of the EC with a restoration fee of 25 CHF to be paid in addition to the membership fee.



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5.4 Voting rights

Members of this association are eligible to vote in person or electronically (if such means is provided by the EC) on decisions to be taken in an AGBM. This applies also to any other meetings, or General Body mandate requirements for EC where voting would be required. A couple or a family will be considered as a collective member with two votes and a student or trainee as one vote. A simple majority of votes is required, if not mentioned otherwise, for a decision on various questions. A two third majority will be required to change a part or a whole of an article of these statutes.

5.5 Termination

Any registered member can terminate her/his membership by written request to the secretary of EC, at least 30 days ahead of the desired termination date. Membership fee already paid for the running year will not be refunded.

A member of the EC may resign within her/his term of office in writing, thereby stating the reason for demission. She/He will try to continue her/his work in the EC till she/he can be replaced by somebody else. The EC President has the authority to accept her/his resignation and take appropriate actions to ensure proper functioning of the EC and relieve the EC member after taking handover of the assets and access, as applicable. The EC President may upon mutual approval and agreement, nominate either one of the existing EC members or add a new member to the EC (as per Article 4 – Organization and Article 5 – membership) to resume the duties of the resigning EC member.

In case anybody among the President, Treasurer or the Auditors resign, a SGBM will be arranged to nominate the replacement candidate.

5.6 Expulsion

A member may be expelled from the association on charges of serious offence by a majority decision of two third of the members present at the AGBM, provided all the members are notified two weeks ahead of the meeting.

5.7 Members' personal data

The personal data of any member e.g., address, contact details (like email, telephone number etc.) must not be shared outside the EC and must not be disclosed to any third party without a prior explicit approval of the concerned member.



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ARTICLE 6 ANNUAL GENERAL BODY MEETING (AGBM)

6.1 Definition

The main annual gathering of all bona fide members of Swisspuja is being defined as an AGBM. It has three key functions:

1. It guides the entire activities pertaining to 'Sarbojanin Durga Puja' and other Swisspuja events through resolutions in a meeting on any issue and the election of an Executive Committee for the following year based on the majority decisions (vide § 5.4) of the attending members.
2. It celebrates the traditional 'Bijaya Sammelani', a Bengali cultural event on the same day after the AGBM is over.
3. The AGBM-day is the turnover day for the consecutive year.

6.2 Procedures

The AGBM shall be convened each year preferably within 60 days after the 'Bijaya Dashami' (last day of the 'Sarbojanin Durga Puja') to execute the administrative part as given below as well as the 'Bijaya Sammelani' event. The AGBM should be conducted with personal presence unless there are compelling reasons to arrange the meeting in virtual form. The invitation must be sent to the current members at least two weeks in advance of the scheduled AGBM.

AGBM will start with

1. Election of a day's chairperson, per nomination and vote, to guide through the administrative meeting's agenda without voting power. She/He must take a neutral position in the decision-making process. It is expected that she/he should be able to keep order and discipline during the meeting.
2. Election of a person to write down only the minutes of the proceedings. The minutes shall not contain any personal comments or remarks of the writer or anybody else. they shall be handed over to the President and the Secretary of the incoming EC within 30 days of the AGBM, for perusal and distribution to the members.

6.3 Quorum

At least 20% of bona fide Swisspuja members shall be present at any general body meeting, annual or special, to pass a resolution on any business.

6.4 Agenda of AGBM

1. Approval of the minutes of previous AGBM
2. Reports of the President and the Secretary of the outgoing EC and their approval.
3. Financial report of the Treasurer of the outgoing EC, signed by the President and the Treasurer including the provisional recommendations for the next year (see § 8.2.3 k)
4. Auditor's report or certificate and the approval of the Treasurer's report.
5. Report of any other member of the outgoing EC
6. All the reports mentioned in points 1-5 above must be shared with participating Annual General Body Members at least one day in advance of the AGBM.



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7. Discussions and resolutions, if required, on any issues that are brought forward by the EC or any other member. Such issues will preferably be communicated to the EC seven days in advance and will be listed and taken up as priority for discussion. Time for each speaker shall be allocated by the day's chairperson.
8. Collective dismissal of the outgoing EC and with thanks.
9. Election of the incoming EC and auditors in the following order:
 - a) Get nominations for the post of the president and elect per vote.
 - b) Get nominations for the post of the secretary and elect per vote.
 - c) Get nominations for the post of the treasurer and elect per vote.
 - d) Get nominations for the post of at least two executive members and elect per vote.
 - e) Get nominations for two auditors who are not members of EC team and elect per vote.If complete EC could not be formed, as a minimum the posts of President, Treasurer and auditors will be nominated and elected at the AGBM.

The elected President will have the authority to nominate additional EC members from within the bonafide group of Swisspuja members within next three months and communicate to the Swisspuja members.

Election procedure shall be continued till the above EC positions are occupied. If the new EC-Team cannot be formed, the outgoing EC-Team or a part of it will be requested and empowered to remain in office up to another three months with the obligation to finish and settle its own unfinished tasks, if any, and hold fresh election within that time to form an eligible team.
10. Individual EC member may be elected for maximum three consequent years for the same post. She/he is not eligible for election after this period, provided other members are available for the same. This also applies for the EC members nominated by the President after the AGBM.
11. Approve the current five custody account signatories or elect replacement member(s), if required.
12. Nominate a panel of three additional members who are authorized to replace the approved custody account signatories if she/he is elected or nominated in the EC or as auditor. Active custody account signatories will select the replacement member from the panel of three authorized members.

ARTICLE 7 SPECIAL GENERAL BODY MEETING (SGBM)

7.1 Definition: Apart from the Annual General Body Meeting, the EC may convene, depending on necessity and requirement during the year, Special General Body Meetings on its own or at the request of at least 20% of the bona fide voting members for discussing and deciding on special issues.

The invitation must be sent to the members of last year and the new members of the current year, at least three weeks in advance of the scheduled SGBM.

7.2 Procedures Same as 6.2.

7.3 Quorum Same as 6.3



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7.4 Agenda of SGBM

The agenda will be communicated by the EC along with the invitation at least three weeks in advance. Members will be requested to send their feedback before the SGBM and will be shared during the meeting by the EC.

7.5 Nature of meeting

The SGBM can be organized as a physical or virtual meeting as per the decision by the EC.

ARTICLE 8 EXECUTIVE COMMITTEE (EC)

8.1 Definition

The EC is a team of at least 5 bona fide Swisspuja members holding the following posts:

- The President
- The Secretary
- The Treasurer
- Two or more executive members

Any additional member of the EC must be a bona fide Swisspuja member.

The EC for a particular year shall remain engaged from the day following the AGBM i.e., the day after their election, up to and including the day of next AGBM.

8.2 Functions

The EC will make all efforts to ensure a safe, cordial, respectful, and inclusive environment seeking active cooperation and engagement with members and participants.

The EC should manage all functions in a fair and transparent manner.

The EC should consider all feedback and take appropriate actions, as practical.

- a) This incumbent EC conducts democratically and on honorary basis the entire planning, administration, and execution of 'Sarbojanin Durga Puja' and other Swisspuja events as listed earlier, following the statutes, and fulfilling the resolutions.
- b) It chooses appropriate venues for hosting the 'Sarbojanin Durga Puja' and other Swisspuja events as listed earlier, bearing in mind easy access to transport, and ensuring enough room at the venue for all activities e.g., sufficient place for visitors, feasibility of cultural performances, provision for lunch and dinner.
- c) Specifically, for 'Sarbojanin Durga Puja' it engages an institutionally trained 'Purohit' (priest), with knowledge of Sanskrit language, and the proper sequence of the rituals, previous client references and a good reputation, to perform the traditional rituals of worship for the total period of the Puja. The EC makes a contract with him for his remuneration and takes care of the Purohit's personal and social well-being for the period of his engagement. The EC organizes the performance of rituals-in cooperation with him and delegates persons to assist him in performing the rituals in an appropriate and timely manner.



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- d) For 'Sarbojanin Durga Puja', with the help of volunteers, the EC organizes and performs various tasks, such as installation and removal of deities, decoration; supply of flowers, garlands, and Puja essentials for rituals; any special help required by the priest for performing the rituals; ritual diet ('Bhog'), 'Prasad', daily lunch and dinner; organization of cultural programmes, publication of 'Puja-Patrika' (annual brochure) with advertisements, setting up of an information and welcome desk. The EC and its delegates perform all the tasks in compliance with the words and spirit of Article 1.
- e) The EC takes the responsibility of good maintenance of the premises of 'Sarbojanin Durga Puja' and of all other events it organizes so that they can be handed back to the owner in the same condition as it was, when taken over at the beginning of the festival.
- f) During temporary absence of either, the President or the Secretary one of them shall reciprocally take over the responsibility of the other. In case of absence of any other office bearer, the remaining members of the team shall mutually find out a solution either by temporarily appointing a new member or holding double office.
- g) The EC is responsible for the safety and security of Swisspuja's physical assets, as well as digital data and content including members' information, and previous years' data stored in shared storage repositories.
- h) The EC must ensure adequate insurance coverage against damage, loss or theft of Swisspuja's physical and digital assets, and damage, liabilities during Swisspuja events at third party venues.
- i) The EC is responsible for maintaining a dedicated storage facility for Swisspuja physical assets (the current facility is maintained at Wohlen)
- j) The EC is responsible for maintenance and upkeep of the Swisspuja website and social media handles, keeping the content up to date and these communication channels active.
- k) The outgoing EC hands over all documents, movable goods, key of storage space, financial objects (account books, bank statements, cash in hand etc.) along with the authorized signature transfer (post or bank account), cheque books or pay slips and any other financially relevant document to the incoming EC within two months from the AGBM date. The hand over will also include the access rights of the virtual assets like digital storage, website, social media etc.
- l) All the members who assist the EC in the celebrations, work on a voluntary basis. In case of a commercial supply of goods or services, a member may be considered along with other suppliers for a contract.
- m) The EC organizes and conducts the Picnic, 'Rabindra Jayanti', AGBM, 'Bijoya Sammelani' of Swisspuja.
- n) Upon finishing all events the EC organizes cleaning, and re-arranging of the furniture of the venue and designates an EC member to properly handover the same to the owner representative.
- o) For long lead time topics like reservation of 'Sarbojanin Durga Puja' & AGBM venues, 'Purohit', etc., EC should make suitable provisional reservations for next year(s).



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8.2.1 President

She/he

- presides over the EC meeting, personally takes a few tasks, draws the guidelines, and coordinates the teamwork, for successful celebration and completion of all Swisspuja events, conforming to the majority decisions in the EC.
- cares for good reputation of Swisspuja and represents the same outside of the association.
- signs jointly with the treasurer documents regarding financial transactions with third parties
- signs jointly with the secretary all other legal documents and agreements with third parties
- reports at the AGBM on the current year's work, on trend of membership, public response, shares achievements, learnings to carry forward and recommends potential improvements in the working of the EC.

8.2.2 Secretary

She/he

- is responsible for general administrative tasks and assists other members of the EC for formal running of Puja celebrations.
- organizes EC meetings in cooperation with other members of EC.
- is her-/himself, or through a delegate the official interface between EC and members i.e., communicates on behalf of the EC with association members and outside parties as well as keeps the membership list updated, especially before a GBM.
- keeps the committee's activities and Puja News updated in website.
- signs jointly with the president or treasurer as and when necessary
- her-/himself or through a delegate organizes the AGBM and sends copies of the minutes of previous year's AGBM along with the current year's draft reports for discussing at the AGBM to members with the invitation for the meeting.
- her-/himself or through a delegate responsible for the documentary archives of Swisspuja
- her-/himself or through a delegate organizes the SGBM and sends the relevant documents and agenda of the meeting for discussing at the SGBM to members along with the invitation for the meeting.

8.2.3 Treasurer

She/he

- is the custodian of Swisspuja property and organizes the safe storing of movable assets for the current office-year and beyond till the next treasurer can take over the charge.
- maintains the accounts of Swisspuja which includes all the incomes and expenditures.
- her/himself or through a delegate conducts financial transactions with post and bank.
- her/himself or through a delegate sends reminders to payees who have defaulted.
- calls for quotations for buying goods and services from third parties and recommends to the EC for acceptance or rejection.
- signs jointly with the President or the Secretary all financial agreements with third parties
- clears payments of bills of third parties and bills of any expenses of active members for Puja purpose when authorized by EC.



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- h) prepares a provisional budget for her/his year in office based on last year's financial record and experience and expected changes in income or expenditure in collaboration with the EC members. The expense should not exceed 10% of last year's income excluding the additional events (Article 3, point 5). Budget must be periodically updated with feedback from EC members.
- i) keeps accounts and prepares annual financial report in cooperation with the EC and submits the same to the auditors for audit, control and approval
- j) prepares the annual financial report and jointly signs the same with the President after sharing and confirming with all EC members. Income and expenditure accounts should consist of the following data among others to help the AGBM in taking financial decisions:

Last year's Actuals	Last Treasurer's Recommendations for the current year as approved by the last AGBM	Current year's Budget	Current year's Actuals	Current Treasurer's Recommendations for the next year to be approved by the AGBM
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- k) prepares an annexure containing a detail list of expenditure comparing with the values from last year.
- l) prepares a supporting document to highlight the major changes (typically higher than 10%) for the expense and income items compared to the last year and the reasons thereof.
- m) recommends next year's membership fees as well as maximum amount of reserve funds that can be used by the next EC for specific capital goods (e.g., a new deity, utensils) to the AGBM. The next EC is bound by the maximum amount from the reserve fund approved by the AGBM above the current income.
- n) recommends the amount to transfer to or from the reserve fund. Completes the transfer in cooperation with the custody account signatories as per decision by the AGBM, before hand over to the next EC.
- o) presents the annual financial report to the AGBM and answers queries from the members.

8.2.4 Executive Members

- a) They contribute to EC activities sharing equal voting rights with other members of the EC.
- b) Their functions and duties are defined and agreed mutually within the EC.
- c) They can function as the delegate of the President, Secretary, or the Treasurer for specific tasks, if agreed in the EC

ARTICLE 9 AUDITORS

The two auditors are responsible for verification, enquiries and control of accounts and certify the correctness of bookkeeping and treasurer's annual financial report. This certificate will be reported to the members in the AGBM.

- Auditors must satisfy themselves about the reason behind any significant income or expenditure item, which varied more than 10% compared to the last year.
- Auditors must review the actions taken against the recommendations of auditors from last year and resolutions in the last AGBM related to finance and accounts.



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Auditors are responsible for preparing their opinion and recommendations on Swisspuja's financial matters and present to the AGBM.

Auditors may not check and verify the physical assets.

ARTICLE 10 LANGUAGES

The primary language of the association is Bengali. English and German may also be used for communications and administrative purposes as necessary. The language for conducting the rituals is Sanskrit.

ARTICLE 11 MODE OF COMMUNICATION

E-mail is the standard mode of communication. In the absence of an e-mail address, the member sends their address to the secretary for postal communication. Social media messaging services (e.g., WhatsApp, Facebook, Twitter, Instagram) may also be used by the EC for communication to Swisspuja members and beyond.

ARTICLE 12 CUSTODY ACCOUNT

- a) The Swisspuja Custody Account is a separate account in UBS that should hold at least 80% of the overall funds available to Swisspuja.
- b) The custody account must have five Swisspuja members authorized as joint signatories.
- c) Any withdrawal from the account must need a minimum of three signatures (out of the five signatories) and must result in a direct credit to the Swisspuja PostFinance account.
- d) The tenure of a signatory must be limited to 3 calendar years.
- e) Any Swisspuja member can be nominated as a signatory by any other Swisspuja member and must be approved by the General Body in a AGBM or SGBM
- f) An EC member or Auditor cannot be a custody account signatory at the same time.
- g) The EC, in exceptional circumstance, may request the Custody account signatories to withdraw a specific amount (not exceeding 25000 CHF, in total, in the term of one EC) from the custody account, giving proper justification. Registered members must be communicated about such request. It is up to the custody account signatories to consider the request in consultation with Swisspuja members, if deemed necessary, and decide to accept partly or fully, or reject the request. A minimum of three approvals are necessary to withdraw fund from the custody account. The decision and the justification there of, must be shared with the members. Amount withdrawn from custody account must be directly credited to the Swisspuja PostFinance account.



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ARTICLE 13 HANDLING OF ASSETS

The current EC is responsible for all Swisspuja assets and administers them for their sole use towards 'Sarbojanin Durga Puja' and other events. Depending on the limit set by the AGBM, the EC can buy capital goods. It cannot donate, sell, mortgage, lease or transfer any asset without specific authorization of the General Body. On an unavoidable situation like the dissolution of SWISSPUJA, assets may be liquidated after prior consent of at least two-thirds of the members present at a General Body Meeting. The surplus liquidated value of the assets, after meeting the liabilities, if any, shall be donated to a charity organization working for a Bengali community with the consent of the dissolving General Body. Legal action will be taken against any misuse of the assets of Swisspuja.

ARTICLE 14 LIABILITIES

1. The liability of the individual members is limited to the extent of their annual contribution.
2. The total liability of the Swisspuja is limited to the extent of liquidated value of its assets.
3. Swisspuja cannot be made liable for any obligation entered into by an individual member with a third party without the written authorization of EC.

ARTICLE 15 PROHIBITION

1. Consumption of alcohol is strictly prohibited within the 'Sarbojanin Durga Puja' venue.
2. Smoking inside the halls/rooms is also prohibited in all Swisspuja events.

ARTICLE 16 AMENDMENTS

Amendment proposals for any part of the statutes must be submitted in writing to the EC at least 4 weeks prior to the next AGBM or SGBM so that they can be circulated with the invitation for the AGBM or SGBM. Decision on amendments will then be taken at AGBM, SGBM or through electronic voting by a two third majority vote.



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ENFORCEMENT

The articles of the statutes are approved and accepted by more than 2/3rd majority of the quorum present at the AGBM held on the 09 December 2023 at Etzelstrasse 22, 5403 Wettingen, Switzerland and are valid with immediate effect.

SIGNATURES

Dr. Madhubrata Chatterjee
President, EC 2023

Mr. Anindya Mukherjee
Secretary, EC 2023

Mr. Rahul Choudhury
Treasurer, EC 2023

Mr. Rajat Bhattacharya
Member, EC 2023
and drafter of this
Statutes version

Mr. Aranya Sundar Bhattacharya
Day's Chairperson,
AGBM 2023

Mr. Shaswata Das
Record Keeper,
AGBM 2023