

## **Article of Association(AoA)**

### **PREAMBLE**

*We, the Hindu Dharma Samudhaya of Bhutan, representing diverse Hindu community of Bhutan, hereby pledge to diligently serve our **Tsa-Wa-Sum** and to uphold and protect, in spirit and indeed, our glorious Hindu Dharma and this new Article of Association(AoA) that has been drawn up to mark the tenth year of the HDSB's existence.*

**Section 1.2:** Sanatan Dharma is a Sanskrit word meaning “Eternal Teachings/Tradition/Religion”. Sanatana Dharma is the recognition of the spiritual essence of life and its infinite religious expressions. The eternal tradition is also about many common universal principles and practices that make up the spiritual/religious lifestyle of the Hindus.

**Section 1.3:** In this Article of Association, the terms Sanātan Dharma and Hinduism/Hindu religion shall be used interchangeably.

### **Article 2: NAME AND COMPOSITION**

The Head Office shall be located in Thimphu and shall open its branch office in other parts of the country where necessary subject to approval of Chooshey Lhentshog.

### **Article III: VISION, MISSION AND VALUES /**

#### **Section 1: VISION/**

**Section 1.1:** Inspired and guided by the time-tested philosophy of Sanatan Hindu Dharma, the HDSB shall devote itself towards enhancing spiritual fulfilment, religious integrity and happiness among the Bhutanese people.

**Section 3.1:** It shall promote peaceful co-existence in harmony with all the Sampradaya /Panthas and Buddhism.

### **Article IV: AIMS AND OBJECTIVES**

**Section 4.1:** To represent, promote and protect the cultural, religious, social, spiritual needs and aspirations of the Hindu community of Bhutan.

**Section 4.2:** To propagate the Hindu religion and promote Hindu culture in all its diversity (Sampradaya /Panthas).

**Section 4.3:** To provide spiritual education to the youth and adults in the Sanskrit language, religion, dance, arts & culture.

**Section 4.4:** To affiliate with local and other national religious organizations within Bhutan that shares the aims and objectives of the HDSB.

**Section 4.5:** To purchase, lease or exchange, hire or otherwise acquire any immovable property, to construct, maintain, and alter any premises necessary or convenient for the purpose of the HDSB in line with the policies of Royal Government.

**Section 4.6:** To strive at all times to engage in religious activities that help unite, forge and encourage a common sense of Bhutanese identity.

**Section 4.7:** -To uphold and encourage the values and beliefs in accordance with the tenets as espoused in the generally accepted Hindu religion.

**Section 4.8:** To raise funds for the achievements of the aims and objectives of the HDSB in compliance with applicable laws and regulations.

**Section 4.9:** To form committees as and when deemed necessary to meet the aims and objectives of the HDSB.

**Section 4.10:** To plan and encourage the observation of Hindu festivals.

**Section 4.11:** To undertake lawful charitable activities to assist the less fortunate and needy.

**Section 4.12:** To seek approval of Chhoe Lhentshog for affiliation of other Hindu religious groups within Bhutan.

## **Article V: STATUS**

**Section 5.1:** The HDSB shall be a legal entity that shall function as a non-profit, non-political and non-governmental foundation within the Kingdom of Bhutan.

**Section 5.2:** Any actions, suits, proceedings or arbitrations shall be brought by or against HDSB in its own name.

**Section 5.3:** The HDSB shall be an apex religious body related to Hinduism within Bhutan as recognised by the Chhoe Lhentshog and the Royal Government of Bhutan.

## **Article VI: DUTIES AND RESPONSIBILITIES**

The HDSB shall:

**Section 6.1:** Function as an apex body for Sanatan Hindu Dharma and its religious institutions, mandirs, religious sites, and its subsidiaries (Sampradaya /Panthas) and branches in coordination with concerned authorities.

**Section 6.2:** Serve as the focal agency between the Bhutanese Hindu community and Chhoe Lhentshog/the Royal Government.

**Section 6.3:** Develop general guidelines on Hindu religious practices in harmony with national policies.

**Section 6.4:** Take measures to unite and integrate all segments (Sampradaya /Panthas) of the Hindu Dharma followers in accordance with the Article 7(15) of the Constitution of Bhutan.

**Section 6.5:** Promote religious harmony and strive to strengthen socio-cultural development and unity in Bhutan.

**Section 6.6:** Take or recommend appropriate action against persons, organisations or institutions seeking to weaken the foundation of HDSB as per prevailing laws of the country.

**Section 6.7:** Coordinate and conduct prayers, religious discourses and meditation as well as organise and celebrate national cultural and religious programmes, festivals and events for peace and well-being of the King, Country and the People of Bhutan.

**Section 6.8:** Conduct research and studies in Sanatan Dharma and on themes common to Sanatan Dharma and Buddhism, and organise workshops and seminars on matters of religious interest and importance with approval of Chhoedey Lhentshog Secretariat so as to enrich people's understanding of the teachings and virtues of the Sanatan Dharma.

**Section 6.9:** Promote Sanskrit *Pathsalas*, where needed, to meet the needs of the community for *Pundits* and *Purohits* (Lams and Chhoeps) in performing religious rites and Pujas, and facilitate higher studies on philosophical aspects of Sanatan Dharma and Buddhism.

**Section 6.10:** Assist in preservation, renovation, rehabilitation and construction of *Patsalas*, Mandirs, and other institutions of religious and cultural significance.

**Section 6.11:** Register and record all public Hindu religious institutions (Sampradaya /Panthas) and sites of religious significance and monitor their operations.

**Section 6.12:** Seek approval from Chhoedey Lhentshog to establish linkages with and participate in activities of similar religious institutions at regional and international levels.

## **Article VII: ACTIVITIES**

The HDSB shall, through the Board of Directors, develop and implement appropriate strategies and programme of activities in pursuance of its vision, mission, aims and objectives. To this end, priorities shall be accorded to the following:

**Section 7.1:** Organise, and encourage organising, periodic panel discussions and Pravachans (discourses) in different parts of the country by engaging suitable scholars with consent of the concerned local authorities.

**Section 7.2:** Take suitable measures to foster greater unity and sense of belonging, cooperation among all segments of the Hindu community in particular and the Bhutanese society in general.

## **Article VIII: MEMBERSHIP and affiliation**

Any Bhutanese citizen over the age of 18 who follow the Hindu faith and have paid annual membership fee shall be eligible as an Individual Member to the HDSB, with voting rights.

### **General procedure to become member of HDSB:**

- i. Application for membership shall be made in the prescribed Form;
- ii. A member shall be required to pay a membership fee annually as recommended by HDSB and approved by Annual General Meeting (AGM);
- iii. Each member shall accept and conform to the principles and objectives of the AoA of HDSB;
- iv. Each member shall safeguard the interests of HDSB;
- v. A member may resign from membership by giving the Executive Director one month's advance notice in writing; and
- vi. A person shall be disqualified from membership if he/she violates the principles of HDSB and relevant provisions of The Religious Organizations Act (RoA) or AoA of HDSB.

## **Article IX: STRUCTURE OF HDSB.**

### **Board of Directors:**

There shall be a Board of Directors consisting of nine (9) members, five(5) elected from among the registered members in an AGM and four (4) elected by the Committee of Pandits, namely:

- I. The Chairperson of the Board who shall be a Pandit;
- II. Vice chairman of the Board who shall be a non Pandit;
- III. Board member: Treasurer
- IV. Board member: Secretary
- V. Board member: Management
- VI. Board member: Investment
- VII. Board member: Property
- VIII. Board member: Services
- IX. Board member: Festivals

The Executive Director shall serve as the head of the Secretariat and shall have no voting rights in HDSB meeting.

### **HDSB Secretariat:**

There shall be a small Secretariat of staff to run the daily activities of the organisation. The Secretariat shall be headed by Executive Director recruited through selection process, with support of appropriate staff.

## **Committee of Pandits:**

There shall be a Committee of Pandits, who shall function as per the Terms of Reference (ToR) approved by the HDSB.

## **Article X: POWER & DUTIES**

The power and duties of the various structures and office-bearers of the HDSB are as follows:

### **Section 1: Board of Directors**

**Section 1.1:** To oversee the efficient and effective functioning and governance structure of the HDSB and its various structures.

**Section 1.2:** To ensure that the financial discipline of the HDSB is strictly in accordance with the Financial Rules and Regulations of the Royal Government of Bhutan.

**Section 1.3.** To ensure that an annual audit of the HDSB is conducted in compliance with RoA.

**Section 1.4:**To give final approval for all investments and expenses.

**Section 1.5:** To meet at least once quarterly provided that Secretariat serves the notice of meeting at least two weeks in advance.

**Section 1.6:**The quorum for the board meeting shall be two-third of the total members.

**Section 1.7:** To confirm existence of custody of movable and immovable property and assets of the HDSB in accordance with the Royal Government norms.

**Section 1.8:** To receive and approve annually the consolidated budgeted Income & Expenditure statement of the HDSB.

**Section 1.9:**To oversee the safe custody of all important documents belonging to the HDSB.

**Section 1.10:**To amicably resolve any internal grievances or disputes.

**Section 1.11:**To take appropriate administrative and disciplinary action against any member who violates the provision of this AoA and/or RoA and/or ToR of committees.

**Section 1.12:**To participate in Special General Meeting of the HDSB as and when required.

**Section 1.13:** To communicate to members of the community any pertinent matters which impact on the public and/or are of public interest.

**1.14:** To consider the Annual Financial Statements of the HDSB audited by RAA and ensure compliance to any observations and submission to Chhoedey Lhentshog.

**Section 1.15:** In the event of a vacancy leading to non-fulfilment of the quorum, a special

general meeting to elect new Board Member should be held within one month.

**Section 1.16:** To consider and recommend the applications for affiliation to the Chhoedey Lhentshog.

## **Section 2: The Chairperson**

The Chairperson shall preside over all meetings of the HDSB and shall see that all decisions and resolutions of the meetings are carried into effect. The Chairperson shall represent HDSB at ChhoedeyLhentshog.

## **Section 3: The Vice Chairperson**

The primary roles and responsibilities of the Vice Chairperson of HDSB shall officiate and chair the meeting in the absence of the Chairperson.

## **Section 4: The Secretary**

The roles and responsibilities of the Secretary of the HDSB shall be:

- (i) To coordinate, organise, arrange and attend all sessions and meetings of the Board of HDSB.
- (ii) To record the minutes of all sessions and meetings of the HDSB and accordingly distribute the minutes to the members for information and implementation.
- (iii) To keep a record of all appointments of the members to the Board.
- (iv) To follow up on the implementation of the resolutions passed during any sessions or meetings.
- (v) To perform similar duties as that of any other Board members
- (vi) To give, or cause to be given, notice of all meetings of the HDSB.
- (vii) To keep and maintain proper records of the HDSB meetings.
- (viii) To call up HDSB meetings in consultation with the Chairperson.

## **Section 5: The Treasurer**

The roles and responsibilities of the Treasurer of the HDSB shall be:

- (i) To have the custody of all funds, and keep full and accurate records of receipts and disbursements of the Association;
- (ii) To deposit all cash and other valuable effects of the HDSB in such depositories as may be designated by the Board;
- (iii) To render an account of all the transactions and the financial condition of the HDSB to the Chairperson and the Board of Director at the regular meetings of the Board, or whenever they may require it;
- (iv) To ensure that all revenue/income/cash due to the HDSB are collected and received, and that all payments authorised by the HDSB are made;

(v) To ensure that correct books of accounts are kept showing the financial affairs of the HDSB including full details of all receipts and expenditure connected with the activities of the HDSB; and

(vi) Jointly operate the accounts of HDSB with Executive Director.

## **Section 6: The Executive Director**

The roles and responsibilities of the Executive Director of the HDSB shall be, but not limited:

(i) To provide strategic and visionary leadership to the Secretariat;

(ii) To manage all operational aspects of the Secretariat and to ensure that sound governance prevails;

(iii) To foster a sense of cooperation and work tirelessly towards a unity of purpose;

(iv) Together with the Board, is responsible for representing the organisation in all forums and to project a positive image of HDSB;

(v) To be guided by this AoA and to uphold at all times the spirit and letter;

(vi) To keep and maintain proper records of correspondences, membership records and activities;

(vii) To call up AGM meeting in consultation with the Chairperson;

(viii) To assist the Vice Chairperson in making the press releases in consultation with and approval of the Chairperson;

(ix) To ensure minutes are circulated within two (2) weeks of meetings;

(x) To compile and maintain a complete register of members, their last known postal addresses, email addresses and telephone contacts. This shall be the register to determine voting rights at General Meetings; and-

(xi) Any other duties that may be assigned and prescribed by the Board from time to time.

## **Section 7: Tenure of Board Members**

I. The tenure of membership in the Board shall be for three years and a member may contest for re-election for another term. In the case of Pandits, they may be re-elected after serving two consecutive terms subject to fulfilment of three years cooling period for another two terms.

II. Any board member may resign by giving a written notice to the Chairperson of the Board atleast one month advance notice.

III. Any member who does not attend Board meetings consecutively for three times, without reasonable cause in writing, his/her membership in the Board shall be automatically terminated. Such a vacancy shall be filled up through election in the next AGM.

## **Article XI: CODE OF CONDUCT OF BOARD**

The Board shall prepare and approve its own code of conduct, which shall be amended from time to time. A member of the board is expected to:

- (i) Place the highest importance to serving the Tsa-Wa-Sum with utmost loyalty and dedication, and fulfil his/her responsibilities by following the highest moral principles;
- (ii) Not indulge in any activity that adversely affects the Hindu Dharma, national sovereignty and integrity of Bhutan;
- (iii) Always uphold first and foremost the national interest in discharging his/her duties and functions;
- (iv) Refrain from casting his/her vote on any issue where he/she has a conflict of interest;
- (v) Conduct themselves within the relevant provisions of the AoA of HDSB and the RoA of the Kingdom of Bhutan;
- (vi) Maintain dignity of the position, operational transparency, highest principles and moral values and be unbiased in discharging their functions and responsibilities;
- (vii) Not engage in any unlawful or corrupt practices;
- (viii) Work in the interest of the HDSB and the Bhutanese society at large;
- (ix) Ensure that his personal conduct is consistent with the dignity, reputation and integrity of the HDSB;
- (x) A member must at all times conduct himself/herself in a courteous and respectful manner and respect the authority of the Chairperson;
- (xi) A member must not display any disorderly conduct including usage of foul language;
- (xii) A member must not unduly influence the Government officials or member of parliament in a case in which he/she is financially or personally interested nor elicit information from the Government in an unauthorized manner;
- (xiii) A member must not impose threat, intimidation or use individual influence to encourage another member to make any remarks in the HDSB Board meeting; and
- (xiv) During religious delegations to foreign countries, a member must not give press statements regarding the visit. Such briefings of the press will be done by the leader of the delegation only.

## **Article XII: FINANCIAL MATTERS**

- (i) The financial year shall commence on 1<sup>st</sup> July and end on 30<sup>th</sup> June.
- (ii) The accounts shall be audited by the Royal Audit Authority.

## **Article XIII: COMMUNICATION**

In order to ensure that every community member is fully informed of the workings of the HDSB the Board shall ensure that all minutes of Board and Committee meetings are circulated within two (2) weeks of the meetings:

- I. Use all forms of communication, such as press releases, newsletters, SMS and other electronic means, should also be utilised, whenever possible;
- II. Any communications received by the HDSB will be dealt with in the following manner: The HDSBS Secretariat is required to acknowledge receipt in writing, within two weeks of any



written correspondence and to respond there to within thirty (30) days;

III. Any complaint received must be submitted to the HDSB Secretariat in writing clearly setting out the nature of the complaint. Such complaint will be dealt with in an open, constructive and procedurally fair manner and in accordance with the Procedure approved by the Board;

IV. Any anonymous written correspondence, complaints or grievances will not be entertained; and

V. All formal communication to the community and media by any official or staff member must be approved in writing by the Chairperson.

#### **Article XIV: ELECTION OF BOARD**

The Board of Directors shall be elected at the AGM. Elections shall be by secret ballot unless otherwise spelt in this AoA. The electoral process shall be as follows:

(i) Nominations for all positions will be open four weeks prior to elections;

(ii) Nominations may be forwarded to the Executive Director or sent by electronic mail in the prescribed format with all required documents;

(iii) All nominees must submit prior consent for their nominations;

(iv) The list of nominations for the election shall be finalised one (1) week prior the AGM. The notification of AGM will be issued three weeks prior to the actual meeting;

(v) At the AGM, the election of the members will be done using secret ballot or Electronic Voting Machine;

(vi) To ensure free and fair election, representative(s) of Chhoedey Lhentshog and/or relevant Government agencies shall facilitate and witness the whole electoral process. The HDSB shall intimate the election date to Chhoedey Lhentshog three weeks prior to the election;

(vii) Proxy votes will not be allowed;

(viii) Nominees shall be allowed to address the AGM for a specified period prior to the casting of ballots;

(ix) A person shall be disqualified to be member of a Board under one or all of the following conditions:

a. who is of unsound mind or has been declared incapable of managing his/her affairs as evidenced by medical documents;

b. who has been convicted of any crime involving dishonesty and is sentenced thereof to serve a term of imprisonment without the option of a fine as evidenced by documentary proof;

c. who is a non-Bhutanese or married to a foreigner;

d. who is not a follower of Hindu Dharma;

e. who has adverse service record from the previous employment;

f. who is less than 25 years or more than 65 years of age on the day of election.

(x) A nominated person must be present in person at the AGM to be considered for election; and

(xi) An employee of the HDSB is ineligible to stand concurrently for election as Board

member.

### **Article XV: ADMINISTRATIVE AND DISCIPLINARY PROCEDURE**

The Board of Directors shall prepare and approve the procedure for handling administrative and disciplinary actions based on the following frameworks:

(i) The office bearer may be given a verbal or written warning and/or be suspended based on the severity of the offence by the Board; and

(ii) Should the Board decide(s) to conduct a hearing, an independent committee shall be constituted.

### **Article XVI: INDEMNITY**

I. No legal proceeding or suit shall lie against any employee or a person acting for the HDSB in respect of their official duties done in good faith or intended to be done pursuant to the provisions of this AoA and RoA or any other relevant laws.

II. The HDSB also agrees to absolve and hold harmless any officer or employee against any loss suffered by the HDSB as a consequence of their actions arising from them performing their lawful duties, unless such acts are the result of corruption and/or wilful or malicious misconduct.

### **Article XVII: AMENDMENTS TO THE ARTICLE OF ASSOCIATION:**

This AoA may only be amended by the AGM with the consent of minimum of two-thirds of the registered members of HDSB and subject to the approval of Chhoedey Lhentshog under following conditions:

(i) The agenda for amendment of AoA must be originated from the AGM; and

(ii) The recommendation for amendment must be accompanied by the proposed modifications to specific articles and section of the AoA.

### **Article XVIII: REIMBURSEMENT FOR LEGITIMATE EXPENSE**

The Board of Directors shall frame entitlement rules based on the Royal Government norms for reimbursement of any legitimate expenses incurred by officials on behalf of the HDSB, subject to endorsement of the AGM.

### **Article XIX: USE OF MANDIR**

(i) It is a fundamental principle that the mandir is open, free of charge to all spiritual organisations, (Sampradaya /Panthas) bhajan groups or mandals for the purpose of conducting prayers and the observance of religious ceremonies.

(ii) Any photos or murthis brought into the mandir for this purpose must be removed and disposed off in consultation with the concerned local authorities after the function.

(iii) The day to day governance of the mandir, operational guidelines, and the celebration of events will be set and reviewed by the Committee of Pundits in consultation with the resident Mandir management.

(iv) Each Mandir shall maintain proper account of revenue generated or donations

received.

(v) No item donated by any person for placement in the mandir may have a name inscribed on it and no donated item may be hung on Mandir walls.

## **Article XX: PROVISION OF RELIGIOUS SERVICES TO THE COMMUNITY**

The Secretariat in consultation with the Board shall be responsible for drawing up the conditions of employment for the resident Pandit/Pujari/Purohit, etc. as well as a guideline setting out a uniform and minimum “Daxina” that the community can offer to the Pandit/Pujari/Purohit, etc. when engaging his services for the performance of the various ceremonies. These “Daxina” guidelines shall be reviewed at regular intervals.

## **Article XXI: OATH OF ALLEGIANCE**

Upon being elected at an AGM, all elected Board Members will be required to publicly swear an oath to serve the HDSB to the best of their ability and to abide by this AoA and RoA.

## **Article XXII: HDSB FUND**

(i) The HDSB shall maintain and operate a fund to finance its activities.

(ii) It shall mobilise financial resources through membership fees, returns on its investments, voluntary contributions, donations, grants, subsidies, financial assistance and bequests received from the Royal Government of Bhutan, individuals and organizations in accordance with the relevant provisions of RoA 2007.

(iii) The annual budget shall be approved by the AGM.

(iv) Expenditures shall be made only on activities approved by the AGM. The HDSB fund shall not be used by any member for personal purposes.

## **Article XXIII: INTERPRETATION**

In the event of any interpretation or confusion on the provisions of this AoA, the Board of Directors in consultation with Chhoedey Lhentshog shall resolve in harmonization with the RoA and any other relevant laws.

## **Article XXIV: DEFINITION AND HONORIFIC TITLES**

**Hinduism**, more accurately referred to as Sanâtana Dharma, is said to have originated in the Indian subcontinent over 5000 years ago. The term Hindu was a misnomer used for the people who lived beyond the Sindhu River, and eventually the term Hinduism was coined to denote the Hindu residents of the Indian subcontinent.

**Sanâtana**, literally means eternal, that which has no beginning or end. Therefore, by definition, it is beyond the constraints of time, and that is why it is said to be the oldest living religion in the world.

**Dharma**, translated as religion, righteousness or duty, is a word that is difficult to translate

in English or any other language. Etymologically it is derived from the Sanskrit root dha, which means to uphold. Dharma points to the essential Truth, which supports life as we know it. At the same time, it also shows the path of righteousness to reach the goal. That is why Sanâtana Dharma is referred to as “a way of life”

Since the Sanatan Hindu tradition is highly decentralised, any central authority does not necessarily certify Hindu Honorific. The religious occupation and the capabilities required for the various roles are verified and affirmed in the context of the community where the Hindu priests of various ranks traditionally receives training, engages in the occupation and is recognised as competent based on the quality of his work. If, however, a Hindu temple or organisation in Bhutan is affiliated with a particular tradition lineage (*sampradaya*), it may have additional requirements for such posts, such as having to be well versed in the specific lineage, scripture and worship services of the tradition lineage and certified by an authority recognised by the *sampradaya* and HDSB and approved by Chhoedy Lhentshog.

**Guru:** A guru is a teacher more directly than a pandit is. A guru is the guide to spiritual practice. Ideally he is an enlightened person who knows the path and so is able to guide others on it.

**Pandit:** One who has learned proper Sanskrit chanting, particularly of the Vedas. They are called scholars and teachers, intellectuals, and learned people. Pandits are also the people serving as priests at Hindu temples or a teacher of any field of knowledge in Hinduism, particularly the Vedic scriptures, dharma, Hindu philosophy, or secular subjects such as music. He may be a Guru in a Gurukul.

**Note: The following Organogram must be revised based on the approved AoA**

**New Added- point Swamiji**

Swamiji title is given to a Yogi, Naishtik Brahmachari, Traditional Acharya or Sannyasi who has been initiated by his guru in his religious order. Swa 'Lo' stands for self and the word “MI” means perfection or master. He who is with self or master of his self is called “Swamiji” He who is one with self or master of his self is called Swamiji. As swamiji follow a path of renunciation, they serve to the mass as spiritual Guru. Swamiji is an honorary term. Swami is a mystic teacher, yogi or guru and a religious teacher. In Sanskrit, Swamiji also means “one who know”