

ZOROASTRIAN ASSOCIATION OF GREATER NEW YORK, INC.

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ZAGNY NEWSLETTER – JUNE 2001

CALENDAR OF EVENTS

- JULY 12TH TO 15TH IVY GANDHI YOUNG ZOROASTRIAN CAMP (at suffern darbe mehr)
(SEE REGISTRATION FORM ATTACHED)
- AUGUST 3rd TO 5th ADULT ZOROASTRIAN CAMP (At Suffern Darbe Mehr)
(FORM WILL BE SENT AGAIN IN THE NEXT NEWSLETTER)
- AUGUST 18TH MUKTAD PRAYERS
- AUGUST 25TH PATETI FUNCTION
(DETAILS COMING UP IN THE NEXT NEWSLETTER)
- SEPT. 9th

GUJARATI CLASS	-	1:00 PM
RELIGION CLASS	-	2:00 PM

SPECIAL ISSUE

This issue of the newsletter is specially being sent to inform the community of the progress and development of the formation of one World Body under a revised Charter of the World Zoroastrian Organization (WZO).

WORLD ZOROASTRIAN ORGANIZATION:

As a member Association of FEZANA, ZAGNY has been involved with the important decision of the creation of a World Body and FEZANA's joining such an organization. Negotiations have continued with WZO in the drafting of its charter, such that it may become the long sought after World Body. Various Ad Hoc Committees and a Working Group have been organized over the years to negotiate and advise on this important matter for the world community of Zarthushtis. Below, we publish in its entirety, a report submitted by the recently formed Working Group. We believe it summarizes well, the status of the formation of the World Body, the draft of its Charter and various attendant issues.

**ARBAB RUSTOM GUV DARBE MEHR
106 Pomona Road, Suffern, NY 10805.**

FEZANA WORKING GROUP REPORT:

During the past year President of FEZANA Framroze K. Patel appointed two ad hoc task forces to help FEZANA resolve the issues relative to the WZO Charter. Several recommendations of these task forces were incorporated in a revised December 2000 draft of the MEMORANDUM & ARTICLES OF ASSOCIATION of WZO. A meeting of FEZANA Member Association Representatives and WZO Representatives Chairman Rumi Sethna, President Rustam Dubash and Vice-President Dinshaw Tamboly was held in New York on April 28 - 29, 2001, at which some FEZANA Associations presented their concerns and options to the WZO Representatives, who gave their perspective on the viability and acceptance of the concerns and options after discussing each issue.

An *ad hoc* Working Group was appointed by President Framroze Patel on May 14, to draw up an "Interim Report" on the changes to the December 2000 draft which were based on the proposals of the April 28-29 meeting in New York. These changes were sent by WZO to the FEZANA Administrative Board and the Working Group on May 21.

The members of the Working Group are Khorshed Jungalwala (Chair), Rohinton Rivetna, Sarosh Collector, Farrokh Mistree and Gev Nentin. The mandate given to the Working Group is to:

1. **Analyze and summarize the changes recommended by WZO.**
2. **Explain how the changes respond to concerns and options presented by FEZANA Member Associations to WZO Representatives.**
3. **Recommend a course of action at the AGM.**
4. **Advise on the voting by FEZANA –**
 - (i) **Simple majority or 75% of qualifying votes (Article VIII of the Constitution dealing with constitutional amendment;**
 - (ii) **Necessity of amendment of the Constitution to join WZO;**
 - (iii) **Under what exigencies is it necessary to amend the constitution.**

The Working Group Committee was appointed by President Framroze Patel on May 14 and the Response from WZO was received by FEZANA on May 21. Due to the obvious time constraints an appropriate in-depth analysis of issues and responses was impossible. Without a systematic impartial analysis the Committee is not in a position to draw conclusions.

The Report of the Working Group Committee will give the most recent status of the WZO-FEZANA Issue by including a summary of the "concerns" and "suggestions" of FEZANA Member Associations and the "responses" and "options" submitted by WZO, making no decision / judgement on their validity.

CONTENTS OF THE REPORT

1. **Short background information on the restructuring of WZO Charter.**
2. **Overview of the Restructured WZO Charter of December 2000.**
3. **Summary of Concerns and Suggestions of the FEZANA Members addressed to the WZO Representatives at the April 28-29 meeting in New York.**
4. **Summary of Changes and Options suggested by WZO in the May 21 Response.**
5. **Recommend a course of action at the AGM.**
6. **FEZANA Constitution and Voting Amendment as advised by the Constitution Committee of FEZANA.**

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BACKGROUND:

The World Zoroastrian Organization brings under its umbrella a representative body of individuals and associations. Its success in social, charitable and community causes is a matter of proven record for the last twenty years. The people at the helm, the people in the backroom of WZO offices and the volunteers for WZO all around the world have given their time, effort and finances to make WZO a sound and viable organization.

Migration to far corners of the globe & socio - cultural changes in families and communities brings about a need for changes in organizational structures, so as to deal with issues that may not have surfaced before.

The diasporic movement of Zoroastrians moving to all parts of the world raises the all-important problem of keeping the communities in small and large pockets of the globe united & in touch with one another. Zoroastrian associations and federations have been formed in regions where associations retained their independence & at the same time build the infrastructure for a strong regional federation.

In the last eight years, a few leading world Zoroastrians foresaw a need to extend the friendly hands of individual federations across the globe by working to establish the World Zoroastrian Council of Federations. Community leaders like FEZANA Past-President Rohinton Rivetna & representatives of other regions around the world have done tremendous amount of work to make this Council a reality.

Representatives of WZO and regional federations have worked for the last six years to bring individuals, associations and federations under one single united world body. Some of the issues that are still being worked on are those of doctrine, autonomy of the Councils, voting structure, and population representation. Meetings & negotiations have been taken place behind the scenes and in a public forum.

WZO has been working with regional representatives to formulate a “restructured WZO Charter” that would include the Council of Federations. **Any organization that has the potential to succeed should have a constitution that is a “live document” amenable to change with times & circumstances, it is imperative that the basic structure should have a sound foundation that is acceptable to all Zarathushties.**

As members of FEZANA, we should make a commitment to fully understand & provide informed input to move the process forward. The differences may be significant to some, and minor to others. You are urged to consider the concept of a sound, equitable and viable world body with safeguards against manipulation by specific interest groups that might adversely affect other interest groups or the community at large. FEZANA’s lead in trying to resolve concerns and issues with WZO will encourage other regions like India, UK & Australia to open the door for similar negotiations.

Overview of the Restructured WZO Charter of December 2000.

1. MEMBERSHIP OF WZO

a. Individual Members (*Individuals & Associations each having one vote*).

b. Federation Members (*Federations & Associations-where no Federations exist, have 1 vote per 500 persons in their constituency*).

2. COUNCIL OF INDIVIDUALS

Committed to serving the welfare and charity needs of the world community.

(16 Directors: India 4, Iran 2, N.America 3, Europe 3, Australia 1, Pakistan 1, Africa 1, Far East 1). Elected by Individual Members of WZO. 1 vote per Member. Proxy voting allowed.

3. COUNCIL OF FEDERATIONS

Committed to take on policy and strategy decisions of global import & giving democratic voice to Zarathushties in internal & international forums.

(16 Directors: 2 each from 8 World Regions. 1 vote per 500 population. India 100, Iran 100, N. America 40, Europe 22, Australia 6, Pakistan 7, Africa 3, Far East 4).

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4. INTERNATIONAL BOARD

Information exchange between 2 Councils, WZO Accounts, elect /appoint Advisory Groups and convene Special Meetings.

(16 Directors each from C. of Individuals & C. of Federations). Voting by simple majority).

5. WZO GENERAL BODY

General Meetings covering accounts, audits, reports of Council of Individuals, Council of Federations and International Board. Special Meetings covering Constitutional Amendments & Special Resolutions.

(Proxy voting allowed. Individual & Associations Members 1 vote each, Federation Members 1 vote per 500)

6. SECRETARIAT IN LONDON

Assists Council of Individuals, Council of Federations & Individual Board.

7. ADVISORY GROUP

Group of 5 persons selected for their wisdom & prudence to advise & offer recommendations.

(Elected / appointed by the International Board)

The restructured charter of the WZO should be a live document which evolving with time, political economic & social dynamic affecting all parts of the world. Time that has elapsed negotiating has not been wasted. There are areas of concern, which to some may not seem showstoppers, but they are concerns that necessitate resolution.

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SUMMARY OF CONCERNS & OPTIONS DISCUSSED AT THE APRIL 28 – 29 MEETING

1. **Defining Zarathushti:** Most representatives showed a preference not to define “Zarathushti” in the Memorandum of Articles.
2. **Proxy Voting:** Postal/electronic mail ballots preferred over open proxies.
3. **International Board:** The rights, duties, obligations and purview of the **IB** should be clearly defined in the Terms of Reference.
4. Majority preferred **COI and COF** to have **16/16 representatives**, with *acceptance by WZO of 60% majority to pass.* (Subsequent recommendation by a FEZANA member to raise it to 80%).
5. **Imbalance of Votes at the General Body Level:** Questions were raised regarding equal amounts of votes assigned to COI and COF (282 each) wherein population representation was unequal. Suggestion to WZO to raise the vote to 75% or even 80%. *WZO agrees to 75% majority.*
6. **Election of COI representatives** should be from each region rather than worldwide. *WZO’s response was to have it worldwide rather than regional. The fear of voting for unknown individuals could be alleviated by circulating the Curriculum Vitae with a photograph to all the members worldwide.*

7. **Recognition of Plurality:** The general consensus was not to have dictates from the Apex Body regarding doctrinal and ritual practices and at the same time recognize and respect plurality of doctrinal, ritualistic and social issues.
8. **Local Associations:** Members felt that the WZO chapters should not compete with local Associations.

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9. **Unilateral joining of WZO by FEZANA:** After FEZANA joins WZO will it opt to withdraw if other regions do not join?
10. **FEZANA Committee:** Create a document to be sent to other regions so that their concerns could be addressed simultaneously.
11. Provide immediate response for **emergencies**. (*WZO explained that a small Subcommittee could be formed to handle emergencies*).
12. A **census committee** should be set up to take on the task of establishing a database of population distribution, births, deaths, marriages etc.

Some proposals by FEZANA Members:

Alternative restructuring of the WZO and its charter presented by the Zoroastrian Association of Houston.

Zoroastrian Association of Greater Boston area proposed a WZO Charter (Memorandum and Articles of Association), supported by the Memorandum of Understanding for the first 5 years.

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SUMMARY OF CHANGES AND OPTIONS SUGGESTED BY WZO
IN THE MAY 21, 2001 RESPONSE

1. The **definition of “Zarathushti”** proposed by any region as a candidate for Election to either Council of Individuals or Council of Federations is left to the region proposing that person.
2. **Proxy voting** will not be utilized. Postal / electronic mail ballots will be used.
3. **International Board:** The Council of Individuals and the Council of Federations must have equal representation on the International Board – each Council must have **16 representatives**. (The Council of Individuals cannot be considered as the ninth region and have only two representatives on the International Board).

At the AGM and Special General Meetings there must remain a **parity of voting** Between Federation and Individual Members.

4. **Voting at the International Board Level:** At the International Board level matters can be decided by a 60% majority and not go up to 75% or 80% as suggested by some FEZANA members. That would mean that 19 out of 32 representatives must agree on matters decided by the International Board (clauses 33 and 52 of the Articles of Association will need to be amended).
5. **The International Board takes decisions mainly on administrative matters.**
6. **Voting at all Special General Meetings:** Under UK Company Law, for Special resolutions to be passed, there must be a majority of 75%. The percentage cannot be changed upwards or downwards. (Refusal by WZO to accede to some FEZANA members’ suggestion to raise this percentage to 80%).
7. **Voting at Special General Meetings:** Each of the two Councils will have 282 votes totaling 564 votes at any Special General Meeting.

Example: If there are 10,000 Individual Members and only 6,000 of them vote, then those 6,000 will equate to 282 votes. If 4,000 vote “yes” and 2,000 vote “no” on a particular special resolution this would equate to 188 “yes” votes and 94 “no” votes. If all Federation Members cast all their 282 votes, with 175 “no” and 107 “yes”, totaling 282. Out of 564 total votes, the “yes” will total (188 + 107) and the “no” will total 269 (94 + 175). Therefore this particular resolution will not pass, because a 75% majority, or 423 votes is needed to pass.

8. **Voting on Council of Individuals:** WZO does not accept that election of the representatives on the COI should be worldwide rather than from each region. The fear of voting for unknown individuals could be alleviated by circulating information on the candidates to all regions along with the ballot papers.
9. **Secretary General:** The International Board will appoint a sub-committee of 5-6 representatives to select a Secretary General. (The IB has the authority under clause 43 of the Articles of Association to make its own rules and procedures for

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management. The cost for financing the Secretariat is met by the WZO2001 through subscription fees and donations (About 25,000 Pounds a year). COI finances 65% of these costs and COF the balance of 35%.

10. **Involvement in Religious Doctrine and Rituals:** In view of concerns of some FEZANA members WZO agrees that Clause 2 of the MOA specifically mention that the WZO is only a “socio-economic-political body of the community,” and its Clause 4 would specifically state that it will not deal with religious doctrine and rituals. Furthermore, WZO agrees to delete Clause 35 and 36 of the AOA, which relate to Advisory Group and Arrangements to seek counsel on religious issues.
11. **Immediate Response to Emergencies:** Under Clause 43 of Articles of Association either Council or IB can make rules for the management of the “task forces”.
12. **WZO encourages coordination of activities with local associations.**
13. **Decisions affecting a region should be made locally.** Clause 10 of the Articles of Association states that nothing in the constitution shall impair “the administrative or religious autonomy of Federations, Associations, Anjumans, and Individuals who become members of WZO”.

Options Suggested by WZO at the April 2001 New York Meeting

The Charity Commission in UK advised that the October / December 2000 Draft In its present form cannot be registered as a charity. (Details explained in Rustam Dubash’s speech at the NY Meeting).

Option 1

Based on the Charity Commission’s advice, make the October / December Draft with concessions agreed in NY by WZO, the constitution of the new company called the **WZO 2001**. Register this company only under UK company laws, limited by guarantee, undertaking all charitable activities now done by the present WZO and the present WZO Limited. function simply as the financing arm of WZO2001 charities. The control of WZO2001 and the present WZO will be with the same representatives.

The Charity Commission is agreeable for the WZO 2001 to be the sole trustee of the charity. WZO 2001 would need to have an express power in its constitution to act as trustee of a charity.

Option 2

Maintain the present WZO with its simple objects clause and a catch-all object clause allowing it to carry out its diversified activities. The October / December Draft (with concessions agreed upon in NY) would become the by-laws).

[WZO favors Option 1 which is suggested by the Charity Commission].

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8.

RECOMMEND A COURSE OF ACTION AT THE AGM

The Working Group has presented this Report to the FEZANA Member Association Representatives at the AGM for their information so that they may ask specific questions for clarification; offer a critique of the concerns-responses; and provide alternative suggestions. **The ultimate aim is to come up with an informed decision.**

When problems arise they could be resolved if goodwill prevails among the parties; the practice of preclusion will solve nothing. The key is to take into account the sensitivities of all Zoroastrians & work out a lasting and flexible solution.

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ADVISE ON THE VOTING BY FEZANA

The Working Group consulted with the Constitution Committee and the decision was as follows:

- (i) Simple majority or 75% of the qualifying votes.**
- (ii) Necessity of amendment to the Constitution to join WZO.**
- (iii) Under what exigencies is it necessary to amend the Constitution?**

There is no specific provision in the FEZANA Constitution for or against FEZANA joining with or participating in other national or international Zarathushti or non-Zarathushti organizations. It is advisable to consult with the State of Illinois where FEZANA is registered as a not-for-profit organization in order to determine whether it is necessary to amend the constitution for joining or collaborating with other organizations.

According to Article VIII of the FEZANA Constitution, any amendment to the constitution requires 3/4 majority or 75% of the qualifying votes. FEZANA's joining or participation in other organizations is important enough to require an amendment to the Constitution, therefore, this decision is important enough to warrant a 3/4 majority or 75% vote.

[The issue of constitution amendment should be discussed at the AGM by FEZANA Members for other future exigencies as well].

INSERT WORKING GROUP REPORT HERE

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It is hard to predict at this time, the ultimate outcome of the intense negotiations underway. The ZAGNY Board to date has consistently urged the formation of one Body and "the coming together" of individual and representative Councils on some agreed upon basis. For the longer term good of the world community, we believe that the final structure of the World Body must allow for each Council to operate sufficiently independently and must allow them to come together when necessary and appropriate. The proposed WZO Charter with some changes, will in our view, accomplish that. ZAGNY, in FEZANA meetings, has expressed support for the above. We will however keep an open mind to all future suggestions and proposals for changes, evaluating each, in the search for the best. Your comments and questions are welcome. Please call Gev Nentin at 631-462-0763 or e-mail us at gevnentin@aol.com".

IVY F. GANDHI YOUNG ZOROASTRIAN CAMP
Thursday July 12th (7 pm on) to Sunday July 15th (12:00 Noon).

This year's Ivy Gandhi Young Zoroastrian Camp will be a special treat! When Ivy first started these camps it was held in our beloved New Rochelle Darbe Mehr. Now for the first time in a very long time, we have a place of our own suitable for such a camp. We will have the run of the main hall and the house so we'll be quite comfortable. (Bring extra bedding as we will be sleeping on the floor.)

We are planning a lot of great activities for boys and girls of all age groups, including a picnic to Bear Mountain. There will be lots of fun with games, campfires, activities, sports (baseball/softball, soccer, volley ball), adventure, arts & crafts, skits and good fellowship.

This year, in addition to my wife Ellen and Kandy Mama who have regularly run this camp with me, Anahaita and Zubeen Shroff and Khushro & Meher Mehta will join us. All other parents are most welcome. If you have any questions, please contact me, Homi Byramji, or any of the above.

PLACE: New Darbe Mehr, 106 Pomona Road, Suffern, NY

DATES AND TIMES: Thursday July 12th (7 pm on) to Sunday July 15th (12 noon).

AGES: Six to sixteen. Younger children welcome if accompanied by a parent.

THINGS TO BRING: Sleeping bags, pillows, blanket (nights may be cold), flashlight, topi, sweat shirt, swimsuit, towel, insect repellent, camera, sports equipment, board games, and most importantly your cheerful spirit.

PERMISSION SLIP
THE IVY F. GANDHI YOUNG ZOROASTRIAN CAMP, 1999

We, _____, allow our children:

Name: _____ Age: _____ M/F: ____

Name: _____ Age: _____ M/F: ____

Name: _____ Age: _____ M/F: ____

to join the camp and participate in all the activities offered, and we specifically understand that our children may be taken on a field trip to Bear Mountain or elsewhere.

Parents: I/we _____ would like to attend
from _____ to _____.

Any medication or sickness we should be aware of:

Any additional information:

Our check for \$ _____ is enclosed. (\$ 60 per child. Parents \$30.)

Parent's name & address:

Phone #s: Home: _____ Work: _____

Name & phone for emergencies: _____

Signature: _____ Date: _____

*Please mail or fax this permission slip to Homi M. Byramji at:
1 Sheephill Rd., Boonton Twsp., NJ 07005. Phone: (973) 316-8636. Fax: (973) 263-0484.*

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