

## **MINUTES OF YAI ANNUAL GENERAL BODY MEETING – 17 DEC 07**

1. The YAI Annual General Body Meeting was held at 1030 hrs on 17 Dec 07 at Training Ship Jawahar, Mumbai. The following Council members were present: -

### **CHAIRMAN**

Admiral Sureesh Mehta, PVSM, AVSM, ADC President

### **COUNCIL MEMBERS**

Lt Gen RR Goswami	Executive Vice President
Cmde SK Mongia, VSM (Retd)	Executive Vice President
VAdm JS Bedi, UYSM, AVSM, VSM	President, National Enterprise Assn
Vice Admiral SK Damle AVSM, NM, VSM	President Offshore Sailing Assn
Maj Gen S Dutta VSM (Retd)	President, 420 Class Assn.
Maj Gen VK Chaturvedi, AVSM, SM	Rep National Hobie Class Assn
Mr. Rabi Ahuja	Chairman, Selection Committee
Capt S Contractor (Retd)	Co-opted Member
Commodore VR Nathan	Co-opted Member
Mr Cyrus Heerjee	President National Seabird Assn
Capt Bunt C Sethi	Hon Secretary General
Lt Col MP Jaggi (Retd)	Rep Laser Class Assn
Col Alok Bajpai	Rep National Optimist Assn
Cdr VG Iyer	Rep J-24 Class Association
Col R Dandriyal	Co-opted Member
Cdr Ajay Narang	Hon Jt Secy General
Cdr R Mahesh	Co-opted member
Ms Shibani Sachdev	Co-opted Member
Mr Vinay Pinto	Rep Board Sailing Association of India
Mr Jitendra Rami	Rep Match Racing Assn of India

2. Representatives from following Class Associations / Clubs were also present:-

- (i) 470 Class Association of India
- (ii) 420 Class Association of India
- (iii) Army Yachting Node, Mumbai
- (iv) Bombay Sailing Association
- (v) Bombay Sappers Sailing Club, Kirkee
- (vi) Board Sailing Association of India
- (vii) Colaba Sailing Club, Mumbai
- (viii) Corps of Engineers Sailing Club, Pune
- (ix) Defence Services Sailing Club, New Delhi

- (x) Directorate General NCC, New Delhi
- (xi) EME Sailing Association, Secunderabad
- (xii) EME Sailing Club, Bhopal
- (xiii) Golden Arrow Sailing Club, Ferozepur
- (xiv) Goa Yachting Association
- (xv) Indian Naval Sailing Association
- (xvi) Indian Naval Watermanship Training Centre Chilka
- (xvii) Indian Naval Watermanship Training Centre Kochi
- (xviii) Indian Naval Watermanship Training Centre INS Hamla
- (xix) Indian Naval Watermanship Training Centre, INS Mandovi
- (xx) Indian Naval Watermanship Training Centre, Goa
- (xxi) Indian Naval Watermanship Training Centre, Mumbai
- (xxii) Indian Naval Watermanship Training Centre, INS Valsura, Jamnagar
- (xxiii) Indian Naval Watermanship Training Centre, Port Blair
- (xxiv) Indian Naval Watermanship Training Centre, Vizag
- (xxv) J-24 Class Association of India
- (xxvi) Lightning Association of India - Class Association
- (xxvii) Laser Class Association of India
- (xxviii) Marve Sailing Club, Mumbai
- (xxix) Match Racing Association of India
- (xxx) National Enterprise Association
- (xxxi) National Optimist Association of India
- (xxxii) National Seabird Class Association, Mumbai
- (xxxiii) National Hobie Class Association
- (xxxiv) NCC Maharashtra Sailing Club
- (xxxv) NDA Sailing Club
- (xxxvi) OK Dinghy Association of India
- (xxxvii) Offshore Sailing Association, Kochi
- (xxxviii) Ocean Cruising and Racing Club, Mumbai
- (xxxix) PM Hindu Swimming Bath & Boat Club Trust, Mumbai
- (xl) Royal Bombay Yacht Club
- (xli) Sea Cadet – Sailing
- (xlii) Secunderabad Sailing Club
- (xliii) Tamil Nadu Sailing Association

3. A large number of Life Members were also present.

4. Before the commencement of the meeting, Maj Gen S Dutta (Retd) brought out that convening of the meeting was unconstitutional and a petition challenging the same had been filed in the Hon'ble Delhi High Court. In reply, the President stated that it was inappropriate for Maj Gen (Retd) Dutta to address the General Body before him. He further brought out that the meeting would proceed as per schedule and necessary

action on the decision of the court would be taken after the petition had been heard by the Hon'ble Court.

#### **Item No. I - President's Opening Address**

5. At the outset, the President welcomed the General Body to the meeting. He also welcomed Lt Gen RR Goswami, the newly elected Executive Vice President to the meeting and congratulated Mr Rabi Ahuja, one of the senior most office bearer of the yachting community, for being conferred with the prestigious Padma Shree Award this year.

6. The President brought out that in the year gone by, our yachtsmen had participated in two major yachting events, the Asian Games at Doha in Dec 2006 and the World Championships conducted by the International Sailing Federation in Jul 07. Whilst the Match Racing Team led by Cdr Mahesh and Rajesh Choudhary in the Laser Radial class, did the country proud by wining medals, our teams, unfortunately, had performed quite poorly in the World Championships. It was a matter of great concern that of the six teams that participated in Laser, 470, Finn, Laser Radial and RS-X classes, not a single team managed to qualify for the Olympics.

7. Further, he was aware that our yachtsmen had won medals in Asian and World Championships in the past. Our results in the Olympic classes of boats, however had not been encouraging at all, despite the fact that in the past four years, govt. aid to the tune of Rs 8 -10 crores had been provided for participation in international events. It was also a matter of concern to note that the YAI had been projecting participation in international events, without having sufficient boats or yachtspersons of the requisite proficiency in many Olympic classes. In fact, in several cases, due to the lack of credible competition, the YAI was forced to nominate yachtspersons, rather than selecting them through proper selection trials. This needed to be curbed and the only solution was to broad base the sport so as to generate a much larger pool of capable yachtsmen at the national level. In particular, there would be a requirement of a large number of trained instructors, in order to fulfill our goal of broad basing sailing in the country. Anticipating the requirement of rather large funding for the initiative, the President mentioned that he had written to a number of corporate houses and informed the General Body that a sum of Rs 21 lakhs had already been received with much more committed. The President brought out that he intended to channel the money into development of sailing clubs and sailing schools through procurement of boats, setting up of infrastructure and initial manpower costs.

8. The President thereafter brought out that, an important agenda for the meeting was the restructuring of the YAI council. In the present council, except for four elected

members, all other members held the appointment in ex-officio capacity, with no voting rights, which was in contravention to the guidelines laid down by the Indian Olympic Association. Despite several reminders from the IOA requesting all Sports Federations to ensure that only elected members form part of Federation Councils, the YAI had resisted the change so far. Any further delay ran the risk of de-recognition. Accordingly, in February this year, the President brought out that he had directed his secretariat to prepare a blueprint for the restructuring, which not only incorporated the IOA directive, but also looked at the overall development of sailing in the country, both recreational and competitive. As part of the study, he had also directed the secretariat to examine the management and governance of sports at various levels in the country and international sports federations. The study, which had been put up to him in Jul, brought out that, in order to popularise and promote sailing, it would need to be developed at the grass roots level, so as to have a larger pool of sailors in the country. In addition, sailing had so far revolved only around few centres. The development of sailing clubs and schools in other parts of the country would help in broad basing the sport, thereby generating the requisite talent.

9. The study had also brought out that in order to bring about these changes, several policy initiatives would be required to be put in place. These included amendments to the YAI Constitution, strengthening the network of clubs, setting up of sailing schools, widening sources of YAI revenues, supporting and promoting high performance racing at national and international levels and lastly delivering good services and administration. The President mentioned that the study had been put before the council members, their views incorporated and finally studied in detail by a special restructuring committee constituted by him under the chairmanship of Lt Gen RR Goswami. The new constitution that was being submitted before the General Body today, was the effort of the committee. Further the President stated that for too long, perhaps, our focus had been solely on ensuring maximum participation in international events, with few tangible benefits to the sailing community at large. The President brought out that in his opinion, international glory, could only be achieved with a strong foundation, fleets of considerable size in various classes and several hundred, if not thousand sailors, with demonstrated talent that could be nurtured. We could only get to this stage, if we planned for the long term and encouraged more club and recreational sailing as well as national level competition. We therefore needed an organisation that was more accountable, responsive and empowered with responsibilities more widely delegated. The restructuring of the YAI was an attempt in that direction.

10. The President brought out that it is with a great sense of regret that the cessation of membership of a fellow yachtsman was also being taken up at the meeting. Further, the President admitted to the General Body that glaring instances of misappropriation of govt. funds had come to his notice in the recent past and accordingly, he had directed the Chairman of the Disciplinary Committee to deal with each instance in an appropriate

manner. He reminded everyone present that yachting was a gentlemen's sport and no action should be taken that brought discredit either to the sport or the organisation.

11. Lastly, the President stated that all present at the meeting, had a collective responsibility to promote yachting in the country. All efforts therefore were needed to be made by member clubs and class associations, to ensure that the youth of this country took to this wonderful sport in a big way.

12. Before ending, the President bid farewell to Cmde Surinder Mongia, whose term as Executive Vice President expired at the end of the month. The President brought out that the YAI had grown from strength to strength during his tenure and he was sure that as one of the senior most yachtsman in the country, he would continue to advise the YAI on yachting affairs.

13. The President then requested the Honorary Secretary General (HSG) to progress the agenda points.

14. Before, the HSG could progress the agenda points, Mr Ajay Balram stated that some of the awardees of the YAI annual awards were also involved in the conduct of the Mumbai International Match Race 2007 and the first race was scheduled at 1100 hrs. He, therefore, requested the President to first present the awards (Agenda Point No. V), so that these members could, thereafter, take leave from the meeting to conduct the race. The President accepted the proposal and directed the Secretary General to present the YAI awards before taking up the rest of the agenda points.

#### **Item No. II – Presentation of YAI Annual Awards for the Year 2006**

15. **YAI Life Time Achievement Award.** The YAI Life Time Achievement Award is awarded to an Individual to recognise his contribution to promotion of sailing in at least three decades, participation at National/International level in sailing, coaching, jury duties, measurements and promoting a Class Association of boat. The individual should have also been a source of inspiration to budding sailors and should have made positive contribution to upliftment of the standard of training in the country. This year the award was presented to Mr CS Pradipak, an Arjuna Awardee, who despite his deteriorating health had been a tremendous source of inspiration to sailors all over the country.

16. **Admiral Kohli Trophy.** This trophy is awarded to an individual for promoting the sport of sailing and recognised the efforts towards enhancing interest in yachting activity, efforts towards enrolment of new members, and overall dedication to the sport of yachting. This year there were three nominees for the award. However, being on the

Awards Committee, Mr Ashok Thakkar from TNSA magnanimously withdrew the nomination of the other two TNSA members. In recognition of Mr Cyrus Heerjee's devotion to the cause of promoting sailing, especially in Mumbai the award was presented to Mr Cyrus Heerjee.

17. **Admiral RH Tahiliani Trophy.** The trophy is awarded to any individual, helm or crew, a group of individuals or members of a yachting team who during the year under review, performed exceptionally well on national or international levels. For winning the Gold medal in the Asian Sailing Championships, Silver medal in the Asian Games and a host of other medals in Match Racing Championships around the world, the award was presented to the Match Racing Team skippered by Commander R Mahesh and comprising of Sh. N Mongia, GL Yadav and SS Chauhan as crew members.

18. **Admiral Nadkarni Trophy.** The trophy is awarded to any individual, helm or crew or a group of individuals who showed promising performance at the national or international level in the year under consideration. The Committee considered the achievements of the nominees and for his overall consistent performance in the country and in international events in the Optimist class, the award was presented to Master Xerxes Bamboat.

19. **Engineer-in-Chief's Trophy.** This trophy is awarded to most promising lady sailor who showed promising performance at the national or international level in the year under consideration. Considering the achievements of the nominees and the award was presented to the winner of the National Optimist Championships in girls category in 2006, Ms Ayesha Lobo.

20. **Admiral Ramdas Trophy.** This trophy is awarded to the yacht or yachtsmen who had performed an outstanding voyage or done commendable offshore sailing during the year under review. The award was presented to the Corps of Engineers Sailing Club team which sailed from Mumbai to Kavaratti and back in 2 Seabirds.

21. On completion of the Awards Ceremony, the President congratulated all awardees and permitted the members who were involved with the race of the Mumbai International Match Race to withdraw from the meeting.

### **Item No. III - Review of Minutes of the Annual General Body Meeting held on 15 Sep 06**

22. The HSG informed that there were no outstanding issues from the minutes of last meeting and proposed passing of the minutes, which was seconded by Capt RJ Nadkarni.

**Item No. IV – Honorary Treasurer's Report and Presentation of Accounts for FY 2005-06 and 2006-07**

23. The HSG on behalf of the Hony Treasurer presented the accounts for FY 2005-06. He brought out that the federation had made a loss of Rs. 2.895 lakhs during the FY 2005-06 mainly on account of losses incurred on foreign exchange conversion, damages paid for by teams during participation in international events, maintenance of YAI website and normal office expenditures including salaries etc. He, thereafter, proposed the General Body to approve the accounts for FY 2005-06. This was seconded by Captain Ravi Nadkarni.

24. The HSG, thereafter, presented accounted for FY 2006-07 and brought out that the federation had made nominal profit of Rs. 84,438.83 and stated that this had been due better fiscal management, revenue generation through advertisement on the YAI Website and in the annual Sailing Calendar. He further assured the General Body that the financial state of the YAI would be much healthier in the following years.

25. Ms Shibani Sachdev objected to the presentation of accounts for FY 2006-07 stating that the balance sheet had not been signed by the Treasurer and accordingly the auditor's signature on the balance sheet were invalid. She further stated that these accounts should not be considered for approval. The HSG brought out that the Treasurer, being out of the country, could not be contacted despite various attempts through telephone/e-mail. He, thereafter, stated that if the accounts were not acceptable to the members without the Treasurer's signatures, then the same would be presented during the next AGM.

26. A few Life Members stated that they had not received the notices for this meeting or any other information from the YAI Secretariat. Cmde SK Mongia (Retd) stated that he had received all notices sent by the Secretariat by post and perhaps, there was a need for other members to update their latest addresses with the Secretariat. The President requested the General Body to give their updated addresses and assured that necessary notices would be sent by post in addition to electronic media.

27. **Decision.** The accounts for the year 2005-06 were approved by the General Body. Accounts for FY 2006-07 would be put up for approval of the General Body in the next AGM.

### **Item No. V - Honorary Secretary General's Report**

28. Issues brought out by the HSG in his report are enumerated in succeeding paragraphs.

29. **Participation in National Events.** Whilst covering the participation in National events, the HSG brought out that a total of 17 National events had been conducted during the year at various locations in the country. The details of the events were then shown to the members.

30. **Participation in International Events.** The details of the various international events in which Indian yachtsmen participated during the year were then covered.

(a) **Asian Games 2006.** The first international event was the Asian Games 2006, which was conducted from 21 Nov-15 Dec 06 at Doha, Qatar. The HSG brought out that our sailors did us proud by winning one silver and one bronze medal in the Games. The position in each class and names of officials that accompanied the team was then brought out.

(b) **Kiel Week Regatta.** The HSG brought out that we had three entries in the Laser Standard Class and two in the 470 class in the Kiel Week Regatta that was conducted at Kiel, Germany from 18-23 Jun 07. The position in each classes was then brought out.

(c) **International Sailing Federation (ISAF) World Championships 2007.** The HSG brought out that the ISAF World Championships, wherein 75% of the quota places for the Beijing Olympics were to be decided were conducted at Estoril, Portugal from 03-17 Jul 07. Whilst bringing out the country wise position of India, on completion of the championships, the HSG brought out that as we still had a chance to qualify in the Laser Standard Class, the Council had decided to support only the Laser Standard at full cost to the Govt. India's position vis-à-vis other Asian countries that participated in the Championship was then brought out.

(d) **IODA Asian Optimist Championship 2007.** This was conducted at Singapore from 07-15 Jul 07, in which seven sailors participated.

(e) **Match Racing Championships.** The HSG brought out that the Match Racing team consisting of Cdr R Mahesh, PS Rao, RS Dhulaji and N Sharma, had participated in four championships in Russia from 16 Jul-13 Aug 07. The same team won the Gold medal at the Match Racing championship conducted at Doha from 21-28 Oct 07.



31. **Special Cash Awards to Coaches**. In recognition of their services, approx. Rs 10 Lakhs had been given as special cash awards to coaches. The breakdown of the awards was then shown.

32. **Funding of Teams**. The HSG brought out that as many as 53 utilisation certificates worth almost 1.8 crores had been pending since 1991 with the result that the MOYAS had stopped release of any funds from Jan 05. As a result, the YAI had to borrow almost Rs 60 Lakhs from the Navy to support international participation. He then brought out he was happy to bring to the attention of the general Body that all utilisation certificates had been settled and grants from MOYAS had recommenced.

33. **Equipment Support from MoYAS / SAI**. Details of funding from the MoYAS / SAI during the period 2002-07 was brought out by the HSG. He further brought out that, as mentioned by the President, almost 8 crores had been spent on international participation against only 43.5 lakhs for national events/coaching camps. He also brought out that equipment worth 1.7 crores had been procured during the period.

34. **Forthcoming Events**. Details of the forthcoming events as mentioned below were brought out by the HSG.

(a) **South Asian Yachting Regatta (SAYR)**. The South Asian Yachting Regatta was scheduled at Colombo from 26-30 Dec 07. Three Enterprise teams and four Optimist sailors would be taking part in the championship.

(b) **Volvo Ocean Race 2008-09**. The HSG brought out that after intense negotiations by the YAI, a MoU with the Volvo Event Management company had been signed to include Kochi as a stopover from 03 -12 Dec 08 during the Volvo Ocean Race 2008-09. He further brought out that the hosting fee of 5 million Euros and the mandatory requirement of fielding a team in the race by the host country had also been waived off.

35. **Other Events**. Details of the ISAF multi-discipline clinic conducted at Mumbai from 08-12 Jan 07 were brought out.

36. **RTI Act**. The HSG brought out that the provisions of the RTI Act mandated the appointment of an information officer by all Class Associations and member clubs affiliated to the YAI. The names along with the contact details of the information officer were required to be displayed on the YAI website.

37. **Grant of Affiliation/Disaffiliation of Non-functional Clubs**. The HSG informed the General Body that following Class Associations / Clubs were granted affiliation:-

- (a) The J-24 Class Association had been granted affiliation in Category 'I'.
- (b) The National Hobie Class Association had been upgraded from Category 'II' to Category 'I' Class Association.
- (c) The National Sailing School, Bhopal had been granted affiliation, while Kerala Yachting Association had been granted provisional affiliation for one year.

Further, the HSG brought out that the following clubs had been disaffiliated due non-payment of their subscription dues for more than two years:-

<u>S. No</u>	<u>Name of Club</u>
1.	Coimbatore Sailing Club
2.	DSOI, Mhow
3.	Mumbai Customs Yacht Club
4.	Pune District Sailing Association
5.	Sukhna Sailing Club, Chandigarh
6.	Trishna Sailing club, Bangalore
7.	Bengal Sappers Sailing Club, Roorkee
8.	Calicut Sailing Club

38. **YAI Training Scheme.** The HSG then briefed the members on the proposed training scheme that the YAI intended to launch in the near future to commence formalised training in the country on the lines of what was available in other western countries.

39. Mr Sherri Bamboat inquired whether the clause in the new constitution regarding disqualification if involved in any commercial activity relating to yachting applied to the training scheme also. The HJSG clarified that personnel involved with any commercial activity relating to yachting would not be eligible to be elected to the YAI Council, however, there were no restrictions to these personnel if they wished to become members of the YAI. Lt Col Gautama Dutta (Retd) inquired as to who had proposed this clause. The President clarified that the proposal had been given due consideration and as in any governing body, personnel holding 'office of profit' in related activities should not be permitted. He further stated that this was in accordance with the rules governing the highest body i.e., the Parliament.

40. Mr Shyam Chinani, introducing himself as a Life member of the YAI stated that activities towards broad-basing the sport should be encouraged. The President clarified that the restructuring had been proposed keeping in mind the urgent need to have wider and active participation. Mr Bipin Mullaji proposed that a separate budget should be allocated for broad-basing the sport also, in addition to international participation. Mr Shyam Chinani stated that in the past inter-club regattas were the backbone of promoting the sport and proposed that such regattas involving all clubs all over the country be revitalised. The President ensured the members that National level events would be given priority over international participation.

41. Cmde Mongia (Retd) inquired about the "Connect to Sailing" Programme. The HSG briefed the members on the progress of "Connect to Sailing" programme and brought out that Mr Tim Coventry had been providing valuable inputs on broad basing the sport in the country to the YAI Secretariat. He stated that the recommendations on how to increase more National level participation had been incorporated in the proposed Restructuring Plan.

42. Maj Gen Dutta (Retd) stated that during Mr Coventry's last visit to Mumbai in Jun 07, he did not deem fit to interact with Mr Cyrus Heerjee, Chairman Sailing Development Committee of the YAI. Mr Rabi Ahuja brought out that as per the decision of the YAI Council in Feb 07, wherein Mr Coventry had addressed the YAI Council, the President YAI had directed that Mr Coventry would interact with the YAI Secretariat in furtherance of the "Connect to Sailing" Programme in India and thus it was Mr Coventry's choice on interacting with other officials of the YAI.

43. The President stated that the issue had also been brought up by Maj Gen Dutta (Retd) during the YAI Council Meeting of 26 Jul 07 and further stated that the YAI was keen to progress on the suggestions of Mr Coventry, which were applicable to sailing in India.

#### **Item No. VI - Adoption of New Constitution of the YAI**

44. The HSG stated that the detailed proposal and the amended constitution had already been circulated to all concerned and posted on the YAI Website since 15 Nov 07. The HSG, however, once again, briefed the General Body on the entire timeline of restructuring proposal.

45. Mr Shyam Chinani stated that he had seen the proposals only on 16 Dec 07 and had several reservations on the new proposals and, therefore, it would be appropriate if the decision to adopt the new constitution be deferred and views of other life members

and sailors be incorporated before arriving at a final decision. The President requested Mr Chinani to give his views on the proposals. Mr Chinani stated that since he had very little time to study the proposals, the views presented by him were tentative, however, he submitted that under the new proposals, the Council and the bye-laws appeared rigid and regulatory and requested for larger representation from Class Associations. Further he stated that there were large number of sailors who could be co-opted on the Council, however, no such provisions had been made in the new proposals.

46. Mr Disilva, introducing himself as a lawyer by profession and stated that he was representing the Goa Yachting Association (GYA). He brought out that Mr Cesar Menezes who had appointed him to be his proxy was part of the Restructuring Committee and was of the view that there was a definite need for restructuring and supported the proposal. He mentioned that, Mr Menezes however, had reservations on the haste in which the restructuring was being undertaken. He further stated that, he along with a large number of those present were not aware of the IOA guidelines, based on which the restructuring was being undertaken. He further stated that he had been informed of likely changes in the IOA itself and thus suggested that the YAI should await the outcome of these changes. He was of the opinion that instead of IOA guidelines, the YAI should also be guided by articles 3.8 and 3.9 of guidelines issued by the Ministry of Youth Affairs and Sports for Sports Federations. He further stated that a large number of questions had been raised by members on the scheduling of the AGM and also the procedure adopted and accordingly stated that the GYA was of the view that the decision to amend the Constitution be deferred to a later date. He further stated that the concern of the members was that the electorate comprised mainly of the Services and accordingly all elected members of the new Council would, therefore, be from the Services. He further stated that in such a scenario a provision to co-opt civilian members should be made in the Constitution. He was also of the opinion that the members should also be given another opportunity to forward their comments/ recommendations on the proposed Constitution as very little opportunity and time had been provided for the same.

47. Ms Shibani Sachdev, supporting Mr Disilva, stated that the YAI Council had not debated the Restructuring and the proposal did not have the consent of the Council. Further, she stated that it was inappropriate for the YAI Secretariat to bring this issue for discussion at this stage. Ms Sachdev stated that the proposal should be withdrawn, the civilian participation in the debate incorporated and avenues provided for civilians in the proposed Council. She further stated that it was apparent that the entire restructuring was an attempt to hijack the sport by the Services.

48. The President stated that in the first instance the members should be aware that this was not an issue of civilian vs Services but was being brought in due to the urgent need to broad base the sport, bring in transparency in the affairs of the YAI and to

comply with the guidelines of the IOA. He further stated that the Services did not stand to gain anything from restructuring and this would benefit the larger population of civilian members and help in broad-basing the sport. The President further brought out that Ms Sachdev herself had been nominated to be part of the Restructuring Committee; however, she did not participate in the debate and failed to contribute when an opportunity was provided to her. The President further brought out that the views brought out by Mr Disilva and Ms Shibani were incorrect and stated that the proposal was first discussed amongst the Council Members in Jul 07. Thereafter their views were incorporated in the proposal, and accordingly a Committee was formed to examine the proposals and their recommendations. He further stated that these proposals had been posted on the YAI Website since Nov 07 and since such issues can only be ratified at the General Body meeting which was conducted only annually, the process adopted by the YAI Secretariat has been in order and should not be questioned. He also advised Ms Shibani to refrain from using such strong language. He further stated that he would decide whether it was appropriate to take up the adoption of the new Constitution at this meeting or at subsequent time based on the views of the members.

49. Ms Sachdev apologised to the President YAI on use of strong language and stated that whilst there was a real need to restructure and move ahead, however, the proposals needed more time to be studied in detail and debated amongst the yachting fraternity. Further, she could not attend the meeting of the Restructuring Committee of which she was a member as she was informed very late about the meeting and could not re-schedule her appointments.

50. Mr Ashok Thakkar, representing the Tamil Nadu Sailing Association, stated that he would like to place on record the active role played by the Services especially the Navy in reviving the sport of yachting in Chennai. Further, he brought out that every human being had a tendency to resist changes and opined that the proposal for restructuring was in order and should be accepted. He further stated that to take effective decisions, the governing Council of the YAI should be small and the representatives be elected by all members as proposed in the restructuring plan.

51. Lt Col MP Jaggi (Retd), representing the Laser Class Association, stated that in the present Constitution, the Class Associations were represented by their Presidents on the YAI Council and were able to express the views of the sailors directly to the Council. However in the proposed structure, the representation of the Class Associations was being drastically reduced. He recommended that this issue be given due consideration.

52. Maj Gen S Dutta (Retd) stated that the rationale for restructuring was based on IOA guidelines. However, in IOA, Presidents of State Olympic Associations were elected by representatives of the State and had full voting rights. Therefore, the Presidents of all Class Associations, who were elected by their member clubs, should

also have voting rights and be considered as members of the Council. He further stated that he had visited the IOA and brought to their notice that yachting, being unique as compared to other sporting disciplines, was presently limited to only a few States in India and hence, the present system was in order. He further stated that since the Presidents of the Class Associations were duly elected members, they could not be treated as ex-officio and thus had full voting rights. He also stated that as a member of the Council, he objected to the proposal as it had not been debated by the Council and it should be the Council's decision which should be voted upon by the General Body and proper procedures should be followed before bringing up the subject for discussion at the General Body. He stated that such an action violated the Constitution of the YAI and he had serious concerns on the proposed structure. In his view, the present system of electing four members by the entire electoral college and 11 Presidents of the Class Associations by their members was democratic representation. He brought out that in the proposed restructuring plan, the electoral college would actually be undemocratic since it comprised of a large number of Services clubs, which were funded by the Govt, and thus could not truly be considered as clubs due to their nature of functioning and restrictive membership procedures. He further brought out that he had been associated with the sport for the past 50 years and this was the first opportunity wherein members representing clubs from all over the country were present. He stated that this was primarily due to an order being issued by the Services to ensure that the new proposals were voted upon by the members as the majority of the clubs affiliated to the YAI were from the Defence Services.

53. The President YAI stated that Maj Gen Dutta (Retd), who had been absent for a large part of the earlier debate carried out amongst the Council members on the restructuring proposal, should not raise such issues as they had been sufficiently discussed by the Council and also brought out that there was no need for him to create a divide between the Services and civilian clubs. He further stated that he had already clarified the issue earlier and the General Body had accepted the role of the Armed Forces and civilian clubs.

54. Capt SJ Contractor (Retd), representing the Royal Bombay Yacht Club, stated that he would like to place on record the role of the Indian Naval Watermanship Training Centre, Mumbai and the Army Yachting Node in providing the necessary assistance, equipment, infrastructure to promote yachting, not only at the Royal Bombay Yacht Club, but also for the members of Colaba Sailing Club and Bombay Sailing Association. He further brought out that without their generosity and assistance, sailing as a sport for members of the above civilian clubs would not have been possible as they lacked infrastructure, funds and equipment to promote this activity on their own. He further stated that the sport was growing by the day and new classes of boats would be inducted soon in the country and as such all of them would form Class Associations and seek representation on the YAI Council. Stating that sooner than later the YAI Council

would be so large that it would be difficult to accommodate everybody and accordingly there was a need to restructure and make the organisation effective. Capt Contractor (Retd) also brought out that based on the suggestions received from the Council Members, the Restructuring Committee appointed under Lt Gen Goswami, had modified the initial proposals and has ensured that every kind of Class Association was represented appropriately. He further stated that the Committee had recommended that the Council comprise of a judicious mix of civilian and Services, which had been appropriately minuted and incorporated in the Committee's report. Further, he stated that it was apparent that a large number of members felt that for their views to be projected to the Council, it was necessary to be represented on the Council itself. In the new structure this would be taken care of as a large number of clubs and Class Associations would now be represented through various Committees/Sub Committees which had been proposed, thereby ensuring that their views were also heard. Additionally, the present age provided the use of e-mail which could be utilised as an effective medium for interaction between the members and the Council through the YAI Secretariat.

55. Mr Bipin Mulaji representing the Colaba Sailing Club stated that he endorsed the views of Capt Contractor and stated that with the growth of the sport, new Class Associations and clubs would also seek affiliation to the YAI and need representation. He further stated that the proposals were very rational and were aimed at promoting the sport.

56. The President stated that he would arrive at a decision by following a democratic process and requested Lt Gen Goswami, Exec. Vice President and Chairman of the Restructuring Committee, to elucidate his views.

57. Lt Gen Goswami stated that the decisions of the Restructuring Committee and the report that had been submitted to the President had deliberating on each and every issue and incorporated the views of the entire yachting fraternity. He further stated that the members of the Committee had been consciously and deliberately chosen to represent the views of the larger sailing community and comprehensive Terms of References were provided to the Committee. He clarified that the system adopted to arrive at the new Constitution was absolutely fair and did not have any bias to the Services or against the civilians.

58. The HJSG brought out that a large number of Council Members had stated that they were unaware of the IOA guidelines, which was incorrect as this issue was discussed in the YAI Council Meeting of 04 Apr 06 and the President YAI had directed that the Constitution of the YAI and Class Associations be suitably amended to comply with those guidelines. Maj Gen Dutta (Retd) stated that he had despite many requests, not been provided with a copy of the guidelines. The HJSG brought out that the issue

had been discussed at least for the past 15 months. In addition, a copy of the IOA guidelines had been provided to each Council Member and Class Associations and the same was also available on the YAI Website. Maj Gen Dutta's (Retd) contention was therefore incorrect and was intended to deliberately misguide the General Body.

59. The President concluding the debate, stated that the proposal for restructuring of the YAI had been included in the agenda only after the issue had been discussed in a democratic manner. He further stated that adequate opportunities had been given to the yachting fraternity to forward their views and recommendations and the YAI Council, in its meeting on 26 Jul 07, had unanimously decided that the YAI's efforts should not be only on providing financial assistance to 7-8 members for international participation, but should focus on the need to broad-base the sport within the country as also lay more emphasis on promoting recreational sailing activities/participation in National level events. Further, the President stated that the YAI was required to comply with laid down guidelines and as in any other organisation, representation to a governing body could only be by elected members who were responsible to project the views of the larger community. Citing the example of the Parliament of India, the President brought out that in a country of population in excess of 1 billion, the Parliament was represented by only 540 members who were responsible for governance and issues related to the community. Accordingly, a similar system of governance and representation had to be followed by the YAI so that the decision makers were able to promote the sport, formulate policies and take decisions.

60. **Decision.** The President YAI conceding to the request of a few members, directed that the issue of restructuring and adoption of the new Constitution be deferred to an EGM which would be scheduled in the first quarter of 2008 and requested all members to forward their views and comments on the proposals to the Restructuring Committee through the YAI Secretariat at the earliest. He stated that in his opinion the proposals were aimed at providing the necessary strength to the sport, and if the members felt otherwise, it would be a retrograde step. He further directed that the Restructuring Committee put up its report to him by early Feb 08. The President also stated that whilst it is not always possible to accommodate all the views, and a final decision which helped to broad-base the sport would be in the interest of the YAI and the nation. Members therefore needed to apply themselves with due care and vision, and not take a shortsighted view.

**Action: 1. All Members for forwarding views on the new constitution.**  
**2. Restructuring Committee for submission of report by early Feb 08.**



**Item No. VII - Cessation of Membership of Lt Col (Retd) Gautama Dutta in Pursuance of Article 6 (c) of the YAI Constitution.**

61. The HSG briefed the General Body that the YAI's Disciplinary Committee had recommended the cessation of the membership of Lt Col Gautama Dutta (Retd).

62. Maj Gen S Dutta (Retd) stated that as brought out earlier, a writ petition had been filed in the Hon'ble High Court of Delhi and that the YAI not take any decision on the issue.

63. The President brought out that since the issue of cessation of membership of Lt Col Dutta (Retd) was being taken up for discussion, it may not be appropriate for Maj Gen Dutta (Retd) to sit through the proceedings in his capacity as a Council Member and father of Lt Col Dutta (Retd) and suggested to him that he withdraw from the General Body meeting. Maj Gen S Dutta (Retd) thanked the President for the opportunity to withdraw and left the premises.

64. Captain Soli Contractor stated that most of the members were aware of only small bits of information pertaining to mis-appropriation of funds by certain yachtspersons. Further he stated that action should be taken against all the yachtspersons who had been involved in such cases and not be restricted to one individual. The President clarified that the point had been brought to the General Body, based on the recommendations of the YAI Disciplinary Committee, which had examined the case in detail. The President YAI further assured all present that suitable action would be taken against all other yachtspersons involved in mis-appropriation of funds on a case by case basis.

65. The HSG then briefed the General Body on the chronology of events as outlined below, leading to taking up the case for cessation of the membership of Lt Col Gautama Dutta (Retd).

66. Ms Shibani Sachdev, whilst representing the views of some of the other Council Members who were not present at this AGM, stated that the point had come as a surprise as she had been associated with the sport for 25 years and had personally known Lt Col Dutta (Retd). Further she stated that Lt Col Gautama Dutta had not been given adequate time to present his case. She also stated that most of the members were not aware of the composition of the YAI Disciplinary Committee and the issue should have been discussed by the YAI Council before taking up at the AGM.

67. The President brought out that in Jun 2005 the then Secretary General had reported cases of mis-appropriation of YAI / MoYAS funds. He also brought out that the teams had submitted forged bills to the YAI, which had been further submitted to the MoYAS for settlement of accounts and duly accepted by the MoYAS. Post receiving a report from the Secretary General, a Committee had been formed to examine the books

and records of the YAI. This Committee brought out that when Lt Col Dutta (Retd) was questioned about the expenditures incurred for Laser training-cum-participation during Mar–Apr 05, he denied submission of accounts and any other documents. The President further stated that accepting the statement of Lt Col Dutta (Retd), the YAI's Disciplinary Committee had requested him to submit these documents alongwith details of expenditure incurred for the event. Lt Col Dutta, however chose not to respond. The President stated that this was a matter of unaccounted Govt. funds advanced to an individual and could not be wished away. He further stated that any mistake could have been justified, however, this case which related to the year 2005 had been intentionally not responded to by the individual, further, enough opportunities had been provided to the individual either to refund the money or to produce the bills and documents. He further stated that Lt Col Dutta had now taken up the case to the Hon'ble High Court of Delhi and petitioned that the YAI should not take action against him.

68. Lt Gen Goswami, Chairman of the Disciplinary Committee, stated that the sailor had been given more than adequate time to respond. He further stated that the show cause notice was delivered to the sailor, and a receipt was available with the YAI. Since, the sailor had been denying submission of any accounts and documents pertaining to the participation in this event, he had, therefore, been requested to submit the accounts, however, there had been no response from the sailor.

69. Ms Sachdev stated that since the notice by the Disciplinary Committee had been sent to the address where Lt Col Dutta did not reside, hence he did not get enough time to respond to the Committee within the stipulated period. The HSG informed the General Body that the Disciplinary Committee was chaired by Lt Gen RR Goswami with Mr Cesar Menezes and Cmde R Nathan as members and the HSG as the Member Secretary. He further stated that the notice was served to individual at his last known address and even if it were his father's address, the letter could have been delivered to him well in time. Also, the response from Lt Col Dutta though dated 17 Nov 07, was couriered to the YAI only on 01 Dec 07 and documentary evidence to that effect was available with the YAI.

70. Lt Col Gautama Dutta (Retd) sought the permission of the President to present his case to the General Body. The President inquired from Lt Col Dutta (Retd) the reasons for non-submission of such clarifications when opportunities were provided, and thereafter, directed him to present his case.

71. Lt Col Dutta (Retd) stated that he did not get the notice in time as the same was sent to his father's address. He further stated that he had been forced to go to the court. He stated that in 2005 he had been called to accompany the Indian Laser team comprising of Capt NS Johal and Sub Rajesh Choudary. He further stated that the other two team members had been given some funds by the YAI Secretariat through LKP Forex before their departure and Lt Col Dutta stayed back to collect the balance of

funds. Lt Col Gautama Dutta (Retd) also stated that he had not been directed by the YAI to keep any records of the expenditure incurred in this particular instance, as had been a practice of the YAI. Lt Col Dutta (Retd) stated that in the case under consideration, he had specifically asked the then Hony Joint Secretary General (Capt AS Raghuvanshi) to give him an authority letter, to which the HJSG had replied that he had tied up everything and there was no need for any letter. He stated that he had also been told by the HJSG that the bills would be directly sent by the vendors to the YAI Secretariat. He stated that whenever he had accompanied any team, he had submitted bills and accounts duly signed and authenticated by him and in this particular instance, bills and documents did not bear his signatures as they had not been submitted by him. He further stated that on being questioned by Capt R Sarin regarding the authenticity of the bills, which had been submitted to the MoYAS, he had responded that he had not submitted the same as directed by the HJSG. He further stated that after the meeting with Capt Sarin, there had been no communication with him on the issue except for an e-mail from the LCAI to which he had responded in detail.

72. The HJSG informed the General Body that the President YAI had appointed a Board comprising of Capt R Sarin, Capt PK Garg and Capt S Chawla to look into the aspects of mis-appropriation of Govt. funds as reported by the then Secretary General YAI. He further informed the General Body that Capt PK Garg was a renowned sailor an Arjuna and a Rajiv Gandhi Khel Ratna Awardee for the sport of sailing. The HJSG also stated that a letter was issued to Lt Col Dutta instructing him to keep record of the funds released for participation of the Laser team.

73. The President stated that the above highlighted the intent of Lt Col Dutta (Retd) and despite providing adequate opportunities, had failed to account for Govt funds and sought the views of the General Body to arrive at a decision on cessation of his membership.

74. Mr Disilva stated that conflicting views had been put up to the General Body and it would not be possible for the General Body to take a decision in such haste without examining the details. The President clarified that the Disciplinary Committee of the YAI had examined the issue in detail and recommended actions to be taken.

75. Mr Ashok Thakkar stated that the YAI Constitution brought out that the affairs of the YAI would be managed by the YAI Council and accordingly a Committee of the YAI Council had recommended certain actions on which the General Body had to vote and there should be no discussions and the agenda point be put to vote.

76. Maj Gen Chaturvedi, introducing himself as the Representative of the National Hobie Class Association, stated that it was a matter of shame that the concerned sailor was a retired Army Officer. He stated that being the senior most member of the team, it was the duty of the individual to account for the money advanced to the team. He

further stated that the recommendations of the Disciplinary Committee must be taken into consideration, which had examined the documents and other facts in detail and found the individual guilty. He stated that the individual had not done the job tasked to him either intentionally or otherwise and should be punished for this cause.

77. Capt Contractor inquired whether the recommendations of the Committee had been put up for information or for approval by the General Body. The President clarified that as per the YAI Constitution, in such cases the Disciplinary Committee was to forward its recommendations to the President YAI and thereafter to be put up for ratification by the General Body. Further Capt Contractor stated that Lt Col Gautama Dutta (Retd) was also a member of the Royal Bombay Yacht Club and a decision to cancel his membership would need to be taken up with the Committee of the club. Capt Contractor further inquired whether the individual would be given one last opportunity to put up his part or a final decision would be taken up by the General Body in its meeting of todate.

78. The President stated that Lt Col Dutta (Retd) had been provided enough opportunities to explain his case. He further brought out that he had also had an opportunity to render an explanation to the General Body, however, the individual had consistently stated that it was not his responsibility to keep a record of the money advanced to him or to forward bills and documents as required by the YAI / MoYAS.

79. The HJSG brought out that as per the recommendations of the Disciplinary Committee, the General Body was required to vote for the cessation of life membership of Lt Col Dutta as laid down in the YAI's Constitution. He further stated that the recommendations of the Disciplinary Committee had been promulgated to the member clubs and, these members would have to take a decision as per their own procedures /regulations. The HJSG also clarified that if a club did not wish to discontinue their association with Lt Col Dutta, it would need to forward reasons for the same to the YAI.

80. The President clarified that at present the General Body was to vote for or against the cessation of membership of Lt Col Dutta. He stated that the other issues such as association of Lt Col Dutta with other clubs could be considered at a later date by the competent authorities as per rules and regulations of a particular club.

81. Lt Col Dutta stated that he had been informed by his lawyers that the Hon'ble High Court of Delhi had passed an order that no resolution on the issue be passed at the AGM and further submitted that he could provide a copy of the order to the President YAI.

82. The President stated that a decision would be taken as per orders of Hon'ble Court when received in writing at the YAI.

83. The President concluding the debate stated that the individual had failed to respond to notices issued to him to explain his case and refund the money, however, had shown great speed and progressed the matter in Court and conveyed the decisions to the General Body. He further stated that if he had shown any such interest in settlement of accounts, refund of money or rendered his explanations to the Disciplinary Committee of the YAI, the matter would have been resolved. Further he brought out that the statement of Lt Col Gautama Dutta (Retd) that he was not directed to maintain any records of expenditures or submit documents to support the expenditure amounted to his admission of guilt.

84. Thereafter, the resolution was put to vote by a show of hands. 30 of the members present at the General Body meeting voted in favour of the resolution, whilst 08 members voted against the resolution. The HSG brought out that 05 votes had been received by mail for the resolution and 03 members present who had voted for the resolution represented two clubs.

85. **Decision.** The resolution was passed to cancel the membership of Lt Col Gautama Dutta (Retd) with a count of 38 in favour and 08 against.

86. Subsequent to the Annual General Body Meeting, the Hon'ble Mr Justice S Ravindra Bhat of High Court of Delhi vide order No. WP(C) 9427/2007 and CM No. 17752/07 dated 17 Dec 07 (Para 6) has directed the YAI *"Having regard materials on record, I am of the opinion that at this stage the respondents should, with a prejudice to the rights of the parties grant an opportunity of hearing to the petitioner. For this reason the second respondent it should give him advance notice of at least one week and also communicate materials it seeks to rely upon against him, to afford him a reasonable opportunity of hearing. After conclusion of the hearing the respondent shall issue a considered order and communicate it directly to the petitioner. It is open to the petitioner to take all contentions including the jurisdiction of the body of the second respondents granting the hearing. He shall also make a submission on the merits of the allegations leveled against him."*

87. The President has therefore directed the Chairman of the Disciplinary Committee to proceed in accordance with the order of the Hon'ble High Court of Delhi and fix a suitable date to give another opportunity to the petitioner and hear him out and bring up the proceedings thereafter.

#### **Item No. VIII - Any Other Points**

88. **Communication with the Life Members.** Lt Col MP Jaggi (Retd) introducing himself as the representative of the Laser Class Association, EME Sailing Association,

Secunderabad, OK Dinghy Association of India and Secunderabad Sailing Club, brought out that he was a life member of the YAI and stated that for the past 6-7 years he had not received any communication from the YAI. He further stated that all life members should be sent a copy of the YAI's Annual Sailing Calendar and any other publication of the YAI.

89. Further he stated that there was very little representation on the YAI Council or the Committees from clubs other than those located at Mumbai. He stated that such a bias should be corrected and requested the President YAI to provide opportunities to others to contribute to the sport.

90. **Decision.** Representation to the YAI Council and Committees to be reviewed and deserving members from all parts of the country to be included.

91. **Duty Exemption for Import of Yachts.** Capt Contractor (Retd) stated that the YAI should take up a case for duty exemption on import of 2<sup>nd</sup> hand yachts to promote offshore sailing.

92. **Decision.** The issue be taken up with Ministry of Finance through the Ministry of Youth Affairs and Sports to encourage offshore sailing.

93. **Provision of Hobie Class Boats under 75% Subsidy Scheme.** Maj Utpal More from the National Hobie Class Association stated that the YAI should procure Hobie Class boats under the 75% subsidy scheme so that a large number of sailors / clubs could procure them and add to the growing numbers of Hobie Class boats in the country.

94. **Decision.** Necessary case be progressed with MoYAS for priority procurement.

95. **Exemption from Sales Tax and VAT on Indigenously Manufactured Sailing Equipment.** Mr Sherri Bamboat, introducing himself as a life member of the YAI and a Council Member of the National Optimist Class Association, stated that he was also manufacturing masts, spars etc for various classes of boats, however, he was required to pay sales tax and VAT whilst equipment being imported was being provided duty exemption, thus making his indigenous products more expensive. He requested that a case be taken up with the Govt for waiver of such duties to provide him opportunities to compete with imported equipment.

96. **Decision.** Necessary case to be taken up with the concerned authorities.

97. The meeting concluded with Cmde SK Mongia (Retd) proposing a vote of thanks to the President YAI.

98. There being no other points the meeting was concluded.
99. These Minutes are issued with the approval of the President YAI.

Sd / - xxxxxx  
(Bunty C Sethi)  
Captain  
Hony Secy Gen  
02 Jan 08