

MINUTES OF THE YAI ANNUAL GENERAL MEETING
18 NOV 2015

1. The 47th YAI Annual General Meeting (AGM) was held at 1630 h on 18 Nov 2015 at Varunika, Nausena Bagh, New Delhi. The following Council Members were present:-

Chairman

Admiral RK Dhowan PVSM, AVSM, YSM, ADC

President

2. **Members**

Lt General R Bhalla AVSM, SM, VSM (Retd)	Vice President
Vice Admiral S Soni PVSM, AVSM, NM, ADC	Chairman National Classes Committee
Rear Admiral Dhiren Vig	Honorary Secretary General
Commodore AS Bajwa VSM (Retd)	Treasurer
Mr Ashok Thakkar	Chairman Sailing and Club Development Committee
Mr. Amish Bipin Ved	Chairman Performance Sailing Development Committee
Ms Shantha Ravikumar	Chairperson Women's Sailing Committee
Dr Malav Shroff	Co-opted Member
Commander KD Singh	Honorary Joint Secretary General

3. **Attendance by Member Clubs and Life Associate Members.** The list of members with voting rights present during the AGM is placed at **Annexure I**. List of members with no voting rights present during the meeting is placed at **Annexure II**. List of members who abstained from the meeting is placed at **Annexure III**. List of Life Associate Members present during the meeting is placed at **Annexure IV**.

Item No. I – President's Opening Address

4. At the outset, the President welcomed all Members of the house to the 47th Annual General Meeting of the YAI and stated that he was happy to address the august audience, which represents the collective wisdom of yachtsmen and sailing enthusiasts from India.

5. The President, thereafter, stated that it had been an eventful year for the YAI, with the unveiling of our vision document which aimed at rejuvenating and reviving the yachting in the country at the grass root level which in turn would help us to identify the talent in our country. He further elaborated that he had received very positive feedback on the 'Vision Document' from various clubs.

6. The President elaborated that as a maritime nation, India had considerable maritime interests and a vast coastline. He further stated that India had plenty of talent waiting to be tapped.

7. The President, thereafter, brought out the importance of developing new clubs. The President stated that there was a need to equip all clubs including the new ones with the latest equipment and boats. He informed the house that new boats of various classes were being procured by the Navy and there would be a large number of new boats in all naval clubs in next few months. The President stated that he was happy to witness yachting activities at Chennai & Mumbai during his visit to these cities for the National Championship.

8. The President stated that the AGM today had an important agenda pertaining to amending the General Rules of the YAI which had been a long outstanding issue. He stated that the National Sports Code which was implemented in 2012, mandated YAI to change its General Rules. Accordingly a committee constituted by YAI Council had undertaken the exercise of amending these Rules to bring them in line with the NSDC 2011. The amended rules were also circulated to all Member Clubs in Oct 15 and he expressed the hope that all members had studied them.

9. The President further stated that, the amendments to the General Rules would pave the way for the future as firstly it would align the General Rules with National Sports Development Code and also with the direction given by the MYAS. The President stated that he was confident of the support of each and every one present in the house today.

10. The President concluded his opening address by stating that we all need to work together to put India on the Yachting map of the world for which we have the potential.

11. The President thereafter requested the Honorary Secretary General to commence the proceedings of the AGM.

Item No. II - To Approve and Confirm the Minutes of the Annual General Meeting held on 09 Dec 2014.

12. The HSG brought out that the next item on the agenda was to confirm the minutes of the General Body meeting held on 09 Dec 2014, the minutes of which were issued on 31 Dec 2014. He also informed the house that the copy of the minutes of the AGM held on 09 Dec 2014 was placed on YAI Website. No comments or observations were received from any Member Club on recording of the minutes. The HSG thereafter sought to confirm the minutes from the General Body.

13. Vice Commodore INA Watermanship Training Centre proposed passing of the minutes. This was seconded by the Vice Commodore of NSS Bhopal.

Item No. III - To Receive the Report of Honorary Secretary General for the Period 10 Dec 2014 – 17 Nov 2015.

14. The HSG presented his report for the period 10 Dec 2014 – 17 Nov 2015. A copy of the report is placed at **Annexure V**. The various issues covered by the HSG in his report were as follows:-

(a) **Important Council Decisions.** The HSG apprised the house on important Council decisions taken in the Council meetings held between 10 Dec 2014 to 17 Nov 2015 and the same are enumerated below:-

(i) **Grant of Affiliation to New Member Clubs.** The HSG stated that in line with the YAI vision, there was a need to encourage establishment of new Member Clubs. He apprised the house, that the Council had approved affiliation of the following Class Association/ Member Clubs:-

(aa)	9er Class Association	-	Regular
(bb)	INWTC Okha, Gujarat	-	Provisional
(cc)	INWTC Porbandar, Gujarat	-	Provisional
(dd)	INWTC Karanja, Mumbai	-	Provisional
(ee)	INWTC Dronacharya, Kochi	-	Provisional
(ff)	INWTC Adyar, Chennai	-	Provisional
(gg)	INWTC Kalinga, Vizag	-	Provisional

(ii) **Policy on Appointment of Race Officials** The HSG informed the house that the policy on appointment of Race Officials pending for a long time has been approved by the Council and the same has been published on the YAI website. He further stated that the YAI was in liaison with ISAF approved official to conduct a clinic in India in Feb 2016. He further informed the house that the details would be promulgated once the itinerary of the visiting official and conduct of clinic was finalised.

(b) **National Championships.** The HSG apprised the house that in line with the NSDC 2011, the YAI was required to conduct Annual National Championships across all age groups and genders. This issue was discussed during the YAI Council Meeting and the Council had unanimously decided that wef 2015, only one National Championship would be organised in 'Senior' and 'Youth' classes of boats. The HSG further stated that the first National Championship for the year 2015 was held in Mumbai and a record number of 153 sailors including 8 women sailors participated. The regatta was conducted by INWTC Mumbai in six Classes and was a huge success. He also stated that the YAI Youth National Championship will be held concurrently with the India International Regatta at Chennai from 25 to 29 Nov 2015.

(c) **Participation in International Events.** The HSG apprised the house on participation in overseas events by the yachtspersons during the period under review. He further informed the house that an amount of Rs.250 lakhs out of the total allotted budget of Rs. 350 lakhs was spent on preparing the teams for International events. He also brought out that the performance of the juniors and youth was encouraging in the overseas competition.

(d) **Annual General Body Meeting of ASAF.** The HSG apprised the General Body that he represented the YAI at the ASAF meeting held at Sanya, China on 06 Nov 2015. He also informed the house that the ASAF events to be held in 2016 were finalised during the meeting and the details of the same were available on the ASAF website.

(e) **India International Regatta (IIR) 2015.** The HSG apprised the house that the 7th edition of IIR will be held at Chennai from 25 to 29 Nov 15. A record number of 17 countries including India were likely to participate in the regatta. He stated that in the first edition, six nations participated but over the years the IIR has gained popularity amongst yachtspersons across Asian and European countries and the participation in this event is likely to grow in future.

Item No. IV . To receive, consider and adopt the Profit and Loss Account for the financial year ended on 31 March 2014 and the Balance Sheet as on that date and the report of Auditors' thereon.

15. The Treasurer gave a presentation to the General Body on the state of accounts of YAI. A copy of the presentation is placed at **Annexure VI**. The Treasurer informed the house that the audit of accounts for the FY 2013-14 had been approved by the General Body during the AGM held on 09 Dec 2014. He stated that the copies of the accounts had been submitted to the AGCR, the statutory Government Authority for auditing all central revenue accounts. He further stated that there was no audit objections raised by the AGCR so far.

16. The Treasurer thereafter highlighted the financial report for the FY 2014 - 15 and stated that the Audited Accounts for FY 2014 - 15 reflected an 'Excess' of Expenditure over Income of Rs 5.34 lakhs.

17. The Treasurer stated that though the YAI had overcome the previous year's financial difficulties, however, there was a need to proactively work towards increasing the YAI's corpus through a dedicated fund raising drive and YAI training schemes.

18. The Treasurer also brought out that the VIIth Pay Commission report would be implemented wef 01 Jan 2016. Accordingly, the salaries of the staff would also increase and this needed to be factored in the YAI's scheme of fund generation.

19. The Treasurer stated that the Profit and Loss A/c for the FY 2014-15 and the Balance Sheet as on that date including the Auditor's report thereon had been approved by the YAI Council. He thereafter sought approval of the General Body for adoption of the Profit and Loss A/c for the FY 2014-15 and the Balance Sheet as on that date including the Auditor's report thereon.

20. Vice Commodore Kerala Water Sports Organisation (KWSO) proposed passing of the Accounts. This was seconded by the Vice Commodore of INWTC, Jamnagar.

Item No. V - To consider and if thought fit to pass with or without modification(s), the ordinary resolution appointing M/s Sanjay Pathak & Associates, Chartered Accountants as Auditors of the Association.

21. The Treasurer stated that M/s Sanjay Pathak & Associates were appointed as statutory auditors during the last AGM, and their performance has been satisfactory. It was, therefore, recommended that the same auditors be retained for FY 2015-16. He also informed the house that as per the Company's act, M/s Sanjay Pathak &

Associates met the criteria for appointment of auditors. The Treasurer thereafter sought approval of the house for appointment of the auditors by quoting :-

“RESOLVED THAT subject to the provisions of sub section (2) of section 16 and other applicable provisions, if any, of the West Bengal Societies Registration Act 1961, M/s. Sanjay Pathak & Associates, Chartered Accountants, are hereby appointed as Auditors of the Association to hold office from the conclusion of this General Body Meeting up to the conclusion of the next General Body Meeting, to audit the accounts of the Association for the financial year 2015-16 at a remuneration to be fixed by the General Body on the recommendation of the Council.”

22. Vice Commodore INWTC Lonavala proposed appointment of M/s. Sanjay Pathak & Associates, Chartered Accountants, as Auditors of the Association. The proposal was seconded by the Vice Commodore of Goa Beach Sports Academy (GBSA).

Item No. VI - Amendments to YAI General Rules to comply with National Sports Development Code 2011.

23. The HSG apprised the house that the National Sports Development Code (NSDC) 2011 was promulgated by the Ministry of Youth Affairs and Sports, Govt of India in early 2012. It was now mandatory for all recognised National Sports Federations to ensure compliance to the various provisions promulgated as part of the NSDC 2011. He stated that in 2012, the YAI Council had appointed a Committee to recommend amendments to the General Rules of the YAI so as to make them compliant to the NSDC 2011. The Committee had since submitted its report and the Council had approved the suggested alterations and amendments to the YAI General Rules in Feb 2014. The HSG further informed the house that the Legal opinion was also obtained on the suggested amendments.

24. The HSG also informed the house that the last AGM held on 09 Dec 2014 had given its approval to take necessary steps to undertake the amendments to the General Rules. The draft amendments were circulated to all Member Clubs and published on the YAI website in Oct 2015 and hoped that members have perused the draft General Rules.

25. The HSG thereafter stated that each Article to be amended would be presented to the house. The members could thereafter, present their views and the changes would be adopted with the approval of the General Body.

26. He thereafter, proposed to amend the Article 1 of the YAI General Rules to read as follows:

27. **Article 1 NAME**

1.1 The name of the Association is Yachting Association of India (hereinafter referred to as “YAI” or the “Association”).

1.2 It is a Society registered under the West Bengal Societies Registration Act, 1961 and the registered office of the Association is situated at Indian Iron & Steel Company, Burnpur, Distt Bardhaman, West Bengal.

28. All the members unanimously accepted the proposed amendment to Article 1 of the YAI General Rules. The Vice Commodore, CESC proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

29. The Hon Secretary General thereafter, proposed to amend the Article 2 of the YAI General Rules to read as follows:-

30. **Article 2 DEFINITIONS**

In these General Rules, unless the context requires otherwise:

2.1 'Affiliated Unit' means any State Yachting Association or a Class Association or Sports Board or a Sailing Club which has been granted affiliation as a member of the Association under Articles 7 and 8 of these General Rules;

2.2 'Authorised Representative' means a person authorised by an Affiliated Unit to attend an Annual or Special General Meeting of the General Assembly, in accordance with Article 13;

2.3 'Article' means Article of this General Rules of the Association;

2.4 'Association' means the Yachting Association of India;

2.5 'Council' means the Council of the Association as constituted under Article 15;

2.6 'General Assembly' means the meeting of the members of the Association as constituted under Article 13;

2.7 'Member of General Assembly' means an authorised representative of an Affiliated Unit and includes an office-bearer and member (with voting right) of the Council;

2.8 'Office-Bearer' means the President, Honorary Secretary General and Treasurer of the Association; and all others, including Senior Vice-President, Vice-Presidents and Honorary Joint Secretary Generals are included in the expression 'Members' of the Council;

2.9 'State' includes Union Territory;

2.10 'Sports Event' means any tournament, championship, games organized by the Association at the International, National, State or any other level.

31. All members unanimously accepted the proposed amendment to Article 2 of the YAI General Rules. The Vice President, Jharkhand Yachting Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

32. The HSG thereafter, proposed to amend the Article 3 of the YAI General Rules to read as follows:-

33. **Article 3 OBJECTS**

The objects and aims for which the YAI, as the controlling authority of the sport of sailing in all its forms throughout the country, is established are:-

3.1 to act as and carry out the functions and duties of such authority and act as the national body for all forms of boating, including dinghy and yacht racing, motor and sail cruising, RIBs and sports boats, powerboat racing, windsurfing, canal and river boat cruising, and personal watercraft;

3.2 to promote yachting in all its branches regardless of race, religion, gender or political affiliation;

3.3 to co-ordinate, regulate, advice and administer matters relating to yachting and act as the Association under the World Sailing (ISAF) rules and to safeguard the interest of the sport;

3.4 to arbitrate in the event of disputes or when matters of discipline arise, involving members of the Association;

3.5 to convene, arrange, organise and hold regattas, races and competitions of all sorts, to create and stimulate interest in and publicise sport of sailing, to convene, arrange, organise and hold exhibitions, shows, displays, meetings, seminars, conferences and discussions, and to provide prizes, bursaries, grants and awards for competitors and others;

3.6 to promote and control the representation of Indian sailors at World Cups, World Championships, Asian Championships, Asian Games, Commonwealth Games and Olympic Games or at any other International sailing Regatta or Race;

3.7 to assist organisations interested in encouraging youths and others to participate in the sport of sailing;

3.8 to issue Sailing Proficiency, Coaching, Measurement Certificates and other standards from time to time;

3.9 to conduct courses for small open powerboats such as RIBs (rigid inflatable boats), sports boats, small launches and personal water crafts and to issue certificates of competence and other standards from time to time;

3.10 to own, lease, sub-lease and operate facilities necessary for all or any of the objects of the Association;

3.11 to communicate and work with all relevant stakeholders for the development and growth of sailing

34. The HSG brought out that the Object of the Association in the current General Rules was very sketchy and the proposed General Rules includes well defined 'Objects' of the Association.

35. Capt Ajay Narang, LM 2067, a life associate member who is also the Chairman Events Committee, ASAF informed the house that during the ASAF AGM held on 06 Nov 15 at Sanya, China, the ISAF rep informed that the ISAF had changed its name to '**World Sailing Limited**'. He therefore suggested that 'International Sailing Federation' (ISAF) may be replaced with 'World Sailing Limited' in the proposed General Rules.

36. All members unanimously accepted the proposed amendment to Article 3 of the YAI General Rules. The Vice Commodore, INWTC Jamnagar proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

37. The Hon Secretary General thereafter, proposed to amend the Article 4 of the YAI General Rules to read as follows:-

38. **Article 4 POWERS**

The Association shall have power to do all such lawful acts and things as are incidental or conducive to the attainment of its objects from time to time including (without limitation) the following:-

4.1 to raise funds by way of annual subscriptions and special levies to be paid by the members.

4.2 to use the funds of the Association in such manner as may be considered necessary or proper in carrying out its objects;

4.3 to purchase or otherwise acquire upon such terms as the Association may think fit any moveable or immoveable property and any rights or privileges either necessary or convenient for the promotion of its objects, and to sell, exchange or otherwise deal with and dispose of such property rights or privileges;

4.4 to borrow or raise money in such manner and upon such terms as to repayment or otherwise as the Association shall think fit;

4.5 to enter into any contracts, agreements or arrangements with any person, firm, syndicate, corporation or company the Association may deem conducive to any of its objects.

39. All members unanimously accepted the proposed amendment to Article 4 of the YAI General Rules. The Vice commodore, NDA Sailing Club proposed that the amendment be accepted. This was seconded by the Vice Commodore, KWSO.

40. The Hon Secretary General thereafter, proposed to amend the Article 5 of the YAI General Rules to read as follows:-

41. **Article 5. SECRETARIAT**

The Secretariat of the Association shall be at such place as shall from time to time be determined by the Council.

42. The HSG informed the house that as per the current General Rules, there was provision of 'Secretariat (s)', which means there could be more than one secretariat, which is not permissible as per the guidelines in the Sports Code 2011 and therefore, it was required to amend the General Rules. HSG further added that the secretariat will be located and run as determined by the Council from time to time.

43. All members unanimously accepted the proposed amendment to Article 5 of the YAI General Rules. The Commodore, INWTC Hamla proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

44. The Hon Secretary General thereafter, proposed to amend the Article 6 of the YAI General Rules to read as follows:-

45. **Article 6. MEMBERS – NUMBER AND CATEGORIES**

6.1 Membership of the YAI shall be open to all State Yachting Associations, Class Associations and Sailing Clubs hereinafter referred to as "Affiliated Units" within the territories of the Indian Union having as one of their main objects the promotion of the sport of Yachting.

6.2 Any person interested in the sport of yachting shall be eligible as a candidate for grant of Life Associate Membership or an Annual Associate Membership.

6.3 The Council shall have the power to lay down criterion for grant of membership of the Association in accordance with these Rules from time to time.

46. All members unanimously accepted the proposed amendment to Article 6 of the YAI General Rules. The Secretary, 470 Class Association proposed that the amendment be accepted. This was seconded by the Secretary J-24 Class Association.

47. The Hon Secretary General thereafter, proposed to amend the Article 7 of the YAI General Rules to read as follows:-

48. **Article 7. PRIVILEGES OF MEMBERSHIP, LIFE ASSOCIATE MEMBERSHIP AND ANNUAL ASSOCIATE MEMBERSHIP**

7.1 All Affiliated Units and Life Associate Members shall be entitled to receive free of charge a copy of all publications as published by the Association.

7.2 All members of Affiliated Units, Life Associate Members or Annual Associate Members of the YAI shall be entitled to participate in any regatta or sailing races held in India by another Affiliated Unit subject to such local rules and conditions framed by the Affiliated Unit under whose auspices the regatta or sailing race is held.

7.3 An Affiliated Unit shall be entitled to receive notice of, attend and vote at General Meeting of the Association in manner hereinafter provided, but Life Associate Members or Annual Associate Members shall be entitled to receive notice of and to attend but shall not be entitled to vote at General or other meetings of the Association.

49. The issue of voting rights to Life Associate Members was discussed. It was brought out that as laid down in the Sports Code 2011, the voting right was restricted to only Affiliated units and thus only the Member Clubs had the voting right and cannot be extended to the individual Life Associate Members.

50. All members, thereafter, unanimously accepted the proposed amendment to Article 7 of the YAI General Rules. The Vice Commodore, INWTC Visakhapatnam proposed that the amendment be accepted. This was seconded by the Commodore, Nanital Sailing Club.

51. The Hon Secretary General thereafter, proposed to amend the Article 8 of the YAI General Rules to read as follows:-

52. Article 8. ADMISSION OF AFFILIATED UNITS, LIFE ASSOCIATE MEMBERS AND ANNUAL ASSOCIATE MEMBERS.

8.1 Every application for Affiliated Unit, Life Associate Membership or Annual Associate Membership shall be submitted in writing to the Honorary Secretary General furnishing such particulars as may be required by the Council and, in the case of a candidate for Life Associate Membership his application shall be supported by at least two persons who themselves are Life Associate Members. Life Associate Membership shall be valid for 15 years from the date of grant of membership to the YAI.

8.2 The Council shall have full authority to accept or reject any application for Affiliated Unit or Life Associate Membership without assigning any reasons therefor. This decision shall be taken by a simple majority in the Council.

8.3 The Honorary Secretary General will forthwith notify to a candidate who has been elected that it or he or she has been admitted as an Affiliated Unit or Life Associate Member of the Association as the case may be.

8.4 Affiliated Units granted membership, or individuals granted Life Associate Membership, shall be deemed to be Affiliated Unit or Life Associate Member of

the Association, as the case may be, only from the date of receipt of their first subscription.

8.5 Every application for Annual Associate Membership shall be submitted in writing to the Honorary Secretary General furnishing such particulars as may be required by the Council.

8.6 The Honorary Secretary General shall have full authority to accept or reject any application for Annual Associate Membership without assigning any reasons therefor.

8.7 The Annual Associate Membership will be valid for the calendar year and end on 31 December each year.

53. The issue regarding tenure of Life Associate Membership (LM) was discussed as some of the members sought to know whether the LM granted prior to amending these General Rules would be for life time or 15 years. The HSG clarified that all LMs granted prior to 2011 would be for life time. However LMs granted after 2011 would be for a period of 15 years only. He further clarified that as proposed, the YAI Council will grant Life Associate membership and the decision would be taken through a simple majority, however the Honorary Secretary General shall have full authority to accept or reject any application for Annual Associate Membership without assigning any reasons therefor.

54. All members unanimously accepted the proposed amendment to Article 8 of the YAI General Rules. The Secretary, Indian Naval Sailing Association proposed that the amendment be accepted. This was seconded by the Commodore, INWTC Mandovi, Goa.

55. The Hon Secretary General thereafter, proposed to amend the Article 9 of the YAI General Rules to read as follows:-

56. **Article 9.** **OBLIGATIONS OF MEMBERS**

9.1 It shall be the obligation of all members of the Association:

- (a) to promote the objects, interest and influence of the Association;
- (b) to carry out and have respect for the rules, regulations and decisions of the Association;
- (c) to refrain, and to use reasonable endeavors to persuade others within their jurisdiction to refrain, from actions that are inconsistent with the objects, rules, regulations or decisions of the Association.
- (d) to ensure that all office-bearers of the Affiliated Unit shall be less than 70 years of age on the day of their election and in case anyone of them attains the age of 70 years after his or her election, he or she would be required to vacate his or her position in the Affiliated Unit.

57. The HSG stated that this article essentially brings the NSFs in sync with the Sports Code 2011 and as a natural process, the affiliated units of the NSFs were obligated to follow similar policies and practices such as the age and tenure clause.

58. All members unanimously accepted the proposed amendment to Article 9 of the YAI General Rules. The Vice Commodore INWTC Lonavala proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Hansa, Goa.

59. The Hon Secretary General thereafter, proposed to amend the Article 10 of the YAI General Rules to read as follows:-

60. **Article 10. SUSPENSION OF THE MEMBERSHIP AND EXPULSION**

10.1 Any member desirous of resigning from the Association shall notify the member's intention in writing to the Honorary Secretary General on or before the last day of the Association's financial year. Otherwise the member shall be liable for the annual subscription and all applicable levies for the next year following.

10.2 The Council may, at any time expel any member if the member's conduct is considered to have been injurious to the reputation, objects or interests of the Association, provided that any member whose membership is so affected shall be given at least 30 days' notice of the meeting at which the expulsion will be considered and the grounds and reasons for the proposed resolution to expel that member. The Council shall follow principles of natural justice in dealing with such proceedings.

10.3 No member who remains in arrears in respect of any subscription of the Association six months after demand, shall be entitled to attend or vote at General meetings of the members of the Association nor shall that member be entitled to organise any regattas, races, meetings or events involving sailing boats or to represent at or participate in such regattas, races, meetings or other events organised by or on behalf of any other member of the Association until such member shall have paid all amounts due or until the Association has made special arrangements with that member for the payment or waiver of all or part of the said arrears.

10.4 Any member who remains in arrears in respect of any subscription of the Association nine months after demand, shall be deemed to have engaged in injurious conduct and shall be liable to expulsion under this Article provided however that any such member shall be automatically reinstated, subject to the members complying with all other requirements for membership, upon payment of all such arrears.

10.5 The Council shall have powers to promulgate such penalties for arrears due to the Association from time to time.

10.6 The Council may in their absolute and unfettered discretion at any time cancel the membership of any recognised Affiliated Unit.

10.7 The foregoing rules relating to cessation of membership of an Affiliated Unit shall also apply mutatis mutandis to cessation of membership of a Life Associate Member or an Annual Associate Member.

10.8 If a Life or an Annual Associate member has been expelled by the Council for his or her conduct which was considered to have been injurious to the reputation, objects or interests of the Association, he or she shall not be re-admitted to the Association. It will also be obligatory for all Affiliated Units to expel such Life or Annual Associate members from its rolls within a period of ten days of expulsion from the Association. Failure to comply with this obligation by Affiliated Unit shall make them liable for expulsion from the membership of the Association.

61. The house discussed the article on suspension and expulsion at length. Various members expressed their views on the proposed amendment.

62. Mr. Upender Jain, Director Sports Govt. of Madhya Pradesh and Commodore NSS Bhopal suggested that similar mandatory provisions must also be followed by Affiliated units in order to curb corruption and favoritism in sports.

63. Brig Jagdish Singh (Retd) LM2033 stated that the proposed amendment needed further deliberations as expulsion of a member by the Association would entail the Affiliated units to follow similar action. He further stated that such an action should only be taken for serious offences.

64. Mr. Ajay Balram LM2019 opined views similar to Brig Jagdish Singh (Retd) and stated that in the past when an action of similar kind was conveyed to a member club, the member club had taken recourse to legal help. He therefore cautioned to study the issue carefully and take legal advice before amending the provision.

65. Capt Ajay Narang LM2067 brought out that in the past, when a member's Life Associate membership was terminated by YAI, the member found his way back to Association being an office bearer of the Affiliated Member Club. He further added that a subordinate Member Club was obligated to follow the practice and policies of its apex body.

66. Brig R Chaudhry, Vice Commodore, CESC stated that this provision would bring in too much of centralization of power with the Council, which was not desirable. He further stated that each of the Affiliated units was a registered body under the Societies Registration Act and had its own constitution and advocated autonomy of the Affiliated Member Clubs. He suggested some leeway be given to the Class Associations or the Member Clubs to decide on the quantum of punishment for the expelled individual member.

67. Capt Sanjay D'Cunah, Commodore INWTC Mandovi stated that since YAI was the parent body, all its Affiliated Member Clubs were obligated to follow similar regulations as that of the parent body.

68. Mr. KK Singh, Secretary General, Jharkhand yachting Association stated that he agreed with Commodore, INWTC Mandovi and brought out that the Registered Societies' Act clearly mandates that the Association should abide by the rules of the parent body and thus being affiliated members of the YAI, it was obligatory for all Affiliated units to follow the regulations set out by the apex body.

69. The Treasurer stated that such a course of action will only be taken for major & serious misconduct. He assured the house that any decision of this nature would go through various steps of natural justice before pronouncement and house need not worry about injustice being meted out to any member.

70. Mr. Veer Srivastav, Commodore Nainital Sailing Club stated that he agreed with the Treasurer and serious action would only be taken if the offence committed was very grave in nature.

71. Vice Admiral Satish Soni, President Enterprise Class Association and Chairman National Classes committee of YAI opined that such a disciplinary action should be taken for cases of moral turpitude as well as financial impropriety. He further stated that a member expelled for such a conduct needed to be expelled by the Affiliated unit also.

72. Dr. Malav Shroff, President ASAF opined that there should not be any dilution in standards for ethics and discipline. He further stated that he had seen the functioning of the YAI since the year 2000 and till date there had been only one case of expulsion and the same had not been objected by any member. He stated that this proved that the YAI had been very objective in its decision for expulsions.

73. The President stated that a member would only be expelled on account of serious offence. He assured the house that before initiating such a decision, all other measures such as warning etc depending upon the gravity of the offence would be taken and the Council would take such an action after due diligence. He further assured the house that such a situation would not be normal, but once such a decision is taken by the Council, it should be abided by all Affiliated units.

74. After extensive debate, all the members accepted the proposed amendment to Article 10 of the YAI General Rules. The Commodore, Mumbai Yacht Club proposed that the amendment be accepted. This was seconded by the Commodore, Nainital Sailing Club.

75. The Hon Secretary General thereafter, proposed to amend the Article 11 of the YAI General Rules to read as follows:-

76. **Article 11.** **SUBSCRIPTION**

11.1 The Subscription year shall coincide with the financial year of the Association and will be from 1st April to 31st March.

11.2 The amount of the annual subscription may vary for each category of member, and shall be fixed by resolution of the members of the Association at its Annual General Meeting each year.

11.3 Every Affiliated Unit elected to membership shall pay to the Association its annual subscriptions, and it shall be paid, as to the first of such subscriptions, within two months of election and thereafter on the first day of April in each year.

11.4 No Affiliated Unit shall in any year be entitled to any of the rights or privileges of membership until its subscription for that year and all arrears (if any) have been paid.

11.5 The Life Associate Membership fee collected by the Association shall be treated as capital and not revenue.

77. The HSG stated that the subscription rates as approved by the house would be included in the 'Regulations' of YAI which would prevent frequent amendments to the General Rules. He further stated that as per the amended provisions, the subscription received from Life Associate membership would form part of 'Capital' and not 'Revenue' to build YAI corpus.

78. All members unanimously accepted the proposed amendment to Article 11 of the YAI General Rules. The Secretary, Enterprise Class Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Jamnagar.

79. The Hon Secretary General thereafter, proposed to amend the Article 12 of the YAI General Rules to read as follows:-

80. **Article 12. GOVERNANCE**

Except where these Rules expressly provides otherwise, the affairs of the Association shall be under the control and management of the Council.

81. All members unanimously accepted the proposed amendment to Article 12 of the YAI General Rules. The Vice Commodore, Offshore Sailing Club proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

82. The Hon Secretary General thereafter, proposed to amend the Article 13 of the YAI General Rules to read as follows:-

83. **Article 13. GENERAL ASSEMBLY OF THE ASSOCIATION**

The General Assembly of the Association shall consist of:

13.1 Two authorised representatives (one male and preferably one female) of each Affiliated Unit to be nominated by the Affiliated Unit in the manner prescribed in Article 23; and

13.2 All the office-bearers and members (with voting rights) of the Council.

84. Cmde Atul Anand LM2080 suggested that provision at Article 13.1 may be amended to read as “preferably one male and one female” that would imply that there would definitely be one male member and the other member could be a female. The HSG brought out that the language so used in the proposed amendment in legal connotation was correct.

85. All members unanimously accepted the proposed amendment to Article 13 of the YAI General Rules. The Vice Commodore INWTC Hansa, Goa proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Port Blair.

86. The Hon Secretary General thereafter, proposed to amend the Article 14 of the YAI General Rules to read as follows:-

87. **Article 14. POWERS, FUNCTIONS AND DUTIES OF THE GENERAL ASSEMBLY**

The powers, functions and duties of the General Assembly shall be as follows:-

14.1 To carry into effect and promote the aims and objects of the Association;

14.2 To hold election of the office-bearers and members of the Council at least once every three years, in accordance with the provisions of these General Rules;

14.3 To consider and adopt the annual report of the Honorary Secretary General, Audited Statement of Accounts for the previous financial year, budget estimates of the Association and to appoint auditors;

14.4 To consider any decision of the Council needing approval or ratification;

14.5 To hold and control the funds and other properties of the Association;

14.6 To consider and amend any provision of these General Rules in accordance with the procedure prescribed therefor in Article 29;

88. The HSG stated that the periodicity of election for Council has been amended to 3 years from existing 4 years to align it with the West Bengal Societies Registration Act 1961.

89. All members unanimously accepted the proposed amendment to Article 14 of the YAI General Rules. The Vice Commodore, NDA Sailing Club proposed that the amendment be accepted. This was seconded by the Commodore, Chennai Sailing Academy.

90. The Hon Secretary General thereafter, proposed to amend the Article 15 of the YAI General Rules to read as follows:-

91. **Article 15. THE COUNCIL**

The Council of the Association shall consist of the following office-bearers and members:-

Office-bearers

- (a) President;
- (b) Honorary Secretary General;
- (c) Treasurer.

Members

- (a) One Senior Vice-President;
- (b) Eight Vice-Presidents; at least one female;
- (c) Honorary Joint Secretary General (s); one male and one female;
- (d) Two Coopted Members; one male and one female;

92. Mr. Ashok Thakkar, Chairman Sailing and Club Development Committee stated that in the proposed amendment, the elected Vice President would be allocated portfolio by the President based on a person's strengths and interests which would augur well for the organisation.

93. HSG concurred with Mr. Ashok Thakkar as in the present system, there was no latitude for the President to assign responsibilities to individual Council Members based on their strength. He brought out that the proposed amendment was in line with the Sports code and had the advantage of allocation of responsibilities by President and the Council as per the strength of the elected member.

94. Brig R Chaudhry, Vice Commodore CESC stated that in the new system, the representation of Class Associations may be undermined. He further added that since major structural changes were being contemplated, there was a need to ensure that proper representation of the Class Associations such as 'Optimist' being the most popular Class was taken care of. He also opined that, if the active class such as 'Optimist' was not well represented on the Council, the proposed change may not be a good idea.

95. Capt Ajay Narang LM2067 stated that the members who would be eligible to contest the elections can be Presidents/ Vice Presidents of Class Associations and if the 'Classes' field them for election, the 'Classes' will automatically be represented.

96. Lt Col Bhuwan Khare, Secretary Laser Class Association stated that the proposed provision was subjective and we need to be more objective so that there was no room for an error. He further brought out that a stipulating condition like holding of a minimum of 50 boats by a class Association which is a prerequisite to contest elections in the present system, was more robust and representative of the interests of the 'Class' Associations.

97. Brig Jagdish Singh LM2033 stated that the more popular old 'Class' such as 'Enterprise' was still sailed in large numbers and should have stake in the apex body.

98. Mr. Ashok Thakkar, Chairman Sailing and Club Development Committee stated that ultimately the Class Associations and Clubs would be nominating their Presidents/Vice President/ Commodores or Vice Commodores for election of the Council and therefore the interests of Class Associations would not be neglected.

99. Lt Col Bhuwan Khare, Secretary Laser Class Association suggested that the Olympic and Asian Games classes which have a large number of boat holdings must find representation in the Council.

100. Dr. Malav Shroff, Commodore Mumbai Yacht Club and President ASAF clarified to the house that in ISAF the 'Classes' do not have any voting rights and the entire 128 'Classes' of boats have only one vote in the ISAF. He further stated that the voting rights rested with the affiliated members in the General Assembly and similarly in YAI, the representation should remain with the affiliated Member Clubs or the State Association.

101. Lt Gen V Sharma LM2155 stated that some of the members were apprehensive of the role of the eight Vice Presidents as they would get elected with no specific responsibility. He suggested that it would be better if the clubs knew in advance the role/portfolio of the person being elected. He further stated that if such criteria was known well before the election, it would be easier for the voting members to choose the representative and cast their vote accordingly. He further stated that such an action would also add to the transparency of the Association.

102. Mr. Ashok Thakkar, Chairman Sailing and Club Development Committee stated that while the amendment could be approved and we may lay down certain provisions in the 'Regulations' of YAI to include the criteria for the heads of the various committees which would be tenanted by the elected Vice Presidents.

103. The HSG concurred with Mr Ashok Thakkar and proposed to include the criteria for election of Vice Presidents in the 'Regulations' of the YAI.

104. The President observed that the rules and regulations were being framed to make the system transparent. The President stressed that the format of eight Vice Presidents was in line with the Sports Code. He stated that the eight VPs would be the Presidents/Vice Presidents/Commodores/ Vice Commodores of the Member Clubs who would certainly be people with some credibility. He stated that YAI will have separate 'Regulations' where the composition of committees and Sub Committees would be specified. He assured the house that the changes to General Rules were meant to align YAI with the model guidelines. The President thereafter opined to go ahead with the amendments with the added provision that the composition of Committees and sub Committees would be spelt out in the "Regulations" of the YAI.

105. After extensive discussions, all members unanimously accepted the proposed amendment to Article 15 of the YAI General Rules. The Vice President, CESC proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Mumbai.

106. The Hon Secretary General thereafter, proposed to amend the Article 16 of the YAI General Rules to read as follows:-

107. **Article 16.** **TERM OF OFFICE OF COUNCIL**

16.1 Term of Office of Office-Bearers and Members of the Council shall not be more than three years from the date of assumption of office.

16.2 Any vacancy which occurs in the Council by reason of death, resignation, expulsion, or disqualification, etc., of an office-bearer and member, will be filled for the remainder of the term, by nomination by the Council from amongst the members of the General Assembly. Such decision taken by the Council shall be ratified by the General Assembly at its next meeting through a poll.

108. All members unanimously accepted the proposed amendment to Article 16 of the YAI General Rules. The Vice President, Jharkhand Yachting Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, INA Watermanship Centre.

109. The Hon Secretary General thereafter, proposed to amend the Article 17 of the YAI General Rules to read as follows:-

110. **Article 17.** **POWERS, FUNCTIONS AND DUTIES OF COUNCIL**

The powers, functions and duties of the Council shall be as follows:-

17.1 To conduct the day to day administration of the Association for achieving its aims and objects, during the intervals between the Annual or Special General Meetings of the General Assembly, and to duly report all such decisions and actions at the next Annual or Special General Meeting as require ratification by the General Assembly, to whom the Council shall be accountable.

17.2 To supervise the functioning of the Affiliated Units to ensure that they conduct their activities, including elections of their managing committees, as per their respective rules.

17.3 To prepare and finalise the Annual Calendar of sports events, training camps, and other activities, and to ensure the holding of such events, camps, etc., as per the finalised Calendar;

17.4 To appoint coaches, international and national, for the training of sports persons and also to arrange their training abroad wherever considered necessary;

17.5 To appoint a Selection Committee, among other committees, to determine and select the number of competitors, managers, coaches, and other support staff, for formation of teams to represent India at international events held outside or inside India;

17.6 To ensure, by forming Disciplinary Committee, proper discipline and good conduct by the teams/players and their support staff, including coaches, managers, etc., representing India and/or the Association in sports events;

17.7 To cause proper books of account to be kept of income and expenditure and of all dealings with the assets and liabilities of the Association. The Council shall prepare and present to the Annual General Meeting each year an audited set of financial statements for the most recent financial year prepared in accordance with current best practices;

17.8 All matters may be dealt by correspondence with the Council members by the Honorary Secretary General (except when the Council is to meet) – and the decisions received from members of the Council will be submitted to the President by the Honorary Secretary General. The President shall arrive at the final decision of the Association by a simple majority of the decision conveyed by the members.

17.9 To cause proper minutes to be made of all proceedings of the Council.

17.10 To do any and all other activities as may promote or help in achieving aims and objects of the Association.

17.11 The Council shall be responsible for the direction and control of the Honorary Secretary General.

17.12 The Honorary Secretary General, the Honorary Joint Secretary General(s) and the coopted members shall not have any voting rights.

111. All members unanimously accepted the proposed amendment to Article 17 of the YAI General Rules. The Secretary, DG NCC proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Mandovi, Goa.

112. The Hon Secretary General thereafter, proposed to amend the Article 18 of the YAI General Rules to read as follows:-

113. **Article 18.** **PROCEEDINGS OF THE COUNCIL**

18.1 The Council may meet together for the dispatch of business, adjourn and otherwise regulate its meetings as it thinks fit (including by holding video-conference or audio-conference meetings) but it shall hold such meetings at least twice in every financial year.

18.2 The Council shall cause proper minutes to be made of all its proceedings and shall maintain a record of meetings attended by Council Members.

18.3 The President or any six members of the Council entitled to vote may convene a meeting of the Council by notice in writing addressed to the Hon. Secretary General stating the business to be considered.

18.4 Seven members of those entitled to vote shall form a quorum.

18.5 Questions arising at any meeting of Council shall be decided by a simple majority of votes and in the case of an equality of votes the chairperson of the meeting shall have a second or casting vote.

18.6 The President shall take the chair at meetings of the Council but if the President is not in attendance at any meetings of the Council, the Senior Vice President shall take the chair at meetings of the Council but if both the President and the Senior Vice President are not in attendance at any meetings of the Council, the members who are in attendance and who are entitled to vote shall choose one of their members to be the chairperson of such meeting.

114. All members unanimously accepted the proposed amendment to Article 18 of the YAI General Rules. The Vice Commodore, INWTC Jamnagar proposed that the amendment be accepted. This was seconded by the Vice Commodore, KWSO.

115. The Hon Secretary General thereafter, proposed to amend the Article 19 of the YAI General Rules to read as follows:-

116. **Article 19. COMMITTEES**

19.1 To assist the Council in formulating or implementing its policies, the Council may from year to year establish or disband any number of Committees or Sub Committees. Such Committees or Sub Committees shall be entitled to make recommendations to the Council on matters within their respective terms of reference but shall have no other powers except as are expressly delegated to them by the Council. The Council will from time to time determine the maximum number of members of each Committee or Sub Committee, their terms of reference and the standing orders by which they conduct their business.

19.2 The Council shall appoint the members and select a Chairperson of each existing or new Committee or Sub Committee for such period of time as it thinks fit.

19.3 Only Life Associate Members of the Association shall be eligible for appointment as Chairpersons and members of each of the Committees or the Sub Committees.

117. All members unanimously accepted the proposed amendment to Article 19 of the YAI General Rules. The Vice Commodore INWTC Visakhapatnam proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Lonavala.

118. The Hon Secretary General thereafter, proposed to amend the Article 20 of the YAI General Rules to read as follows:-

119. **Article 20 : DUTIES OF OFFICERS**

20.1 **President** The President shall preside at all meetings of the Association and perform such other duties as may be delegated to him by the Council.

20.2 **Senior Vice President** The Senior Vice President shall perform all such duties as may be delegated to him by the President and also preside at all meetings of the Association during the absence of the President.

20.3 **Vice Presidents** They will assist the President and act under his authority and perform such functions as delegated by the President.

20.4 **Treasurer** The Treasurer shall collect and receive all money due to the Association and deposit the same in the name of the Association in such bank as may be approved by the Council. He shall pay all accounts contracted by the Association and keep an accurate statement of receipts and expenditure in a book or books provided for that purpose. He shall present at each Annual Meeting of the Association a statement of receipts and expenditure of the Association and of the funds in his control.

20.5 **Honorary Secretary General** The Honorary Secretary General shall keep a true record of the proceedings of all meetings of the Association and of the Council in a book provided for the purpose, and conduct all correspondence of the Association.

20.6 **Honorary Joint Secretary General(s)** The Honorary Joint Secretary General(s) will be the assistant to the Honorary Secretary General and the senior amongst them shall officiate for him during his absence and will deal with all matters generally.

120. All members unanimously accepted the proposed amendment to Article 20 of the YAI General Rules. The Vice Commodore, NSS Bhopal proposed that the amendment be accepted. This was seconded by the Vice President, Jharkhand Yachting Association.

121. The Hon Secretary General thereafter, proposed to amend the Article 21 of the YAI General Rules to read as follows:-

122. **Article 21. NO-CONFIDENCE MOTION AGAINST ANY OFFICE-BEARER OR MEMBER OF THE COUNCIL**

21.1 Only the General Assembly of the Association, at its Annual General Meeting or Special General Meeting, shall be competent to consider and approve any motion of No-Confidence against any Office-Bearer (President, Secretary General or Treasurer) or any other Member of the Council.

21.2 It will be a mandatory requirement that such motion:

- (a) is duly signed by the President and Secretary General or Commodore and Vice Commodore of not less than 2/3rd of the Affiliated Units;
- (b) reaches both the President and Hon Secretary General of the Association at least 21 days before the Annual General Meeting or the Special General Meeting of the General Assembly;
- (c) is circulated by the movers of the motion to all Affiliated Units at least 15 clear days before the said meeting;
- (d) specifies the grounds on which such no-confidence motion is sought to be moved.

21.3 A motion expressing no-confidence in any office-bearer or member of the Council shall be considered as having been adopted validly, only if it is approved by at least 2/3rd majority of the members of the General Assembly present and voting, and which is more than 2/3rd of the total strength of the members of the General Assembly of the Association.

123. All members unanimously accepted the proposed amendment to Article 21 of the YAI General Rules. The Vice President, Optimist Class Association proposed that the amendment be accepted. This was seconded by the Secretary, Laser Class Association.

124. The Hon Secretary General thereafter, proposed to amend the Article 22 of the YAI General Rules to read as follows:-

125. **Article 22.** **ASSETS**

22.1 The assets of the YAI are those set out below:

- (a) The amount of the ordinary or special subscriptions or contributions, which shall be differentiated for YAI members according to the membership categories of the World Sailing Limited (WSL), as resolved by the General Assembly.
- (b) These assets represent the upper limit regarding the financial liabilities of YAI according to the Law.
- (c) Subsidies, donations, legacies, pensions or other income, which may be allocated to it or granted by public or private agencies or individuals or corporations.
- (d) The real and movable properties of YAI and the proceeds or income from these and from the ownership of its assets, if any.

(e) The special resources, which, as may be the case, are approved by the General Assembly.

22.2 The Association shall not accept any donations, directly or indirectly, without prior approval from the Council.

126. All members unanimously accepted the proposed amendment to Article 22 of the YAI General Rules. The Vice President, Jharkhand Yachting Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, GBSA.

127. The Hon Secretary General thereafter, proposed to amend the Article 23 of the YAI General Rules to read as follows:-

128. **Article 23.** **VOTING RIGHTS**

23.1 To provide and ensure equality of representation among the Affiliated Units, each member except Individual Members of the General Assembly shall have one vote at the Annual or Special General Meeting of the Association.

23.2 An Affiliated Unit wishing to attend any general meeting of the Association must appoint in writing a delegate or representative to attend on its behalf and to exercise all its rights to vote. A true copy of any such appointment shall be delivered to the Honorary Secretary General prior to the opening of the meeting.

23.3 Any two representatives of an Affiliated Unit who may be the President / Vice President / Secretary General / Commodore / Vice Commodore shall be entitled to attend the Annual/Special General Meeting of the Association, however, only the delegate so appointed as at 23.2 above, shall be entitled to vote. The nomination of an authorized representative shall be signed both by the President and Secretary General or the Commodore and Vice Commodore of the concerned Affiliated Unit. Any nomination which is not signed by both the President and Secretary General or the Commodore and Vice Commodore of the Affiliated Unit concerned, shall not be accepted by the Association. The right of exercising the vote shall vest only in the authorized representative of the Affiliated Unit. In case of any doubt or dispute in relation to an authorized representative, the case shall be submitted to the General Assembly for final decision at the commencement of the meeting.

23.4 An appointment to attend and vote for a general meeting shall be valid for that meeting and any adjournment or reconvening of that meeting only.

23.5 Voting at any Annual or Special General Meeting of the General assembly will normally be by show of hands, unless 1/4th of the members of the General Assembly present demand otherwise. The elections of office-bearers and members of the Council shall always be held by secret ballot.

23.6 Unless otherwise provided in these General Rules, the decisions at any meetings of the General Assembly meetings shall be taken by a simple majority of the members of the General Assembly present and voting and the required quorum is met.

23.7 In case of tie, the Chairman of the meeting shall have a casting vote in addition to his own vote, except in the case of elections of office-bearers and members of the Council.

23.8 Voting by proxy or by post shall not be allowed at any meeting of the General Assembly, including the voting at elections of office-bearers and members of the Council.

129. All members unanimously accepted the proposed amendment to Article 23 of the YAI General Rules. The Secretary, INSA proposed that the amendment be accepted. This was seconded by the Commodore, Nainital Sailing Club.

130. The Hon Secretary General thereafter, proposed to amend the Article 24 of the YAI General Rules to read as follows:-

131. **Article 24. ELECTIONS**

24.1 All members of the Council, Committees and Sub Committees shall be individual members of the Association and are not entitled to vote.

24.2 Only Life Associate Members of the Association shall be eligible for holding an office or to serve on any of the Committees / Sub Committees approved by the Council.

24.3 Elections for the positions of President and members of the Council shall be held every three years at the time of the Annual General Meeting. Candidates for these positions shall be nominated in writing by at least four Affiliated Units of the Association. The nominations shall be delivered in writing at least 30 days before the Annual General Meeting. If there is only one valid nomination for a position then the person so nominated shall deemed to be elected as from the date of the Annual General Meeting or from the date of nomination. If the number of nominations exceeds the number required then an election shall be held.

24.4 The Honorary Secretary General and Honorary Joint Secretary General (s) will be nominated by the President from amongst members of Affiliated Units.

24.5 In the event of an Annual General Meeting not taking place in a year, the officers of the Association then holding office will continue in office till an Annual General Meeting does take place or a Special General Meeting is held for the purpose of elections.

132. All members unanimously accepted the proposed amendment to Article 24 of the YAI General Rules. The Vice President, Jharkhand Yachting Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

133. The Hon Secretary General thereafter, proposed to amend the Article 25 of the YAI General Rules to read as follows:-

134. **Article 25. ELIGIBILITY CONDITIONS FOR ELECTIONS TO COUNCIL**

25.1 To be eligible to be elected as an office bearer or member of the Council, a person:

- (a) must be citizen of India;
- (b) must be in full possession of his/her civil rights;
- (c) must not be an office-bearer or member of the Managing Committee of any other National Sports Federation, except that he may be an office-bearer or member of the Managing Committee of any Affiliated Unit or of the Indian Olympic Association or any International Federation;
- (d) if he/she is a government servant, must produce a 'No Objection Certificate' from the government under whom he/she is serving for the time being, except that such a government servant shall be eligible to contest election as an office-bearer or member of the Council only for one term;
- (e) must not be convicted of an offence and sentenced to imprisonment for a period which would disqualify a person from contesting an election to Parliament and such disqualification will continue to operate for a further period of six years from the date of release from prison;
- (f) must not be facing a charge framed against him by any Court in India, in respect of an offence which on conviction would attract disqualification under clause (e) above. If any elected office-bearer or member of the Council becomes disqualified after his/her election under clause (d) or (e) above, his/her seat as such office-bearer or member in the Council shall be deemed to have become vacant on the day he/she becomes so disqualified.

25.2 Any office-bearer or member of the Council or of the Committees or the Sub Committees shall be less than 70 years of age on the day of their election and in case anyone of them attains the age of 70 years after his/her election, he/she will be deemed to have vacated his/her seat in the Council, Committee or Sub Committee on the said date of attainment of 70 years age.

25.3 No office-bearer shall be eligible to contest an election as any office-bearer or member of the Council if he has already served as an office-bearer in any capacity for two consecutive terms, except the President of the Association who shall be eligible to hold that office of President for maximum of three terms (including the present term as President), with or without break of cooling off period between any two terms as the President.

25.4 Any other office-bearer of the Association who has served for two consecutive terms in any capacity shall be eligible to be re-elected in any capacity after a cooling off period of one term.

135. All members unanimously accepted the proposed amendment to Article 25 of the YAI General Rules. The Vice President, Optimist Class Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Chilka.

136. The Hon Secretary General thereafter, proposed to amend the Article 26 of the YAI General Rules to read as follows:-

137. **Article 26.** **GENERAL MEETINGS**

26.1 The Annual General meeting of the Association shall be held in the last quarter of every calendar year on such day and at such time and place as the Council shall determine. Notice of any resolution or nomination to be proposed at the Annual General Meeting or any other General Meeting shall be sent to the Honorary Secretary General not later than 21 days before the meeting. The Notice of Meeting and any resolutions or nominations so proposed shall be sent to members at least 40 clear days before the said meeting.

26.2 A resolution for a General Meeting may only be made by the Council or not less than three fourths of Affiliated Units as referred to in Article 6.1.

26.3 The Honorary Secretary General shall call a Special General Meeting:-

(a) whenever the Council considers such a meeting necessary, in which case the Council shall specify the matters to be considered at that meeting, or

(b) upon the requisition of no less than three fourths of members with voting rights the requisition to specify the matters to be considered at that meeting.

26.4 At all General Meetings the Chair shall be taken by the President or in his absence by the Senior Vice President. In the absence of both the President and the Senior Vice President, the members of the Council present shall choose one of their members to take the chair.

26.5 No business shall be transacted at any General Meeting unless there is a quorum of 1/3rd of the members eligible to vote is present.

26.6 Every question shall be determined by a majority of votes unless otherwise expressly provided by these Rules and in the event of an equality of votes either on a show of hands or poll, the chairperson of the meeting shall be entitled to a second vote.

26.7 A resolution put to the vote of the meeting may be decided on the voices or by a show of hands unless a poll is demanded by the chairperson or 1/3rd of the members of the General Assembly present and entitled to vote at the meeting. If a poll is not so demanded a declaration by the chairperson that the resolution has been carried or lost shall be conclusive evidence thereof.

138. All members unanimously accepted the proposed amendment to Article 26 of the YAI General Rules. The Vice Commodore, INWTC Jamnagar proposed that the amendment be accepted. This was seconded by the Vice Commodore, GBSA.

139. The Hon Secretary General thereafter, proposed to amend the Article 27 of the YAI General Rules to read as follows:-

140. **Article 27. SPECIAL GENERAL MEETING**

27.1 Special General Meeting of the General Assembly may be summoned at any time by the President, on the recommendation of the Council, for consideration of any urgent or special matter.

27.2 The President may summon a Special General Meeting of the General Assembly on a written requisition duly signed by the President and Secretary General or Commodore and Vice Commodore of not less than 2/3rd of the Affiliated Units, within one month from the date of receipt of the said requisition. If such a meeting is not convened within the above stipulated time of one month, then the requisitionists can themselves convene the meeting, by giving at least 15 clear days clear notice to all Affiliated Units, under arrangements made directly by them, and any such meeting of the General Assembly shall be deemed to have been duly convened and held validly in accordance with the provisions of these General Rules. In the requisitioned meeting, only specified items of the agenda for which the meeting is convened shall be considered.

141. All members unanimously accepted the proposed amendment to Article 28 of the YAI General Rules. The Vice Commodore Hansa, Goa, proposed that the amendment be accepted. This was seconded by the Vice Commodore, Madovi, Goa.

142. The Hon Secretary General thereafter, proposed to amend the Article 28 of the YAI General Rules to read as follows:-

143. **Article 28. NOTICES AND QUORUM FOR MEETINGS**

28.1 Unless otherwise expressly provided in this Constitution, in convening meetings, the Notice period and quorum as given hereunder shall be observed:

S.N	Meeting	Notice	Quorum
(a)	Annual General Meeting of General Assembly	30 clear days	One third of the members of the General Assembly entitled to vote.
(b)	Special General Meeting of General Assembly	15 clear days	One third of the members of the General Assembly entitled to vote.
(c)	Meetings of the Council	15 clear days	7 members of the Council entitled to vote.
(d)	Emergency Meetings of the Council	10 clear days	- do -

28.2 A notice or any other document may be served by the Association upon any member either personally or by facsimile or by e-mail or by mail at or to the member's last known address. The omission to give such notice or other document to, or the non-receipt of such notice or other document by, any member shall not invalidate any resolutions passed or election or appointment made which is connected therewith.

28.3 All members of the Association shall promptly notify the Honorary Secretary General of their current address for mail, facsimile and email.

144. All members unanimously accepted the proposed amendment to Article 27 of the YAI General Rules. The Vice Commodore, INA Watermanship Training Centre proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

145. The Hon Secretary General thereafter, proposed to amend the Article 29 of the YAI General Rules to read as follows:-

146. **Article 29.** **AMENDMENTS TO THE GENERAL RULES**

29.1 Notice of any alternation or addition to these Rules may be proposed by the Council or such member as referred to in Article 6.1 of the Association and shall be given to the Honorary Secretary General in writing at least 60 days before any General Meeting at which the same is to be put forward. Full particulars of all such alternations or additions shall be sent to members with the notice convening the meeting, and shall be posted on the Association website.

29.2 Any proposed alteration or addition shall be put to the vote of the meeting and provided that, on a show of hands or if demanded on a poll, a majority of not less than two-thirds of the votes cast by such members as being entitled so to vote in person shall be cast in favour of such proposed alteration or addition, the same shall be deemed to be carried.

147. All members unanimously accepted the proposed amendment to Article 29 of the YAI General Rules. The Secretary, 470 Class Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Port Blair.

148. The Hon Secretary General thereafter, proposed to amend the Article 30 of the YAI General Rules to read as follows:-

149. **Article 30.** **DISSOLUTION**

If upon the winding up or dissolution of the Association their remains after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Association but shall be given or transferred either to an institution having objects similar to the objects of the Association or the Indian Olympic Association as the Association may determine at or before the time of dissolution.

150. All members unanimously accepted the proposed amendment to Article 30 of the YAI General Rules. The Vice Commodore, KWSO proposed that the amendment be accepted. This was seconded by the Vice President, Jharkhand Yachting Association.

151. The Hon Secretary General thereafter, proposed to amend the Article 31 of the YAI General Rules to read as follows:-

152. **Article 31.** **REGULATIONS**

The Council may from time to time adopt regulations to carry out the objects of the Association as set out in these Rules and for the conduct of day to day affairs and the Association. Such regulations shall be in accordance with, and subservient to, these Rules.

153. All members unanimously accepted the proposed amendment to Article 31 of the YAI General Rules. The Vice Commodore, INWTC Vishakhapatnam proposed that the amendment be accepted. This was seconded by the Vice Commodore, RMYC.

154. The Hon Secretary General thereafter, proposed to amend the Article 32 of the YAI General Rules to read as follows:-

155. **Article 32.** **ANTI-DOPING RULES**

YAI and all its members shall comply with the ISAF Anti-Doping Rules and National Anti-Doping Rules as if such rules were specifically incorporated in these Rules.

156. All members unanimously accepted the proposed amendment to Article 32 of the YAI General Rules. The Vice Commodore, INWTC Karwar proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Mumbai.

157. The Hon Secretary General thereafter, proposed to amend the Article 33 of the YAI General Rules to read as follows:-

158. **Article 33.** **RACING RULES**

The Association shall adopt as a national code of Racing Rules those of the World Sailing Limited where latitude is allowed to such modifications as local conditions may render necessary.

159. All members unanimously accepted the proposed amendment to Article 33 of the YAI General Rules. The Vice President, Jharkhand Yachting Association proposed that the amendment be accepted. This was seconded by the Commodore, Nainital Sailing Club.

160. The Hon Secretary General thereafter, proposed to amend the Article 34 of the YAI General Rules to read as follows:-

161. **Article 34.** **BANK ACCOUNT**

Accounts of the Association shall be maintained by the Treasurer in such Scheduled or Nationalized bank or banks, as may be approved by the Council, in the name of the Association and shall be jointly operated by any two of the three office bearers, provided that the signature of Treasurer shall be mandatory.

162. All members unanimously accepted the proposed amendment to Article 34 of the YAI General Rules. The Secretary, National Enterprise Class Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, INWTC Kochi.

163. The Hon Secretary General thereafter, proposed to amend the Article 35 of the YAI General Rules to read as follows:-

164. **Article 35.** **RIGHT TO INFORMATION ACT**

The Association shall comply with the provisions of Right to Information Act, 2005 or as amended from time to time as a public authority. All Affiliated Units shall include in their General Rules a provision that they shall provide such information in a time bound manner as required by the Association. Failure to provide such information may be grounds for suspension or expulsion of membership to the Association.

165. All members unanimously accepted the proposed amendment to Article 35 of the YAI General Rules. The Vice Commodore, GBSA proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

166. The Hon Secretary General thereafter, proposed to amend the Article 36 of the YAI General Rules to read as follows:-

167. **Article 36. ARBITRATION**

All Affiliated Units shall include in their General Rules a provision that they would have all unresolved disputes settled by the Arbitration Committee of the YAI and their Members shall voluntarily surrender their right of seeking redress in any Court of Law.

168. Brig R Chaudhry Vice Commodore CESC stated that the Clubs should be allowed to take recourse to the Court as no other NSFs were enforcing such a clause in their General Rules.

169. Capt Sanjay D' Cunha, Commodore INWTC Mandovi stated that as per the Arbitration Act 1996, the award of Arbitration Committee was to be considered at par with the judgement of the court of law and therefore the proposed provision was valid.

170. Dr. Malav Shroff, Commodore Mumbai Yacht Club brought out that in the International Olympic Committee (IOC), all the final verdicts wrt the sporting matters is derived from the Court of Arbitration. He suggested that the YAI should also follow the same mechanism and good practices as that of IOC.

171. Mr. KK Singh, Vice President of the Jharkhand State Yachting Association stated that in certain cases where individuals had approached the court, the court had ruled that the individuals should first approach the Arbitration Committees of their NSFs. He therefore suggested that we must first explore the route of Arbitration Committee rather than approach the court in the first instance.

172. The Treasurer stated that Arbitration Committee of the YAI was most suitable forum to adjudicate YAI matters & disputes between YAI Community as it had the domain knowledge on the subject.

173. The HSG stated that considering the views of the members, suitable amendment to the proposed article would be made. He assured the house that with the help of YAI legal team, the Article would be suitably amended to read as:-

“All Affiliated Units shall include in their General Rules a provision that they would have all unresolved disputes settled by the Arbitration Committee of the YAI”.

174. All members unanimously accepted the proposed amendment to Article 36 of the YAI General Rules. The Vice President, Jharkhand Yachting Association proposed that the amendment be accepted. This was seconded by the Vice Commodore, NSS Bhopal.

175. The Hon Secretary General thereafter, proposed to amend the Article 37 of the YAI General Rules to read as follows:-

176. **Article 37.** **REPEAL AND SAVINGS**

Upon adoption of these Rules, the earlier Rules shall stand repealed. Notwithstanding such repeal, any rights and obligations that have already accrued as of the date of such repeal shall be dealt with under the corresponding provisions under these Rules. Any rules and regulations made under the earlier Rules shall continue to be in force as if they have been made under these Rules

177. All members unanimously accepted the proposed amendment to Article 37 of the YAI General Rules. The Vice Commodore, INWTC Hansa, Goa proposed that the amendment be accepted. This was seconded by the Vice Commodore, KWSO.

Item No. VII - Presentation of YAI Annual Awards for the year 2015

178. The HSG apprised the house that the Awards Committee headed by the Vice President met on 13 Nov 15 to scrutinise the nominations received for the YAI Annual Awards and approved the following awards for the year 2015:-

179.

<u>S No.</u>	<u>Trophy</u>	<u>Nomination</u>
(a)	Admiral Kohli Trophy for promoting the sport of yachting	Mr Upendra Jain
(b)	E-in-C Trophy for most promising lady sailor.	Miss Nethra Kumanan
(c)	Admiral RH Tahiliani Trophy for the yachtsman of the year	Miss Harshita Tomar
(d)	Admiral Nadkarni Trophy for most promising yachtsman of the year	Master Dayne Coelho

180. The President thereafter presented the YAI Annual Awards for the year 2015.

Item No. VIII - Any other Business with Permission of the Chair.

181. Mr. V Shanbhag, Vice Commodore RMYC stated that the Annual General Meetings should be concurrently held with one of the major National Championships so that more sailors can attend and participate in the meetings to convey their view points.

182. The President stated that it was a good idea because it was the aim of the YAI to have better communication amongst the yachting fraternity and greater participation from all stake holders. He assured that this aspect would be considered for scheduling AGMs in future.

183. The HSG informed the house about the sad demise of Admiral RH Tahiliani (Retd) , ex-President of the YAI and requested the house to kindly rise and observe two minutes silence in remembrance of Admiral RH Tahiliani (Retd).

184. The house observed two minutes silence in remembrance of Admiral RH Tahiliani (Retd).

185. Mr. Namdev Sirgoankar an office bearer from Indian Olympic Association (IOA) stated that he was happy to see that the amendments to the General Rules of the YAI were deliberated at length and the business was transacted in a transparent and smooth manner. He stated that the YAI has shown the path to other NSFs to emulate.

186. **Concluding Remarks by President YAI.** The President stated that the present AGM was a landmark event and thanked each and every one present in the house for the support received to undertake amendments to the General Rules. He opined that the current effort would definitely take yachting to the next level. He stated that we needed to overcome the trust deficit that had actually been a bane of yachting in the country. He further added that we also needed to have trust and faith in each other and should look towards winning medals rather than fighting our differences in the court of law.

187. The President exhorted for free exchange of ideas to promote yachting in the country. The President further added that 'out of box' ideas do not necessarily germinate at the top level but may also come from the junior most sailor/ people who were actually involved in the sport of sailing.

188. The President stated that he would invite suggestions and ideas from Class Association and Clubs and added that individuals are free to communicate to any Council member. He assured the members of the house that he would appreciate constructive suggestions. He thereafter thanked the house for its cooperation in smooth conduct of the proceedings of AGM.

Item No. IX – Vote of Thanks.

189. The Vice President, Lt Gen Rajiv Bhalla (Retd) expressed his gratitude to the President, the Council Members, the Executive Members of various Clubs and Association, Life Members and all the members of the YAI who were present in the house. He further stated that today's AGM was a landmark event as the YAI had taken bold steps to align its General Rules with that of the National Sports Code. He stated that landmark changes made to the General Rules of YAI and the credit for the same goes to the President and each member of the house who were present to debate all the issues.

190. These minutes are issued with the approval of the President YAI.

(Dhiren Vig)
Rear Admiral
Hon Secy Gen
Dec 2015

Annexure I**LIST OF VOTING MEMBERS PRESENT DURING THE 47TH ANNUAL
GENERAL BODY MEETING ON 18 NOV 2015**

<u>Sl.No.</u>	<u>Name of the Club</u>
1	National Enterprise Class Association
2	National Optimist Class Association
3	National Laser Class Association
4	National 470 Class Association
5	National Hobie Class Association
6	National J-24 Class Association
7	National 9er Class Association
8	Army Yachting Node, Mumbai
9	Chennai Sailing Academy
10	Corps of Engineers Sailing Club, Pune,
11	Defence Services Sailing Club, New Delhi
12	EME Sailing Association, Secunderabad
13	Goa Beach Sports Academy
14	INA Watermanship Training Centre
15	INWTC (Karwar)
16	INWTC (Kavaratti)
17	INWTC Kolkata
18	INWTC, Chilka, Orissa
19	INWTC, Hamla, Mumbai, Maharashtra
20	INWTC, Hansa, Goa
21	INWTC, Jamnagar, Gujarat
22	INWTC, Kochi, Kerala
23	INWTC, Lonavala, Pune Maharashtra
24	INWTC, Mandovi, Goa
25	INWTC, Mumbai, Maharashtra
26	INWTC, Port Blair, Andaman & Nicobar Islands
27	INWTC, Visakhapatnam, Andhra Pradesh
28	Kerala Water Sports & Sailing Organisation
29	Marve Sailing Club, Mumbai, Maharashtra
30	Mumbai Yacht Club
31	Nainital Yacht Club
32	NDA Sailing Club, Pune, Maharashtra
33	NSS Bhopal, Upper Lake, Bhopal
34	Offshore Sailing Club
35	Royal Madras Yacht Club, Chennai, Tamil Nadu

Annexure II**LIST OF "PROVISIONAL" MEMBERS PRESENT DURING THE
47TH ANNUAL GENERAL BODY MEETING ON 18 NOV 2015**

<u>Sl.No.</u>	<u>Name of the Club</u>
1	<i>Jharkhand State Yachting Association</i>
2	<i>Tamil Nadu Sailing Association</i>
3	<i>Indian Naval Sailing Association</i>
4	<i>Directorate General NCC</i>
5	<i>Artillery Water Sports Association, Secunderabad</i>
6	INWTC Adyar, Chennai
7	INWTC Dronacharya, Kochi
8	INWTC Okha, Gujarat
9	INWTC, Kalinga, Visakhapatnam
10	INWTC, Karanja, Navi Mumbai
11	INWTC, Porbandar, Gujarat

Annexure III**LIST OF MEMBERS ABSTAINED**
47TH ANNUAL GENERAL BODY MEETING ON 18 NOV 2015

<u>Sl.No.</u>	<u>Name of the Club</u>	<u>Status</u>
1	Goa Yachting Association	Provisional
2	Kerala Yachting Association	Provisional
3	Manipur Yachting Association	Provisional
4	National Boardsailing Association	
5	National 420 Class Association	
6	Berchha Watermanship Training Area, Mhow	
7	Bombay Sailing Association	
8	Bombay Sappers Sailing Club	
9	Champions Yacht Club	
10	Colaba Sailing Club, Mumbai, Maharashtra	
11	EME Sailing Association, Bhopal, Madhya Pradesh	
12	Ernakulam Sailing Association	
13	Golden Arrow Sailing Club, Ferozepur	
14	Inland Windsurfing & Sailing Academy, Pune	
15	INWTC (Kamorta)	
16	Maithon Yacht Club	
17	Muziris Yachting Club, Kerala	
18	Navi Mumbai Yacht Club, Mumbai	
19	Navyuga Sailing Academy	
20	Palm Grove Sailing Club	
21	Pondicherry Sailing Association	
22	Port Blair Yacht Club	
23	Royal Bombay Yacht Club, Mumbai, Maharashtra	
24	Sea Cadet - Sailing, Mumbai	
25	Secunderabad Sailing Club, Secunderabad, Andhra Pradesh	
26	The Pransukhlal Mafatlal Hindu Swimming Bath & Boat Club Trust	
27	Trishna Sailing Club	
28	Yacht Club of Hyderabad	

Annexure IV**LIST OF LIFE MEMBERS PRESENT DURING THE
47TH ANNUAL GENERAL BODY MEETING ON 18 NOV 2015**

- 1 Captain Ajay Narang
- 2 Cdr KD Singh
- 3 Mr Amish Ved
- 4 Lt Gen Vijai Sharma, PVSM, AVSM
- 5 Brig R Chaudhary, VSM
- 6 Cdr Abhilash Tomy, KC
- 7 Cmde Mahesh Singh
- 8 Mr Ajay Balram
- 9 Cdr Atool Sinha
- 10 Lt Col Bhuwan Khare
- 11 Capt Tribhuvan Jaiswal
- 12 Capt HC Patro
- 13 Cmde R Malhotra
- 14 Brig GS Julka
- 15 Cmde Atul Anand
- 16 Cmde AS Bajwa
- 17 Brig AP Singh (Retd)