

MINUTES OF THE YAI SPECIAL GENERAL MEETING

24 JUN 22

1. The Special General Body Meeting was held at 1100h on 24 Jun 22 on Airtel Blue Jeans Online Portal. The following Council Members were present:-

Chairman

Admiral Karambir Singh, PVSM, AVSM, ADC (Retd) - President

Members

Lt Gen SK Shrivastava (Retd)	Senior Vice President
VAdm Atul K Jain (Retd)	Chairman Events Committee (Absence of leave sought)
Lt Gen TSA Narayanan (Retd)	Chairman Asian Games and Olympics Classes Committee
Maj Gen MS Pillai (Retd)	Chairman Youth Classes Committee
Mr. Atul Kulkarni	Chairman Sailing and Club Development Committee
Mr. Ashok Thakkar	Chairman Fund Raising and Publicity Committee
Mr. Suheim Sheikh	Chairman Sailing Performance and Development Committee
Ms Nilma Shah	Chairman Women Development Committee
Cmde Amarjeet Saluja	Treasurer
Mr. Malav Shroff	Co-opted Member
Cdr Abhilash Tomy (Retd)	Co-opted Member
Cmde BR Singh	Honorary Secretary General
Captain Jitendra Dixit	Honorary Joint Secretary General

2. **Attendance by Member Clubs and Life Associate Members.** The following affiliated State Associations, Class Associations, Clubs and Life Associate Members were present during the meeting:-

<u>Ser</u>	<u>Name</u>	<u>Organisation</u>
(a)	Mr A Varun	LM
(b)	Ajit Diaz	Chennai Sailing Academy
(c)	Anshul Dagar	LM
(d)	Ashok.R.Thakkar	TNSA
(e)	Atul Kulkarni	CM/ Mumbai Yacht Club
(f)	BEG Roorkee	BEG Roorkee
(g)	Capt Charudatta A Shahane	INWTC
(h)		

(j)	Capt Prashant Tole,	INA
(k)	Captain AS Patankar	INWTC Goa
(l)	Cdr Balveer Singh	INWTC Valsura
(m)	CESC	CESC
(n)	Cmde Ajay Shukla	Offshore Sailing Club
(p)	Commodore AS Dadwal	INWTC Vizag
(q)	Dr. Shipra Srivastava	NSS Bhopal
(r)	Dr Bhote	Telangana Sailing Assn
(s)	EME Sailing Association	EME Sailing Assn
(t)	Mr GL Yadav	MP Yachting Association
(u)	Captain Manish Sain	INSA
(v)	J-24 rep	J-24
(w)	INS Dronacharya rep	INS Dronacharya
(x)	INWTC Chennai rep	INWTC Chennai
(y)	INWTC Hamla rep	INWTC Hamla
(z)	INWTC Karanja rep	INWTC Karanja
(aa)	INWTC Karwar rep	INWTC Karwar
(ab)	INWTC Kochi rep	INWTC Kochi
(ac)	INWTC Mandovi	INWTC Mandovi
(ad)	INWTC Mumbai	INWTC Mumbai
(ae)	NEA Rep	NEA
(af)	Lt Aman Vyas	470 Class
(ag)	Ms Jayalakshmi S	LM
(ah)	Ms Sucharita Kamath	LM
(aj)	Mr Keith Dsouza	GYA
(ak)	Lt Col PK Jetley	Chandigarh Yachting Assn
(al)	Lt Col MK Singh	Marve Sailing Club
(am)	Mr Mylai Prabhakar	LM
(an)	Col Manoj Ranjan	NOAI
(ap)	NOIC LAM	INWTC Kavaratti
(aq)	OiC ASW School	Offshore Sailing
(ar)	Col Satish Kanwar	LM
(as)	Mr Arjun Pradipak	SSC
(at)	Mr Siddharth Satardekar	Board Sailing Assn
(au)	Sub R Murugan	Trishna Sailing Club
(av)	Mr Suheim Sheikh	YCH
(aw)	Mr Vivek Shanbagh	RMYC

Item No. 1 – Opening Remarks by President YAI

3. The President welcomed the Council members and members of the sailing fraternity to the YAI SGM. He informed the General Body about the single point agenda of ratifying the proposed amendments to YAI general rules as mandated by the National Sports Development Code 2011 and directives of the Ministry of Youth Affairs and Sports (MYAS). YAI has been granted annual recognition up to 31 Dec 22 subject to amendments to

constitution in consonance with the NSDC 2011 by 30 Jun 22. Further, the MYAS has also granted exemption from the condition of at least 2/3rd States affiliated units with the condition that YAI will complete affiliation of all coastal States and UTs by 2024 and the affiliated units must have equal voting rights (each duly affiliated unit must have two votes). The exemption from the provision of affiliation of State and UTs with at least 50 percent District level associations, due to the non-availability of water bodies in all the districts.

4. The General Body was informed that the proposed amendments to the YAI General Rules have been worked out in consultation with the MYAS at various levels and on various occasions and also as per the directives of Hon'ble Delhi High Court in the petition filed with regard to recognition of the National Sports Federations. The President, thereafter, requested the Hon Secretary General to commence the proceedings of the meeting.

Agenda Points

5. The HSG brought out that the Hon'ble Supreme Court and Hon'ble Delhi High Court considering the petitions filed against the National Sports Federations for not following the NSDC 2011, have ordered the MYAS for strict compliance of the NSDC 2011. In accordance with the directives of the MYAS and Hon'ble Delhi, there was a need to amend the YAI General Rules to comply with the various provisions promulgated as part of the NSDC 2011 and the necessity to submit the amended General Rules to the MYAS by 30 Jun 22.

6. **Article 3.2.5**. The HSG proposed to amend the Article 3.2.5 of the YAI General Rules to read as follows:

“Article 3.2 - Any Indian citizen interested in the sport of yachting shall be eligible as a candidate for grant of membership of the Association. Membership would be granted either for a period of 20 years on payment of prescribed fees; or on a renewable basis on payment of prescribed fees.”

7. The HSG brought out that the Hon'ble Delhi High Court has strong objection to use term of Life Member. The issue was deliberated by the General Body and the proposed amendment was agreed to. The amendment was proposed and seconded by the General Body and approved by the President YAI.

<u>Proposed By</u>	<u>Seconded By</u>
Mr Siddharth Satardekar GYA	Lt Gen TSA Narayanan (Retd) Vice President YAI

8. **Articles 4 – 4.3.** The HSG proposed to amend the Articles 4 – 4.3 of the YAI General Rules to read as follows:

“4. PRIVILEGES OF MEMBERSHIPS.

4.1 All Affiliated Units and Members granted membership for 20 years shall be entitled to receive free of charge a copy of all publications as published by the Association.

4.2 All 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 Unit under whose auspices the regatta or sailing race is held.

4.3 An Affiliated Unit shall be entitled to receive notice of, attend and vote at General Meeting of the Association in manner hereinafter provided, but Members for 20 years or Annual 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.”

9. The General Body unanimously agreed to the proposed changes. The amendment was, thereafter, proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Maj Gen MS Pillai (Retd) Vice President YAI	Lt Gen TSA Narayanan (Retd) Vice President YAI

10. **Articles 5 – 5.4.** The HSG proposed to amend the Articles 5 – 5.4 of the YAI General Rules to read as follows:

“5. ADMISSION OF AFFILIATED UNITS, MEMBERS FOR 20 YEARS AND ANNUAL RENEWABLE MEMBERSHIP

5.1 Every application for Affiliated Unit or Individual 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 applies for Membership for 20 Years his application shall be supported by at least two persons who themselves are members for 20 years. The membership for 20 years will be valid from the date of grant of membership by the YAI.

5.2 The Council shall have full authority to accept or reject any application for Affiliated Unit or Membership for 20 years without assigning any reasons thereof. This decision shall be taken by a simple majority in the Council.

5.3 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 Members of the Association for 20 years as the case may be.

5.4 Affiliated Units granted membership, or individuals granted Membership for 20 years, shall be deemed to be Affiliated Unit or members of the Association for 20 years, as the case may be, only from the date of receipt of their first subscription.”

11. The proposed amendments were deliberated by the General Body. The HSG clarified that the existing members will be transitioned to members for 20 years from the date they were awarded the membership. In case of fresh applications, the membership will be applicable from the date of approval of the YAI Council for a period of 20 years.

12. Mr Malav Shroff inquired clarity on applicant of 70 years of age applying for 20 years membership, for which it was explained that the age limit of 70 years is only for office bearers. Mr Shroff also stated inclusion of membership for 20 years is equal to life membership and it will be contempt of court. He requested to register his disagreement and suggested to take legal opinion on the high profile Court case. The President directed to record Mr Malav’s point and pass the proposal if other General Body members are in agreement.

13. Cmde Srivastava of OSN proposed to have membership for five years instead of annually. The HSG clarified that the same may be inappropriate for youth children who may not be of financially stable background and may find it difficult to pay the fees for five years, however, their clubs who are supporting them could be able to pay on annual basis.

14. The General Body unanimously agreed to the proposed changes. The amendment was, thereafter, proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Col Manoj Ranjan NOAI	Mr Siddharth Satardekar GYA

15. **Article 6.1 (d)**. The next amendment to the Article 6.1 (d) of the YAI General Rules was to read as follows:

“Article 6.1(d) - To ensure that all office-bearers and Council Members 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.”

16. The proposed changes were agreed to by the General Body. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Suheim Sheikh Vice President YAI	Mr Ashok Thakkar Vice President YAI

17. **Articles 7.7-7.8.** The HSG highlighted the requirement to amend the Articles 7.7-7.8 of the YAI General Rules to read as follows:

“7.7 The foregoing rules relating to cessation of membership of an Affiliated Unit shall also apply mutatis mutandis to cessation of membership of other categories.

7.8 If a 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 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.”

18. The proposed changes were agreed to by the General Body. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Ashok Thakkar Vice President YAI	Captain Manish Sain INSA

19. **Article 8.5.** The HSG proposed to amend the Article 8.5 of the YAI General Rules to read as follows:

“Article 8.5 - The Membership fee of 20 years collected by the Association shall be treated as capital and not revenue.”

20. The amendments were deliberated by the General Body. It was clarified that the fee received for 20 years membership can be used for capital expenditure and not for routine daily expenditures. The proposed changes were agreed to by the General Body. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Suheim Sheikh Vice President YAI	Lt Gen TSA Narayanan (Retd) Vice President YAI

21. **Article 12.1.** The HSG, thereafter, proposed to amend the Article 12.1 of the YAI General Rules to read as follows:

“12.1 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) Nine Vice-Presidents; at least one female;

(b) Honorary Joint Secretary General (s); one male and one female;”

22. The HSG brought out that the proposed amendments are in consonance with the composition given in the NSDC 2011, as non-compliance has been objected to by the Hon'ble High Court. The Hon'ble Court has taken objections to the fact that the sports code only permits the definition of office bearers and members of Executive Committee or Managing Committee. In our case we call it as council and there shall be only a President, Secretary General, Treasurer and Vice Presidents. Therefore it has been proposed to remove the term Senior Vice President and merge it with the Vice Presidents.

23. Ms Sucharita Kamath of TNSA sought clarification for non-inclusion of female gender in the officer bearers as has been mentioned in the members. Ms Kamath proposed the inclusion of female member in the Office Bearers also as has been mentioned for the Members. The HSG stated that there has always been representation of ladies in the YAI Council and clarified that there is no restriction for a lady to become an Office Bearer of the federation. She further proposed that one of the office bearers should be of female gender and for the entire Council at least 30% of the council should consist of females.

24. Mr Suheim Sheikh enquired about the gender equivalence in percentage followed by IOC, IOA and all other sports bodies. He proposed that the Office Bearer may also have one female. The HSG clarified that the guidelines being followed worldwide are not applicable as law within India and the federation is bound to follow the GOI guidelines as mentioned in the NSDC 2011, which doesn't talk about gender discrimination for the Office Bearers.

25. The President inquired if the proposed changes are in accordance with the NSDC 2011 and the same was confirmed by the HSG. The HSG read out the sports code clause for the benefit of members – “the expression office bearer means President, Secy Gen or any other corresponding office and the Treasurer. Members could be the Vice Presidents and others but the expression of them is only the Vice President”.

26. The President stated that we do not need to constraint ourselves writing down gender, but in case we have a qualified female member to be appointed as an Office Bearer, she will be included. Ms Kamath, however, insisted to mention lady office bearers in the General Rules. The President highlighted that there are steps that have been taken to make organisation more gender sensitive, however, the objections of Ms Kamath can be recorded.

27. Mr Malav Shroff brought out that as per the NSDC 2011 the Secretary General has to be an elected post and there is no Joint Secretary in the Council. He also proposed removal of world Honorary as there has to be an elected Secretary General as mandated by the Sports Code. Mr Ashok Thakkar of TNSA proposed to have two Vice Presidents and remaining as Council or Committee Members, however, that can be done later to avoid any Court objection at this point.

28. The HSG clarified that the proposed amendments are in accordance with the Court Judgements and MYAS directives and we should not be changing nomenclature to make adjustments for people to be here permanently, though the people who are involved in the sport of sailing are only a handful. Mr Ashok Thakkar proposed to have atleast four VPs keeping in view four zones of India. The HSG stated that the Indian Navy and the Indian Army are the backbones of the sport and we have active sailing clubs in Tamil Nadu, Hyderabad and Bhopal. There is a need to have representations at the apex level from all these. Mr Thakkar acknowledging the support of the Navy and Army, stated that there is a requirement to have uniformity between the members.

29. Mr Malav Shroff stated that as per the Hon'ble High Court Judgement 25% sportspersons have to be in the council and executive level. Also as per the directives of the IOC/ WS/ IOA, the Athlete Commission in para 12.1, which is elected by athletes, is to be on the Council. The HSG clarified that the amendment to mandate representation of 25% sportspersons on the same has been incorporated. Mr Shroff also insisted on the need to define the yachtspersons.

30. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Suheim Sheikh Vice President YAI	Secretary EMESA

31. **Article 15.6.** The HSG proposed to amend the Article 15.6 of the YAI General Rules to read as follows:

“Article 15.6 - 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 President is to nominate one of the members to be the chairperson of such meeting.”

32. The HSG stated that the term of Senior Vice President has been removed, hence this particular amendment is proposed. It was clarified that the Article is about chairing the meeting and not about acting President.

33. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Siddharth Satardekar Goa Yachting Association	Lt Gen TSA Narayanan (Retd) Vice President YAI

34. **Article 16.3.** The HSG proposed to amend the Article 16.3 of the YAI General Rules to read as follows:

“Article 16.3 - Members of the Association for 20 years shall be eligible to serve as Chairpersons and members of each of the Committees/ Sub-committees.”

35. The HSG clarified that the proposed amendment is required as the term Life Associate Membership has been removed. Mr Malav Shroff proposed to remove this clause to avoid any restriction as sailors cannot afford to pay membership fee for 20yrs. The HSG clarified that there was no restriction on any member to stand for the election to council, but the restriction is to be Chairperson of a Committee or a Sub-Committee of Association you need to be a member of 20yrs.

36. Mr Siddharth Satardekar of GYA stated that the Sub-Committee or Committee are for a period of three years and in case an annual member becomes chairperson, he/ she may not renew the membership and continue as Chairperson. This will lead to appointment of a new chairman every year. Mr Shroff again stated that annual member can be four year council member but can't be chairperson of the committee. Gen Narayanan stated that the clause is required to have some commitment.

37. The President stated that it was a technical point and long term commitment is important. He, therefore, approved the amendment clause. The amendment was proposed and seconded by the following members:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Mylai Prabhakar TNSA	Captain Manish Sain INSA

38. **Article 17.2.** The HSG proposed to amend the Article 17.2 of the YAI General Rules to be kept as “Blank” as the post of Senior Vice President was removed.

39. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Suheim Sheikh Vice President YAI	Mr Atul Kulkarni Vice President YAI

40. **Article 17.3.** The HSG proposed to amend the Article 17.3 of the YAI General Rules to read as follows. The reason for this amendment was due to technicality and to bring in the essence of the democratic functioning:

“Article 17.3 - **Vice Presidents** - They will assist the President and act under his authority and perform such functions as delegated by the President. In absence of the President at any meeting, the member nominated by the President will chair such meeting.”

41. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Atul Kulkarni Vice President YAI	Mr Ajit Diaz Chennai Sailing Academy

42. **Article 19.1(a).** The HSG, thereafter, proposed to amend the Article 19.1(a) of the YAI General Rules to read as follows due to technical reasons:

“Article 19.1 (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 (WS), as resolved by the General Assembly.”

43. The issue was discussed for change of word from Yachting to Sailing in the nomenclature of the YAI and concern of coinciding of the abbreviation with SAI was also highlighted. The HSG requested to discuss the nomenclature at a later date. The amendment was proposed and seconded by the following and thereafter approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Lt Col Prahlad Jetley Chandigarh Yachting Association	GL Yadav Madhya Pradesh Yachting Association

44. **Article 20.1.** The HSG proposed thereafter to amend the Article 20.1 of the YAI General Rules to read as follows:

“Article 20.1 - To provide and ensure equality of representation among the Affiliated Units, each member except Individual Members of the General Assembly shall have two votes at the Annual or Special General Meeting of the Association.”

45. The HSG stated this was directly flowing from the directives of the Govt. in accordance with the Sports Code that each affiliated unit of the YAI has to be given two votes instead one vote. The HSG further clarified that in IOA, each of the affiliated federations have three votes. The HSG further clarified that yachting all over the world is a club based sport. However, these norms have been dictated as per the Sports Code.

There is still some clarity to be obtained whether each affiliated unit is to be a club or is to be a state entity. However, since we have got directives earlier, two votes to an affiliated unit is proposed.

46. EMESA Rep stated that the State Association is also an association that probably registers first as a State association. It doesn't follow the standard structure and all States don't have an Association. Hence, the very definition of affiliate unit is also questionable. Therefore the proposed amendment be changed once clarification is received whether this clause is for a sport which is not following the structure as by other sports.

47. Mr Malav Shroff inquired about any directives from the Govt on this issue in the last ten days. He also stated that it was a critical issue in Hon'ble Court's Judgement and as per the Court directives the wrong practice that was being followed is to be amended. He also insisted not to approve the proposed amendment till the structure of what is affiliated unit is clear.

48. The HSG clarified that the Delhi HC has come down very heavily on Govt. and rejected Govt. claims of the exemptions to the various federations. The Court has not accepted the exemptions and is only going by the fact that the NSFs have to follow the Sports Code in totality and it says two votes to the affiliated units and the same was being proposed. The issue was deliberated at length. Mr Suheim Sheikh highlighting the process involved in grant of affiliation to a unit, stated that the affiliated unit is reasonably defined. Further as and when any modification is suggested by the Govt, the same can be considered. He further stated that all affiliated units are equal irrespective of their structure, contribution, number of sailors. Once any unit is affiliated it has two votes. Hence definition of affiliate can be discussed in subsequent AGM.

49. Mr Malav Shroff not agreeing to the suggestion, stated that the issues were interlinked and need to be clarified in accordance with the Court order and further directives of the MYAS. Mr Ashok Thakkar also stated that the process for grant of affiliation to a member unit is self-sufficient to know integrity of the unit. He highlighted the clarity on affiliated units to be mentioned in the General Rules.

50. After deliberations, the proposed amendment was approved by the President YAI with the directives to get some clarity on affiliated units separately. The same was proposed and seconded by following members:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Suheim Sheikh Vice President YAI	Capt Manish Sain INSA

51. **Article 21.2.** The amendment to Article 21.2 of the YAI General Rules was proposed to read as follows:

“Article 21.2 - Members of the Association for 20 years shall be eligible to serve as Chairpersons and members of each of the Committees/ Sub-committees.”

52. The HSG stated that only members for 20 years shall be eligible for holding an office or to serve on any of the Committees approved by council as life associate member has been removed. After deliberations, the proposed amendment was approved by the President YAI.

<u>Proposed By</u>	<u>Seconded By</u>
Lt Col Prahlad Jetley Chandigarh Yachting Association	Mr Ajit Diaz Chennai Sailing Association

53. **Article 22.3.** The HSG proposed to amend the Article 22.3 of the YAI General Rules to read as follows:

“Article 22.3 - No office-bearer or member of the Council 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 or member of the Council 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. Any office bearer or member of the Council who has completed one term shall only be deemed to have been re-elected if he/she secures a majority of not less than two third of the members eligible to vote. In the event of failure to obtain such majority, the concerned office bearer or member of the Council shall be deemed to have lost the election. The office would thereafter be filled by election under the normal procedure from amongst candidates other than the office bearer or member of the Council seeking re-election. Any other office-bearer or members of the Council 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.”

54. Mr Malav Shroff inquired if the Article in the Sports Code talks about the office bearer or for the members of the council also. The HSG read out from the explanation given in the Sports Code explaining the purpose of proposed clause that “Provided that in the event of the election for the second term, an office bearer who has completed one term shall only be deemed to have elected if he/ she secures the majority of not less than 2/3rd of members of National Federation / Association concerned. In the event of failure to obtain majority of council, office bearer shall be deemed to have lost election. The post thereafter be filled by election under normal procedure from amongst the candidates other than office bearer seeking election” and reiterated that the proposed amendments were from the Sports Code which codifies all the guidelines. The HSG further read out the expression office bearer means the President, Secy Gen, Secy/ corresponding office, the treasurer. Explanation no. 2, in the same page of Sports code states, national federation or association may if they wish apply the provisions of the clause 1 to the office of the Vice President. Treasurer not being an office bearer and members of important organisation such as their executive committees, selection committees etc.

55. Mr Shroff stated that as per the Sports Code the proposed clause was not compulsory for Council Members. Mr Ashok Thakkar stated that Vice Presidents are not considered as Office Bearers, but just Council Members. In the sport of sailing there are very few civilians who are driving the civilian side of the sport. The Vice Presidents from Armed Forces are during their tenure only. However, civilian members would have to step aside. Hence, term restriction on Council Members be deleted because when sports code is permitting us the option, then why not use it.

56. Mr Suheim Sheikh supporting the proposed amendment stated that to contribute to the sport, it is not necessary to be on the Council. The President directed that the issue be taken up with the Govt. without the Council Members, and can be included in case the Govt does not agree. The HSG stated that the entire issue comes with the issue of democratic governance and one cannot be elected for more than two terms. Mr Suheim Sheikh stated that council members are superior to the office bearers. There is no difference in Council Members and Office Bearers as both are elected.

57. Mr Malav Shroff stated that there are differences in the Office Bearers and Council Members. All office bearers are elected and have legal liabilities to federation by law which all the council members don't have.

58. The HSG brought out that the Hon'ble High Court Judgement highlights the age and tenure restrictions of sports code as well as cooling off period between successive terms of the management committee of NSF with the necessary 2/3rd vote for the second term. These are clear safeguards against permanent positions in National Sports Federations, what cannot be done for dictum, is not permitted, meaning thereby that whatever is prohibited by law cannot be effected by indirect opportunism.

59. The President directed the HSG to have voting on the proposed amendment to be submitted to the MYAS with Council Members or Without Council Members.

60. The President directed HSG to get votes on e-mail to be received in two days so that the Amended General Rules can be submitted to the MYAS within stipulated time. Based on the voting through e-mail, majority of the votes were in favour of amending the Article to include Council Members. The amendment was approved by the President YAI.

61. **Article 23.4.** The HSG, thereafter, proposed to amend the Article 23.4 of the YAI General Rules to read as follows:-

“Article 23.4 - At all General Meetings the Chair shall be taken by the President or in his absence, the President is to nominate one of members of the Council to be the chairperson of the meeting.”

62. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Ashok Thakkar Vice President YAI	Mr Siddharth Satardekar GYA

63. **Article 29.** The HSG proposed to amend the Article 29 of the YAI General Rules to read as follows to incorporate full form of World Sailing:-

“Article 29 - YAI and all its members shall comply with the World Sailing Anti-Doping Rules and National Anti-Doping Rules as if such rules were specifically incorporated in these Rules.”

64. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Ashok Thakkar Vice President YAI	Mr Siddharth Satardekar GYA

Addition of New Articles to the YAI General Rules

65. The HSG, thereafter, proposed inclusion of the Articles in the YAI General Rules as mandated in the NSDC 2011.

66. **Article 12.2.** The issue of inclusion of Article 12.2 and unanimously agreed to be worded as follows:-

“**Article 12.2.** It will be ensured that 25 % (1/4th) of the total number on the Council to include office bearers and members are to be sportspersons.”

67. The amendment was proposed and seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Ashok Thakkar Vice President YAI	Col Manoj Ranjan NOAI

68. **Article 20.9.** The HSG proposed inclusion of Article 20.9 as follows:-

“Article 20.9 - The election of the Association are to be conducted in accordance with the Model Guidelines of the National Sports Development Code 2011 and subsequent guidelines on the subject issued by the Ministry of Youth Affairs and Sports from time to time.”

69. The inclusion of Article 20.9 amendment was approved unanimously, proposed/seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Suheim Sheikh Vice President YAI	Capt Manish Sain INSA

70. **Article 33.** The HSG proposed inclusion of Article 33 as follows:-

“Article 33. Prevention of Age Fraud. YAI and all its members shall comply with the guidelines of the Ministry of Youth Affairs and Sports issued from time to time towards prevention of Age Fraud. Proof of birth shall be determined from bonafide certificate issued by government namely Birth Certificate issued by Registrar of Birth and Deaths/ Aadhar Card and Class Xth certificate issued by Central/ State Boards of Education.”

71. The inclusion of Article 33 was approved unanimously, proposed /seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Ajit Diaz Chennai Sailing Academy	Lt Gen TSA Narayanan (Retd) Vice President YAI

72. **Article 34. Prevention of Sexual Harassment.** The HSG informed the General Body the need for inclusion of this Article as mandated in the NSDC 2011. The General Body deliberated and as suggested by the lady members, the terminology and composition of committee was to be aligned on the lines of Prevention of Sexual Harassment Act (POSH). The same was approved by the President YAI.

73. In accordance with POSH Act, the Article 34 to be included in the YAI General Rules is as follows:

“Article 34 – Prevention of Sexual Harassment. YAI and all its members shall comply with the guidelines of the Ministry of Youth Affairs and Sports issued from time to time towards prevention of Sexual Harassment. An Internal Complaints Committee, in accordance with the Sexual Harassment of Women at Workplace Act 2013, is to be constituted as follows (provided that at least one-half of the total Members so nominated shall be women):-

- i. Presiding Officer (Woman Council Member)
- ii. Not less than two Members from the Council, preferably committed to the cause of women or a person familiar with the issues related to the sexual harassment.

- iii. One Member from the sailing fraternity (other than Council Member), preferably committed to the cause of women or a person familiar with the issues related to the sexual harassment.”

74. **Article 35. Grievance Redressal Mechanism for Athletes.** The HSG proposed inclusion of this Article in accordance with the NSDC 2011. The General Body deliberated at length and unanimously agreed the inclusion of Article 35 to be read as follows:-

“Article 35. Grievance Redressal Mechanism for Athletes. Where there is a conflict or dispute of athlete, the athlete has the option of appealing to the Athlete Commission and relevant YAI committee/ Sub Committee. The athlete also has the option of grievance redressal from the President YAI.”

75. The inclusion of Article 35 was proposed /seconded by the following members and approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Mr Ashok Thakkar Vice President YAI	Captain A Patankar INWTC Goa

76. The HSG stated that as a result of inclusion of article 33-35, the existing article 33, definitions will be re-numbered as article 36 and consequent to changes in article 12.1, the existing article 33.8 in the definitions will be amended to read as follows:-

“Existing Article 33.8/Amended Article 36.8 - ‘Office-Bearer’ means the President, Honorary Secretary General and Treasurer of the Association; and all others, Vice-Presidents and Honorary Joint Secretary General(s) are included in the expression ‘Members’ of the Council;

77. The amendment was deliberated by the General Body and unanimously agreed to the proposed amendment. The same was approved by the President YAI:-

<u>Proposed By</u>	<u>Seconded By</u>
Lt Gen TSA Narayanan (Retd) Vice President YAI	Captain A Patankar INWTC Goa

Any Other Points

78. The HSG stated that the meeting was convened to discuss the single point agenda to amend the General Rules in consonance with the NSDC 2011. He further highlighted that votes received in next two days with regard to inclusion of ‘Council Members’ for restricted terms of office, will be taken into account and thereafter the amended General Rules will be submitted to the MYAS for approval.

79. Mr Suheim Sheikh requested for revision of the Terms of Reference of the Council Members, specially the composition of the Committees. The HSG stated that since the revision of the General Rules also mandate changes in the ToRs, necessary action will be initiated with thorough discussions and approval of the YAI Council.

80. Mr Malav Shroff highlighted the need to discuss the issue of affiliated units in accordance with the NSDC 2011 and Court judgement. The President inquired about any such Court Order and directed that as and when instructions from MYAS/ Hon'ble Court are received, the same may be looked into for compliance. Mr Shroff questioned if any correspondence has been received from the MYAS in last 10 days, the HSG clarified that the correspondence/ telephonic discussions have taken place on daily basis and all the amendments are proposed post consultation with the MYAS.

81. Ms Sucharita Kamath mentioned her concern about gender equality. The President directed Ms Kamath to put up a detailed proposal for inclusion in the next meeting.

82. Mr Mylai Prabhakar sought clarification if 20 years membership is restricted to one term or can be reapplied on completion of 20 years of membership. The HSG clarified that the membership was renewable. The limit is only towards term and age for election. On seeking the clarification in black and white, the HSG stated that the authority to give membership for 20 year rests with the council of Association.

83. Cdr Abhilash Tomy sought clarity about the necessity to be a life member to stand for election to the Council. The HSG clarified that as of now there is no restriction when the person stands for election.

84. Mr GL Yadav highlighted the incident of 470 Sailor and the coach in Kiel, Germany, and stated that the appointment of the 470 class coach was done despite the objections raised by the concerned club/ player and requested that in future the views of the sailors/ concerned clubs should be taken into account. The President clarified that the appointment of the coach was done by the concerned Committee and the decision was communicated to all concerned well in time. He further stated that if need be, the issue can be discussed with him separately. The President also reiterated that all the decisions are based on the interest of the sailing fraternity and not in interest of only one club.

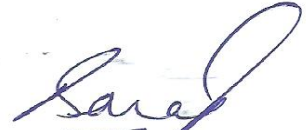
Vote of Thanks

85. Lt Gen SK Shrivastava (Retd) proposed the vote of thanks to the Chair. He stated that the meeting had a comprehensive discussion on various issues pertaining to the YAI General Rules. He thanked the members for their valuable inputs on the proposed amendments and thanked the President, Council Members and other representatives for their valuable time and active participation during the discussions.

Concluding Remarks by the President YAI

86. The President thanked all the attendees for their valuable time and inputs. He stated that our aim is to support our sailors to get medals in sailing and also to bring up the grassroots level sailing in the country.

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



(BR Singh)
Commodore
Hon Sec Gen YAI

08 Aug 22