

## WINTER GAMES FEDERATION OF INDIA RULES AND REGULATIONS

<b>Memorandum of Association By-Laws</b>	
<b><u>Article 1</u></b>	
<b>Title</b>	The organisation shall be called the “Winter Games Federation of India” (WGFI).
<b><u>Article 2</u></b>	
<b>Jurisdiction:</b>	The territorial Jurisdiction of the WGFI shall extend to the whole of the republic of India.
<b><u>Article 3</u></b>	
<b>Winter Sports:</b>	The activities of the WGFI will cover the following of winter sports:- <ul style="list-style-type: none"><li>• Skiing</li><li>• Snow Boarding</li><li>• Any other sport introduce by FIS as a ski discipline</li></ul>

## Article 4

### Membership of the Federation shall be open to:-

- Winter Games/ski Associations of each state / Union Territory subject to the restrictions that from each State/Union Territory only one such association shall be granted membership. The geographical boundaries of a State/Union Territory shall be the same as recognized in the constitution of India.
- Any organization of all India standing may be given the status equal to a state or that of a Union Territory, with or without voting rights as may be decided by the general assembly from time to time.
- Institutional Members: Any recognized institution established for the object of promoting skiing or sport connected with skiing or wants to participate in skiing may be given membership by the general assembly on payment of entry fee.
- Honorary Members: General Assembly may elect any person or persons of national or international repute as Honorary Members.

## Article 5

### Affiliation

1. Any state/union territory or Institution desirous of affiliation with **WGFI**, would apply on the prescribed application form as given as Appendix 'A' attached with the Rule Book. The application shall be placed before the General Assembly for its consideration.
2. The rules of WGFI shall be fully binding on its affiliated units.
  3. The General Assembly shall have the right to accept or refuse affiliation to any organisation or category at its absolute discretion assigning reasons thereof.

(d) Only State Level Association will be given Membership/Affiliation with voting right. Individual Club from any state or union territory will not be given the membership/affiliation, if already given it will be withdrawn.

**(a)** Any State Association can apply for the membership with proper certificate of registration with registrar of Societies, lists of its office Bearers , list of Members, Memorandum & Rules and Regulations and proof of Bank Account. The application shall be placed before the General Assembly only through the Executive Council for its consideration.

**(g)** Procedure for getting Affiliated membership : After getting recognized membership, Unit must participate in two competitions in two season recognized by WGFI - the membership will be suspended for the period till they fulfill the condition.

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**(h)** Members with voting rights will be called Affiliated Members.

**(i)** Any State Association should organize training of 50 persons in Skiing at least once in three years failing which voting right will be Suspended automatically and these association will be given the status of recognized units without voting rights and their voting rights will be restored immediately after the event is organized .

## Article 6

### **Affiliation Fees**

- (a) State winter games Association and organisation of all India standing and Union Territories may be granted affiliation by the WGFI on payment of **Rs. 20,000/-** as admission fee and Rs. 4000/- as annual affiliation fee in advance every year. Institutional members granted affiliation shall pay sum of **Rs. 10,000/-** as admission fee and Rs. **3,000/-** as annual affiliation fee, in advance every year or as may, from time to time be decided by the General Assembly. Such changes will be got approved by the Registrar of Societies as amendment of rules and regulations. Honorary members will pay no admission or affiliation fee.

## Article 7

### **Payment of Subscription**

- (a) The annual subscription fees payable to the WGFI shall

fall due on 1<sup>st</sup> day of April every year, irrespective of the date of their admission/affiliation. If any association/ member does not pay the dues within the stipulated period of 90 days i.e. up to 30 June of the year. It will be expelled by the General Body/Executive Council after giving two notices by the secretary/ Treasurer, with 2 months time.

(b) **Membership** of the defaulting Association may be restored subject to approval of the Executive Council or General Assembly if subscription is received within one year along with admission fee applicable at that time for new members.

## **Article 8**

### **Disaffiliation for other reasons**

- (a) If the General Assembly feels that any State or its affiliated unit is not working properly, an opportunity shall be given to it to explain its conduct in this regard and the General Assembly shall have full authority to take action as it deems fit to improve its working or for its suspension or termination or its membership.
- (b) (i) A recognized Units must send a team in at least one competition recognized by WGFI in Two year. If it does not send the team for two consecutive years, his recognition will be automatically Suspended from 1<sup>st</sup> April of the next year.

(ii) However, its membership may be restored by General Assembly if it sends team at least in one competition in a year for any two consecutive years in the next 5 years.

( c ) (i) A affiliated unit must send a team in at least one competition recognized by WGFI in year. If it does not send the team for two consecutive years, his voting right will be automatically cancelled from 1<sup>st</sup> April to next year.

(ii) However, if it participates in any competition recognized by WGFI for any two consecutive years in the next 5 years, its voting rights will be automatically restored from 1<sup>st</sup> April of next year immediately after the second year of participation.

## **Article 9**

### **Voting Rights**

All State Winter Games Association, Union Territories and All India Organisations affiliated to WGFI shall have the rights to vote at every General Assembly meeting or the WGFI. Each State and Union Territories Winter Games Associations and All India Organisations shall have two votes. Each Institutional member shall have one vote. Permission to vote is subject to condition that all the dues of the WGFI are paid and belongings of the WGFI are

restored to the WGFI. No other class of member of the WGFI shall have any right to vote.

- (a) Affiliated Members with outstanding amount due on the date of AGM, may attend the meeting but will not have any voting right in the meeting.
- (b) Total number of votes from one state/Union Territory cannot be more than 4, whatever may be the reason,
- (c) Including Winter Games Association, Institutional and Associations but excluding Organisation of All- India standing.

### **Article 10**

#### **General Assembly**

(a-I)\_ There shall be a general Assembly of the WGFI composed of the following:-

- (i) President 1
- (ii) Vice Presidents 3
- (iii) Hony Secretary General 1

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|---|--------------------------------|
| (iv) Hony Treasurer                       | 1                              |
| (v) Joint Secretaries                     | 3.                             |
| (vi) State Winter Games Association/Union | 2 members each                 |
| Territories/All India Organisation        |                                |
| (vii) Institutional Members               | 1 Member from each Institution |
| (viii) Honorary Members                   | By invitation                  |

(a-II) No unit shall have representatives in General Assembly including above office bearers more than the number of its votes for any reason whatsoever.

(a-III) At the time of election only the persons sent by the unit will cast vote and not the above officials if the person is different.

(a-IV) Only members of affiliated units, special invitees, honorary members and chairmen of different committees will be part of General Assembly. Recognised units and other persons will not have voting rights in General Assembly.

(a) The General Assembly shall be the controlling body of the Federation. All authority shall vest in it and decision of the Assembly shall be binding on all



members. The General Assembly shall have the authority to delegate and vest its own authority to any committee. Sub Committee as may be considered necessary and define and determine their powers, duties scope and terms of reference unless otherwise provided for.

(b) The General Assembly shall frame necessary rules and Regulations and fill up vacancies in the General Assembly/Executive Council during the session.

(c) The General Assembly shall hear appeals against orders or decisions given/taken by its committee and other organisations of the WGFI provided that the appeals shall be routed through the Executive Council unless otherwise provided for by the Council or Executive Committee.

(e) The quorum for Annual General Assembly Meeting, Special General Meeting, Extra-ordinary General Meeting and Requisitioned General Meeting shall be one third of the representatives entitled to attend the meeting and vote.

(f) The Secretary General or president shall give 30 days notice for Annual General Assembly meetings and 15 days for extra-ordinary meetings.

(g) Any meeting of General Assembly, once called, cannot be cancelled unless signed by both, the President and the Honorary Secretary.

(h) Honorary members will not have voting right. 5 members can be granted honorary

membership.

## **Article 11**

### **Meetings**

- (a)** All meetings will be called by the Honorary Secretary General according to the decision of the General Assembly or the Executive Council or as may be considered necessary by the President.
- (b)** Extra-ordinary meetings may be called if and when necessary by the Executive Council or by the Honorary Secretary General under the orders of the President or by the President himself.
- (c)** A requisitioned meeting of the General Assembly may be called by the Honorary Secretary or by the President on the written requisition signed by not less than one third affiliated members or the WGFI. If the Honorary Secretary or President fails to convene the meeting within thirty days from the date of receipt, the requisitionists may convene the meeting giving a clear 30 days notice with agenda, time and place. A requisition meeting

will not be considered valid if the outlined rules are not strictly complied with. Decision at such a meeting will be valid only if they are passed by 2/3<sup>rd</sup> of the members present at that meeting.

(d) The Annual General Assembly meeting of the WGFI shall be held once every year. The following business will be transacted at the Annual General Assembly meeting:-

- (i) Confirmation of the Minutes of the last General Meeting.
- (ii) To adopt Honorary Secretary's Report.
- (iii) To consider and pass the Audited statement of accounts.
- (iv) To adopt the budget estimate for the ensuing year.
- (v) Ratification of the Membership granted/ suspended/terminated, if any, by the Governing Body.
- (vi) To consider amendments, if any for which due notice has been given.
- (vii) To appoint auditors for the ensuing year.
- (viii) To prescribe and fix fees for all matters and purposes, if necessary.
- (ix) Any other business with the permission of the Chair.
- (x) To discuss Agenda Points.
- (xi) To conduct election if due.
- (xii) If any four or more persons with voting rights write to the Secretary General/President 7 days before any meeting to include any point/s except amendment in

WGFI Bye- Laws in the Agenda, that point/s will be the Agenda point and will be taken for discussions after finishing the circulated agenda points.

(xiii) Voting if necessary, in any meeting of WGFI shall be by show of hands. Elections of the office-bearers and Executive Council Members of the WGFI shall always be by secret ballot.

## Article 12

### **Powers, Duties and functions of Executive Council**

(a) There shall be an Executive Council of the WGFI which shall comprise of the following:-

- (i) President
- (ii) Three Vice Presidents
- (iii) Honorary Secretary General
- (iv) Treasurer
- (vi) Three Joint Secretaries.
- (v) Five members elected from the General Assembly.

(b) No member organisation shall have more than two representatives in the Executive

Council including office bearers for any reason whatsoever.

(b-1) If any office bearer of WGFI or member of Executive Council retires from his/her unit or does not remain member of his/her unit, he ceases to be office bearer of WGFI or member of Executive Council and same will be elected by General Assembly in the next meeting.

**(c)** The Executive Council shall have the powers to fill up any vacancy in the Executive Council until the next meeting of the General Assembly.

**(d)** The Executive Council is to endorse the policies, decision, resolutions and directives of the General Assembly and their Committees and Sub- Committees. In addition Executive Council is to conduct and administer the day to day work of the Federation and to form standing Sub-Committees and such other Sub-Committees as may be considered necessary.

(e) Executive Council shall meet at least twice a year and the quorum shall be one third of the total members. The notice for the normal meetings shall be 15 days and emergency meetings 7 days.

(e-1) If the quorum is not complete, adjourned meeting after a gap of 30 minutes shall be called and minimum 4 members are necessary.

(f) The Executive Council is to exercise the authority of the WGFI, in discharging the

functions of the General Assembly according to the rules and regulations.

(g) All affiliated units and office bearers shall be bound to carry out orders and decisions of the Executive Council and the General Assembly and its office bearers authorised for the purpose.

**(h)** The Executive Council shall frame necessary rules and regulations which will be approved in the AGM/ SAGM

(i) The Council shall co-ordinate, assist and guide activities and functioning of the member organizations.

**(j)** The Executive Council shall collect receive and acquire grants, funds, donations, contributions, trophies, shields, awards and other properties, movable or immovable on behalf of the Federation.

**(k)** The Executive Council shall also deal with participation of National teams in International tournaments and invitation to teams/participants from abroad.

**(l)** Executive Council shall exercise all financial powers on behalf of the General Assembly.

**(m)** If a Member or an office bearer absents from three consecutive meetings of the Executive Council without leave of absence of the Executive Council, the Member would be deemed as removed from the office. This provision, however, does not apply in the

case of a Member who absents for the three stipulated/consecutive Executive Council meetings in case the Member is deputed to attend on behalf of the WGFI other meetings/ functions connected with the WGFI.

(N) Except in case of casting vote of the president, Each representative shall be entitled to one vote.

### **Article 13**

#### **Financial Year and Audit**

The financial year of the WGFI shall be from 01 April to 31<sup>st</sup> March of the following year. Accounts of WGFI shall be audited by a chartered Accountant.

### **Article 14**

#### **Operation of Bank Account**

Account shall be maintained in the name of the WGFI in such scheduled and /or Nationalised Bank or Banks as may be approved by the General Assembly and shall be jointly operated by any two of the following office-bearers:-

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

## **Article 15**

### **A. President**

(a) The President shall have the authority to suspend summarily any member / athlete/or official/office bearer excepting Hony. Secretary General and Treasurer of the WGFI in serious cases of misconduct or disobedience. His action will however be confirmed by the Executive Committee and also be confirmed by the General Assembly whenever meeting takes place.

(c) Emergent or Special meetings may be summoned by the President at his discretion.



(d) The President shall have a casting vote in case of a tie in addition to his own except at the time of election of President.

(e) The President, with the consent of the Secretary , shall have the authority to form 'ad hoc' Committee/other Committees as and when necessary for the smooth functioning of the WGFI. The General Assembly/ Executive Council will, however, be kept informed of all such measures and shall be approved by it.

(f) To approve the Annual Report, if necessary.

(g) At any meeting, the President shall have the right to interpret the rules and decide all points of order or procedure raised by Members and his decision/interpretation shall be final and binding.

(h) The President shall have the authority to nominate any co-opted members either in the General Assembly or in the Executive Council meetings. Such members will have no voting right.

(i) President will have the authority to appoint Chairman of Committees or Sub-Committees. These Chairmen may not be members of General Assembly, however in

case they are not member of General Assembly, they will not have the Voting Rights. The General Assembly or Executive Council will, however, be kept informed of all such measures which shall be approved by it.

(ii) President shall have overall powers of supervision over the working of the Association and its efficient administration, in particular.

### **B. Secretary General**

The Secretary General shall be incharge of the day-to-day administration of the Association and shall transact all official business in accordance with the decisions of the President, WGFI, General Assembly and Executive Council. He shall be responsible for calling any meetings of the WGFI as per rules and to implement the decisions taken in the meetings. He shall be responsible for carry out all correspondence in the name of the Federation unless otherwise directed by the President for a particular topic. He shall keep and maintain the minutes of all meetings of the WGFI General Assembly and Executive Council of the Federation, the register of Members and all such records as may be necessary for the smooth and efficient working of the Federation. He shall prepare and submit at the Annual General meeting of the Federation his Annual Report. He shall convene meetings of the Association.

### **C. Joint Secretaries**

They shall perform such duties as may be assigned to them from time to time by the President or/and Honorary Secretary General.

(h) Should be approved later by AGM

**Article 16**

**Amendment to Rules & Regulations**

Amendment to the Rule and Regulations shall be made at the Annual General Assembly meeting or at the Special General meeting by two third votes of members present. The proposal shall be circulated by the Hony Secretary to each affiliated unit along with the notice of the Annual General Assembly meeting.

**Article 17**

**Tenure of office bearers**

(a) An office bearer of the WGFI may hold office for one term of four years and may be eligible for re-election for a like term or period elected by simple majority for the same post as per prevailing rules.

(b) No office bearer of the WGFI will be office bearer of WGFI for more than 8 years for the same post, whatever may be the reason and ceases to be office bearer automatically after completion of 8 years.

(c) For the purpose of this rule, the expression "Office bearer" means, President, Hony Secretary General or any corresponding office bearer as mentioned in Article-12.

(d) If due to any reason new Executive Council is not elected before the expiry of tenure of existing Executive Council, all powers will be vested with the existing Executive Council and not with any office bearer. However Executive Council must call a General Assembly meeting within 3 months of the expiry of tenure beyond which if office bearer are not elected, all powers will be vested with General Assembly only and bank account will be operated by 3 members with voting rights, duly authorized by the General Assembly.

(e) Age of any office bearer of WGFI should not be more than 70 years on the date of election. If he attains 70 years during tenure will be ceased..

## **Article 18**

**General**

**(a)** In all matters which have been specially legislated for the decision of the General Assembly of the WGFI shall be final and binding. The interpretation of the articles of the Constitution, rules etc. by the General Assembly shall be final. Any matter not provided for in these rules shall be dealt with by the General Assembly/ Executive Council.

**(b)** Once in every year, a list of the Members of the Executive Council containing their name, addresses and designations shall be filed with the Registrar of Societies as required under Section 4 of the Societies Registration Act 1860 as applicable to Union Territory of Delhi.

**(c)** The WGFI may sue or be sued in the name of President as required under section 6 of the Societies Act.

**(d)** Any amendments in the Memorandum of the WGFI or its name shall be carried out as per the procedure as laid down in Sections 12 and 12 (a) of the Societies Act.

Firstly it is essential to pass in AGM by 2/3 majority that amendments are required, and then procedure must be followed as per Society Act 1860.

(e) The WGFI shall be dissolved as per the procedure laid down in the Section 13 of the Societies Act. After dissolution, the assets of the Society after clearing the liabilities shall be disposed off in accordance with the procedure laid down in Section 14 of the Societies Act.

## Article 19

### **Elections**

(a) Elections shall be held within four years, at the Annual General Meeting to elect the office bearers and Executive Council members

(b) If Annual General Body meetings are not called, elections can be held in a requisitioned meeting if tenure is over.

( c) (i) All units will forward to the WGFI 'nominations' of their candidates entitled to vote ten days prior to the holding of the elections in the meeting of the WGFI. The recommendation of nominations' will indicate the name of the candidate and the position held by him in the unit. Change of name of the nominated candidate will not be allowed unless prior permission in writing is obtained from both the President and the Secretary General of WGFI.

(ii) If no names were received by Secretary General ten days prior to the holding of elections, only President/head can cast the vote at the time of election if unit has one vote and President/head and Secretary can cast the vote if the unit has two votes.

(d) (i) The right of exercising the vote shall vest in accredited representatives deputed by the units. A representative accredited by the unit must be a Member of that unit and would attend the WGFI meeting in which elections are to be held, on production of a certificate signed both by the President/Head and the Secretary of the Unit Concerned detailing him for attendance on his behalf. In the unit, then the certificate will be signed by the President or the head of the unit or by any authorized signatory on his behalf.

(ii) In case, there are two separate certificates respectively from the President/head and the Secretary of the unit, one person from each certificate will be allowed to attend the meeting if the unit has two votes and the person having certificate of the President or head will be allowed to attend the meeting if the unit has only one vote.

(iii) However, when a representative of the unit attends a WGFI meeting in which elections are not to be held, the Accreditation Certificate may be signed by the President or Secretary of the unit concerned detailing him for attendance on their behalf. If a representative from the unit produces a Certificate signed by the President and another representative from the same Organization produces a Certificate signed by the Secretary, then the Certificate signed by the President/Head will be accepted.

(iv) No Association will accredit an individual as representative to attend any meeting of WGFI unless he is a regular member of their Association for last one year.

(v) One and the same person shall, under no circumstances, be entitled to represent more than one unit.

(vi) No office-bearer of a unit shall be eligible to be office-bearer simultaneously of any other unit excepting the WGFI.

(e ) The General Assembly shall elect its office bearers and members of the Executive Council only among the member, having voting rights present in that meeting.

(f) Any vacancy (including that of the President) which occurs in the Executive Council shall be filled by co-option from the remaining office-bearers and Members of the Executive Council and Members of the General Assembly by the Executive Council. This shall be regularized during the very next meeting of the General Assembly.

(i) A returning officer, elected by the house at the time of elections, among its members present with or without voting right, shall conduct the election process.

(ii) The returning Officer should be associated with Winter Games and should not be a candidate for any post of Executive Council.

(h) (i) Any person having commercial interest in his individual capacity in skiing or in any activity mentioned in Article 3, can not become office bearer of the WGFI. However, this will not be applicable to the persons working in govt./semi govt. organizations and having commercial interest only for govt./semi govt. organization .

(ii) Any person working in or working for any private commercial organization which has skiing and /or any activity (or activities) mentioned in Article 3 as its business cannot become office bearer of the WGFI.

(I) (i) Election for his the post of President will be conducted first. In case of tie, election will be held again after 10 minutes among the persons who have tie votes. If still it is tie, President will be elected by draw of chits, procedure of that will be



decided by the House by majority of votes.

(ii) In case of tie in the election of other office bearers and Executive Council members, President elected above, will have casting vote in addition to his own vote.

## **Article 20**

### **No Confidence Motion**

- (a) If one-third of the voting members write to the Secretary General or President for No-confidence against any office bearer/s or Executive Council member/s ten days before any meeting of the General Assembly, this will be the first agenda point of the meeting after the opening address of the President, if any.
- (b) To pass a resolution of No-confidence, it will be a mandatory requirement that such resolution against the President, and/or any office bearer and other Executive Council Members be passed only by 2/3 members present and voting. A resolution of No-Confidence not supported by 2/3 majority will be deemed to have fallen through and the motion will be treated as null and void. The quorum for such meeting will be 2/3 of the total strength of the representatives of WGFI entitled to vote.

## **Article 21**

### **General Disciplinary Regulations**

- (a) Every unit shall be deemed to continue its membership of the WGFI on the specific condition that it voluntarily surrenders its right of seeking redress in any Court of Law against WGFI.
- (b) All Associations affiliated to the WGFI shall commit themselves to appeal only to the President of the WGFI in the event of any differences which may arise with regard to the functioning of the Associations within its laid down Statutes and Regulations.
- (c) If any Association does not hold elections after the completion of the normal tenure for which the office-bearer are elected, it will write reasons to the President/Secretary General of the WGFI. Any extension of the tenure of the office-bearers will be subject to obtaining prior written permission from the President ad Secretary General of the WGFI otherwise voting right of the

Association will be suspended till its elections.

- (d) While conducting their elections, Association will write to the Honorary Secretary or President of WGFI, at least 15 days before, to send an observer of WGFI. If WGFI sends an observer, his/her report will be final about the election.
  
- (e) WGFI shall comply with any guidelines issued by WADA/NADA/IOA/FIS or any appropriate agency about anti-doping rules.

## Article 22

- (a) In case of any dispute of units with WGFI, an Arbitration Committee shall be appointed by the Executive Council within 30 days of the dispute. Decision of the committee will be given within 3 months and will be final and will be applicable to all members and that decision cannot be challenged in any court of law.
- (b) No person of the WGFI shall go to any court of law against WGFI for any dispute otherwise he, as an individual, cannot attend any meeting of WGFI from the immediate effect till the final decision of the court.
- (c) No unit of the WGFI shall go to any court of law against WGFI for any dispute; otherwise no member of that unit can attend any meeting of WGFI from the immediate effect till the final decision of the court.
- ( d) A individual or Unit will be removed from membership of WGFI for committing serious offence , membership of WGFI cannot be restored Until individual/ units is absolved off the crime by court of Law. Removed individual can not be the office bearer of any affiliated unit of WGFI. Otherwise Unit will not have voting rights.
- (e). Any affiliated/ recognized unit/association of WGFI cannot have dual membership

of any other National Association affiliated/ recognized Which comes under Olympics Disciplines / Charter. Otherwise membership of units will be automatically terminated from WGFI. Except Govt. Organisations.

(f) All disputes subject to Delhi jurisdiction only.