

**Paralympic Committee of India – Bye Laws**  
**(Amended as on 19.08.2022 at the SGM held at Bangalore)**

**1. NAME AND STATUS:**

**1.1.** The name of the Society is “**PARALYMPIC COMMITTEE OF INDIA**”, registered under the Karnataka Societies Registration Act, 1960 and the Rules, 1961, bearing Registration No 280/94-95 dated 08.07.1994.

**1.2.** The Paralympic Committee of India (PCI) is an autonomous and a Non-Profit Organization (NGO) for the development and promotion of Sports for the persons with different disabilities, including intellectually and visually impaired persons in India

**(Reference:** Page 1 sections 1.2 of NSDC, 2011

<http://yas.nic.in/sites/default/files/File918.compressed.pdf> ).

**1.3.** The Paralympic Committee of India (PCI) also referred as NPC (National Paralympic Committee) by the International Paralympic Committee (IPC), is a sole organization in India as per IPC Handbook for promotion and development of Para Sports for the persons with disabilities. It is also referred as National Sports Federation (NSF) by Ministry of Youth Affairs and Sports (MYAS) and National Sports Development Code (NSDC), Govt of India. PCI is Registered in Bangalore under the Karnataka Societies Registration Act, 1960 and the Rules, 1961, bearing Registration No. 280/94-95 dated 08.07.1994. The Committee was formed for the promotion and development of Sports among person with disabilities, including intellectually and visually impaired persons.

**1.4.** The PCI represents all disability groups sports, viz. Visually Impaired, Orthopedically Challenged, Wheel Chair and Paraplegics, Cerebral Palsy affected, intellectually impaired and Dwarf Groups (as per the guidelines of IPC from time to time), to act as an Umbrella Organization of all these disability groups. The Committee’s vision enables Para Athletes to Achieve Sporting Excellence and Inspire and Excite the World.

**1.5.** The provisions and guidelines of IPC Handbook read together with National Sports Development Code (NSDC), Government of India and as per the Laws of the Land will always imply to have precedence for its incorporation in the PCI's Constitution.

## **2. OFFICE AND WORKING HOURS :**

**2.1** The Registered Office of the society is situated at: #28, Sports Authority of Karnataka Building, Gate No. - 2, Sree Kanteerva Stadium, Kasturba Road, Bangalore – 560001, Karnataka State, India.

**2.2** The Registered Office of the Committee at Bangalore in Karnataka shall be the main office of PCI accommodating the office of the President who will be assisted by the Vice President/s, Secretary General and other Governing Board Members. The Registered Office shall deal with all aspects of the administration, finance, legal, technical, logistics, planning and implementation and more particularly with all matters related to the International Paralympic Committee (IPC) / Asian Paralympic Committee (APC), Government (Ministry of Youth Affairs and Sports i.e. MYAS), Sports Authority of India (SAI) and all other concerned Government agencies under intimation to the Secretary General.

**2.3** The Correspondence Office of PCI in Delhi at present is the office of the Secretary General who will be assisted by Joint Secretaries. The Registered Office will exercise supervision, logistics support including Planning and Implementation with regard to all the affiliated units of PCI, only in consultation and coordination with the Delhi Office. It shall also work to comply with the rules and regulations of the Registrar of Societies, Bangalore under intimation to the Delhi Office as and when necessary. The work of the Committee regarding promotion, development and long term planning will be taken up jointly by Delhi Office and Registered Office in close coordination and consultation with each other.

**2.4 Working Hours:** The normal working hours of the Office of PCI shall be from 10:00 a.m. to 5:30 pm (six days a week with Sunday off).

**2.5 Accounting Year:** The accounting year of PCI shall be from 1<sup>st</sup> April to 31<sup>st</sup> March of the succeeding year (financial year as prevalent in the country from time to time).

## **3 OBJECTS:**

**The objects of the PCI shall be:**

**3.1** To endeavor to organize State, National and International level sports meets for persons with disabilities in recognized in-door and outdoor games and to asperate a variety of literary, linguistic, social service and other entertainment programmes inclusive of dance, drama, music and folk in the all corner of the country.

**3.2** To bring the people from all corner of country together and to regulate their cordial relations and promote friendship among them.

**3.3** To foster a spirit of Co-operation and promote cultural activities and recreation opportunities provided under the law without any hindrance to the normal working hours of the PCI.

**3.4** The Secretary General of the PCI is authorized to correspond with the Registrar of Societies, Bangalore.

**3.5** The income of the PCI by whatever means shall be utilized for the objects of the Committee and shall not be distributed among its members or anybody.

#### **4. MEMBERSHIP RULES:**

**4.1. Grant of Membership:** Those State or Union Territory Para Sports Associations in India, National Para Sport Federations, National Organisations of Sports for Disabled, Member of International Sport Federations & Organisations and Government Agencies which govern and promote Sports on Paralympic Programme in India, as mentioned in the Constitution of PCI at Section 5.1 to 5.6, who are desirous of membership of the PCI, shall be required to apply on a prescribed form (available on PCI website) to the PCI. State or Union Territory (at least 50% of number including their district units) Para Sports Associations, National Para Sports Federation and National Federations that govern any Paralympic Sport are considered as Full Members or Affiliated Members. Such an organization should have legal status as a registered voluntary body with a standing of at least 3 completed financial years. Applications so received will be put-up to the Membership Committee (appointed by Governing Board and consisting of at least 3 members) for consideration. If this Membership Committee is satisfied and approves, then it will recommend the case to the Governing Board of PCI. If approved by the Governing Board also, then the matter shall be referred to General Body of PCI for consideration and grant of Provisional Membership (not

exceeding 6 months) which will be regularized on receipt of Membership fee, as fixed and decided by the Governing Board from time to time. A Provisional Member shall have all the rights of a Member, except voting right.

However, if the Membership Committee notices any deficiency or discrepancy in the documents or information submitted for membership, the Chairman of the Membership Committee shall inform the concerned applicant in writing, listing out the said deficiency and discrepancies, to furnish all required documents/details/information within a period of 1 month from the date of receipt of such a notice. If need be, the concerned applicant may be asked to appear before the Membership Committee for personal hearing on a prescribed place, date and time. However, if the applicant is unable to fulfill the said requirements / criteria, the Membership Committee shall have the power to reject such an application.

**Note:** The Applicant/s should have a legal status as a registered voluntary body, not being a proprietary concern or partnership firm and it should exist and function for the sole purpose of promotion of sports for the persons with disabilities in that particular Sport/State/UT at least for last 3 financial years before approaching PCI for Affiliation. They should try to reach down to grass root levels by affiliating Schools, Colleges, Clubs , District bodies, State Govt. Institutes etc. functioning in their respective Sport/State/UT.

**4.2. The Membership Fee:** The current Membership Fee is of Rs.15,000/- (Rupees fifteen thousand only). The annual renewal fee shall be Rs. 5,000/- (Rupees Five thousand only) or as modified/decided by the Governing Board and to be later ratified in the General Assembly from time to time. The annual renewal fee should be paid on or before 31<sup>st</sup> March of every year for the following financial year. In case if the Renewal Fee is not received by 15<sup>th</sup> April, then such a Member will be reminded through letter/email by the President / Secretary General. If still the Renewal Fee is not received by 15<sup>th</sup> May, then the defaulting Member shall be put under Suspension and shall not be entitled to attend any meeting of PCI and shall not be able to send its team/s to participate in the National Championships/Games. However, such Membership can be reinstated on payment of all dues along with the penalty fee of Rs.1000/- (Rupees One

thousand only) per month. Defaulters of a maximum of two years will be entitled for restoration of rights and privileges only on payment as stated above.

## **5. SUSPENSION OF MEMBERSHIP:**

**5.1.** Failure to pay the annual membership/renewal fee as stated above at Section 4.2.

**5.2.** Not fulfilling the criteria for Membership stated in the PCI Constitution.

**5.3.** Not complying with the obligations of Members, as defined in PCI Constitution.

**5.4.** Doing or being involved in anti PCI activities leading to its defamation or for indisciplined behavior against any PCI Office Bearer.

**5.5.** Before a Member is suspended, the Member shall have the right to be heard either in person or in writing by the Governing Board or its authorized representative.

**5.6.** The Governing Board shall inform the General Body about all suspensions for its ratification.

**5.7.** A Member under suspension shall lose all rights and privileges of Membership. In particular a suspended Member shall not be entitled to be heard, except with respect to its/ his / her suspension and shall not be entitled to attend any meeting of PCI and shall not be able to send its team/s to participate in the National Championships/Games (it includes voting at Governing Board / AGM / EGA meetings and participate in any PCI activities).

**5.8.** All the affiliated members of PCI are required to follow the NSDC guidelines mandatorily including mandatory disclosures of information on its official websites. PCI reserves its right to suspend/ terminate the membership of the violating members with a notice of max 90 days to be allowed for compliance.

## **6. TERMINATION OF MEMBERSHIP:**

**6.1.** When the suspension exceeds two (2) to four (4) consecutive years. In this case, the Governing Board shall bring forth an appropriate recommendation to the General Assembly and subsequent ratification by the General Assembly for termination of membership.

**6.2.** Automatically upon the dissolution of the Member's organization.

**6.3.** When a member withdraws its membership through written notice. The withdrawal shall take effect from the time of such application received by PCI, unless a later date is specified in the withdrawal application.

**6.4.** Automatically upon the General Assembly deeming with the simple majority of votes of delegates present and voting that a member no longer meets the requirements for membership as outlined in the PCI Constitution vide Article 6 sub-para 6.1 (sub-para 6.1.1 to 6.1.4) to 6.4 and Article 6.5 sub-para 6.5.1 to 6.5.6.

**6.5.** Automatically upon there being passed, at a General Assembly Meeting of PCI, by at least by two-third (2/3) of the votes casted on the question, a resolution that such Member's membership be terminated. Termination premises a good cause which shall in particular and without limitation be given if a Member prejudices the interests of the Organisation or if the Member is in breach of PCI Constitution, Bye Laws, Codes, Rules and Regulations.

**6.6.** Prior to any vote on termination, a Member shall have the right to be heard by the Governing Board / Disciplinary Committee.

## **7. RELEVANCE AND IMPORTANCE OF STATE PARA ASSOCIATIONS AND STATE PARA SPORTS FEDERATIONS:**

The role of each State Para Sport Association is for organizing State Para Games (once in 2 years or every year), to coordinate with all Para Sports Federations of the State and to liaison with the respective State Govt. for policy formulation and its implementation from time to time. It is also customary regulations prevailing in India for receiving financial aids (from the State Govt.) through State Para Sports Association (from the State Govt.) for its reimbursement to the respective State Para Sport Federation for organizing and hosting respective State Para Sport Championships every year for Sub-Junior, Junior, Senior and Master's levels. However, these respective State Para Sports Federations look after their respective Sports in the State under the regulations and affiliations to their respective National Para Sports Federations but under the guidance and protection of their respective State Para Sports Associations.

## **8. GOVERNANCE:**

**8.1.** PCI shall be directly responsible for the governance and strategic direction of all Sports governed by the IPC as per the list vide Part 1 of Chapter 2.07 of IPC Handbook. The day-to-day working and operation of these Sports shall be facilitated and assisted through PCI affiliated Para Sports Federations. These Sports include: IPC Athletics, IPC Swimming, IPC Power Lifting, IPC Shooting and IPC Wheelchair Dance Sport (to be developed for non-Paralympic Sports).

**8.2.** PCI shall also take steps to develop facilities for all Winter Sports governed by the IPC as per the list vide Part 1 of Chapter 2.07 of IPC Handbook. These Sports include: IPC Alpine Skiing; IPC Ice Sledge Hockey, IPC Nordic Skiing and IPC Snowboarding. PCI shall be directly responsible for the governance and strategic direction of these Winter Sports.

**8.3.** PCI being National Member of IWAS Organisation, it shall be directly responsible for the governance and strategic direction of all the IPC Sports falling under the purview of IWAS Organization. However, Wheelchair Fencing falling under IWAS as its Global Apex Body shall be looked after by its respective Para Sport Federation in India.

**8.4.** The National Sports Federations under IFs affiliated to PCI, shall be responsible for the governance of other Olympic and Paralympic Sports (presently 15 Summer Sports and 4 Winter Sports) namely Archery, Badminton, Boccia, Canoeing, Cycling, Equestrian, Rowing, Table Tennis, Taekwondo, Triathlon, Volleyball (Sitting), Wheelchair Basketball, Wheelchair Curling, Wheelchair Rugby, Wheelchair Tennis and IPC Alpine Skiing, IPC Ice Sledge Hockey, IPC Nordic Skiing and IPC Snowboarding.

**8.5.** The National Organisations for Sports for Disabled (NOSDs) affiliated directly to International Organisations for Sports for Disabled (IOSDs) shall be independently responsible for the governance of Sports like Wheelchair Fencing, Goalball, Judo and Football 5-a-side.

**8.6.** The National Sports Federations also act as Independent IF's for the equivalent Olympic Sport and the sports are Boccia, Football 5-A-side, Sitting Volleyball, Wheelchair Basketball, Wheelchair Fencing and Wheelchair Rugby shall be independently responsible for the governance of these Sports.

## **9. SPORTS TECHNICAL COMMITTEES (STCs):**

For technical advice and for promotion and development of different Para Sports PCI shall constitute separate Sport Technical Committees (STCs). Each STC shall have 5 Members (1 Chairperson and 4 Members, including 1 Para Athlete of high National / International repute) with full technical knowledge of the concerned Sport. The STC shall work as Advisory Body to the respective Individual Sport Federation and National Organization of Sports for Disabled (NOSD), as mentioned in PCI Constitution at Section 5.2 and 5.6.

The term of STC members, their appointment, age limit, tenure, fulfillment of vacancies, termination, financing etc. shall be as per the terms mentioned vide Para 6.2 (page 10) of Chapter 2.7 of IPC Handbook and NSDC, 2011.

## **10. ATHLETES' REPRESENTATION:**

**10.1.** In order to remain an Athlete Centered Organisation, Athlete Commission will have minimum 25% representation in the PCI Governing Board as Members (Refer Section 8.2 of PCI Constitution and 1 Member in each Sport Technical Committee (STC). Three Names shall be forwarded (at least one female athlete) to the PCI Governing Board. These athletes will have voting rights and selection of these athletes will be in consultation with MYAS as provided in the NSDC. These nominated athletes will have voting and speaking rights in the Governing Board.

**10.2.** In general, the role of the Athletes' Council is to provide feedback and advice and report to the Governing Board on behalf and in the interest of the athletes in all PCI matters.

**10.3.** The Athletes' Council shall have the right to submit motions to the General Assembly, through the Governing Board.

**10.4.** The PCI's Athletes' Council will establish a relationship with the IPC and/or Region's Athletes Council.

**10.5.** The PCI, may make provisions for gender/impairment/sport representation in the Athletes' Council.



**10.6.** The Chairperson of the Athletes' Council is the ex-officio Athletes' Representative and can be nominated on the Governing Board with speaking and voting rights, subject to limitation of their number for representation.

**11. GOVERNING BOARD:**

**11.1.** The governance of PCI shall be in the hands of an elected Board / Committee which shall be called as Governing Board (also called as Managing Committee / Executive Committee). The Governing Board is the representative of the PCI Membership, elected at the General Assembly in accordance with nomination and election procedures adopted by the PCI Membership at the General Assembly, conforming to the National Sports Development Code (NSDC), Government of India.

**11.2.** The Governing Board must include the following positions.

| <b>S<br/>.<br/>N<br/>o<br/>.</b> | <b>Name of Post</b>    | <b>Number of Post</b>   |
|----------------------------------|------------------------|---|
| 1                                | President              | 1   |
| 2                                | Vice-Presidents        | 2   |
| 3                                | Secretary General      | 1   |
| 4                                | Joint Secretaries      | 2   |
| 5                                | Treasurer              | 1   |
| 6                                | Committee Members      | 5   |
| 7                                | Athlete Representative | 3 (At least one female athlete).<br>These athletes will have voting rights and selection of these athletes will be in consultation with MYAS as provided in the NSDC, 2011. |

The Governing Board can have strength (posts and its numbers, excluding Athletes Representative) as specified in NSDC, 2011 and modified from time to time. Athletes' Commission will have 12 elected Members preferably having representation from 12 Paralympic Sports. The STCs and respective sports Federations shall ensure that the election for the selection of Athlete Commission Members are done in fair and transparent manner (preferably during the National Championships) as per IPC and NSDC guidelines.

**11.3.** The Term of Office for a Governing Board member shall normally be 4 years of enactment.

By written request of 2/3<sup>rd</sup> of elected members the PCI can go for early election.

**11.4.** All Governing Board meetings will be chaired by the President or by his authority to a Vice President

**11.5.** In the absence of the President or if required one of the Vice Presidents as decided by the Executive Committee/Governing Board will take over the tasks of the President.

**11.6.** All the Office Bearers of the Governing Board shall be working on honorary basis without any remuneration or specifically without office of Profit in terms of their status / position as Governing Board Members of PCI. Any gifts / souvenirs/ fee etc. received by the Governing Board Member would be considered the property of PCI. The Office bearers are entitled to get reimbursement of their actual expenses incurred by them for their official work / duty on behalf of PCI.

**11.7.** The Governing Board shall have the full power and authority to represent the PCI. In exercising this authority, responsibilities of the Governing Board Members shall include:

**11.7.1.** To ensure effective governance of the organization;

**11.7.2.** To interpret the Vision set by the Membership at the General Assembly;

**11.7.3.** To approve the PCI Policies;

**11.7.4.** To ensure that the directions set by the Membership at the General Assembly is implemented;

**11.7.5.** To set the broad goals of the Strategic Plan and approve it;

**11.7.6.** To monitor the performance of the delivery of the goals;

**11.7.7.** To decide the PCI's budget subject to the General Assembly's approval;

**11.8.** To appoint a Chartered Accountant / CA Firm on the recommendation of the Treasurer for auditing.

**11.9.** The PCI is legally represented by the President or two Members of the Governing Board acting jointly, of whom one must be the Secretary General.

**The working of Governing Board:**

**11.10.** The Governing Board shall meet, discuss, organize, conduct, perform, watch and follow-up the various activities of the PCI at all levels with the cooperation of Board Members, State Para Sports Associations and Sports Federations generally to promote the cumulative interest of the PCI.

**Tenure and Age of the Governing Board Members:**

**11.11.** A Governing Board Member shall have completed 18 years of age on the date of his/her election to the post. **There is no upper age limit except for the President, Secretary General and Treasurer.** The Members may hold office for one or more terms of 4 years or less each on obtaining a simple majority vote of the Members present and voting in the election. However, in case of 2<sup>nd</sup> Term minimum 2/3<sup>rd</sup> majority of voting will be required. In case of the President, Secretary General and the Treasurer, the maximum age limit shall not exceed 70 Years on the date of the election. The President can hold the office for a maximum period of twelve years (3 terms) with or without break.

The Secretary General and the Treasurer can serve a maximum of two successive terms, of four years each after which a minimum cooling period of four years will apply to seek fresh election to either of the posts (as per NSDC guidelines from time to time).

**Holding of Office:**

**11.12.** No Office Bearer of an individual Sports Federation / State Para Sports Association shall be eligible to be an Office Bearer simultaneously of any other individual Sports Federation / State Para Sports Association excepting Paralympic Committee of India.

**11.13.** If a member remains absent from three (3) consecutive meetings of the Governing Board without obtaining leave of absence from it, such member would be liable for removal from office and the same would be decided in Governing Board Meeting. This provision, however does not apply in the case of a member who is absent for three consecutive meetings, if in case such a member is deputed on behalf of the PCI to attend other meetings / functions connected with PCI on the same dates.

**Meeting of the Governing Board (Managing Committee), Ordinary or Special:**

**11.14.** The Governing Board shall ordinarily meet at least once in 3 months (Special Meeting can be called as per the requirement from time to time) on such days and at such places as may be fixed by the President or Secretary General. The Special Meeting may be fixed by the Secretary General in case when a minimum of 2/3 Governing Board Members request in writing for the same.

**11.15.** The presence of at least two-third members of the Governing Board shall be necessary for the meeting. If the quorum is less than 2/3rd, then the meeting shall be adjourned for 1 hour to wait for more Members. However, after this period the meeting may be re-convened at the same venue without any quorum requirement.

**11.16.** At least a seven (7) days Notice (at least 3 days in case of Special Meeting) followed by the agenda shall be served on the Governing Board Members before convening such a meeting.

**12. GENERAL ASSEMBLY:**

**12.1. GENERAL ASSEMBLY:**

**12.1.1.** The Functions, Duties and Powers of General Assembly shall be as per PCI Constitution vide Section 7.6.1 to 7.6.10.

**In addition to the above, following shall also be the functions, powers and duties of General Assembly:**

**12.1.2.** To formulate and enforce the policies of the PCI.

**12.1.3.** To carry into effect the objects of the PCI.

**12.1.4.** To hold election of the Governing Board Members every four years in accordance with the provisions of PCI Constitution.

**12.1.5.** To grant membership of any Para Sport Organization eligible under PCI Constitution.

**12.1.6.** To work as repository of the funds and other properties of PCI.

**12.1.7.** To appoint different Committees or Sub-committees as and when necessary.

**12.1.8.** To take disciplinary action against any Individual Sports Federations / Associations for misbehavior or any other undesirable activity bringing discredit to the country, PCI and Para Sports.

**12.1.9.** To have power to frame/ amend / alter bye-laws and rules which are consistent with the Constitution / National Sports Code and IPC Bye-Laws.

**12.1.10.** To ratify the appointment of the auditors and fix their remuneration.

**12.2. Governing Board (Management Committee):**

The Functions, Duties and Powers of the Governing Board shall be:

**12.2.1.** To conduct the business of the PCI during its meetings and report important decisions and actions to the General Assembly for its information and ratification, if any.

**12.2.2.** To determine in consultation with the Individual Para Sports Federations / State Para Sports Associations the number of Competitors, Managers and Coaches, etc. to be selected by each such Individual Para Sports Federation / State Para Sports Association which participates in an International Sports Competition / National Para Games under the aegis of PCI.

**12.2.3.** To be responsible for the proper management of the Indian Teams for the Paralympic Games, Commonwealth Games, Asian Para Games and IPC Sports..

**12.2.4.** To initiate and recommend to the General Assembly schemes for the promotion and development of Paralympic Movement and Para Sports in the country.

**12.2.5.** To consider and, if feasible, recommend to the General Assembly schemes and proposals for the grant of financial assistance to Individual Para Sports Federations / State Para Sports Associations for development of Paralympic Movement and Para Sports, with special reference to those that are not developed or in areas that are under-developed.

**12.2.6.** To consider the Annual Reports of PCI and submit it to the General Assembly with its recommendations.

**12.2.7.** The business to be conducted in ordinary or special meeting relating to change in any policy matter including a new appointment, suspension, expulsion, 'No Confidence Motion' against any Governing Board Member, State Body, Para Sports Federation or individual member shall be mandatory for inclusion of such events specifically in the agenda with a previous background of notice to the aggrieved and interested parties (except in case of concealment of facts by the aggrieved/interested party) subject to its ratification subsequently in General Assembly Meetings.

**12.3. Finance Committee:**

The President, in consultation with the Treasurer and other Members of the Governing Board, will constitute a Finance Committee which shall:

**12.3.1.** Control the finances and accounts of PCI.

**12.3.2.** Transfer or accept any immovable or movable property on behalf of PCI with the concurrence of Governing Board.

**12.3.3.** To consider the accounts and scrutinize proposals for expenditure.

**12.3.4.** To find out the ways and means for raising funds for PCI.

**12.3.5.** The Treasurer shall be the controller and the custodian of PCI funds.

**12.3.6.** To consider the annual Accounts and budget proposals as prepared by the Treasurer.

**12.3.7.** Any proposal of PCI, whether the internal / external (including Govt.), pertaining to administrative, technical, legal, financial, etc. which involves any financial implications to PCI, shall be mandatory for its approval by the Finance Committee or by the Treasurer before being approved by the Governing Board or by the President.

**12.3.8.** All accounts of PCI shall be inspected, audited and certified by the duly appointed Chartered Accountant, adhering to the Laws of the Land.

**12.3.9.** The Books of Accounts of PCI shall be subject to scrutiny by any Member of PCI, by IPC, by Ministry of Youth Affairs and Sports or by any other Government Agency.

**12.3.10.** The approved (by General Assembly) Annual Accounts of PCI shall be submitted to Registrar of Societies and Department of Income Tax for scrutiny and approval.

**12.3.11.** The PCI may borrow funds / take unsecured loan from any Individual / Member / Sports Federation / State Para Association or from any other Agency for the purpose of covering any financial deficiency / loss, which shall be refunded after the recovery to the lender as per mutual agreement between PCI and the lender (preferably without payment of any interest).

**12.4. Other Committees:**

**12.4.1.** In consultation with the Governing Board, the President of PCI may constitute various Committees in conformity with IPC Handbook vide Chapter 2.3 to 4.2.12. Such Committees will be working as Advisory / Recommendatory Bodies.

**12.4.2.** The Individual with meritorious and outstanding service to the Paralympic Movement in the country can be the part of the High Power Advisory Committee (HPAC).

**12.5. Professional Sponsorship of Competitors / Athletes:**

**12.5.1.** The PCI shall have the right to use the Name and Image of an Elite Athlete for the promotion of its image and activities (Ref.: [https://www.paralympic.org/sites/default/files/document/150915142237616\\_IPC\\_Athletes\\_Image\\_Rio%2B2016.pdf](https://www.paralympic.org/sites/default/files/document/150915142237616_IPC_Athletes_Image_Rio%2B2016.pdf)).

For the purpose of advertisement on uniforms and dresses during National and International competitions, the PCI shall follow the model of IPC guidelines (Ref.: [https://www.paralympic.org/sites/default/files/document/160302164019934\\_IPC%2BManufacturer%2BIdentification%2BGuidelines%2BRio%2B2016.pdf](https://www.paralympic.org/sites/default/files/document/160302164019934_IPC%2BManufacturer%2BIdentification%2BGuidelines%2BRio%2B2016.pdf))

**12.6. Governing Board Members**

**12.6.1. President:**

The President shall be the Head of the Governing Board of Paralympic Committee of India and shall preside over all meetings of the General Assembly and Governing

Board. He / She can advise the Paralympic Committee of India in all its activities. In particular the President shall have the following powers, duties and responsibilities:

**12.6.1.1.** To implement all the objectives of the Committee in the interest of PCI.

**12.6.1.2.** To deal with all disciplinary matters arising in the PCI or in any of the affiliated members as per rules on the subject. This would be subject to ratification in the next Governing Board Meeting and General Assembly Meeting.

**12.6.1.3.** The President shall look after the organizing of National Championships from time to time and have to look after the STC's in the selection of the team for International Championships.

**Financial Powers:**

**12.6.1.4.** The President shall ensure that the financial position of the PCI is sound and workable. The President can sanction an unauthorized (contingency) expenditure upto Rs. 3,00,000/- (Rs. Three lakhs) for any one item. He / She can recommend an unauthorized (contingency without proper bills / receipts/ invoices etc.) expenditure in excess of Rs. 3,00,000/- (Rs. Three lakhs) but upto Rs. 15,00,000/- (Rs, Fifteen lakhs only) which will be sanctioned / regularized by the Governing Board and beyond this limit of Rs. 15,00,000/- (Rs. Fifteen lakhs only) the unauthorized expenditures are to be sanctioned / regularized by the PCI General Assembly. However, there is no limit of expenses in case of authorized budget / expenditure with proper bills / vouchers / receipts etc.

**12.6.2. Vice President (VP):**

**12.6.2.1.** During the abrupt absence of President, the Vice President shall look after day to day working of PCI and shall report to the Executive Committee. He, similarly as the President, shall ensure the implementation, promotion and development of PCI's Objectives.

**12.6.2.2.** Vice President on behalf of PCI can look for the smooth functioning of National Championships and Coaching Camps and can also communicate with IPC in consultation with the President and Secretary General.

**12.6.3. Secretary General:**

**12.6.3.1.** The Secretary General shall be the in charge of the administration of PCI. Secretary General will be responsible for notifying the meetings of PCI (Annual General



Meeting / Extraordinary General Meeting/ Governing Board Meeting). He shall be responsible for implementation of the resolution passed in the meetings. He shall keep and maintain the minutes of the PCI meetings and circulate the same to the members in time.

**12.6.3.2.** The Secretary General of PCI shall be the custodian of the Register of Members and all such records as may be necessary for the smooth and efficient working of PCI. He shall also be responsible for the maintenance of properties (Movable and Immovable) of PCI. He shall prepare and submit all the information to the Members at the Annual General Meeting / Extraordinary General Meeting / Governing Board Meeting.

**12.6.3.3.** The Secretary General should ensure the welfare of Athletes. He shall be responsible to send the proposals to Government on behalf of Athletes' participation in various International and National Championships.

**Financial Powers:**

**12.6.3.4.** The financial powers of the Secretary General for an unauthorized (contingency without proper receipts / bills / invoices etc.) expenditure are restricted to sanctioning of Rs. 50,000/- (Rs. Fifty thousand only) for any one item or any one proposal subject to a maximum amount of Rs. 3,00,000/- (Three Lakh only) per month which shall be later approved by a 2/3<sup>rd</sup> majority in the Governing Board Meeting or by the President within 60 calendar days. However, there is no limit of expenses in case of authorized budget / expenditure with proper bills / vouchers / receipts etc.

**12.6.4. Joint Secretary:**

**12.6.4.1.** The two Joint Secretaries shall perform such duties as may be assigned to them from time to time by the President and / or by the Secretary General. Joint Secretaries shall exercise duties in the absence of Secretary General. However, the two Joint Secretaries will look after the day to day functions in coordination with each other in order to assist the Secretary General in the tasks assigned to them. During National Championships and Coaching Camps they should coordinate with the Athletes by providing them good infrastructure for their better performance and the same will be informed to President and Secretary General.

**12.6.4.2.** The Joint Secretaries shall be made incharge for affiliated members as assigned among them. They will help and guide various State Para Sport Associations and National Para Federations for achieving PCI's objectives.

**12.6.4.3.** To ensure payment of grant / aid for the conduct of National / Zonal / State Championships in coordination with the Treasurer.

**12.6.4.4.** To attend as a PCI Observer at the Annual General Meeting or Elections of the State Para Sports Associations / National Para Sports Federations.

**12.6.5. Treasurer:**

**12.6.5.1.** He shall be responsible and custodian of the finances of PCI and shall ensure that the accounts of PCI are maintained properly and audited regularly. He shall receive all funds of PCI and shall deposit the same in the Bank accounts of PCI. He shall pay all authorized bills certified by the President / Vice President/s / Secretary General or Joint Secretary/s as per their respective financial powers, unless the amount of a bill exceeds the limits of the sanctioning authority or the budgeted amount (unauthorized amount) in which case the amount must have sanction of the competent authority, before the same is paid.

**Financial Power:**

**12.6.5.2.** Treasurer shall have an authority to sanction an amount of maximum Rs. 10,000/- (Rs. Ten thousand only) or upto a maximum of Rs. 50,000/- (Rs. Fifty thousand only) in one month.

**12.6.5.3.** He shall, in consultation with the Finance Committee / President / Vice President / Secretary General, prepare and submit an Annual Income and Expenditure Statement of Accounts along with a duly audited Balance Sheet and submit the same to the PCI.

**12.6.5.4.** He shall maintain an inventory of the Committee's property / assets and submit the same along with the accounts.

**12.6.5.5.** He shall prepare and submit to the President / Secretary General the list of all such members who have defaulted on the payment of their Membership Fee and penalty dues, within stipulated time period.

**12.6.5.6.** The Treasurer shall prepare the Monthly / Annual Budget and Special Budget (for some special event/s) of PCI and shall present it in the Meeting of Governing Board / General Assembly for its ratification as and when required. The Treasurer shall ensure that all taxes, wherever applicable are properly paid including taxes on purchases, sales, if any, and the compliance of the Govt. policies for taxes including TDS, VAT, GST, Service Tax. Income Tax etc.

**12.6.5.7.** The Treasurer shall get all the accounts and books inspected, audited and certified from the Chartered Accountant who is appointed by the Governing Board / General Assembly.

**12.6.6. Governing Board Members**

**12.6.6.1.** They shall suggest, advice and put forth the proposals to the Governing Board for various plans, schemes including various Annual Plans, Long Term Development Plan and to adhere to the laid down rules of the Committee by the affiliated members for its implementation at the ground level. Governing Board Members would be part of the majority decision in the Governing Board and represent affiliated members of PCI in the Governing Board.

**13. BANK ACCOUNT:**

The account of PCI shall be maintained in Scheduled or Nationalized Bank as may be approved by the Governing Board. The accounts shall be in the Name of PCI and preferably there should be 2 separate accounts in order to have clear distinction of Government and Non-Government accounting.

It is preferable to maintain only one account for the Government transactions and other separate bank accounts for non-governmental or CSR / Sponsorship / LOC requirement transactions. All the payments shall be transacted only through cheques / Drafts / NEFT / RTGS / Credit or Debit Card / Letter of Credit / Bank Guarantee etc. or in Cash with reference to specific PAN No of the payee. The accounts shall be jointly operated upon either by the Treasurer and the President or the Treasurer and the Secretary General or by the Treasurer and an Authorized Signatory who should be an elected Office Bearer, as per the Board's Resolution.

## **14. MEETING PROCEDURES:**

### **14.1. Annual General Assembly / Meeting (AGM):**

**14.1.1.** The Annual General Meeting (AGM, also known as Annual Meeting of the General Assembly) shall normally be held every year before 90 days from the closing of financial year.

**14.1.2.** The Notice of AGM shall be issued as per the directions of the Secretary General.

**14.1.3.** Notice of a General Assembly shall be given at least 21 days prior to the meeting. The Agenda needs to be distributed along with the Notice. The amendment to the Agenda (supplementary Agenda if any, in addition to the issued Agenda) can be circulated at least 10 days prior to the meeting.

**14.1.4.** Motions shall be submitted to the Secretary General / President by a Member in writing at least 12 days before the General Assembly for circulation with the Supplementary Agenda.

**14.1.5.** Minutes shall be drawn up for each General Assembly and shall be signed by the Chairperson (Member chairing the General Assembly) and the recording assistant of the Assembly.

**14.1.6.** The General assembly is the official gathering of PCI Members, it shall be competent to pass any resolution (with simple majority i.e. 50% + 1 of the vote casted) if at least one-third (1/3<sup>rd</sup>) of the members with voting rights are present (the presence of at least one-third (1/3<sup>rd</sup>) of the PCI members with voting rights will constitute a quorum). In case of No-Confidence Motion against any Governing Board Member, shall be requiring three fourth (3/4) majority of total numbers of PCI Members.

**14.1.7.** If there is no quorum at least at the start of a meeting, the following will apply:

**14.1.7.1.** The Chairperson will rule that the meeting will not proceed and will re-schedule the meeting to a time and place specified by the Chairperson and agreed to by those present at the meeting.

**14.1.7.2.** If the Members decide to challenge this ruling and proceed despite the lack of a quorum, any decisions made must be ratified by the next General Assembly where there is a quorum.

**14.1.7.3.** If the meeting is postponed due to lack of quorum and a new meeting is called, the new meeting may proceed and the members present may make decisions regardless of the number of members present. All the requirements with respect to notice, timelines, etc. must be adhered to in calling and convening this new meeting.

**14.2. Extraordinary / Special General Assembly (EGA / SGA):**

**14.2.1.** The EGA / SGA is a General Assembly called for a special reason in between the regularly scheduled General assemblies. An EGA / SGA may be called on request of the Board or on demand by at least one-third (1/3) of the total number of Members. The procedures for the Notice, Agenda, Quorum etc shall be same as in the case of General Assembly.

**AND/OR**

**14.2.2.** Shall be convened on a written requisition signed by Presidents and Secretaries of not less than 51% PCI Member units within 45 days from the date of receipt by the PCI of the said requisition. If the PCI fails to convene a requisitioned meeting within the said specified time, then the requestors can convene meetings under arrangements made directly by them. In the requisitioned meeting only specified items of agenda announced will be considered for discussion. However, if the Extraordinary General Assembly is proposed to be convened in close proximity with AGM, which date is not later than 3 months, the business proposed to be transacted in such EGA / SGA can be the business as transacted in AGM. Further the members proposing for convening of EGA / SGA, may notwithstanding the aforesaid procedures, introduce all the proposed business of AGM in the said EGA / SGA.

**14.2.3.** To pass a resolution of no confidence it will be mandatory requirements that such resolution against the President / Secretary General / Treasurer or against any other Governing Board Member be preceded with a notice served to the concerned office bearer before 10 days of the EGA / SGA and to be passed only by 3/4<sup>th</sup> members and their voting subject to Quorum. A resolution of no-confidence not supported by 3/4<sup>th</sup> majority will be deemed to have fallen through and the motion will be treated as null and void. The quorum for such meeting (EGA / SGA) shall be 3/4<sup>th</sup> of the total strength of the representatives of the PCI entitled to vote.

**15. GENERAL RULES FOR PCI NOMINATIONS:**

**15.1.** PCI's election procedure (once in 4 years) shall be followed as per Govt. of India's National Sports Development Code, 2011 (NSDC) Guidelines. Accordingly, the number of Office Bearers, their elected terms, tenure and age limit etc. shall be as per the said Guidelines. PCI Office Bearers and Technical Committee Members shall be elected/appointed subject to 1 Man - 1 Post basis (conforming with NSDC Guidelines), by the written request of 2/3<sup>rd</sup> of elected members, the election can be called before the stipulated time and the early election can be conducted. The Executive Council / Governing Board will decide Venue, Date and appointing of Returning Officer.

**15.2.** Elections shall be held once in 'four years' normally at the Annual General Meeting (Annual Meeting of the General Assembly) or at the Extraordinary General Assembly Meeting to elect the Governing Board Members as per NSDC guidelines for the positions as listed in PCI Constitution vide Section 8.2, from amongst the representatives from State Para Sports Associations, National Federations and National Para Sports Federations of Members present (among the representations of the affiliated Members).

**15.3.** The President or the Secretary General or the Governing Board may co-opt a Member of High Powered Advisory Committee (with no voting right) for a fixed period of time, not exceeding the normal electoral cycle, up to ten (10) individuals who shall serve as members of an expert High Powered Advisory Committee (HPAC) without vote. Members may be co-opted in order to ensure that:

**15.3.1.** The HPAC will have members with the necessary set of skill, expertise and capabilities for carrying out their work and to fulfill PCI objectives effectively.

**15.3.2.** Representation preferably to the regional / physical disability (i.e., people with an impairment) and gender balance within the Governing Board should be considered.

**15.4.** A photo card for each of the above elected / nominated member, signed by the President / Secretary General respectively, may be issued for the purpose of their identification.

**15.5.** Individual National Federation, Para Sports Federations / State Para Sport Associations will forward 'nominations' of their candidates entitled to attend the AGM or EGA to the PCI minimum 10 days prior to the holding of the elections at the AGM of the PCI. as the case may be. The recommendations of the 'nominations' will indicate

the name of the candidate and the position held by him / her in the concerned Individual National Federation / Para Sports Federation / State Para Sport Association. Change of name of the nominated candidates will not be allowed unless prior permission in writing is obtained from the President of PCI.

**15.6.** All the elected posts of Governing Board Members of PCI are honorary in nature (as per the guidelines of NSDC).

**15.7.** All affiliated members can nominate two representatives who shall be the part of the electoral college.

**15.8.** Any vacancy (including that of the President) which occurs in Governing Board has to be filled through elections and not by nomination. However, interim charge for the post can be allocated to the next senior most Governing Board Members or as decided by the Governing Board.

**15.9.** The right of exercising the vote shall vest in accredited representatives deputed by the PCI affiliated members. A representative accredited by the Individual National Federation / Para Sports Federation / State Para Sports Association must be a member of the said Individual Para Sports Federation / State Para Sports Association and would attend the PCI AGM / EGA in which elections are to be held on production of a certificate signed both by the President and the Secretary of the Individual National Federation / Para Sports Federation / State Para Sports Association concerned detailing him / her for attendance on their behalf. However when a representative of the Individual National Federation / Para Sports Federation / State Para Sports Association attends a meeting in which elections are not be held or attends a EGA, in this case the accreditation certificate may be signed by the President or Secretary (instead of both) of the Individual National Federation / Para Sports Federation / State Para Sports Association concerned detailing him / her for attendance on their behalf.

**15.10.** Individual National Federation / Para Sports Federation / State Para Sports Association will accredit two individuals as representatives to attend a PCI AGM or EGA if he / she is a full member of their Federation / Association. One and the same person shall under no circumstances be entitled to represent more than one member.

**15.11.** The Copies of the minutes of the meetings at which elections or replacement of members or any change in policy taken place shall be sent to the

International Paralympic Committee and also to the Ministry of Youth Affairs and Sports, Govt. of India (MYAS) / Sports Authority of India (SAI). All such minutes / documents shall be certified as true copies by the Secretary General of the Paralympic Committee of India (PCI).

**15.12.** The Members, as mentioned in PCI's Constitution vide Section 5.1 to Section 5.3, shall be entitled to send their representative/s with voting rights in the AGM and EGA of PCI.

**15.13.** Voting, if necessary, in the PCI Governing Board, PCI Special Governing Board and or at AGM and or EGA Meetings of PCI, shall be by raising of hands OR Secret Ballot system as per the decision of the majority present in the meeting. Elections of the Office Bearers & Governing Board Members of the PCI shall always be by a Secret Ballot system only, as per NSDC guidelines.

**15.14.** Each representative shall be entitled for One Vote for one post only.

**15.15.** The right of exercising the vote shall vest in accredited representatives deputed by the members and One person can contest for only one post.

## **16. DISSOLUTION**

As per Section 13 read together with Section 10.12 of PCI's Constitution.

## **17. AMENDMENTS OF MEMORANDUM & BYE LAWS :**

**17.1.** With 3/4<sup>th</sup> majority of the Governing Board, PCI shall have power to alter and extend the objects for which the PCI is established, as stated in the Memorandum of Association in the manner as per the Karnataka Societies Registration Act and subject to ratification condition by a minimum 2/3<sup>rd</sup> votes of the total members in the AGM/EGA.

**17.2.** No amendment shall be made to these rules except at the Annual or Extraordinary General Meetings of PCI and unless supported by minimum 2/3<sup>rd</sup> votes of the total PCI members/ representatives present for voting subject. The Bye Laws can be amended or ratified at a meeting convened for the purpose as per laid down rules, subject to IPC Handbook and NSDC guidelines.



**17.3.** All proposed amendments must be presented to the Secretary General with a copy to the President and Vice-Presidents at the latest 2 (two) weeks before the meeting and forwarded by him / her to every Member at least 10 (ten) days prior to the meeting being held.

**17.4.** All the decisions / approvals of the President / Governing Board shall be treated as directives sanctions and should be serially marked, dated and signed respectively for its administrative action and records to be maintained both in Head Office and Registered Office.

## **18. GENERAL DISCIPLINARY REGULATION:**

**18.1.** Violation of the existing rules cannot be excused on grounds of ignorance of the said rules.

**18.2.** Whoever abets a member unit to commit an infraction or aids and abets the said unit infraction shall be censured in the same manner as the unit which commits the infraction.

**18.3.** All member units of the Paralympic Committee of India shall undertake to furnish to PCI a copy of their respective statutes (Registration Certificate / PAN No. etc.), Constitution, Rules & Regulations, a list of their respective accredited member units along with their office bearers & members, a copy of Annual Report, Annual Balance Sheet and Audited Statement of Accounts and a report of their activities duly approved by their General Body within three months of the closing of the financial year. Also to publish on their WEBSITE or through notice/letters etc. a calendar of sports events for the ensuing year at least 2 months prior to the completion of the financial year (i.e. by 31<sup>st</sup> Jan). Failure to supply this information within the stipulated period will constitute a breach of this rule and may render the defaulting unit to disciplinary action under these rules.

Every year the State Para Sports Associations should organize State Championships and the concerned Sports Federations should organize their concerned Paralympic Sport.

**18.4.** The President of PCI or majority of the Governing Board Members shall have the power to call for explanation from its Member Units regarding the issues where

a sport person has been found guilty of any breach of rules, including non-compliance with WADA/ NADA Codes, IPC and International Federation Regulations, but no action has been taken by the concerned member unit. The recommendations of the PCI President and / or Governing Board members shall be placed before the General Body for their ratification of the appropriate disciplinary action.

**18.5.** The current list of all the affiliated members of PCI till date i.e. \*\* is incorporated to this Bye Laws mentioned in Page no. \*\*. Any addition / deletion in the list is subject to non pending complaint with regulations, lack of relevant recognition from International Federation or have violated / breached IPC Bye Laws and as per the guideline of IPC Handbook and PCI Bye Laws.

**18.6.** In case of any misrepresentation and unauthorized use of PCI name / logo and its goodwill by any individual / organization shall be treated as an act of criminal violation attracting severe penalties and prosecution applicable as per Indian Penal Code, as deemed fit by the majority decision of the Governing Board or by the President in the interest of PCI and Para Sports.

## **19. EXPULSION OF AN INDIVIDUAL MEMBER OR A GROUP OF MEMBERS FROM INDIVIDUAL PARA SPORTS FEDERATIONS / STATE PARA SPORTS ASSOCIATIONS.**

**19.1.** In cases, where an individual member or a group of members belonging to the associated Para Sports Federation / State Para Sports Association indulge in activities such as taking recourse to Civil Court of Law. Such activities are prejudicial to the promotion of Sports and efficient functioning of the concerned Individual Para Sports Federation / State Para Sports Association and are also observed that these unavoidable actions take place without utilizing the available resources and good offices of PCI. The Governing Board of PCI can issues a directive in consultation with the concerned Individual Para Sports Federation / State Para Sports Association to take necessary action in the matter, a decision on this matter must be supported in the General Assembly by not less than two-third (2/3<sup>rd</sup>) majority of votes of the Members, as per laid down rules.

**19.2.** The PCI General Assembly is to ensure that before taking a decision a Show Cause Notice of minimum 30 days has been served and an explanation has been obtained (subject to provisions of applicable Indian Laws for Right to Heard in the interest of justice to the aggrieved party) and considered from the individual member or group members recommended for disciplinary action.

**19.3.** The decision for expulsion of an individual member or group of members by the Governing Board of PCI shall be ratified in the General Assembly of PCI and must be supported by two-third majority of votes of the members present and voting subject to the fulfillment of quorum as per laid down rules.

## **20. GENERAL CODE OF CONDUCT:**

### **20.1. Code of Conduct for Athletes:**

**20.1.1.** All athletes shall participate in Paralympic events, competitions and activities in the true spirit of fair play for the glory of sports.

**20.1.2.** All athletes shall respect the performance of their fellow competitors and not cause any illegal obstruction, intentional damage, bodily harm to them, not use any abusive / foul / unparliamentarily words or language or threaten. It may lead to his suspension from PCI / IPC activities for a minimum of one year or more years as per discretion of Governing Board / Disciplinary Committee.

**20.1.3.** All athletes shall respect their Coaches and Team Officials and not follow any illegal advice from any other source that would violate the Paralympic ideals of fair play.

**20.1.4.** All athletes shall respect and adhere to the IPC Code of Ethics, IPC's Athletes Classification Code, International Federation and National Federation including PCI Rules, any Rules & Regulations applicable for any sporting event and various other applicable guidelines of IPC Handbook. They must respect the final decision of Classifiers and Officials and understand that failure to do so may jeopardize their ability to participate in PCI / IPC events and competitions. Athletes and their Team Officials can only lodge protest when there is genuine doubt about the Classification of an athlete / officials' decision in the competition.

**20.1.5.** All athletes shall respect the IPC Anti-Doping Code. It is recognized that athletes may have significant medical conditions that require treatment, but the use of any technique or medication whose sole purpose is sport performance enhancement while being detrimental or potentially detrimental to health will not be tolerated. Use of medications in this situation will be evaluated based on whether the medication gives an unfair advantage, whether it is essential to the athlete's health in everyday life not just sport, and whether an alternative, medication can be found. All possible steps shall be taken to contribute to the creation of a drug-free sport environment for all Paralympic athletes in conjunction with the World Anti-Doping Agency (WADA) / National Anti-Doping Agency (NADA) rules.

**20.1.6.** Under no circumstances the Athletes in case of misbehavior by using of uncivilized language or indulging in unlawful acts against the interest of the Committee and welfare and development of Para Sports shall be tolerated and is/are liable to be debarred from participation for minimum one year or more as per the discretion of the Governing Board or by the Disciplinary Committee. In such cases decisions of the Governing Board shall be final.

**20.1.7.** Athletes shall not support or assist other athletes to gain any illegal or unfair advantage and they shall report any infringement to these principles to the concerned PCI officials.

**20.1.8.** Athlete autonomy shall be respected as long as it does not violate fair competition and the Paralympic ethos.

**20.1.9.** Any athlete, team official, escort or coach are free and allowed to go to media directly for any redressal, complaints, suggestions, personal views, unfair practices etc. However, the aggrieved party (athlete, official, escort, coach etc.) should first approach PCI with their grievances for its remedial and amicable resolution as per the fair and genuine demand of the aggrieved party. The approach to Media or any group by the aggrieved party is/ their fundamental right and preferably shall be explored in case of failure in reaching with an amicable solution favouring the aggrieved party / parties despite the intervention and facilitation of PCI.

**20.2. Prevention of Age fraud** – In view to eliminate age fraud in sport strict action will be taken against athletes found guilty of committing age fraud. National Code Against

Age Fraud in Sport of MYAS, Govt of India shall be adapted to prevent, detect and penalize Age Fraud in Para Sports.

All the existing athletes who are playing in age group competition will be subjected to medical examination and if found over age even after going through the appeal process shall be subject to performance review before re-adjusting in the appropriate age-group as part of the normal weeding out process.

An exhaustive and diligent record of age, along with proof of the age of athletes shall be maintained and the same will be mentioned on the Identity Card of the Athlete.

### **20.3. Athletes National License:**

All Athletes participating at the National Championship / Games etc. are required to be issued with PCI National Registration License (with a nominal fee) preferably in line with the guidelines of IPC. This procedure is required to maintain Athletes' Data Base for planning and coordination with IPC / Government and related agencies.

### **20.4. Code of Conduct for Coaches and Team Officials:**

**20.4.1.** Coaches & Team Officials shall comply with the Paralympic Ideals in the spirit of fair play. Coaches & Team Officials shall never compromise true sportsmanship or the Paralympic values and Ideals to obtain any personal or team advantage.

**20.4.2.** Coaches & Team Officials shall observe and follow the IPC Classification Code, the IPC Anti-Doping Code and all competition Rules & Regulations, and shall report any irregularities to the responsible officials of the competition.

**20.4.3.** Coaches & Team Officials must respect the classification process and doping control procedures and shall ensure that their athletes perform honestly and make protests only when there is genuine doubt about classification of a competitor.

**20.4.4.** Coaches & Team Officials must not distract the attention or put unnecessary pressure on the athlete by shouting, very loudly cheering or abusing the athlete when he makes a foul or does not perform to the optimum level, which brings down the morale of the athlete and can disturb him mentally which ultimately would result in poor performance.

### **20.5. Code of Conduct for Classifiers and Anti-Doping Officials:**

**20.5.1.** Classifiers and Anti-Doping officials must perform their duties courteously, competently, consistently, unbiased and objectively for all athletes regardless of team or region or disability.

**20.5.2.** Classifiers and Anti-Doping officials must declare any potential conflicts of interest.

**20.5.3.** Classifiers and Anti-Doping officials must not abuse their positions or capacity to obtain advantage or benefits.

**20.5.4.** Classifiers and Anti-Doping officials must respect athletes and coaches and be sure that there is a courteous attitude during the classification process during doping control tests. They must maintain confidentiality of athletes' information and respect the dignity of the athletes.

**20.6. Code of Conduct for Sports Technical Officials:**

**20.6.1.** Sports Technical Officials shall apply the respective rules consistently for all athletes and ensure fair play at all times

**20.6.2.** Sports Technical Officials must make all decisions with absolute impartiality and objectivity.

**20.6.3.** Sports Technical Officials must declare any potential conflict of interest that would prevent them from being impartial.

**20.7. Non sportsman like Behavior and Act of Violence:**

During the Paralympic Games, Commonwealth Games, Asian Para Games, World Para Games, World Para Championships / Cups and National Para Games, or any other International Competitions, any non-sportsman-like behavior on the part of a sportsmen / sportswomen / officials / escort or coach, which includes insulting, making undesirable gestures, disregarding the decision of the Judges / abusing the Judges / Referees and provoking the opponents or spectators etc., in other words, committing any act not in keeping with the propriety of sports, shall be punished as follows:

**20.7.1.** Disqualification for the duration of the activity of that item / event of sports.

**20.7.2.** Disqualification for the entire duration of competition.

**20.7.3.** Prohibition from participation in competitions for a fixed period of time if such membership does not confer on such members the right to vote in any of the Para Federation/ State Association meetings. For any one game only one sports Association

is permitted in one state. It implies therefore that in the field of sports it will be “One State One unit”.

**20.7.4.** No Individual Para Sports Federation / State Para Association shall affiliate any other Para Sport Federation that is already affiliated/ recognized to the PCI as their Member

**20.8. Prevention of Sexual harassment:**

To ensure safety of Para Sports persons and female workforce (Officials / Coaches / Escorts etc.) Sexual Harassment at the Workplace Act & Rules, 2013 and Protection of Children from Sexual Offences (POCSO) Act shall be adopted and a separate Committee (POSH) will be formed to address the sexual harassment complaints.

Awareness among Para Athletes, Coaches, Support Staff, Trainees and Official will be created to ensure the safety of the sports persons and the female workforce.

It will be duty of the POSH Committee , STCs and the Affiliated Members to ensure that a safe environment is provided and review the implementation of the Sexual Harassment at the Workforce Act.

The enquiries on the complaints will be completed in a time bound manner following due procedure. Any lapse on this front would be dealt with seriously.

**20.9. Ethics Commission:**

To ensure ethical practices and fair play in Para Sports, PCI will set up an Ethics Commission which will be entrusted with the responsibility of enforcing the Code of Ethics and Education upon offences as mentioned in the National Sports Ethical Commission Bill. The Ethics Commission will be entrusted with the responsibility to ensure and enforce ethical practices and elimination of doping practices, match fixing, fraud of age and sexual harassment of women in sports.

**20.10. Disciplinary Sanctions:**

**20.10.1. Cautions** – In case of any complaint and observation regarding breach of IPC Code of Ethics , IPC Code of Conduct, PCI Membership criteria, including PCI Bye Laws, NSDC guidelines by a National Para Sport Federation / State Para Sports Association or an Individual Member or their Group of Members, shall be given a show-

cause notice for their appropriate reply within a stipulated time specified in the notice for restricting their such behaviors in future.

**20.10.2. Warning** – In spite caution for repeated misconduct by a National Para Sport Federation / State Para Sports Association or an Individual Member or their Group of Members for violating IPC Code of Ethics , IPC Code of Conduct, PCI Membership criteria, including PCI Bye Laws, NSDC guidelines, the President of PCI shall issue a warning to the respective violator for start of suspension procedure, in case the affidavit / undertaking submitted by the said violator to the PCI President is not found to be satisfactory.

**20.10.3. Suspension** - As per Section 5 of PCI Bye Laws.

**20.10.4. Termination** - As per Section 6 of PCI Bye Laws.

## **21. SETTLEMENT OF DISPUTES, RESIDUAL POWER, DISAFFILIATION, DERECOGNITION AND SUSPENSION:**

### **21.1. Settlement of Disputes / Conflicts in the National Para Sports Federations / State Para Sports Association.**

**21.1.1.** All Individual Para Sports Federation / State Para Sports Association affiliated to PCI shall include in their constitution a Clause that the respective Federation / Association would have all unresolved disputes settled by the PCI and that the Members shall voluntarily surrender their right of seeking redressal in any court of law.

**21.1.2.** Every Member shall be deemed to continue its membership of the PCI on the specific conditions that it voluntarily surrenders its right of seeking redressal in any court of law and is unconditionally subjected to the laid down rules of PCI Bye Laws.

**21.1.3.** All unresolved disputes arising within the Affiliated Members of PCI shall be referred by the respective Federations / Associations to the PCI for settlement by the PCI. For this purpose, the PCI Governing Board will exercise recourse to arbitration by recommending 3 names to disputing parties for selecting one name in consultation with the President, PCI that is acceptable to both the parties. In case the disputing parties fail to agree on one common name for arbitration on the dispute, the President PCI shall appoint another arbitrator of his choice and the proceedings shall be completed



by him / her within the period specified by the PCI Governing Board (based on the circumstances of the case, the President of PCI will have the authority to extend or change the period).

**21.1.4.** In the event of an unresolved dispute within an affiliated unit of the PCI that is referred to the PCI by a member and which affects normal working of the unit or prevents preparation and training of the sportsmen / team under the charge of the unit for the purpose of international representation / competition, the PCI Governing Board will constitute an ad-hoc body from within the Members of the Governing Board or the General Assembly as may be necessary to take decisions pertaining to the functioning of the Member unit until the dispute of the said member unit is resolved.

**21.1.5.** All disputes within Individual Para Sports Federation / State Para Sports Association and PCI or within the PCI itself will be dealt with in the same manner as laid down in (21.1.3) above, in addition to applicable arbitration law and subject to the limitation of the laid down rules as per the Bye Laws

**21.2. Residual Powers:**

In the events of disagreement on the above Disciplinary and Dispute Rules, the interpretation of the regulations shall fall within the competence of PCI Governing Board, which shall be the final authority for the award to be binding subject to ratification in the General Assembly Meetings

**21.3. Disaffiliation / De-recognitions / Suspension of any Para Sports Federation / State Para Sports Association:**

The termination (disaffiliation) or suspension of any existing member of PCI shall be only through the following laid down procedure:

**A member may be terminated when:**

**21.3.1.** A suspension is likely to exceed two (2) to four (4) consecutive years. In this case, the Governing Board shall bring forth a recommendation to the appropriate General Assembly for either continued suspension or termination of membership.

**21.3.2.** A member withdraws its membership by delivering to the Board its written notice of withdrawal of membership. The resignation shall take effect at the time of such delivery, unless a later date is specified in the resignation.

**21.3.3.** Automatically upon the dissolution of the Member's organization.

**21.3.4.** Automatically upon the General Assembly deeming with the simple majority of votes of delegates present and voting that a member no longer meets the requirements for membership as outlined in Section 6 of PCI Constitution..

**21.3.5.** Automatically upon there being passed, at a Meeting of Members at the General Assembly, by at least two-thirds (2/3) of the votes cast on the question, a resolution that such Member's membership be terminated. Termination premises a good cause which shall in particular and without limitation be given if a Member prejudices the interests of the Organisation or if the Member is in breach of the PCI Constitution, Bylaws, Codes, Rules and Regulations

**Note** - Prior to any vote on termination, a Member shall have the right to be heard.

**21.3.6.** The PCI General Assembly on the recommendation of the President of PCI through the PCI Governing Board shall consider disaffiliation / de-recognition / suspension of an Individual Para Sports Federation / State Para Sports Association on one or more of the under mentioned grounds. This can be done after ensuring that a time bound (maximum 90 days) Show Cause Notice has been served on an errant organization and an explanation has been received within the specified time and duly considered.

**21.3.7.** Non-observance of directives issued by PCI from time to time.

**21.3.8.** Failure to hold elections on completion of the normal tenure for which the office bearers are elected. Extension, if any of the tenure of the office-bearers will be subject to NSDC Code and by obtaining prior written permission from the PCI.

**21.3.9.** Non-submission of annual audited statement of accounts, annual report, their sports activity report and any other report required to comply with the Bye Laws as well as the list of current office bearers within the stipulated time period.

**21.3.10.** All above decisions of the PCI General Assembly must be supported by two-third majority votes of the Members present and voting subject to quorum, to be valid and binding.

**21.3.11.** In the event of PCI General Assembly taking a decision to disaffiliate / derecognize / suspend an Individual Para Sports Federation / State Para Sports Association, the President of PCI shall have the authority to constitute an ad-hoc

Committee preferably from amongst the Members of the PCI to conduct fresh elections in the concerned Individual Para Sports Federations / State Para Associations which would then start functioning as before after elections of its new Governing Board

**21.3.12.** No Penalty shall be imposed upon the unit at fault without being heard by the Committee specially constituted for this purpose.

**21.3.13.** Should an affiliated unit fail to present itself through its accredited office-bearers before the designated Committee it shall be considered to have been heard.

**21.3.14.** As a general rule, except in special circumstances duly recommended, suspension shall be applied as a temporary measure.

**21.3.15.** Disciplinary sanction will not be imposed unless supported by two third of the General Assembly Members present and voting subject the quorum.

## **22. APPEAL AND LEGAL SUITS:**

**22.1.** All Individual Para Sports Federations / State Para Associations affiliated to the PCI shall commit themselves to appeal only to the President of the PCI in the event of any differences which may arise with regard in the functioning of the Individual Para Sports Federations / State Para Associations within its laid down statutes and regulations. For this purpose the PCI Governing Board will exercise recourse to arbitration by recommending 3 names to disputing parties for selecting one name in consultation with the President, PCI that is acceptable to both the parties. In case the disputing parties fail to agree on one common name for arbitration on the dispute, the President PCI shall appoint another arbitrator of his choice and the proceedings shall be completed by him / her within the period specified by the PCI Governing Board (based on the circumstances of the case, the President of PCI will have the authority to extend or change the period).

**22.2.** Any decision made by the Disputes Settlement Committee/ Board of Arbitration or President, whichever may be applicable, may be submitted exclusively by way of appeal to the Court of Arbitration for Sports in New Delhi to get the dispute resolved in accordance with the Code of Sports relating to Arbitration. However, on

such appeal the decision concerning the appeal shall become final and binding. Time limit of 30 days for appeal shall not be extended in any case.

**22.3.** The PCI may sue or be sued in the name of Secretary General or Joint Secretary of PCI, however with a written permission of the President in case of impleading of other EC Members for a pending case concerning the PCI. A law suit can be filed either in New Delhi or at Bangalore. This is, however, subject to available precedence and directions of the Supreme Court of India or other Apex Courts from time to time. Courts alone shall have the exclusive jurisdiction in all the legal disputes wherein the legality, correctness and propriety or otherwise of the action of the PCI has been challenged.

**22.4.** The provisions of the Societies Registration Act XXI of 1960 and Rules, 1961 apply to PCI.

**22.5.** In all matters related to the interpretation and application of the Bye Laws of the PCI as well as in matters not specifically provided for herein the decision of the Governing Board shall be final and binding on all concerned.

**22.6.** The Governing Board may at its discretion frame bye-laws not inconsistent with or contrary to this constitution for the proper and efficient administration of the Committee subject to its ratification by the General Body with a minimum voting majority of 3/4<sup>th</sup> as per the laid down rules.

**22.7.** The PCI shall be guided by the Statutes, Rules, Regulations, Bye-Laws and directions and instructions issued from time to time by the International Paralympic Committee and these Bye Laws containing instructions received from time to time from the International Paralympic Committee read together with NSDC.

**22.8.** In case of interpretation difficulties of the Articles mentioned in these Bye-Laws or in the eventuality of a conflict with the rules of the "Paralympic Charter" the rules contained in the IPC Handbook read together with NSDC shall prevail.

**22.9.** The PCI will affiliate and approve with the exception of widely played Indian Games only such individual sports Federation / Association of the games on the approved list of the Commonwealth Games, Federation for the Commonwealth Games and on the approved list of the Paralympic Council for Paralympic Games and Asian Para Games, the affiliated Individual Para Sports Federations / State Para Sports Associations of the PCI will also follow this procedure.

**22.10.** It shall be binding on all the Individual Para Sports Federations / State Para Sports Associations and other units affiliated to the PCI to forward their annual report including sports activity report and Audited Statement of Account every year. The affiliated units should conduct their elections as and when directed by the PCI in conformity with the NSDC guidelines. However, in the elections held by all or any of the unit (s) to reconstitute its/ their Governing Board or to elect new office bearers, the date and time of the Election shall be intimated to the PCI and the President PCI shall nominate an election observer to attend the election meeting who shall submit his/ her report to the President, PCI for appropriate action. The non-compliance of these requirements may result in disaffiliation.

### **23. MISCELLANEOUS**

**23.1.** The PCI will ensure that each affiliated National Para Sports Federation / State Para Sports Association in the particular field of specialization has appointed or would appoint a National / State Coach, who possesses a valid coaching Diploma. PCI shall ensure that the person appointed or proposed to be appointed as a Coach should meet the requisite coaching qualification.

**23.2.** PCI affiliated Individual Para Sports Federation / State Para Sports Association, must hold not less than one competition annually each specified age group of senior, junior and sub-junior levels in the respective Sports governed by them to ensure All India spread as per NSDC guidelines. These competitions should be organized through Inter-Block and Inter-District Competitions in each State leading to the competition at the National Level.

**23.3.** The Membership of the Individual State Para Sports Federation / State Para Sports Association within their respective field of Sports governance is confined only

to the corresponding State and to their other related Member Units affiliated to the said Individual State Para Sports Federation / State Para Sports Association of the respective States.

**23.4.** All the individual Para Sports Federation / State Para Sports Associations will forward to the PCI a copy of their current and valid Constitution Bye-Laws along with amendments whenever made. They shall also likewise supply important and significant information and statistics to the PCI from time to time.

**23.5.** Any appeal by a member of an Individual Para Sports Federation / State Para Sports Association complaining against the procedure adopted by the concerned Individual Para Sports Federation / State Para Sports Association for holding "ELECTIONS" or any other issue connected with this subject must be made in writing to the PCI within 30 (thirty) days of the occurrence of the incident. No complaint will be considered valid or entertained by the PCI if it is made after the expiry of the 30 (thirty) days period. The complaint must be specific and contain documentary evidence to prove the issue that is disputed.

**23.6.** All the Individual State Para Sports Associations (or Union Territory Para Sports Associations) are eligible to be affiliated by PCI, subject to membership rules vide Article 5 of the PCI Constitution. The different State Para Sports Federations of each disciplines of the States shall seek affiliation from their respective National Para Sports Federations, but not from the Paralympic Committee of India to avoid any contradiction.

**23.7. Appointment of CEO**

The President of PCI in consultation with the Secretary General and with the approval / consent of the Governing Board of PCI can appoint CEO as a paid employee (however without violating the NSDC guidelines, if applicable), as per the recruitment policy of PCI.

**24. JURISDICTION:**

**24.1.** Any litigation or legal proceeding arising out of any transaction in the activities of the PCI for settlement of disputes shall be instituted in the court of Bangalore City. However, the venue for jurisdiction is also subject to the available

precedence and directions of the Supreme Court of India or the Apex Courts having pronounced directions if any regarding jurisdiction from time to time. The Committee shall be represented either by the President or Secretary General / Jt. Secretary or the Treasurer or one of their attorneys who should also be a member of the Federation or of any State Association.

Election of PCI should be held at Bangalore and in case if any dispute arises in the elections then the disputes shall be instituted in the Court of Bangalore as the seat of the Registrar of societies is in Bangalore.

### **Appeals to Judiciary:**

**24.2** If any sports persons want to approach judiciary for justice, first he/she should submit their grievances to the Governing Board of PCI for consideration (maximum within 60 days) only through their respective State Para Sports Association / Union Territory Associations or Individual Para Sports Federations on their respective official letter head duly signed by the head of the institution (President/ General Secretary). No direct petition by any sports person shall be entertained unless approval of the Governing Board is received within 60 days of the date of grievance submission.

### **25. MEDIA:**

As per Section 20.1.9 of PCI Bye Laws

**26. MINUTES OF MEETINGS:**The following shall be abided in every meeting (nature and category of meeting as mentioned previously) held under the PCI banner:

**26.1.** Minutes (in English) of each Meeting shall be circulated to all PCI Governing Board Members, affiliated Units and available upon request to PCI. The Minutes shall also be displayed on the official website of PCI.

**26.2.** The minutes of the meeting shall normally be recorded by minimum of 2 or more persons. Minutes of the meeting shall be prepared and finalized by the Secretary General.

The confirmation of the Minutes of the meeting held should be on the same day on which the meeting is convened or maximum on the day succeeding date of the meeting

to be signed by the Chairperson and Secretary General or in their absence by Vice President, Jt. Secretary and Treasurer or by the Secretary General and Treasurer and by a minimum of 3 Governing Board Members who shall for confirmation of the minutes be deemed as the Certification Officers for the above mentioned purpose.

**27. WEBSITE:**

Total Administrative control of the website of PCI shall be from the Delhi Office in coordination with the Registered Office.

**28. MARKETING RIGHTS, INTELLECTUAL PROPERTY AND BRAODCAST:**

**28.1.** As per the IPC directions/regulations, the use of 'Paralympic' word in the name, shall be the prerogative and exclusive right of Paralympic Committee of India (PCI) and shall be restricted for its use only by PCI as National Paralympic Committee (NPC). All State Para Sports Associations and Para Sports Federations, which have till now been using 'Paralympic' word in their names, shall immediately amend their name suitably (not to use the word Paralympic).

**28.2.** To accept the right of the IPC to initiate an International Marketing Programme (IMP) with other partners, agencies, subject to individual and/or collective consultations with IPC stakeholders and as outlined in the IPC intellectual property bye laws.

**28.3.** To respect and protect the IPC Marketing Rights of all categories of sponsors of the IPC International and Worldwide Partnership Programme.

**28.4.** To respect and observe the IPC Intellectual Property Guidelines and protect their usage in the country; To register the approved logo and flag of PCI as a Trade Mark and prevent its un-authorized/ unlawful usage.

**29. INVESTMENT:**

The funds of the PCI shall be invested in the modes specified under the provisions of Sec.13 (1)(d) r.w.s.11 (5) of the I.T.Act, 1961 as amended from time to time.



### **30. ACCOUNTS:**

There shall be proper maintenance of accounts of the Federation. An independent Chartered Accountant shall duly audit the accounts. The Accounts shall be closed 31<sup>st</sup> March every year (as per the Govt of India guidelines from time to time).

### **31. AMENDMENTS:**

No amendment to the memorandum of Federation, rules and regulations of Federation shall be made which may prove to be repugnant to the provisions of the section 2(15), 11,12,13 and 80 G of the Income Tax act 1961, as amended from time to time. Further, no amendment shall be carried out without the prior approval of the Commissioner of the Income Tax.

### **32. DISSOLUTION:**

In the event of dissolution or winding up of the Federation the assets remaining as on date of dissolution shall under no circumstances be distributed among the Members of the Managing Committee / Governing Body but the same shall be transferred to another Charitable Federation / Federation whose object are similar to those of this Federation and which enjoy recognition U/s 80G of the IT Act 1961 as amended from time to time.

### **33. IMPORTANT POINTS (INCLUDING KSR ACT 1960):**

**33.1.** The benefit of the Federation shall be open to all irrespective of the cast, creed or religion.

**33.2.** The funds and the income of the Federation shall be solely utilized for the achievement of the objectives and no portion of it's shall be utilized for payments to the members by way of profit, interest and dividends.

**33.3.** The Federation shall be irrevocable.

**33.4.** Alteration or amendments of the Memorandum of Federation shall be made as per Sec 9 of the K.S.R. Act 1960.

**33.5.** Change of Name, Rules and regulations shall be made as per Sec. 10 K.S.R. Act 1960.

**33.6.** If the Dissolution of the Federation arises Sec 22 and 23 of the KSR Act 1960 shall be followed.

**33.7.** If the Amalgamation of the Federation arises Sec 21 of the K.S.R. Act, 1960 shall be followed.

For the matters, which have not been specified, provided to therein above, the provision of the K.S.R. Act, 1960 and the Rules made there under shall apply.