



SWIMMING FEDERATION OF INDIA

CONSTITUTION
&
MEMORANDUM OF ASSOCIATION
OF
SWIMMING FEDERATION OF INDIA
As amended by General Council on 07 Oct 2022

(Registered under the West Bengal Societies Registration Act XXVI of 1961)

1. **TITLE:** The title shall be 'SWIMMING FEDERATION OF INDIA' hereinafter also referred to as the 'Federation' and 'SFI'
 - a. **OFFICE:** The Headquarter of the Swimming Federation of India (Administrative office) shall be located at AHMEDABAD and shall be changed/ shifted from time to time as decided by the Managing Committee.
 - b. **JURISDICTION:** Its jurisdiction shall extend to all States and Union Territories in India for the purpose of controlling competitions and organizing training, exhibitions and all other activities in Swimming, Diving, Water polo, Artistic Swimming, Open Water Swimming and Masters Swimming for males and females.
2. **MEMBERSHIP:** The membership (affiliation) of the federation shall be open to the under mentioned, subject to the approval of the affiliation by General Council of the federation on the recommendation of the Managing Committee and payment of such fees as decided by the General Council from time to time
 - a. Affiliation shall be granted to entities registered with the registrar of societies/companies or such competent authority as applicable under the law of the state; and promoting Swimming, Diving, Water polo, Artistic Swimming, Open Water Swimming and Master's activities in any State and Union Territories of India. Affiliation will be granted to one unit in any state of the union of India, provided they have as their members not less than 50% of district level association engaged in similar activity
 - b. Associate membership of the federation may be granted to the under mentioned subject to approval of such Associate Membership by General Council of the federation on the recommendation of the Managing Committee.
 - i. Sports control Boards of all India nature or any other institution having Swimming, Diving, Water Polo, Artistic Swimming, Open Water Swimming and Master's Swimming.
 - ii. Any Organization carrying Research and Development activities in the field of Swimming, Diving, Water polo, Artistic Swimming, Open Water Swimming and Master's Swimming



- iii. Associate members will not be entitled to attend / vote at any meetings of the federation and may be permitted to enter their teams in the Senior National / Open competitions of the federation
- c. Sportspersons of national standing as invitee member by nomination on fixed tenure of 1 year, after their retirement from active participation at competitive level for at least 2 years before date of invitation. Invitee members shall be entitled to attend & shall be entitled to vote at all meetings (excluding election meeting). Total strength of invitee members shall be at least 1/4th of the voting strength of total member eligible to vote. Invitee member shall serve no more than one term. For the purpose of this clause sports person who have represented India at international level or medalist in National Championship in any of the aquatic disciplines shall be eligible for nomination as invitee member.

3. OBJECTS:

- a. To recognize FINA as the sole governing world body for aquatic sports and to maintain affiliation with Federation International de Natation (FINA), Asia Swimming Federation (AASF), South Asia Swimming Federation, (SASF), Indian Olympic Association (IOA) and other Organizations as decided by the federation from time to time and follow its rules and regulations.
- b. To frame Rules and Regulations in accordance with the Rules of FINA and ensure compliance to FINA rules (including but not limited to) those governing FINA constitution, general rules, code of ethics, bylaws, technical rules, facility rules, doping control in line with FINA rule C 8.2.2 and C 8.2.3
- c. To maintain an autonomous status and functioning while receiving recognition by the nodal ministry of the Government of India as enshrined in the National Sports Development Code
- d. To organize, encourage, promote and control aquatic competitions / championships in India.
- e. To provide facilities for training in aquatic sports and to render financial assistance to individuals and organizations for the promotion of such training.
- f. To diffuse useful knowledge and technique in aquatics by publishing literature in any form as it deems proper or by arranging meets in various parts of the country and participating in meets abroad.
- g. To ensure that all contests open to the members shall be organized under the rules of the federation.
- h. To decide any dispute that may arise within an affiliated organization or between member organization which may be referred to it.
- i. To recognize mutually all suspensions of or by any member.
- j. To select and ensure representation of Swimmers, Divers, Water polo players, Artistic Swimmers, Open Water Swimmers and Masters' players and teams for International or Inter Nation competition or Games and to select/nominate/appoint suitable officials for competitions /Seminars/ Clinics /Training program within India or abroad.
- k. To frame rules and regulations for the establishment/recognition of National/ All India Records.



- l. To register players, coaches, clubs participating in competitive tournament in any of the aquatic disciplines and maintain a database for the same
- m. To raise or receive funds from registration fees, member fees, entry fees, FINA grants, Government grant and/or sponsorships for the development of the sport
- n. To ensure that all its members, players, officials are aware of and compliant with the Anti-Doping rules of FINA and world anti-doping agency.
- o. Adopt measures to prevent age fraud to ensure fair competition in all age groups and to set up mechanism to investigate age fraud from amongst the participating athletes in various age categories as decided from time to time.
- p. Adopt measures to ensure safety of women participating in the sport in any capacity. Actively spread awareness regarding safety of women and sensitise all concerned about what constitutes sexual harassment and preventing the same. Set up a mechanism to take cognisance of any complaints and investigate such complaints and take strict action as required under the law

RULES AND REGULATIONS

4. REPRESENTATION

- a. Authority : A member organization shall be represented only by its President/ Secretary OR representative/s who must be a bonafide member of such organization and his/their letter of Authority duly signed by the Secretary of the Organization/Association/ Institution they represent must be submitted to the Honorary General Secretary prior to the commencement of any meeting. Secretary and/or President of any affiliated unit shall not require a nomination / letter of authority for attending any meeting
- b. Qualification of Representatives : Representative/s nominated by the Affiliated units to attend the meeting shall be Indian Citizen having good standing, sound judgement and independent mind with a knowledge of Aquatic Sports and belief in Olympic principles. Member unit shall not nominate representative/s convicted in criminal case by any court. The President or in his absence Honorary General Secretary of the federation shall approve the accreditation of all the nominated representative/s before the commencement of the meeting of the federation.
- c. Total number of representatives from member units at meetings of General Council will be as prescribed in the article 11 read with article 19

5. FEES: The Affiliation Fees shall be as decided by the General Council from time to time and shall be subject to the rules provided herein under

- a. The new member desirous of seeking affiliation with the federation shall pay as affiliation fee an amount equal to the Annual Affiliation Fee, with the application for affiliation to SFI Secretariat.
- b. Any member whose Annual Affiliation fee is not paid by the end of April each year must be notified immediately by Regd.A.D. by the Treasurer/General Secretary. Such membership will be under suspension till such time as the fees are paid.



- c. Suspended Member/s:
- i. Shall be deprived of the right to be represented at any meeting of the S.F.I. including the meeting of the General Council.
 - ii. Competitors, Judges, Officials and Administrators registered with a Suspended member shall not be permitted to participate in any activities or meetings.
 - iii. Suspended member/s names will be circulated to all affiliated member units By the General Secretary.
 - iv. The Treasurer / General Secretary shall send by Regd. A.D. a notice in the month of September, to such member/s whose annual affiliation fee remain unpaid up to August 31st and intimate such member that they shall be deemed Dis-affiliated if the arrears remain unpaid on 30 Sep of such year. The list of dis-affiliated member/s will be circulated to all affiliated units by General Secretary of the federation.
- d. Dis-affiliated Members:
- i. Shall lose all privileges.
 - ii. A competitor registered with an dis-affiliated Member shall not be permitted to participate in any competitions or to compete against competitors of all affiliated members
 - iii. Re-affiliation may be granted at such time as not only the affiliation fee for the current year and for the years that they were dis-affiliated are paid, but in Addition a sanction fee of Rs.200/= is paid with an application for re-affiliation is submitted to S.F.I. Secretariat. Only after approval of General Council re-affiliation will be granted.
 - iv. A member organization shall be deemed to have been dis-affiliated Two months after a registered notice has been sent to it to clear the arrears of Annual fee. A member organization may be re-affiliated after the Managing Committee approves its application as per 5(d)(iii) and it pays arrears in full together with a re-affiliation fees of Rs.500/=

6. **FINANCIAL YEAR:** The Financial year of the Federation shall be from 1st of April to 31st March.
7. **ACCOUNTS:** The funds received on behalf of the federation shall be deposited in the Account of the federation to be opened in a scheduled Bank. The Banking account shall be operated jointly by the President and the Hony' Treasurer or the Hony' General Secretary and Hony' Treasurer. The accounts of the federation shall be maintained properly and audited annually and presented to the Managing Committee and the General Council and also to the Ministry of Youth Affairs & Sports, Government of India.
8. **EXPENSES:** All expenses incurred in excess of the budget or on items not included in the budget passed shall have to be passed at the next meeting of the General Council. The Hony' Treasurer shall make payments of the bills only after they are passed for payment by the Hony' General Secretary or President.
9. **AUDITORS:** The auditors and their remuneration shall be fixed by the General Council.



10. CONFLICT OF INTEREST: The general council through the managing committee shall ensure there is no conflict of interest in (but not limited to) matters related to management of funds, selection for team etc.

11. GENERAL COUNCIL: The General Council shall consist of:

- a. The President and Office Bearers
- b. Two Representative/s of affiliated units of SFI
- c. One Representative of National Swimming Association.
- d. FINA Bureau member (Ex-Officio) FINA rule C 17.1.8
- e. Invitee members as per article 2 (c) excluding for election meeting
- f. The Observer/s and/or Special Invitees if invited by The President/ General Secretary of the federation.

12. OFFICE BEARERS: The President, Hony' General Secretary and Hony' Treasurer shall be called Office Bearers and Senior Vice President, Vice Presidents, Joint Secretaries, shall be called Members Managing Committee alternatively and inter-changeably referred to as Governing Committee, Executive Committee

- a. The President - One
- b. Senior Vice President - One
- c. Vice Presidents – Five
- d. Honorary General Secretary – One
- e. Honorary Joint Secretaries – Four
- f. Honorary Treasurer – One
- g. The Office Bearers tenure will be in compliance with tenure and age provisions specified in National Sports Development Code 2011
- h. Office Bearers of the federation may hold office as such for one or more terms of four years each on obtaining simple majority votes of the members present and voting in the election. Members and Office Bearers shall be eligible for re-election on completion of their term provided that:
 - i. No member shall hold an Office Bearers Post i.e., President, Hony' General Secretary, Hony' Treasurer upon attaining the Age of superannuation prescribed by FINA or upon attaining the age of 70 years as per provisions of NSDC 2011
 - ii. No member shall hold one or more Office Bearers Post for more than Five consecutive terms or 20 years, whichever is less excluding the “cooling off” period
 - iii. No member shall hold the Post of President for more than Three consecutive terms or 12 years, whichever is less
 - iv. No member shall hold the Post of Hony' General Secretary or Hony' Treasurer for more than Two consecutive terms or 8 years, whichever is less.
 - v. Two terms shall be treated as consecutive terms, if there is a gap of less than Three and a half years between them.
 - vi. A member after completing the maximum number of consecutive terms permissible in Article 12 (g) above shall be eligible for election to any Executive post only after completion of a “Cooling Off” period of not less than three and half years.



- vii. A member after completing the maximum number of consecutive terms permissible under the article 13(g)(iii) and 13(g)(iv) above, shall be eligible for election to the same Executive Posts only after completion of a “Cooling Off” period as per the provisions of the National Sports Development Code 2011
- viii. No member shall hold the post of Hony’ General Secretary or Hony’ Treasurer for more than Two consecutive terms or 8 years, whichever is less, but can contest for the post of President after completion of Two terms without a “Cooling Off” period.
- i. No Office Bearer of a National Federation /Association shall be eligible to be the Office Bearer simultaneously of any other National Federation/Association except Indian Olympic Association.
- j. Deleted.
- k. No Government Servant shall be allowed to hold elective office on any Sports Association / Federation at National / State / District level for a term of more than Four years or for One Term, whichever is less. Government Servant associating with Sports Association / federation at National / State / District level required prior sanction from Government.

13. POWERS AND FUNCTIONS OF THE GENERAL COUNCIL: The Powers and Functions of the General Council shall be:

- a. To formulate the policy of the federation and the principles on which it shall be carried out.
- b. To elect the Office bearers and the Managing Committee after every Four years.
- c. To impose and enforce penalties for any violation of the Rules or the Byelaws of the federation.
- d. To realize the dues and control the funds of the federation and expand them.
- e. To appoint the Auditors, to examine and certify the Balance sheet and the Income and the Expenditure Accounts annually.
- f. To call regular and Special meetings of the General Council and fix date and place for holding all such meetings.
- g. To decide affiliation fees for all category of membership
- h. To approve budget of the federation.
- i. To appoint Sub – Committees.
- j. To appoint Selection Committee to select Team and Officials.
- k. To recognize and register the National Records.
- l. To amend the constitution when considered necessary.
- m. To grant affiliation or Associate Membership or recognition to New Organizations.
- n. To maintain a register of approved Officials.
- o. To raise funds of the federation and administer the same.
- p. To explain and interpret the Rules and Regulations of the federation and to give decisions on any point not covered by them.
- q. To maintain affiliation with F.I.N.A. / AASF / IOA
- r. To suspend / dis-affiliate any member or individual found in violation of the constitution or rules of the federation



- s. To organize and hold at least Two National Aquatic Championships annually for Age Groups and Open championship.
- t. To appoint suitable persons as National Coaches in Swimming / Diving / Water polo / Synchronized swimming / Open Water Swimming and Masters.
- u. To decide annual registration fees for players and coaches

14. MANAGING COMMITTEE:

- a. The Managing Committee shall consist of:
 - i. The President, Office Bearers and Members of Managing Committee
 - ii. One Representative from all affiliated units of S.F.I. excepting the unit from which the Office bearers have been elected.
 - iii. The Representative of National Swimming Association.
 - iv. FINA Bureau member (Ex-Officio) FINA rule 17.1.8
 - v. Invitee Members as per article 2 (c)
- b. Election to the posts of office bearers, including the post of President, Hony General Secretary and Hony' Treasurer, (article 11) will be held every 4 years as per election byelaws forming part of the constitution and appended herewith.

15. POWERS AND FUNCTIONS OF THE MANAGING COMMITTEE: The powers and functions of the Managing Committee shall be:

- a. To carry out the general management of the federation.
- b. To recommend to General Council to admit to membership, Organizations eligible under the constitution.
- c. To decide cases of indiscipline, misconduct, protests, breaches of regulations, interpretations of Rules and impose suitable penalties against individuals/ affiliated units where necessary, subject to the right of appeal to the General Council.
- d. To approve disciplinary action taken by subordinate bodies and to review them, if requested to do so.
- e. To perform such other duties as may be assigned by the General Council.
- f. To fill in any vacancy in the Managing Committee.
- g. To sanction foreign tours / invite foreign teams.
- h. To appoint staff whenever required and fix its remuneration.
- i. To assist, advise and arrange for the coaching of swimmers, Divers, Water polo players, Synchronized swimmers. Open Water Swimmers and Masters
- j. To organize training camps and coaching clinics.
- k. To hold test and clinics for Officials.
- l. To consider the Annual Accounts of the Hony' Treasurer.
- m. To consider the Annual Report of the Hony' Secretary and forward the same to the General Council.
- n. To invest the funds of the federation in the best manner deemed fit for the attainment of the Aims and Objects of the federation.



- o. To conduct the affairs of S.F.I. as
 - i. per the Objects specified in the memorandum.
 - ii. To supervise the working of Officials' committee and to certify the Referees, Judges etc. on the recommendation of Official's committee.

16. DUTIES OF OFFICE BEARERS:

- a. **PRESIDENT:** The President shall be the head of the federation. He shall preside at all meetings of the General Council and of the Managing Committee. He may call a meeting of the Managing committee and the General Council through the Hony' Secretary as and when necessary and shall perform such other duties attached to the Office, he holds. In case of a tie, he shall have a casting vote. Casting vote shall not be applicable in the process of election of office bearers or member of managing committee
- b. **SENIOR VICE PRESIDENT:** In the absence the President, Senior Vice President shall act as President and preside over the meeting and shall enjoy the casting vote in case of a tie. Casting vote shall not be applicable in the process of election of office bearers or member of managing committee
- c. **VICE PRESIDENT:** One of them shall be elected Chairman in the absence of the President and Senior Vice President. As Chairman he shall have a casting vote to resolve a tie. In the absence of both The President and Vice President, the committee shall have the power to propose any one of the member present and to elect him as the Chairman to perform the duties assigned to him for that meeting. Casting vote shall not be applicable in the process of election of office bearers or member of managing committee
- d. **HONY' GENERAL SECRETARY:** He shall be the Chief Executive Officer of the federation and give effect to the resolution of the Council and the Managing Committee. He shall carry on all correspondence on behalf of the federation and shall issue notices of meetings and record minutes of the same. He shall also maintain other records and registers. He will be custodian of all the papers and properties of the federation. He shall carry out all such duties as may be entrusted to him, by the Council from time to time. An imprest of Rs.5000/= shall be given to the Hony' Secretary to be recouped from time to time.
- e. **HONY' JOINT SECRETARY:** They shall do all such things and exercise all such powers as will be delegated to them by the Managing Committee or the Hony' General Secretary.
- f. **HONY' TREASURER:** He shall be in Charge of the funds of the federation and shall keep them in the banking account of the federation to be operated jointly with President or Secretary in an approved bank. He shall maintain all accounts, receive all money on behalf of the federation, issue Receipts and Pay the bills duly passed for payment by the Hony' General Secretary. He shall present at the Annual Meeting, Federations' Statement of Accounts duly audited by the Auditors of the Federation. He shall prepare a budget in consultation with the Hony' General Secretary and present it at the Annual General Meeting.



- g. **ASSISTANT SECRETARY:** He is an employee of the federation. He shall help the Hony' General Secretary in the discharge of his duties. He shall carry out the duties entrusted to him by the Council or the Hony' General Secretary. He shall enjoy the powers that are delegated to him by the Hony' General Secretary

17. SUB-COMMITTEES: The Council shall appoint Sub-Committees for a period of Four years as necessary including the Following:

- a. Swimming Technical Committee
- b. Diving Committee
- c. Water polo Committee
- d. Official Examination Committee
- e. Selection Committee
- f. Synchronized Swimming Committee.
- g. Procurement Committee

The Chairman and Conveners of these committees shall be selected from amongst the accredited representatives of the affiliated units. The Hony' General Secretary shall be the Ex-Officio member of all committees. The tenure of these sub-committees will be co-terminus with the Managing Committee.

18. MEETINGS:

- a. **General Council:** A meeting of the General Council shall be held annually on a date not later than Six months after the closing of the financial year of the federation preferably at the time of the National Championships.
 - i. **Notice:** The Hony. General Secretary shall give Twenty-One clear days' notice of the meeting to all members and shall circulate the agenda with the notice.
 - ii. **Quorum:** One Third of the total number of members shall form Quorum.
 - iii. **Business:** The business to be transacted at the meeting shall include.
 1. Confirmation of the Minutes of the previous meeting.
 2. Adoption of the Report of the years' working to be submitted by the Hony' General Secretary.
 3. Passing of the Statement of Accounts and the Auditors Report to be submitted by the Hony' Treasurer.
 4. Passing of Budget.
 5. Appointment of Auditors
 6. Election of Office Bearers (After every Four years)
 7. Such other business as had been notified.
 8. Any other matter with the permission of the Chair.
 9. The Annual Report, the Statement of Accounts and all other relevant papers shall be circulated to the members along with the agenda of the Annual Meeting.



FINA shall be notified along with dates and location of the Annual General Council meeting, in any case minutes of the Annual General Council meeting will be sent to FINA within 60 days of such meeting

- b. **Special General Meeting:** Provided always that a Special meeting of the Council may be called at any time on the resolution of the council, or on the requisition in writing by One Third of members or at the instance of the President, to consider such matters as may be mentioned in the resolution or requisition or the President's note.
 - i. Notice: The Hony' General Secretary shall give Twenty-One days' notice of such meeting to all members and shall also circulate with the notice a copy of the agenda.
 - ii. Quorum: One Third of the total number of members shall form a quorum
- c. **Managing Committee:** The managing committee shall meet at least once in a year or as and when necessary. The Hony' General Secretary shall give fourteen clear days' notice to the members and shall also include a copy of the agenda with the notice.
 - i. Quorum: One Third of the total number of members shall form the quorum
- d. **Emergency Meeting:** An Emergency meeting may be convened by the General Secretary for emergent, Specific and Technical matter for which due notice may be given to the members.
- e. **Requisitioned Meeting:** Requisitioned meeting shall be convened on a written requisition signed by Presidents and Secretaries of not less than 10 affiliated member units of the federation and on the receipt of such requisition President SFI shall direct the Hony' General Secretary of the federation to convene the Meeting. If he fails to convene the requisitioned meeting within One month from the date of receipt of the notice, then the signatories of the requisition can convene a meeting under the arrangement made directly by them. However, the signatories of the requisition notice shall be personally present in that meeting to vote and shall discuss only the specified items of agenda announced earlier.

19. VOTING:

- a. At all meetings of the General Council, members shall vote in person, or through an accredited representative, who belongs to that member organization.
- b. The decision of the Managing Committee may be taken by circular in case of urgency when the meeting of the managing committee cannot be convened. Any decision arrived at by circulation shall have to be placed before the next meeting of the Managing committee for record
- c. At the Annual General Council meeting and Special General Council meeting of the federation, members shall be entitled to vote as under. However, no proxies are permitted.
 - i. All State Units affiliated to the federation as member - Two Votes Each
 - ii. All Union Territories units affiliated to Federation as member - Two Votes Each
 - iii. FINA Bureau member (ex-officio) – One Vote
 - iv. Invitee Member as per article 2 (c) – One Vote (excluding election agenda)



20. AMENDMENT TO THE CONSTITUTION: The rules of the Swimming federation of India can be altered or added or substituted by votes of Two Third of total members present and voting at a General Council Meeting Specially convened for the purpose provided that without the consent in writing of the National Swimming Association no amendment in the constitution can be made for the purpose of depriving National Swimming Association of its representation in the General Council or the Managing Committee.

21. SCHEDULE OF T.A. AND D.A: The Office Bearers or any other person duly authorized to perform the journey shall be entitled for T. A. and D. A. as approved by the Managing Committee from time to time.

22. RESPONSIBILITIES OF AFFILIATED MEMBER / ORGANISATION:

- a. Each affiliated member shall be required to submit audited annual report and accounts for the immediately preceding financial year within six months of the end of the financial year
- b. To hold regular elections from amongst its registered members (electoral college) in presence of SFI observer/s on completion of the term of its elected office bearers. To send notice of election along with a list of members forming the electoral college, to SFI at least 15 days in advance by email and registered post to official address of SFI.
- c. Affiliated State Units (affiliated member) shall ensure they continue to enjoy representation of minimum 50% of their district level units as its members
- d. Affiliate State Unit (affiliated member) shall be required to inform SFI of any change in status of its registration with the competent authority in its state, including cancellation or suspension of its registration for any reasons. Intimation of such an event shall be given to SFI within 7 days and failing to do so would be a breach of obligation as affiliate member
- e. Each member organization shall hold Annual State / Institutional Meet and send its results to the federation.
- f. Each member organization shall send its team for participation in the National Meets. It shall also ensure that its competitors actually take part in the meet.
- g. Any member organization failing to send its team for participation for Two consecutive years in National Championships shall be disaffiliated automatically. Such disaffiliated member can apply for membership with fresh application for affiliation to the federation and only after approval of General council, affiliation will be granted, and provision of Article 5(d)(iii) & (iv) will apply.
 - i. Associate Member shall be permitted to participate in Senior National Aquatic Championships only.
 - ii. If Associate Member organization failing to send its team for participation in Two consecutive Senior National Aquatic Championships shall automatically lose their Associate Membership.



- h. In addition, the Managing Committee is also empowered to suspend for a period of Two years, the competitors whose entries after being received, fail to participate without any reasonable excuse.
- i. Each member organization shall send a copy of its constitution and any amendment thereto to the federation and shall hold meetings in accordance thereof and send a list of Office Bearers and their addresses to the federation regularly.
- j. No member organization shall send any active competitor to represent it in the meetings of the Managing Committee or General Council.
- k. Each member organization shall send to the federation a list of all its affiliated units.
- l. Any member or organization desirous of holding an invitational open Inter-State National level meet shall pay the Capitation Fee fixed by the General Council meeting from time to time and for the time being it is fixed as Rs.10000/= to the federation for each meet in advance.
- m. Any penalty imposed by any member organization on any of its members for any of its deeds or misdeeds shall be honored by other member organizations.
- n. Disciplinary action whenever taken by any member organization against its own members shall be reported to Hony' General Secretary within a month, who shall keep a record of it and inform other member organizations about it.
- o. On receiving special request, the Managing Committee can review such actions taken by the member organizations and send its recommendations to it.
- p. All correspondence to F.I.N.A. and its members shall be routed exclusively through SFI Secretariat. Any default in this respect shall be dealt with suitably.
- q. In case a affiliated units does not hold the elections after expiry of the normal tenure for which the Office Bearers were elected, SFI shall hold discretionary power to appoint adhoc committee to such affiliated unit.
- r. In such cases where regular election is not held by the affiliated unit, Hony' General Secretary in consultation with President SFI may send a Regd. A.D. notice to such affiliated unit to hold fresh elections at an early date within 60 days from the receipt of such Regd.A.D. notice. If the unit fails to conduct the elections within 60 days from the receipt of Regd. A.D. notice, The President SFI will constitute an Ad-hoc Committee to run the activities of such unit with instruction to hold free and fair elections under SFI supervision within 6 months.
- s. SFI will depute One observer in the Election Meeting of the Affiliated units. All Affiliated units shall inform the Date, Time and Venue of the Election Meeting/s minimum 15 days prior to the meeting to SFI Secretariat to depute Observer. SFI will accept the report of its observer only for such Election Meeting.
- t. No person who is a Swimming Coach or professional can become an Office Bearers or member of SFI nor of its Affiliated units. Such person cannot be accredited representative of any affiliated member unit of SFI.
- u. Any cause of action against the federation by its member or otherwise shall only be in the jurisdiction of the place where its headquarters are situated, irrespective of where the cause of action may have taken place
- v. All member organizations will be deemed to be committed and in compliance with the constitution of the federation and FINA rules. Omission by ignorance of the provisions of the constitution or FINA rules shall not be an excuse for noncompliance. General council at its sole discretion shall have powers to initiate disciplinary action for for violation



23. SUSPENSION, DIS-AFFILIATION AND RE-AFFILIATION: The General Council (General Body) of the federation shall have powers to suspend, dis-affiliate or re-affiliate any member under the following circumstances:

- a. A member unit (affiliate member) is in violation of any provisions of the constitution or rules of the federation as may be in force.
 - b. Any of the office bearer of the affiliated unit is convicted of a crime under the laws of the land and such office bearer continues to hold such post after the conviction.
 - c. Any of the affiliated unit or its office bearer is found to have indulged in misconduct which may damage to credibility of the member unit or the federation.
 - d. If the affiliate unit, no longer enjoys the membership of the majority of the constituent district units representing the players from the respective state /UT in all aquatic disciplines
 - e. If a member unit or its office bearer are found to have mis-appropriated its funds and/or grant received from the federation or any government agency
- 24.** Any of the above, upon coming to the knowledge of the Managing committee, a show-cause notice will be issued by the General Secretary allowing the delinquent member to represent its case within 15 days to a high-power committee constituted for this purpose under the chairmanship of the president. After giving reasonable opportunity to be heard, the high-power committee will forward its findings and recommendation to the Governing Council (General Body). The General body upon receiving the recommendations shall have the power to suspend and/or disaffiliate the member as deemed fit. Power to suspend or disaffiliate shall vest in the General Body only.

25. MISCELLANEOUS:

- a. The crest of the Swimming federation of India will be a Star with the words SFI inscribed in it.
- b. The SFI flag will be of Navy-Blue Color with Golden crest in Centre.
- c. The federation may sue or may be sued in the name of the Hony' General Secretary.
- d. Any legal suit can only be filed within the jurisdiction of Headquarter of the Swimming federation of India.
- e. All the necessary provisions of the West Bengal Societies Registration Act XXVI of 1961 shall also apply to the federation.
- f. The Income and property of Swimming federation of India shall be applied solely towards the promotion of the objects of the Swimming federation of India as set out in the Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly to any one by way of dividend.
 - i. The Income and property, as well as the management and control of Swimming Federation of India shall vest in its General Council.



- ii. In the interest of promotion of Swimming, Diving, Water polo, Synchronized Swimming, Open Water Swimming, and Masters, SFI General Council on recommendation of Managing Committee may allow Sports promotion enthusiast/s to collect/raise funds and to avoid misuse of such funds, which may happen due to change of Office Bearers and accredited representatives of the members, S.F.I. will establish a “Swim Promotion Trust” with its rules and regulations.
- iii. If the winding up or dissolution of the Swimming federation of India is given effect to in accordance with the provision of its rules any property or assets which may remain after satisfaction of all debts and liabilities, shall not be paid to, or distributed among the members of the Swimming federation of India or any of them but shall be given to some other Society in accordance with the decision of the members of the Swimming federation of India or as provided under the Societies Registration Act under which the federation is registered.
- iv. In any event the transferee Society must agree to honor the obligation as set out in the Memorandum of Agreement between National Swimming Association, Calcutta and the Indian Swimming federation.
