

MEMORANDUM OF ASSOCIATION

OF

PARAGLIDING ASSOCIATION OF INDIA

Amended 2013

1. Name

1.1> The name of the Association is “ PARAGLIDING ASSOCIATION OF INDIA” and it shall hereafter be referred to as the “Association”.

2. Jurisdiction

2.1> The jurisdiction of the Association shall extend over the whole of India, as defined in the Constitution of India.

3. Address

3.1> The address of the Association shall be:

Nizari Bhavan, 5th floor,
Menezes Braganza Road,
P.O. 143, Panaji, Goa, 403 001

or any other address as may be decided by the General Body from time to time.

4. Objects

The objects of the Association shall be as under:

4.1> To promote, develop, control and regulate the sports of Paragliding and Paramotoring in India

4.2> To promote, control and regulate all Paragliding and Paramotoring competitions amongst amateurs and professionals across all territories of India.

4.3> To maintain libraries for general use among the members for diffusion of useful knowledge in the field of Paragliding and Paramotoring

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4.4> To arrange, and manage the National Paragliding and Paramotoring Championship, or any other National level championship.

4.5> To make similar arrangements for international championships when held in India.

4.6> To set the selection criteria as the Managing Committee may decide from time to time and to select a National Team for participation in international, World championship.

4.7> To collect funds for the purpose of the Association and employ them in such a manner as the Managing Committee considers desirable for the objectives of the Association.

4.8> To purchase, take, lease or hire or otherwise acquire any movable or immovable property, rights or privileges necessary or convenient for the purpose of carrying out the object of the Association or otherwise.

4.9> To invest moneys of the Association in such securities as may be decided upon the Managing Committee from time to time.

4.10> To uphold and maintain the rules and regulations and code of conduct of the Association and to take disciplinary action, as, when and where necessary, for any infringement or indiscipline.

4.11> To do all such other lawful things as are incidental or conducive to the attainment of the objects

5. Classes of Membership

5.1> Membership of the Association shall be open to all Clubs, State Level Association (SLA), Institutions, Societies and Committee, hereinafter referred to as Member Institutions within the territories of India having as one of their main objects the promotion of the sport of Paragliding /Paramotoring.

5.2> Any person of sound mind and major in age interested in the promotion of the sport of Paragliding/Paramotoring shall be eligible to membership as a Life Member or ordinary individual member.

5.3> Any person of sound mind and minor in age interested in the promotion of the sport of Paragliding/Paramotoring shall be eligible to membership as an Associate member. However such member shall not have any voting rights. Such member shall however be eligible to full membership with voting rights upon becoming major of age.

5.4> Any person of sound mind and major in age interested in the promotion of the sport of Paragliding/Paramotoring who does not wish to enjoy voting rights, shall be eligible to membership as an Associate member. This associate membership for majors has to come through a Member Institution and not directly to the Association. Although such member shall not have any voting rights, he/she shall continue to enjoy all other rights and benefits of membership.

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5.5> Any person of foreign citizenship and major in age interested in the sport of Paragliding/Paramotoring shall be eligible to membership as a Temporary Associate Member. However such member shall not have voting rights. He/she shall enjoy all other rights and benefits of membership. Since this type of membership shall not have voting rights, this type of membership shall come through an Affiliate School/Club or SLA.

5.6> Any person who is an Indian citizen and who is a renowned personality like a politician, bureaucrat, sports person or any achiever who the Association finds suitable to be honoured and who could help achieve the objectives of the Association, could be honoured with Honorary membership of the Association. This membership would be categorized as an Associate Membership with no voting rights as outlined in 5.4 above. The validity of an Honorary Member shall not expire i.e. validity of an Honorary Member shall be treated as Lifetime Valid.

6. Admission to Membership

6.1> Every application for Club Membership shall be submitted in writing to the Honorary Secretary General furnishing such particulars as may be required by the Managing Committee. The application shall be supported by at least two members of the Association.

6.2> Individuals interested in the promotion of the sport of Paragliding/Paramotoring may apply for the grant of Life Membership or Individual Membership or Associate Membership. His/Her application has to be supported by two Life Members or Individual members.

6.3> The Managing Committee shall have full authority to accept or reject any application for membership without assigning any reasons therefore. The decision shall be taken by a simple majority in the Managing Committee.

6.4> Clubs or other organizations elected to membership, or individuals elected to membership shall be deemed members of the Association only from the date of receipt of their first subscription, and renewal of their subscription from time to time as required.

6.5> Application for membership will be made on an appropriate form which may be obtained from the Paragliding Association of India Secretariat.

7. Entrance Fees / Subscription

7.1> The entrance/admission fee to the Association, which is payable on application, shall be as follows:

(a) Clubs, Schools, SLA, Societies:- Rs.5000/-

(b) Life Members:- NIL

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(c) Individual Members:- Rs.300/-

(d) Associate Members:- NIL

7.2> Renewal fees for continuing subscription of membership payable by members are as follows:-

(a) Clubs, Schools, SLA, Societies:- (Annual) Rs.2000/-

(b) Life Members:- Rs. 5000/-
(Not Annual. Only one time fee)

(c) Individual Members:- Rs.500/-
(Annual)

(d) Associate Members:- 100/-
(Annual)

7.3> All annual subscriptions, clubs/schools/SLAs or annual individual members, payable to the Association shall become due on or before completion of 365 days from the date of payment of first/current subscription. No new membership shall be activated without or before confirmation of the payment for new membership.

7.4> No member shall be entitled to any of the rights or privileges of membership until the subscription for that year and all arrears (if any) have been paid within 90 days of expiry of membership.

7.5> The Managing Committee shall have the right to revise the rates of entrance fee/subscription.

8. Cessation of Membership

8.1> Any Member Club/Life Member/Ordinary Member/Associate Member desirous of retiring from the Association shall notify its intention in writing to reach the Honorary Secretary General on or before the thirty-first March. Otherwise it shall be liable to pay the subscription for the following year.

8.2> Any Member Club/Life Member/Individual Member/ Associate Member adjudicated bankrupt shall ipso facto cease to be a Member provided that it shall be at the discretion, of the Managing Committee to reinstate it as a Member if they shall think fit.

8.3> The Managing Committee may, in their absolute and unfettered discretion, at any time cancel the membership of any member provided that no such action shall be taken before giving the party concerned a chance to be heard.

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8.4> The Managing Committee may cancel the membership of any Member whose subscription remains unpaid for more than one year after the same becomes due, provided that it shall be at the discretion of Managing Committee to reinstate it as a Member if they shall think fit.

8.5> Without prejudice to the provisions of Rule 8.3. hereof, if the conduct of any Member is such as shall in the opinion of the Managing Committee be injurious to the character or interest of the Association or render it unfit to remain a Member of the Association, the Managing Committee may expel such Member provided that any Member whose expulsion is under consideration shall be entitled to offer an explanation either orally or in writing to the Managing Committee before a resolution of expulsion is put to vote.

9. Privileges of Membership

9.1> All Member Clubs/ Life / Ordinary /Associate Members shall be entitled to receive a copy of all publications by the Association.

9.2> All members shall be entitled to participate in any Paragliding/Paramotoring championships , festivals, courses ,examinations or events of any other kind held in India by the Association or by a member club subject to the rules and conditions, framed by the Association/ club under whose auspices the championship is held, being approved by the Association.

9.3> All Member Clubs/Life Members and Individual Members shall be entitled to receive notice of, and to attend General Meetings of the Association.

10. The Managing Committee And the Technical Committee.

10.1> The affairs of the Association shall be managed by the Managing Committee.

10.2> The Managing Committee shall consist of the following:

- President
- 4 Vice-Presidents
- Honorary Treasurer
- Honorary Secretary General
- 2 Honorary Jt. Secretaries
- A maximum of 5 Members who will be elected as per the provisions of clause 11 below.

10.3> The decisions of the Managing Committee will be final in all matters concerning the Association and there will be no separate management, except as authorized by the Managing Committee.

10.4 > All technical rules and regulations of Paragliding and Paramotoring shall be drafted and amended as necessary by the Technical Committee.

11. Election to the Managing Committee and Technical Committee

11.1> The Managing Committee comprising of The President, 4 Vice-Presidents, the Honorary Treasurer, the Honorary Secretary General, 2 Hon. Joint Secretaries and as per general agreement, if need be, 5 Managing Committee Members of the Association shall be elected at a General Meeting. The Vice President for each zone shall be elected by members of the particular zone.

11.2> Each Member Club/Life Associate Member and Ordinary Member shall be entitled to propose one candidate for each of the elective offices of the Managing Committee. The names of such candidates, if any shall be communicated by the said member in writing so as to reach the Honorary Secretary General at least 8 days before the date of the General Body Meeting at which the election is to take place.

11.3> Each term of office of all the office bearers will not exceed two years.

11.4> Any post of office-bearer of the Managing Committee falling vacant during a term, shall be filled by nomination by the President or by the Managing Committee from amongst the Members of the Association.

11.5> In the unlikely event of a General Meeting not taking place in a year in which elections to the Managing Committee are to take place, the Managing Committee will continue in office till a general meeting does take place or till a Special General Meeting is held for the purpose of elections.

11.6> In case of a new President and/or a new Treasurer and/or Secretary being elected in any elections, the outgoing President, outgoing Treasurer and/or outgoing Secretary shall be requested to be on the advisory panel for smooth transitioning of tasks to the newly elected members/committee. However, this shall not be forced and shall be voluntary based on the willingness of the outgoing members to be on the advisory panel.

11.7> Only Life Members /Individual Members, who have no commercial interest in the sport of Paragliding shall be eligible for election to the Managing Committee.

11.8> The Technical Committee shall comprise of a maximum of 5 members.

11.9> Only the Chief Flying Instructor of Member Schools shall be eligible to be members of the Technical Committee.

11.10> The Members of the Technical Committee shall elect one member form amongst the Committee members as Chairman of the Technical Committee.

11.11> The Chairman of the Technical Committee shall be inducted as a member of the Managing Committee for discussions of Technical issues only, and for liaising between the Managing Committee and the Technical Committee on technical issues.

12. Duties of the Managing Committee and the Technical Committee

12.1> The Managing Committee shall manage the affairs of the Association and shall take such steps as they may consider desirable for the promotion, development, control and regulations of the sport of Paragliding/Paramotoring.

12.2> The Managing Committee shall apply the funds of the Association to the object of the Association or such other purposes as they shall deem expedient in the interests of the Association.

12.3> The Managing Committee shall cause proper books of accounts to be kept of all income and expenditure and of all dealings with the assets of the Association and shall present at the Annual General Meeting each year a duly audited Income and Expenditure Account and Balance Sheet.

12.4> The Managing Committee may appoint sub-committees as they may deem necessary, and may delegate to them such of the Powers and duties of the Managing Committee as they think fit.

12.5> The Managing Committee may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit.

12.6> The Managing Committee may impose and/or enforce penalties for any violations of the constitution, rules and regulations and/or code of conduct of the Association.

12.7> The Managing Committee may invite persons of eminence to be Patrons of the Association in the form of Honorary Members as described in section 5.6.

12.8> The members of the Advisory Panel viz: Outgoing President and/or Treasure shall be consulted for advice only in cases where their advice or assistance is sought based on their prior experience and involvement with the Association matters.

12.9.> The Technical Committee shall prepare the Technical Manual for Paragliding and Paramotoring, and shall update/amend the same from time to time as necessary.

12.10> The Technical Committee shall advise the Managing Committee on all technical matters.

13. Proceedings of the Managing Committee and Technical Committee

13.1> All matters may be dealt with by correspondence with the Managing Committee members by the Honorary Secretary General (except when the Managing Committee is to meet) and the decisions received from members of the Managing Committee will be submitted to the President by the Honorary Secretary General. The President shall arrive at the final decision through simple majority of the decisions conveyed by the members.

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13.2> The President, or in his absence, the Vice-President shall take the chair at the meetings of the Managing Committee. If neither the President nor the Vice-President shall be present at any meeting within fifteen minutes after the time appointed for holding the same, the members of the Managing Committee present shall choose one of their members to be Chairman of such meeting.

13.3> The Managing Committee shall meet for any special business at the request of at least five of its members of those entitled to vote who shall also notify the Honorary Secretary General in writing the nature of business to be dealt with.

13.4> At all meetings of the Managing Committee, five Members (of those entitled to vote) shall form a quorum.

13.5> The Managing Committee shall cause proper minutes to be made of all proceedings of the Managing Committee.

13.6> The Chairman of the Technical Committee shall chair all meetings of the Technical Committee.

13.7> The Technical Committee shall cause proper minutes to be made of all proceedings of the Technical Committee, and shall submit copies of the minutes, to the Secretary of the Managing Committee within 4 days of each meeting.

13.8> The Technical Committee shall submit all the Technical rules, and regulations, amendments etc to the Managing Committee for their record and approval.

13.9> At all meetings of the Technical Committee 3 members shall form the quorum .

14. Duties of the Officers of the Association

14.1 President

a) The President will chair Annual General Meeting as well as the meetings of the Managing Committee and he will carry out the work of such meetings.

b) In case of equality of vote on any proportion before the meeting the President shall be entitled to an additional vote.

c) It will be responsibility of the President to keep supervision and control over the total working of the Association.

d) The President will sign on important papers of the Association

e) He shall do all other duties as delegated to him by the Managing Committee.

14.2 Vice Presidents

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The senior most Vice President shall perform all the duties of the President and also preside at all meetings of the Association during the absence of the President.

Each zonal Vice President shall look after the promotion of sport of Paragliding / PPG in his zone. Committee.

They shall also chair zonal meetings and take up grievances of his zone with the Managing Committee. They do all other duties as delegated to them by the Managing Committee.

14.3 Honorary Secretary General

- a) To attend to the daily working of the Society as per its aims and objects and as per the directions and instructions of the Managing Committee.
- b) To carry out the correspondence on behalf of the Association and maintain and preserve the record of the Association.
- c) To call in time the meetings of the Managing Committee as well as that of the Annual General Meeting by obtaining consent of the President and to maintain reports.
- d) To act between the Managing Committee and the employees of the Association as Mediator and to keep supervision and to act as legal representative of the Association.
- e) He shall do all other duties as delegated to him by the Managing Committee.

14.4 Honorary Treasurer

- a) To maintain the daily annual accounts of the Association.
- b) To accept subscription of the members, donation to collect interest and any dues and to make payments after taking approval from the President.
- c) To prepare monthly and annual budget and to place them before the Managing Committee.
- d) It will be responsibility of the Treasurer to maintain and preserve all the books of accounts, receipt books, cheque book and bank pass books etc.
- e) To do all the bank work in connection with the bank account of the Association.
- f) The Treasurer will be entitled to maintain cash of Rs.500/- (Rupees Five Hundred Only) with him.

14.5 Hon. Jt. Secretary(ies):

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a) To work in conjunction with the Hon. Secretary

b) To carry out all duties allotted to him by the Secretary. He shall do all other duties as delegated to him by the Managing Committee.

15. Secretariat

15.1> The Secretariat of the Association shall consist of the (one) President, 4 Vice Presidents, Honorary Secretary General and Honorary Treasurer, and 2 Honorary Jt. Secretaries

16. General Meetings

16.1> The General Meeting of the Association shall be held each year on such day and at such time and at such place as the Managing Committee may determine. Notice of any resolution/nomination to be proposed at this meeting shall be sent to the Honorary Secretary General within 10 days of the receipt of notice calling for a General Meeting.

16.2> The Managing Committee may call a special Meeting whenever they consider such a course necessary, and upon the requisition, in writing, of 1/3rd members entitled to attend and vote at a General Meeting, they shall call a Special General Meeting to consider such matters as shall be stated in the requisitions.

16.3> Thirty days notice at least of any General Meeting shall be given to each member entitled to attend such meetings. Such notice shall specify the place, the day and the hour of the meeting and the general nature of the business to be transacted, and may be accompanied by voting papers for use in the event of a poll being demanded.

17. Procedure at General Meetings

17.1> At all General Meetings the Chair shall be taken by the President, or in his absence by one of the Vice-Presidents. If neither the President nor any of the Vice-Presidents shall be present within fifteen minutes of the time appointed for holding the meeting, the members present shall choose one from amongst them to take the Chair.

17.2> No business shall be transacted at any General Meeting unless a quorum is present when the Meeting proceeds to business, and for all purposes the quorum shall be members personally present and not being less than 1/3rd of the voting members. If within half-an-hour from the time appointed for the meeting a quorum be not present the meeting if convened upon the requisition of, or by, members shall be dissolved. In any other case it shall stand adjourned for 1 hour. At any such adjourned Meeting the members

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present whatever their number, shall have power to decide upon all matters which could properly have been disposed of at the meeting from which the adjournment took place.

17.3> The Chairman, may with the consent of the Meeting, adjourn and General Meeting from time to time and from place to place, but no business shall be transacted at any adjourned Meeting other than the business left unfinished at the Meeting from which the adjournment took place.

17.4> Every question shall be determined by a simple majority of votes unless otherwise expressly provided by these rules.

17.5> A resolution put to vote of the Meeting may be decided by a show of hands, unless before or upon the declaration of the show of hands, a poll be demanded by the Chairman or by atleast ten persons present and entitled to vote at the Meeting, and unless a poll be so demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried, or carried unanimously or by a particular majority, shall be conclusive and an entry to that effect in the Minute Book shall be conclusive evidence thereof.

17.6> If a poll be demanded in the matter aforesaid, it shall be taken at such time and place and in such manner as the Chairman may direct and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. Members who were not present at an original meeting shall be entitled to attend and vote at an adjournment thereof.

17.7> In the case of equality of votes, either on a show of hands or on poll, the Chairman of the Meeting shall be entitled to a further or casting vote.

17.8> The demand of a poll shall not prevent the continuance of the Meeting for the transaction of any business other than the question on which a poll has been demanded.

18. Voting Power at General Meeting

18.1> Every Member club/Association shall be entitled to two votes and Life Members / Ordinary Members shall be entitled to one vote each, provided their subscription at the time of voting shall be fully paid and upto date without any arrears.

18.2> No member shall be entitled to vote or be counted as a member whose subscription at the time is not fully paid up.

18.3> A Member Club/Association shall be entitled to depute two representatives to attend on its behalf the General or other meetings of the Association. Production of the voting papers or paper issued to a Member Club/Association which is entitled to vote at a General Meeting of the Association shall be deemed to be due authorization to the bearer to vote on behalf such member clubs/Association at that Meeting.

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19. Procedure on Ballot

19.1> A ballot paper shall be sent to a Member Club/Association/Life Associate Member/Ordinary Member in respect of each vote to which the Member is entitled on a ballot

19.2> Properly completed ballot papers received by the Association's Honorary Secretary General not later than twenty-four hours before the time fixed for the General Meeting at which the result is to be declared shall alone be taken into account.

20. Racing Rules during competitions

20.1> The Association shall adopt as a national code of Racing Rules those of the Federation Aeronautique Internationale, PWC subject to the special provisions required by the Association where latitude is allowed for such modifications as local conditions may render necessary.

21. Appeals during competitions

21.1> Appeals from Clubs, Associations, etc. shall lie on a protest under the Racing Rules to the Association

22. Settlement of Disputes/conflicts Within the members of Paragliding Association of India

22.1> All Member Clubs/Associations shall include in their constitution a provision that they shall abide by the Constitution, Rules and Regulations of the Association and shall have all unresolved disputes regarding all matters concerning Paragliding and Paramotoring settled by Paragliding Association of India under the Arbitration Act 1940.

22.2> Every Member, including Life Member shall be deemed to continue its membership of the Paragliding Association of India on the specific condition that it voluntarily agrees to abide by the Constitution, Rules and Regulations of the Association and surrenders its right of seeking redress in any court of law.

22.3> All unresolved disputes arising within Members i.e. Clubs, Association, Institutions, Societies, Committees, Life and Ordinary / Associate Members affiliated to Paragliding Association of India shall be referred by them to Paragliding Association of India. for settlement under the Arbitration Act 1940. For this purpose Paragliding Association of India will elect a panel of 4 arbitrators, to be decided by the Managing Committee at a Managing Committee Meeting. Out of the panel, parties to disputes will select one arbitrator each and the third arbitrator out of the said panel will be mutually agreed upon by the two arbitrators. The Arbitration proceeding shall be completed within the period specified under the Arbitration Act or within the time extended by the Arbitrators with the consent of the parties.

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22.4> In the event of a dispute with the Paragliding Association of India the unresolved dispute will be referred to a committee of 2 members of Paragliding Association of India for resolution. The 2 members shall be appointed by the General Body of the Paragliding Association of India.

23. Legal Responsibilities

23.4> The Secretary or any office bearer nominated by the Managing Committee shall be responsible to undertake all necessary measures in case any action is called for in a court of law.

24. New Rules, Amendments and Alternations

24.1> A notice of any alteration or addition to the Rules intended to be proposed by a Member of the Association shall be duly seconded by another Member and shall be given to the Honorary Secretary General in writing before two months if the same is to be proposed at the Annual General Meeting or at a Special General Meeting at which the same is to be brought forward and full particulars of any such proposed alterations or additions shall be set out in the notice convening the Meeting.

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

25. Dissolution

25.1> To Close the Society, a special meeting shall have to be called giving due notice of the matter to the members and 3/5th of the members present shall have to vote in favour of the Closure.

25.2> In the event of the dissolution or winding up of the Society the assets remaining as on date of dissolution shall under no circumstances be distributed amongst the members of the Committee, but the same be transferred to any other Society, Association or Institution whose aim objectives are similar to those of this Societies, keeping in view Societies Registration Act, 1860.

26. The Relation between the Paragliding Association of India, FAI, SAI, and IOA.

26.1> The Paragliding Association of India shall be guided generally by the statutes, rules, regulations, bye-laws directions and instructions issued from time to time from FAI as relating to the conduct of the sport and Sports Authority of India and Indian Olympic Association relating to general administration.

27. Notices

27.1> A notice or any other document may be served by the Association upon any Member, either directly or by sending it through the post addressed to such member at its last known address, but the accidental omission to give such notice or other document or the non receipt of such notice or other document by any such Member shall not invalidate any resolution passed or election concerned herewith

28. Auditors

28.1> The General Body shall have power to appoint an auditor annually and to fix his remuneration.

29. Year

29.1> The financial year of the Association shall be 1st April to 31st March.
