

KERALA OLYMPIC ASSOCIATION

MEMORANDUM OF ASSOCIATION

Clause I

- i. **NAME:** The Name of the Society is KERALA OLYMPIC ASSOCIATION
- ii. **JURISDICTION:** The Territory under the Jurisdiction of the Association shall be extending over the territorial area of the State of Kerala.
- iii. **HEAD QUARTERS:** The Headquarters and the registered office of the Association shall be TC 29/3647, Olympic Bhavan, M P Appan Road, Vazhuthacaud at Thiruvananthapuram. But there may have a working office at the District Headquarters of the Revenue District from where the residence of the Secretary General.

Clause II

THE AIMS & OBJECTS FOR WHICH THE ASSOCIATION IS REGISTERED ARE:

- a) Kerala Olympic Association, being part of the Olympic movement undertake to respect provisions of the Olympic Charter, the Anti-doping code, to abide by the decisions of the Indian Olympic Association and to develop Amateur Sports in the State of Kerala.
- b) To promote and encourage the physical morale and cultural education of the youth of Kerala State for the development of Character, good health and good citizenship.
- c) To affiliate itself with the Indian Olympic Association and to enforce all rules and regulations of the Indian Olympic Association , ie., to do every act that may be necessary or expedite to keep the Olympic movement completely independent autonomous and entirely free from all political, religious or communal influence .
- d) To be official Organization in complete and sole charge of all Olympic matters in the State.

- e) To educate the Public of the State as to the value of Sports,
- f) In co-operation with State Sports Associations to guard and enforce applicable rules.
- g) To maintain the highest ideals of sports and to promote interest therein.
- h) To further the cause of the Olympic Movement and to guard and enforce the applicable rules.
- i) To have full and complete jurisdiction over all matters pertaining to the participation of the state in the National Games and other games held under the patronage of the Indian Olympic Association.
- j) In co-operation with State Sports Associations to organize and control the teams that will represent Kerala in the National Games and other games held under the patronage of the Indian Olympic Association.
- k) To undertake with the assistance of State Sports Associations in the financing management, transportation, maintenance and welfare of the teams from the State of Kerala taking part in the National games and other games held under the patronage of the Indian Olympic Association.
- l) To encourage and assist in meets between Districts, Cities, Universities Regions, States, Indian and Foreign visiting teams.
- m) To organize or arrange for holding the Kerala State Games in co-operation with the State Sports Associations affiliated to their respective National Federations.
- n) To stimulate the interest of the public in sports and games and to that and assist the formation of State Sports Association and also in the formation of District Olympic Associations for the development of Sports and games within a District.
- o) To admit State Sports Associations and District Olympic Associations as members and require them to submit their Annual Report on the activities and the Audited Statement of Accounts duly passed by the respective Associations every year to Kerala Olympic Association for information.
- p) To take disciplinary action against any State Sports Associations or District Olympic Associations affiliated to Kerala Olympic Association for misbehaviour or any other undesirable activities bringing discredit to the Association or the State.

- q)** To be solely responsible for raising funds for the Association by such means as holding Olympic Flag Day etc.,
- r)** To employ the funds of the Kerala Olympic Association in such a manner as shall be deemed necessary in its best interest.
- s)** To purchase, take on lease, hire or otherwise acquire or disposed of any movable or unmovable property rights or privileges necessary or convenient for the purpose or carrying one such activities of the Kerala Olympic Association on such terms and conditions as the Council at its discretion may deem fit.
- t)** To do all other things that may be necessary of expedient to promote the development of sports and games in the State and for the conduct of its business.
- u)** To enforce all Rules and Regulations of Indian Olympic Association and Kerala Olympic association and not to indulge in or associate with any activity which is in contradiction with the Olympic Charter. To follow, observe and uphold the primacy and domination of the Olympic Charter in case of any contradiction between it and the rules, bye-law and the Constitution framed by Kerala Olympic Association.
- v)** To enforce and defend the exclusive right of IOA and the Association to the use of the Olympic properties pursuant to the Olympic charter.
- w)** To collaborate with Schools and University establishment in Kerala participate in the fundamental principles of Olympism at State level within the frame work of sports activity and also take steps for all the diffusion of Olympism in the teaching programme of physical education.
- x)** To take steps for the creation of the National Olympic Academies, Olympic Museum and other cultural institutions related to the Olympic Movement, Sports Web Portal, Sports YouTube Channel, Face Book, Mobile Application etc for the promotion of various sports activities and Olympic Movement in the State.
- y)** To act as the channel of communication and sports activities between State Sports Associations, National Sports Federation and Government for Financial, Technical and Administrative assistance to State Sports Associations.

- z)** To collaborate and help State Sports Associations, District Olympic Associations and other stake holders in sports bodies to train Sports Managers/Administrative/Officials for the effective Administration /Management in various sports bodies and technical conduct in various competitions being held in the State of Kerala.
- aa)** To restrict and oppose any form of discrimination on grounds of race, religion, legal, politics, gender for otherwise and to restrict violence in sports.
- bb)** To lay down guidelines at par with Indian Olympic Association to enforce National Anti-doping code to fight against the use of substance and procedures prohibited by the International Olympic committee, Indian Olympic Association, International Federations and National Sports Federations and to adopt and implement National Anti-Doping agency code thereby ensuring that KOA's anti-doping policies and rules, membership and/or funding requirements and results, management procedures confirms with National Anti-Doping Code and respect all the rules and responsibilities for the State Olympic Committee that are listed within the National Anti-Doping Code.
- cc)** The KOA shall constitute the following as detailed as under

(a) Athletes Commission

(b) Arbitration Commission

(c) Ethics Commission

Rules & Regulations of KERALA OLYMPIC ASSOCIATION

Clause 1- DEFINITION AND EXPLANATIONS

Unless otherwise indicated by the context:

- a) "KOA" means the "Kerala Olympic Association"
- b) "IOA" Means the Indian Olympic Association.
- c) "IOC" Means the International Olympic Committee
- d) "Member" a member of the Kerala Olympic Association.
- e) "General Assembly" means and includes representatives deputed by members in accordance with the rules herein after contained.
- f) "Constitution" means the Rules and Regulations of the Kerala Olympic Association.
- g) "Executive Council" means the Executive council of Kerala Olympic Association constituted under the Rules and Regulations herein after contained, to whom the management of the Kerala Olympic Association is entrusted.
- h) "S.S.A" means the State Sports Associations affiliated to Kerala Olympic Association.
- i) "D.O.A" means the District Olympic Associations affiliated to Kerala Olympic Association

Clause11–OFFICIAL YEAR

The Official year of the Kerala Olympic Association shall be from 1st April to 31st March of the succeeding year.

Clause111 -MEMBERSHIP

The membership of the Association shall be opened to the under mentioned, subject to the approval by the Executive Council of KOA.

1. State Sports Associations affiliated to National Sports Federations recognized by Indian Olympic Association whose sports are included in the programme of the Summer/Winter Olympic Games. The representatives of these State Sports Associations must always constitute the voting majority of the Annual /Special General Meeting of General Assembly,
2. State Sports Associations affiliated to National Sports Federations recognized by Indian Olympic Association whose sports are not included in the programme of the Summer/Winter Olympic Games but included in Asian Games/ or Common Wealth Games/National Games.
3. District Olympic Associations
4. Two (one Male & one Female) active athletes or retired athletes having taken part in the Olympic Games. These two athlete's representatives shall be elected by and from the Athletes Commission constituted by Kerala Olympic Association.

Clause 1V MEMBERSHIP FEE

1. Fee for the admission to membership of the Association as well as the annual renewal fee payable to KOA shall be as follows

Membership	Fee for admission to Membership	Annual Renewal Fee
State Sports Association included in Winter / Summer Olympic Games	2000	3000
State Sports Association not included in Summer/Winter Olympic Games but included in Asian/Commonwealth/National games	1000	2000
District Olympic Associations	1000	2000

2. The membership fee shall be paid along with the application for admission. The renewal fees shall be paid on or before 30th May every year failing which defaulters shall not be eligible to attend the meetings of KOA/Committee nor shall they be permitted participate in the State/National Games. Defaulters will however be entitled for reservation of rights and privileges only on payment of arrears along with a penalty fixed by the Executive Council of KOA
3. If the renewal fee is not paid on or before the last day of March of the following year, the defaulter will automatically cease to be a member of KOA.
4. To be accepted as new member a legal entity eligible for membership shall submit a complete application in prescribed Proforma along with the prescribed fees to the Secretary General of Kerala Olympic Association who will review the application and present the case at the Executive Council for decision by simple majority of the voting members present. All the applications shall be forwarded by the Secretary of the State Sports Associations along with written Constitution/ Memorandum of Association / Bye law, List of Office Bearers, Certificate of Affiliation issued by the National Sports Federation affiliated with Indian Olympic Association, and details of the activities.
5. In the event of the application being accepted by the Executive Council, every affiliated unit shall be bound by and be subject to the Rules and Bye-Laws of the KOA, then in force or as amended from time to time.
6. The Membership of an affiliated unit shall remain provisional for the first two years on the date of its acceptance such as State Sports Association and District Olympic Association shall be entitled to all the Rights and Privilege of Member.

Clause V :TERMINATION OF MEMBERSHIP

A member shall cease to a member for the following reasons.

1. With respect to a State Association/legal entity
2. Upon dissolution or declaration of insolvency
3. If the member does not longer fulfil the requirement of this Constitution.
4. Upon expulsion in case of violation of this Constitution, subject to the decision made by the General Council or General Assembly and after given a reasonable opportunity to the member concerned to be heard. Such decision shall be made by a majority of at least 2/3 of the voters cast by the voting members present.
5. Upon death, resignations, loss of capacity.
6. On conviction of an offence which is of serious nature under the Indian Penal Code/Prevention of Corruption Act, the Executive Council/ Office Bearer / Member of KOA shall resign immediately and if not then they will be excluded and will not be allowed to contest in the election of the Executive Council /Office Bearers of KOA till three years after completion of the sentence and the case will then be referred to the KOA Ethics Committee for further guidance.
7. If the State Sports Associations and District Olympic Associations fail to participate in the National/State Games or any other activities organized by the KOA or have failed to submit the Annual Report and Audited Statement of Accounts to the Association in time. However Defaulters will be entitled for restoration of Rights and Privileges on payment of the Annual Renewal Fee along with the applicable penalty fee fixed by the Executive Council. The decision of the General Council will be final in this respect.

Clause VI- ANNUAL GENERAL COUNCIL MEETING.

The Annual General Council Assembly meeting (also known as Annual Meeting of the General Assembly) shall be held before 31st July of every year at a place, Date and time to be decided upon by the President.

The General and ultimate responsibility for the management of Association shall vest with General Council, which shall also be the final authority in all matters concerning the Association.

The General Council or the General Assembly of the Association shall consist of all members of the Association.

Clause VII –FUNCTIONS OF THE ANNUAL GENERAL COUNCIL MEETING

The following business shall be transacted at the Annual General Council Meeting (Annual Meeting of the General Assembly).

- a) To formulate and enforce the policy of the Association.
- b) To carry into effect the Aims and objects of the Association.
- c) To confirm the minutes of the last Annual General Council Meeting and of any Special General Council Meeting held during the year.
- d) To receive and adopt the Annual Report on the activities of the Association presented by the Secretary General during the past year.
- e) To consider and adopt the Annual Statement of Accounts, Balance Sheet of the Association presented by the Treasurer together with the Auditor's Report.
- f) To consider, adopt and approve the Budget proposal for the ensuing year.
- g) To appoint Auditors for the year.
- h) To frame Rules and Regulations, Bye laws of Kerala Olympic Association, if any and to consider any amendments to the existing Rules of the Association.

- i) To fix dates, venues of the State Games and various other activities of the Association.
- j) To elect the Office Bearers of the Association, Executive Council Members and Representative to other bodies to which the Association is affiliated.
- k) To act as an Appellate Body over the decisions of the Executive Council.
- l) To admit to membership any eligible SSA/DOA under this Constitution or to terminate their membership as per this Constitution.
- m) To hold and control the funds and other properties of the Association.
- n) To enforce Bye Laws, all Rules and Regulations of the Indian Olympic Association.
- o) To discuss development of Sports and Welfare of Athletes.
- p) To do any other matter constructive to promote the Sports activities and to attain the general objects of the Association.

Clause-VIII EXECUTIVE COUNCIL

Subject to such resolution as may be passed by the General Council of the General Assembly from time to time, the management of the affairs of the Association shall vest in the Executive Council which shall comprise of the following members.

I)	President:	One
II)	Senior Vice President:	One
III)	Vice-Presidents:	Eight
IV)	Secretary General	One
V)	Joint Secretaries	Six
VI)	Treasurer	One
VII)	Executive Council Members:	Nine

- a) However it shall be a mandatory requirement for elections to the posts of President and Secretary General but only those members, who had held the office and were members in the preceding Executive Council of the KOA for four years, shall be eligible to contest the elections.

- b) The Executive Council shall be elected only from and by the General Council of the Association (General Assembly).
- c) Both the genders shall be represented in Executive Council
- d) Any vacancy occurs in the Executive Council shall be filled by Co-option from amongst the Office Bearers/Members of the Executive Council and members of the General Council such decisions should be ratified in the next meeting of the General Council.

Clause IX - FUNCTIONS OF THE EXECUTIVE COUNCIL

The Executive Council shall exercise all the powers of administration except those reserved to General Council of the General Assembly and in particular shall have the following powers:

1. To conduct the business of the Association during the interval between meetings of Annual/Special General Council meetings and duly report all the decisions and the actions to the General Council to which the Executive Council is accountable.
2. To examine the accounts of the Association as and when necessary and to administer the finances and properties and equipments of the Association.
3. To admit State Sports Associations and District Olympic Association applying for membership.
4. To co-ordinate the activities of the members and settle disputes among them.
5. To receive, consider and take action on the reports submitted by the Sub-Committees constituted by the Executive Council.
6. To approve the Annual Report, the Annual Audited Statement of Accounts and Budget proposals to be presented to the Annual General Council meeting.
7. To fill up by Co-option any vacancy caused by resignation/dismissal/death of any Office Bearer during its tenure of office.
8. To take appropriate action against members in arrears.
9. To fix the quantum of admission, affiliation, subscription and entry fee or contributions.

- 10.** To depute an Observer by the Executive Council to the State Championships and other activities conducted by the State Sports Association.
- 11.** To depute an Observer by the Executive Council to the General Body Meeting of the State Sports Associations and District Olympic Associations.
- 12.** To determine, in consultation with the State Sports Associations, the number of competitors, Managers, coaches etc. to be selected by each such State Sports Associations which participate in the State Games and National Games organized by Kerala Olympic Association, Indian Olympic Association respectively.
- 13.** To be responsible for the proper supervision of the Kerala Teams for National Games and State Games during the period of the Games and their journey to and fro of the Games.
- 14.** To certify the eligibility of competitors from Kerala for National Games as require such certification.
- 15.** To act as the channel of communication between the State Sports Associations and the Government for financial or other assistance to the State Sports Associations.
- 16.** To take within the frame work of the Rules and Regulations, any step for carrying out the aims and objects of the Association. The Executive Council may delegate whenever necessary any of its powers to any Sub-Committees and fix responsibilities of any of its members
- 17.** To purchase, take on lease or hire or otherwise acquire any movable or immovable property rights, easements or privileges, convenient for the purpose of carrying out the objects of KOA on such terms and conditions as the Executive Council may at its discretion deem fit.
- 18.** To arrange, supervise and or manage the conduct of National Games when allotted to Kerala, District- State Games / State Olympic Games, Olympic Day Celebrations, International Day of Sport for Development & Peace, and Competitions / Tournaments, Sports Activities, etc., as the Executive Council of KOA may consider desirable for the betterment of Olympic Movement and for the development of Olympic Disciplines in general.
- 19.** To arrange, supervise and or to manage latest communication /media technology (Web portal, Online You Tube Channel, Face Book, Mobile

Application, Instagram etc.) including that of digital media to update the Sports Persons, Officials, Sports Administrators and the sports loving public the latest happenings in the sports sector as well as to spread the Olympic Message / Movement in its true spirit.

20. To sell, exchange, dispose of or otherwise deal with all or any part of the property whether movable or immovable or the funds of KOA, as the Executive Council may, at its discretion, deem fit.
21. To employ the funds of KOA in such a manner, as shall be deemed necessary in its best interest.
22. To appoint a 'Board of Trustees' to maintain and manage its pools, buildings, and other immovable properties.
23. To appoint necessary staff for the smooth functioning of KOA Office and to fix their Salaries/Honorariums/allowances and other Staff welfare schemes.
24. To utilize the income, funds, and all revenues of KOA for the promotion of the object of the Association.
25. To invite co-operation of persons other than its members for any special purpose.
26. To execute, sign, deal, delivery or cause to be executed, signed, sealed or delivered all such arrangements, deeds, documents, and assurances as may be necessary to carry out the objects of the Association.
27. To do all such other acts, deeds and things and shall be necessary or expedient for the welfare of KOA subject to the approval of the General Council
28. To arrange/conduct Refresher courses, Seminars, Solidarity courses, Training programs etc., that is beneficial for the Sports Persons, Officials and Administrators of Olympic Disciplines.

Clause-X DUTIES AND POWERS OF OFFICE BEARERS

a) President

The President shall be the Head of the Kerala Olympic Association and shall preside over all meetings of the General Council and Executive Council. He shall guide the Kerala Olympic Association in all its activities. He shall

exercise superintendence over Office Bearers and Members of the Executive Council, other Sub-Committees in the discharge of their duties. He shall have overall powers of supervision over the working of the Association and its efficient administration.

In particular the President shall have the following Powers and Responsibilities:-

- (i)** To implement the objectives of the Association.
- (ii)** To ensure that the financial position of the Kerala Olympic Association is sound and no unauthorized expenditure is incurred. The President of KOA is authorized to sanction expenditure for any item, in consultation with the Secretary General. Expenditure sanctioned has to be regularized by the Executive Council and ratified by the General Council.
- (iii)** To deal with all disciplinary matter arising in Kerala Olympic Association, State Sports Associations and District Olympic Associations as per rules on the subject. This will be subject to ratification in the next Executive Council Meeting of the Association.
- (iv)** The President of KOA shall decide on the formation of various Commission/Committees. Members of all Commission and Committees will be nominated by the President. It has to be ratified in the next meeting of the Executive Council.
- (v)** The President is authorized to nominate 6(six) Associate Vice Presidents and 6 (six) Associate Joint Secretaries. The Associate Vice President and Associate Joint Secretary may not be members of any State Sports Associations or District Olympic Associations, they can be reputed Indian Citizens and Native of Kerala who are known Sports enthusiasts and have been associated with promotion and development of sports in the Country. Individuals appointed as Associate Vice-President/s and Associate JointSecretary/s will have no voting right if invited to attend the Executive Council/General Council Meetings.

- (vi) The President may perform any other duties and functions as directed by the Executive Council or the General Assembly.

b) Senior Vice President / Vice Presidents:

The Senior Vice President and Vice Presidents shall generally assist the President in the administration of the Association. In the absence of the President, the Senior Vice-President shall preside over the all meetings. If for any reason the President has to be absent for any period during his term of office, the Senior Vice-President will take over the duties and responsibilities of the President. In the absence of the Senior Vice President, the Vice Presidents, by order of precedence shall replace the Senior Vice President.

c) Secretary General

The duties and functions of the Secretary General shall be:-

- i) The Secretary General shall be the Chief Executive of KOA & shall be in-Charge of the day-to-day administration of the Association and shall transact all the office business in accordance with its Rules and Bye Laws, the directions of the President, the decisions of the Executive Council and General Council.
- ii) To be in-charge of the office of the Association, its properties and equipments as well as keep records of the assets thereof.
- iii) To carry all the correspondence on behalf of the Association.
- iv) To call Annual/Special General Council of General Assembly and Executive Council meetings as per rules and to implement its decisions.
- v) To keep and maintain the minutes of all meetings of the General Council and Executive Council of the Association, the register of members and all such records may be necessary for the smooth and efficient working of the Association.

- vi)** To prepare the Annual Report on the Activities of the Association and to submit at the Executive Council and General Council Meeting.
- vii)** He shall also be responsible for the maintenance of the properties (Movable and Immovable) of the Association.
- viii)** To delegate, if necessary some of his functions to the Joint Secretaries.
- ix)** The Secretary General shall have power to represent the Association in all legal proceedings for and against it.
- x)** The Secretary General may perform any other duties and functions as directed by the President, the Executive Council or the General Council.

c) Joint Secretaries:

The duties of the Joint Secretaries shall be:-

- i)** To carry out the directions of the President and Secretary.
- ii)** To perform all such duties as may be delegated by the Secretary General / Executive Council and General Council.
- iii)** To act in the place of the Secretary General, in his absence.

d) Treasurer

The duties and functions of the Treasurer shall be:-

- i)** The Chief Finance Officer of KOA and shall be responsible for all receipts/payments/income and expenditure of the State Association.
- ii)** To receive all subscriptions, donations and other amounts payable to or receivable by KOA and shall keep/maintain or cause to be kept regular accounts with supporting vouchers/ bills..
- iii)** To arrange for the collection of all dues of the Association
- iv)** To issue receipts in the official form for all amounts received and shall make all payments as desired by the Executive Council / President / Secretary General out of the funds of the State Association.

- v)** To keep true and correct Statement of all such receipts and expenditure in proper books of accounts.
- vi)** To bring to the notice of the Executive Council any irregularities in receipt and expenditure of Association fund.
- vii)** To submit the Audited Statement of Accounts of the Association at the Executive Council and General Council meetings of the General Assembly.
- viii)** To be the custodian of accounting documents including receipts books, cheque books, vouchers, bills, ledger/s etc
- ix)** To help the Auditor in all possible ways in Auditing the accounts of the Association and to explain to him such items, entries, or mode of accounting adopted for which explanations may be called for.
- x)** To prepare and submit every year – the statement of accounts duly audited and approved by the members of the Executive Council to the Annual General Council Meeting of the Association
- xi)** To be responsible to prepare all financial statements and records that are required to be filed before the appropriate Government authorities in accordance with the law of the land.
- xii)** To submit statement of Income and Expenditure at the Quarterly Executive Council Meetings, and responsible for reconciliation of accounts with official bank/s of the Association.
- xiii)** To prepare and submit the list of all the State Sports Associations, District Olympic Associations, who have defaulted on the Payment of their affiliation fee and penalty dues, within the stipulated period of time.
- xiv)** To maintain an inventory of the Association and submit the same along with accounts.

Clause XI - MEETING OF THE ASSOCIATION

There shall be three types of meetings of the Association.

- a) **The Annual General Council meeting of the Association** (also known as Annual Meeting of the General Assembly) shall be held before the end of the month of July every year. In consultation with President, Secretary General shall issue notice to all members of the General Council of the Association under speed post or e-mail specifying the date, time and place along with the agenda for the meeting at least fifteen days before the due date of the meeting which shall be reckoned from the date of issuing the notice. Non receipt of the notice after observing these procedures shall not be valid reason to invalidate the proceedings of the General Council meeting of the General Assembly.

Notice for resolutions prepared to be moved by the members at the meeting of General Council shall be sent in writing to the Secretary General, so as to reach him at least ten days before the due date of the meeting. The copies of such resolutions and amendments shall be circulated to the members who were attending the General Council meeting.

b) **Executive Council Meeting:**

- i) The Executive Council shall meet as often as necessary and in any case, once in three months and pass reports of the activities of the Association and accounts pertaining to the previous quarter year. Seven days notice shall be given for such meetings.
- ii) Any members not attending three consecutive meetings without sufficient reasons approved by the Executive Council will automatically cease to be member but such absentees may be reinstated by the Executive Council.

c) **Special General Council Meeting:**

Special General Council Meeting of the General Assembly may be convened by the President or Secretary General at the instance of the President or on a written requisition signed by President and Secretaries of not less than 50% member units within one month from the date of receipt by the President of the said requisition. If the President of KOA fails to convene a meeting then the requisiteness can convene the meeting under arrangements made directly by them. In the requisitioned meeting only specified items of agenda announced will be considered for discussion. Fourteen days clear notice period is required for such meetings.

Clause XII QUORUM

- a) One third of the members of the General Council of the General Assembly shall be the quorum for the General Council.
- b) The quorum for any meetings of the Executive Council shall be thirteen of whom at least one shall be a non office bearer.
- c) If the requisitioned quorum is not available the meeting shall stand as adjourned. The adjourned meeting shall be held on the corresponding day of next week, at the same time and place. Quorum and notice shall be not necessary for adjourned meeting.
- d) The quorum necessary for the Special General Council meeting shall be 2/3 of members actually on the rolls of the Association. If the meeting is convened at the instance of the members and if the requisite quorum is not available the meeting shall dissolve itself without transaction any business and no adjournment shall be permissible in such cases.

Clause XIII– TENURE OF OFFICE

The office-bearers shall hold office as such for a period of four years and shall be eligible for re-election. No Office Bearers shall hold office as such consecutively for more three terms or a total of twelve years or till the completion of seventy years of age whichever is earlier. For the purpose of this clause the expression of office-bearers means President, Secretary

General and Treasurer. They shall not be eligible to seek re-election to any of the said office till the expiry of three terms.

Clause-XIV – ELECTION OF OFFICE BEARERS AND MEMBERS OF THE EXECUTIVE COUNCIL

- a) The Election of the Office Bearers and the members of the Executive Council shall be conducted by the Returning Officer appointed by the Executive Council as stipulated in the Election Sub-Rules framed by the Association.
- b) The election of the Office Bearers and the members of the Executive Council shall be held once in four years. The Office Bearers once elected shall continue in office until a new set of Office Bearers is elected in their place by the General Assembly.

Clause XV – VOTING

- a) Election of Office Bearers and members of the Executive Council will be held by Secret Ballot.
- b) The voting units will forward to the KOA, the names of their representative(s) entitled to attend and vote at the General Council or the General Assembly at least 20 days prior to the holding of the Election General Assembly Meeting. The representatives nominated by each unit must be any of the Office Bearers of such units. The nomination shall be signed by both President and Secretary of the concerned unit.

At the Annual General Meeting and Special General Meetings, members shall be entitled to send their representatives as provided in hereunder :

1. State Associations of Sports & Games included in Olympic Programme – Three representatives each.
2. District Olympic Associations – Two representatives each
3. State Sports Associations not included in Olympic Programme, but recognized by KOA – Two representatives each.
4. Each representative shall be entitled to one vote.

- c) The right of exercising the vote shall vest with the authorized representative of affiliated units only.
- d) Voting, if necessary, in the Executive Council, Annual General Council and Special General Council meeting of the Association shall be by show of hands unless any member demands otherwise.
- e) Which dealing with question in relation to the State Games and National Games, only the votes cast by the members of the State Sports Associations affiliated to the National Sports Federations governing the sports included in the National Games programme will be taken in to consideration in the Executive Council and the General Council.
- f) In case of equality of votes on any question which is to be decided by a simple majority. The presiding member shall have a casting vote besides his own except in the election meeting. In the case of equality of votes in the election, the decision shall be taken by casting of vote by the presiding member.
- g) There shall be no vote by proxy.

Clause XVI - INELIGIBILITY OF VOTING

Members shall not be eligible to vote at the meeting of the Association under the following conditions or circumstances:

- a) If a member State Sports Association/District Olympic Association has not paid Annual Affiliation fee and any other dues of the Association before the 31st March of every year.
- b) If a State Sports Association/District Olympic Association is under suspension or against whom disciplinary proceedings are pending with the Executive Council.
- c) The representatives of the affiliated units shall have no voting right in the General Council, If the concerned unit has not participated in the previous State Games and other activities conducted by the Association..
- d) Invitee / Nominated members shall have no voting right in the meeting of the Association.

Clause XVII - FINANCE

- a) The Accounts of the Association shall be maintained by the Treasurer and Audited by a Chartered Accountant appointed by the General Council.
- b) All money received on behalf of the Association shall be deposited in a Nationalized Bank / Scheduled Bank or Banks as may be approved by the Executive Council in the name of the Association and shall be jointly operated by any two of the following three principal office bearers. The President, Secretary General and Treasurer.
- c) The funds of the Association shall be under the control of Executive Council which shall have the power to borrow and or spend such sums of money as it may deem proper for carrying out the objectives of the Association.

Clause XVIII – SOURCE OF INCOME

- a) Admission and affiliation fee from affiliated unit members.
- b) By Donations
- c) Entry Fees from affiliated units for the State Games and other Sports activities organized by the Association.
- d) Sale of printed matters ie., Official Badges, Costumes and Equipment's.
- e) Grant from IOA, Gifts and Contributions from Government, Public Sector and Private Sector Industries including CSR contributions.
- f) Exhibitions and Seminars.
- g) Any entertainment permitted by the law of land.

Clause XIX– GENERAL DISCIPLINARY REGULATIONS

- a) Violation of the existing Rules and Regulations cannot be excused on the grounds of ignorance of the said rules.
- b) All affiliated units of Kerala Olympic Association shall undertake to submit to KOA, the copy of their respective statutes, constitution and Rules & Regulations, a list of their accredited member units and their Office Bearers and members, a copy of Annual Report, Annual Balance sheet and Audited

Statement of Accounts, and the Report of their activities, duly approved by their General Body, within 30th June every year, along with a calendar of Sports activities for the ensuing year. 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.

- c)** The President of Kerala Olympic Association shall have the power to call for explanations from its member units regarding the issue where affiliated units have been found guilty of violating the Rules and Regulations of KOA. The recommendations of the President shall be placed before the Executive Council and/ the General Council for appropriate disciplinary action under these Rules.
- d)** There shall be an Ethics Committee constituted by the Executive Council consisting of three members. The Ethics Committee shall have power to enquire and impose any penalty that it may seem fit in cases where it is satisfied and proved that the affiliated units are guilty of having committed breach of all or any of the provisions of the Rules and Regulations of the Association or the Indian Olympic Association. However, incase, the penalty imposed is removal from membership or disqualification an appeal shall be given to the General Assembly within 30 days from the date of decision of the Executive Council.
- e)** All matters in relation to breach of ethics would be brought to the President of KOA and the said complaint would be referred to the Panel, composition of which may be decided by; the President of KOA.
- f)** In case of violation of this Constitution/or the Olympic Charter/Code of Ethics, the affiliated units or their representatives and the members of the Executive Council are liable to the following disciplinary actions.
 - i)** Caution(by the Executive Council)
 - ii)** Warning (by the Executive Council)
 - iii)** Suspension for a specified period of time (by the Executive Council)
- g)** The Final decisions for expulsion or disaffiliation shall be made by the General Council and after having given a reasonable opportunity to the

member concerned to be heard. Such decision shall be made by a majority of atleast 2/3 of the votes cast by the voting members present.

- h)** Any allegation of unethical conduct or violation of Rules and Regulations of KOA shall be referred to the Ethics committee within 15(fifteen) days, who will forward its findings within 30 (Thirty) days to the Executive Council for a decision. In case the finding is against any Office Bearer or member of the Executive Council, then he/she will need to recues from that Executive Council meeting.
- i)** No penalty shall be imposed before that unit at fault has been heard at the interrogation specially conducted for this purpose by the Ethics Committee.

Clause XX - APPEAL

- a)** Any disciplinary action taken by the Executive Council is subject to appeal before the Arbitration Committee constituted by Kerala Olympic Association within 21(Twenty one) days after the receipt of the decision.
- b)** All the State Sports Associations (Subject to the regulations and directions of their respective National Sports Federations) and District Olympic Associations affiliated to KOA shall commit themselves to refer their unresolved Sports related disputes for settlement through the process of arbitration with Arbitration Committee which would be the highest internal Authority for the resolution of Sports related disputes in Kerala.
- c)** Any appeal against the decision made by the Arbitration Committee may be submitted to the Executive Council of KOA, which will resolve the dispute definitely in accordance with Rules and Regulations of KOA.

The decision of the Executive Council shall be final and binding to the affiliated units and its members.

Clause XXI – SETTLEMENT OF DISPUTES/CONFLICTS IN THE STATE SPORTS ASSOCIATIONS/DISTRICT OLYMPIC ASSOCIATIONS

- a)** All State Sports Associations (subject to regulations and directives of their respective National Sports Federations) and District Olympic Associations affiliated to Kerala Olympic Association shall include in their Constitution a

provision that the State Sports Associations and District Olympic Association would have all unresolved disputes settled by the Arbitration Committee of the KOA and their members shall voluntarily surrender their right of seeking redress in any Court of Law.

- b)** All unresolved disputes arising within the State Sports Associations (Subject to regulations and directives of their respective National Sports Federations) and District Olympic Associations affiliated to KOA, shall be referred by the State Sports Associations/District Olympic Associations to the KOA for settlement for arbitration process by the Arbitration committee of the KOA.
- c)** As a General rule, before any important resolution or a measure such as mentioned above affecting a State Sports Association is taken by KOA, the Kerala Olympic Association will first inform, consult and co-ordinate with the National Sports Federations concerned. It is clear that the KOA must respect the autonomy of the State Sports Association as an independent legal entity.
- d)** Before taking any decision it will be imperative that KOA should consult the concerned National Sports Federation in order to avoid any potential conflict with the National Sports Federation concerned.
- e)** No decision can be taken except in consultation with the concerned National Sports Federation. Kerala Olympic Association must respect the autonomy of the National Sports Federation and the concerned State Sports Association must abide by the regulation of its respective National Sports Federation to which it is affiliated.
- f)** All matters in relation to breach of ethics shall be referred to the Ethics committee of the KOA in relation to everyone concerned for the Olympic movement for decision as per the Olympic charter.

Clause XXII - STATE SPORTS ASSOCIATIONS

- a)** The State Sports Associations will have their autonomy. Their Constitution should be in consonance with the Constitution of their respective National Sports Federations. None of the provisions of Constitution of District Sports

Associations should be in contradiction to the Constitution of State Sports Association /National Sports Federation.

- b)** The State Sports Associations should submit their Annual Report on the activities and the Annual Statement of Accounts by 30th June each year duly approved by their General Body. They would also submit the list of the members of General Body and Office Bearers immediately after their elections are conducted.
- c)** Each State Sports Associations in their particular field of specialization will support a State Coach for Senior, Junior and Sub Junior Section.
- d)** The State Sports Association should prepare and submit their Annual Calendar of activities to Kerala Olympic Association.
- e)** The State Sports Associations in their respective field of specialization, must hold competitions annually each for specified age groups level as directed by the National Sports Federation.
- f)** The right to vote in any of the State Sports Associations is granted to those Associations that have only one District Sports Association in one District for that Sports. It implies, therefore, that in the field of Sports, it will be “One District One Unit” and at the State level it will also be one unit (State Sports Association) for one sport.
- h)** The State Sports Associations may sue or be sued in the name of the Secretary General of Kerala Olympic Association. A law suit can only be filed at the headquarters of KOA ie., Thiruvananthapuram.
- i)** The Kerala Olympic Association will affiliate and approve, with the exception of widely played Indian Games, only such State Sports Associations, the game of which is in the list of IOA for the National Games/Common wealth Games/Asian Games.
- j)** No Office Bearers of a State Sports Association can be Office Bearer of any other State Sports Associations affiliated to Kerala Olympic Association.

- k) All the State Sports Associations shall submit a copy of their updated constitution to KOA.

Clause XXIII - DISTRICT OLYMPIC ASSOCIATION

- a) The District Olympic Association should formulate their constitution in consonance with constitution of Kerala Olympic Association.
- b) The District Olympic Association will elect their Office Bearers who are residents of that District and only out of the District Sports Associations affiliated to the State Sports Associations as recognized by the Kerala Olympic Association.
- c) No Office Bearer of one Sports Association in a District will be a member of another District Sports Association.
- d) It would be mandatory for District Sports Associations to all their disputes resolved through the aegis of Arbitration Committee constituted by the Kerala Olympic Association. Under no circumstances any member of the District Olympic Association would resort to litigation in a Court of Law. In the constitution it would be mandatory for District Olympic Association to include a provision that anyone going to the Court contrary to the provisions of District Olympic Association will entail sanction and disciplinary action.
- e) The District Olympic Associations would be responsible for conduct of District Games every alternate year and Olympic Day Celebrations every year.
- f) The District Olympic Association should submit the Annual Report on the activities, and Audited Statement of Account by 30th June each year duly passed by the General Body along with the Minutes of the meeting. They would also submit their list of members of their General Body and Office Bearers before and after election is held to Kerala Olympic Association.
- g) The District Olympic Association will abide by the Constitution of Kerala Olympic Association.

Clause XXIV - FLAG AND EMBLEM OF KOA

Any change in the flag and emblem adopted by Kerala Olympic Association for use in relation to its activities including the State Games shall be subject to the approval of the Indian Olympic Association.

Clause XXV - AMENDMENTS

No amendments shall be made to the Rules and Regulations of the Association except at the Special Meeting of the General Assembly and adopted by 2/3 majority of the members present and voting. All proposed amendments must be presented to the Secretary General in writing at least twenty one days before the meeting and forwarded by him to each member at least fifteen days before such meeting.

The Constitution as well as any subsequent change or modification to the existing Rules and Regulations must be submitted to the Indian Olympic Association for its approval.

Clause XXVI - MISCELLANEOUS

- a) In all matters relating to the interpretation and application of the constitution, as well as in matters not specifically provided for herein, the decision of the General Council shall be final and binding on all concerned.
- b) The General Council, upon recommendation being made by the Executive Council may, at its discretion, frame Bye-Laws not inconsistent with or contrary to this. Constitution for the proper and efficient administration of Association and its Executive Council.
- c) The KOA shall be guided by the Statutes, Rules, Regulations, Directions and Instructions issued from time to time by the Indian Olympic Association.
- d) In case of interpretation difficulties of the Articles mentioned in this Constitution or in the eventuality of a conflict with Rules of the "Olympic Charter", the Rules contained in the Constitution of the Indian Olympic Association shall prevail.
- e) The Executive Council may frame guide lines to carry out the objectives contained in the Memorandum of Association and giving effect to the Rules.

Clause XXVII – FORCE OF RULE

- a) This Bye-Law has been approved by the General Council held on 07.12.2019
- b) These Rules and Regulations come into force with effect from 07.12.2019
- c) All the provisions of the Act-12 of Travancore-Cochin Literary, Scientific Act 1955 shall be applicable.
- d) Once in every year the minutes of the Annual General Council Meeting, Annual Report on the activities of the Association, Audited Statement of Accounts, a list of Office Bearers and members of the Executive Council shall be filed with the Registrar of Societies as required under the Societies Registration Act 1955.

It is certified that this is a correct copy of the Rules and Regulations of the Association after made all the amendments by the General Council and at present no other organization in the name of **“Kerala Olympic Association”**.