

# CYCLING FEDERATION OF INDIA

# CONSTITUTION

## IDENTITY-PURPOSES

### ARTICLE 1

1. The Cycling federation of India (CFI in abbreviation) is the Association of State Cycling Associations.
2. The CFI is a non-governmental National Association with the non-profit making purposes of National interest, having legal personality pursuant to the relevant laws in India.
3. The registered office of the CFI will be at Delhi for first four years or it can be shifted by the General body meeting to any other place thought convenient.

### ARTICLE 2

The purposes of the CFI are:

- a. to direct, develop, regulate, control and discipline Cycling under all forms country wide;
- b. to promote cycling in all the State of India and at all levels;
- c. to organize, for Cycling Sports disciplines, National Championships, Sub Junior, and Senior Men and Women, Inter State Cycling Championship and other Cycling Races like Stage Races in India of which it is sole holder and owner and other cycling sports;
- d. to promote sportsmanship and fair play;
- e. to represent the sport of cycling and defend its interest before the Indian Olympic Association, Asian Cycling Confederation and Union Cycliste Internationale and all other National, Continental and International Authorities;
- f. to co-operative with the Indian Olympic Association in all matters particularly as regards participation of cyclists in National Games, Asian Games and Olympic Games.

### ARTICLE 3

The CFI will carry out its activities in compliance with the principles of:

- a. equality between all the member and all the cyclists, license holders, and all officials without racial, political, religious or other discrimination;
- b. CFI will not normally interfere in the internal affairs of the affiliated State Associations;
- c. the compliance with the provisions of the constitution of Indian Olympic Association and with the Olympic charter in everything to do with the participation of cycling in the National Games, Asian Games and Olympic Games.
- d. the CFI is a non-profit making body and all the financial resource shall be used only to pursue the purpose set forth in this Constitution. Any member of the CFI has no right to these financial resources.

# MEMBERS

## ARTICLE 4

1. The members of the CFI shall be the State Cycling Association accepted by the Management Committee as being representative organization for the sport of cycling in the State of that Association.
2. Only one State/UT Association from each State/UT shall be admitted as a member of the Federation, provided it has a minimum of 50% of the District level Associations affiliated to it. All other sports Boards which have all India status can be granted associate membership. These associate members shall have all the right to take part in all sporting activities but they shall have no right of voting in the Congress though they will be entitled to send one representative to the Congress and they shall be entitled to field teams in all the tournaments and their representative.

## ARTICLE 5

1. Every member of the CFI shall hereafter be referred to as member.
2. Only one Association shall be admitted to membership for each State.

## ARTICLE 6

1. As member, the State Associations shall comply with the Constitution and Regulations of the CFI as well as with all decisions in accordance there with Likewise they shall have the Constitution Regulations and they shall ensure that all the decisions of the CFI are complied with by all persons in their State.
2. The Regulations of the CFI shall be incorporated in the corresponding Regulations of the State Associations.
3. Constitution and Regulations of the State Associations shall not run counter to the Constitution and Regulations of CFI. In case of divergence only the Constitution and Regulations of CFI shall apply. The Constitution and Regulations of the State Associations must contain an express clause that in case of divergence with the Constitution and Regulations of the CFI only the later shall apply.
4. All members shall have a paragraph in their Constitution that they shall not go to the Court against any decision of the CFI or its legally constituted bodies and office bearers until and unless they have exhausted the case before the appeal panel constituted under this Constitution. Any State Association going to the Court against CFI or its function arise without exhausting the channel of appeal panel shall automatically lose their membership of CFI.

## ARTICLE 7

1. The membership is not automatically open to all States until and unless it is applied for by the competent authority and affiliation is granted by the competent authority CFI in writing. The application for the applicant State Association and sent to the General Secretary of the CFI.
2. The application must be accompanied by a file containing the following elements:
  - a. The formal statement that the State Association, on the condition of its admission, shall accept, apply and comply with the CFI Constitution and Regulations and adapt its own Constitution and Regulation accordingly;

- b. The text of the Constitution and all Regulations of the application State Association along with the certificate of the registration with the respective registrar of societies;
  - c. A detailed report on the structures and activities in the Cycling Sport of the State concerned;
  - d. A list of Minimum of 50% of the district affiliated units with the applicant Association;
  - e. The composition of the Executive Committee or equivalent body;
  - f. The official address for correspondence;
  - g. The identity of the person empowered to signed correspondence.
3. Under penalty of non-admissibility, the application for membership and its annexes shall be sent in English language only.
  4. The State Association shall inform the CFI about every amendment in the data referred to in point given under paragraph 2 above as soon as possible but certenlity within one month of the occurrence of the event.

#### ARTICLE 8

Application for membership shall be reviewed by the General Secretary and then submit the same to the President for granting provisional membership for three years during which their cycling activities would be watched and report submitted by the General Secretary and then only suggest to the applicant State any change in the structure, Regulations to bring them in line with the principles and Regulations of the CFI. After this is complied with the case would be submitted to the Management Committee for final affiliation. The decision of the Management Committee shall be final and binding. If the affiliation is finally granted the General Secretary shall convey the decision in writing to the Applicant State. However, during provisional membership the applicant may take part in sporting activities only.

#### ARTICLE 9

1. If the application for membership is judged complete and in conformity with the requirements given above the General Secretary shall inform the applicant Association and place it for voting in the next Management Committee meeting.
2. The President in consultation with the General Secretary may grant provisional affiliation to any member state in anticipation of the decision of the Management Committee. However, the provisional membership does not entitle the applicant association to take part in the corporate functions of the CFI but only in sport activities, provided the other conditions are met with.
3. The same procedure shall apply to the associate member also.

#### ARTICLE 10

1. The Management Committee shall decide on the expulsion of the member in its meeting with 2/3<sup>rd</sup> majority of the members present. The item for admission shall be brought on the agenda by the General Secretary in case the State Association concerned has committed violation of Rules and Regulations of CFI, habitual defaulter in payment of affiliation fee and other disciplinary provisions.
2. Any member association may appeal to the General Body (Congress) against any decision taken by the Management Committee, with a payment of prescribed sum. This sum will be decided by the Management Committee. When this item is to be considered

in the General Body meeting the member association shall not be present at the time of voting.

3. If the appeal is accepted the delegated of the member shall be authorized to take part in the deliberations of the General Body immediately thereafter.

#### ARTICLE 11

1. All the members of the CFI shall extend reciprocal recognition to all district associations, club and any other cycling sport body in their area provided they meet with the Rules and Regulation framed by that State Association and is otherwise helpful in development of cycling.
2. Each member/associate member shall recognize and execute the decisions taken by another member/ associate member affiliated to CFI.
3. Each member shall spare no efforts to enable other members to take part in any Inter State or any other cycling activities organized in its territory.
4. Except in case of prior consent of the Management Committee of CFI all State Associations and their members shall take part only in those cycling activities organized by one of them or by the CFI. They shall not take part under any circumstances in any activity organized by the suspended State Association /Member/Associate Member. No Suspended cyclist or official shall be allowed to take part by any affiliated member or associate members in any cycling activity organized by them.

#### ARTICLE 12

A member or associate member which joins a parallel body, union or association or a body detrimental to the interest of CFI, shall be automatically suspended if it refuses to forsake this other membership within one month of the notice to that effect being served by the General Secretary with the consent of the President.

#### ARTICLE 13

1. The failure of the State Association/ Member/Associate Member to fulfill any of its obligation pursuant to the Constitution and Regulations of the CFI shall render such State Association/ Member/ Associate Member liable to a fine of Rs. 500/- in the first instance.
2. In the event of serious or persistent breach, the Member/ Associate Member concerned may be suspended.

#### ARTICLE 14

Each member and Associate Member shall pay the Annual Contribution of CFI the amount of which shall be fixed by the CFI General Body on a proposal of the Management Committee or otherwise.

#### ARTICLE 15

The first contribution is due for calendar year during which the Member/Associate Member is admitted.

#### ARTICLE 16

1. Unless an exception is decided upon by the Management Committee, the contributions are accepted on behalf of CFI by the Treasurer, General Secretary or the Assistant Secretary.
2. If the contributions by the Members/Associate Members is not received by the CFI before 31<sup>st</sup> March of each year the voting right of that Member/Associate Member shall automatically lapse and this Member/Associate Member shall have no right to vote and

this right shall not be restored till the pending dues are paid. However, if the dues are not paid for 2 year the membership/associate membership shall be suspended withdrawing all the right and privileges available under the Constitution. This membership shall not be restored till the dues are cleared with a penalty of 20% interest per annum of the defaulting amount.

#### ARTICLE 17

At the request of the Treasurer the General Secretary shall place it before the President the list of such defaulters who have not paid and with his permission the show cause Notice shall be issued by the General Secretary to clear the dues within 45 days of the dates of issue of latter failing which the president will order provisional suspension and the case would be put up to the Management Committee in its next meeting who may take final decision.

#### ARTICLE 18

1. The suspension of a member/associate member will be decided on the basis of following reasons :-
  - a. non participation in the CFI General Body meetings;
  - b. inadmissibility of the nomination of its affiliates for election;
  - c. suspension of an individual member of such State Associations in the committee, Boards and other Commissions of the CFI;
  - d. non-holding of the registered races in time;
  - e. exclusion of its cyclists for taking part in the National Championships and other National Races without any reasons based on Rules and Regulations;
  - f. refusal or withdrawal from the organization of National Championships;
  - g. mis-conduct on account of publication by any of the functionaries of the State Association or Associate Members in the Press, any statement detrimental to the interest of CFI and the cycling sport in particular;
  - h. any other reason not specified above but considered necessary by the Management Committee.
2. The Management Committee may however, decide in the interest of cycling sports in particular that certain measures will not apply in some cases and for the period it shall determine.

#### ARTICLE 19

1. A Member/Associate Member may be excluded by the Congress in the following reasons :
  - a. When the Member/Associate Member is under suspension during the Congress;
  - b. When the Member/Associate Member ceases to assume the real character of a Member/Associate Member in its territory;
  - c. When the Member/Associate Member dis credits the National reputation of cycling sports.
2. The decision to exclude a Member/Associate Member requires a majority of 2/3rd of the votes cast.
3. The Congress shall decide on the expulsion before voting on any other point on the agenda.

#### ARTICLE 20

The Member/Associate Member shall be given the opportunity to be heard before the section is imposed on it.

#### ARTICLE 21

The Member/Associate Member wishing to leave the CFI send a letter of resignation by a Registered Post with acknowledgment due to the CFI General Secretary.

#### ARTICLE 22

1. Under no circumstances will a Member/Associate Member be entitled to reimbursement of its membership contributions.
2. The Member/Associate Member shall claim no damages for decisions taken by the authorities of the CFI concerning them except in case of abuse of law or serious affiance covered under the Criminal Procedure Code of India.

## CONGRESS (GENERAL BODY)

#### ARTICLE 23

The Congress is the General Body Meeting of the Members and is the highest authority of the CFI.

#### ARTICLE 24

1. The Statutory Congress (General Body Meeting) shall be held annually at a place time and date to be decided by the General Secretary in consultation with the President.
2. The Management Committee may convene extraordinary Congresses (General Body Meetings) on is wen to consider important/urgent issues con the cycling sports or convene such Congress within two months of the request submitted to the Management Committee in writing by 40% of the affiliated members, stating the reasons and the agenda.
3. The date and venue of such Congress shall be specified by the Management Committee or in case emergency the President can also call such Congress giving the specific reason and the General Secretary will convene such meeting on written instructions of the President by giving one month's notice to the Member/Associate Members.

#### ARTICLE 25

1. The Congress/General Body Meeting shall have the following exclusive powers and duties ;
  - a. alteration of the Constitution and dissolution of the Association;
  - b. To transfer registered office of the CFI to another place.
  - c. Expulsion/suspension of the Member/associate Members without prejudice to Article.
  - d. to determine the amount of annual subscription from to determine the amount of annual subscription from Members/Associate Members and other levy fees upon a proposal by the Management Committee;
  - e. election of all the elected office bearers of the CFI Management Committee;
  - f. suspension and dismissal of the elected members of the Management Committee of CFI;
  - g. appointment of the public auditor, who shall be on CAG impanel on a proposal from the Management Committee and his dismissal;
  - h. appointment of the appeal and on a proposal from the Management Committee;
  - i. approval of the Rules of procedure before the appeals Board.
2. In addition the Congress shall each year decide on :-
  - a. the Management report of the CFI;
  - b. the auditor's report of the accounts;
  - c. the annual accounts of the previous year;

- d. the budget for the following year.

#### ARTICLE 26

1. Notices convening the Congress shall be sent to the Members/Associate Members at least 30 days before the date of Congress through UPC letter. The notice shall indicate the date, time and place of meeting and shall include the agenda and a brief note on any important matter to be discussed.
2. The notice for the statutory Congress shall be accompanied by report of the Management, Accounts and Budget and Auditor's report.

#### ARTICLE 27

1. Agenda of the Congress shall be drawn up by the General Secretary in consultation with the President.
2. Any Member/Associate Member wishing to include one or more items of agenda of the Congress shall submit a draft proposal stating the reasons on which they are based or the text of the question in English to the General Secretary at least 45 days before the date of the Congress.
3. With the exception of alterations to the Constitution, or bye laws any question not on the agenda of the Congress can be discussed provided 7 members present desire the same.
4. Except in cases where the above applies no vote shall be taken on any other question which is not on the agenda.

#### ARTICLE 28

1. Each Member of CFI may be represented at the Congress by a delegations of not more than two persons. Associate member shall be represented by one delegate.
2. The delegate must be duly authorized by the State Association or Associate Member [read with article 4(2)] in writing either by the President or by the General Secretary. In case two nominations are received the nomination sent by the President shall be accepted.
3. The identity of the members of each delegation shall be handed over to the Secretary General before the commencement of the Congress.

#### ARTICLE 29

1. Unless otherwise decide by the Congress of the CFI shall be public and all voting shall be by show of hands until and un less 2/3rd of the members present decide to have a secret ballot on particular issue of the agenda except election of the Management Committee, which shall be done only through secret ballot.

#### ARTICLE 30

1. The President of the CFI shall open and chair the Congress. He shall check the quorum and call the meeting to order and then permit the Secretary General to proceed with the agenda. In case of voting the counting will be done by the President and result declared.

2. If the President is not present, his place will be taken over by the Senior Vice President or by Senior Most Vice President. If the Secretary General is not available the Senior most joint Secretary will perform the duties of the General Secretary.

#### ARTICLE 31

1. Before proceeding to vote on the items of the agenda the members of each delegation may address the Congress and speak freely on the items put to vote.
2. For the proper conduct of the Congress, the President may limit the speaking time of each delegate and the number of speakers to one per delegation.
3. The President shall close the discussions unless the Congress decides otherwise.

#### ARTICLE 32

1. All the Members shall have two delegates and two votes.

#### ARTICLE 33

1. The identity of voting delegate must be brought in writing from the President or the Secretary and handed over the same to the Secretary General at the time of Congress.
2. Voting by proxy is not permitted.
3. None of the paid member (s) of the CFI shall take part in the voting.

#### ARTICLE 34

1. All proposals which fail to obtain the absolute majority of the votes cast shall be rejected. In case of a tie, the proposal shall be rejected.
2. If the voting pertains to more two possibilities, none of which obtain absolute majority a second round of voting shall be organized on the two possibilities, with the best score in the first round.
3. The majority of 2/3rd of the votes cast shall be required in the following cases :-
  - a. expulsion of a member;
  - b. dissolution of the CFI;
  - c. amendment of the Constitution.

However, provision of Article 32, 38, 43 and 44.1 of the resent Constitution cannot be amended except by the majority of the 3/4th of the votes cast.

- d. Abstentions and null and void votes for not count.

#### ARTICLE 35

1. In case of elections each voter shall vote for as many candidates as there are vacancies. All other votes shall be null and void.

The candidates who obtain the largest number of votes shall be elected. In case of tie the casting votes shall lie with the Presiding officer.



2. If the election is for one vacancy the candidates who receive absolute majority of vote shall be elected. If necessary a second round of voting shall be organized between the two candidates who receive highest number of votes in the first round.
3. If there is only one candidate for a position and if there are as many candidates as there are positions, the election is conducted without voting.

#### ARTICLE 36

1. All voting shall be by secret ballot only:
  - a. to elect Management Committee and for the suspension and expulsion of the members of the CFI.
  - b. dismissal of the President or other members of the Management Committee;

#### ARTICLE 37

1. All amendments of the items on agenda must be made in writing to the General Secretary at least 15 days before the date of the Congress. The text of the amendments shall be distributed at the beginning of the Congress at the latest provided 7 members present supporting the proposal.

#### ARTICLE 38

1. Congress may decide that a proposal is to be submitted to a sub committee whose report shall then be include in the agenda of the next Congress.

#### ARTICLE 39

1. The minutes shall be taken by the Secretary General/ Assistant Secretary of every Congress of the CFI and in his absence by the Additional Secretary.
2. The minutes shall be taken in English.

#### ARTICLE 40

1. Unless otherwise decided by the Congress the decisions of the Congress shall be effective immediately.

### **MANAGEMENT COMMITTEE**

#### ARTICLE 41

1. The CFI shall be managed by Management by Management Committee under the authority of Congress.
2. The Management Committee shall be vested with the most extensive powers as regards the management of the CFI and the Regulations (Technical and General) of Cycling Sports. It shall be decided all matters not otherwise reserved to another policy body by this Constitution.

#### ARTICLE 42

1. Without prejudice to Article 41, the Management Committee shall in particular:
  - a. execute decision of the Congress;

- b. admit the new Members/Associate Members;
  - c. declare the suspension of members of the CFI to be approved at the next Congress in serious and urgent cases;
  - d. propose the amount of annual contribution to the Congress and amount of annual contribution to the Congress and amount of licence fee to be charged and the entry fee of all races and levy fee on various National Competitions and Stage Races;
  - e. to propose to the Congress members of the Appeals Panel and auditor, who shall be on CAG Pannel
  - f. to make up budget and annual accounts to be submitted to the Congress;
  - g. to discuss the report of the Secretary General and Mangers of the teams going abroad and report of the auditor. It shall also discuss the report of technical delegate of various National Competitions;
  - h. to appoint and remove the Assistant Secretary which is paid by the Government of India;
  - i. to decide on contracts to be signed with third part;
  - j. to lay down its own Rules and Procedure;
  - k. to lay down the duties of President and other office bearers depending upon practical conditions;
  - l. to appoint the members of the Board;
  - m. approve board decisions and adjudicate on boards decision in case of dispute;
  - n. to set-up and appoint members of Sub Committees necessary for the proper functioning of the CFI;
  - o. to allot National Championships to various Members/Associate Members;
  - p. to appoint National Chief Coach and change if necessary;
  - q. to appoint a panel of coaches and National Commissaries for each two year out of which selection will be made for a particular coaching camp/competition by the Secretary General.
2. The Management Committee shall lay down the detailed condition of participation in cycling events, grant of licence, transfer of riders, disciplinary cases of emergency the President in consultation with the Secretary General can take disciplinary action or lift the action taken which would be put up to the Management Committee at next meeting for ratification.
3. Infringement of Regulations and decisions shall attract the following sanctions in accordance with the Regulations and procedures laid down by the Management Committee.

The following sanction may be applied :-

- a. warning
- b. reprimand
- c. fine
- d. suspension
- e. withdrawal of licence
- f. exclusion from one or more specify events
- g. disqualification from race
- h. Downgrading
- i. penalties in time and/or points
- j. withdrawal of prizes

4. Any office bearers/members of the Management Committee, Committee or any other sub committee or Boards can be removed by the Management Committee with 2/3rd majority of the members present. But in such case the quorum shall be 70 present of the total members.
5. Difficulties concerning the interpretation or application of the Regulations of CFI shall be settled by the Management Committee or in an emergency, by the President/Secretary General or their replacements except for recourse to the Appeals Board. The Management Committee may also delegate this power.

#### ARTICLE 43

1. The Management Committee shall be composed of the president of the CFI, 2 Senior Vice President, 6 Vice Presidents, Secretary General, Treasure, 6 Joint Secretaries and 9 Executive members elected by the Congress provided that at least 25% of the strength of the Management committee shall consist of prominent cyclist (at least medalist of Nationals) In the event such number is not achieved, the Athlete Commission of the CFI shall nominate as many members from the Athlete Commission to form part of the Management Committee. Such members will have voting rights.
  - a. Civil servant will need “No Objection Certificate” from department concerned to contest the election. They can contest for only 2 term or 5 years, whichever is earlier.
  - b. A person cannot hold office simultaneously in other NSF.

#### ARTICLE 44

1. President or his successor and other office bearers and members of the Management Committee shall be elected at the same Congress as per National Sports Development Code 2011 laid down by Ministry of Youth Affairs & Sports, Govt. of India.
2. The term of the Management Committee and of all office bearers shall be four years from the date on which the Congress elect them.
3. The Management Committee shall have to call for the new election within four years or earlier. If the grave situation arises it may be delayed but not more than three months after the four years are over. In case the Management Committee fails to hold the election within this period, their term shall automatically lapse and any office bearer shall have the authority to call the meeting by giving a due notice to all members as per Constitution and hold the elections.
4. Any candidate that is part of the Electoral College and candidates for Management Committee must be elected representative of that State/ Unit.

#### ARTICLE 45

1. The President of CFI shall also be the Chairman of the Management Committee.

2. The Management Committee shall decide the duties of each Vice President and the joint Secretaries.

#### ARTICLE 46

1. Except in case of resignation or dismissal by the Congress or by the Management Committee the term of office of members shall expire at the same time as that of the sitting Management Committee.

#### ARTICLE 47

1. The candidate for presidency and other office bearers/members shall be presented at the time of election Congress by the voter and seconded by another voter from other member State.

#### ARTICLE 48

1. No member of the Management Committee shall be paid employee of the CFI.
2. The terms of the office bearers will be as follows:-
  - a. The President shall hold the office only for 3 terms of four years each with or without a break. The Secretary General and Treasurer shall hold the same office only for 2 terms of 4 years each consecutively after which a minimum cooling off period on one term of 4 years shall apply to seek fresh election for the post of President, Secretary General and Treasurer.
  - b. Other office bearer will hold the office for a term of 4 years in the normal course and will be eligible for re-election for any like term/terms.
  - c. The President, the Secretary General and the Treasurer shall cease to hold that post on attaining the age of 70 years.

#### ARTICLE 49

1. The term of office of a member of the Management Committee shall come to an end by resignation, death or dismissal by the Congress. In this case the Management Committee will continue to function with the same powers as though it were complete. The elections of the successor of an elected member shall take place at the next meeting of the Management Committee.
2. Any member of the Management Committee shall lose its member if he/she is declared insolvent by a competent Court, is declared insane by the competent Medical Authority or is otherwise rendered in-capacitated by any disease or is convicted by any Court of Law on grounds of moral turpitude.
3. The resignation can be submitted in writing to the Management Committee who shall accept or reject the resignation of all the members. However the resignation of the President, Secretary General and the Treasurer shall either be accepted or rejected by the Congress.
4. If a member of the Management Committee is no longer and accredited member of his affiliated unit, he/she shall not automatically lose the membership of the Management

Committee but the affiliated unit can request with reason to terminate such membership in the interest of cycling sports in their territory. In such case the committee can consider termination of such membership and appoints its successor.

5. The successor so appointed shall complete the remaining term of predecessor.

#### ARTICLE 50

1. The Management Committee shall meet at least twice a year, once in the city and on the eye of statutory Congress (Annual General Body Meeting) and another Tim at the place chosen by the competent authority as per this Constitution.
2. It shall also meet third time or fourth time if necessary at the request of President to consider urgent items or if request is received from member states with written agenda. In such a case the choice of the place of meeting shall be decided by the Secretary General after consulting the President. However, efforts should be made to hold all meetings at the time of National Championships.
3. In urgent cases the President can ask for a postal vote. The decision shall be valid if at least 2/3rd of the members have cast a vote.

#### ARTICLE 51

1. The quorum of various meetings shall be as under-
  - a. for annual Congress or Special Congress 40% of the total membership;
  - b. Management Committee 10 members.
2. If any item of the agenda relates to a particular affiliated unit, the delegate from that Unit, shall not take part in the discussions and voting.
3. If any item of agenda is against any member that member shall leave the meeting at the time of deliberations and voting
4. In case of an equality of votes, the President or his replacement shall have a casting vote.

#### ARTICLE 52

1. The matters falling within the jurisdiction of Management Committee may be allocated to any of its member, sub Committee appointed by the Management Committee or commission appointed by the Management Committee.
2. A member assigned any responsibility for specific matter shall prepare an annual budget for his field of activities. This budget must be approved by the Management Committee and will thereafter be incorporated into the general budget of the CFI to be submitted to Congress.

#### ARTICLE 53

1. The Secretary General must submit an annual report to the Congress which will be adopted and corrections made if necessary.

#### ARTICLE 54

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#### ARTICLE 55

1. In case of extreme urgency, the President in Consultation with the Secretary General may contact other members of the Management Committee on phone and record their views and take a decision and send the same in writing to the Secretary General for execution.

## ARTICLE 56

1. The President and Secretary General shall jointly nominate candidates attending IOA, ACC and UCI Meetings.

# **PRESIDENT**

## ARTICLE 57

1. The President or his replacement of CFI shall chair meetings of Congress and Management Committee and Executive Committee of the CFI.
2. The other specific duties of the President shall be as under:
  - a. to chair all meetings of the Congress;
  - b. to decide about convening of the meeting of Congress and Management Committee in consultation with Secretary General.
  - c. to take such other actions as deemed necessary in accordance with the constitutional provisions.
3. The Senior Vice President shall act as a replacement of the President in his absence.
4. The Vice President shall be allotted the duties by the Management Committee and they shall report to the Management Committee progress of their activities and suggest any measures to bring the Rules and Regulation upto date to meet with the particular situation.
5. Secretary General shall be the Chief Executive Officer of the Federation and the Management Committee and Executive Committee. He shall carry on correspondence on behalf of the federation and give effect to the resolutions of the Congress, Management Committee and Executive Committee. He shall issue notices of all the meetings and shall record minutes of the same and shall be responsible for their maintenance. The time, date and place of meetings shall be fixed by him in consultation with the President. He shall also be empowered to delegate his duties and powers as and when necessary. He shall perform any other duties assigned to him by the Management Committee or Executive Committee.
6. Hony. Treasurer shall exercise general supervision on the finds of the federation. He shall receive all subscriptions and donations and keep a regular account of the receipts and disbursements. He shall prepare annual budget and accounts and get the same audited from the chartered accountant and obtain its report and place the same before the Management Committee and the Congress.
7. All other office bearers/members of the Management Committee, Executive Committee, Sub Committee appointed by the Management Committee, specific Board appointed by the Management Committee shall carry on the duties as allotted to them by the Management Committee.

## ARTICLE 58

1. This President/Secretary General shall pin-point the persons and affiliated units who fail to comply with the Constitution and Regulations.

## ARTICLE 59

1. If the President is absent or unable to attend he will be replaced by the Senior Vice President shall fill the office of the President until the next Congress will elect the successor to complete the term of his predecessor.

#### ARTICLE 60

1. The President or the Secretary General shall represent CFI in all circumstances, including at law, both as Plaintiff and Defendant.

#### ARTICLE 61

1. The CFI shall be validly bound to third parties by the joint signatures of the President and Secretary General or Treasurer or those of the President and a vice President controlling particular sphere of activities.

## **BOARDS**

#### ARTICLE 62

1. Each Board shall have 10 members which shall be appointed by the Management Committee.
2. The members are appointed for a term of office expiring at the end of the term of office of the sitting Management Committee.
3. One of the member shall be nominated as Chairman and one as Secretary-cum-Treasurer. Preferably the President and Secretary should belong to same place for better co-ordination.
4. Each Board shall have its own budget and shall submit the same to the Management Committee for approval.
5. Each Board met at least twice a year, one of the meeting being on the occasion of National Championships.

#### ARTICLE 63

1. The Management Committee shall determine the tasks of the Boards which shall be both technical and administrative and financial in nature.
2. Without prejudice to the supervisory control of Management Committee the Board shall enjoy freedom of action in matters within their terms of reference and shall be responsible for their budgets.
3. The Boards shall be assigned the following tasks in their respective spheres :-
  - a. technical & administrative organization of cycling sport;
  - b. drafting Race Regulations;
  - c. application of Race Regulations;
  - d. drawing Rules of Procedure;
  - e. establishing the National calendar of competitions;
  - f. recommending to the Secretary General of the Federation for appointing Technical delegate and other technical commissars for various competitions;
  - g. Proposing and managing the budget after it is approved by the Management Committee.

## **MOST IMPORTANT**

The Rule and regulations framed by each Board shall have to be approved by the Management Committee but once these are approved they are free to implement the same without any hindrance

from any quarter but they have to act within frame work assigned by Management Committee in accordance with the Constitution of the CFI.

#### ARTICLE 64

1. The Regulations proposed by the Board shall take effect when approved by the Management Committee. The Management Committee shall adjudicate on any matter in which the decision of one Board is contested by the other.
2. The decision implementing regulations in individual cases shall be immediately enforceable. They may be put in abeyance by the Management Committee either on its own or on an application by the effected parties. In such cases the Management Committee shall examine the cases and adjudicate as an appellate body.

#### ARTICLE 65

1. The Management Committee shall set-up Sub Committee if deem necessary for the proper functioning of CFI. It shall prescribe their sphere of activity and functioning and appoint their members.
2. A technical Sub Committee, a Coaching and Selection Sub Committee, a Medical Sub Committee, a Financial Sub Committee shall be set-up.

### **ADMINISTRATIVE SERVICES**

#### ARTICLE 66

1. The administration of CFI shall be placed under the directions of the Secretary General assisted by the Assistant Secretary and General Secretary shall report to the President.
2. The Assistant Secretary shall be appointed or removed by the Management Committee under contract on a proposal from the Executive Committee and send the same to the Government who pays his salary.
3. Assistant Secretary shall help the Secretary General in day-to day correspondence, manage all record, maintain books, record of licenses and other relative records. He shall keep the Constitution and regulation up to date and shall see that they are duly published and distributed.
4. Assistant Secretary shall render the Secretariate help to the Appeals Board/ Athlete Commission/ Ethics Commission/ Women Commission. He shall also assume role of routine book keeping, receipt of payment and making the authorized payments.
5. The administrative office of the CFI shall be as determined by Management Committee.

### **TREASURER**

#### ARTICLE 67

1. The Treasurer shall carry out his duties incorporation with the President, Secretary General and the Assistant Secretary. He shall maintain all paid vouchers and bring to the notice of the President/Secretary General any un-authorized payment. He shall prepare the budget and keep a control over the same. He shall the budget approved from the Congress and get the same audited and repot submitted to the Management Committee and the Congress. The account will be operated jointly by the Treasurer with one out of the President or Secretary General.

#### ARTICLE 68



1. The financial year of CFI shall commence on 1<sup>st</sup> April and close on 31<sup>st</sup> March of the next year.
2. The resources of CFI shall consists of contributions of the affiliated units, fee of license holders, sponsoring and the royalties generated from sports activities if any and other donation from individuals and public bodies and industries.
3. All the sum indicated in the tests and documents of CFI shall be in Indian Rupees.
4. In accordance with the objective criteria and within the limits of the budget approved by the Congress, the Management Committee may grant certain allowance to any of its functionaries whose activities take-up lot of considerable amount of time. Such persons shall have to be compensated for their telephone bills and traveling expenses.
5. Travel and accommodation expenses of the members of the Management Committee, Boards and Sub Committee with regard to Execution of their duties shall be at the expenses of the affiliated units to which such a member belongs, till such time the financial position of CFI become sound enough to bear this financial burden.

## **FINANCIAL CONTROL**

### **ARTICLE 69**

1. The auditor appointed by the Management Committee and approved by the Congress shall be from reputed firm engaged in audit work of such public bodies. He/She shall be preferably from the place where the Treasure resides.

## **APPEALS BOARD/ETHICS COMMISSION**

### **ARTICLE 70**

1. An Appeals Board/Ethics Commission shall be set-up consisting of three members; a Chairman and two members.
2. On proposal by the Management Committee, the Congress shall appoint the chairman and two commissioners as well as a first and second alternate for each of them.

### **ARTICLE 71**

1. The chairman and his two alternates shall be holders of a university law degree and preferably practicing lawyer.
2. Members of the Appeals Board/ Ethics Commission shall be fluent in English and shall carry out their work in this language.
3. The members of the Appeals Board/ Ethics Commission shall exercise no functions of the CFI.

### **ARTICLE 72**

1. The members of Appeals Board/ Ethics Commission shall be appointed for a term of four year by the Congress. They are irremovable. Their office comes to an end before this term only by death or resignation.
2. In case of vacancy, the Management Committee shall proceed, if necessary, with a provisional appointment to be ratified at the subsequent Congress.

### **ARTICLE 73**

1. The Appeals Board/ Ethics Commission shall have jurisdiction over:-

- a. appeals provided for in the Regulations of the CFI against administrative, sport-related or disciplinary decisions taken by the authorities of the CFI and the affiliated Units;
- b. dispute between the authorities of the CFI and the affiliated units or dispute between two or more affiliated units;
- c. in other cases disputes referred with the agreement of the interested parties. All matters to be decided by majority votes.
- d. The commission shall oversee the matters pertaining to Age fraud/ doping violation by athletes and will decide the quantum of punishment to be awarded to defaulters after holding adequate hearing.

#### ARTICLE 74

1. The Management Committee shall regulate:-
  - a. functioning of the Appeals Board/ Ethics Commission;
  - b. Proceedings in compliance with the rights of the de fence.
  - c. expenses of the proceedings and the fees of the members of the Appeal Board/ Ethics Commission.
2. The foregoing regulations as well as their amendment shall enter into force upon their approval by the Congress.

### **ATHLETE COMMISSION**

#### ARTICLE 75

1. Athlete Commission for the redressal in the matter of concerned athletes shall have a chairman and 2 members and the members of the commission shall be atleast an outstanding athletes with National Championships position holder and shall be appointed by Management Committee. The tenure of the members shall be same as the Management Committee. All matters to be decided by majority votes.

### **WOMEN COMMISSION**

#### ARTICLE 76

1. Women Commission for redressal of the women athletes matters/ sexual harassment matters shall have a Chairman and 2 members. Chairman and one member shall be female and preferably ex. Cyclists/ sportsperson and the members of the commission shall be appointed by the Management Committee and tenure shall be same as the Management Committee. The Commission shall oversee any matters relating to the sexual harassment pertaining to athletes. All matters to be decided by majority votes.

### **OFFICIAL LANGUAGES**

#### ARTICLE 77

1. The official language of the CFI shall be English.
2. The constitution, Regulation and minutes as well as all documents submitted to the CFI shall be in English language only.
3. All documents addressed to CFI and language used during the meetings shall be in English.

## **SYMBOLS AND LOGOS**

### **ARTICLE 78**

1. The flag and Logo of the CFI shall be later on decided by the Management Committee.
2. The Congress may confer the title of honor to any person who has done outstanding services to the CFI, Cycling Sports and in general promotion of cycling.
3. The Management Committee may create and attribute distinctions on outstanding personality.

## **COMPETENT COURTS**

### **ARTICLE 79**

1. All legal action by the CFI and on CFI by any person shall lie in the Courts of Delhi where registered office is situated.
2. All disputes regarding the membership of CFI shall lie with the registrar of Delhi, where the CFI is registered and with the jurisdiction of Courts of Delhi.
3. No affiliated unit or any other person shall go to the Court of law direct without exhausting the channel of Appeals Panel provided for in this Constitution for Arbitration.

### **ARTICLE 80**

1. The CFI shall be established for an indefinite period.
2. The issue of its dissolution shall be decided only by the Congress.
3. The CFI can be dissolved by 2/3rd majority of the votes cast in the Congress.
4. Atleast 2/3rd of the voting delegates must be present at the time of voting and dissolution shall be decided on majority of the 2/3rd votes cast,

### **ARTICLE 81**

1. The Congress shall decide any Committee who shall dispose of all assests and liabilities after dissolution who shall be solely responsible disposing all assets as deemed fit.
2. After the dissolution is passed by the Congress it will come into effect immediately thereafter.

## **TRANSITORAIL RROVISIONS**

1. Without prejudice to any other provisions in the Constitution the CFI on its initiation shall compose of all those State Association which were earlier affiliated to CFI. There are 21 State Associations and the automatically become members of the CFI provided they apply for affiliation to the Secretary General on the format circulated by him. On the receipt of written request the affiliation shall be granted automatically by the Secretary General. However, if any of the affiliated state unit does not apply in writing they shall cease to be affiliated member of the CFI.
2. All the Boards Service Organizations shall automatically become Associate Members of the CFI provided they apply for it and pay the affiliation fee.
3. All the Rules and Regulations adopted by the CFI shall apply till such time the new Rules and Regulations are framed and adopted by the various constituents of the CFI.

## **IMPORTANT NOTE**

Any situation not covered by this Constitution shall be decided upon by the Management Committee and shall be final and binding.

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