

**CONSTITUTION
OF
SOFTBALL ASSOCIATION OF INDIA
(As amended on 16 May ,2022)**

ARTICLE - I NAME

The name of the Association shall be the **SOFTBALL ASSOCIATION OF INDIA**

ARTICLE – II OFFICE

The registered office of the association shall be Mahaveer Chowk (Rawaton-ka-Bas) jodhpur in the state of Rajasthan.
Affiliated with World Baseball Softball Confederation & Softball Asia for the game of Softball & Baseball5.

ARTICLE III AIMS and OBJECTS

The Soft ball Association of India (hereinafter referred as “this Association or SBAI) shall be the governing body of the game of softball & Baseball5 in India and its objects shall have to be safe guard the interest of the game and those of the particularly:-

- a. To promote physical Education by organising National/International or other Championships from time to time through softball game.
- b. to educate every player and to encourage, assist, advise them by organizing teaching classes on Softball game to promote Physical Education.
- c. To educate Softball Instructors & other Officials by arranging classes and by conducting Examinations at National, Asian, International level etc.
- d. To foster, develop, promote and regulate Physical Education through Softball Game in the spirit of Amateur Game.
- e. To provide Softball Game with proper safe-guard in accordance with the true spirit of Sportsmanship
- f. To encourage the union of all eligible teams. Associations, organisations, Sport Control Boards etc. etc into such separate State Associations with active member, membership and representation in the association as may be, from time to time, deemed best to be adopted to advance Physical Education through Softball Game.
- g. To establish and maintain by allied membership, alliances with associations, institutions, clubs etc. etc devoted wholly or partly for the promotion of Physical Education through Softball Game.

- h. To participate in the Asian & International Championships and in such other meets recognised by the Softball Asia and the World Baseball Softball Confederation.
- i. To seek affiliation from the Softball Asia, World Baseball Softball Confederation, Indian Olympic association and All India Council of Sports and to maintain it.
- j. To purchase or obtain on rent any land which may be necessary for its objects and to construct, demolish, alter or rent any building or other constructions as may be necessary for its objects.
- k. To purchase, import, hire or otherwise acquire such equipment and apparatus as may be necessary for its objects.
- l. To raise funds for this Association by organising entertainments or by any other legal means and to receive donations and subscriptions and to raise loans and deposit at interest or otherwise so as to create funds from any person or persons, local authority or Government or to deposit any such money of this Association for the time being in such securities or otherwise as this Association may deem - expedient.
- m. To purchase, hire exchange or otherwise acquire any movable or immovable property, which this Association may think it desirable to acquire by way of investment for achieving its objects.
- n. To acquire and or to execute any trust or trusts.
- o. To invest and deal with the funds of this Association not immediately required in such manner as may from time to time be determined.
- p. To make, accept endorse and execute promissory notes Bills of exchange and other negotiable instruments.
- q. To permit any of the building and property acquired by this Association to be used upon such terms as it may deem fit for any purpose expedient for the achievement of its' objects.
- r. To combine and/or co-operate with, take over, amalgamate with or absorb any other association Society or Institution having objects similar to this association.
- s. To do all other lawful things incidental or conducive to the attainment of or in pursuance of the above objects or any of them.
- t. The income and property of this association shall be applied solely towards the promotion of the objects of this Association as set forth and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus Or otherwise by way of profit to the members of the Association, provided that nothing herein shall prevent the payment in good faith of remuneration to any official or servant of this Association or

to any member there of or other person in return for any service actually rendered to this Association.

ARTICLE – IV 1. MEMBERSHIP

The membership of this Association shall consist of the following classes, with dues payable on or before 30th April of the current year for which proper membership identifications will be issued :-

- a. **MEMBER ASSOCIATIONS:** State/Union territory Association formed within the territories of India by governing political boundaries of the state is entitled to become an affiliated member of the softball Association of India. 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 . The State /UT association is required to be having a legal entity ,i.e. registered under Societies Act or Companies' act. These Affiliated Member State / Union Territory Softball Associations only will have right to vote in this Association' s General council meetings
- b. **ASSOCIATE MEMBER (WITHOUT VOTING RIGHT):** All India level Organizations or Government Sports board/ Public sector undertaking Organization connected with the game Softball. Associate Members shall not have any voting right. But can conduct all types of competitions in its Organization under the control of Softball Associations of India and shall regular entries in national competitions.
- c. The Association shall always depute an observer in general council meeting of the state Association when summoned and timely notice is being sent by the state association While summoning such meeting , proper meeting notice with agenda is to be sent by the state association under registered cover to this Association . The expenses of an observer are to be met with by the state associations as per norms of travelling allowances for office bearers of SBAI etc.

2 MEMBER AFFILIATION:

- a) Application for affiliation from an organization shall be submitted to the Secretary along with a list of its office bearers for the current year along with the prescribed admission fees, copy of registration certificate and & activities report. In case there is no Softball Championships is conducted by the state/UT association Unit, applying for affiliation, the application cannot be accepted.
- b) The Secretary shall place before the Executive Council such applications which shall review the application and present the case at the next (Annual or Special) general meeting for decision by simple majority

of the voting members present. The Executive Council may reject any application for affiliation without assigning any reason.

- c) The SBAI shall consist of members which are recognized as only association controlling the game of Softball in their respective states/UT area. Any association/Institution (as defined in article IV.1.b) may become the member of this Association subject to such terms & conditions determinate from time to time.

2. TERMINATION OF MEMBERSHIP

The membership of the State/UT Association, Organisation Sports Control Board, etc. shall be terminated:-

- a. When the Executive committee receives notice in writing of the resignation by the office bearers of the state /UT member Association from the Hony secretary of such association defined in article IV (1) (d).
- b. When the State/UT Association etc. which has acted in any way prejudicial to the interest of this Association.
- c. When the State/UT association etc. fails to pay its annual subscription or other dues to this Association with in three month of being called upon to do so by a registered letter from the Hony Secretary. The Association etc. so debarred from membership may be re-affiliated upon paying again affiliation and all other outstanding dues and subscriptions to this Association.
- d. When a state Association etc. fails to take active part in the all the National/zonal Championships for two successive years shall be terminated from the membership. State Association so debarred may be re-affiliated at the discretion of the General Council only, after receiving active participation or its assurances and after making payment of affiliation fee and other outstanding dues and subscriptions to this Association.
- e. When any State Association is not functioning constitutionally for the promotion of Softball Game can be debarred from the membership on the recommendation of the Executive Committee by the general council.
- f. The Association shall depute an observer in the General Council Meeting of the State Softball Association when summoned and timely notice is being sent by the State Association. While summoning such meeting proper meeting notice with AGENDA is to be sent by be State Association under registered cover to this Association. The expenses of an observer are to be met with by the State Association as per norms of travelling allowances for Office bearers of SBAI etc.

ARTICLE – V MANAGEMENT

The affairs of the Association shall be managed and administered by the executive Committee/ General Council which shall be the government body of this Association.

ARTICLE - VI GENERAL COUNCIL

The general council shall always be the supreme body of this Association.

a. VOTING:-

Member State/Union Territory units will have the right of TWO votes through their representatives in the AGM/SGM or EGM of SBAI. All eligible affiliated Member units shall be represented by Two members authorized (in writing) by the President and Secretary of the affiliated Member (both members will have one vote each). However in case of , the President/Secretary nominates different person(s),the person(s) nominated by the President shall be deemed to be duly authorized person(s) in respective of date . For evidence of any doubt ,it is clarified that in case, the president or secretary of state /UT Association desire to be the representative, their individual authority shall be accepted, Each affiliated Board / Institution / Organization of All India character shall be represented by One Representative in the AGM / SGM / EGM, without any voting right & their names will not be included in the electoral college .The President and Secretary of the affiliated Unit will authorize their representative(s) as mentioned in the above paragraph, in writing to the SBAI Secretariat before the last specified date.

Note: 1. In any case, No proxy voting will be allowed.

2. All employees of State & Central Government, who desire to contest the elections will require prior written permission as per the rules of the respective government through their competent authority. Voting in the election will be held by secret ballot only

- b. State Association shall not be eligible for representation of the General Council unless it has been affiliated not less than 12 months prior to the date of any Annual General Council meeting or any general meeting.

ARTICLE - VII POWERS OF THE GENERAL COUNCIL

All power of this Association shall vest in the General Council.

ARTICLE - VIII MEETINGS OF THE GENERAL COUNCIL

The president shall preside at all meetings of the general council & of its executive committees & in his/her absences the senior most vice president shall preside the meeting. If at meeting none of them is present, the members present shall elect presiding officer for the meeting from among themselves.

(A) ANNUAL GENERAL COUNCIL MEETING

- a. The meeting of the General Council shall be held at least once in 1 year. The notice of the general council meeting shall be given 21 days from the scheduled date of the meeting.
- b. The quorum for a meeting of the General Meeting shall consist of one third of the total number of persons of the General Council as provided in Article VI. No proxies shall be permitted for meetings.
- c. If within fifteen minutes of the time appointed for any meeting of the General Council a quorum is not present, the meeting so called shall be adjourned for a further fifteen minutes upon which the business on the agenda for the meeting shall be transacted and any number of persons present shall form a quorum.
- d. The Athletes shall be included in the decision making process of the SBAI through an athlete commission with full voting rights during this meeting.
- e. The ordinary business of the annual general meeting shall be:-
 - i) To receive the report of the secretary which will include the plans for the year as drawn up by the executive committee & the Treasurers statement of accounts for the previous year duly audited.
 - ii) To elect when due office bearers & executive committee of SBAI associates members shall not be entitled to be elected in the executive committee.
 - iii) To appoint the Auditors for the ensuring year.
 - iv) To admit to membership, any organization eligible under this constitution or to terminate their membership as per this constitution.
 - v) To appoint committees & sub committees as an when necessary.
 - vi) Confirmation of the minutes of the last general meeting.
 - vii) Consideration & adoption of the annual report of the secretary general.
 - viii) Consideration & passing of audited statement of accounts for the previous financial year & budget for the next year.
 - ix) Appointment of the auditors & fixing their remuneration.
 - x) Consideration of the annual sports calendar .

- xi) Any other item included in the agenda by the executive council and/or submitted in written by any voting members 7 clear days prior to the meeting.

(B) SPECIAL GENERAL MEETING

- i) Special General Meeting may be summoned at any time by the president/ Secretary and/or the Executive Council. And/or shall be convened on a written requisition sing by the presidents and secretaries of not less than 50% member associations within one month from the date of receipt by the president of the said requisition. If the President/Secretary of SBAI fails to convene a meeting, then the requisitionists 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.
- ii) To pass a resolution of no confidence, it will be mandatory requirement that such resolution against the President, Secretary General, Treasurer and other Executive Council Members be passed at least by 2/3 members present and voting. A resolution of no confidence not supported by 2/3 majority will be deemed to have fallen through and the motion will be treated as null & void the quorum for such meeting will be 3/4 of the total strength of reprehensive of the SBAI entitled to vote.
- iii) To elect, when due, the Office Bearers and Executive Committee of SBAI. The Notice of The special General body meeting shall be given not less than 15 days of scheduled date of meeting.

C. EXTRA ORDINARY GENERAL COUNCIL MEETING

An extraordinary General Council Meeting may call by the Executive Committee as and when required. It may be called on demand written and signed by not less than two third members of the General Council stating specific purpose of the meeting and no business other then what is stated in the meeting shall be considered. The rules of the quorum shall be same except the members do not present with in fifteen of minutes, it shall be considered as dissolved. Such meetings may be called by circulation of letters.

ARTICLE – IX OFFICE BEARERS

- a. President, Secretary General And Treasurer will be the office bearer of this association as defined in the national sports Code.
- b. TENURE OF OFFICE BEARERS

President of SBAI could hold office for a maximum period of 12 years, i.e. for 3 terms with or without break.

The Secretary Generals and the Treasurer of SBAI could serve at maximum of 2 successive terms of 4 years each after which a minimum cooling off period of 4 years will apply to seek fresh election.

The President, Secretary General and the Treasurer shall cease to hold the post on attaining age of 70 years .

Further as when there is any change government of India Policy, the same will be applicable for the SBAI automatically.

Furthermore, no office bearer of SBAI shall be eligible to be the Office Bearer Simultaneously of any other national sports federation/Association except of the Indian Olympic Association.

- c. All offices bearers shall be members of the Executive Committee.
- d. In the event of there being a casual vacancy in the office of any office bearer the Executive Committee shall have the power to appoint a fit and proper person amongst to discharge the duties of the office so vacated until the next elections or nomination. Which should be held within 3 month of the vacancy.
- e. The President and Honorary Secretary shall be ex officio members of any Committee appointed by the General Council or by the Executive Committee.

ARTICLE – X VACANCIES IN GENERAL COUNCIL

All the members nominated to serve on the General Council shall be expected to serve on the General Council for four years or until the next following elections and shall be eligible for re-nomination, but in the event of such a nomination of a person ceasing before the date of the next following elections to be resident in Republic of India The State etc. etc. so nominating such a person shall have the right to nominate another one in place to serve until the next following elections

ARTICLE – XI THE EXECUTIVE COMMITTEE

The Executive Committee shall consist of the following elected members of the federation:-

- (a) One- President (b) Five-Vice Presidents (c) One- Secretary
- (d) Five- Joint Secretaries (e) One- Treasurer (f) Five - Executive Council Members, Provided that at least 25% of the strength of the committee shall consist of prominent softball platers, in the event such number is not achieved the Athletes commission of the SBAI shall send as many members from the Athletes Commission to form pary of the Committee such member will have voting rights.

Executive Committee shall have the following powers:-

- a. To manage the affairs of the Association.

- b. To implement the decisions of General Council.
- c. To organise and manage National Championship and other meets as provided for in the aims and objects.
- d. To collect, manage and disburse funds raised or to be raised for all or any of the objects.
- e. To Purchase, take lease or otherwise acquire any office, house or other buildings and lands which may from time to time be required for the Association for any of its objects..
- f. To Construct and/or alter any offices, houses or other buildings or works which may from time to time be required for the Association or for any of its objects.
- g. To borrow and raise money and to open and operate Bank Accounts on behalf of the Association. The Accounts shall be operated in jointly by the Hony, Secretary with either President or Honorary Treasurer.
- h. To invest all money belonging to the Association which are not immediately required, as permitted by the Trusts Act.
- i. To manage, sell, lease and transfer or otherwise deal with all or any of the property of the Association.
- j. To affiliate state Association etc. etc. or to affiliate to them or to co-operate or amalgamate with them on such terms and conditions as may from time to time be deemed fit.
- k. To grant pensions, Provident fund or gratuities to the employees of the Association.
- l. To select fit and proper person being constituent members of the Association to represent the Association at Asian, International, World Championships and other meets or any person or person to represent the Association in any legal proceedings with power to engage council to conduct such proceedings on behalf of the Association and to do all such acts as maybe necessary for the prosecutions of the case including powers to compromise and to refer the matter to arbitration and to pay all costs and expenses of incidental to any of the aforesaid matters and things for all or any of the objects.
- m. To deal finally with all matters affecting and paid employee or employees of the Association.
- n. To acquire and execute any trust or trusts, an to appoint trustees for such specific purposes as it may consider necessary to remunerate them if necessary and to remove any one or all of them if required.
- o. To make except endorse and execute Promissory Notes, bills of Exchange and other negotiable instruments.

MEETING OF EXECUTIVE COMMITTEE

- a. The Executive Committee shall not meet less than FOUR times during its period of office.
- b. Seven days notice shall be required for convening a meeting of the Executive Committee, except that an urgent meeting which may be called at any times or by circulation of agenda.
- c. The quorum of Executive Committee shall be one third of the total number of persons.

ARTICLE- XII COMMITTEES & COMMISSIONS :-

The Chairperson / Chairman, conveners and members of the following Committees / Commissions will be nominated by the President with consultation with Secretary and Executive committee .

- i) Selection Committee,
- ii) Technical & evaluation Committee,
- iii) Coaching committee (Planning, Coordination, Monitoring & Implementation),
- iv) Statistical & affiliation Committee,
- v) Medical & Anti-doping Committee,
- vi) Disciplinary & Complaint Redressal Committee,
- vii) Legal & Constitutional Committee,
- viii) Women empowerment Committee
- ix) Press & Media committee,
- x) Athlete's Commission,
- xi) Ethics Commission,
- xii) Development & Marketing Committee.
- xiii) Committee against Sexual Harassment

Any other Committee / Commission which the President / Secretary feel necessary to form.

m. COMPLAINTS COMMITTEE AGAINST SEXUAL HARASSMENT:

The complaints Committee (for handling Sexual Harassment complaints) will be headed by one of the Executive Council Member of SBAI, who shall be women. The Chairperson, complaints Committee, will be the Convener of this Committee and four other members including Chairman will be nominated by the President, in consultation with the Executive

Council. Out of the four, one will be an eminent women softball athlete or eminent women Softball Athletics Coach.

- (i) Any complaint / grievance lodged with AFI's Secretary will be placed by him before the Committee for a final decision within four (4) weeks of receipt of the complaint.
 - (ii) The Committee shall address complaints in a time bound manner and take appropriate disciplinary action in case of misconduct and where conduct in the complaint amounts to a specific offence under Indian Penal Code or any other law, the Federation will take steps to initiate appropriate legal proceedings.
- n. To suspend and to remove or reinstate after due investigation any office bearer or member of the Association if considered necessary in the interest of the Association.
 - o. To appoint such employee as may be deemed necessary and to settle the term and conditions of their appointments.

ARTICLE - XIII SOURCES OF INCOME

The Association may raise funds for its purposes in any way in which the Association or the Executive Committee may think proper and which is not contrary to Law. The main sources are as follows:-

- a. Subscription and donations.
- b. Appeals to the Union and State Governments and to the public for contributions and gifts.
- c. Any entertainment etc permitted by Law.

ARTICLE - XIV FUNDS AND PROPERTY

All funds and property of this Association shall vest in the Executive Committee as Trustees to carry out the purposes of the Association.

ARTICLE - XV FINANCIAL YEAR

The Financial Year of this Association shall be as of the Government of India and the Accounts of the Association shall be made up accordingly.

ARTICLE – XVI AUDITORS

Auditors either paid or Honorary shall be appointed by the General Council of this Association for the period of Four Year or part thereof. The Auditor shall be on the penal of CAG.

ARTICLE- XVII TRANSACTION OF BUSINESS

Only duly nominated members whose Association, Clubs, etc. etc. are in good standing (i.e. not in arrears of subscription or other dues), and other members under article IV shall be eligible to attend and take part in the proceedings of any General Council Meeting.

iii. DECLARATION BY PRESIDENT/CHAIRMAN

A declaration recorded by the President/Chairman in connection with the adoption or loss of a resolution and an entry to that effect in the proceedings of the council shall be conclusive evidence of the fact

ARTICLE - XVIII ELECTIONS

i. The following post of the Executive Committee/council will be filled up by election:-

(a) One- President (b) Five-Vice Presidents (c) One- Secretary
(d) Five- Joint Secretaries (e) One- Treasurer (f) Five - Executive Council Members .

The election shall be strictly by following the model election guidelines of the national sports code of Ministry of youth affairs & sports.

ii. All eligible affiliated Member units shall be represented by Two members authorized (in writing) by the President and Secretary of the affiliated Member (both members will have one vote each). However in case of , the President/Secretary nominates different person(s),the person(s) nominated by the President shall be deemed to be duly authorized person(s) in respective of date.

a. Every Member of the SBAI shall retire on attaining the age of Seventy Years.

b. Election of the Executive Body in a fair and transparent manner every four years without fail, provided in case of any dispute regarding the aforesaid election procedure, such dispute shall be referred to the Sports Ombudsman, whose decision shall be final.

c. Polling in the election shall be held by secret ballot only. Proxy voting is not allowed.

d. Ensure that the membership and voting powers held by such Athletes' Council is not less than 25% of the membership and the voting rights of the Executive Body and also the total numbers representing the SBAI;

e. The eligibility of a candidate to contest for election for SBAI shall include the following:

(I) shall be a citizen of India;

(II) Shall not have been convicted/charged framed in any criminal case.

(III) Shall not have been declared insolvent.

(IV) Shall cease to hold the office of an office bearer or member on the Executive Body on attaining the age of seventy.

- (V) Shall obtain previous sanction from the Government if he or she is a Government servant and shall be allowed to hold office for a maximum duration of five years or for two term whichever is les./instructions issued by ministry of youth affairs & sports.
 - (VI) Union Minister in the central government charged with the responsibility of sports shall not be eligible to contest for any elected post in the SBAI until the expiry of five years from the date of him or her relinquishing the charge.
 - (VII) Shall not have served as an office bearer on the Executive body of the SBAI for more than two consecutive tenures of four years each regardless of the office held provided that this does not apply to election for the office of President, for which there is no cooling off period; shall not be eligible to seek re-election as Treasurer if he/she has already held the office of Secretary in SBAI consecutively for two terms of four years each or the other way around, till the expiry of at least four years from the date on which he/she last vacated his/her office. further, provided that in the event of election for the second term, an Office Bearer who has completed one term shall only be deemed to have been elected if he/she secures a majority of not less than two third of the members of the SBAI. In the event of failure to obtain such majority, the concerned Office Bearer shall be deemed to have lost the election. The office would thereafter be filled by election under the normal procedure from amongst candidates other than the Office Bearer seeking re-election. however, there shall be no restriction to seek re-election after a cooling-off period of four years,
 - (VIII) Shall not be eligible to re-contest for the post of President on completion of 12 years or three tenures of four years each in that post with or without break.
 - (IX) No Office Bearer of SBAI shall be eligible to concurrently hold the post of an Office Bearer in any other National Sports Federation excepting the National Olympic Committee.
- f. A general provision for acceptance of all provisions of this Act.
 - g. Candidates must be present during the elections or have indicated previously in writing their availability for the post.
 - h. A person can be elected for a position in case of absence in the council to personal illness, death in the immediate family unpreventable transportation problems or what is considered to be an act of God.

- i. Such a person will be sworn in at the SBAI head or in a later General Council at the first opportunity.
- j. Candidates shall have option to withdraw their candidature even if they are duly proposed and seconded not later than two days before the date of election.

ARTICLE - XIX NATIONAL SPORTS CODE

The Executive Council shall follow the Guideline of the Government of India, Ministry of Youth affairs & Sports as under:

SBAI adopt the government guidelines relating to age, tenure and Election of SBAI. SBAI adopt the Government guidelines for inculcating the principles of good governance in the Management of the NSF. Such as prevention of sexual harassment of sportsperson, doping rules of, NADA/WADA and age fraud by sportsperson; mechanism for players grievances redressed, and Restriction for Government servants from holding the elective post in the federation.

Measures for Anti-Doping

NADA/WADA Code are applicable. Athletes will be educated through ant-doping awareness programme.

The Team shall be disqualified for merit/tournament if an athlete any member of team is found guilty of dope and test he/she will be black listed from the National, State, as well as District teams for a period of three years.

Governing body has full right to expel or black list to any individual player or team or association, if the team/player is involved in any Doping Charges, Misbehaviour or indiscipline or unethical practises.

Complaints on Sexual Harassment of Sports persons.

Action against complaint of sexual harassment shall be taken as per Government guidelines/Act and norms to prevent incidents of sexual harassment.

Prevention of Age Fraud

Government of India Rules of National Code against age fraud in Sports are applicable.

Note: The National Sports Code is applicable and this Association shall follow the Government guidelines of the Code

ARTICLE - XX AMENDMENTS TO THE CONSTITUTION

Amendments to the constitution if any shall be made by the member of the General Council with a majority of two third votes of the members those present.

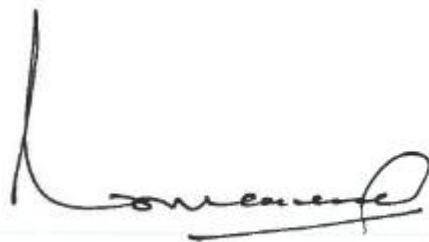
ARTICLE - XXI OTHER SECTIONS

Any other section of the Registration Act not covered in this Constitution shall apply without any change.

ARTICLE-XXII LITIGATIONS

All litigations in case of any dispute are to be dealer within the Honourable Court at JODHPUR only being Registered Office of the Softball Association of India.

Approved on _____ & Confirmed on _____ Unanimously



Honorary Secretary
Secretary General
Soft Ball Association of India

Softball Association of India

