

Pakistan Olympic Association

PRESIDENT

Lt Gen (Retd)
Syed Arif Hasan HI(M)



SECRETARY GENERAL

Muhammad Khalid Mahmood
Cell : +92-300-9462502

Ref. # : POA-655/IOA/2012

Dated : 07 September, 2012

Brig (R) Arif Mahmud Siddiqui
President
Islamabad Olympic Association

Subject: **DEBARMENT DUE TO MISCONDUCT DUE TO VIOLATION OF THE POA CONSTITUTION AND UNDERMINING THE OLYMPIC MOVEMENT AND THE IOC CHARTER.**

Dear Sir,

This letter constitutes official notice of your temporary debarment from directly or indirectly holding any office or membership of any organization affiliated to the POA and from representing yourself as such until further notice and subject to a final determination of the matter on account of your misconduct by way of infringing Articles IX (4) (a) of the POA Constitution as well as Article IV of the Constitution of the IOA of which you are the President, as well as for acting contrary to and in violation of the Olympic Charter.

Reference is made to the Minutes of the Executive Committee Meeting of the POA held on 1st July, 2012. We have carefully taken cognizance of the records of all the relevant documents, the findings of the General Council, and concur with its findings where on 12th February, 2011, it was decided that the President, POA has the authority to take strict actions against any National Sports Organization or individual who disobeys POA's order or fails to abide its Constitution as provided by Article. VI(6) (V) of the Constitution.

You filed a writ petition (**Writ Petition No.2569 of 2012**) on 03-08-2012 against the Federation of Pakistan & Others contending that sport activities be regulated under the National Sports Policy so as to place tenure restrictions on various office bearers. While you have every right to invoke the jurisdiction of the Courts of law, however, the statements made by you on oath in your said Writ Petition confirm your position which is patently contrary to the dictates of the POA Constitution, the IOC Charter and the Olympic Movement and the Islamabad Olympic Association Constitution. Your statements made therein and otherwise on the record places the autonomy of the Olympic and Sports Movement in Pakistan at stake.

The POA and its affiliated Federations are not governmental organizations but are autonomous bodies and in this regard, shall not be treated as those under the Government. It had already been relayed to the Govt. of Pakistan vide IOC's letter of 21 June, 2012 that any kind of interference by bodies such as the PSB."i) to approve, amend and repeal Constitutions of the National Sports Federations, ii) to potentially take sanctions against office bearers from National Sports Organizations (including removal of office bearers), and iii) to impose tenure restrictions for all office bearers of the National Sports Organizations constitutes an obvious interference from Government authorities with the authority and internal affairs of the national sports

Pakistan Olympic Association

PRESIDENT

Lt Gen (Retd)
Syed Arif Hasan HI(M)



SECRETARY GENERAL

Muhammad Khalid Mahmood
Cell : +92-300-9462502

Ref. # :

Dated :

organisations, and, as such, is not acceptable". In the same letter, the IOC and OCA both requested the relevant Government authorities of Pakistan to act accordingly; however, until the latest letter of 21 August 2012, no appropriate action or response has been made. Their (IOC and OCA) position states that tenure limitations are internal matters/ issues of the respective national sports organizations and such restrictions shall not be imposed by govt. authorities.

Also, the specific provisions of the PSB Rules, 1981 and the National Sports Policy 2005 are not compatible with the principles governing the Olympic Movement, neither are they in line with the Olympic Charter. According to the IOC, pressurizing the National Federations to implement the said provisions are not merely contradictory but in violation as well, since they go against the principle of autonomy and rather, which are to be revised than rather than imposed. The IOC and OCA have on numerous occasions made it quite clear that any provision(s) affecting the autonomy of National Sport organizations are not to be implemented, especially if they are in compatible with the Olympic Charter.

I would like to take this opportunity to remind you that being the President of IOA, you undertook to respect the provisions of the Olympic Charter and also to abide by the decisions of the POA as has been clearly expressed in the Preamble, Article IV, the Mission, Article V para II of the IOA Constitution. Art. IV of the same Constitution clearly states that IOA will never associate itself with any activity, which would be in contradiction with the Olympic Charter. Yet you, regardless of representing IOA as its President, proceeded to state on oath before the Honourable Islamabad High Court which effectively represents and confirms your position as being contrary not only to the Constitution of the POA but also the Olympic Movement, the Olympic Charter as well as the IOA Constitution.

Art IV(1 3) and Art XII(4) of the POA Constitution make it clear that even though POA aims to keep up a harmonious relationship with the appropriate Pakistani govt. bodies but it nevertheless preserves its autonomy and will resist all kinds of pressure of any nature that may prevent it from complying with the Olympic Charter.

While you have every right to your independent views and such right is respected, but when such views and the conduct as a result of such views violates the provisions of the POA and the IOC Charter, then the appropriate conduct on your part would have been to first disaffiliate yourself from any and all forms of affiliation with POA including holding an office of an affiliated association of the POA, prior to acting in violation of the Constitution of the POA. Affiliation with the POA is not an inherent right. It is one granted to any person or entity subject to the Constitution of the POA and if the same is violated the affiliation stands nullified subject to the terms of the Constitution.

Hence, having concluded that prima facie based on record available you have violated the very foundation of the Constitution of the POA and the IOC Charter which are fundamental to the affiliation or association of any person or entity to the POA, by the authority vested in me under

Pakistan Olympic Association

PRESIDENT

Lt Gen (Retd)
Syed Arif Hasan HI(M)



SECRETARY GENERAL

Muhammad Khalid Mahmood
Cell : +92-300-9462502

Ref. # :

Dated :

existing regulatory and contractual provision as the President of the POA namely Articles IV (16), IV (20), IX (4)(a) and through the power given by the Executive Committee POA to take suitable action against Sportsmen / Organizers / Member / Units for misconduct and accepting interference of Government as well as for the attainment of the aims and objectives of POA under article. V(6) sub article. (V)(b) and article. X(6) sub article. (XV), you are hereby temporarily debarred from being in any manner associated with any sports association or organization, directly or indirectly, or holding any office in any organization which is otherwise affiliated with the POA or otherwise representing yourself as connected with any Olympic Sport.

The appropriate authority will be in due course providing you with an opportunity to respond to your conduct prior to a final decision in the matter and/or imposition of any permanent penalty.

A handwritten signature in black ink, appearing to read 'Syed Arif Hasan', is written over a faint, light-colored signature line.

Lt Gen (R) Syed Arif Hasan, HI(M)
President,
Pakistan Olympic Association.

Important Note:

Copy to:

To all National Sports Federation and other affiliated units with POA for information and record purposes. They are further informed to ensure that the terms of this debarment are not in any way violated on account of an act of any affiliated unit of the POA.