

DECISION

Request No.: 01

Protest

Event: YAI 37th Hyderabad Sailing Week 2023 Race Number: 5
Hearing Schedule: 2023-07-06 17:45

PARTIES AND WITNESSES

Request No.: 01: ILCA 6 - OPEN - IND 207336 - 208920 - CHUNNU KUMAR

ILCA 6 - OPEN - IND 202249 - 202252 - KARAN SINGH

ILCA 6 - OPEN - IND 202008 - 202242 - GY REDDY

Witnesses: 271111 KAMALRAJ GANESH and Deepak Dikhit, NJ

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. Mr. Vishal Ahlawat (Member, Technical Committee) attended the hearing as an observer.
2. Initially, IND 207336 (ILCA 6) protested IND 202008 for alleged contact at the starting line in race 5, and also requested redress.
3. At the start of the hearing scheduled at 17:30 hrs, both 207336 (protestor) & 202008 (original protestee) informed the PC Panel hearing the protest that there had been mistake in identifying the boat causing infringement.
4. Error in identifying the protestee occurred since the protesting boat had capsized as a result of the alleged contact. On the Water Jury had noted the sail number of the boat causing the contact, and supported the statements of 207336 & 202008.
5. Hence, 207336 was allowed to make correction to the hearing request as permitted in rule 61.2 [rule 61.2 (a) refers].
6. The boat, 202249, alleged to have caused the incident was accordingly informed [rule 63.3 (a)] and the hearing was rescheduled to 17:45 hrs, and commenced as scheduled.

FACTS FOUND

1. ILCA 6 boats 207336, 271111, 202008 & 202249, on starboard tack, were approaching the starting line in race 5 in winds of 10-12 knots, gusting up to 15 knots.
2. About 10 sec before the starting signal, 207336 & 271111 were on close haul about one-third distance from the committee vessel towards pin-end and holding position.
3. 202249 sailing on close reach from committee vessel end along the starting line established overlap to windward of 207336 and 271111 and had contact with the boats.
4. Port side bow of 202249 made contact with the back of the helm of 207336.
5. 207336 & 271111 got entangled near the starting line and 207336 capsized.
6. 202249 also made contact with two other boats.
7. 202249 continued to race on starboard tack after the contact.
8. 207336 continued to race after recovery from capsize.
9. There was no damage or injury.
10. No boat took penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, RRS 14, RRS 2 and 62.1(d)

1. 202249 to windward failed to keep clear of 207336 to leeward, and broke RRS 11.
2. By knowingly breaking rule 11, and not taking the appropriate penalty, 202249 failed to compete in compliance with the principles of sportsmanship and fair play, and broke RRS 2
3. 202249 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. It was not reasonably possible for the right of way boats 207336 & 271111 to avoid contact with 202249, and both 207336 & 271111 did not break rule 14.
5. 207336's place in race no 5 was made significantly worse through no fault of her own by an action of 202249 that resulted in a penalty under RRS 2.

DECISION

Date & Time: 2023-07-06 18:39 IST

1. 202249 is DNE in Race no 5
2. Redress is given to 207336. 207336 is to be scored in race 5 points equal to the average, rounded to the nearest tenth of a point, of her points in all races sailed upto July 6th (Race 1-6), except Race no 5. This shall not be worse than her finishing position in the race no 5. No other boat's score shall change.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Satish Kumar Kanwar (IND)

Committee Members: Satyavir Siwatch (IND), Ananya Siwatch (IND)