

EEPC INDIA
(Formerly Engineering Export Promotion Council)
KOLKATA

WORKING COMMITTEE ELECTION RULES (2014-15)
RULES FOR ELECTION OF THE WORKING COMMITTEE BY
ORDINARY MEMBERS OF THE COUNCIL

1. The Council will prepare Lists of Voters from all the Panels.
2. The Lists of Voters shall consist only of those members who are the members of the Council at the time of preparation of the Voters List and till completion of the entire election process. This implies that the following conditions are satisfied:
 - a) Membership subscription for 2013-14 has been paid in full;
 - b) Amount of membership subscription has been determined by FOB value of physical exports of engineering goods/services made during 2011-12 as certified by a Chartered Accountant and CA Certificate has been received within 31st December, 2013.
 - c) Such full payment has been received by the Council within 30th June, 2013;

The members included in the Lists of Voters are hereinafter referred to as "Voter Members". Upon preparation of such Lists of Voters, the Council shall notify all Ordinary Members primarily classified in the Panels in which Elections are likely to take place through Council's Info-Bulletin that such lists have been prepared Panelwise and will be available for inspection at the Head Office, Territorial Office, Regional and Sub-Regional Offices of the Council and also on the Council's Website.

3. Any member not included in the List of Voters may, within 21 days from the date of the aforesaid notification, apply to the Secretary of the Council for inclusion in the relevant List of Voters and enclose authentic proof of payment of annual subscription and CA Certificate as aforesaid.
4. The Secretary of the Council will dispose of the aforesaid applications within seven days from the last date for receiving such applications. Upon such disposal, the Secretary of the Council shall intimate his decision to such concerned member and shall prepare the final Lists of Voters and notify the same in the Notice Board of the Regional and Sub-Regional Offices of the Council as well as on the Council's website for information and use of the Voter Members. Thereafter, only change of name and/ or of address of members, if any, will be entertained provided intimation of such change is received by the Secretary of the Council before the same is handed over to the Election Authority.

5. The Working Committee, in consultation with the Government, shall appoint any individual, firm or institution, as the Election Authority, to conduct the elections to the Working Committee and the Committee of Administration. The Election Authority shall invite nominations from the Voter Members of the concerned Panels for election of their representatives as members of the Working Committee (in respect of seats of elected members falling vacant).
6. Election shall take place:
 - i) from a newly constituted Panel, if there be any;
 - ii) in place of those retiring from the Working Committee, having been longest in office;
 - iii) in place of those whose retirements are determined by lots by the Election Authority;
 - iv) from the Panels having no representation.
7. In case of members amongst whom lots are to be drawn, in terms of Rule 6 (iii) above, the Election Authority shall request such members to be present personally or through their duly authorised representative at the time, date and venue of drawing lots. The Election Authority will intimate these details i.e. the time, date and venue of drawing lots, to such members by letters under Speed post with A/D or E-mail, well in time. Lots will be drawn by the Election Authority at the specified time, date and venue. The Election Authority shall intimate the result of the drawing of lots to the Secretary of the Council.
8. The Working Committee shall consist of the members as detailed in the Article 18.2 of the existing Articles of Association of the Council.
9. Only an Ordinary Member of the Council, having exports of products of not less than (i) Rs. 60 Lakhs for MSME and (ii) Rs. 2 Crore for Others to its credit during the one financial year immediately preceding year, shall be eligible to contest for election as a member of the Working Committee provided such member is a Voter Member. For example, if the Election takes place for the year 2014-15, the preceding year for this purpose will be 2013-14.
10. The Election Authority shall issue notice inviting nomination to the Voter Members primarily classified in the Panels for which Elections are being held for election of the members to the Working Committee from amongst the Ordinary Members, primarily classified in a Panel. Such a notice, along with a Nomination Form bearing serial number and stamp of the Election Authority as per **Annexure 'A'** hereto, shall be despatched by

Speed Post only to all Voter Members. Omission of service of such a notice shall not, however, invalidate the election proceedings. In the notice inviting nomination, the Election Authority will also mention about the availability of the Rules of the Working Committee Election of the Council (2014-15) and Voters' List at the Head Office, Territorial Office, Regional and Sub-Regional Offices of the Council as well as on the Council's Website.

- 11 Members nominating a person to contest for any elective post of the Council must nominate any one of the following persons of the member as nominee:

Chairman/Managing Director or Director/Executive Director, President, Vice President, Chief Executive, General Manager (Exports) or equivalent thereto, Partner/Proprietor, provided the President, the Vice President, the Chief Executive, the General Manager (Exports) or the person equivalent thereto is in full time employment of the member organization. Further, in case of, full time employees nominated by an organization the nomination must be done by any of the person specified in Article 10.1.2.(c) of the existing Articles of Association of the Council.

Person to contest for any elective post of the Council shall have to submit his/her Director Identification Number (DIN) before taking part in the election of such position. In case the Director Identification Number (DIN) is not available then he/she would be required to obtain the same as provided under the Companies Act, 2013. No Person shall be eligible to be appointed to any position in the Council unless he/she furnishes his/her Director Identification Number (DIN) and a Declaration that he/she is not disqualified to become a Director under the Companies Act, 2013.

12. The signature of the person, as per Rule 11 hereinbefore, on the Nomination Form will be attested by the banker of the Voting Member concerned on the Nomination Form itself along with the name and designation of the officer of the bank and the rubber stamp impression of the bank.
13. A Nomination Form to be valid must be:

- (a) the Original Nomination Form enclosed to the Notice by the Election Authority, and

- (b) duly filled up in all respects, duly signed and stamped and complying with the provisions of these rules hereinbefore and such duly completed nomination form must be returned to the Election Authority so as to reach the Election Authority within three weeks from the date of the Notice inviting Nomination. The notice for inviting nomination may be sent only

after the final voters' list is hosted on the election section of EEPC INDIA website.

14. Nominations sent by telex/telegram/fax/e-mail to the Election Authority will be treated as invalid.
15. In the event of the Election Authority having reasons to doubt the veracity of any of the particulars/information contained in any Nomination Form received by him, he may call for particulars/information from the Secretary of the Council. He will also be at liberty to call for the export performance of the member concerned as per the record of the Council, from the Secretary.
16. The Election Authority, within 10 days from the expiry of the period of three weeks mentioned in Rule 13 hereinbefore, shall enter the names of the Nominees, Panel-wise, in a Register and, after due scrutiny, prepare a list of valid nominations and a list of invalid nominations received and display the same at the Notice Board of the Election Authority. In case of the invalid nominations, the Election Authority shall cite the relevant Rule/Reason for rejecting the same. Copies of such lists duly signed by the Election Authority shall be sent to the Secretary and Regional offices of the Council both by e-mail and hard copy for similar display to avoid delay. Last date of filing objection regarding lists of nomination before the Election Authority is seven days from the date of display of lists and Election Authority will dispose of the objection within 7 (seven) days from the last date of receipt of objection.
17. Nomination can be withdrawn by the candidate/person signing the nomination form by letter signed by him/her within 15 days from the date of aforesaid display of the list of valid nominations by the Election Authority. However, in case the candidate is an employee of the Voter Member, it can not be withdrawn by himself/herself. Withdrawal of nominations by telex/ fax/ telegram/ e-mail will not be considered or accepted. Only letters will be considered and accepted by the Election Authority. Once withdrawal of a Nomination is finalized, no subsequent request for rescinding such withdrawal shall be entertained by the Election Authority.
18. The Election Authority shall, within 7 days from the last date of withdrawal of nominations, despatch Voting Papers bearing serial numbers and the stamp and signature of the Election Authority in the Standard Form being **Annexure 'B'** hereto to the Voter Members of the respective Panels under Speed Post with Proof of Delivery (POD). Along with the Voting Paper, an envelope marked "Voting Paper for EEPC Election" may be sent with address of the Election Authority either printed or pasted. The Speed Post Number will be conveyed by e-mail to the member so that he can

track the same in case of non-receipt. No duplicate Voting Paper shall be issued by the Election Authority under any circumstance whatsoever. In case only one valid nomination is received from any particular Panel, no Voting Paper will be issued to the members of that panel and the nominee will be declared as elected from the said Panel.

19. The original Voting Paper received from the Election Authority shall be filled up and signed by any of the persons mentioned in Rule 11 hereinbefore, and shall be returned to the Election Authority in a sealed envelope marked "Voting Paper" so as to reach the Election Authority within the time and date specified in the Voting Paper. This period shall be three weeks from the date of issue of Voting Paper.
20. The Election Authority shall maintain one Ballot Box in his office at Kolkata. All Voting Papers received by post or otherwise shall be dropped in the Ballot Box. In case, envelope containing voting paper is opened by mistake by EEPC INDIA office, should be treated as cancelled. However envelope containing voting paper is opened by the office of the Election Authority, the same can be accepted by the Election Authority, if he is satisfied that the voting paper was not tampered with and opening of the envelope was a bonafide mistake.
21. After expiry of the time for receipt of Voting Papers by the Election Authority as mentioned in the Voting Paper, the Election Authority shall seal the Ballot Box to ensure that further Voting Papers are not put in the Ballot Box. The Election Authority shall maintain secrecy about the Voting Papers received. The candidate or his/her representative may be allowed by the Election Authority to observe the process of scrutiny or counting of Voting Papers for the panel they are seeking election.
22. Within seven days from the last date of receipt of the Voting Papers, the Election Authority shall scrutinize the Voting Papers. The person receiving the highest number of votes from each Panel will be declared as elected from the Panel. In case of a tie, the result will be determined by drawing of lots by the Election Authority. The Election Authority shall declare the Election Result stating the names of elected candidates from each Panel. The decision of the Election Authority in this regard shall be final and binding on all concerned. The Election Result will be displayed in the Notice Board maintained at the Office of the Election Authority and shall also be communicated to the Secretary of the Council. The Election Authority shall declare the result in the following manner:

- a. Total number of Voting Papers received;
 - b. Number of Voting Papers rejected;
 - c. Number of votes secured by the contesting candidate
 - d. The name of the candidate securing the highest number of votes and declared elected.
23. The Election Authority shall arrange to communicate to all contesting members of the Council the results of the Elections and also shall notify the same to the Secretary.
 24. The Winning candidates - either unopposed or elected through election, may be given a letter as per Format enclosed to the effect that he has been declared elected.
 25. In the event of no nomination being received for a particular Panel, the Working Committee, within one year from the date of declaration of the result of the election, may request the Election Authority to hold a fresh election for such Panel/Panels, from which no nomination has been received.
 26. Only the City Civil Court or the Hon'ble High Court at Kolkata shall alone have the jurisdiction to the exclusion of all other courts, with regard to any matter arising out of the election of the Working Committee of the Council.

BY SPEED POST

ANNEXURE – A

EEPC INDIA
WORKING COMMITTEE ELECTION (2014-15)

Sl.No. Issued on Stamp of Election Authority

NOMINATION FORM

(Please fill in all the columns. Do not leave any column blank)

1. Name of the Firm/Company :

2. Address

3. Name of the Panel in which firm/
Company primarily classified :

4. Particulars of the representative
being nominated :

i) Name & Designation

ii) Father's Name

iii) Residential Address :

including telephone number

iv) Director Identification Number (DIN)

5. FOB value of physical export during 2013-14:
(3rd Party and Deemed Exports
not included)
(Please enclose original CA Certificate).

6. Whether MSME or Others:
(In case of MSME, please enclose a self-
attested valid MSME Certificate)

I declare that the above information is true to the best of my knowledge and belief. I also
declare that I am not disqualified to become a Director under the Companies Act, 2013.

Signature of Candidate:

Name :

Designation :

I declare that Mr. nominated for WC
Election of the Council is in full time employment of our Company/Firm for at least
two years prior to the date of Nomination.

Signature
Name & Designation :

Attestation of the signature of the person signing Nomination Form by banker of
Member-organization concerned.

Attested by :
Signature :
Name of Bank Official :
Designation :
(Official Stamp)

FORMAT OF CHARTERED ACCOUNTANT'S CERTIFICATE

(Refer Column No. 5)

This is to certify that we have verified Books of Accounts and other records of M/s.
having their Registered Office at.....
..... and certify that their FOB value of physical export of engineering goods/services (rounded off to the nearest in lakh) during the year (s) indicated hereunder is as follows:-

Year	FOB value of physical export of engineering Goods/services
2013-14	Rs.

Place: _____ Name of the Chartered Accountant or his Company
Date: _____

Note: CA Certificate of FOB value of physical export of engineering goods/services made by the member firm. (3 rd party and deemed exports not to be included) from Statutory Auditors certifying export performance in Indian rupees rounded off to nearest lakh.(Photostat copies or Certificate not signed manually are not acceptable.	(Signature)
	Name of the person signing:
	Designation
	Membership No.
	Official Stamp

Serial No.

Issued on

Stamp and Signature of
Election Authority

VOTING PAPER

[for election of Working Committee of EEPC INDIA for 2014-15]

To be returned in **original** in **enclosed printed envelope** marked "VOTING PAPER" and duly sealed by the voter so as to reach the office of the Election Authority latest by 4.30 P.M. on

PANEL NO.....	
Name and addresses of the candidates	Please put one cross (X) mark in the box in front of the candidate whom you wish to elect.
.....	()
.....	()
.....	()

Please mention here the Name and
Address of Voting Member
Company/Firm

Signature
Name & Designation
Date

:

-----issued by (Election Authority, Engineering Export
Promotion Council)

Please return the Ballot Paper in sealed envelope to the Election Authority at the address
given below :-

FORMAT

To be typed on the letterhead of the Election Authority of EEPC
(Ref. Rule No. 25 of Working Committee Election Rules 2014-15)

Ref. No.

Dt.

To

Name of Person,
Designation,
Company's name with
Office Address

Dear Sir,

Sub : Working Committee Election of EEPC for 2014-15

This is to inform you that you have been declared as elected from Panel No.....viz..... for the Working Committee of the Council for the year 2014-15 in terms of the Election Rules (2014-15) of EEPC read together with the Memorandum and Articles of Association on behalf of M/s..... having Regd. Office at

Thanking you,

Yours faithfully,

Signature of the Election Authority

With stamp