



GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
OFFICE OF THE ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE
NISHTHA BHAVAN, 48, VITHALDAS THACKERSEY MARG, CHURCHGATE, MUMBAI 400 020
Tel: 022 22016421/22017716/22033097/22031074, Fax: 022 22063438

No.:Addl.DGFT/MUM/CHEMEXCIL/Election 2021-23

26th July, 2021

TO ALL MEMBERS OF CHEMEXCIL.

SUBJECT: Nomination for Election to the Committee of Administration of Basic Chemicals, Cosmetics & Dyes Export Promotion Council (CHEMEXCIL), Mumbai for the year 2021-22 to 2022-23.

Dear Members,

As per the directions of Ministry of Commerce & Industry, Government of India, the undersigned has been nominated as a Returning Officer to conduct Election of Committee of Administration of Basic Chemicals, Cosmetics & Dyes Export Promotion Council (CHEMEXCIL) for the year 2021-22 to 2022-23 as per the Bye Laws of the Council.

1. PANEL-WISE VACANCY:

Panel-wise bifurcation of reservation category of CoA for the period 2021-22 & 2022-23 is as mentioned below:

Panel	Category	No. of Vacancies
Merchant Exporters Panel	General	01

2. ELIGIBILITY FOR ELECTION:

2.1 Right to Vote and Contest etc., confined to ordinary members:

Only an ordinary Member shall have the right to vote at or to offer self as a candidate at elections to various positions in the Council (as per para 4.1 of Bylaws of the Council)

2.2 Eligibility to Vote:

- An Ordinary Member shall have the right to vote at the Election of the Council's Committee of Administration (as per Article 4.1 of Bye Laws).
- Each ordinary member of the Council shall have one vote for every single representation/seat of the respective Panels as the Panel opted/registered with the Council from time to time.
- Tenure of the elected members of the Committee shall be for the period of **two years**. Such members shall be eligible to contest for election after a cooling period of one term after completion of every three consecutive terms for the members of CoA.

2.3 Eligibility for candidature:

- A. A candidate must be an Ordinary Member of the Council.
- B. A candidate contesting for the election to any position in the Council must satisfy the following conditions namely:
 - a) The firm or entity, must have to its credit, during immediately preceding one financial year the exports of the products falling under purview of the Council of not less than the amount mentioned below:
 - i. MSME : Rs. 25 Lakhs
 - ii. Others : Rs. 1 Crore (Merchant Exporter & LSM)
 - b) Candidate contesting election, should have his/her name incorporated either in RCMC or Import-Export Code.
 - c) For contesting the election for **Merchant Exporter Panel** the member company has to have 75% export of products coming under the purview of the Council and should submit a Certificate from Auditor of the Company who signs the balance sheet.
 - d) Candidate should represent the Industry which is member of the Council for the products coming under the purview of the Council. The Company engaged in 75% of total exports of the items coming under the purview of the Council and should comply with requirements of para 4.2(a) of Bylaws.
 - e) Candidate applying for nomination for election should be allotted the Director Identification Number (DIN) under Section 154 of the Companies Act, 2013 s per para 4.2 (d) of the Bylaws of the Council.

2.4 Eligibility for Nomination:

- a) Nomination indicating the name of the authorized representative of the Member eligible for election to any Panel of the Committee of Administration shall be proposed by the member of the same panel.
- b) The nominee and proposer should be otherwise eligible to vote. The nominations shall conform to the proforma prescribed by the Election Authority.
- c) Any member under Denied Entity List maintained by DGFT will not be eligible to file nominations for election of Committee of Administration. Therefore, on the original Nomination form itself the member organization will also have to submit a declaration in writing signed by the Chairperson/Managing Director/Director/Partner/Proprietor as the case may be that the name of the firm/company is not under Denied Entity List.

3. **PROCEDURE FOR FILING & DEADLINE FOR SUBMISSION & WITHDRAWAL OF NOMINATION ETC.**

A. A Nomination Form to be valid must be:

- a) Original Nomination Form enclosed with this Notice.
- b) Duly filled-in Nominations complete in all respects, along with the necessary declarations, duly signed, stamped and complying with the provisions of Election Rules herein before and as mentioned in this notice. The forms and notice will also be available on DGFT, Mumbai's website- <http://dgftcom.nic.in/dgftmumbai> and CHEMEXCIL's website <https://chemexcil.in>
- c) The sealed cover containing-
 - i. Filled in prescribed forms for the respective panels of the Committee of Administration duly proposed and signed by the nominee.
 - ii. Turnover of Company duly certified by Chartered Accountant and
 - iii. Sealed envelope duly superscripted on top as "**NOMINATION FOR CHEMEXCIL ELECTION**" may be send to undersigned by **hand-delivery or by Registered Post or Speed Post** addressed to Shri M.K. Nikhare, Joint Director General of Foreign Trade & Election Authority of CHEMEXCIL, Nishtha Bhavan, 48 VithaldasThackersey Marg, Churchgate, Mumbai 400 020 as to reach **on or before 2nd August, 2021 by 3.00 pm.**
 - iv. Those nominations received after the due date and time shall not be considered. Those nominations which are not in accordance with this notice/specimen nomination form shall be treated as invalid.
 - v. A Nomination sent by telex/fax/telegram/e-mail to the Election Authority will be treated as invalid.
 - vi. Any Nomination forms submitted to any of the offices of CHEMEXCIL. will not be considered for scrutiny and will be treated as invalid.

- B.** The firm/company represented by the proposer & the firm/company represented by the Nominee should be member of the Council from the same Panel (Voter list). Nominee and the Proposer's name should not appear in **Denied Entity List of Directorate general of Foreign Trade** (Refer format given in Annexure A-2).

- C. In the event of the election, Authority having reasons to doubt the veracity of any of the particular/information contained in any Nomination form received by it, the Election Authority may call particulars/information from the Acting Executive Director of the Council. He/ She will also be at liberty to call for export performance of the member concerned as per the record of the Council from the Acting Executive Director.
- D. The names of the nominees panel-wise shall be entered in a register and after due scrutiny a list of valid nominations received will be prepared. Copies of such lists duly signed by the undersigned shall be sent to Head Office and all the Regional Offices of the Council. The same will be available on the website of DGFT, Mumbai and CHEMEXCIL's website. In case of the invalid nominations the undersigned shall cite the reason for rejecting the same.
- E. Nomination can be withdrawn by the candidate by a letter signed by him / her after aforesaid display of the list of valid nominations by the Election Authority. Original letter of withdrawal of nomination need to be submitted to the undersigned at Mumbai by post or through registered email with scan copy of withdrawal letter of company duly signed by candidates. Withdrawal of nomination will be allowed on or before **5th August, 2021 by 3.00 p.m.**
- F. Such a withdrawal shall be final and no subsequent request, for revoking such withdrawal shall be entertained by the undersigned.
- G. The elections of the Committee of Administration of the Council shall be conducted by online electronic voting process; as per para 9.3(a) of the Bylaws of the Council. The user manual for the same will be available on DGFT, Mumbai's website <http://dgftcom.nic.in/dgftmumbai> and Council's website <https://chemexcil.in>
- H. For participating in the online electronic voting process a valid E-mail ID and Mobile number of the authorized representative is mandatory. Please check the voters list uploaded on DGFT, Mumbai website as well as CHEMEXCIL website for the e-mail id available in records with us.
- I. No further communication will be entertained in this regards for any modifications/ changes/updation in the records and therefore, details given as per the records of the Election Authority will be treated as final and correct.

Members may note that the said nomination notice and the forms are being printed and dispatched in hard copy by the Post for their convenience. However, Election Authority will not be responsible for the late receipt due to postal delay. Members are advised to use the Notification and Annexures attached to the link given in the e-mail sent by the Election Authority or as available on the DGFT Mumbai's website <http://dgftcom.nic.in/dgftmumbai> and CHEMEXCIL's website <https://chemexcil.in>

Yours sincerely,


M. K. NIKHARE
Jt. D.G.F.T.
M.K. Nikhare,
Jt. Director General of Foreign Trade &
Election Authority of CHEMEXCIL, Mumbai.

NOMINATION FORM

BASIC CHEMICALS, COSMETICS & DYES EXPORT PROMOTION COUNCIL

ELECTION FOR COMMITTEE OF ADMINISTRATION

For use of Election Authority only

SERIAL NO AS PER ELECTORAL ROLL: _____

PANEL FOR WHICH APPLIED: _____

CATEGORY UNDER WHICH APPLIED (General/Others): _____

DATE OF RECEIPT

Stamp and Signature of
Election Authority

1.	Name of the Firm/Company	:	
2.	Address	:	
3.	Name of the Panel in which Firm/Company primarily classified	:	
4.	Membership no.	:	
5.	Particulars of the representative being nominated-		
i.	Name of the Candidate	:	
ii.	Designation	:	
iii.	Father's Name	:	
iv.	Office address including telephone number	:	
v.	Residential address including Telephone number	:	

FORMAT OF CHARTERED ACCOUNTANT'S CERTIFICATE
 (On letterhead of the Chartered Accountant on the Nominee Company)

This is to certify that we have verified Books of Accounts and other records of M/s.

having their head office / registered office at _____

and certify that their FOB value of physical export of Council's item falling under purview of the Council, during the year(s) indicated hereunder is as follows:

Year	Name & HS Code of Council's items exported	FOB value of physical export of Council's item
2018-19		INR _____ in Lakhs
2019-20		INR _____ in Lakhs
2020-21		INR _____ in Lakhs
Average Export during last 3 years		INR _____ in Lakhs

Signature: _____

Name : _____

Registration No. & Seal/ Rubber Stamp of
CA Firm

Date: _____

Place: _____

Note:

1. Please specify name of the item of export at the appropriate place above for the Panel Representation.
2. Export figures to be rounded off to the nearest Rs. in lakh. Original Certificate duly signed by Chartered Accountant is mandatory. Photocopies of CA Certificate will not be acceptable.
3. A member not having qualifying exports will not be eligible to file nomination for Member Merchant Exporter Panel (General Category).

6. A candidate contesting election to any position in the Council must satisfy the following conditions:

a) A firm represented by him/her, must have to its credit during the one financial year immediately preceding exports of the products falling under purview of Council of not less than the amount mentioned below:

- i. MSME : Rs. 25 Lakhs
- ii. Others : Rs. 1 Crore

7. Please enclose original certificate duly signed by Chartered Accountant who signs the balance sheet of the Company certifying 75% export of products coming under the purview of the Council.

8. The Director / Partner / Proprietor, as the case may be of the Company / Firm should furnish an undertaking along with Nomination form, that the Company / Firm is not listed under DEL maintained by the Directorate General of Foreign Trade, Govt. of India as per existing Foreign Trade Policy (Format of undertaking is given in Annexure A-2).

I declare that all the information provided in this form and in the annexures attached to this form are true to the best of my knowledge and belief.

Signature of the Candidate

Name: _____

Designation: _____

(Rubber Stamp of member entity)

FORM FOR PROPOSER
(On letterhead of the Proposer Company)

Date: _____

Shri M.K. Nikhare
 Joint Director General of Foreign Trade &
 Election Authority for CHEMEXCIL,
 Nishtha Bhavan,
 4B, Vithaldas Thackersey Marg,
 Churchgate, Mumbai 400 020

Dear Sir,

I, propose Mr./Mrs./Ms. _____ of
 M/s. _____
 for election for the member of the Committee of Administration of the Basic Chemicals,
 Cosmetics & Dyes Export Promotion Council for panel _____ &
 Category _____ for 2021-22 & 2022-23

A. PROPOSER DETAILS:

1.	Name of the Proposer (in BLOCK letters)	:	_____
2.	Name of the firm and address	:	_____ _____ _____
3.	Serial No. in Electoral Roll	:	_____
4.	Membership no. (Refer Membership Certificate)	:	_____
5.	IEC No.	:	_____
6.	Seal/ Rubber Stamp of the Proposer Firm	:	_____

I propose the above nomination

Signature of the Proposer

DEL STATUS

(Format of Undertaking for on the letterhead for **Nominee Company**)

This is to certify that our Company/Firm M/s. _____

_____ having IEC _____ has not
been listed under DEL as on today by the Directorate General of Foreign Trade, Govt. of India
under Foreign Trade (Development & Regulation) Act / Rules of Govt. of India.

Signature : _____

Name : _____

Designation : _____

Date : _____

Rubber Stamp of
the Company

Note: Please refer <https://www.dgft.gov.in/CP/?opt=view-any-ice>

Cont. ...

B. NOMINEE DETAILS

1. Name of the **Nominee**/candidate : _____
(In BLOCK letters)
2. Name of the Firm and address : _____

3. Serial No. from electoral Roll : _____
4. Membership no. : _____
(Refer Membership Certificate)
5. IEC No. : _____

I agree the above nomination

Signature of the Nominee

Seal / Rubber Stamp of the Nominee's firm

General Notes:

- 1) Please fill in all the columns. Do not leave any column blank.
- 2) Strike out or write N.A. at places whichever are not applicable in the form.
- 3) A member not having qualifying exports will not be eligible to file nomination for the post of member of Committee of Administration of the Council.
- 4) Proposer should also be an ordinary member eligible to vote from the respective Panel if nomination is or Panel representation.
- 5) Proposer and Nominee should put their firm's Rubber Stamps at the specified place and also mention the membership no.
- 6) Proposer and Nominee should write the Sr. No. from the Electoral Roll (Candidate List) at the specified places.

CHEMEXCIL ELECTION SCHEDULE

Sr. No.	Details of Nomination	Date
1	Notice to all Ordinary Members along with nomination forms to invitee Nomination to contest the election for the post of member of Committee of Administration by Registered Post as well as email and posting on website	26-07-2021
2	Last date of receipt of nomination	02-08-2021
3	i. Scrutinizing nomination. ii. Letters to candidates with valid nomination along with last date for withdrawal of nomination. iii. Letters to candidate informing of invalid nomination.	03-08-2021
4	Last date of withdrawal of nomination	05-08-2021
5	Locking of software by Returning Officer	05-08-2021
6	Election Notice to all Ordinary Members regarding online voting process by post and email along with- i. list of candidates ii. user manual iii. link for e-voting	06-08-2021
7	Commencement of online voting process	09-08-2021
8	Locking of software by Returning Officer on last date of online voting to be closed by 3.00 pm	11-08-2021
9	i. Counting of votes from the e-voting software in presence of candidates. ii. Declaration of election results to all the members of the Council by uploading on the website and sending e-mails	12-08-2021
