



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

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E-MAIL ADDRESS FOR CORRESPONDENCE RELATING TO ELECTIONS: electionepc@gmail.com

No: Addl. DGFT/MUM/CHEMEXCIL/Election 2016-18

29th January, 2016

NOTICE TO ALL ORDINARY MEMBERS (AS PER THE VOTER LIST OF FY 2015-16) OF PANEL-II: BASIC ORGANIC & INORGANIC CHEMICALS INCLUDING AGRO CHEMICALS, WHO HAVE RENEWED THEIR MEMBERSHIP FOR THE FINANCIAL YEAR 2015-16 ON OR BEFORE 30TH JUNE, 2015.

Re.: Nominations for Election to the Committee of Administration of Basic Chemicals, Pharmaceuticals & Cosmetics Export Promotion Council, Mumbai – for the years 2016-17 & 2017-18.

Dear Members,

Further to Office Letter No. Addl. DGFT/MUM/CHEMEXCIL/Election 2016-18 dated 7th January, 2016 calling nominations for the six post in four panels, total 15 nominations were received by 5:00 PM 19th January, 2016, the last date of receipt of nominations. There were five nominations received for one seat in Panel-II: Basic Organics & Inorganic Chemicals Including Agro Chemicals (Category - Status Holder). However, we have not received any valid nomination for Panel-II. Therefore, the nominations are again being called for **Panel-II BASIC ORGANIC & INORGANIC CHEMICALS INCLUDING AGRO CHEMICALS (Category - STATUS HOLDER).**

1. VACANCIES OF PANEL

The elections is underway for period 2016-18 and for such purpose the voter list for Financial Year 2015-16 is being utilized.

Panelwise bifurcation of reservation category of COA for the years 2016-17 & 2017-18 will be follow:

PANEL	NO. OF VACANCIES	STATUS HOLDER
Panel-II : Inorganic & Organic Chemicals including Agro Chemicals	1	1
Total	1	1

2. ELIGIBILITY FOR ELECTIONS

As you are aware, the Council has adopted the new Bye Laws/Articles, framed by the Central Government in its Extra-Ordinary General Meeting held on 8th February, 2002.

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 Bye Laws). The final updated voter list, prepared in accordance with the notice of No.: Addl.DGFT/MUM/CHEMEXCIL/Elec 2015-17/2015-16 dated 15th Dec, 2015 has been displayed on DGFT, Mumbai's website http://dgft.gov.in/dgftmumbai/html/chemexcil/election_coa.htm and CHEMEXCIL's website <https://chemexcil.in>.

2.2 Eligibility to Vote

- (a) The Ordinary Members shall have the right to vote at the Election of the Council's Committee of Administration (as per Article 4.1 of Bye Laws).
- (b) Each Ordinary Member of the Council shall have one vote for every single representation/seat for the respective Panels as per the Panel opted/ registered with the Council from time to time.

2.3 Eligibility for Candidature

- (i) A candidate must be the Ordinary Member of the Council;
- (ii) A candidate for election to any position in the Council must satisfy the following conditions, namely;
 - a) He, or the entity represented by him, must have to his or 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. Small Scale Industries : Rs.25 Lakhs
 - ii. Others : RS. 1 Crore
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- b) Person standing for election, his/her name should appear in either **RCMC or Import-Export Code**.
 - c) Where a person is standing for the election as Chairman or Vice-Chairman or Regional Chairman, etc., he, or the entity represented by him, must have to his or its credit, during the one financial year immediately preceding, exports of the product falling under purview of Council not less than Rupees 2 crores.
 - d) Candidate applying for nomination for election should submit Bank Certificate of realization in support of their fulfillment of condition under Para 4.2 of Bye Laws wherein products & FOB value of exports are given.
 - e) Candidate should represent the Industry which is member of the Council for the products coming under the purview of Council. The Company engaged in exports of multiple products should have more than 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 Bye Laws.
 - f) Also member contesting election should be predominantly exporter of the items coming under the purview of the Council.
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- (iii) The member filling his nomination for the Reserved Seat of Status Holder in the concerned panel needs to submit the Status Holder certificate issued as per FTP 2015-20 along with the Nomination Form and his name should appear in such list which is maintained by DGFT (please refer to Para 3.20 of FTP 2015-20).
- (iv) Nomination indicating the name of the authorised representative of the Member eligible for election to any Panel of the Committee of Administration shall be proposed by members of the same Panel.
- (v) The nominee, and proposer should be otherwise eligible to vote. The nominations shall conform to the proforma prescribed by the Election Authority.
- (vi) Any voter / member under Denied Entity List maintained by DGFT will not be eligible to file nominations for election to the 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.

(i) A Nomination Form to be valid, must be

(a) the original Nomination Form enclosed with this Notice

(b) duly filled up in all respects, along with the necessary declarations, duly signed, stamped and complying with the provisions of Election Rules hereinbefore and as mentioned in this notice. The form and notice will also be available on the DGFT, Mumbai's website http://dgft.gov.in/dgftmumbai/html/chemexcil/election_coa.htm and CHEMEXCIL's website.

(c) The sealed cover containing filled in prescribed forms for the respective panels of the Committee of Administration duly proposed and signed by the nominee and duly certified by chartered accountant and accompanied by valid copy of EH/SEH/TH/STH/PTH and duly superscripted on the top as '**NOMINATION FOR ELECTION TO PANEL-II**' may be sent to the undersigned by **hand-delivery or by Registered Post or by Speed Post** addressed to **Mithileshwar Thakur, Jt. Director General of Foreign Trade & Election Authority for CHEMEXCIL, NishthaBhavan, 48, VithaldasThackersey Marg, Churchgate, Mumbai 400020** so as to reach **on or before Wednesday, the 10th February, 2016 by 5:00 p.m.** Nomination 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.

(d) A Nomination sent by telex/fax/telegram/e-mail to the Election Authority will be treated as invalid.

(e) Any Nomination forms submitted to any of the offices of CHEMEXCIL will not be considered for scrutiny and will be treated as invalid.

(ii) The firm/ company represented by the proposer and the firm/ company represented by the nominee should be members of the Council from the same Panel. Nominee and Proposer Company's name should not appear in **Denied Entity List of Directorate General of Foreign Trade**(Refer format given in Annexure A-2).

(iii) 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 it, the Election Authority may call for particulars/information from the 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 Executive Director.

(iv) 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.

(v) 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/ Regional Election Authority. Original letter of withdrawal of nominations need to be submitted to the Regional Election Authority or to the undersigned at Mumbai. **Withdrawal of nomination will be allowed on or before Wednesday, the 17th February, 2016 by 5.00 P.M.**

(vi) Such a withdrawal shall be final and no subsequent request, for revoking such withdrawal shall be entertained by the undersigned.

(vii) As per the directives received from Ministry of Commerce & Industry, Government of India, from 2012 election onwards, it has been decided to conduct elections to the Committee of Administration of the Council by online electronic voting process; the user manual for the same will be available on DGFT, Mumbai's website http://dgft.gov.in/dgftmumbai/html/chemexcil/election_coa.htm and CHEMEXCIL's website.

Members may note that that the said nomination notice and the forms are being printed and dispatched in hard copy by Post for the convenience of members. However, Election Authority will not be responsible for the late receipt due to postal delay. Members are advised to use the Notification and the 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://dgft.gov.in/dgftmumbai/html/chemexcil/election_coa.htm and CHEMEXCIL's website.

Yours sincerely,



Mithileshwar Thakur
Jt. Director General of Foreign Trade &
Election Authority of CHEMEXCIL, Mumbai

NOMINATION FORM

BASIC CHEMICALS, PHARMACEUTICALS & COSMETICS EXPORT PROMOTION COUNCIL
ELECTION FOR COMMITTEE OF ADMINISTRATION

For use of Election Authority only

SERIAL NO AS PER ELECTORAL ROLL:

PANELS FOR WHICH APPLIED (BASIC ORGANIC & INORGANIC CHEMICALS INCLUDING AGRO CHEMICALS):

CATEGORY UNDER WHICH APPLIED (Status):

Stamp and Signature of Election Authority

DATE OF RECEIPT

(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 /Category : _____

4. Membership no: _____ with
this office of CHEMEXCIL _____.

5. Whether the member firm is status holder : YES / NO

(If yes, please attach the self-certified copy of status holder certificate with this form)

6. Particulars of the representative being nominated :

i) Name & Designation: _____

ii) Father's Name: _____

iii) Residential Address including Telephone number:

7. A candidate for election to any position in the Council must satisfy the following conditions, namely;

g) He, or the entity represented by him, must have to his or 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. Small Scale Industries : Rs.25 Lakhs
- ii. Others : RS. 1 Crore

h) Where a person is standing for the election as Chairman or Vice-Chairman or Regional Chairman, etc., he, or the entity represented by him, must have to his or its credit, during the one financial year immediately preceding, exports of the product falling under purview of Council not less than Rupees 2 crores.

Candidate should represent the Industry coming under the purview of Council.

i) Candidate applying for nomination for election should submit Bank Certificate of realization in support of their fulfillment of condition under Para 4.2 of Bye Laws wherein products & FOB value of exports are given.

8. The Company engaged in exports of multiple products should have more than 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 Bye Laws.

Also member contesting election should be predominantly exporter of the items coming under the purview of the Council.

9. Please enclose original certificate duly signed from Chartered Accountant certifying export performance in Indian Rupees rounded off to nearest Lakh. **(Format of CA certificate given in Annexure A-1).**

10. 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 under taking 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)

FORMAT OF CHARTERED ACCOUNTANT'S CERTIFICATE

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 items

_____, falling under purview of the Council, during the year(s) indicated hereunder is as follows:

Year	FOB value of physical export of Council's item (_____). (Rs. in Lakhs)
1. 2012-13	INR _____ in Lakhs
2. 2013-14	INR _____ in Lakhs
3. 2014-15	INR _____ in Lakhs
Average Export during last 3 years	INR _____ in Lakhs

Signature:

Name of the Chartered Accountant

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. Photostat copies of CA certificate will not be acceptable.
3. A member not having qualifying exports will not be eligible to file nomination to be a member of the Committee of Administration of the Council.

(Format of Undertaking for DEL status on the letterhead)

This is to certify that our Company/Firm having IEC _____ has not been listed under DEL maintained by the Directorate General of Foreign Trade, Govt. of India under Foreign Trade (Development & Regulation) Act/ Rules.

Signature: _____

Name: _____

Designation: _____

Date: _____

(Rubber Stamp of the Company)

Note: Please refer <http://dgft.gov.in/licasp/lecDenQuery.asp>

FORM FOR PROPOSER / NOMINEE

Date : _____

Mr. Mithileshwar Thakur,
 Jt. Director General of Foreign Trade &
 Election Authority for CHEMEXCIL
 NishthaBhavan, 48,
 VithaldasThackersey Marg,
 Churchgate, Mumbai 400 020

Dear Sir,

I, propose
 Mr./Mrs./Ms. _____ of
 M/s _____

for election as a member of the Committee of Administration of the Basic Chemicals,
 Pharmaceuticals & Cosmetics Export Promotion Council for Panel _____ &
 Category _____ for 2016-17 & 2017-18 (please specify Panel & Category if any)

Yours faithfully,

1. Name of the person in BLOCK letters (Proposer*): _____

Signature of the Proposer (*) _____

I propose the above nomination:

Name of the firm and address : _____

Serial No. in Electoral Roll: _____

Membership no: _____ (refer Membership Certificate)

with this office of CHEMEXCIL _____.

Proposer's Firm Import-Exporters Code No: _____

Seal / Rubber Stamp of the Proposer's firm : _____

2. Name of the Nominee/candidate in BLOCK Letters _____

Name of the Firm and address: _____

Serial No. from electoral Roll: _____

Membership no: _____ (refer Membership Certificate)

with this office of CHEMEXCIL _____.

Nominee's Firm Import-Exporters Code (IEC) No. _____

Signature of the Nominee / candidate _____

I agree to the above nomination

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 to be a member of the Committee of Administration of the Council.
- 4) *Proposer should also be an ordinary member eligible to vote from the respective Panel if nomination is for Panel representation.
- 5) Proposer and Nominee should put their firm's Rubber Stamps at the specified place and also mention the membership no and office of CHEMEXCIL where the membership is registered.
- 6) Proposer and Nominee should write the SR NO of respective Panels from the Electoral Roll at the specified places.