



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 2019-21

21<sup>st</sup> November, 2019.

**TO ALL MEMBERS OF THE COUNCIL:**

**Re.: Nomination for Election to the Committee of Administration of Basic Chemicals, Cosmetics & Dyes Export Promotion Council, Mumbai - for the years 2019-20 to 2020-21.**

Dear Members,

As per the direction of Ministry of Commerce & Industry, Government of India, the undersigned has been appointed as a Returning Officer to conduct Election of Committee of Administration of Basic Chemicals, Cosmetics & Dyes Export Promotion Council (Chemexcil) for the year 2019-20 to 2020-21 as per the Bye Laws of the Council.

Council has received approval for proposed amendments in the Byelaws of the Council from Ministry of Commerce & Industry vide their letter No: 5/2/2018-EP(CAP) dated 2<sup>nd</sup> August, 2019 which was also approved by the Committee of Administration in its 2<sup>nd</sup> meeting held on 30<sup>th</sup> August, 2019 for the year 2019-20 at Mumbai. The said amended Byelaws was passed in the 56<sup>th</sup> Annual General Meeting of the Council held on 26<sup>th</sup> September, 2019 at Mumbai which were registered in the Registrar of Companies. Further, it was decided to conduct Election of 15 seats under different categories due to retirement of CoA Members on completion of their tenure of two years.

**1. PANEL-WISE VACANCIES:**

Panel wise bifurcation of reservation categories of COA for the years 2019-20 and 2020-21 is as follows:

Panel	No. of Vacancies	Status	MSME	General
Dyes & Dye Intermediates	4	1	2	1
Basic Organic, Inorganic Chemicals Including Agro Chemicals	4	1	2	1
Cosmetics, Soaps, Toiletries & Essential Oils	3	1	1	1
Specialty Chemicals including Castor Oil	2	-	1	1
Merchant Exporters Panel	2	2		
<b>TOTAL</b>	<b>15</b>	<b>5</b>	<b>6</b>	<b>4</b>



## 2. ELIGIBILITY FOR ELECTIONS :

### 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).

### 2.2 *Eligibility to Vote*

- A. 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).
- 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.
- C. Tenure of 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.
- D. ***One Third of the members of the Committee of Administration shall retire prior to Annual General Meeting after completion of their tenure of one year to regularize the election procedure as per amended Bye Laws of the Council.***

### 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 Council of not less than the amount mentioned below:
    - i. MSME : Rs. 25 Lakhs
    - ii. Others : Rs. 1 Crore
  - b) Person contesting for the election under Status Holder Category, should submit Status Holder Certificate as per FTP 2015-2020 issued by DGFT.
  - c) Person contesting for the election under General Category representing Large Scale Manufacture shall submit SIA Certificate.
  - d) Candidate contesting election, should have his/her name incorporated either in RCMC or Import-Export Code.
  - e) Where a person is contesting the election for the post of Vice-Chairman or Regional Chairman, must have to his or its credit exports of the product falling under purview of Council not less than Rupees 2 crores during immediately preceding one financial year. Candidate should represent the Industry which is member of the Council for the products coming under the purview of Council.
  - f) Candidate applying for nomination for election under **Manufacturer Exporter** should submit Bank Certificate of Realization or Certificate from Auditor of the Company who signs the balance sheet in support of their fulfillment of condition under Para 4.2 (a) wherein products & FOB value of exports are given.
  - g) 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.
  - h) 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.

- i) Candidate applying for nomination for election should be allotted the Director Identification Number (DIN) under Section 154 of the Companies Act, 2013 as per para 4.2(d) of the Bye Laws of the Council.

#### **2.4 The 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 members 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 voter / 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 the DGFT, Mumbai's website-  
[http://dgft.gov.in/dgftmumbai/html/chemexcil/election\\_coa.html](http://dgft.gov.in/dgftmumbai/html/chemexcil/election_coa.html) 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 the top as **"NOMINATION FOR ELECTION"** may be sent to undersigned by **hand-delivery or by Registered Post or by Speed Post** addressed to Shri Sambhaji Chavan, Jt. Director General of Foreign Trade & Election Authority for CHEMEXCIL, Nishtha Bhavan, 48, Vithaldas Thackersey Marg, Churchgate, Mumbai 400 020 so as to reach on or before **28<sup>th</sup> November, 2019 by 3.00 p.m.**
  - iv. Those 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.
  - 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.

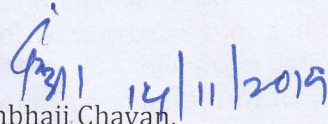
- B. The firm / company represented by the proposer & the firm / company represented by the Nominee should be member of the Council from the same Panel (Voter list) . Nominee and the Proposer's name should not appear in **Denied Entity List of Directorate General of Foreign Trade** (Refer format given 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 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.
- 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 nominations 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 **05<sup>th</sup> December, 2019 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 to the Committee of Administration of the Council shall be conducted by online electronic voting process; as per para 9.3(a) of the Bye Laws of the Council. The user manual for the same will be available on DGFT, Mumbai's website [http://dgft.gov.in/dgftmumbai/html/chemexcil/election\\_coa.html](http://dgft.gov.in/dgftmumbai/html/chemexcil/election_coa.html) and CHEMEXCIL'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 regard 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 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 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](http://dgft.gov.in/dgftmumbai/html/chemexcil/election_coa.htm) and CHEMEXCIL's website <https://chemexcil.in>.

Yours sincerely,

  
Sambhaji Chavan,  
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:

PANELS FOR WHICH APPLIED -----

DYES & DYE INTERMEDIATES

☐

BASIC ORGANIC, INORGANIC CHEMICALS

INCLUDING AGRO CHEMICALS

☐

COSMETICS, SOAPS, TOILETRIES & ESSENTIAL OILS

☐

SPECIALITY CHEMICALS INCLUDING CASTOR OIL

☐

MERCHANT EXPORTERS PANEL

☐

CATEGORY UNDER WHICH APPLIED

MSME

☐

General

☐

Status

☐

DATE OF RECEIPT

Stamp and Signature of  
Election Authority

**(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 Membership no.

:

\_\_\_\_\_

5 Particulars of the representative being nominated-



- i. Name & Designation : \_\_\_\_\_
- ii. Father's Name : \_\_\_\_\_
- iii. Office address including Telephone : \_\_\_\_\_  
number
- iv Residential address including : \_\_\_\_\_  
Telephone number
- \_\_\_\_\_

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

- 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**

- J. Where a person contesting for the election for the post of 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.
- K. Please enclose original certificate duly signed by Chartered Accountant certifying export performance in Indian Rupees (rounded off to nearest Lakh). (Format of CA certificate is given in Annexure A-1)
- L. 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)



**FORMAT OF CHARTERED ACCOUNTANT'S CERTIFICATE ON THEIR LETTER HEAD.**

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 \_\_\_\_\_ (Dyes & Intermediates/Basic Organic & Inorganic Chemicals including Agro Chemicals/Cosmetics & Toiletries/Castor oil and Speciality Chemicals/ Merchant Exporters (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
2016-17	INR _____ in Lakhs
2017-18	INR _____ in Lakhs
2018-19	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. Photocopies of CA Certificate will not be acceptable.
3. A member not having qualifying exports will not be eligible to file nomination for Vice Chairman of Council.



ANNEXURE : A - 2

(Format of Undertaking for DEL status on the letterhead of company)

This is to certify that our Company/Firm M/s. \_\_\_\_\_  
having its 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.

Signature :

Name :

Designation :

Date :

Rubber Stamp of  
the Company :

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



## FORM FOR PROPOSER &amp; NOMINEE

Date : \_\_\_\_\_

Shri Sambhaji Chavan,  
Jt. Director General of Foreign Trade &  
Election Authority for CHEMEXCIL  
Nishtha Bhavan,  
48, Vithaldas Thackersey 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, Cosmetics  
& Dyes Export Promotion Council for Panel \_\_\_\_\_ & Category \_\_\_\_\_ for  
2019-20 & 2020-21 (Please specify Panel & Category if any).

Yours faithfully,

1. Name of the Proposer : \_\_\_\_\_  
(in BLOCK letters)

Name of the firm and address : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Serial No. in Electoral Roll : \_\_\_\_\_

Membership no. : \_\_\_\_\_  
(refer Membership Certificate)

IEC No. : \_\_\_\_\_

Seal / Rubber Stamp of the  
Proposer's firm

I propose the above nomination

Signature of the Proposer



1. Name of the : \_\_\_\_\_  
**Nominee**/candidate  
(in BLOCK letters)
- Name of the Firm and address : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Serial No. from electoral Roll : \_\_\_\_\_
- Membership no. : \_\_\_\_\_  
(refer Membership Certificate)
- IEC No. : \_\_\_\_\_
- I agree the above nomination : \_\_\_\_\_
- Signature of the Nominee /  
candidate : \_\_\_\_\_
- 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.
- 6) Proposer and Nominee should write the Sr. No. from the Electoral Roll (Candidate list ) at the specified places.

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**CHEMEXCIL COA ELECTION SCHEDULE :**

Sr. No.	Details of nomination	Date
1	Notice to all ordinary members along with Nomination forms invitee nomination to context the election for the post of member of Committee of Administration by Registered Post as well as Email and posting on the Website	21 <sup>st</sup> November, 2019
2	Last date of receipt of nomination from candidates	28 <sup>th</sup> November, 2019.
3	i. Scrutiny and finalisation of Nominations ii. Letters to Candidate with valid nomination along with Last date of withdrawal of Nomination iii. Letters to candidate informing of invalid nomination	29 <sup>th</sup> November, 2019.
4	Last date of withdrawal of nomination	05 <sup>th</sup> December, 2019.
5	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	09 <sup>th</sup> December, 2019.
6	Locking of software by Returning officer	12 <sup>th</sup> December, 2019.
7	Commencement of online voting process	13 <sup>th</sup> December, 2019.
8	Locking of software by Returning office on last date of online voting to be closed by 3.00pm	17 <sup>th</sup> December, 2019 upto 3.00 pm.
9	i. Counting of votes from the e-voting software in presence of candidate ii. Declaration of election results to all the members of the Council by uploading on the website and sending e-mail	18 <sup>th</sup> December, 2019.

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