



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 24-26/1/44

March 20, 2024

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 period 2024-26.

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 period 2024-26 as per the Bye Laws of the Council.

Chemexcil is holding election for 3 seats under different categories.

1. PANEL-WISE VACANCIES:

Panel wise bifurcation of reservation categories of COA for the period 2024-26 is as follows:

| Panel | Category | No. of Vacancies |
|--|----------|------------------|
| Basic Inorganic and Organic Chemicals Including Agro Chemicals | General | 01 |
| Cosmetics, Soaps, Toiletries & Essential Oils | General | 01 |
| Merchant Exporters Panel | General | 01 |
| TOTAL | | 03 |

2. ELIGIBILITY FOR ELECTIONS:

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

Only an ordinary member may offer him/herself as a candidate at election to various positions in the Council.

2.2 Eligibility to Vote

- An 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).
- Associate members having been completed 3 continuous years, and not fulfilling the eligibility criteria for Ordinary Member, however, have exports in his/her credit in any of the preceding three years, shall also have the right to vote.

- c) Each Ordinary Member of the Council shall have one vote for every single representation/seat for the respective Panels and Categories as per the Panel opted/registered with the Council from time to time.
- d) 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.

2.3 Eligibility for Candidature

A candidate for election to any position (except Chairperson and Vice-Chairperson) in the Council must satisfy the following conditions:

- a) He/ She or the entity represented by him/ her must have to his/ her or its credit during the two financial years immediately preceding the election the average exports of the products of not less than the amount mentioned below:
- i. **Micro, Small, Medium Enterprises (MSMEs):** Rs.50 Lakh - Rs.2.5 Crore (Micro Enterprises- Rs. 50 Lakhs, Small Enterprises -Rs. 1 crore and Medium Enterprises- Rs. 2.5 crore)
 - ii. **Others:** Above Rs.2.5 Crore
- b) where a person is contesting for election as Regional Chairperson, he/ she or the entity represented by him/her must have minimum average exports of the product to the tune of Rs. 2.5 crores to his/ her or its credit during the two financial years immediately preceding.
- c) where a person is contesting for election as Chairperson or Vice-Chairperson he/ she or the entity represented by him/ her must have minimum average exports of the product to his/ her or its credit during the two financial years immediately preceding, as specified below:

| Membership base of the Council (Ordinary & Associate Members) | Less than 1000 members | Between 1001-2500 members | Between 2501-5000 members | Between 5001-10000 members | Above 10000 members |
|--|-------------------------------|----------------------------------|----------------------------------|-----------------------------------|----------------------------|
| Minimum average exports of the product | Rs. 5 crore | Rs.10 crore | Rs.20 crore | Rs.50 crore | Rs.100 crore |

Note 1: Minimum Average exports of the product in respect of manufacturer exporter shall be half of the ceiling limits prescribed in the Table above.

Note 2: In order to obviate the necessity of updation / revision of the eligibility criteria, the export criteria as prescribed above shall be automatically enhanced by 10% after each 5 years.

- d) Candidate applying for nomination for election should have been allotted the Director Identity Number (DIN) under Section 154 of Companies Act 2013.

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 website- <http://www/dgft.gov.in> 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 CHEMEXCIL ELECTION**" may be sent to undersigned by **hand-delivery or by Registered Post or by Speed Post** addressed to 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 **1st April, 2024 by 3.00 pm.**
 - 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, 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 particulars/information from the Director General 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 Director General.
- 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 needs 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 **3rd April, 2024 by 3.00 pm.**
- 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 9.1 of the Bye Laws of the Council. The user manual for the same will be available on DGFT website <http://www/dgft.gov.in> 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 / up-dation 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 Notification and the Annexures attached to the link are sent to the eligible candidates on their registered e-mail sent and is also available on the DGFT website <http://www/dgft.gov.in> and CHEMEXCIL's website <https://chemexcil.in>

Yours sincerely,



V.C. Chaturvedi

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

**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:

Basic Organic, Inorganic Chemicals including Agro Chemicals

Cosmetics, Soaps, Toiletries & Essential Oils

Merchant Exporters Panel

CATEGORY UNDER WHICH APPLIED

General

DATE OF RECEIPT

Stamp and Signature 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 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:

- iii. **Micro, Small, Medium Enterprises (MSMEs):** Rs.50 Lakh - Rs.2.5 Crore (Micro Enterprises- Rs. 50 Lakhs, Small Enterprises -Rs. 1 crore and Medium Enterprises- Rs. 2.5 crore)
- iv. **Others:** Above Rs.2.5 Crore

e) where a person is contesting for election as Regional Chairperson, he/she or the entity represented by him/her must have minimum average exports of the product to the tune of Rs. 2.5 crores to his/ her or its credit during the two financial years immediately preceding.

- f) where a person is contesting for election as Chairperson or Vice-Chairperson he/ she or the entity represented by him/ her must have minimum average exports of the product to his/ her or its credit during the two financial years immediately preceding, as specified below:

| Membership base of the Council (Ordinary & Associate Members) | Less than 1000 members | Between 1001-2500 members | Between 2501-5000 members | Between 5001-10000 members | Above 10000 members |
|--|------------------------|---------------------------|---------------------------|----------------------------|---------------------|
| Minimum average exports of the product | Rs. 5 crore | Rs.10 crore | Rs. 20 crore | Rs. 50 crore | Rs.100 crore |

- A. 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)
- B. 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 Employer/MD/
Director/ Chairman/ Candidate)

Name:

Designation:
(Rubber Stamp of member entity)

ANNEXURE: A - 1

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 *(Name of the Company)* M/s. _____
having their head office / registered office at _____

and certify that their FOB value of physical export of Council's item _____

(Basic Inorganic & Organic Chemicals including Agro Chemicals/ Cosmetics, Soaps & Toiletries and Essential Oils/ Merchant Exporters) during the year(s) indicated hereunder is as follows:

| Year | FOB value of physical export of Council's item (for audited FY) |
|---|---|
| 2020-21 | INR _____ in Lakhs |
| 2021-22 | INR _____ in Lakhs |
| 2022-23 | 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. _____
holding IEC No. _____ 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 of the Candidate :

Name :

Designation :

Date :

Rubber Stamp of the Company :

Note: Please refer <http://www/dgft.gov.in>

FORM FOR PROPOSER

Date : _____

Shri V.C. Chaturvedi,
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. (*Name of the Nominee*) _____ of
(Name of Nominee Company) M/s. _____
for election as a member of the Committee of Administration of the Basic Chemicals, Cosmetics & Dyes
Export Promotion Council for Panel _____ (Basic Organic & Inorganic Chemicals
including Agro Chemicals/ Cosmetics & Toiletries/ Merchant Exporters & Category _____
(General) for 2024-26 (Please choose any one Panel).

Yours faithfully,

1. Name of the Proposer : _____
(in BLOCK letters)
2. Name of the Proposer firm and : _____
address _____

3. Serial No. in Electoral Roll : _____
4. Membership no. : _____
(refer Membership Certificate)
5. IEC No. : _____

I propose the below nomination.

(Signature of the Proposer)_____
Seal / Rubber Stamp of the Proposer's firm

FORM FOR NOMINEE

1. Name of the **Nominee**/candidate : _____
(in BLOCK letters)
2. Name of the Nominee 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 / 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) Proposer cannot nominate himself or herself for the post of Committee Member.
- 3) Strike out or write N.A. at places whichever are not applicable in the form.
- 4) 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.
- 5) Proposer should also be an ordinary member eligible to vote from the respective Panel if nomination is for Panel representation.
- 6) Proposer and Nominee should put their firm's Rubber Stamps at the specified place and also mention the membership no.
- 7) Proposer and Nominee should write the Sr. No. from the Electoral Roll (Candidate list) at the specified places.
