

EPEC INDIA
(Formerly Engineering Export Promotion Council)
KOLKATA

WORKING COMMITTEE ELECTION RULES (2009-10)
(PART-II)

RULES FOR ELECTION OF THE WORKING COMMITTEE BY ASSOCIATE
MEMBERS OF THE COUNCIL

1. The Council will prepare Lists of Voters from all the Regions.
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 2008-09 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 2006-07 as certified by a Chartered Accountant and CA Certificate has been received within 31st December, 2008.
 - c) Such full payment has been received by the Council within 30th June, 2008;

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 Associate Members in the regions in which elections are likely take place through Council’s Info-Bulletin that such lists have been prepared Regionwise 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 a List of Voters may, within 30 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.
3. The Secretary of the Council will dispose of the aforesaid applications within seven days from the last date for receiving such application. 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

& use of Voter Member. 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. At least four months before the date on which the Annual General Meeting of the Council ought to be held each year, the Election Authority, appointed as per Article 12(b), of the Articles of Association of the Council, shall invite nominations from the Voter Members of the concerned Regions for election of their representatives as members of the Working Committee.
6. Election shall take place:
 - i. to fill in the vacancy, 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.
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 authorized 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 letter under certificate of posting 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 Article 11(a) of the Articles of Association of the Council.
9. Only an Associate Member of the Council, having a minimum of Rupees thirty lac worth of physical FOB value of exports of engineering goods/services in each of the three previous years of the Election or a minimum of Rupees sixty lac worth of physical FOB value of exports of engineering goods/services in the previous year of the Election, shall be eligible to contest for election as a member of the Working Committee provided such member is a Voter Member. For the purpose of this clause, previous year will mean the year prior to the immediate preceding year of the Election. For example, if the Election takes place for the year 2009-10, the previous year for this purpose will be 2007-08 and the three previous years for this purpose will mean 2005-06, 2006-07 and 2007-08 respectively.

10. A person can contest for only one elective post and he/she shall not be entitled to contest, if he/she is already holding any elective post in the Working Committee, except for re-election. For the purpose of this Rule, the Regional Chairman who is represented in the Working Committee by virtue of Article 11(a)(iv) of the Articles of Association of the Council and an elected member of the Regional Committee shall not be deemed to be holding an elective post in the Working Committee.
11. The Election Authority shall issue notice to all Voter Members inviting nominations for election of the members to the Working Committee from amongst the Associate Members of the Region/Regions. 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** with Acknowledgement Due 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 (2009-10) and the Voters' List at the Head Office, Territorial Office, Regional and Sub-Regional Offices of the Council as well as on the Council's website.
12. An Associate Member, under the signature of its Chairman/Managing Director or Director/Partner/Proprietor, as the case may be, can nominate its representative for election only from such Region, in which, the member is registered. The representative to be nominated by a member shall be its Chairman or Managing Director or Director in the case of Limited Company/ Partner in the case of Partnership firm / Proprietor in the case of Proprietorship firm, Head of Export Department as the case may be, provided that if such nominee is an employee, he/she must be in full time employment of the member organization for at least two years prior to the date of nomination and also provided that a nominee who is an employee of a member-firm cannot nominate himself/herself for contesting any elective post of the Council.
13. The signature of the person, as per Rule 12 hereinbefore, on the original Nomination Form will be attested by the bank 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.
14. 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 (3) 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 website.

15. Nominations sent by telex/fax/telegram/e-mail to the Election Authority will be treated as invalid.
16. 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.
17. The Election Authority, within 10 days from the expiry of the period of three weeks mentioned in Rule 15 hereinbefore, shall enter the names of the Nominees, Region-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 the objection.
18. 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 but only by the Nominating Member. 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.
19. 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 Regions under Speed Post with Acknowledgement Due, 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 Region, no Voting Paper will

be issued to the members of that Region and the nominee will be declared as elected from the said Region.

20. The original Voting Paper received from the Election Authority shall be filled up and signed by any of the persons mentioned in Rule 12 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.
21. 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 office or 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.
22. 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 region they are seeking election.
23. 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 Region will be declared as elected from the Region. In case of a tie, the result will be determined by drawing lots by the Election Authority. The Election Authority shall declare the Election Result stating the names of elected candidates from each Region. 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:-
 - i. Total number of Voting Papers received;
 - ii. Number of Voting Papers rejected;
 - iii. Number of votes secured by the contesting candidates;
 - iv. The name of the candidate securing the highest number of votes from each region, and declared elected.

24. 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.
25. 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.
26. In the event of no Nomination being received for a particular Region, the Working Committee, within one year from the date of declaration of the result of the election, may request the Election Authority to hold fresh election for such Region/Regions, from which no nomination has been received.
- 27 Only the City Civil Court at Kolkata 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
(Formerly Engineering Export Promotion Council)
WORKING COMMITTEE ELECTION (2009-10)

ASSOCIATE MEMBERS

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 Region where Firm/
Company registered
4. Particulars of the representative
being nominated :
i) Name & Designation
ii) Father's Name
iii) Residential Address :
including telephone number
5. FOB value of physical export : 2005-06 2006-07 2007-08
(3rd Party and Deemed Exports
not included)
(Please enclose original CA Certificate).

I declare that the above information is true to the best of my knowledge and belief.

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 :

(Official Stamp)

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 (Rs. in Lakhs)
-----	-----
1. (2005-06)	
2. (2006-07)	
3. (2007-08)	

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

Note:CA Certificate of FOB value of physical exports of engineering goods/services made by the member firm in each of the three years (3rd 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 s not signed manually are not acceptable.

(Signature)
 Name of then person signing:
 Designation
 Membership No.
 Official Stamp

SPEED POST WITH A/D

ANNEXURE - B

Serial No. Issued on

Stamp and Signature of
Election Authority

ASSOCIATE MEMBER

V O T I N G P A P E R

[for election of working Committee of EEPIC INDIA]

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

REGION	
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 and Seal
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 2009-10)

Ref. No.

Dt.

To

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

Dear Sir,

Sub: Working Committee Election of EEPC for 2009-10

This is to inform you that you have been declared as elected from
..... Region for the Working Committee of the Council for the
year 2009-10 in terms of the Election Rules (2009-10) 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