

Date: August 19, 2020

NOTICE TO ALL THE ORDINARY MEMBERS OF THE GEM AND JEWELLERY EXPORT PROMOTION COUNCIL (COUNCIL), WHO HAVE RENEWED THEIR MEMBERSHIP FOR THE FINANCIAL YEAR 2020-21 ON OR BEFORE 31st JULY 2020.

REF.: TO FILL UP THE CASUAL VACANCIES CAUSED IN THE DIAMOND PANEL OF THE COMMITTEE OF ADMINISTRATION OF THE COUNCIL FOR THE PERIOD 2020-22

Dear Member,

In pursuance to the provisions of Article 20.1 of the Articles of Association of the Council, Nominations are invited to fill up the Casual Vacancies in the Diamond Panel of the Committee of Administration of the Council.

Shri Chirag Lakhi who was declared elected by the Election Authority as a Member-Diamond Panel had informed the Council that his Director Identification Number (DIN)-**00320123** has been disqualified by the Ministry of Corporate Affairs. Based on the directive by the CoA in its first meeting (2020-22) held on 23rd June 2020, the provisions of Section 164 (2) of the Companies Act 2013 are reproduced as below;

"Pursuant to Section 164(2) of the Companies Act, 2013, a person who is disqualified to act as a Director, shall not be eligible to be re-appointed as a Director of that Company or appointed in other Company for a period of five years from the date on which the said company fails to do so."

Based on such provisions, the Council informed Shri Chirag Lakhi of the inability of the Council to admit him as a CoA member.

Further, Shri Anil Virani, former-Member Diamond Panel vide his letter dated 08th July 2020, resigned as a Member of Committee of Administration with immediate effect. Pursuant to the provisions of Section 168 (1) of the Companies Act, 2013 read with Rule 15 of Companies (Appointment and Qualifications of Directors) Rules, 2014, "the company shall within thirty days from the date of receipt of notice of resignation from a director, intimate the Registrar in E-Form DIR-12 and post the information on its website, if any." In view of the provisions of the Companies Act, 2013 and Rules made thereunder, the Council was required to intimate to the Registrar of Companies in E-Form DIR-12 on or before 07th August 2020 which has been done.

As per Article 20.1(a) of the Articles of Association of the Council, "If there arises a casual vacancy in the office of any member of the Committee (other than members who are nominated), it shall be filled up by the Committee. Provided that when the vacancy is for a period not exceeding two months, the Committee, may, if it so chooses, decide not to fill up the vacancy, so long as the number of vacancies so left unfilled does not exceed three."

As per Article 20.1(b) of the Articles of Association of the Council, "A person appointed to fill up a casual vacancy shall hold office only for the remainder of the term of the original member."

In this context, the member so appointed shall hold office as a member of the CoA only till the completion of the term 2020-22 pursuant to which his seat shall fall vacant for election purposes.

Further, upon receipt of nominations by the CoA for the said seats, the process of selection shall be decided by the CoA in case of receipt of a single application or multiple applications. In case of any invalid nominations, the Committee of Administration shall cite the reason for rejecting the same.

Please be informed that for the purpose of this Nomination notice, the candidature shall be made available within the Panels which have been grouped under Article 2 (b) of the Election Rules, as below:

1. GROUP OF PANELS:

Sr. No	Groups	No of Seats
1	Diamond Panel RESERVED CATEGORY (EH/TH/STH/SSTH)	2 seats

2. CASUAL VACANCIES:

Pursuant to the casual vacancies which has arisen in the office of members of the Committee and the decisions taken by Committee of Administration in its meeting held on 14th August 2020, the nomination shall be accepted to fill up the Casual Vacancies in the Committee of Administration of GJEPC for the term 2020-22 in the Diamond Panel:

2.1: PANEL

1:- DIAMOND PANEL:

The Group 1 (**Diamond Panel**) consists of 8 seats (including 4 seats from category of EH/SEH/TH/STH/PTH)

Pursuant to casual vacancies which has arisen in the Committee of Administration due to DIN disqualification of Shri Chirag Lakhi and Resignation of Shri Anil Virani, 2 seats from the Diamond Panel have become vacant and based on Article 20.1 of the Articles of Association of the Council, nominations shall be accepted to fill up the two casual vacancies in the said panel.

In view of the above, 2 seats in the DIAMOND PANEL from the category of EH/TH/STH/SSTH have become vacant and nominations invited to fill up the same.

3. ELIGIBILITY OF MEMBER FOR CANDIDACY.

(a) The Candidate should be an Ordinary member registered in the Diamond Panel of the Council only.

- (b) The candidate should be the authorized representative of the entity whose name is mentioned as such in the membership application, or any of the duly authorized persons as stated under Rule 5(d) of the Election Rules, while applying for membership with the Council.

However, in the absence/non-availability/unwillingness of such authorized representative, any of the persons as mentioned under Rule 5(d) of Election Rules and who is duly authorized by the remaining partners/directors/managing committee member/trustee etc., as the case may be, shall be eligible for the Casual Vacancy. Provided that the name of such person as partner/director/managing committee member/trustee etc. is registered with Director General of Foreign Trade.

- (c) In order to stand for candidature to fill up the casual vacancy, the candidate or the entity represented by him must have to her/his/its credit, exports of not less than the following amounts:

Sr. No	Group of Panels	Turnover
1	Diamond Panel	Average Export Turnover of not less than Rs.1 crore of diamonds, in preceding three years.

- (d) Nomination indicating the name of the authorised representative of the Member eligible for Candidature for the Diamond Panel of the Committee of Administration shall be proposed and seconded by members of the Diamond Panel.

- (e) The nominee, proposer and seconder should be an Ordinary member having paid membership fees on or before 31st July 2020. The nominations shall conform to the proforma prescribed for such nomination. The authorized representative, whose name is mentioned as such in the membership application, or any of the duly authorized person as stated under Rule 5(d) of the Election Rules, while applying for membership with the Council shall be eligible to propose or second for such nomination.

- (f) Any member de-registered or black-listed under the Foreign Trade Policy with regard to exports /imports will not be eligible to file nominations for candidature 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 Chairman / Managing Director /Director / Partner/ Proprietor as the case may be that it is not debarred/black-listed under the aforesaid Policy.

- (g) No Ordinary Member who has served as a Regional Chairman for 3 (three) continuous terms of 2(two) years each, shall be eligible for re-election or re-appointment as a Regional Chairman or as a member from a Panel of the Committee or Vice Chairman or Chairman at the next election for the subsequent term of two years.

- (h) Where an elected member of the Committee has served continuously for 6 [six] years, such elected member shall be deemed to be retired and shall not be eligible for re-election or re-appointment to the Committee, whether as Panel member or regional chairman or vice chairman or chairman, for a period of two years immediately after completion of such six years. Therefore, on the original Nomination Form itself, the authorised signatory would be required to submit a

declaration in writing that he does not suffer from any disqualifications which have been stated in the Election Rules.

4. PROCEDURE FOR FILING & DEADLINE FOR SUBMISSION & WITHDRAWAL OF NOMINATION ETC.

A Nomination Form to be valid, must be

(a) the original Nomination Form enclosed with this Notice **(Annexure A & B)**.

(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 Council's website www.gjepc.org

(c) filled in prescribed forms for the Diamond panel of the Committee of Administration, duly proposed, seconded and signed by the nominee and duly certified by a Chartered Accountant should reach the office of the undersigned on or before 05.30 pm on **03rd September 2020.**

To avoid delay due to late receipt Members are requested to send by speed post/courier/hand delivery one signed copy of the duly filled in nomination form to the office of the undersigned. **Members may also send their signed nomination form complete with all annexures vide email addressed to ed@gjepcindia.com on or before 05.30 pm on 03rd September 2020.**

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

(e) In the event of the Council having reasons to doubt the veracity of any of the particulars/information contained in any Nomination Form received by it, the Council may call for such additional particulars/information from the member as necessary.

(f) The names of the nominations would be submitted to the Committee of Administration for further consideration of the same.

(g) Nomination can be withdrawn by the candidate by email to ed@gjepcindia.com or by a letter signed by him/her and sent to the Council so as to be received by the Council before 05.30 pm on **04th September 2020.**

(h) Such a withdrawal shall be final and no subsequent request, for rescinding such withdrawal shall be entertained by the Council.

Members may note that that the said nomination notice are being sent only by email to the email address registered with the Council as per membership records.

Thanking you

Colin Shah
Chairman-GJEPC

Annexure A
NOMINATION FORM

(Please fill all the columns in below forms. All fields are mandatory. 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: _____:
(Refer Membership Certificate for FY 2020-21)

4. Membership no: _____ with this office of GJEPC _____ (Mumbai /
Surat / Jaipur / Delhi / Chennai / Kolkata).

5. DIRECTOR IDENTIFICATION NUMBER (DIN) of the Applicant: _____
(Submission of a Valid DIN duly approved by the Ministry of Corporate Affairs and its current status as
on date is mandatory to treat a nomination as valid)

6. In order to stand for candidature, the entity represented by him must have to her/ his/ its credit
export of not less than the amount mentioned in the table for that particular item (Refer 3 (d) of the
notice above)

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

7. 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 debarred/ black listed under
DEL by the Directorate General of Foreign Trade, Govt. of India as per existing Foreign Trade Policy.
(Format of undertaking 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 and correct to the best of my knowledge and belief.

Signature of the Candidate

Name:

Designation:

(Rubber Stamp of Company)

Attestation of the signature of the person signing Nomination Form by banker of the Member /
Company concerned.

Attested by _____

Name of the bank official:

Designation:

(Official Stamp of Bank)

**FORMAT OF CHARTERED ACCOUNTANT'S CERTIFICATE
(Refer Point No. above)**

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 Gems & Jewellery item
_____ during the year(s) indicated hereunder is as follows:

Year	FOB value of physical export of gems & jewellery in item (_____). (Rs. in Lakhs)
1. 2017-18	INR _____ in Lakhs
2. 2018-19	INR _____ in Lakhs
3. 2019-20	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:

- Please specify name of the item of export at the appropriate place above for the Panel Representation.**
- Export figures to be rounded off to the nearest Rs in lakh. Please refer to 3 (c) above for the eligibility criteria with regard to export turnover. Original Certificate duly signed by Chartered Accountant is mandatory. Photostat copies of CA certificate will not be acceptable.
- 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.

ANNEXURE : A-2

(Format of Undertaking for DEL status on the letterhead)

This is to certify that our Company/Firm bearing IEC number _____
has not been debarred/black listed under DEL by the Directorate General of Foreign Trade, Govt. of
India as per existing Foreign Trade Policy of Govt. of India.

Signature: _____
(Authorised Representative as per GJEPC records)

Name: _____

Designation: _____

Date: _____

(Rubber Stamp of Company)

ANNEXURE – B

FORM FOR PROPOSER / SECONDER / NOMINEE

Date : _____

Chairman
The Gem and Jewellery Export Promotion Council
Office No. AW 1010, Tower A, 1st Floor,
Bharat Diamond Bourse B.K. Complex,
Bandra (E), Mumbai 400051
Dear Sir,

I, propose Mr./Mrs./Ms.

_____ of

M/s _____

_____ for filling Causal Vacancy in the Committee of Administration of the Gem & Jewellery Export Promotion Council for PANEL Category _____ for the term 2020-22.

Yours faithfully,

1. I propose the above nomination:

Signature of the Proposer (*)

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

Name of the firm and address : _____

Membership no: _____ (refer Membership Certificate)

with this office of GJEPC _____.

Seal / Rubber Stamp of the Proposer's firm _____

2. I second the above nomination

Signature of the Seconder (*)

Name of the person in Block Letter (seconder*): _____

Name of the firm and address : _____

Membership no: _____ (refer Membership Certificate)

with this office of GJEPC _____.

Seal / Rubber Stamp of the Seconder's firm _____

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

Name of the Firm and address: _____

Membership no: _____ (refer Membership Certificate)

with this office of GJEPC _____.

I agree to 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. (Please refer election Rules)
- 4) Typed Copies of this proforma can be used by the member for nomination if necessary.
- 5) *Proposer & Seconder should also be an ordinary member eligible to vote from the respective Panel if nomination is for Panel representation.
- 6) Proposer, Seconder and Nominee should put their firm's Rubber Stamps at the specified place and also mention the membership no and office of GJEPC where the membership is registered.