

THE GEM & JEWELLERY EXPORT PROMOTION COUNCIL, MUMBAI

RULES FOR ELECTION OF THE COMMITTEE OF ADMINISTRATION

1. DEFINITIONS:

In these rules, unless the context otherwise requires:

- a. "Act" means the Companies Act, 2013 and includes any statutory modification or re-enactment thereof, for the time being in force;
- b. "Article" means an Article forming part of Articles of Association of the Council.
- c. "Auditors" means person appointed, as such, for the time being by the Council.
- d. "Chairman" means the Chairman of the Council.
- e. "Vice-Chairman" means Vice-Chairman of the Council.
- f. "Executive Director" means the Executive Director of the Council.
- g. "Committee" means the Committee of Administration of the Council, constituted, as such, under Articles of Association of the Council.
- h. "Council" means The Gem and Jewellery Export Promotion Council, constituted under Articles of Association of the Council.
- i. "Extraordinary general meeting" means an Extra-ordinary general meeting of the members of the Council: other than its Annual general meeting referred to in article 16.1.
- j. "General meeting" means a general meeting of the members of the Council'
- k. "Member" means a member of the Council', of the Council.
- l. "Office" means the registered office for the time being, of the Council;
- m. "Panel" means a panel of the Council, constituted under Articles of association of the Council.
- n. "Prescribed" means prescribed by the Committee, by virtue of a power conferred by these articles;
- o. "Product" means any goods or services in regard to which the Council has been recognized for the time being by the Central Government; under the relevant provisions of the Export-Import Policy of the Central Government; as in force for the time being;
- p. "Regional Committee" means a Regional Committee constituted under the Articles of Association of the Council
- q. "Regional Chairman" means a Regional Chairman holding office under the articles of Association;
- r. "Rules" means the rules of the Council, for the time being in force, made under the Articles of Association or under any enactment for the time being in force;
- s. "Micro Small & Medium Enterprises (MSME)" means an enterprise so classified by the Central Government, under the Micro, Small and Medium Enterprises Development Act, 2006, as amended from time to time;
- t. "Election Authority" means any authority entrusted to conduct the election.
- u. "Ordinary Member" shall mean Ordinary Member of the Council as defined in article 3.4.
- v. "Year" means the financial year beginning with the 1st April and ending with the 31st March.

- w. 'Email' or 'Email Address' means E-mail address of the member as provided by the member and available with the GJEPC and displayed on the GJEPC website against the name of the member in the "Electoral Roll."
- x. 'Key No.' for the purposes of the election shall mean the membership number of the Member and displayed on GJEPC website against the names of the member in the "Electoral Roll".
- y. 'Electronic Agency' means the team/ agency appointed by the Council and duly approved and authorized by the Election Sub-Committee of the Council to conduct the Voting by Electronic Means under the Election Rules.
- z. 'Email Password' – Email Password, which is generated by the member himself/herself to access his/her own e-mail time to time. The member is responsible for maintaining the secrecy, security and confidentiality of this password.

2. PANEL

2 (a) "Panel" means any one or all following panels:

- i. Diamond Panel
- ii. Coloured Gemstones Panel
- iii. Pearls Panel
- iv. Gold Jewellery Panel
- v. Other Precious Metal Jewellery Panel (excluding gold & silver)
- vi. Silver Jewellery Panel
- vii. Costume/Fashion Jewellery Panel
- viii. Synthetic Stones Panel
- ix. Sales to Foreign Tourists Panel

2 (b) GROUPS OF PANELS

For the purpose of elections to the Committee, the grouping of the panels and the number of seats in the Committee shall be as follows, which grouping shall be reviewed by the Council from time to time:

Sr. No	Groups	No of Seats
1	Diamond Panel	7 (including 3 seats from the category of EH/TH/STH/SSTH)
2	Gold Jewellery Panel & Other Precious Metal Jewellery Panel	3 (including 1 seats from the category of EH/TH/STH/SSTH & 1 seat from SEZ)
3	Colored Gem Stones Panel and Pearls Panel/Synthetic Stones/Costume/Fashion Jewellery & Sales to Foreign Tourist Panel	2
4	Silver Jewellery Panel	1

In addition to the above group of panels, the following shall be the elected office bearers in the Committee

- A. Regional Chairmen 6
- B. Chairman 1
- C. Vice Chairman 1

2 (c) RESERVATIONS OF SEATS

- a) One Seat shall be reserved for a representative of MSME, as required under Article 27.4 of the Articles of Association, on rotation basis, in each of the above group of panels,. The Nomination Notice of the election shall specify, by way of draw of lots, the Group of Panel in which such reserved seat falls, as per rotation policy, in the respective election.
- b) In addition, atleast one third of the seats for elected members of the Committee shall be reserved for exporters who fall within the category of export houses, trading houses, star trading houses and super star trading houses for the purposes of the Export-Import policy for the time being in force or who have for the time being similar status under the said policy.

3. ELECTION AUTHORITY

- (a) The Development Commissioner/Joint Development Commissioner (SEEPZ)/Joint DGFT, Mumbai will act as Election Authority and shall be responsible for the proper conduct of elections as well as settlement of disputes, if any, arising in the context of election. The Joint DGFT, Delhi, Kolkata, Jaipur, Chennai, Surat will act as Regional Election Authority/ Returning Officers in the Head Office/Region offices as may be required for proper conduct of election.

4. ELECTION

4. 1 Eligibility to Vote

- (a) The Ordinary Members shall have the right to vote at the Council's Committee of Administration Elections. (As per Para 4.1 of articles of association.)
- (b) Only the authorized representative whose name is mentioned as such in the membership application, while applying for membership with the Council, shall have right to vote at the Election.
- (c) Each Ordinary Member of the Council shall have one vote for every single representation/seat for the respective Groups of Panels as per the Panel opted/ registered with the Council from time to time. (For example, if a Group of Panels has three vacancies, each member of the Council who is registered in any Panel which is a part of that Group of Panels shall have one vote for each representation/ seat in that particular Group of Panels but not exceeding three votes in all).
- (d) Each Ordinary Member of the Council shall also have one vote for electing a Regional Chairman from the particular region as registered with the Council for the purpose of membership of the Council.
- (e) Each Ordinary Member of the Council shall have one vote for election of vice Chairman.

- (f) Whenever there is a separate election for the post of Chairman, each Ordinary Member of the Council shall also have one vote for electing a Chairman.

4. 2 Eligibility for Candidacy:

A candidate for election to any position in the Council must satisfy the following conditions namely:

- (a) A candidate must be the Ordinary Member of the Council;
- (b) Only the authorized representative, whose name is mentioned as such in the membership application, or any of the duly authorised person as stated under Rule 5(d) of this Rules, while applying for membership with the Council shall be eligible to contest, propose or second at the Election.

However, in the absence / non-availability / unwillingness of such authorised representative, any of the persons as mentioned under Rule 5(d) of this Rules and who is duly authorised by the remaining partners / directors / managing committee member / trustee etc., as the case may be, shall be eligible to contest for the Election. 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 elections, 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
2	Gold Jewellery & Other Precious Metal Jewellery Panel:	Average Export Turnover of not less than Rs.1 crore of Gold Jewellery & Other Precious Metal (excluding silver) Jewellery, in preceding three years.
3	Coloured Gemstones Panel and Pearls Panel Fashion Jewellery Panel and Sales to Foreign Tourists Panel:	Average Export Turnover of not less than Rs.1 crore of coloured gemstones, pearls, fashion jewellery, as the case may be, in preceding three years. For sales to foreign tourist, average turnover of not less than Rs. 1 cr., in preceding three years.
4	Silver Jewellery Panel:	Average Export Turnover of not less than Rs.1 crore of Silver Jewellery in preceding three years.
5	Regional Chairmen	Export Turnover of Rs.2 crores of any product in every year for preceding three years.
6	Chairman/Vice Chairman	Export Turnover of Rs.5 crores of any product in every year for preceding three years.

In order to stand for reserved seat for MSME category, the candidate or the entity represented by him must have to her/ his/ its credit, the export of not less than Rs. 25 lakhs, of respective product, during the financial year immediately preceding the elections, from the panel in which the candidate is enrolled.

The Member filing his nomination under Gold Jewellery Panel, for the Special Economic Zone (SEZ) seat, shall have a valid Letter of Permission (LOP) for gold jewellery.

- (d) 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 and seconded by members of the same Panel and in the event of nomination for Regional Chairman, the same shall be proposed and seconded by members of the same Region. In case of nomination of Chairman / Vice Chairman, the same can be proposed and seconded by any ordinary member.
- (e) The nominee, proposer and seconder should be otherwise eligible to vote. The nominations shall conform to the proforma prescribed by the Election Authority.
- (f) Any voter / member de-registered or black listed under the Foreign Trade Policy with regard to exports / imports 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 Chairman / Managing Director / Director / Partner/ Proprietor as the case may be that it is not debarred/black listed under the aforesaid Policy.
- (g) A Nomination Form to be valid, must be
 - (i) the original Nomination Form enclosed to the Notice by the Election Authority / Regional Election Authority,
 - (ii) duly filled up in all respects, duly signed stamped and complying with the provisions of these Rules hereinbefore and
 - (iii) filed with the Election Authority / Regional Election Authority so as to reach the Election Authority / Regional Election Authority within 30 days from the Notice Inviting Nominations.
- (h) A Nomination sent by telex/fax/telegram/e-mail to the Election Authority will be treated as invalid.
- (i) In the event of the Election Authority / Regional 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 Secretary/Executive Director of the Council. It will also be at liberty to call for export performance of the member concerned as per the record of the Council from the Secretary / Executive Director.

- (j) Election Authority / Regional Election Authority, within 7 days from the expiry of the period of 30 days mentioned at Rule 4.2(g) (iii) hereinbefore, shall enter the names of the Nominees panel-wise, in a Register and after due scrutiny, prepare a list of valid nominations received and display the same at the Notice Board and web-site of the Council. In case of the invalid nominations the Election Authority shall cite the reason for rejecting the same. Copies of such lists duly signed by the Election authority / Regional Election Authority shall be displayed at their offices / Regional Offices of the Council for display at the Notice Board.
- (k) Nomination can be withdrawn by the candidate by letter signed by him within 5 days from the date of aforesaid display of the list of valid nominations by the Election Authority/Regional Election Authority. Withdrawal of nominations by Fax/Telegram/e-mail will also be considered or accepted by the Election Authority/Regional Election Authority subject to receipt of original letter of withdrawal within 5 days of receipt of such fax/telegram/e-mail. Such a withdrawal shall be final and no subsequent request, for rescinding such withdrawal shall be entertained by the Election Authority/Regional Election Authority.
- (l) A member can file nomination and contest election for only one post, as a member of respective Panel or as Regional Chairman or Vice Chairman or Chairman (whenever there is separate election for the post of Chairman).
- (m) 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.
- (n) 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.
- (o) In order to stand for the elections to the post of Regional Chairman from a particular region the address of the candidate registered with the Council for the purpose of membership must be with that regional office
- (p) Any person having held the post of Chairman and/or vice chairman shall be eligible to file nomination as vice chairman only after a gap of not less than four years, immediately upon completion of his terms prescribed in clause 7.1 or 7.2, as the case may be. However, such person may file nomination for Panel Member or Regional Chairman after a gap of two years upon completion of his term of Chairman.
- (q) Any person holding the post of an elected CoA member, willing to file nomination for Vice Chairman, (Chairman, whenever applicable), shall have to resign from the existing post of elected Panel/region having membership in CoA before the finalisation of the Voter List for a particular election, in order to be eligible to file nomination as Vice Chairman, (Chairman whenever applicable), as the case may be. However such resignation would be effective

only from the date of declaration on the Election results.

- (r) In order to be eligible to file nomination as Vice Chairman/Chairman/Regional Chairman/Panel Member, the member should have adequate period left for occupying that position so as not to violate the clause of compulsory retirement for two years after serving continuously for 6 years in CoA in any capacity.

5. VOTERS LIST

- (a) An Ordinary Member whose subscription has not been received by the Council on or before the 30th April of the current year shall not be eligible to stand for election or be entitled to vote, in terms of Articles 13.1 of the Articles of Association of the Council.
- (b) A region-wise list prepared on the basis of the entries in the Register of Members as on the 31st March will be called “Voter Members” of the Council and shall be deemed as such for purposes of election to the Committee of Administration.
- (c) List of Voters shall consist of only those who continue to be Ordinary Members, have paid in full annual membership subscription as above along with the declaration of exports of Gem and Jewellery items for the preceding year (i.e. from 1st April / 31st March), have filled in and have duly signed the membership form / membership renewal form under the signature of the proprietor/partner / director & seal / stamp of the firm / company as the case may be. The members included in the lists of voters are hereinafter referred to as “Voter Members”.

Upon preparation of such list of voters the Election Authority shall notify by 31st May to all ordinary members through e-mail that such list has been prepared Panel wise and will be available for inspection at the office of Election Authority / Regional Election Authority and Head Office and Regional Offices of the Council. This will also be displayed in the Council’s web site for the convenience of the members.

Any member not included in the list of voters may, within 30 days from the date of the aforesaid notification, apply to Election Authority/Regional Election Authority, for inclusion in the relevant list of Voters and enclose authentic proof of payment of annual subscription.

The Election Authority/ Regional Election Authority will dispose of the aforesaid applications within 15 days from the last date of receiving such applications. Upon such disposal, the Election Authority shall intimate his decision to such concerned member and shall prepare final lists of Voters and notify the same in the Notice Board of the Election Authority / Regional Election Authority and at Council’s Head Office and Regional Offices.

Thereafter, only change, if any, of name and/ or of address of members will be entertained provided intimation of such change is received by the Election Authority / Regional Election Authority.

(d) **In case of**

- Proprietary firm : the Proprietor,
- Partnership firm/
Limited Liability
Partnership : the nominated Partner,
- Limited Company : the nominated Director,
- HUF : Karta,
- Association : the Nominated member of its Managing
Committee,
- Trust : the nominated Trustee,
- Co-op. Society : the nominated member of the Managing
Committee of the Society

and whose name appears in the register shall be considered as representing the said firm, company, association etc. as the case may be. The Election Authority / Regional Election Authority shall be notified of the nomination at the time of applying for membership of the Council. Any subsequent changes in the representation shall be notified on or before the last day of June.

6. NO CHANGE IN PANEL AND/ OR ADDRESS REGISTERED WITH COUNCIL DURING ELECTORAL PROCESS

No member shall be permitted to change their Panel and/ or their address registered with the Council for purpose of membership after the publication of final electoral rolls and until the declaration of results of the elections.

7. ELECTION OF CHAIRMAN, VICE CHAIRMAN AND REGIONAL CHAIRMAN:

7.1 CHAIRMAN:

- a) The election of Chairman shall be via Vice Chairman route. On completion of his term of two years, the vice chairman shall succeed to be the Chairman of the Council unless he is unwilling to accept Chairmanship or has incurred any of the disqualifications enumerated in Article 8.1 of the Articles of Association of the Council or in any other circumstances, he is not able to succeed as Chairman. In such case, the election of Chairman shall be made separately by the Ordinary Members of the Council along with the election of other CoA members.

However, in case, the Chairman incurs any disqualification or happening of an event which prevent him to continue as Chairman, during his tenure, the respective Vice Chairman of that term shall act as stand-in Chairman for the balance term. The criteria of one-man-one post shall not apply in such case.

Further, on completion of balance term, the said Vice Chairman shall succeed as Chairman of the Council.

- b) The term of Chairman shall be of Two years.

7.2 VICE CHAIRMAN:

- a) The election of Vice Chairman shall be made separately by the Ordinary Members of the Council along with the election of other CoA members.
- b) The term of Vice Chairman shall be of Two years after which he will occupy the post of the Chairman.

7.3 REGIONAL CHAIRMAN:

- a) The Regional Chairman will be elected by the Ordinary Members of respective Region along with election of members to the Committee of Administration.
- b) The term of Regional Chairman shall be of Two years.

7.4 PRINCIPLE OF ONE-MAN-ONE POST:

No member of the Committee of Administration shall hold more than one of the following posts at one time:-

- A. Chairman;
- B. Vice-Chairman; and
- C. Regional Chairman.

The principle of one-man-one post for the members of Committee of Administration shall be applicable for the posts of Conveners of sub-committees/panels also.

8. REGIONAL CHAIRMAN

The Regional Chairmen will be elected by the ordinary members of their respective regions as below:

- (a)** Northern Region Chandigarh, Haryana, Himachal Pradesh, Jammu & Kashmir, Punjab, NCT of Delhi, Uttar Pradesh and Uttarakhand
- (b)** Rajasthan Region Rajasthan
- (c)** Eastern Region Arunachal Pradesh, Assam, Bihar, Chattisgarh, Jharkhand, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Sikkim, Tripura and West Bengal
- (d)** Southern Region Andaman and Nicobar Islands, Andhra Pradesh, Karnataka, Kerala, Lakshadweep, Puducherry, Tamil Nadu and Telangana

- (e) Gujarat Region Gujarat,
- (f) Western Region Maharashtra, Goa, Dadra and Nagar Haveli, Daman and Diu, Madhya Pradesh

9. ELECTION TO COMMITTEE OF ADMINISTRATION

- (i) Election to the Committee of Administration shall be held once every two years as below:
 - a) for the Panels in accordance with the groupings as mentioned in Rule 2(b);
 - b) for the post of Regional Chairmen;
 - c) for the post of Vice Chairman; and
 - d) for the post of Chairman (if the vice chairman does not succeed to become chairman).
- (ii) An Ordinary Member who does not have the qualifying exports will not be eligible to be a member of the Committee of Administration of the Council. If the turnover of any serving member of the Committee of Administration falls below the turnover as specified in 4.2 (c) , vide which he/she has gained the eligibility of getting elected in CoA, or loses his ordinary membership status at any financial year, that member will duly retire at the end of the concerned financial year and the election for the post will be held at the immediately next election with other seats falling vacant.
- (iii) Election of members to the Committee of Administration shall be held after August every two year but not later than 27 months from the date of last election.
- (iv) The date of the election shall be fixed by the Committee of Administration of the Council keeping in view the requirement of Article 9.
- (v) At least two months before each Annual General Meeting, every second year, the Election Authority shall notify the number of vacancies arising in any of the Four (4) group of panels mentioned in 2(b) above as well as for the post of Regional Chairman, Vice Chairman. The Election Authority shall invite nominations for the said vacancies giving time up to thirty days from the date time for filing their nominations.
- (vi) As per Articles 9.1 & 27.7 (a2) of the Articles of Association of the Council, one-third members elected from the Panels will automatically retire by rotation on the completion of two years whereas under Article 27.7 (a3) 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 for a period of two years immediately after completion of such six years.
- (vii) The Election shall take place
 - (a) In place of those who have completed their terms.
 - (b) In place of those retiring as determined by draw of lots by the Election Authority;

- (c) In place of those, retiring from the Committee of Administration, having been longest or continuously for six years in office;
- (d) from the Panels then having no representation.
- (e) In place of member becoming ineligible vide clause 9(ii) or disqualification from membership or CoA as per the conditions specified in Clause 8.1 .

In case of members amongst whom lots are to be drawn, in terms of Rule 9 (vii) (b) above, the Election Authority shall request such members to be present personally or through their duly authorised representative at the time, date and venue of drawing lots. The Election Authority will intimate these details i.e. time, date and venue of drawing lots to such members by courier/under certificate of posting /E-mail well in time. Lots will be drawn by the Election Authority at the specified time, date and venue. The Election Authority shall notify the result of draw of lots to the Executive Director of the Council for informing the Members of the Council.

The Committee of Administration shall consist of the Members as detailed in Article 27.3 of the Articles of Association of the Council.

10. MODE OF ELECTION

- (i) As directed by the Ministry of Commerce & Industry, vide letter dated 22nd February 2012, and as per the provisions of the Foreign Trade Policy, the Council's election process will be conducted in electronic format in the phased manner. The system of Electronic Voting will be audited by independent third party Security Auditors appointed by the Council, as per the directions of Election Authority at the time of election process in order to ensure *inter alia* that the voting process has been properly implemented and is free of errors, that secrecy is maintained in voting process and that the entire process is secure and that sufficient safeguards such as encryption etc. have been incorporated in the voting process to prevent any manner/ mode of manipulation/mischief such as hacking etc.
- (ii) In case only one valid nomination is received for any vacancy, then there will be no election for that vacancy/post and the nominee will be declared as elected.
- (iii) The Election Authority shall, within seven days from the last date of withdrawal of nominations, dispatch a Notice by Speed Post AD as well as by Email informing the Voter Members about the electronic voting system and the procedure to be followed for voting.
- (iv) Each Voter Member shall follow the procedure of Electronic Voting as specified in the Notice to cast its vote. All Voter Member shall be entitled to cast their respective votes online as per prescribed procedures during a period of 7 (seven) days (upto 5 p.m on the last day) prescribed in the Notice.

- (v) The electronic votes cast by the members shall be stored in a secure server. Only the Election Authority shall be allowed access to the said votes.
- (vi) The Election Authority shall maintain secrecy of the votes received. Only the Election Authority or person authorised by him, and the candidate or a person authorised by him, shall be allowed to participate in and observe the process of scrutiny and counting of voting results.
- (vii) Within 7 (seven) days from the last day prescribed in the Notice for casting of votes through electronic system, the total count of votes on the server will be noted and verified by the Election Authority through his access to the secure server where the votes have been stored in presence of candidates and their authorised representatives by inviting them under prior written notice with acknowledgment.
- (viii) The person receiving the highest number of votes from each Group of Panel / Region / Ordinary Members will be declared as elected from the respective Group of Panel / Region / Vice Chairman / Chairman, as the case may be. In the 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 Group of Panel / Region / Vice Chairman / Chairman. The decision of the Election Authority in this regard shall be final and binding on all concerned. The Election results will be displayed in the Notice Board maintained at the office of the Election Authority and shall be communicated to the Executive Director of the Council. The Election Authority shall declare the result in the following manner:-
 - (a) Total number of Votes received;
 - (b) Number of Votes rejected;
 - (c) Number of Votes secured by the contesting candidates;
 - (d) The name of candidate securing the highest number of votes and declared elected.
- (ix) The Election Authority shall arrange to communicate to all contesting members of the Council, the results of Elections and also notify the same to the Executive Director.

11. ARBITRATION/DISPUTES

All disputes with regard to any matter arising out of the election of the Committee of Administration of the Council shall be subject to the jurisdiction of the Courts at Mumbai.

Para No	Old Election Rules	Proposed New Election Rules	Remarks
1(a)	"Act" means the Companies Act, 1956 and includes any statutory modification or re-enactment thereof, for the time being in force;	"Act" means the Companies Act, 2013 and includes any statutory modification or re-enactment thereof, for the time being in force;	The words 'Companies Act, 1956' replaced with the words 'Companies Act, 2013'.
1(s)	"small scale industry" means an industry so specified by the Central Government, in its policy of the subject, as announced from time to time and tiny and cottage industries so specified in such policy	"Micro Small & Medium Enterprises (MSME)" means an enterprise so classified by the Central Government, under the Micro, Small and Medium Enterprises Development Act, 2006, as amended from time to time	'Micro, Small and Medium Enterprises' is replaced with 'Small Scale Industry'.
1(u)	"Ordinary Member" shall mean Ordinary Member of the Council as defined in article 3.3.	"Ordinary Member" shall mean Ordinary Member of the Council as defined in article 3.4.	The words 'Article 3.3' replaced with 'Article 3.4' as per Amended AOA.
2(a)	<p>2. PANEL</p> <p>2 (a) "Panel" means any one or all following panels:</p> <p>i. Diamond Panel</p> <p>ii. Coloured Gemstones Panel</p> <p>iii. Pearls Panel</p> <p>iv. Gold Jewellery Panel</p> <p>v. Other Precious Metal Jewellery Panel</p> <p>vi. Costume/Fashion Jewellery Panel</p> <p>vii. Synthetic Stones Panel</p> <p>viii. Sales to Foreign Tourists Panel</p>	<p>2. PANEL</p> <p>2 (a) "Panel" means any one or all following panels:</p> <p>i. Diamond Panel</p> <p>ii. Coloured Gemstones Panel</p> <p>iii. Pearls Panel</p> <p>iv. Gold Jewellery Panel</p> <p>v. Other Precious Metal Jewellery Panel (excluding gold & silver)</p> <p>vi. Silver Jewellery Panel</p> <p>vii. Costume/Fashion Jewellery Panel</p> <p>viii. Synthetic Stones Panel</p> <p>ix. Sales to Foreign Tourists Panel</p>	The Council was in receipt of a communication from the Ministry of Commerce and Industry (MoC&I) dated February 18, 2014 which inter-alia, proposed certain recommendations with respect to the representation of the members through panels in the Committee of Administration (CoA), based on the performance and potential of the panels. The same was duly deliberated at length in the 12th CoA meeting (2012-14) which was held on March 26, 2014 in Delhi and suitable decisions were made by the CoA to this effect.

2(b)	<p>2 (b) GROUPS OF PANELS For the purpose of elections, the above panels have been grouped as follows:</p> <p>Groups No. of Seats</p> <p>A. Diamond Panel 8 (including 4 seats from the category of EH/TH/STH/SSTH)</p> <p>B. Precious Metal Jewellery 3 (including 2 seats from (including Gold Jewellery & Other category of EH/TH/STH/SSTH) Precious Metal Jewellery)</p> <p>C. Coloured Gem Stones 2</p> <p>D. Pearls/Synthetic Stones/Costume 2 (including 1 from the SSI Fashion Jewellery & Sales to Foreign Tourist category).</p> <p>E. Regional Chairmen 5</p>	<p>2 (b) GROUPS OF PANELS For the purpose of elections to the Committee, the grouping of the panels and the number of seats in the Committee shall be as follows, which grouping shall be reviewed by the Council from time to time:</p> <p>Groups No. of Seats</p> <p>A. Diamond Panel 7 (including 3 seats from the category of EH/TH/STH/SSTH)</p> <p>B. Gold Jewellery Panel & Other Precious Metal Jewellery Panel 3 (including 1 seats from the category of EH/TH/STH/SSTH & 1 seat from SEZ)</p> <p>C. Colored Gem Stones Panel and Pearls Panel/Synthetic Stones/Costume/Fashion Jewellery & Sales to Foreign Tourist Panel 2</p> <p>D. Silver Jewellery Panel 1</p> <p>In addition to the above group of panels, the following shall be the elected office bearers in the Committee</p> <p>A. Regional Chairmen 6 B. Chairman 1 C. Vice Chairman 1</p>	<p>The Group of Panels has been recommended to be amended based on the export performance, provisions of Foreign Trade Policy and understanding that all states/union territory to be represented by proper region.</p>
2(C)	No original rule	<p>2 (c) RESERVATIONS OF SEATS</p> <p>a) One Seat shall be reserved for a representative of MSME, as required under Article 27.4 of the Articles of</p>	<p>New Rule 2(c) added as per the provisions of Articles of Association of the Council.</p>

		<p>Association, on rotation basis, in each of the above group of panels,. The Nomination Notice of the election shall specify, by way of draw of lots, the Group of Panel in which such reserved seat falls, as per rotation policy, in the respective election.</p> <p>b)In addition, atleast one third of the seats for elected members of the Committee shall be reserved for exporters who fall within the category of export houses, trading houses, star trading houses and super star trading houses for the purposes of the Export-Import policy for the time being in force or who have for the time being similar status under the said policy.</p>	
4.1(c)	<p>Each Ordinary Member of the Council shall have one vote, for every single representation, for the respective Panel and the respective Region, as opted at the time of admission. (For example, if the Panel in which the Member is enrolled has three vacancies, each member of the Council who has chosen that particular panel shall have one vote for each candidate but not exceeding three in all. In addition to that a member is eligible for a vote to elect the Regional Chairman from his/her/its</p>	<p>Each Ordinary Member of the Council shall have one vote for every single representation/seat for the respective Groups of Panels as per the Panel opted/registered with the Council from time to time. (For example, if a Group of Panels has three vacancies, each member of the Council who is registered in any Panel which is a part of that Group of Panels shall have one vote for each representation/ seat in that particular Group of Panels but not exceeding three votes in all).</p>	<p>The provision of vote for Panel Member and Regional Chairman proposed to be segregated.</p>

	respective region where the member is enrolled).		
4.1(d)	No original rule	Each Ordinary Member of the Council shall also have one vote for electing a Regional Chairman from the particular region as registered with the Council for the purpose of membership of the Council.	The provision of vote for Panel Member and Regional Chairman proposed to be segregated.
4.1(e)	No original rule	Each Ordinary Member of the Council shall have one vote for election of vice Chairman.	The provision of vote for vice chairman proposed to be added.
4.1(f)	No original rule	Whenever there is a separate election for the post of Chairman, each Ordinary Member of the Council shall also have one vote for electing a Chairman.	The provision of vote for chairman (if elected separately) proposed to be added.
4.2(b)	Only the authorized representative whose name is mentioned as such in the membership application, while applying for membership with the Council shall, contest, propose or second at the Election	<p>Only the authorized representative, whose name is mentioned as such in the membership application, or any of the duly authorised person as stated under Rule 5(d) of this Rules, while applying for membership with the Council shall be eligible to contest, propose or second at the Election.</p> <p>However, in the absence / non-availability / unwillingness of such authorised representative, any of the persons as mentioned under Rule 5(d) of this Rules and who is duly authorised by the remaining partners / directors / managing committee member / trustee etc., as the case may be, shall be eligible to contest for the Election. Provided that the name of such person as partner / director / managing committee member / trustee etc. is registered with Director General of Foreign Trade</p>	It is proposed to make provision for eligibility for candidature for authorised representative or in his absence / unwillingness, any other partner, director etc. of such member entity.

4.2(c)	<p>(i) He or the entity represented by him must have to his/its credit, during the one financial year immediately preceding, exports of gem & Jewellery items of not less than the amount mentioned below.</p> <p>(i) Small scale Industries Rs.25 lakhs (ii)Others Rs.1 Crore</p> <p>(ii) Where a person is standing for 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, of not less than rupees 2 crores. In respect of the other items viz. Precious Metal Jewellery (including Gold Jewellery and Other Precious Metal Jewellery, Coloured Gemstones, Pearls, Costume fashion Jewellery, synthetic stones and Sales to Foreign Tourists-the minimum exports should be Rs. 50 lakhs.</p>	<p>(c) In order to stand for elections, the candidate or the entity represented by him must have to her/his/ its credit, exports of not less than the following amounts:-</p> <p>Diamond Panel: Average Export Turnover of not less than Rs.1 crore of diamonds, in preceding three years;</p> <p>Gold Jewellery& Other precious Metal Jewellery Panel: Average Export Turnover of not less than Rs.1 crore of Gold Jewellery & Other Precious Metal (excluding silver) Jewellery, in preceding three years</p> <p>Colored Gemstones Panel and Pearls Panel Fashion Jewellery Panel and Sales to Foreign Tourists Panel: Average Export Turnover of not less than Rs.1 crore of coloured gemstones, pearls, fashion jewellery, as the case may be, in preceding three years.</p> <p>For sales to foreign tourist, average turnover of not less than Rs. 1 cr., in preceding three years.</p> <p>Silver Jewellery Panel: Average Export Turnover of not less than Rs.1 crore of Silver Jewellery in preceding three years.</p> <p>Regional Chairmen: Export Turnover of Rs.2 crores of any product in every year for preceding</p>	<p>Proposed revision in Turnover criteria for the post of Panel Member, Regional Chairman, Chairman or Vice Chairman.</p>
--------	---	--	---

		<p>three years.</p> <p>Chairman/Vice Chairman: Export Turnover of Rs.5 crores of any product in every year for preceding three years</p> <p>In order to stand for reserved seat for MSME category, the candidate or the entity represented by him must have to her/ his/ its credit, the export of not less than Rs. 25 lakhs, of respective product, during the financial year immediately preceding the elections, from the panel in which the candidate is enrolled.</p> <p>The Member filing his nomination under Gold Jewellery Panel, for the Special Economic Zone (SEZ) seat, shall have a valid Letter of Permission (LOP) for gold Jewellery.</p>	
4.2(d)	<p>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 and seconded by different members of the same Panel and in the event of nomination for Regional Chairman, the same shall be proposed and seconded by different members of the same Region. The nominee, proposer and seconder should be otherwise eligible to vote. The nominations shall conform to the proforma prescribed by the Election Authority.</p>	<p>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 and seconded by members of the same Panel and in the event of nomination for Regional Chairman, the same shall be proposed and seconded by members of the same Region. In case of nomination of Chairman / Vice Chairman, the same can be proposed and seconded by any ordinary member.</p>	<p>Proposed rule for proposer and seconder of nomination to various post in CoA.</p>

4.2(e)	No original Rule	The nominee, proposer and seconder should be otherwise eligible to vote. The nominations shall conform to the proforma prescribed by the Election Authority.	-
4.2(l)	A member can file nomination and contest election for only one post, as a member of respective Panel or as Regional Chairman.	A member can file nomination and contest election for only one post, as a member of respective Panel or as Regional Chairman or Vice Chairman or Chairman (whenever there is separate election for the post of Chairman).	The provision for separate post of Chairman and vice chairman proposed to be included.
4.2(m)	No original clause	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 of a Panel of the Committee at the next election for the subsequent term of two years.	Proposed amendment as per the provisions of AoA.
4.2(n)	No original clause	Where an elected member of the Committee has served continuously for 6 [six] years, such elected member shall not be eligible for re-election or re-appointment to the Committee for a period of two years immediately after such completion of six years.	Proposed amendment as per the provisions of AoA with the addition of retirement provision.
4.2(o)	No original clause	In order to stand for the elections to the post of Regional Chairman from a particular region the address of the candidate registered with the Council for the purpose of membership must be with that regional office	Proposed amendment for filing nomination for regional chairman.
4.2(p)	No original clause	Any person having held the post of Chairman and/or vice chairman shall be eligible to file nomination as	As per the provisions of Foreign Trade Policy, eligibility provision proposed to be added.

		vice chairman only after a gap of not less than four years, immediately upon completion of his term as prescribed in 7.1 or 7.2, as the case may be. However, such person may file nomination for Panel Member or Regional Chairman after a gap of two years upon completion of his term of Chairman.	
4.2(q)	No original clause	Any person holding the post of an elected CoA member, willing to file nomination for Vice Chairman, (Chairman, whenever applicable), shall have to resign from the existing post of elected Panel/region having membership in CoA before the finalization of the Voter List for a particular election, in order to be eligible to file nomination as Vice Chairman, (Chairman whenever applicable), as the case may be. However such resignation would be effective only from the date of declaration on the Election results.	Proposed addition of Rule 4.2(q) to confirm with provision of one-man-one post in CoA.
4.2(r)	No original clause	In order to be eligible to file nomination as Vice Chairman/Chairman/Regional Chairman/Panel Member the member should have adequate period left for occupying that position so as not to violate the clause of compulsory retirement for two years after serving continuously for 6 years in CoA in any capacity.	Proposed addition of Rule 4.2(r) to confirm with the tenure of member intending to contest for respective post in CoA.
5(d)	(d) In case of • Proprietary firm : the Proprietor,	(d) In case of • Proprietary firm : the Proprietor, • Partnership firm/Limited Liability Partnership : the nominated	The provision of Limited Liability Partnership proposed to be included.

	<ul style="list-style-type: none"> • Partnership firm : the nominated Partner, • Limited Company : the nominated Director, • HUF : Karta, • Association : the Nominated member of its Managing Committee, • Trust : the nominated Trustee, • Co-op. Society : the nominated member of the Managing Committee of the Society <p>and whose name appears in the register shall be considered as representing the said firm, company, association etc. as the case may be. The Election Authority / Regional Election Authority shall be notified of the nomination at the time of applying for membership of the Council. Any subsequent changes in the representation shall be notified on or before the</p>	<ul style="list-style-type: none"> Partner, • Limited Company : the nominated Director, • HUF : Karta, • Association : the Nominated member of its Managing Committee, • Trust : the nominated Trustee, • Co-op. Society : the nominated member of the Managing Committee of the Society <p>and whose name appears in the register shall be considered as representing the said firm, company, association etc. as the case may be. The Election Authority / Regional Election Authority shall be notified of the nomination at the time of applying for membership of the Council. Any subsequent changes in the representation shall be notified on or before the last day of June.</p>	
--	--	---	--

	last day of June.		
6	<p>CHANGE OF PANEL</p> <p>If any change of Panel is desired, the members should notify in writing to the Election Authority / Regional Election Authority and such written request shall have been received by the Election Authority / Regional Election Authority after the last date of the immediately preceding year, in any of the months of the first quarter. The Election Authority/regional Election Authority shall first scrutinize the application and if found eligible shall get the change entered in the Register of Members under his dated initial within 30 days of the receipt of representation.</p>	<p>NO CHANGE IN PANEL AND/ OR ADDRESS REGISTERED WITH COUNCIL DURING ELECTORAL PROCESS</p> <p>No member shall be permitted to change their Panel and/ or their address registered with the Council for purpose of membership after the publication of final electoral rolls and until the declaration of results of the elections.</p>	Proposed amendment to restrict change in Panel or registered address after finalization of electoral rolls.
7.1	<p>7. ELECTION OF CHAIRMAN, VICE CHAIRMAN AND REGIONAL CHAIRMAN</p> <p>Chairman and Vice Chairman will be elected by the Committee of Administration in terms of Article 27 of Memorandum and Articles of Association.</p> <p>The Regional Chairman will be elected by the members of respective region along with election of members to the Committee of Administration.</p> <p>A member who does not have qualifying exports as per para 4.2. (c) (ii) above will not be eligible</p>	<p>7. ELECTION OF CHAIRMAN, VICE CHAIRMAN AND REGIONAL CHAIRMAN:</p> <p>7.1 CHAIRMAN:</p> <p>a) The election of Chairman shall be via Vice Chairman route. On completion of his term of two years, the vice chairman shall succeed to be the Chairman of the Council unless he is unwilling to accept Chairmanship or has incurred any of the disqualifications enumerated in Article 8.1 of the Articles of Association of the Council or in any other circumstances, he is not able to succeed as</p>	As per provisions of Foreign Trade Policy, the provision for election of chairman proposed to be added.

	to be elected as Chairman/ Vice - Chairman /Regional Chairman.	<p>Chairman. In such case, the election of Chairman shall be made separately by the Ordinary Members of the Council along with the election of other CoA members.</p> <p>However, in case, the Chairman incurs any disqualification or happening of an event which prevent him to continue as Chairman, during his tenure, the respective Vice Chairman of that term shall act as stand-in Chairman for the balance term. The criteria of one-man-one post shall not apply in such case. Further, on completion of balance term, the said Vice Chairman shall succeed as Chairman of the Council.</p> <p>b) The term of Chairman shall be of Two years.</p>	
7.2	No original rule	<p>7.2 VICE CHAIRMAN:</p> <p>a) The election of Vice Chairman shall be made separately by the Ordinary Members of the Council along with the election of other CoA members.</p> <p>b) The term of Vice Chairman shall be of Two years after which he will occupy the post of the Chairman</p>	As per provisions of Foreign Trade Policy, the provision for election of vice chairman proposed to be added.
7.3	No original rule	<p>7.3 REGIONAL CHAIRMAN:</p> <p>a) The Regional Chairman will be elected by the Ordinary Members of respective Region along</p>	Provision for election of Regional Chairman proposed to be added.

		<p>with election of members to the Committee of Administration.</p> <p>b) The term of Regional Chairman shall be of Two years.</p>	
7.4	No original rule	<p>7.4 PRINCIPLE OF ONE-MAN-ONE POST:</p> <p>No member of the Committee of Administration shall hold more than one of the following posts at one time:-</p> <p>A. Chairman; B. Vice-Chairman; and C. Regional Chairman.</p> <p>The principle of one-man-one post for the members of Committee of Administration shall be applicable for the posts of Conveners of sub-committees/panels also.</p>	The principle of one-man-one post as directed by MoC&I, proposed to be added.
8	<p>Regional Chairman will be elected from the following regions, and will retire after two years. They would be eligible for re-election:</p> <p>(a) Northern Region (comprising Punjab, Haryana, Uttarpradesh, Uttaranchal, Himachal Pradesh, Jammu & Kashmir, Delhi)</p> <p>(b) Jaipur Region (comprising Rajasthan)</p> <p>(c) Eastern Region (comprising Orissa, Assam, Jharkhand, Bihar & West Bengal and other States of the Region)</p> <p>(d) Southern Region (comprising</p>	<p>The Regional Chairmen will be elected by the ordinary members of their respective regions as below:</p> <p>(a) Northern Region Chandigarh, Haryana, Himachal Pradesh, Jammu & Kashmir, Punjab, The Government of NCT of Delhi, Uttar Pradesh and Uttarakhand</p> <p>(b) Rajasthan Region Rajasthan</p> <p>(c) Eastern Region Arunachal Pradesh, Assam, Bihar, Chattisgarh, Jharkhand, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Sikkim, Tripura and West Bengal</p> <p>(d) Southern Region Andaman and Nicobar Islands, Andhra Pradesh, Karnataka,</p>	<p>Western Region comprising of various States / Union Territories (not represented in any other Region) proposed to be added in order to have their representation in Region.</p>

	<p>Kerala, Andhra Pradesh Karnataka Pondichery & Tamil Nadu)</p> <p>(e) Gujarat Region (comprising Gujarat)</p>	<p>Kerala, Lakshadweep, Puducherry, Tamil Nadu and Telangana</p> <p>(e) Gujarat Region: Gujarat</p> <p>(f) Western Region: Maharashtra, Goa, Dadra and Nagar Haveli, Daman and Diu, and Madhya Pradesh</p>	
9(i)	<p>Election to the Committee of Administration shall be held once every two years and Panel wise in accordance with the groupings shown at 2(b).</p>	<p>Election to the Committee of Administration shall be held once every two years as below:</p> <p>a) for the Panels in accordance with the groupings as mentioned in Rule 2(b);</p> <p>b) for the post of Regional Chairmen;</p> <p>c) for the post of Vice Chairman; and</p> <p>d) for the post of Chairman (if the vice chairman does not succeed to become chairman).</p>	<p>Provision for election to CoA for respective Panel as well as Regional Chairman, Vice Chairman and Chairman (if any) proposed to be amended.</p>
9(ii)	<p>A member who does not have the qualifying exports will not be eligible to be a member of the Committee of Administration of the Council.</p>	<p>An Ordinary Member who does not have the qualifying exports will not be eligible to be a member of the Committee of Administration of the Council. If the turnover of any serving member of the Committee of Administration falls below the turnover as specified in 4.2 (c) , vide which he/she has gained the eligibility of getting elected in CoA, or loses his ordinary membership status at any financial year, that member will duly retire at the end of the concerned financial year and the election for the post will be held at the immediately next election with other seats falling vacant.</p>	<p>The provision for continuing eligibility to hold respective post in CoA proposed to be amended.</p>

9(v)	At least two months before each Annual General Meeting, every second year the Election Authority shall notify the number of vacancies arising in each of the four groups mentioned in 2(b) above. The Election Authority shall invite nominations the respective group/panel giving time up to thirty days from the date time for filing their nominations	At least two months before each Annual General Meeting, every second year, the Election Authority shall notify the number of vacancies arising in any of the Four (4) group of panels mentioned in 2(b) above as well as for the post of Regional Chairman, Vice Chairman. The Election Authority shall invite nominations for the said vacancies giving time up to thirty days from the date time for filing their nominations	Along with the provision for notification of vacancy in Panel, the respective post of chairman, if any, vice chairman and regional chairman proposed to be added.
9(vi)	As per Articles 9.1 & 27.7 of the Memorandum and Articles of Association of the Council one third members of the Committee will automatically retire on the completion of two years term but shall be eligible for re-election.	As per Articles 9.1 & 27.7 (a2) of the Articles of Association of the Council, one-third members elected from the Panels will automatically retire by rotation on the completion of two years whereas under Article 27.7 (a3) 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 for a period of two years immediately after completion of such six years	The provision for retirement by rotation, the retirement of members completing their tenure of continuous six years proposed to be added.
9(vii)	(vii) The Election shall take place (a) In place of those who have completed their terms. (b) In place of those retiring as determined by draw of lots by the Election Authority; (c) In place of those, retiring from the Committee of	(vii) The Election shall take place: (a) In place of those who have completed their terms. (b) In place of those retiring as determined by draw of lots by the Election Authority; (c) In place of those, retiring from the Committee of Administration, having been longest or continuously for six years in office;	Rule 9(vii)(e) proposed to be added providing for election for the post vacated due to disqualification.

	<p>Administration, having been longest in office;</p> <p>(d)from the Panels then having no representation.</p> <p>In case of members amongst whom lots are to be drawn, in terms of Rule 9 (vi) (b) above the Election Authority shall request such members to be present personally or through their duly authorised representative at the time, date and venue of drawing lots. The Election Authority will intimate these details i.e. time, date and venue of drawing lots to such members by courier/under certificate of posting /E- mail well in time. Lots will be drawn by the Election Authority at the specified time, date and venue. The Election Authority shall notify the result of draw of lots to the Executive Director of the Council for informing the Members of the Council.</p> <p>The Committee of Administration shall consist of the Members as detailed in Article 27.3 of the Articles of Association of the Council.</p>	<p>(d) from the Panels then having no representation.</p> <p>(e) In place of member becoming ineligible vide clause 9(ii) or disqualification from membership or CoA as per the conditions specified in Article 8.1</p> <p>In case of members amongst whom lots are to be drawn, in terms of Rule 9 (vii) (b) above, the Election Authority shall request such members to be present personally or through their duly authorised representative at the time, date and venue of drawing lots. The Election Authority will intimate these details i.e. time, date and venue of drawing lots to such members by courier/under certificate of posting /E- mail well in time. Lots will be drawn by the Election Authority at the specified time, date and venue. The Election Authority shall notify the result of draw of lots to the Executive Director of the Council for informing the Members of the Council.</p> <p>The Committee of Administration shall consist of the Members as detailed in Article 27.3 of the Articles of Association of the Council.</p>	
--	--	---	--

The copy of the Letters and/or communication referred above including the draft of Election Rules with proposed amendments would be made available at the registered office of the Company; any member interested may, subject to submission of a written request addressed to the Executive Director of the Council inspect the same on any working day during its working hours between 11.00 a.m. to 04.00 p.m. only.