

ELECTION RULES-2022



EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

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Note:- Due to the COVID 19 pandemic, the following amendments are made for the Election of COA 2021 :-

- a) Wherever in the Election Rules mentioned submission of paper pertaining to Election / Notification / Circulars etc. by Registered / Speed Post, the same shall also be considered through Email to the members and the members can also send their communication from their registered email id's to election@epch.com
- b) Election Rule 4[e][i] date specified for renewal of membership as 30th June of the year may be read as 31st August 2021.

EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

RULES FOR ELECTION OF MEMBERS OF THE COMMITTEE OF ADMINISTRATION, REGIONAL CONVENER, CONVENER OF PANELS, CHAIRMAN AND VICE-CHAIRMAN

Election Rules of the Council framed as per provision of the Articles of Association and resolved in the 175th Meeting of Committee of Administration(COA) held on 28.08.2021 and further approved and adopted in 180th meeting of COA held on 26.08.2022.

Overriding provisions in Election Rules of EPCH regarding e-voting:

The provision of Election Rules and election procedure shall be applicable till finalization of list of contestant candidates. Thereafter, the entire process of election shall be applicable in terms of Companies Act, 2013 and e-voting shall be held as per Section 108 of Companies Act, 2013 and procedure as defined therein.

1. Name: These rules shall be called "Election Rules-2021 of the Export Promotion Council for Handicrafts" hereinafter called "Election Rules-2021" framed as per requirement of the Articles of Association Clause 51.
2. In these rules, unless there be something in the subject or context inconsistent therewith:

"EPCH" means Export Promotion Council for Handicrafts hereinafter referred to as 'Council'

"Council" means the Council called "Export Promotion Council for Handicrafts" having its registered office at EPCH House, Pocket 6 & 7, Sector-C, Local Shopping Centre, Vasant Kunj, New Delhi-110070, Phone No. 26135256-58, Fax No. 26135518-19, Website www.epch.in, E-mail mails@epch.com, election@epch.com or as notified time to time.

"Member" means member of the Council for the time being. Any Person, HUF, Firm, or Association of person, Joint Stock Company or other Corporation or Co-operative Society who shall be engaged in the business of export of handicrafts and who shall satisfy the requirement of the Bye-Laws, if any, framed by the Council in this behalf.

"Chairman" means the Chairman of the Council for the time being.

"Vice-Chairman" means Vice-Chairman of the Council for the time being.

"Vice Chairman II" means Vice-Chairman II of the time being of the Council.

"Committee" means the Committee of Administration of the Council for the time being constituted under the Articles of Association of the Council.

"Committee Member" means the Members of the Committee of Administration of the Council.

“Annual General Meeting” means an annual general meeting of the members of the Council duly held in accordance with the Articles of Association of the Council or adjourned meeting thereof.

“Articles of Association” means the existing Articles of Association of the Export Promotion Council for Handicrafts herein referred to as “Articles”.

“General Body Meeting” or **“Extra Ordinary General Body Meeting”** means a General Body Meeting of the Members of the Council duly called and constituted as per Articles of Association of the Council and any adjourned meeting thereof.

“Month” means a calendar month.

“Office” means the Registered Office for the time being of the Council.

“Secretary” means the Secretary of the Council for the time being and includes any person acting as such appointed to perform the duties of the Secretary temporarily.

“Government” means the Union or State Government as the case may be.

“Year” means financial year from April 1st to March 31st.

“Term” means Annual General Meeting to Annual General Meeting.

“Election” means election of members of the Committee of Administration, Chairman, Vice-Chairman, Regional Conveners, Conveners of Panels, as the case may be.

“Voter” means an organization whose name is appeared in the final Electoral Roll. Such voter shall be registered as member with the Council on or before 30th June of the year and there are no arrears in payment of its Membership Renewal charges and all other dues within the time as prescribed.

“Electoral Roll” means the list of voters whose names have been notified in the Electoral Roll and are eligible to cast their vote.

“Election Committee” means a Committee of 3 (Three) Members of the Council appointed by the Committee to supervise elections, who have opted not to contest elections to any of the Offices of the Committee of Administration or a Committee nominated on the request of Committee of Administration by the Office of the Development Commissioner (Handicrafts), as the case may be.

“Returning Officer” means an Officer nominated as such by the Central Government or in case no returning officer is nominated, the Secretary of the Council or an Officer appointed by the Committee of Administration, as the case may be, to function as Returning Officer for the election under these rules.

“Scrutiniser” means officer appointed by Committee of Administration who may be a Chartered Accountant in practice, Cost Accountant in practice, or Company Secretary in practice or an advocate, but not in employment of the company and is a person of repute

who, in the opinion of the Committee of Administration can scrutinize the e-voting process in a fair and transparent manner.

“Counting Staff” means Officials appointed by Returning Officer to assist him and Scrutinizer for counting and managing the election.

“Presiding Officer” means an Officer nominated by Central Government in the Office of Development Commissioner (Handicrafts) to function as Presiding Officer incharge of Polling Booth. In case no such officer is appointed by Central Government, the Secretary of the Council shall appoint an officer to function as Presiding Officer.

“Polling Officer” means an Officer nominated by the Central Government in the O/o Development Commissioner (Handicrafts), to assist the Presiding Officer at the time of Poll and to perform such duties as may be assigned. In case no such officer is appointed by Central Government, the Secretary of the Council shall appoint an officer to function as Polling Officer.

“Authorized Person” means a person duly authorized by a member as per procedure laid under these rules to vote in the Election of the Committee.

“Panel” means the panel of a group of the handicrafts constituted under these Articles.

“Region” means the Regions as given in Articles of Association of Council Clause 21(c).

- 3.(a) **Applicabilities:** These rules shall apply to the election of the members of Committee of Administration of the Council and to the election of Chairman, Vice-Chairman, Vice-Chairman II, Regional Conveners and Conveners of Panels excluding nominated members as per Article 21 (a) and co-opted member as per Article 21 (b).
- (b) **Electoral Roll:** EPCH shall prepare an Electoral Roll (Voter List) of the members of EPCH as per the record available with Council. The Electoral Roll shall be prepared for the concerned region in which vacancies are available. An exercise may also be undertaken by the Office of EPCH to update its records by calling members to remove the discrepancies in the EPCH records. The updation of Voters list (Electoral Roll) will be an ongoing process prior to notification of Election. The details of voters shall be updated as per schedule of updation indicated in the Electoral Roll Notification. A final and valid Electoral Roll (Voter list) be placed on website on its due date. The EPCH while verifying its records for a final list (Voter List) shall also verify the details of members and email as per records. The Electoral Roll will have the details of member organizations, partners, Directors and Karta, Postal Address of Members and Email ID. The details once finalized and listed in the Electoral Roll shall be considered as registered details of member and shall be considered as authentic and registered record. Such exercise shall be prior to the Notice of Schedule of Election and the list so compiled after verification by EPCH shall be considered as final and valid. The postal address so mentioned be used for communication and E-mail ID for the registration with Electronic Processing Data for the vote by Electronic means, (In case of two E-mail IDs, the first ID will be considered as valid unless changed or deleted informed by members in writing by the prescribed stipulated date).

Provided further that in case any member is inadvertently or otherwise left out from the Electoral Roll or finds a discrepancy in his/her details in the notified Electoral Roll, a member may represent to the Secretary within the period of 7 (Seven) days from the date of such Notice for Election. The Secretary upon satisfaction will be authorized to make such amendments.

4. (a) **Categories and Eligibility:** There will be election for 18 (Eighteen) members (or as per available vacancies) of the Committee of Administration and the members of the Committee are to be elected by the members of the Council on the basis of proportionate representation amongst voter members in each of the Seven Regions of the country, subject to a minimum of one member from each Region. The number of seats for each Region shall be determined by Returning Officer nominated by Central Government or any other designated senior Government Officer authorized on this behalf or in case no Returning Officer is nominated as aforesaid, the Secretary in his capacity as the ex-officio Returning Officer shall determine the same. Territorial limit of each of the Seven Regions will be as provided in Article 21(c) of Articles of Association.

In case of election for 18 (Eighteen) members of the Committee, the 1/3rd seats be vacated in following term. These seats be filled in every subsequent term and the incumbent be elected to these vacant seats from respective region. After every three terms w.e.f. 22nd AGM (a block of three AGM), the Returning Officer shall afresh determine the vacancies in 27th AGM, 30th AGM and thereafter interval of nine years as per regional representation and seats be adjusted for retirement/election in the same manner.

Note: Subsequent to the amendment in Articles of Association of 21(c), the jurisdiction of the location of the members has been redefined. In the event of first term of retirement, upon redefining the location of existing member of COA in the respective region the 18 (Eighteen) members are to be located in the respective regions. As per proportionate of membership based on members enrolled till 30th June of the year, the 18 (Eighteen) seats in 7 (Seven) regions shall be earmarked. For example as per seat allocation one seat of North Eastern shall be earmarked by reducing seat of the region whose proportion of members has come down and thereby losing a seat. In such a scenario the first compulsory retirement shall take place amongst one of members of the said region (having more than one seat) either by mutual consent or draw of name (draw of lot). Thereafter, rest of 5 (Five) seats for retirement shall be amongst balance 17 (Seventeen) members of Committee irrespective of any region by draw amongst themselves. A member's name found in a draw for retirement can mutually exchange with another retiring member (eligible for retirement).

In the event of no valid nomination is received from a particular region having available vacancy, the seats shall be kept vacant and same seat be filled in next AGM. The present incumbent shall cease to exist from the date of conclusion of existing AGM for which nominations were invited. The election for the other region shall be continued and results be declared as per Schedule of Notice of Election and the available vacancies in such regions.

In the Second term, draw for retirement will be held in the remaining 12 (twelve) persons in the same manner. However, the person who are in the longest in the office be considered for the criteria of subsequent retirement.

In the event of a Casual Vacancy arising by way of resignation, demise, removal etc. of a member of the Committee which was not due to retire, the same shall be filled as per Companies Act.

4. (b)(i) Authorized Person of a Member organization shall be entitled to vote on behalf of the Member as per procedure laid down in these Rules.
 - (ii) Authorized Person of the organization shall be Proprietor, one of the partners of the Partnership Firm or Karta of HUF. However, in case of Joint Stock Company, Corporation or a Cooperative Society, the Authorized Representative duly authorized by Board of Directors or Managing Committee through the resolution of the said Company, Corporation or Society shall represent as Authorized Person.
 - (iii) For the propose of voting in person, the signature of the Authorized Person shall be registered with the Council on Form 'A' duly attested by the Banker or Chartered Accountant and shall reach the same to the Office of the Council either through Registered/Speed Post or in person within 10 days from the date of issue of Notice of Schedule of the Election. In exceptional circumstances the courier can be used and the reason be recorded for the same.
 - (iv) For the purpose of voting by electronic means, the Authorized Person shall cast their vote as per the prescribed guidelines for voting by electronic means.
- 4.(c) The Proprietor/Karta or one of its Partners of Partnership Firm as its Authorized Person of the member organization, firm shall be eligible to contest in the Election. However, in case of Joint Stock Company, Corporation, Cooperative Society, which is a member shall be eligible to contest in the Election through their Authorized Representative who shall be the Authorized Person of the Company or Undertaking or Corporation or Cooperative Society provided their nominations for contesting shall be supported with the resolution of the Board of Directors/Governing Body of the Joint Stock Company, Corporation, Cooperative Society.
4. (d) The member organization representing the candidature of Authorized Person should fulfill the minimum eligibility of export performance required as per the Article 20(b) of the Articles of Association.
- 4.(e)(i) A member from whom any amount is due to the Council on any account what so ever is liable to make the payment before the last date of removal of discrepancies in the Electoral Roll. However, in case of membership fees/renewal of membership, the member is liable to make such payment by the 30th June of the year. The member from whom any amount of membership fee or any other amount is otherwise outstanding shall not be eligible to vote, contest or propose the candidature of any other member in election of the Council. The contestant shall also make a declaration to this effect that there is no dues pending against him. In the event of any wrong declaration, the nomination/election of the candidate will be treated as null and void.
 - (e)(ii) An individual representing in one or more organization in any capacity such as Proprietor/Partner/Karta or Authorized representative of a Joint Stock Company, Corporation or a Cooperative Society (as the case may be of the constitution of

said organization) will not be entitled to contest or to vote or to propose, if there is any outstanding amount is due for payment to EPCH by any of his/her organization in which he/she represent in any capacity. Such payment should have been made to EPCH before issue of Notice of Election otherwise their name will be placed in the list of such individual defaulter in all member organization which he/she represent individually. At the same time such organization are also not eligible to nominate any person/Authorized Representative to contest or vote on behalf of the organization. However, the membership renewal fee dues will be applicable only to the same organization. Therefore, such members who have not paid membership fees will be treated defaulters only for the same organization.

4. (f) A member can contest for only one vacancy of the member of Committee.

“Explanation - Any individual person representing one or more member organization shall be entitled to contest election for only one vacancy of Member of Committee”.

5. Eligible Member of the Council shall have right to cast number of vote(s) as per available vacancy(s) of COA in their respective region at the time of Election.
6. After these Election Rules are duly approved and adopted by the Committee, election shall be held to elect the members of Committee. The Secretary shall convene a meeting of the Committee of such elected members. The members so elected shall elect from amongst themselves only available vacancies relevant in term of Articles of Association for One Vice-Chairman, One Vice-Chairman II, Seven Regional Conveners and Conveners of Four Panels at a meeting of the Committee of Administration to be held immediate after election. The election of Chairman, Vice-Chairman and Vice Chairman II will be held as per the Clause of 24(a) and 24(b) of Article of Association. Election of Committee members shall be held at the time of Annual General Meeting of Council as per available vacancies, in accordance with Articles of Association.
7. (a) There shall be one Vice-Chairman and one Vice-Chairman II of the Committee who shall be elected by the members of the Committee amongst themselves subject to eligibility criteria of minimum handicrafts export performance of Rs. 25 lakhs cumulatively in last three consecutive years. In the event of any wrong declaration about export performance of handicrafts, nomination / election of the candidate shall be treated as null and void. The candidates shall file their nomination in Form ‘B’.

After retirement of the present Vice-Chairman on due date, the post of Vice-Chairman shall be filled amongst all elected members of COA. The election process of Vice-Chairman shall take place and the candidature be invited amongst all elected members of COA. In case of more than one candidate, the election for Vice-Chairman shall take place through voting by members and elected by majority vote. In case election is held, an Election Sub-Committee of COA shall prepare its procedure. In case a Vice-Chairman is elected by the Committee and before taking over as Chairman is due for his election under Article 23 and not elected by the members of the aforesaid region under Article 23, the vacant post of Vice-Chairman

shall be filled only by an elected member of COA from the region other than the one represented by the previous one.

Explanation- In other words, the Vice-Chairman elected from Northern Region/North West Region (or region in question) expires his/her term as COA member and contest to be elected under Article 23 and not being elected by the Northern Region member/North West Region Member. In such case, the vacant post of Vice Chairman so held by him/her shall only filled subsequently by any other region except Northern region/North West Region (or region in question).

In case, there will be no Vice-Chairman except Vice-Chairman-II will be officiating for the purpose as Vice-Chairman. In case no Vice-Chairman was elected or COA failed to elect Vice-Chairman, Vice-Chairman-II shall perform the duties of Chairman as Interim Chairman.

- (b) The tenure of members of Committee of Administration, Chairman, Vice-Chairman and Vice-Chairman II shall be as per Clause 24(a) of Articles of Association of the Council. The Vice-Chairman of the Council shall be elected by all voting members of the Council through the process of electronic means. After completion of the tenure of Chairman, Vice-Chairman so elected shall automatically hold office of Chairman for a period of 2 terms, subject to clause 23. The Vice-Chairman so elected shall become Chairman after the present Chairman completes his tenure of two years from the date of his appointment. In case, Vice-Chairman declines to accept the post of Chairman or he is removed from the post of Vice-Chairman by a no-confidence vote of not less than the 2/3rd of the members of the Committee or he is not fulfilling the condition of clause 23, the Committee shall initiate the process to appoint another Vice-Chairman as per procedure laid in Articles.
 - (c) In the event of any subsequent merger / amalgamation / conversion / transfer of Business under BTA (Business Transfer Agreement) as the case may be of existing business of member at the time of finalization of Election Roll to a new / another entity which can be either a Company registered under the provisions of the Companies Act 2013, or a LLP registered under the Limited Liability Partnership Act 2007 or a partnership firm or a Hindu Undivided Family or a proprietorship firm as the case maybe, if the ownership of the existing shareholders, partners or the proprietor is not less than 50% in the new / other entity arising due to effect of any of the aforesaid event then said new entity shall be treated as member of COA and the status quo of member shall be maintained and he will continue to serve on the post/position as if he was elected from the same organization
8. (a) Eighteen elected members shall elect the convenors of the five panels from amongst themselves. The products to be covered under such panels shall be as under:-
- | | |
|-----------|--|
| Panel I | Exports of Handicrafts of Houseware, Decorative, Home, Gifts & lifestyle |
| Panel II | Exports of Handicrafts of wood, furniture & Accessories |
| Panel III | Exports of Textiles based Handicrafts |
| Panel IV | Exports of Fashion Jewellery & Accessories |
| Panel V | Exports of Other Handicrafts not covered under above Panels |

The convenors so elected shall hold the office till next AGM.

- (b) **“Regional Conveners”** Eighteen elected members shall elect the Conveners of Seven regions amongst themselves. The territory limit of each of seven regions is given at clause 21 (c) of Articles of Association. The members of Committee representing regions will only be eligible to become Convener of the particular region.

The Conveners such elected shall hold the office till next Annual General Meeting.

9. (a) All the Eighteen elected members of the Committee of Administration shall be retiring members in accordance with relevant provisions of Companies Act and at every subsequent term, 1/3rd of the elected members shall retire by rotation from the Office in accordance with relevant provisions of Companies Act (read with Article 23 of Article of Association of Council). The retiring members of the Committee are eligible for re-election. There shall be two Government Nominees in the Committee of Administration and they shall be non-retiring members. The Government may change their nominees from time to time.
- (b) The vacancy/vacancies shall be filled at the following Annual General Meeting failing which the meeting shall stand adjourned to the same day in the next week at the same time and place or such other day and time as the Committee of Administration may decide.
- (c) A retiring member of the Committee shall be eligible for re-election.
- (d) The members of the Committee, Chairman/Vice-Chairman/Vice-Chairman II shall be deemed to continue in the office until their successors are elected and takeover.
10. The place, date and time of the election shall be fixed by Committee of Administration.
11. The Committee of Administration at any time before the Election may take a decision to appoint an Election Committee in one of the following manners:-
- (a) The Election Committee comprising of 3 members of the Committee of Administration who opts in writing on their letterhead and say not to contest the Election in question for any of the offices of the Committee of Administration. The member so opting should also declare of his not being affiliated or associated with any other member so contesting.
- (b) In case no Election Committee is formed by Committee of Administration of its members of the Committee as mentioned at (a) above, the Central Government in the Office of Development Commissioner (Handicrafts), Ministry of Textiles shall be requested by Committee of Administration through Secretary-EPCH to nominate an Election Committee.
- (c) The Committee of Administration shall appoint one scrutinizer who may be a Chartered Accountant in practice, Cost Accountant in practice, or Company Secretary in practice or an advocate, but not in employment of the company and is a person of repute who, in the opinion of the Committee of

Administration can scrutinize the e-voting process in a fair and transparent manner.

The Election Committee shall perform its duty as an observer to the Election so that the entire process is held in a smooth and transparent manner. Any observation of the Election Committee shall be recorded in writing and submitted to Returning Officer.

12. The Central Government in the Office of the Development Commissioner (Handicrafts), Ministry of Textiles shall nominate One Presiding Officer not below the rank of Group "B" (Gazetted) and two Polling Officers of Group "C" categories. In case no such officers are appointed by Central Government, the Secretary of the Council shall appoint these officers.
13. After the date, time and place of the election have been fixed by the Committee of Administration, the Returning Officer shall issue a notice in Form-I as per Notice of Schedule of Election decided by the Committee to the members of region in which such vacancies are available through email or under Registered/Speed Post alongwith the nomination papers in Form-II inviting nominations in respect of vacant offices of members of the Committee of Administration. However, the member whose emails have not been provided in Electoral Roll will be served only through Registered/Speed Post. The Notice in Form-I shall be issued at least 7 (Seven) days before the last date for filing of nomination paper by the candidates as indicated in the Form-I.

Explanation:

- (i) As soon as the date of election is decided by the Committee, the Secretary-EPCH shall intimate the concerned office to appoint the Returning Officer. Consequent upon such appointment, the Returning Officer shall issue Notice of Schedule in Form - I of the Election. In case no Returning Officer is appointed by Government of India within 7 days from the date of issue of letter, the Secretary-EPCH in its capacity as Ex-Officio Returning Officer shall issue the Notice of Schedule of the Election in order to avoid the delay in schedule decided by the Committee. The Returning Officer so appointed shall take charge from the date he is appointed. Secretary-EPCH in the capacity of Ex-Officio Returning Officer shall handover such records and documents to the appointed Returning Officer as necessary under these Rules. In case no Returning Officer is appointed by Government (as it is not obligatory for Government), The Secretary (EPCH) shall continue to perform and discharge the duties as Returning Officer as per the Rules.
- (ii) In case of change of date or place of AGM, the schedule of voting in person for date and place shall only be changed. Accordingly, the counting of ballot shall also be on date and place of AGM. All other activities shall remain unchanged and be organized exactly as per the schedule of election notice. In case of any fluctuation of dates due to details mentioned in the clauses of Election Rule, the schedule as indicated in the notice of election shall be final and binding for such activities except date and place of AGM and voting in person/counting.

14. (a) Nomination papers on the prescribed form of the candidature for which election are intended to be contested, duly complete in all respects should reach the Returning Officer by the last date specified in the Election Notice issued in Form-I. The Nomination Form should reach to Council Office by Courier / Speed Post / in person or Email (scanned copy) duly filled and complete by the last date specified in Election Notice. In case Nomination (Form II) is submitted through email (scanned copy) and documents desired along with nomination such as CA certified export performance, UTR number and a banker certificate that requisite amount has been deposited in the Council Bank Account, all documents in original should reach to Council's Office as per date notified in Notice for schedule of Election. In case, any document submitted along with nomination through email will be found in variation of original document, the nomination of the candidate shall be rejected. Further, if candidate elected on the basis of any wrong information shall have to vacate the office of member COA. The candidates while filling the nomination shall declare their export performance (handicrafts items only) duly certified by the Chartered Accountant. The export performance filled by the candidate will generally accepted that candidate has declared such performance after due diligence. The performance so declared should only be the "items of handicrafts" which are fully declared as description as "Handicrafts" in invoices/shipment bills with due declaration and attested by the customs irrespective of HS code for exports being used for statistical purposes of the Council.
- (b) A member interested to contest for the post of member of Committee of Administration shall deposit an amount of Rs. One Lakh in the name of Export Promotion Council for Handicrafts in form of a Bank Draft or RTGS / NEFT along with a copy of PAN Card along with his/her nomination paper. This amount shall be refunded in full to the candidate who attained minimum 25% of the votes polled on that seat to the highest securing candidate. The winning candidates irrespective of percentage of votes polled and candidates withdrawing from contest as per rule will also be entitled for full refund to the deposit. The deposit of others will be forfeited. Nomination paper without requisite payment shall be rejected. The nomination papers rejected during scrutiny will be also be refunded their deposit.

Clarification: It is hereby clarified that the person offering himself as a candidate should be a authorised person as described under Rule 4(b), (c) and eligible under Rule 4(d).

15. Nomination papers not complete in all respects and not duly proposed shall be rejected. Nomination received after the prescribed date and time shall also stand rejected. The proposer should be a member of the Council and the person so proposing should be authorized person as defined in para 4 (b), (c) and eligible under Rule 4 (d) and qualify as a "Voter" for the election. A member shall not propose more than one candidate in a given Election. Nomination Form should be accompanied with the deposit as mentioned above. The proposer / candidate shall make a declaration in the truthful manner as per Form-II at the time of nomination. In the event of any wrong declaration by the proposer or by the contestant, the nomination / candidature shall be treated as null and void.

Explanation: The declaration if found wrong at any point of time, the election of the member even if elected be also treated as null and void and such member shall vacate the office with immediate effect.

In case of any dues found at any point of time against any contesting candidate, his/her candidature shall be cancelled.

16. All nominations received within prescribed date and time shall be entered into a register maintained for the purpose in the Office of the Council.
17. A candidate can withdraw his/her name within 2 (Two) days from the last date of receipt of nomination in Form-III either in person/speed post/ Registered Post/Courier subject to that signature of candidate withdrawing from contest of Election are duly attested and verified by Chartered Accountant or Banker as authenticated in accordance with the signature made on nomination Form.
18. The Returning Officer in consultation with the Secretary on a date and time fixed and notified in advance shall scrutinize all nomination papers received and prepare lists of valid nominations and notify on the notice board of the Council's Office. In case the work is not completed on the same day, it would be continued on the following day till the work is over.
19. Immediately after completion of the scrutiny of nomination papers, the Returning Officer shall notify on Form-IV to the contesting members the list of valid nominations received by the Council. If the number of valid nominations for a vacancy or category received is equal to number of available seats, the candidates so nominated shall stand elected but the results shall be declared by the Returning Officer on the date fixed for announcement of result.
20. (a) In the event of elections taking place, the Returning Officer shall direct his team about the date & time to issue Ballot Paper to all such members who are eligible to vote for Election to the vacancies to be filled up and provide the same as per procedure of Election, through electronic or voting in person, as the case may be.
(b) The Secretary (or his nominee) of the Council shall coordinate all activities with the Election Committee, the Returning Officer and the Election Team.
(c) In these Rules, wherever any function is assigned to the Secretary EPCH, he may delegate the same or any of them to any other officer of the Council, who shall be called the "Election Officer".
(d) In case of Ballot through electronic means, the Electronic Agency (under the supervision of Returning Officer) shall be Authorized to issue the Ballot Paper on the registered E-mail ID of concerned members except those have specifically requested for voting in person.
(e) In the event of voting in person, Presiding Officer (under supervision of Returning Officer) shall issue the Ballot Paper to concern members except those have exercised their voting rights through Electronic means. Such information shall be provided by

the Secretary in coordination with the Scrutinizer and Electronic Agency. Such voter shall be provided the Ballot at the counter after verifying their particulars that they are the Authorized person of the member organization. The particulars such as signature duly attested by the Banker or Chartered Accountant so filed as per the procedure and deadlines with the Council shall only be taken into consideration. The Presiding Officer may also demand for additional details such as Photo ID, PAN Card, or any other such particular, which satisfies him to allow the Authorized Person to cast the vote in person.

21. The voting shall be secret ballot / Through E-voting System.
22. The Returning Officer shall notify the names of other election personnel 3 days before the date of poll. In case of electronic means, the Electronic Agency shall provide the names and full particulars of all personnel of their organization connected with the working pertaining to the process of Election. All such names shall be provided by the Secretary to the Returning Officer before electronic ballots are issued.
23. Eligible member of the Council shall have right to cast votes as per available vacancies in their respective region in the Committee at the time of election as per Article 21 (c) of the Articles of Association of the Council for the members of Committee of Administration.
24. The voting shall be by electronic means. However, the member shall also be entitled to vote at the time of election by Voting in person

Incase of a member opting for voting in person, the member shall give his option in writing by the date as specified in the Election Notice i.e. within 10 (Ten) days from the date of issue of Election Notice along with his attested signature in the manner prescribed under these Rules.

25. **Voting by Electronic means**

25.1 Voting by Electronic means shall be available to all eligible members on their Electronic Mail ID and have been declared in the Electoral Roll and notified for the purpose along with the other details of the organization. Such E-mail IDs are deemed to be considered as registered E-mail ID with EPCH. It is further clarified only one E-mail ID (Incase of two E-mail IDs, the first ID in sequence of address will be considered for Electronic means only) of a Voter organization shall be considered. The procedure as framed by one of the agencies nominated as per the Companies Act, 2013 will be followed time to time.

Explanation: The Voters who have requested for exercising their right through voting in person shall be excluded from the electronic process of voting.

25.2 Electronic Ballot shall be issued to the members and be made available on the electronic mails as per procedure defined thereof. The voter while casting vote electronically is deemed to have read the declaration, terms and conditions available on the system and thereafter shall become eligible to

cast vote and consequent upon confirmation of the declaration, terms and conditions, the electronic process will further be operative. A member may also be asked to provide his / her Membership / Registration number or any such additional details which bonafide his / her right of exercising the vote.

- 25.3 The entire process of instructions will also be made available on the EPCH and Electronic Agency websites under the Column “ELECTION PROCESS and E-VOTING” respectively. The member may first look into the instructions and thereafter may cast their vote through relevant Electronic means as per procedure.

A member shall be responsible for security/safety as provided in the instructions, to ensure that voting is done through electronics means only by authorized person and shall not hold the Council or agency involved in the voting by electronic means responsible for any misuse thereof.

A member can cast his vote by electronic means at any time, any day prior to the date of polling (actual poll – voting in person) upto 5.00 p.m. and immediate thereafter the process to cast vote through electronic means be closed. In case a member unable to access to this process, he / she can exercise his / her right to vote through voting in person as per procedure.

- 25.4 On completion of the process of voting by Electronic means, the Electronic Processing Agency shall hold the data captured in the system without declaration to the members. Such data will be finalized by scrutinizer and handed over to Returning Officer for announcement alongwith counting of votes by other system of voting such as Electronic voting and Voting in Person.
- 25.5 Impersonation or any other offence shall attract the related provision of the enactment of the Cyber Law and other related provisions of Court of India on the subject.

26 **Voting in Person:**

- (a) To enable a member to cast his vote in person through his Authorized Person (including Authorized Representative as Authorized Person) a polling booth shall be set up where arrangements for a secret marking of ballot papers shall be made. The Presiding Officer shall be incharge of the polling booth. Ballot boxes duly sealed and with a small slit for inserting the ballot paper shall be kept in the polling booth. The boxes will be kept in such a way that the candidates are able to see it. The ballot papers on Form-V duly signed by Returning Officer issued for the purpose of casting vote in Person after due verification that member has not exercised his right to cast vote through electronic means, the Polling Officer shall verify the antecedents of the voter. On satisfaction, the Polling Officer shall provide the Ballot Paper and allow the voter to cast the vote. Arrangements for marking of the ballot paper shall be so made that nobody is able to view the marking by any voter who shall mark the ballot paper on the covered table, fold the ballot papers and insert the same in the ballot boxes aforesaid mentioned. Only the candidates or one of their representatives declared in advance shall be allowed to enter the polling booth.

Explanation: In case a member in the list of voters by way of electronic has not been able to exercise his right by voting through electronic means due to any reason, the member can represent in writing to the Returning Officer with full fact and details and the reason of his inability to exercise his vote through electronic means. Such representations should reach upto 5.00 p.m. a day prior to the date and time of voting (actual poll).

In case of the representation as mentioned above, the same shall also have to be accompanied with the attested signature of the authorized person exercising such right to vote in a manner as prescribed in the Rules for authorization.

- (b) Impersonation or any other offence shall attract the related provisions of the Laws in India on the subject.
- (c) There will be no canvassing of any form whatsoever inside or up to 20 meters outside the booth.
- (d) One ballot box at a time shall be provided at the polling booth. At the entrance of the booth, a voter shall deliver his authorization letter (Form 'A') brought with him (a copy of which should have been forwarded to the Secretary upto 5.00 p.m. a day prior to the actual date of poll in advance to the polling officer). The Polling Officer will counter check the records available with him that no ballot is cast by the person (Member Organization) through electronic means. Thereafter, the member will authorize to make his attendance marked, go inside the secret marking table, cross mark against the name of the candidate of his choice in ink/ball pen provided by the Polling Officer at the entrance, fold the ballot paper after marking, come out and insert the same one by one in the ballot box. In case one box is full during the poll, it shall be replaced by another and so on.
- (e) The polling hours shall be from 10.00 a.m. to 12.00 noon without break.
- (f) When the poll will be nearing closure, all remaining voters present at the booth shall report to the Presiding Officer/Polling Officer within 15 minutes of the close of the poll and they will be provided with chits signed by the Presiding Officer, allowed to stand in queue for their turn to cast votes. All such voters shall be allowed to exercise the voting rights even beyond the hour fixed for close of the poll.
- (g) No voter shall be allowed to enter the polling booth after 12.00 Noon except as provided and his request to be allowed to cast vote shall not be entertained.
- (h) The candidate or his representative (names and details declared in advance) shall be allowed to watch the proceedings during the poll and counting, but only one of them can remain present during the poll or the counting at a time.
- (i) After the voting is over, the ballot boxes shall be sealed immediately in presence of the candidates or their authorized agents and taken to the premises of counting if the premises are different from the place of poll.

- (j) The Presiding Officer shall work under control and supervision of Returning Officer and Polling Officers shall likewise be controlled and supervised by the Presiding Officer.

27. **COUNTING, TABULATION OF VOTE AND DECLARATION OF RESULT:**

- (a) The counting of voting in person shall start in presence, and under supervision and control of the Returning Officer who will be assisted by the other staff provided by the Secretary, Export Promotion Council for Handicrafts.
- (b) The counting of electronic votes will be held electronically as per system.
- (c) The counting of physical ballot shall be made for voting in person by the counting staff.
- (d) The Counting staff shall bring to the Returning Officer the doubtful or likely to be rejected ballot papers and obtain his order on each of them.
- (e) The counting shall be continued till it is completed.
- (f) The counting of all the ballot boxes shall be done separately.
- (g) Tabulation of the votes shall be done under control of the Returning Officer who shall be provided necessary staff by the Secretary.
- (h) In case any objection to the counting of votes, the Returning Officer shall decide about acceptance / rejection of the objection.
- (i) Before announcing the result on the basis of counting, the results of candidates elected unopposed shall also be announced.
- (j) After the result of all the offices have been tabulated and checked and signed by the Scrutinizer/Returning Officer, he shall announce the total number of votes polled by each candidate for each office.
- (k) In case there is no objection to the counting, the result based on the principle of person getting the largest number of votes shall be declared as elected by the Returning Officer (Form-VI).
- (l) If at any stage, during the process of election or after the declaration of result, the candidature of any contestant is found to be null and void under these Rules, then the next candidate on the principle stated in above shall be declared elected.
- (m) After results have been announced, the members of each category and office shall be given certificates of being elected by the Returning Officer on Form-VII.
- (n) In case of any result is withheld for a particular seat and region, the result will be withheld only for the particular region. The results of other regions shall be announced, declared and member(s) elected the Committee shall be inducted.
- (o) **THE VOTES TREATED TO BE INVALID:** The following categories of votes shall be treated as invalid :-
- i. If number of vote casted are more than the numbers of seats available.
 - ii. If secrecy has not been maintained i.e., the voter has made any such mark on the ballot paper so that he/she could be identified.
 - iii. If there are names of more candidates marked than required to be marked on the ballot paper.
 - iv. If there is no marking in the ballot paper at all.

- v. If the marking is such that it cannot be decided as to in whose favour the marking has been done.
- vi. If there is marking in the blank area.
- vii. If the marking is outside the marking area.
- viii. If the ballot paper is torn or mutilated.
- ix. If the voter has not cleared all his outstanding dues within the specified time.

28. **COUNTING OF VOTES:**

- (a) In the case of mark in common areas of two candidates, the intention of the voter will be judged by the Returning Officer and the vote shall be counted in favour of one candidate accordingly.
- (b) In case of a tie, lots shall be drawn and the candidate winning the lot shall be declared elected.
- (c) The Returning Officer shall be the final authority to declare a vote valid or invalid i.e. to accept or reject vote. His decision shall be final and not questionable.
- (d) The votes shall be tabulated against the names of each candidate getting highest number of votes shall be declared elected.
- (e) All election records shall be sealed immediately after the results have been announced and signed by the Returning Officer and the Scrutinizer.

29. **GENERAL:**

- (a) The record of the elections shall be kept in the Office of the Export Promotion Council for Handicrafts duly sealed for six months after the election and then destroyed.
- (b) The dates of all postings on web, sending and receiving nomination papers, withdrawal and all notices and papers etc. shall be taken to be authentic and final as per records of the Office of the Export Promotion Council for Handicrafts and by the address relevant to such paper or documents. In case of any doubt or dispute, the decision of the Secretary, Export Promotion Council for Handicrafts shall be final in this regard.
- (c) In case of any dispute about the interpretation of any of Rules of Election, the decision of the Election Committee shall be final and binding.
- (d) In case of variations, if any, in the number of days in the schedule of election, the days and time given in the notice of schedule of the election will be final. In the event of any need arises, the Returning Officer is authorized to issue necessary corrigendum about such date(s)/day(s) / time. In such case, no fresh notice is required to be issued and the notice(s) be placed on Website / Notice Board of EPCH.
- (e) Any appeal on matter pertaining to election shall be filed within 10 days from the declaration of result with the Development Commissioner (Handicrafts), Office of the Development Commissioner (Handicrafts), Ministry of Textiles, Government of India and the decision of later shall be final and binding.
- (f) All legal matters shall be subject to jurisdiction of Delhi Courts only.

REGISTERED/SPEED POST**FORM – I**

Ref.No.

EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

“EPCH House”, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj, New Delhi-110070

ELECTION OF THE EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

Notice of Schedule for election of the Office of Members of the Committee of Administration

It is hereby notified for information of the concerned members of the Export Promotion Council for Handicrafts and Programme of the election to the above Office.

S. No	Activities	Date
1.	Date of Election	:
2.	Date of issue of Nomination papers from EPCH's Office/Display on website.	:
3.	Last date of receipt of nomination papers in EPCH's office.	:
4.	a. Date & time of Scrutiny b. Place of Scrutiny c. Date of display of names of valid nominations after the Scrutiny on Notice Board of EPCH	: : :
5.	Last date of receipt of Authorization Form A to cast vote by Voting in person	:
6.	Date of posting of list of voter opting Voting in Person on EPCH website	:
7.	Last date fixed for withdrawal of Nominations	:
8.	Date of issue of lists of valid contesting candidates on Notice Board of EPCH/website and to contesting Members	:
9.	Date of commencement of remote Electronic Voting to eligible members	:
10.	Closing date and time of remote Electronic Voting	:
11.	Place of polling in case of voting in person	:
12.	Date and Time of polling (actual poll) at the polling booth	:
13.	Date of counting of votes (ballot papers and electronic ballots) after the polling.	:
14.	Place of counting of all ballots	:
15.	Declaration of result and award of certificates	:

Sd/
(Returning Officer)
Election –COA
Export Promotion Council for Handicrafts

FORM – II

Ref.No. _____

EXPORT PROMOTION COUNCIL FOR HANDICRAFTS
 EPCH House, Pocket 6 & 7, Sector-C,
 LSC, Vasant Kunj, New Delhi-110070
ELECTION OF THE EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

The Returning Officer,
 Export Promotion Council for Handicrafts,
 EPCH House, Pocket 6 & 7, Sector-C,
 LSC, Vasant Kunj, New Delhi-110070

Dear Sir,

We/I Mr./Mrs./Ms. _____ the Authorised Person of M/s _____ do, hereby propose the name of Mr./Mrs./Ms. _____. The Authorized Person of M/s _____ who are the Members of the Export Promotion Council for Handicrafts (hereinafter referred to as Council) for the Office of Members of the Committee of Administration of the Council.

We also hereby, solemnly declare that we are the duly Authorised Person of the Members mentioned above from whom no money is due to the Council on any account nor we have been disqualified from the Membership. We further declare that our authorization still subsists.

Place _____
 Date _____

Signature: Proposer _____
 (Seal of the Co./Firm/Orgn.)
 Name and Address

This is to certify that the above signature of the above proposer are as per the 4b(ii) of the Election Rule and the represent as authorized person of the organization.

Name and Signature of Chartered Accountant/Banker
 With membership No./Branch No.

ACCEPTANCE FORM TO BE FILLED BY THE CONTESTANT CANDIDATE

I hereby agree to be a candidate for the Office of the Member of Committee of Administration of the Council. The Handicrafts Export Performance of my company in preceding three years is as follows, and duly certified :-

Preceding last 3 financial years (April-March)	Export Performance of Handicrafts items only (Amounts in Rs.)
Year _____	_____
Year _____	_____
Year _____	_____
Total	_____

I hereby solemnly declare that I am the member/authorized representative of the member below mentioned Company / Firm / organization from whom no money is due to the Council on any account nor the below mentioned member has been disqualified from the membership of the Council. I further declare that my authorization still subsists. I declare that I have read the Articles of Association of the Council and its Election Rules, and they do not disqualify me from contesting this Election. I am also enclosing a Demand Draft No. _____ dated _____ or RTGS/NEFT for Rs. One Lakh (along with photocopy of PAN Card) payable in favour of Export Promotion Council for Handicrafts, New Delhi as a deposit requirement of Election Rules.

Place _____
 Date _____

Signature of the Candidate _____
 (Seal of the Co./Firm/Organization)
 Name and Address

This is to certify that the above signature of the candidate is as per 4(c) of the election rules. This is also certified that the export performance mentioned above of the member organization representing the candidature of authorized person is of handicrafts items only and is true and correct.

Name and Signature of Chartered Accountant/Banker
 With membership No./Branch No.

N.B. In case nomination is submitted through Email (scanned copy), the above requisite amount should be deposited through RTGS / NEFT to EPCH account No. 00291010002970, IFSC Code: PUNB0002910, Bank: Punjab National Bank, K-59, Vasant Kunj Road, VPO-Mahipalpur-110037 and also to inform by email on election@epch.com

FORM – III

Ref.No.

EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

EPCH House, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj, New Delhi-110070

ELECTION OF THE EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

**WITHDRAWAL FORM FOR THE CANDIDATURE TO THE POST OF
THE MEMBERS OF THE COMMITTEE OF ADMINISTRATION OF
THE EXPORT PROMOTION COUNCIL FOR HANDICRAFTS**

To,
The Returning Officer,
Export Promotion Council for Handicrafts,
EPCH House, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj,
New Delhi-110070

Dear Sir,

With reference to my candidature for the Office of the member, Committee of Administration of the Export Promotion Council for Handicrafts, I am to say that I hereby withdraw my candidature from the elections to this Office.

An amount of Rs. One Lakh deposited by me vide Demand Draft No. _____ dated ____ or RTGS/ NEFT for in favour of Export Promotion Council for Handicrafts please be refunded to me.

I hereby declare and affirm that my above withdrawal is final and irrevocable and I fully own responsibility for the same, and the same has been made voluntarily, without any coercion or undue pressure.

Signature of the Candidate: _____
Name and Address of Co./Firm/ Organization representing

(SEAL)

This is to certify that the above signature of the candidate whose signature is given above are of the same candidate who has submitted his nomination as per 4(c) of the election rules and the same is hereby verified and authenticated by the undersigned as desired in the Election Rules.

Name and Signature of Chartered Accountant/Banker
With membership No./Branch No.

Remarks of the Returning Officer, Export Promotion Council for Handicrafts:

Dated _____

(Returning Officer)
Election - COA
Export Promotion Council For Handicrafts
(Signature & Seal of Returning Officer)

FORM – IV

Ref.No.

EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

EPCH House, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj, New Delhi-110070

ELECTION TO THE OFFICES OF THE MEMBERS OF
THE COMMITTEE OF ADMINISTRATION OF
THE EXPORT PROMOTION COUNCIL FOR HANDICRAFTS _____ (YEAR)

**LIST OF VALID NOMINATIONS FOR ELECTION TO MEMBERS OF COMMITTEE OF
ADMINISTRATION**

OFFICE OF THE MEMBERS OF COMMITTEE OF ADMINISTRATION

S.NO.	NAME	REPRESENTING CO./ FIRM/ ORGANISATION	STATION
1.			
2.			
3.			
4.			
etc.			

(Returning Officer)

Election - COA

Export Promotion Council For Handicrafts
(Signature & Seal of Returning Officer)

To be retained with Returning Officer

FORM – V

Sl. No. _____

Detail of Organization issued the ballot paper
M/s _____

Singed by voter _____

Signed by Returning Officer _____

.....cut from here.....

FORM – V

For use of Voting in Person at AGM

Sl. No. _____

Ref.No.VP/

Seal & Signature of the Returning Officer

EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

EPCH House, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj, New Delhi-110070

ELECTION TO THE OFFICES OF THE MEMBERS OF THE COMMITTEE OF ADMINISTRATION OF
THE EXPORT PROMOTION COUNCIL FOR HANDICRAFTS ____ (YEAR)

VOTING IN PERSON

NAME OF THE CANDIDATE	CO./FIRM/ORGANISATION REPRESENTING	"X" mark to be made if chosen to be voted for
1.		
2.		
3.		
4.		
etc.		

EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

EPCH House, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj, New Delhi-110070

FORM – VI

DECLARATION OF RESULT

The names of elected candidates as a member of Committee of Administration are given below:

SL. NO.	NAME OF THE CANDIDATE	SEAT FOR WHICH ELECTION IS HELD
1.		
2.		
3.		
4.		
or so on		

(Returning Officer)

Election - COA

Export Promotion Council For Handicrafts

(Signature & Seal of Returning Officer)

EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

EPCH House, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj, New Delhi-110070

FORM – VII

CERTIFICATE

It is certified that Shri _____ of M/s
_____ is hereby
declared elected as Member of Committee of Administration of the Council in its election
held on _____ for the year _____

(Returning Officer)
Election - COA
Export Promotion Council For Handicrafts
(Signature & Seal of Returning Officer)

On the letterhead of Member (Proprietorship/partnership/joint stock company/ cooperative societies/HUF)

FORM A

Authorization Form for voting in person

To,
The Secretary,
Export Promotion Council for Handicrafts,
EPCH House, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj,
New Delhi-110070

Dear Sir,

We hereby authorize *Shri _____ of M/s _____ as the Authorized Person of M/s _____ (name of member organization) who is a member of EPCH as a person authorized to vote by voting in person. The signature of *Shri _____ mentioned above are appended and attested below:-

*Signature : _____
Name : _____
Date : _____

*The above signature is attested.

**Signature _____
Name _____
Designation _____
Company Name & Address _____

Seal of Company _____
Date _____

*** Sign (in case of partnership firm/HUF/cooperative societies/joint stock company to be signed by person other than the person so authorized.**

(In case of cooperative societies/association of person/joint stock company, the same shall be accompanied by resolution of the Managing Committee/Board of the Cooperative Societies/ Association /Joint Stock Company authorizing such a person to act as a authorized person under the Election Rules).

** The above AUTHORISED PERSON BE AUTHORISED AS PER 4(b)(ii) OF THE election Rules and signatures are attested as per Clause 4(b)(iii) of Election Rules.

**Signature _____
Name _____
Seal of Company _____
Date _____

(Signature to be attested by Banker, a schedule Bank only/
Chartered Accountant with Seal & Mem. No.)

FORM – B

To,

The Secretary,
Export Promotion Council for Handicrafts,
EPCH House, Pocket 6 & 7, Sector-C,
LSC, Vasant Kunj,
New Delhi-110070

Sir,

I _____, member Committee of Administration, offer my nomination for the office of Vice-Chairman of Committee of Administration for the term _____.

I fulfill the eligibility criteria set out in the Election Rules, particularly Clause 7 thereof and Articles of Association Clause 24(b).

My export performance of Handicrafts items in the last 3 years, duly certified by my Chartered Accountant, is as follows:

Export Performance of last three years (April – March)	AMOUNT IN RS. (Handicrafts items only)
Year _____	_____
Year _____	_____
Year _____	_____
Total	_____

I solemnly state that the information furnished by me is true and correct and if the same is ever found to be incorrect, my nomination / election may be treated as null and void. I further declare that I have read the Articles of Association of the Council and its Election Rules, and they do not disqualify me from contesting this election.

Signature _____

Name _____

(Seal of the Organization Represented)

This is to certify that the above signature of the candidate is as per 4(c) of the election rules. This is also certified that the export performance mentioned above of the member organization representing the candidature of authorized person is of handicrafts items only and is true and correct.

Name and Signature of Chartered Accountant/Banker
With membership No./Branch No.

