

**THE SYNTHETIC & RAYON TEXTILES EXPORT  
PROMOTION COUNCIL (SRTEPC)  
ELECTION RULES FOR VICE-CHAIRMAN**

# SRTEPC

## THE SYNTHETIC & RAYON TEXTILES EXPORT PROMOTION COUNCIL

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### RULES FOR ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

These Election Rules are framed as per provision of the Articles of Association and to be approved in the meeting of the Committee of Administration held on 20.02.2017 at Udaipur.

1. **Name:** These rules shall be called “Election Rules for Vice Chairman” of The Synthetic & Rayon Textiles Export Promotion Council” hereinafter called “Election Rules for Vice Chairman”. These rules are framed as per Para 27 and Para 29 of the Articles of Association of the Council.
2. For the interpretation of election rules, following words and expressions shall have the meaning, unless repugnant, to the subject or context.

“**The Act**” means the Companies Act, 2013 or any statutory modification or re-enactment thereof for the time being in force and the term shall be deemed to refer to the applicable section thereof which is relatable to the relevant Article in which the said term appears in these Articles and Companies Act, 1956, so far as may be applicable.

“**SRTEPC**” means The Synthetic & Rayon Textiles Export Promotion Council hereinafter referred to as “Council” having its registered office at Resham Bhavan, 78, Veer Nariman Road, Mumbai-400020. India  
Tel.: +91(22)2204 8797, 2204 8690 Fax: +91(22)2204 8358  
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“**Chairman**” means the Chairman of the Council for the time being.

“**Vice-Chairman**” means Vice-Chairman of the Council for the time being.

“**Committee**” means the Committee of Administration of the Council for the time being constituted as per the Articles of Association of the Council.

“**Member**” means eligible member of the Council for the time being whose name is in the register of members of the Council.

**“Agency”** for purpose of referred rules agency means entity approved by Ministry of Corporate Affairs subject to the condition that entity has obtained certificate from Standardization Testing and Quality Certification from Directorate, Department of Information Technology, Government of India including with regard to compliance with parameters of “secured system” and secured system means computer hardware, software, and procedure that –

- (a) Are reasonably secure from unauthorized access and misuse;
- (b) Provide a reasonable level of reliability of and correct operation;
- (c) Are reasonably suited to performing the intended functions; and
- (d) Adhere to generally accepted security procedures;

**"Cyber Security"** means protecting information, equipment, device, computer, computer resources, communication device and information stored therein from unauthorized access, use disclosures, disruption, modification or destruction.

**"Cut-Off Date"** means a date not earlier than seven days before the date of starting of remote e-voting, for determining the eligibility to vote by remote electronic means.

**"E-Voting"** means the facility of casting votes by a member using a remote electronic voting system.

**“Meeting”** means Meeting of the Committee of Administration (COA) of the Council duly held in accordance with the provisions of Articles of Association of the Council.

**“Articles of Association”** means the existing Articles of Association of the Synthetic & Rayon Textiles Export Promotion Council herein referred to as “Articles”.

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

**“Executive Director”** means the Executive Director appointed as such by the Committee who shall be responsible for the day-to-day management of the Council.

**“Secretary”** means the Secretary appointed as such by the Council and includes an Executive Director cum Secretary.

**“Government”** means the Central or State Government.

**“Term”** pursuant to clause 2.55 of the Foreign Trade Policy 2015-2020 (FTP) read with clause 2.92(b) of the Handbook of Procedures, as notified by Central Government from time to time, term of a Vice Chairman shall not be more than a period of 2 years. (27.2 (a) of AoA)

**“Election”** means election of Vice-Chairman as per the provisions of para 2.92 of the Hand Book of Procedure of [FTP 2015-2020](#) as notified

by Central Government from time to time and as per provision of Articles of Associations of the Council.

“**Voter**” mean all eligible member Exporters of the Council as on Cut – off date, eligible to vote.

“**Scrutinizer**” means a person of repute who in the opinion of the Executive Committee can scrutinize the voting by electronic means in a fair and transparent manner and is not in employment of the council.

3. (a) **Applicability:** These rules shall apply to the election of the Vice-Chairman of the Council.  
  
(b) **Voter List:** Only member exporters eligible to vote as on cut-off date, decided by Executive Committee, shall be eligible to cast his/her vote.
4. Only elected members of the Committee of Administration (COA) can contest for the election for Vice-Chairman.
5. Once the full Committee of Administration is in place, after the election at the Annual General Meeting (AGM), such elected members of the COA Members (COA) who wish to offer themselves for the post of Vice-Chairman may do so.
6. E-voting for the post of Vice-Chairman shall be done by all members of the council eligible to vote including the members of the COA.

The tenure of Office of the Vice-Chairman shall not be more than a period of 2 years and maximum two terms. However, the elected Member who holds the post of Vice-Chairman may seek re-election as Vice Chairman in the Council after a period of not less than 4 years. (27.1(b) of AoA)

Vice Chairman so elected shall become Chairman after the present Chairman Completes his term and will have tenure as prescribed in the Handbook of Procedures of Foreign Trade Policy, unless he 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 two-third of the Committee of Administration (COA) members. The resolution regarding no-confidence will have to be put to vote of all eligible voting members of the Council on the same pattern of direct elections as followed during the time of elections to the post of Vice-Chairman.

In the event of post of Vice-Chairman falling vacant due to any of the Circumstances, the post shall be filled up as per the procedure prescribed above.

7. Unless disqualified by any of the provision of these articles or the Act, all Council Members shall be entitled to vote by electronic means for election of Vice-Chairman.

8. After the date, time and place of the Meeting of the Committee of Administration is fixed by the Chairman, including agenda for election for Vice-Chairman, the Executive Director cum Secretary shall issue a notice, as per provisions of Articles of Association of the Council to the members of the Committee of Administration through email indicating that the matter regarding election of Vice-Chairman is included in the agenda of the meeting of the Committee of Administration (COA).
9. The elected members of the Committee of Administration may file offer for contesting election for the post of Vice Chairman of the Council, duly proposed by one elected member of the Committee of Administration in annexed Nomination Form I, with Executive Director/Secretary of the Council by sending communication (hard copy or through email), to reach the Council's office within 2 days of the call to offer for contesting election for the post of Vice Chairman.
10. All offer for contesting election for the post of Vice-Chairman received within prescribed date and time shall be entered a register maintained for the purpose in the Office of the Council.
11. A candidate can withdraw his/her name within days indicated in the schedule election from the last date of receipt of offer for contesting election for the post of Vice-Chairman. Such withdrawal should reach Executive Director cum Secretary SRTEPC (hard copy or through email) as per schedule for contesting election for the post of Vice-Chairman.
12. The Committee of Administration shall provide the facility of remote e-voting to exercise vote by electronic means for election of Vice-Chairman to all members and shall comply the following procedure: -
  - i) The notice for election of Vice-Chairman shall be sent to all eligible members through electronic means, at registered email id.
  - ii) The notice shall be placed on the Council's website forthwith after it is sent to members.
13. The notice to the members shall clearly provide and indicate:
  - i) The Council is providing the facility for voting by remote electronic means for election to the Vice-Chairman of the Council.
  - ii) Indicate the time schedule including the time during which the votes may be casted by remote e-voting.
  - iii) Specify the process and manner for generating or receiving login ID & password and for casting of vote in a secure manner.
  - iv) The facility for voting through electronic means shall remain open for not less than three days as decided by the Committee. Member Exporters entered in the register of members of the Council as on Cut-off date shall only be eligible to cast their vote, in stipulated time fixed for remote-e-voting.

- v) Remote e-voting shall not be allowed beyond the said date and time. At the end of remote e-voting period, the facility shall forthwith be blocked.
  - vi) Provided that once a vote on a resolution is cast by member, he shall not be allowed to change it subsequently or cast the vote again.
14. All offer papers for contesting election for the post of Vice-Chairman received shall be scrutinized and lists of valid offer shall be prepared and notified to the meeting of the Committee of Administration (COA). Thereafter, it will be notified to all Member Exporters through E-Mail and placed on the website of the Council i.e. [www.srtepc.org](http://www.srtepc.org).
15. If the number of valid offer for contesting election for the post of Vice-Chairman received & eligible for election is equal to number of available seat, the candidate who applied his/ her offer for contesting election for the post of Vice-Chairman, shall stand elected and supported, but the results shall be declared at the meeting of the EGM. The result declared shall be put on the Council's website within two days from the date of the meeting of the Committee of Administration.
16. (a) The Executive Director cum Secretary (or any other person authorized by him) of the Council shall coordinate all activities as per direction of Chairman.
- (b) In these Rules, wherever any function is assigned to the Executive Director cum Secretary, he may delegate the same or any of them to any other officer of the Council.
17. Election to the post of Vice Chairman as of now shall be done by remote e-voting pursuant the Foreign Trade Policy of 2015-2020 (FTP) read with clause 2.92(a) of the Handbook of Procedures (Handbook) and also MoC directives no. 12/2/2013 –E&MDA dated 7<sup>th</sup> December, 2015 para no. (iii) and (vii) .
- 17.1 The member while casting vote electronically is deemed to have read the NSDL(the authorized agency of the Council for election) terms and conditions available on the e-voting system and thereafter shall become eligible to cast vote and consequent upon confirmation of the terms and conditions, the electronic process will further be operative .
- 17.2 A member may also be asked to provide his/ her Membership number or any such additional details which bona-fide, his / her right of exercising the vote.
- 17.3 A member shall be responsible for security/safety as provided in the instructions, to ensure that voting is done through

electronics means only by Member and shall not hold the Council or agency involved in the voting by electronic means responsible for any misuse thereof.

The facility for remote e- Voting shall remain open for not less than Three days and shall close at 5:30 Pm on the Third day of commencing of remote e-voting. A member shall cast his/her vote by remote e-voting only and immediate thereafter the process to cast vote through electronic means be closed.

17.4 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, along with counting of votes, will be finalized and handed over to Scrutinizer for announcement of result by the Chairman of the Council at the meeting of the EGM.

17.5 Result of the votes cast in Remote-E-voting period shall be handed over by the scrutinizer within three days of close of remote e-voting to the Chairman of the Council to be disclosed at the meeting of the EGM to be held after the close of remote e-voting period.

**18. COUNTING OF VOTES.**

- (a) In case of equality of votes for the election of Vice Chairman, the Chairman of the meeting shall have a second or the casting vote.
- (b) The votes shall be tabulated against the names of each candidate by the scrutinizer. The candidate getting highest number of votes shall be declared elected as Vice-Chairman by the Chairman, after getting report from Scrutinizer.
- (c) All election records shall be signed by the Scrutinizer and Chairman.
- (d) Subject to receipt of requisite number of votes, the resolution shall be deemed to be passed on the date of the relevant Meeting of the EGM on which result is declared.

**19. TABULATION OF VOTE AND DECLARATION OF RESULT:**

- (a) The counting of electronic votes will be held electronically as per system.
- (b) Calculation of the votes shall be done by the Scrutinizer.
- (c) In case any objection to the counting of votes, the Chairman shall decide about acceptance/ rejection of the objection.
- (d) After the result of all the candidates have been calculated, checked and signed by the Scrutinizer, he shall handover the result to

the Chairman, who will sign and announce the total number of votes polled for each candidate, on the day of meeting of the Committee of Administration.

- (e) 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 Chairman.
- (f) If at any stage, during the process of election, any candidature is found to be not eligible under these Rules, then the next candidate on the principle stated in above provisions of the rules shall be declared elected.

20. **GENERAL:**

- (a) The scrutinizer shall have access, after the closure of period of remote e-voting the result of vote cast with details.
- (b) The register and all other papers relating to voting by remote electronic means shall remain in the safe custody of the scrutinizers until the Chairman considers, approves and signs the minutes and thereafter, the scrutinizers shall hand over the register and other related papers to the council.
- (c) The scrutinizer shall maintain a register either manually or electronically to record the assent or dissent, received, mentioning the particulars of name, address, membership number of the members.
- (d) The result declared by the Chairman regarding election of Vice-Chairman shall be placed on the website of the Council within two days of declaration of the result at the meeting of the Committee of Administration.
- (e) A resolution for election of Vice-Chairman proposed to be considered through voting by electronic means shall not be withdrawn.
- (f) In case of any dispute about the interpretation of any of Rules of Election, the decision of the Chairman of the Council shall be final and binding.
- (g) All legal matters shall be subject to jurisdiction of Mumbai only.

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