



ALL INDIA GEMS & JEWELLERY TRADE FEDERATION  
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MIDC, Andheri (East), Mumbai - 400093.

**ALL INDIA GEMS AND JEWELLERY TRADE FEDERATION, MUMBAI**  
**RULES FOR ELECTION OF THE COMMITTEE OF ADMINISTRATION**

*In exercise of power conferred under Article of Association of the All India Gems & Jewellery Trade Federation, the Committee of Administration hereby makes the following rules, namely:-*

**1. Short title and Commencement:-**

- a. The rules may be called the Election Rules of the Committee of Administration
- b. They shall come into force on the date of adoption by the *Committee of Administration*.

**2. Definitions:**

- a. In these rules, unless the context otherwise requires,-
  - i. “**Act**” means the Companies Act, 2013 and includes any statutory modification or re-enactment thereof, for the time being in force;
  - ii. “**Article**” means an article forming part of articles of association of the All India Gems & Jewellery Trade Federation;
  - iii. “**Committee**” means the Committee of Administration (CoA) of the All India Gems & Jewellery Trade Federation, constituted, as such, under articles of association of the All India Gems & Jewellery Trade Federation;
  - iv. “**Election Authority**” means a returning officer entrusted to conduct the election;

- v. **“Eligible Voters List”** means the list of members included in the voter list entitled to cast vote in the election process of the Committee;
- vi. **“Email”** or **“Email Address”** means E-mail address of the member as provided by the member, available with the GJF and displayed on the GJF website against the name of the member in the “Eligible Voter List;”
- vii. **“Electronic Agency”** means the team/ agency appointed by the GJF to conduct the Voting by Electronic Means under these rules under the supervision of Election Authority;
- viii. **“GJF”** means The All India Gems and Jewellery Trade Federation, constituted under articles of association of the GJF;
- ix. **“Member”** means a member of the GJF;
- x. **“Office”** means the registered office of the GJF;
- xi. **“Panel”** means a panel of the GJF, constituted under the Articles of association of the GJF;
- xii. **“Prescribed”** means prescribed by the Committee, by virtue of a power conferred by the articles;
- xiii. **“Ordinary Member”** shall mean Ordinary Member of the GJF as defined in article 2.2 of the Article of GJF;
- xiv. **“Membership Number”** for the purposes of the election shall mean the membership number of the Member and displayed on GJF website against the names of the member in the “Eligible Voter List”;
- xv. **“OTP”** means computer generated one time password during online voting process forwarded on the registered mobile number of the member maintained with GJF;
- xvi. **“Rules”** means the rules of the GJF, framed under the articles of association or under any enactment for the time being in force;

- xvii. **“Year”** means the financial year beginning with the 1st April and ending with the 31<sup>st</sup> March;
  - xviii. **“Zonal Committee”** means a Zonal Committee constituted under the Articles of Association of the GJF;
  - xix. **“Zonal Chairman”** means a Zonal Chairman holding office under the Articles of Association;
- b. The words and expressions used herein and not defined but defined in the Article shall have the meaning respectively assigned to them in the Article.

### **3. Role & Power of the Election Authority:-**

- a. ‘Election authority’ shall be an independent person, appointed by GJF to act as returning officer and shall be necessarily not related to any CoA member, any member of GJF, any employee of the GJF or any other person / entity directly or indirectly working for GJF.
- b. Election authority shall ensure the secrecy of electoral rolls, voter details, confidentiality of information owned by GJF, confidentiality of information of voters.
- c. ‘Election Authority’ shall supervise the ‘Electronic agency’ during the Election Process.
- d. Election Authority shall report only to ‘Committee’ through it's election committee.
- e. Election Authority shall assume office till the elections are conducted, the new Committee is elected and the first meeting of new COA takes place.

### **4. Election of Zonal Chairman:-**

Zonal Chairman as mentioned in Art 27 of AOA will be elected from the following zones, and their election will be conducted once every two years in accordance with Article 33.8 of Articles of Association. Their election shall be held prior to with the elections of to the COA in accordance with

the AOA and the present rules. There will be 4 Zones, each zone comprising of States as mentioned below:-

- a) **West Zone** (comprising Gujarat, Maharashtra, Chhattisgarh, Madhya Pradesh, Goa, Daman & Diu.)
- b) **East Zone** (comprising West Bengal, Orissa, Bihar, Jharkhand, Manipur, Tripura, Assam, Sikkim)
- c) **North Zone** (comprising New Delhi, Punjab, Haryana, Uttar Pradesh, Uttarakhand, Himachal Pradesh, Jammu & Kashmir, Rajasthan)
- d) **South Zone** (comprising Tamil Nadu, Andhra Pradesh, Karnataka, Kerala, Telangana)

5. **Representation to the Committee by Group of Panels:-** Subject to Article 33.4 there shall be specific number of representation to the Committee from the following groups of Panels:-

<b>Groups</b>	<b>No.of Seats</b>
Large Manufacturer-Diamond	2
Large Manufacturer-Jewellery	2
Medium Manufacturer-Jewellery	2
Small Manufacturer-Jewellery	1
Large Retailer	3
Medium Retailer	3
Small Retailer	2
Large Wholesaler	1
Small & Medium Wholesaler	1
Small & Medium Manufacturer- Silver Jewellery	1
Small & Medium Manufacturer-Colour Stones	1

Precious Metal-Bullion	1
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**6. Retirement and Election of Member To the Committee Of Administration:-**

- a. The election to the Committee of Administration shall be conducted once every two years Panel wise and Zone Wise in accordance with the Article 33.8 of Articles of Association. Results of first election will be declared before expiry of December 2016. For conducting the future elections, declaration of the commencement of the election shall be made in the Annual General Meeting of the election year (2018 in case of second election and so on) and the process including the declaration of results shall complete on or before December (2018 in case of second election and so on) in the future years to come. The exact date of result declaration shall be determined by the date of the declaration of the first election result. The Election Authority with the support of Election agency shall ensure the expeditious process of the election-
- b. The date of the election shall be fixed by the Committee of Administration (CoA) of the GJF.
- c. In the first election, all the member of Committee of Administration will be eligible to contest the election and the existing COA will continue till the first meeting of the COA consisting of newly elected members. In the first meeting the newly elected members shall elect a Chairman and Vice-Chairman in accordance with the Art 33.1 and 33.2 of the AoA.
- d. Members who have served for three consecutive terms would be deemed to be ineligible for re-elections or re-appointment to the committee for a period of two years immediately after completion of their three consecutive terms. However, this rule will not be applicable for the first general election to be held in the year 2016, however for all subsequent elections, the retirement and re-elections of COA members shall be in accordance with present rules.

- e. In accordance with the Article 33.7 of Articles of Association the retirement of the elected member by draw of lot shall be as follows. Who shall draw the lots: -
- a. 1/3<sup>rd</sup> members of elected members from the first election identified by Election Authority by draw of lots at the time of second election shall retire and be eligible for re-election;
  - b. 1/3<sup>rd</sup> from the remaining 2/3<sup>rd</sup> of elected members from the first election identified by draw of lots by Election Authority at time of third election shall retire and will be eligible for re-election;
  - c. Remaining 1/3<sup>rd</sup> of elected members from the first election shall automatically retire at the time of fourth election and shall not be eligible for re-election due to the disability of being on 'Committee' for their three consecutive terms.
  - d. The Fifth Election for the 'Committee' shall be held in following manner:-
    - i. In place of oldest 1/3<sup>rd</sup> members those retiring as per Articles of Association.
    - ii. In place of those, retiring from the 'Committee', having been longest in office;
- Election would be from the Panels having no representation, the seats declared unreserved and occupied by members appointed by 'Committee' due to Casual Vacancy during the previous election.
- f. The Election authority shall notify the number of vacancies arising in any of the panel/zone as prescribed in article 4.2 of Articles of Association and as well as for the post of Zonal Chairman, if any At least two months prior to the expiry of the term of second year;
  - g. One third members of the Committee will automatically retire on completion of two years term but shall be eligible for re-election in accordance with the Article 33.7 of the Article and the present rules;

- h. The Election Authority shall invite nominations for any vacancy arising out of the retirement of the member;
- i. If there arises a casual vacancy in the office of any member of the Committee (other than Zonal Chairmen and members who are nominated or co-opted), it shall be filled up by the Committee. Provided that when the vacancy is for a period not exceeding two months, the Committee may, if it so chooses, decide not to fill up the vacancy, so long as the number of vacancies so left unfilled does not exceed three;
- j. A person appointed to fill up a casual vacancy shall hold office only for the remainder of the term of the original member ;
- k. Notwithstanding anything herein, if there arises a vacancy in the Committee due to non-receipt or withdrawal of nomination at the time of election, as the case may be, such vacancy shall be filled in by the Committee in its first or subsequent meeting immediately after the Annual General Meeting following the election. A person appointed to fill up such a vacancy shall hold office only for a period of 2 (two) years till the subsequent election of Committee
- l. The election Authority with prior intimation through Speed Post/E- mail to the members amongst whom lots are to be drawn, call upon such members or their authorized representative, to remain personally present at the desired place during the process of draw of lot.
- m. The Election Authority shall notify the result of draw of lots to the office of the GJF.
- n. The existing COA will continue to discharge its functions till the first meeting of the COA consisting of newly elected members and in such meeting newly elected members shall elect a Chairman and Vice-Chairman in accordance with the Art 33.1 and 33.2 of the AoA.

## **7. Election Process:-**

- a. Ordinary Members (Annual and Life Members), who have completed all the formalities of membership eligibility and paid their full applicable membership subscription to the GJF shall have the right to

vote at the GJF's 'Committee' Elections. These eligible list of names shall be included in the 'eligible voters' list'

- b.** Upon preparation of Eligible Voters List, the Election Authority shall notify to all ordinary members through e-mail/SMS about the availability of the Eligible Voters List for inspection at the head office of the GJF as well as at the website of GJF.
- c.** Only the authorized representative whose name is mentioned as such in the membership application submitted to the GJF shall have right to vote at the Election.
- d.** Ordinary Member of the GJF shall have one vote each for every single representation for the respective Panel and the respective Zone, as opted at the time of admission. The members from panel not reflected in the AOA shall not be eligible to vote for panels however they will have the right to vote for their respective Zone only.
- e.** A candidate contesting for any position in the election of the 'Committee' must fulfill the following eligibility criteria:-
  - i.** A candidate must be the Ordinary Member of the GJF as listed out in the list of voters.
  - ii.** Only the authorized representative of any member as mentioned in the membership application form submitted to the GJF shall be entitled to contest, propose or second at the Election.
  - iii.** All candidates or the entity represented by such candidate must fulfill the criteria prescribed under Article 2.2 of the 'Article'.
  - iv.** A 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 Zonal Chairman, the same shall be proposed and seconded by members of the same Zone.

- v. The nominee, proposer and seconder of all contesting candidate should be eligible to vote.
- f. All the contesting candidates shall submit their duly filled original Nomination Form 'A' as attached in Schedule of the present rules with the Election Authority along with the prescribed fee and security deposits as determined within 15 days from the Notice inviting Nominations.
- g. A Nomination form submitted by telex/fax/telegram/e-mail to the Election Authority shall be treated as invalid.
- h. In the event of the Election Authority having reasons to doubt the veracity of any of the particulars/information contained in any Nomination Form received, It may call for particulars/information from the Office of GJF. The Election Authority will also be at liberty to call for any documents of the member concerned within 7 days from the last date of the closure of the nomination.
- i. Election Authority, within 5 days from the expiry of the period of 21 days (15 days for nominations and 7 days for verification) shall enter the names of the Nominees panel-wise, in a Register and after due scrutiny, prepare lists of valid and rejected nominations from all the nominations received by it. The election authority shall ensure that lists of valid and rejected nominations along with the reasons of rejections is displayed on the website of GJF.
- j. Any candidate will be permitted to withdraw its Nomination by a written communication sent through Fax/Telegram/e-mail within 5 days of publication of the aforesaid list at GJF Website. Withdrawal of nominations by Fax/Telegram/e-mail will be considered or accepted by the Election Authority subject to receipt of original letter of withdrawal within 5 days of receipt of such fax/telegram/e-mail. Such withdrawal shall be final and no subsequent request, for rescinding such withdrawal shall be entertained by the Election Authority.

- k.** The Election Authority shall, within seven days from the last date of withdrawal of nominations, dispatch a Notice by Speed Post / as well as by Email/SMS on registered mobile number of Voter Members informing them about the electronic voting system and the procedure to be followed for voting.
- l.** A member can file nomination and contest election for Zonal Chairman as well as for Panel Member simultaneously. In case of a member being elected as a Zonal Chairman, he / she shall be not eligible to represent the Panel.
- m.** Election shall be held for the Zones and the Panels as per the Articles of Association of the GJF.
- n.** Subject to the article 27.1 of Articles of Association, Zonal Chairman shall be elected first by method of electing the one who has obtained highest number of votes in the Zone.
- o.** In case elected Zonal Chairman exceeds maximum vacancy on a panel, one who has obtained the least percentage in his respective zone shall automatically be eliminated.
- p.** Once the election of Zonal Chairman is completed, election for all panels shall commence by way of draw of lots. In such draw the election authority will seek the name of the candidate who has secured highest number of votes in that panel from the ***election agency*** in sequence of highest votes. The information of votes received by all candidates from aall the twelve panels will kept ready by election agency. The cards of 12 panels will be placed in a covered box from which the election authority will remove one card at a time and call out the name of the panel to which the election agency after required verification will declare the name of the candidate who has secured the highest number of votes. It is important to note that first the results of all 12 panels shall be called out by the election authority in round 1. In case there are any issues of vacancies in any panel there will be a Round 2 or Round 3 in which each panel could be

discussed and clarified. If all the desired vacancies of all panels have been filled and a candidate's name is declared then that panel will not be called out for subsequent rounds.

- q. If there are no candidates for a particular panel and if 20 members are not available/eligible/elected to the COA then that vacancy for that panel will be declared as unreserved and will be filled up in accordance with provisions of AOA.
- r. The Election Authority with the assistance of electronic agency shall conduct electronic voting process.
- s. The system of Electronic Voting will be audited by independent third party Security Auditors appointed by GJF, in consultation with Election Authority and Agency 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.
- t. 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.
- u. 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 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 after the voting has ended and votes are ordered to be retrieved.
- w. Within two 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 sever where the votes have been stored.

- x. The Election Authority shall maintain secrecy of the votes received. Only the Election Authority or person authorized by him, and the candidate or a person authorized by him, shall be allowed to observe the process of scrutiny and counting of voting results at the office of GJF.
- y. The person receiving the highest number of votes from each Panel / Zone will be declared as elected from the respective Panel / Zone. 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 Panel / Zone. The decision of the Election Authority in this regard shall be final and binding on all concerned. The Election results will be displayed at the website of GJF and shall be communicated to all members by way of E-mail on the registered E-mail ID and/or through SMS on the registered mobile number of members. The Election Authority shall declare the result in the following manner:-
  - i. Total number of Votes received;
  - ii. Number of Votes secured by the contesting candidates;
  - iii. The name of candidate securing the highest number of votes and declared elected.

#### **8. DISPUTE RESOLUTION:-**

- a. All disputes with regard to any matter arising out of the election of the Committee of Administration of the GJF shall be resolved by way of arbitration of a sole Arbitrator appointed by the GJF in accordance with the Arbitration and Conciliation Act, 1996 as may be amended from time to time. The decision of the arbitrator shall be final and binding on the parties. The arbitration proceedings shall be at Mumbai
- b. The Courts at Mumbai shall have jurisdiction for all purposes

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