

**ELECTION RULES OF
EXPORT PROMOTION COUNCIL FOR EOUs & SEZs,
2025**



EXPORT PROMOTION COUNCIL FOR EOUs & SEZs

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ELECTION RULES

In exercise of the powers conferred by Rules 9.4, 20.1(i), and 24.8 of the Articles of Association of the Export Promotion Council for Export Oriented Units and SEZ Units, the Governing Council hereby makes the following Rules to facilitate the election of the members of the Governing Council, Regional Governing Councils as well as Chairperson, Vice-Chairperson, Regional Chairpersons and Regional Vice Chairpersons as required in Art 24 and 21, respectively:-

1. These rules shall be called “Election Rules of the Export Promotion Council for Export Oriented Units and SEZ Units, 2025”, and should always be read with the relevant provisions of the Articles of Association of the Council.

2. COMPOSITION OF THE GOVERNING COUNCIL

As per the Art 24.2, the composition of the Governing Council is as follows:

- a) The Governing Council shall be elected by the Council. The Governing Council members shall have a maximum of two terms of three years each followed by a cooling off period of two years.
 - b) The Governing Council shall consist of 55 members:
 - i) Seven members to be elected through Electronic Voting among the EOUs (one each from Seven Zones)
 - ii) Fourteen members to be elected through Electronic Voting among the SEZ units (two each from Seven Zones)
 - iii) Seven members to be elected through Electronic Voting among the SEZ Developers (one each from Seven Zones)
 - (iv) Seven Elected Regional Chairpersons
 - (v) Seven Development Commissioners (Ex-Officio)*
 - (vi) One representative from Ministry of Commerce not below the rank of Deputy Secretary to the Government of India to be nominated as ex-officio member*
 - (vii) Two representatives from Ministry of Finance not below the rank of Deputy Secretary or equivalent to Government of India to be nominated as Ex-officio member (One from CBEC & one from CBDT) *
 - (viii) 10 Co-opted members as decided by the Central/State Governments*
- *With no voting rights

3. RESERVATIONS IN THE GOVERNING COUNCIL

3.1 As per Art 24.3, the reservation in the elected members of the Governing Council is as follows:

- a) At least one third of the seats for the elected members of the Governing Council shall be reserved for representatives of MSMEs.
- b) In addition, at least one third of the seats for elected members of the Governing Council shall be reserved for exporters who fall within the category of export houses, trading houses, star-trading houses and entities granted similar status for the purpose of the Foreign Trade Policy that is in force at the time.

c) At least five seats shall be reserved for categories of women entrepreneurs (minimum one), startups, young entrepreneurs (less than 40 years of age as on 31st March of the year of election); or North Eastern/Hill Regions to ensure their suitable representation in the Governing Council.

d) For the purposes of reservation as stated in paragraph (c), at least one seat shall be reserved for a woman entrepreneur.

e) If the categories mentioned in (a), (b) and (c) are represented/elected through either of the above or overlapping categories, this will be sufficient for meeting the requirements mentioned under these provisions.

f) Where any seat reserved under clause (c) of this Article cannot be filled up by candidates of that reserved category through election process, the Department of Commerce, in consultation with the respective Councils, shall nominate suitable representatives of the respective categories.

g) The Council shall send a report to the Department of Commerce within 45 days after conclusion of election process.

3.2 For the purpose of above reservation, 7 elected members from SEZ developers category will not be taken into account as SEZ developers are not engaged in exports of goods or services. Thus, only 7 seats of EOUs and 14 seats of SEZ units will be taken into account for reservation.

3.3 Accordingly, zone-wise distribution is as per the following (zone in alphabetical order) which will be rotated in each election.

	Zone	MSME (3.2(a)) (7)		Status Holders (3.2.(b) (7)		Women (3.2.(d)) (1)		Startups, etc (3.2(c)) (4)	
		EOU	SEZ	EOU	SEZ	EOU	SEZ	EOU	SEZ
1	CSEZ	1	1		1				
2	FSEZ	1	1						1
3	KASEZ	1	1						1
4	MEPZ		1	1					1
5	NSEZ			1	1				
6	SEEPZ			1	1				1
7	VSEZ				1	1			

3.4 In the next elections, reservation will be as follows (row 1 shifted to row 2 and so on):

	Zone	MSME (3.2(a)) (7)		Status Holders (3.2.(b) (7)		Women (3.2.(d)) (1)		Startups, etc (3.2(c)) (4)	
		EOU	SEZ	EOU	SEZ	EOU	SEZ	EOU	SEZ
1	CSEZ				1	1			
2	FSEZ	1	1		1				
3	KASEZ	1	1						1
4	MEPZ	1	1						1
5	NSEZ		1	1					1
6	SEEPZ			1	1				
7	VSEZ			1	1				1

3.5 In the reserved seats, members contesting elections will be from that category only. However, the voting will be done by all the eligible members of that zone.

4. COMPOSITION OF THE REGIONAL GOVERNING COUNCILS

4.1 As per Art 21.1 the composition of the Regional Governing Councils is as follows:

- a) There shall be a Regional Governing Council for each region.
- b) The geographical extent of such Region shall be co-terminus with the geographical jurisdiction of the Development Commissioner or as determined by the Governing Council.
- c) The Regional Governing Council shall consist of the following:
 - i) an elected Regional Chairperson, and
 - ii) a maximum of twenty-eight members elected through Electronic Voting by the members of region, of whom 7 shall be elected from among EOUs, 14 shall be elected from among SEZ units and 7 shall be elected from among SEZ Developers.
 - (iii) The Development Commissioner concerned shall be a Permanent Special Invitee to the Regional Governing Council.

4.2 There is no reservation in the Regional Governing Council

5. PROCEDURE FOR ELECTIONS TO GOVERNING COUNCIL AND REGIONAL GOVERNING COUNCILS

5.1 Nomination of Development Commissioners as Returning Officers –

Governing Council shall nominate Development Commissioners as Returning Officers for conducting elections for Central Governing Council as well as for Regional Governing Councils in their respective regions.

5.2 Election Schedule

- a) Once the elections are ordered by the Central Governing Council, the Returning Officers and EPCES Secretariat shall finalise the election schedule.
- b) The Head Office of the Council shall prepare the electoral roll with complete address separately for EOUs, SEZ units and SEZ developers (Region wise) and a certified copy of the electoral roll should be made available to the respective Returning Officers through email at least 15 days before the commencement of the elections.
- c) On receipt of the electoral roll from the Head Office of the Council, the Returning Officers shall send a communication to all members of the Council by email/ordinary post (to the last email-id/address known to the Council) intimating about the elections and the election schedule. The electoral list shall also be hosted on the website of the respective Returning Officers.
- d) The members having objections/corrections if any in the electoral list, shall communicate to the Returning Officer in writing through email before the specified date as per the election schedule.
- e) The Returning Officer shall scrutinize the objections received and finalise the electoral list as per the specified date in the election schedule. The decision of Returning Officer shall be binding and final. The finalized list of the electoral roll will be put on the website of the Returning Officers.

- f) The Returning Officers shall send the proposal/nomination form to all the eligible members as per the electoral roll separately for EOUs, SEZ Units and SEZ developers by email on the specified date as per election schedule
- g) Interested members shall file their nominations to the Returning Officer in writing along with requisite details duly signed by the specified date as per election schedule.
- h) The Returning Officers shall scrutinize the nominations. The list of accepted nominations shall be put up in the notice board of the Returning Officer and also hosted on the website of the Returning Officer on the specified date as per election schedule.
- i) The Returning Officers shall send a communication to such accepted candidates for withdrawal of nominations by the specified date as per election schedule.
- j) If the number of valid nominations received are more than the vacancies, the Returning Officer shall order elections through the specified agency as per election schedule.

5.3 The eligible members can propose the name of another member from his own category.

5.4 The proposal/nomination form in the format annexed to these election rules for filling in the vacancies shall be sent to the members. Such proposal/nomination forms shall be sent by concerned Development Commissioner (Returning Officer) by post under Certificate of Posting / email.

5.5 Interested members shall send the duly filled up proposal/nomination forms with requisite documents shall be sent back to the Returning Officer by email/Registered A.D./Speed Post/By Courier/By Hand to reach the concerned DC's office latest by the specified date.

5.6 Regarding reserved seats for a particular category/sub-category, it is the responsibility of the nominee of the member concerned to prove his eligibility to seek election from a particular category/sub-category. Any person proposing such nominations should ensure that the candidate is eligible for election in that particular category/sub- category.

5.7 A member organization can have only one representative on the Governing Council and similarly an individual cannot represent more than one member organizations on the Governing Council. Similarly, a member organization can have only one representative on the Regional Governing Council and similarly an individual cannot represent more than one member organizations on the Regional Governing Council.

5.8 Representation of the members will be as per Art 10 of the Articles of Association.

5.9 Any proposal/nomination form received after the specified date and time shall not be entertained.

5.10 Proposal/nomination Forms which are not in order shall be treated as invalid by the Returning Officer. An intimation to that effect may be sent to the members from whom the proposal had emanated as well as to the member, whose name was proposed, if written request to that effect is received.

5.11 The Returning Officer shall intimate all eligible candidates whose proposal form have been found valid giving them time to withdraw from the election by the specified date.

5.12 Same individual cannot contest for election to both Central Governing Council and Regional Governing Council. An individual can contest for one body i.e. either Central Governing Council or Regional Governing Council.

5.13 A member organization can nominate its representative for elections to both the Central Governing Council and Regional Governing Council provided these representatives are different individuals.

5.14 In case an organization is nominating two individuals separately for Central Governing Council and Regional Governing Council, and its nominee is elected for Central Governing Council, then its nominee in Regional Governing Council cannot become Regional Chairperson. This is because Regional Chairperson also becomes member of Central Governing Council. As per Rule 5.7 above, any member cannot have more than one representative on the Governing Council.

5.15 SEZ Developers:

a) For 7 vacancies from SEZ Developers category for Central Governing Council, one Member SEZ Developer or Co-developer from one zone will be elected on Central Governing Council. Similarly, for 7 vacancies from SEZ Developers category for Regional Governing Council, one Member SEZ Developer or Co-developer from the concerned zone will be elected on Regional Governing Council.

b) One person from one SEZ can contest the elections for Central Governing Council or Regional Governing Council, who could be either Developer or Co-Developer. But in case Co-developer is contesting the elections, then the Proposal Form of the Co-Developer is to be countersigned by the Developer.

c) The proposal is to be sent to the Returning Officer. From one Zone one proposal is to be submitted either by the Developer or Co-Developer. In case, more than one nomination is received countersigned by the Developer, all the proposals will be treated as invalid.

d) A SEZ Developer/Co-Developer can only propose the name of another SEZ Developer/Co-Developer and a SEZ Developer/Co-Developer can cast vote in favour of a SEZ Developer/Co-Developer only.

6. E-VOTING FOR GOVERNING COUNCIL

The election to the Governing Council and Regional Governing Councils members under each category/sub-category (wherever applicable), shall be conducted through e-voting. A reputed agency (National Securities Depository Limited, Central Depository Services Limited or any other entity approved by the Ministry of Corporate Affairs) will be appointed by the Council to conduct the election in a free and fair manner.

7 ELECTION OF CHAIRPERSON/VICE-CHAIRPERSON/REGIONAL CHAIRPERSON/REGIONAL VICE-CHAIRPERSON

7.1 At the first meeting of the Governing Council or the Regional Governing Councils after the elections, the current Vice-Chairperson/Regional Vice-Chairperson shall be endorsed by the Governing Council/the Regional Governing Councils, to succeed the Chairperson/Regional Chairperson. For the election of new Vice-Chairperson and Regional Vice Chairpersons, EPCES Secretariat will designate Returning Officers in respect of Governing Council and Regional Governing Councils. Accordingly, for election of Vice-Chairperson/Regional Vice-Chairpersons, nominations will be invited first and in case there is unanimity, the Vice-Chairpersons/Regional Vice Chairpersons is elected. In case of lack of unanimity, EPCES Secretariat will finalise the schedule and get the e-voting completed through the selected agency to conduct the election. All the members of the Council as per the earlier finalised electoral list will participate in the e-voting.

7.2 If any casual vacancy occurs in the office of the Chairperson/Regional Chairperson, the respective Vice Chairperson shall assume the charge of such office and shall hold office only for the remainder of the term. Similarly, if there is any casual vacancy in the office of Vice Chairperson/Regional Vice Chairperson, the Governing Council/Regional Governing Councils may fill up the vacancy by electing one of its members to assume the office of Vice Chairperson/Regional Vice Chairperson and such member shall hold office only for the remainder of the term.

7.3 If any casual vacancy occurs in the membership of the Governing Council/Regional Governing Councils, the Governing Council/Regional Governing Councils may fill up the vacancy by co-option. All such co-opted members shall be members of the Governing Council/Regional Governing Councils only for the remainder of the term.

8. RETIREMENT

8.1 Governing Council Members

8.1.1 One –third of the elected members of the Governing Council shall automatically retire on completion of two year of their term but shall be re-eligible for re-election as per Article 24.6(a).

8.1.2 The names of the members who shall retire on the expiry of the first and the second term (of 2 years each) respectively shall be determined by seniority (longer serving members will retire first) as per Art 24.6(b).

8.1.3 The members of the Governing Council who shall retire shall be those who have served longest in office, and as amongst members with equal duration of service on the Governing Council, the question of retirement shall be decided by lots by the Governing Council. But no such decision of the Governing Council shall be binding unless a notice to this effect has been sent to all the members of the Governing Council normally at least 21 clear days in advance.

8.1.4 If, however, any member of the Governing Council voluntarily offers to retire, his wishes shall be duly considered by the Governing Council, and, in the event of its acceptance, the number of total vacancies to be determined for purposes of retirement shall be suitably adjusted.

8.1.5 While determining the retirement of the members of the Governing Council, the Governing Council may at their discretion consider those members who have not been actively participating in the deliberations of the Governing Council meeting during the preceding twelve months.

8.1.6 The actual draw of lots shall be by two responsible persons i.e. Governing Council members and who shall not be any official of the Council.

8.2 Regional Governing Council Members

All the members of the Regional Governing Councils will be elected for a term of 2 years and will retire accordingly.

NOTICE REGARDING VACANCIES

8.3 After the decision as to who will retire from the Governing Council/Regional Governing Councils, the vacancies thus determined shall be notified to all the members in the concerned categories of the Council.

8.4 The vacancies thus determined shall be filled through elections as provided for in Article 24.7 of the Articles of Association.

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8.5 The members retiring as stipulated in para 7 above shall, however, be eligible for re-election as per Art 24.6 (d), provided they are duly proposed and there is no bar on their re-election as per any other rule of the Council.

9 ANNUAL GENERAL MEETING

9.1 The results of the elections shall be formally placed in the Annual General Meeting.

9.2 The Annual General Meeting will be as per Art 31,32 and 33 of the Articles of Association.

10. REPEAL OF EXISTING BYE-LAWS

10.1 Existing “Election Bye-Laws of the Export Promotion Council for Export Oriented Units and SEZ Units” are repealed.

10.2 Existing “Election Bye-Laws of the Export Promotion Council for Regional Governing Councils” are repealed.

APPENDICES

Appendix – I	:	Letter of Authority (Authorization Form)
Appendix – II	:	Proposal Form
Appendix -III	:	E-Ballot Form (or as designed by the selected agency for the purpose of e-voting)