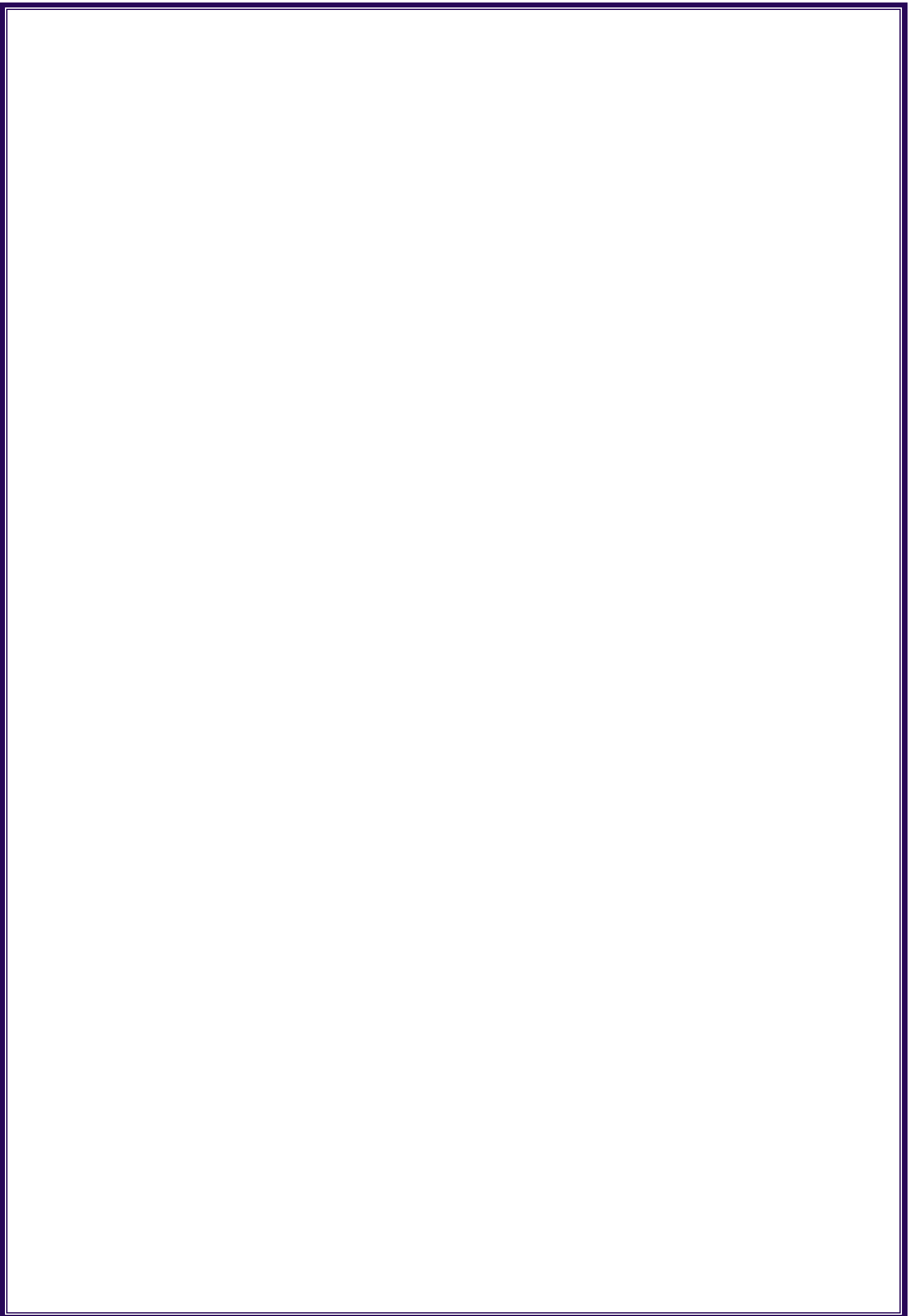




GUJARAT CHAMBER OF COMMERCE AND INDUSTRY
(Gujarat Vepari Mahamandal)
AHMEDABAD

A Society Registered under the
Societies Registration Act, 1860
Registration No. GUJ/16093/AHD

CONSTITUTION AND REGULATIONS
(Memorandum of Association of the Society)





GUJARAT CHAMBER OF COMMERCE AND INDUSTRY
(Gujarat Vepari Mahamandal)
AHMEDABAD

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A Society Registered under the Societies Registration Act, 1860

Registration No. GUJ/16093/AHD

CONSTITUTION AND REGULATIONS

(Memorandum of Association of the Society)

(approved at the General Meeting dated 06.04.1949)

And

(With the amendments on and up to 18.11.2004)

And

(With the amendments on and up to 31.03.2009)

And

(With the amendments on and up to 09.07.2010)

And

(With the amendments on and up to 11.06.2011)

And

(With the amendments on and up to 13.07.2013)

And

(With the amendments on and up to 03.05.2016)

And

(With the amendments on and up to 30.09.2019)

CHAPTER - 1

Introduction

1. Introduction

- (a) **Name:** The name of the Society shall be Gujarat Chamber of Commerce and Industry (Gujarat Vepari Mahamandal).
- (b) **Registered Office:** The registered office of the Society shall be situated at Shri Ambica Mills-Gujarat Chamber Building, Ashram Road, Ahmedabad-380009.
- (c) **Name of & Effective Date for this document:** This document shall be considered as Constitution and Regulations of Gujarat Chamber of Commerce and Industry (Gujarat Vepari Mahamandal) and shall be considered to be effective from 30.09.2019. It shall also be considered as Memorandum of Association of the Society

CHAPTER - 2

Definitions, Jurisdiction etc.

2. Definitions

- (a) **The Chamber:** The Chamber means Gujarat Chamber of Commerce and Industry (Gujarat Vepari Mahamandal), which can also be referred to, in brief, as GCCI or the Society.
- (b) **Regional Chamber:** Regional Chamber means a trade and industry association operating at regional level and recognized by GCCI as a Regional Chamber in the past or recognized by the Executive Committee of GCCI through a resolution passed with simple majority, recognizing such association as a Regional Chamber in future.
- (c) **Business Association (Mahajan):** Business Association (Mahajan) means an association consisting of persons or business establishments (such association whether registered or unregistered), representing Business, recognized as a Business Association (Mahajan) by GCCI.
- (d) **Business:** Business means any activity involving trade or industry of any nature and/or providing services of any nature and includes services provided to trade, commerce or industry, with the aim of earning profit. Business shall not include individuals giving any service as a medical practitioner, insurance or investment agent, and/or simply being employed in a trade, commercial, industrial or service organization.
- (e) **Businessman:** Businessman means any Person, as defined hereinafter, involved in Business as defined above and representing in GCCI, such business, on behalf of a business establishment.
- (f) **Empowered Apex Committee:** Empowered Apex Committee (EAC) (earlier known as High Powered Committee) means a Committee of five members appointed only first time by the General Body Meeting. Once EAC is appointed by the Members of AGM, the constitution of and its functioning shall be as per Clauses 52, 53 and 54 of Constitution and Regulations, mentioned hereinafter.
- (g) **Member:** The term Member includes Ordinary, Extraordinary, Life, Patron, Corporate, Honorary, Business Association (Mahajan), Regional Chamber, Foreign, Non-voting or any other category of members as defined from time to time under this Constitution and Regulations of GCCI
- (h) **Local Member:** Local Member means a business establishment or an association, consisting of one or more owners / shareholders / members, who is a member of GCCI, having its business address in the area falling within the jurisdiction of Ahmedabad Municipal Corporation and/or Ahmedabad Urban Development Authority (AUDA) areas and who has registered it as a Local Member with GCCI.
- (i) **Out-Station Member:** Out-station Member means a business establishment or an association, consisting of one or more owners / shareholders / members, who is a member of GCCI, but who is not a Local Member and who has registered it as an Out-Station member with GCCI.

- (j) **List of Members:** List of Members means a list of members of GCCI, incorporating members' names, names of the business establishments, addresses and other contact details of all types as required by the Scrutiny Committee of GCCI.
- (k) **Office of the Chamber:** Office of The Chamber means the Office of The Chamber, located on Ashram Road in Ahmedabad.
- (l) **Current Year:** Current Year means the period starting from 1st of April of the relevant year to 31st March of the subsequent year, and shall mean the year for membership.
- (m) **Person:** Person means an individual, a partnership firm (registered or unregistered), an association of persons (registered or unregistered), company incorporated under The Companies Act, 1956, limited liability partnership (LLP) and/or a specific or discretionary private non-charitable trust.
- (n) **Arbitration and Mediation Committee:** Arbitration and Mediation Committee means a committee as referred in Clause 4 of this chapter under the heading "Dispute Resolution".
- (o) **Specific Category Members:** Specific Category Members means Corporate Members, Regional Chamber Members, Business Association (Mahajan) Members, Patron Members and Lifetime Members.
Note: Due to the enforcement of the Constitutional Amendments, the existing members of Business Women Wing for the year 2019-20 shall cease to be Specific Category members. However, they shall be treated as General Category members for the year 2019-20 till conclusion of Annual General Meeting. Additionally, the existing members in the Life and Patron Categories of Business Women Wing will be treated as Life and Patron members of The Chamber.
- (p) **General Category Members:** General Category Members means all the Members of the Chamber (including Specific Category Members but excluding Non-Voting Members).
- (q) **Executive Committee:** Executive Committee means Executive Committee of The Chamber formed under the provisions of its Constitution and Regulations.
- (r) **Scrutiny Committee:** Scrutiny Committee means Scrutiny Committee of The Chamber formed under the provisions of its Constitution and Regulations.
- (s) **Prescribed Fees:** Prescribed Fees means all the applicable membership fees (including Entrance Fees and Annual Subscription Fees inter alia) decided and fixed by Executive Committee of The Chamber for various categories of Members from time to time.
- (t) **Registered Business Address:** Registered Business Address means the place of business of a member as registered with the chamber at the time of applying for membership or as changed thereafter by providing acceptable documentary evidences as per provisions of the constitution.
- (u) **Professional:** Professional means any person [as defined earlier in (o)] involved in providing professional service which is legally approved/government recognized entity (firm) like CA Firm/Law Firm, etc.

3. Jurisdiction:

For initiating any legal proceedings against The Chamber, courts in the City of Ahmedabad shall have exclusive jurisdiction.

4. Dispute Resolution:

In case of any grievance against The Chamber and/or its office bearers and/or the Executive Committee and/or any other member of The Chamber and/or any staff of The Chamber, no such aggrieved member of The Chamber shall directly approach the Court for getting the grievance addressed, but shall be required to approach the Arbitration and Mediation Committee which shall follow the procedure prescribed under Arbitration and Conciliation Act, 1996 and as amended from time to time. Despite this, if any member approaches any judicial body and/or the Court of law, bypassing the step of approaching and getting the award/verdict from the Arbitration and Mediation Committee of GCCI, then such a member shall automatically cease to be a member of The Chamber.

4.1 Constitution of Arbitration & Mediation Committee:

The Arbitration & Mediation Committee shall be appointed by the Empowered Apex Committee. This committee shall comprise of 3 (three) persons, 1 (one) each to be nominated by the Member having grievance, and The Chamber, as well as an umpire with the concurrence of the two appointed Arbitrators.

4.2. Procedure for approaching for Arbitration:

- a) If any Member has a dispute/grievance against any of the above, an official request for arbitration should be sent to The Chamber on letterhead with signature of the registered representative, clearly mentioning the grievance and the clause of GCCI constitution supposed to have been breached.
- b) Such grievance shall be sent to The Chamber within 60 days of the date of arising of dispute/grievance and under no case grievance made late shall be entertained.
- c) Such a request shall be forwarded by The Chamber within 15 days of receiving the request for Arbitration, to the Empowered Apex Committee for consideration to accept the Arbitration.
- d) The Empowered Apex Committee shall on its own, if felt necessary, call and meet the grieved Member and the Member/Person against whom the grievance is addressed with an aim to resolve the dispute or primarily decide if there has been any breach of GCCI constitution.
- e) If the Empowered Apex Committee, after due consideration, feels the need for Arbitration, it would convey to both parties within 45 days of the date on which it has received the forwarded request for Arbitration, to nominate their representatives in the Arbitration Committee.

- f) Such nomination shall have to be made within 15 days of receiving the communication from the Empowered Apex Committee.
- g) After receiving names of both nominees, the Empowered Apex Committee shall, in concurrence with both nominated arbitrators, nominate the umpire within 15 days of receiving nominations from both parties.
- h) h. The Arbitration and Mediation Committee so formed shall be required to give its decision on the dispute within 90 days, and convey it to the Empowered Apex Committee which shall officially convey the decision to both parties involved in the dispute within 7 days after the decision.

Note: The Arbitration and Mediation Committee shall cease to exist automatically once the final decision on the dispute is conveyed to all parties.

CHAPTER - 3

Objects, Functions and Income & Assets

5. Objects , Functions and Income & Assets:

(a) Objects:

- (i) To play a proactive role in the creation of a policy environment which would foster rapid and inclusive development of the industry, trade and commerce in the state of Gujarat in particular, and in the country, in general.”
- (ii) To play the role of a catalyst in terms of encouraging, helping and nurturing the growth and development of trade, commerce, industry and service providers covered under the definition of Businessman in the state of Gujarat.
- (iii) To carry out activities concerning the questions of common interest of the business community, unity of the business community and towards fostering mutual friendly relations.
- (iv) To carry out in an organized manner, activities, directly or indirectly concerning the interest of the business community in all matters.
- (v) To achieve the objects of the business community concerning matters related to business carried out in the country and abroad.
- (vi) To carry out or get carried out research for achieving the objects of The Chamber and to collect and disseminate and circulate statistics and other useful information and to carry out attempts to spread knowledge concerning economy and commerce. To hold seminars, conventions, discussions and to organize exhibitions and to send and invite representatives to/from foreign countries for the benefit of business/industry.
- (vii) To make appropriate representations before the Government or Local Authorities in connection with the laws framed to promote business and for the protection of common interests of the public at large as well as to permit and encourage the implementation of regulations through Business Associations.
- (viii) To make appropriate representations and requests before the local, regional, administrative or legal authorities for matters relating to business and to take appropriate steps.
- (ix) To make provisions for arbitration of disputes arising amongst the members of The Chamber or between the members of The Chamber and others, in relation with matters concerning business and related matters and if required, making services of experts available.

- (x) To propagate education relating to business and towards this object to establish institutions, centres and internal departments and to make provisions for their maintenance.
- (xi) To make appropriate representations for addressing respective complaints related to business or any of its branch and to undertake activities for enhancement of trade and production.
- (xii) To make representations before government or its officials for safeguarding the interest and reputation of Indian Businessmen residing in India or Foreign Countries.

(b) Functions: -

- i. To make appropriate arrangements for taking organized steps for resolving the issues concerning and relating to the benefit of members.
- ii. For the purposes of achieving the objects of The Chamber, to associate with other prominent institutions and Business Associations connected with business and to make arrangements for taking necessary decisions to work in co-operation with such institutions.
- iii. To safeguard the rights and reputation of the trade and industry and to make attempts to protect the same.
- iv. For the purposes of achieving the objects of The Chamber, to purchase immovable properties, to acquire on leasehold or mortgage basis, to exchange or otherwise acquire and to sell, demolish, mortgage, lease, exchange or dispose off in any other manner, such immovable properties or any part thereof
- v. For the purposes of achieving the aforesaid objects, The Chamber shall create financial corpus through various means. In creating the Corpus, the object of profitability shall not be taken into consideration
- vi. Generally, to take such appropriate steps which directly or indirectly appear to be necessary for achievement of objects of The Chamber.

(c) Income & Assets:

All the income, earnings, movable and immovable properties of the Society shall be solely utilized and applied towards the promotion of its aims and objects only as set forth in the Constitution and Regulations, and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profit or in any manner whatsoever, to the present or past members of the Society or to any person claiming through any one or more of the present or past members. No members of the Society shall have any personal claim on any movable or immovable properties of the Society or make any profit, whatsoever, by virtue of his membership.

CHAPTER – 4

Members

6.Types of Membership:

The members of The Chamber will be of the following types: -

(a)Corporate Member

Only companies incorporated under the Companies Act, 1956, or a similar act in India earlier in the past or under the above act amended from time to time or replaced by any other similar act or any Limited Liability Partnership entities incorporated under the relevant law from time to time can become Corporate Member of GCCI. For becoming a Corporate Member, an incorporated company as mentioned above, will have to pay prescribed onetime fee as decided by The Chamber from time to time. All Corporate Members shall also be required to make payment towards annual subscription as may be decided by the Executive Committee of The Chamber from time to time, based on their turnover declared as Consolidated Total Revenue in their last finalized annual accounts, which are not older than 12 months from the date of application. Consolidated Total Revenue would be equal to Consolidated Total Income of the Corporate Member, net of excise duty, as reported in their last Consolidated Audited Annual Accounts. If Renewal subscription is not paid by 31st March, such member shall not have the voting weightage in the forthcoming Election of The Chamber for 1 year, but shall be eligible to only 1 vote.

Note: This provision shall not affect the membership renewals for the year 2016-17 for which 31 March 2016 was the last date.

The Corporate member may be represented to the chamber through its 2 representatives, with at least one of them being a Promoter Director and the other may be from the level of its CEO / President / Vice President / Top most Managers / Nominated Representative. A Board resolution shall have to be presented to the chamber informing of the choice and authority given to them for such representation. Out of the two names entered in the register as representatives of such Corporate Member, either one can vote in the elections of The Chamber but only the Promoter Director shall be eligible to contest as a candidate in the elections. A vote given by such representative shall be given the voting weightage as mentioned in Clause 43 hereinafter.

(b)Regional Chamber Member

Regional Chamber Member means a member who is recognized by The Chamber as a Regional Chamber and who has registered itself as a Regional Chamber Member with GCCI. Such Regional Chamber shall be essentially an Out-Station Member. To qualify for being recognized as Regional Chamber, such a member should be in existence for at least last 10 years, should have at least 500 direct members and 25 Business Association Members or have a minimum number of 1500 of direct members under its membership. (This applies to all new Regional Chambers that may be recognized by the chamber after this amendment is passed. Existing Regional Chambers shall have to fulfill/achieve this eligibility by 31 March 2019).

A Regional Chamber Member can contest and vote in the election. The entrance fees and annual subscription for the Regional Member of The Chamber shall be as decided by the Executive Committee from time to time. A vote given by a representative of a Regional Chamber Member shall be given the voting weightage as mentioned in Clause 43 hereinafter.

A Regional Chamber Member can be represented to the chamber through its 2 representatives as decided by a resolution in its Executive Committee/Board of Directors meeting. A resolution signed by current President & Secretary shall have to be presented to the chamber informing of the choice and authority given to them for such representation.

(c)Business Association (Mahajan) Member

Business Association Member (Mahajan Member) means a member who is recognized by The Chamber as a Business Association (Mahajan) and who has registered itself as a Business Association Member (Mahajan Member) with GCCI. Such Business Association (Mahajan), if Government Registered, should have membership strength of not less than 25 members to be considered eligible for membership. Any unregistered Business Association (Mahajan) should have not less than 25 members and should have been at least 5 years in existence to be considered eligible to be a member of the chamber.

A Business Association (Mahajan) Member can be represented to the chamber through its 2 representatives as decided by a resolution in its Executive Committee/Board of Directors meeting. A resolution signed by current President & Secretary shall have to be presented to the chamber informing of the choice and authority given to them for such representation. A Business Association Member can contest and vote in the election. The entrance fees and annual subscription for Business Association Member of Chamber shall be as decided by the Executive Committee of The Chamber from time to time. A vote given by a representative of a Business Association (Mahajan) Member shall be given the voting weightage as mentioned in Clause 43 hereinafter.

(d)Patron Member

To become a Patron Member of GCCI, a business entity will have to pay prescribed onetime fee (decided from time to time by the Executive Committee of GCCI) and such Patron Member shall not be required to make any payment towards annual subscription and can contest and vote in the election, if he is registered with GCCI as Patron Member.

(e)Lifetime Member

To become a Life Member of GCCI, A businessman will have to pay prescribed onetime fee (decided from time to time by the Executive Committee of GCCI) and such Lifetime Member shall not be required to make any payment towards annual subscription and can contest and vote in the election. Only an individual can become a Lifetime Member. A Lifetime Member can contest and vote in the election, if he is registered as Lifetime Member.

(f) (i) Ordinary Member

Any Businessman can become Ordinary Member of GCCI. The entrance fees and annual subscription for Ordinary Member of The Chamber shall be as decided by the Executive Committee from time to time. He will be able to contest and vote in the elections of GCCI as per the rules of GCCI. Though the entrance fee shall be paid by such members only at the time of becoming a member of GCCI, such members shall pay annual subscription fee for every Current Year, if they want to renew their membership for such Current Year. If they do not pay their annual subscription fees and apply for the renewal of their membership for a specific Current Year, their membership shall be terminated by GCCI.

(ii) Extraordinary Member

Past Presidents of The Chamber will be considered as extraordinary members of The Chamber; they will not be required to pay the annual fees and they will be entitled to all the rights available to an ordinary member of The Chamber. However, no extraordinary member shall be entitled to vote or contest in the elections unless he is a member of any other category.

(g) Foreign Member

If any Businessman of Indian origin, who is a citizen of a foreign country and/or is residing in a foreign country for a period of more than 12 months from the date of his expressing an intention of becoming a member of GCCI then such Businessman can be admitted as a Foreign Member and he/she will have to pay the necessary entrance fees and annual subscription (decided from time to time by the Executive Committee of GCCI) as may be applicable. He will not be allowed to contest election but will be allowed to vote in the election if he remains present personally. Such a member, whenever stays of more than 12 months in India, in any period of 24 months, his foreign membership will be terminated, and he will need to apply again for his membership to GCCI, for any other relevant category.

(h) Honorary Member

Persons who are well known for their Social and Educational Services, Experts in the fields of commerce, business and trade and reputed persons from other fields who are interested in the objects of The Chamber and its activities shall be admitted as Honorary Members on the recommendation of the Executive Committee and with the approval in General Meeting. They shall not be required to make payment of annual subscription. However, they will have no right to vote in any meeting of The Chamber or to become a member of the Executive Committee.

(i) Non-Voting Member

Any businessman can become a Non-Voting Member. However co-operative societies or Business Associations cannot become Non-Voting Members. Any person desirous of becoming a Non-Voting Member shall be entitled to register itself as a Nonvoting Member on payment of prescribed fees (decided from time to time by the Executive Committee of GCCI) for the year from 1st April to 31st March. Such membership shall have to be renewed at the expiry of the concerned financial year. Nonvoting Members shall have no

right to contest election or to vote or to remain present in the General Meetings. Excepting these, they will be entitled to participate in all activities of The Chamber.

Note 1

Entrance fee and Annual Subscription fees (All the fees covered under Prescribed Fees) shall be paid in the following manner. Payment can be made by cheque on behalf of the representative by the Member or vice versa. However, every Member shall be required to pay by cheque from the bank account or by a pay order from the bank account of the Member and/or the representative of the Member and send a copy of the Cheque, pay order and covering letter duly signed on the letterhead of the Member by the Member to The Chamber.

Note 2

Onetime fee received from Corporate Member, Patron Member and Life Member as well as entrance fee received from Ordinary Member shall be credited to the capital fund and such amount from this fund shall not be spent for the recurring expenses except with the permission of The Chamber in the Annual General Meeting or the Extra Ordinary General Meeting.

Note 3

Wherever applicable, every Member shall be required to pay annual subscription fee in advance i.e. between 1st November and 31st March of the relevant previous year in reference to the Current Year. Thereafter subscription fee will not be accepted and the membership of such member shall stand terminated automatically.

Note 4 Membership Criteria

Every person covered under the definition of the term Businessman can become a member in the relevant category that he desires and in the category of membership he is eligible for.

7. Application for Membership:

(a) Every Businessman including Regional Chamber or Business Association desirous of becoming a member shall have to sign an application form prescribed by The Chamber and fill up the details of applicable fee and particulars of his business or activity like firm, partners of the firm, directors of the company, or names of two office bearers of the associations, whatever is applicable, who are to be registered as representatives. Such application along with three passport size photographs shall be submitted to The Chamber. The application shall also be proposed by a member (excluding non-voting member) and seconded by another member (excluding non-voting member), with signatures of the proposing and seconding member and such application shall be forwarded to the Secretary General of The Chamber.

Applications for new Memberships shall be open for the entire financial year. On receiving the duly filled application form with all prescribed documentary evidences, the scrutiny committee shall recommend the application to the Executive Committee for approval. All such applications approved by the Executive Committee shall be accepted as regular voting members of the chamber. Membership year will be considered same as the financial year

of the chamber. Thereafter, for subsequent years the membership will have to be renewed on or before 31st March of the corresponding previous year, for every current year.

However, only for applications approved before 31st March of the current year, such members shall have the right to vote in the forthcoming elections of the chamber but cannot contest in the election for one full financial year after becoming a new member.

Any member who has multi-locational business addresses falling in Local and Out-Station categories, shall have to specify a “Registered Address” supported by any government license like VAT/GST, SSI, MSME, Excise/Service Tax, Shops & Establishment Registration, APMC Registration, etc. for the records of The Chamber. Accordingly he shall be considered a Local or Out-Station Member. Such Registered Address can be changed as per provisions in Clause 14.

Note:

1. Any Businessman can be a member only as the representative of his business as defined in 2 (d) & 2 (e). Under no circumstances can an individual who is either a Partner, Director, etc. of a business entity shall be given Individual Membership. Proprietors having their own business firm only shall be eligible for either Individual Membership or Membership under the name of their Business Entity.
2. Any Professional can be a member only as the representative of his business as defined in 2 (w). Under no circumstances can an individual who is either a Partner, Director, etc. of a business entity shall be given Individual Membership. Professionals like CA/CS/ICWA/Chartered Engineers, etc. having their own legal business entity shall only be eligible for either Individual Membership or Membership under the name of their Business Entity.
3. A Business Entity with more than 2 partners/directors may be represented to the chamber by only 2 representatives to whom it has given such due authority through a resolution passed at a meeting of all partners/directors. A copy of such resolution shall have to be given as documentary evidence along with the application or in case of change in representative thereafter.
4. Representatives of Member entities cannot apply for additional Membership in Individual capacity.

For the purpose of verification of membership, documentary evidence of the applicable category stated below shall have to be provided:

Category of Applicant	Document Requirement
1. Company	<ul style="list-style-type: none"> a. Certificate of Incorporation b. Resolution authorizing nomination c. Permanent Account Number (PAN) d. Certificate of Commencement of Business e. A copy of allotment of DIN Number of the authorized representative
2. An individual, a partnership firm (registered or unregistered), an association of persons (registered or unregistered), limited liability partnership (LLP) and/or a specific or discretionary private non-charitable trust.	<ul style="list-style-type: none"> a. Permanent Account Number (PAN) b. Certificate of Registration under Shops & Establishment Act, Or License under the Factories Act Or VAT Registration Certificate Or SSI or MSME or Udyog Aadhar Registration as applicable Or Specific License under APMC or such similar body approved by Govt./Semi Govt/ or Local body c. Partnership Deed (if applicable) Or CA /Bank Certificate confirming as Proprietor or Partner
3. Professional	<ul style="list-style-type: none"> a. Relevant Proof of membership of their professional body b. Permanent Account Number (PAN) c. Certificate of Registration under Shops & Establishment Act, Or License under the Factories Act Or VAT Registration Certificate Or SSI or MSME or Udyog Aadhar Registration as applicable Or Specific License under APMC Or such similar body approved by Govt./Semi Govt/ or Local body Partnership Deed (if applicable) Or CA/Bank Certificate confirming as Proprietor or Partner Certificate of Practice

4. Regional Chamber or Business Association (Mahajan)	a. Constitution of Business Association/Mahajan b. Certified Membership List c. Authorization for Nomination
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Note: - In all above categories nomination of representatives can be submitted. For each nominated person photo identification (copy of either Driving License or Election card or passport) should be furnished.

(b)Scrutiny Committee (Verification Committee)

The Executive Committee shall appoint Scrutiny Committee, consisting of at least 6 persons and not exceeding 9 persons in the following way: -

- Minimum 3 persons from the categories of extraordinary members and Executive Committee members (minimum 1 of which will be from Business Association Members category).
- Honorary Secretary (ex-officio)
- Secretary General or Deputy Secretary General.
- Up to 4 Elected Members of Executive Committee in any category (excluding non-voting members)

Minimum 4 persons out of the aforesaid shall be required to be present in the meeting of the Scrutiny Committee.

Note:

1. When the Executive Committee is not in existence, the Empowered Apex Committee shall appoint Scrutiny Committee from the members of The Chamber.
2. Until the scrutiny of every applicant is done, the Committee appointed by Empowered Apex Committee alone shall scrutinize and it shall continue to do so till the ensuing election.

8. Scrutiny of the application form for membership.

(a) After receipt of the application for membership by the Secretary General, he shall forward the same to the scrutiny committee appointed by the Executive Committee for preliminary verification and the said committee, if required, shall call for necessary evidence from the applicant and shall forward the same to the Executive Committee for final decision with its recommendation. Upon approval of the applications by the Executive Committee, the names of all applicants shall be entered as members of The Chamber. If subsequently, The Chamber finds that any facts given or sought in relation to an application are incorrect then the membership of such member can be cancelled by the Executive Committee. If in context of such an application any member demands decision through ballots then the President of the meeting with the consent of the members of the Executive Committee present can take decision through ballots and any decision taken by majority shall be treated as final. The Executive Committee can reject any application for membership without assigning any reason, the applicant should be informed accordingly. Any person, whose application for membership is rejected in the above fashion, can make a fresh application for becoming a member only on expiry of two years from the date of such rejection.

(b) Applications for membership received during the previous month in reference to the current month, with the recommendation of the Scrutiny Committee shall be placed in the meetings of the Executive Committee to be held in the Current Month, for approval. Applicants of applications approved in such a manner shall be considered as having become Members of the Chamber with effect from 1st of the next month in reference to the current month. Membership year will be considered same as the financial year of the chamber. Thereafter, for subsequent years the membership will have to be renewed on or before 31st March of the corresponding previous year, for every current year.

(c) There cannot be more than two members, from the same address, unless the Scrutiny Committee is satisfied about the different and unconnected memberships involved and the address has an inherent characteristic, where historically such entities have been operating and there is no possibility of providing distinctively different addresses for such entities. In these regards, the Scrutiny Committee's decision shall be final and unchallengeable.

(d) Maximum 1000 new members can be admitted in the Current Year. In any case, maximum 25% new members shall be admitted in each specified category on first come first served basis.

Note:

1. The meeting of the Scrutiny Committee shall be held every month before the Executive Committee meeting to scrutinize the new applications. There shall be a relaxation of maximum 15 days for any unavoidable circumstances.
2. New Membership Applications scrutinized and approved by the Executive Committee Meeting in the month of March shall only be given membership from 1 April and shall have a right to vote. Any Membership Application received after Meeting of Scrutiny Committee in the March shall be taken in April and shall not have the right to vote for the next Elections of The Chamber.

9. Rights of a Member:

All members of various categories of The Chamber will have the following rights:

- a) To receive the bulletin published by The Chamber.
- b) To use the Library of The Chamber.
- c) To give opinion on any matters on which common / general opinion of the members is sought in every meeting of The Chamber or through circular.
- d) To be elected or co-opted as a member of the Executive Committee, subject to and as per his/her eligibility defined in this Constitution and Regulations, and upon and after the completion of minimum of 2 years at any time in the past as an elected member of the Executive Committee, to be eligible as a candidate for Sr. Vice

President and/or Vice President. Eligibility for submitting the candidature as President shall be as per clause 40 sub-clause (b) mentioned hereinafter.
Explanation: A year means a period between two successive AGMs.

- e) However, if any member is a member under more than one category, he/she can give only one vote and he/she cannot give more than one vote. For the voting rights of a representative, representing more than one members, Clause 13(1)(e) shall apply.

10. Resignation from Membership:

A member desiring to resign from membership of The Chamber shall have to inform about his/her/its intention to do so in writing to the Secretary General

11. Termination of Membership:

The membership of any member of The Chamber shall automatically stand termination for the following reasons:

- a) If a Member becomes Insolvent.
- b) If a Member does not pay the annual subscription for the Current Year up to 31st March of the previous year in reference to the Current Year, when he is required to pay as per his relevant category.
- c) If any Member entity goes into liquidation.

12. Removal from Membership:

- a) If any member indulges in any activity or behaves in such a manner which would result into a breach of the rules of The Chamber and/or
- b) If the reputation of The Chamber is affected or its interests are prejudiced by any act of a member and/or
- c) If a member acts or behaves against the Constitution and Regulations of The Chamber and/or
- d) If a member behaves impolitely with the office bearers or staff of The Chamber or behaves impolitely in any meeting of The Chamber, then, in any one or more cases applicable, as mentioned above, the Executive Committee shall have a right to terminate the membership of such a member in GCCI. However, before such a step is taken, a member shall be given an opportunity of hearing before the Inquiry Committee. The Inquiry Committee shall have 3 members out of whom, there will be 2 Past Presidents and 1 from the current Office Bearers, all appointed by the President with the approval of the Executive Committee. The Executive Committee shall convey its proposal for termination of membership to the Inquiry Committee, and the Inquiry Committee shall give its report within 30 days. The decision given by the Inquiry Committee shall be final and binding to all.

Such Inquiry Committee shall cease to exist after the decision as conveyed to the Executive Committee.

Members or such representatives of a member entity, who are removed from membership of The Chamber shall not be admitted as a member of The Chamber in their individual capacity or as representatives of the same or other member entities without the approval of the General Meeting.

13.(1) Register and Index

- a) The Secretary General shall keep register of all members of The Chamber which will include all information about the names of all the types of members, the business entities they represent, their addresses, type of business etc. This information shall be serially entered in the index to be published by The Chamber.
- b) Members will be provided a Bar Coded photo identity card (or any other new card issued from time to time) by The Chamber, which will be required for verification for contesting an election and for voting in an election. Applications for issuing of replacement of lost Bar Coded Identity Cards (or any other new card issued from time to time) of membership shall be accepted up to three hours before the closing of voting on the date of the Election (for the purpose of casting a vote at the election of The Chamber) by payment of prescribed fee to be decided by the Office Bearers from time to time.
- c) A supplementary list will be prepared for changes made every year
- d) Every five years entirely a fresh list will be prepared. The person whose name appears in the index of members, as a member only, will be considered eligible to contest as a candidate in the election and vote. Even if any person is registered as a representative of more than one member, in the register of The Chamber, he will not be entitled to contest as candidate for more than one post in the election among all the posts of President, Sr. Vice President, Vice President and as a member of the Executive Committee.
- e) Where two representatives of a member are entered in the members list then out of the two representatives any one representative shall have the right to contest an election Chamber Member and a Business Association Member. (If any member of The Chamber is registered as a member under more than one category, the following shall be applicable:
 - Over and above being a representative of any one member category, if a representative represents any additional member category, which is a company, a Business Association (Mahajan) and/or a Regional Chamber then the representative of such member shall have right to give additional votes as representative of such additional member entities and shall be able to give more than one votes as applicable for the above mentioned categories.
 - Over and above being a representative of any one-member category, if a representative represents additional member category which is other than a company, a Business Association (Mahajan) and/or a Regional Chamber, the representative shall not be allowed to give additional votes for such additional members and shall be allowed to give only one vote.

(2) Corporate members who are registered as members under more than one category in the register of The Chamber and if such corporate member's representative contests as a candidate for membership of the Executive Committee, then such member shall not contest as a candidate from other category.

(3) New applicants who are registered as members of The Chamber up to 31st March of the previous year in reference to the Current Year, shall have right to vote but shall not be able to contest any election held in the Current Year.

14. Changes in the membership, Registered address, etc.:

a) The members will be required to intimate in writing to the Secretary General, in advance, any change in the address, name of representatives etc. in case of existing members by 20th February, of the previous year in reference to the Current Year. The Scrutiny Committee shall verify the information, including the names of the representatives of the members in such cases and if required can ask for proof from the members. After being satisfied, the Scrutiny Committee may allow the Secretary General to make such changes in the register of the members.

b) In case of basic change or conversion in names of members, bye laws, constitution or structure of a member entity, such member entity shall cease to be a member of The Chamber, except that in circumstances mentioned hereunder, the Executive Committee can permit such change and allow to continue the membership without accepting any entrance fee and without requiring undergoing of the procedure prescribed for a new member:

- If the Executive Committee is satisfied that there is no material change in the nature of Business.
- Changed entity or institution is eligible to become a member of The Chamber under its constitution.
- If a partnership firm or proprietorship firm is being converted into a private or a public limited company or a private limited company is being converted into a public limited company, necessary changes can be made in all relevant records, on collection of the differential amount of Entrance and Subscription Fee.
- The entity or institution coming into existence after such change shall within 60 days or within such extended period as permitted by the Executive Committee apply for change. The decision of the Executive Committee in this regard shall be treated as final and binding. It shall not be obligatory for the Executive Committee to give reasons for its decision.
- In case any BWW Member opts to change her membership to either Lifetime or Patron category, she shall cease to be a member of BWW and shall be considered as transferred to Lifetime or Patron membership as the case may be and her voting right shall also be changed as per the same new category.

15. Deletion of name:

In case of two representatives whose names have been published as representatives of a business entity and/or Regional Chamber/Business Association, subsequently cease to be the representatives of the member entity, and a written intimation in that regard is given to The Chamber before 15th May of the Current Year, then in that case the names of the outgoing representatives of such members can be replaced with the names of the new representatives, and they shall be eligible for voting in the election for that particular year as representative of such member entities.

CHAPTER - 5

Meetings

16. Financial Year: -

The financial year of The Chamber shall commence on 1st April and end on 31st March of the subsequent year.

17. General Meeting (Extra - Ordinary General Meeting): -

The General Meeting (includes Annual General Meeting) or Extraordinary General Meeting of The Chamber shall be a meeting of all the members of The Chamber of every type who are registered as members in the register of The Chamber as members (excluding non-voting members).

18. Proceedings at Annual General Meeting: -

The annual general meeting shall be convened anytime within 4 months of the year ending on 31st of March (i.e. by 31st of July). Notice of the meeting shall be sent to the Members, by ordinary post or by a courier, 15 days prior to the date of such meeting along with the Income and Expenditure Statement and Balance Sheet for the financial year and agenda items to be discussed and approved by the members. The following business shall be transacted at the meeting.

- a) To take note of the Annual Report, submitted by the President. This report should include a summary of milestones achieved during the financial year and the tasks that remained incomplete, which started during the year and need to be completed in the next year.
- b) To approve the audited accounts and other financial statements of The Chamber, which are already approved by the Executive Committee.
- c) To take note of Auditors Report and to take note of Executive Committee's financial report and explanations if any.
- d) To take note of the results of the election of President, Senior Vice President, Vice President and Executive Committee members for the Current Year.
- e) To discuss the issues concerning trade, industry or economy or concerning The Chamber, with regard to which, written notice has been received by the Secretary General of The Chamber from any Member, seven days prior to the Annual General Meeting.
- f) To resolve matters presented with the permission of the Chairman of the meeting or any other agenda item put on the table by the Chairman of the meeting.

19. An Extra - Ordinary General Meeting: -

The Extra - Ordinary General Meeting shall be convened whenever the Executive Committee deems fit to transact business that requires approval of the members in the General Meeting. The notice of the Extraordinary General Meeting shall be sent to the members at least seven days in advance, informing the date of the meeting, venue, time and the business to be transacted (agenda), by ordinary post or by a courier.

20. Requisition Meeting

An Extra Ordinary General Meeting shall be convened within 15 days of The Chamber receiving a requisition in writing along with reasons, from 10% of regular members of The Chamber or 20 existing elected (excluding co-opted) members of the Executive Committee.

21. Quorum of the Annual General Meeting and Extra-Ordinary General Meeting

1. The quorum necessary for any Annual as well as Extra-Ordinary General Meeting shall be at least 75 representatives present in terms of individual persons, irrespective of more than one vote that a representative may have (excluding Non-voting Members) If the requisite quorum is not present then such non-quorum meeting in which if at least 51 representatives present in terms of individual persons , irrespective of more than one vote that a representative may have, (excluding Non-voting Members) can transact the business after expiry of 30 minutes at the same place. No business other than those specified in the Agenda can be taken up in such meeting. However, no amendments / additions / deletions or any type of changes in the Constitution and Regulations can be transacted in any General Meeting where less than representatives present in terms of individual persons, irrespective of more than one vote that a representative may have (excluding Non-voting Members) are equal to the number of 5% of the Members of the Chamber (rounded off to the nearest integer).
2. In any case, any General Meeting where less than 51 representatives are present in terms of individual persons, irrespective of more than one vote that a representative may have, (excluding Non-voting Members) shall be adjourned and on the same day the date of the adjourned meeting shall be decided by the President of GCCI.

22. Chairperson in the absence of the President and Vice President

The President of The Chamber shall chair every annual general meeting and extraordinary general meeting. In absence of President, Senior Vice President and in the absence of Senior Vice President, Vice Present shall chair the meeting. In absence of aforesaid three persons, the elected members of the Executive Committee present in the meeting shall nominate any one member, amongst the members of the Executive Committee who has been elected in an election of Executive Committee (and not Co-opted), as the Chairman of the meeting.

23. Demand for Poll in a meeting: -

Every resolution in an annual general meeting, extra ordinary general meeting and requisition meeting, shall be passed by show of hands unless a poll is demanded.

If the number of votes for and against the resolution is equal then in addition to one vote as a Member, the President shall have authority of casting one additional vote. If prior to the decision of counting of votes by show of hands or immediately after the declaration of results on counting of votes by hand, a demand for voting by ballot paper is made by at least 10% of representatives present in terms of persons, in the meeting then the President

shall order fresh voting by ballot paper, where such counting of votes by ballot papers, shall be considered and declared as final result for the relevant resolution, overriding the result by show of hands for that resolution. Every voting member shall have right to speak or represent and to vote in any General Meeting. If more than one representative is registered for a member entity, and only one representative is present in the meeting, he can enjoy all the rights as a member during the meeting.

Note: All Notices to be sent to members either for General Meeting, Extra Ordinary General meeting or Requisition Meeting shall be sent from the office of The Chamber either by Post or Courier and email if email ID is provided by member or representative in membership application or renewal form.

CHAPTER - 6

Constitution of the Executive Committee

24. (1) Constitution of the Executive Committee

- a) To achieve the objects of The Chamber, 6 persons from Corporate Members, 6 persons from Patron and Life Members, 4 persons from Regional Chamber Members and 6 persons from Business Association (Mahajan) Members, thus total 22 members shall be elected in the Executive Committee. These candidates have to be registered members of the relevant category and shall be elected only by the members of that relevant category.
- b) Additionally, 24 members of General Category shall be elected in the Executive Committee. Any candidate in this category can be any Businessman who is a member of GCCI (excluding Non-voting Members) and shall be elected by all the members (excluding Non-voting Members) of The Chamber.
- c) From the General Category, all the members of GCCI shall also elect President, Sr. Vice President and Vice President, who shall also be part of the General Category of the Executive Committee.
- d) Thus, the Executive Committee of 51 members shall be constituted as per the table given below:

Categories of Members	Local	Regional	Total
Specific Categories			
a) Corporate			6
b) Regional Chambers		4	4
c) Business Associations (Mahajan)	4	2	6
d) Patron & Lifetime Members	4	2	6
General Category			
e) All the Members of the Chamber (incl. Ordinary Members but excluding Non-voting Members)	16	8	24
f) President (Office Bearer)			1
g) Sr. Vice President (Office Bearer)			1
h) Vice President (Office Bearer)			1
Total Members	24	16	49

Note: Every year (except office bearers) 50% members shall retire by rotation as members of Executive Committee. Every such incoming Executive Committee member who shall retire by rotation shall have 2 years term. President, Sr. Vice President and Vice President will have a term of 1 year.

(2) Term of Executive Committee

Term of office of 46 elected members of the Executive Committee from the Specific Categories as well as the General Category (excluding the President, Sr. Vice President and Vice President shall be for 2 (two) years commencing from the next day of the Annual General Meeting and out of them every year 3 Corporate category members, 2 Regional Chambers Category Members, 3 Business Association Category Members (2 Local Members and 1 Outstation Member), 3 Patron and Lifetime Category Members (2 Local Members and 1 Outstation Member) and 12 General Category Members (8 Local Members and 4 Outstation Members), shall retire in rotation and the vacancy so caused shall be filled up every year through an election.

The election for the Executive Committee Members in different categories shall be in the following way:

- a) All the Corporate Members registered with GCCI on 1st April of the Current Year, shall elect every year 3 members to be on the Executive Committee from the candidates contesting such election, who are registered as Corporate Members of GCCI. The term of such elected members in the Executive Committee shall be of 2 (two) years.
- b) All the Regional Chambers Members registered with GCCI on 1st April of the Current Year, shall elect every year 2 members to be on the Executive Committee from the candidates contesting such election, who are registered as Regional Chambers Members of GCCI. The term of such elected members in the Executive Committee shall be of 2 (two) years.
- c) All the Business Association Members registered with GCCI on 1st April of the Current Year, shall elect every year 3 members (2 from Local Members and 1 from Outstation Members from the Business Association Members category) to be on the Executive Committee from the candidates contesting such election, who are registered as Business Association Members of GCCI. The term of such elected members in the Executive Committee shall be of 2 (two) years.
- d) All the Patron Members and Life Time Members registered with GCCI on 1st April of the Current Year, shall elect every year 3 members (2 from Local Members and 1 from Outstation Members from the Patron and Lifetime Members category) to be on the Executive Committee from the candidates contesting such election, who are registered as Patron and Lifetime Members of GCCI. The term of such elected members in the Executive Committee shall be of 2 (two) years.
- e) All the Members registered with GCCI on 1st April of the Current Year and are eligible to vote under any category, shall elect every year 12 members (8 from

Local Members and 4 from Outstation Members from all the Members categories who are allowed to contest the election) to be on the Executive Committee from the candidates contesting such election, who are registered as Members who are eligible to contest election of GCCI. The term of such elected members in the Executive Committee shall be of 2 (two) years.

- f) All the Members registered with GCCI on 1st April of the Current Year and are eligible to vote under any category, shall elect every year President, Sr. Vice President and Vice President from all the member categories who are allowed to contest the election of such posts of GCCI as per the Constitution and Regulations. The term in the Executive Committee of such elected President, Sr. Vice President and Vice President shall be of 1 (one) year.

25. Co -option:

Every year the Executive Committee shall Co-opt maximum 20 members from the representatives of the members registered in the register of The Chamber and their term shall expire at the conclusion of the next Annual General Meeting. Such Co-opted members shall during the term of their office, be treated at par with the members elected to the Executive Committee, unless mentioned otherwise in this Constitution and Regulations. However, during their tenure, they shall not have right to be elected to the post of President, Vice Presidents, Honorary Secretaries or Honorary Treasurer. Out of the 20 members to be Co-opted, maximum 10 persons can be from General Category, maximum 5 persons can be from professional category and maximum 5 persons can be from the members representing Regional Chambers and Business Associations Categories. Over all minimum 30% of the co-opted members must be from the Outstation Category.

26. Powers and Responsibilities of the Executive Committee: -

1. To purchase office for the purpose of The Chamber.
2. To acquire property/properties in accordance with the rules and to manage them, to carry out changes or expansions in the property.
3. To take insurance of properties.
4. To appoint Secretary General, Joint Secretary General and Deputy Secretary General, if required, and to decide the overall budget for the total emoluments of the secretariat.
5. To regulate the affairs of The Chamber and to supervise the same.
6. To take steps to implement the resolutions passed in the general meetings and other meetings or to take appropriate measures in this regard.
7. (a) To appoint Committees and to appoint Chairman, Co-Chairman thereof. Only such Chairman of the Committee appointed in this manner shall be invited

as an invitee member in the meeting of the Executive Committee of the Chamber. They shall have a right to represent and give information about the matters relating to their committee in the proceedings of the Executive Committee, but they shall not have a right to vote. The Executive Committee can constitute maximum 25 such committees.

Provided however in addition to the constitution of said 25 committees, it shall be mandatory for the Executive Committee to constitute: (1) Business Women Wing and (2) Youth Wing.

Note: The Maximum strength of the invitee members shall be 20 (Twenty) only.

(b) A maximum of 5 representatives (may be non-members) may be taken in the Executive Committee as SPECIAL INVITEES from different business sectors who the Executive Committee feels can contribute to the activities of the chamber.

Such members shall only be in an advisory capacity and shall not have a right to vote in the Executive Committee. Their term shall end on the day of the next AGM of the chamber. The attendance rules as prescribed in clause 34 (vii) shall not be applicable to such Special Invitees.

8. To maintain accounts and manage funds and administration of The Chamber. To place a report on the affairs and audited accounts before the Annual General Meeting for approval. To decide the names of authorized persons in accordance with the rules for withdrawing and managing funds of The Chamber.
9. To purchase necessary things and articles required for The Chamber and if and when necessary to dispose of the same.
10. To decide about becoming member of institutions who have similar or incidental objects that of The Chamber and when found necessary to decide about resigning as a member of such institution.
11. To decide about approving or rejecting applications received for new membership of The Chamber. To decide about change in the names of the partners of firm, directors of a company and existing Office Bearers of institution as representatives of such members.
12. To decide about the programmes of Annual General Meeting, other Extra Ordinary General Meetings and Elections.
13. To Co-opt, and appoint Special Invitee members to the Executive Committee every year as per the rules.

Note: Any person who has submitted his nomination for election and subsequently withdrawn his candidature consecutively for 2 years in the Election of the Executive Committee shall not be eligible for Co-option or Invitee member for the same year.

14. To pass resolutions to manage the property of The Chamber and inform the

Empowered Apex Committee (Trustees) about the same.

15. To decide about organizing meetings, conferences, seminars exhibitions, discussions etc. by The Chamber either on its own or with the help of other institutions connected with The Chamber and government etc.
16. To decide about sending representative delegates within the country and to foreign countries.
17. The Executive Committee shall have right to perform all acts and duties and achieve objects which The Chamber is required to perform or achieve.

Note: Out of the above referred powers and responsibilities the powers and responsibilities mentioned in Sections no. 1) to 14) shall be available to the elected and Co-opted members of the Executive Committee only, while the powers and responsibilities mentioned in sub-sections no. 15), 16) and 17) can be performed by all members including invitee members.

27. Meetings of the Executive Committee: -

The meeting of the Executive Committee shall be held at least once in a month to discuss about important correspondence and other agenda.

28. Rules for functioning/proceedings at/of the Executive Committee:

1. A meeting of the Executive Committee shall be convened within 15 days of its election.
2. The meeting of the Executive Committee shall be convened by the President or in his / her absence by the Secretary General with the consent of Senior Vice President or the Vice President.
3. On receipt of written application, supported by the reasons, duly signed by 10 members of the Executive Committee, the Secretary General shall within a period of 10 days thereof give a notice 5(five) days in advance for convening an Executive Committee meeting.
4. Every member shall be informed in writing 5 days in advance about the meeting of the Executive Committee, its venue, day, time and purpose.
5. In extra ordinary circumstances the President can convene a meeting of the Executive Committee at a shorter notice of 72 hours.
6. The Quorum for the meeting of the Executive Committee shall be 20(twenty). If within 15 minutes of the time fixed for the Executive Committee Meeting the quorum is not present then the meeting shall be adjourned and shall reassemble for the same business after 30 minutes. However, if the strength of the members present is 10(ten) then the

meeting shall be convened and if the strength is less than 10(ten) then the meeting shall stand adjourned and the next date shall be decided by those present on the same day.

7. The President of The Chamber, in his/her absence the Senor Vice President and in his/her absence the Vice President and in his/her absence any member elected by the elected members of the Executive Committee shall preside over the meeting.
8. In ordinary circumstances counting of votes on a resolution proposed at the Executive Committee Meeting shall be by show of hands. However, on demand, the counting of votes shall be done by ballots. If there are equal votes on any resolution, the Chairman will have a right to cast an additional vote (Casting Vote).
9. Every year the Executive Committee shall complete the work of Co-option in its first two meetings.
10. The vacancy in the committee except that of President and Vice President shall be filled up by the committee within a period of two months of such vacancy.
11. For disposal of applications for membership, the same shall be placed for approval in the meeting of the Executive Committee convened after the verification of the applications by the Scrutiny Committee.
12. The written information about any business proposed to be transacted in the meeting of the Executive Committee shall be sent to the Office of The Chamber fifteen days before the date of the meeting. In ordinary circumstances no resolution can be passed on any item other than those covered in the agenda. In extra ordinary circumstances, such resolutions can be passed with the consent of the Chairman of the meeting. Any proposal involving expenditure of Rs. 10 (Ten) lakhs or more shall have to be covered in the Agenda.
13. Any business can be proposed in the meeting of the Committee with the permission of the President except those for which notice is necessary as per the constitutional provisions.
14. If deemed necessary by the Executive Committee and in anticipation of approval of the General Meeting or Extra Ordinary General Meeting it can take necessary decisions and implement the same. Such approvals shall be obtained within 2 (two) months from the date of passing such resolutions, failing which the decisions taken by the Executive Committee shall be reversed.
15. The minutes of the proceedings of the Executive Committee Meeting shall be sent after 15 days of the meeting or along with the Agenda of the next meeting of the Executive Committee.

29. Minutes of the Proceedings and Copy of Minutes:

- a) The important points of discussions and decisions taken in the meeting will be recorded in the minutes of the meeting. The decision of the Chairman will be final in this regard.

While approving the minutes, if any member proposes to mention a specific item in the minutes, then the decision shall be taken by majority. If any member has specifically objected or has presented any specific point, which he insists to record in the minutes, and the Chairman has approved the same or the majority has desired for it, then the same will be recorded in the minutes.

- b) The Secretary General of The Chamber shall provide a copy of the minutes of the proceedings of any meeting of the Executive Committee on receipt of written request from any elected or Co-opted member of the Executive Committee. If any member of The Chamber asks for a copy of minutes of the proceedings of the Executive Committee meeting, the Secretary General can provide the same after taking permission of the President.

30. Absence in the meeting of the Executive Committee:

Deleted and replaced by clause 34 sub-clause vii, of Constitution and Regulations, hereinafter.

31. Absence of the President:

The President or the Vice President can ask for leave from the Executive Committee for maximum four months at a time. During such leave of the President, the Senior Vice President will act as the President. During the absence of both the President and the Senior Vice President, the Vice President shall act as the President. During absence of the President and both the Vice Presidents, the Executive Committee shall select one member from its elected members as the President.

32. Vacancy for the post of President, Sr. Vice President and Vice President:

- a) If for any reason the post of President gets vacant, then the Senior Vice President shall take charge of the post of the President and the tenure of such post shall be till the conclusion of the Annual General Meeting of the concerned year.
- b) If for any reason the post of Senior Vice President gets vacant, then the Vice President shall take charge of such post and the vacant post of Vice President shall be filled up from the elected members of the Executive Committee who have completed one term after election. If equal votes are cast in favour of the candidates for such post, then the President shall draw a lot and such member whose name surfaces on the lot so drawn, shall be declared elected. The replacing member occupying such post shall hold the office till the conclusion of Annual General Meeting of the concerned year.

33. Tenure of the President, Sr. Vice President ,Vice President and the members of the Executive Committee: -

The President, Senior Vice President, Vice Presidents and members of the Executive Committee shall retire on expiry of the determined term of their tenure, but they shall continue to hold the office till election of succeeding President, Sr. Vice President, Vice President and members of the Executive Committee. If for any reason whatsoever on expiry of the time limit

for election, the President, the Sr. Vice President and/or Vice President continue to hold the office for maximum 2 (two) months, then the powers of three posts shall be taken over by the Empowered Apex Committee considering it as extra ordinary circumstances and it will complete the procedure for election in maximum 6(six) months. If for any reason, the elections are not completed within 6(six) months, then it will have to be compulsorily completed within 3(three) more months.

34.Disqualifications for the member of Executive Committee: -

Those who are existing members of Executive Committee as also those who are contesting election as a member of the Executive Committee, shall be considered disqualified as member or candidate for the following reasons;

- i. If a competent court has declared him/her of unsound mind,
- ii. If he/she is declared insolvent,
- iii. If he/she is convicted for moral turpitude,
- iv. If he/she is holding the post in Executive Committee or any other post as representative of the Company, Firm or Co-operative Society, etc, which has gone into liquidation,
- v. If the behaviour of any member with the office bearers is undisciplined or acts against the Constitution and Regulations of The Chamber [as per Article 12],
- vi. If any member is sentenced to imprisonment for six months or more by any criminal court.
- vii. If any Executive Committee Member who has not attended at least 33% of the total Executive Committee meetings in person (irrespective of any number of leaves of absence obtained by him), in any given Current Year of his tenure as Executive Committee member and such Current Year falls within the last two years, from the Current Year for which he is contesting or he is being co-opted, shall be disqualified to contest or to be co-opted as Executive Committee Member.

CHAPTER- 7

Office Bearers

35. Election and tenure of the President, Sr. Vice President and Vice President, the members of Executive Committee

- a) For managing the affairs of The Chamber, the following office bearers will be elected every year.
- i. President,
 - ii. Senior Vice President,
 - iii. Vice President,
 - iv. Honorary Secretary (Local),
 - v. Honorary Secretary (Regional),
 - vi. Honorary Treasurer.

Election of President, Sr. Vice President and Vice President shall be by votes from all the categories of members [except Nonvoting Members] of The Chamber.

Any Professional Member shall not contest or get appointed on any designation of the Office Bearers of The Chamber.

- b) Out of above office bearers, election of the President, Senior Vice President and Vice President shall be held every year in accordance with the rules prescribed in Sections No. 40 and 41. Executive Committee for the Current Year shall, in its first meeting nominate the Honorary Secretary (Local), Honorary Secretary (Regional) and the Honorary Treasurer in accordance with Section No. 35(d).
- c) Out of 48 elected members of Executive Committee half of the members i.e. 24 members shall retire by rotation at the conclusion of Annual General Meeting and vacancies arising due to retirement of retiring members shall be filled by elections as per other provisions of Constitution and Regulations. Accordingly, such newly elected members of Executive Committee shall become members of the Executive Committee after Annual General Meeting.
- d) Immediate Past President shall be an invitee to all the Executive Committee meetings of the Current Year, having no voting rights.
- e) If, during any year vacancy arises due to resignation or for any other reason of an Elected member(s) of Executive Committee, such vacancies shall be filled in by the Executive Committee by co-opting number of members equal to such number of vacancies. Such Co-opted Members shall be treated at par with other Co-opted Members and their term shall be terminated with the other Elected Members of the same term. If, during the year, a vacancy arises due to resignation or for any other reason of a Co-opted Member or Special Invitee, such vacancy may be filled in by the Executive Committee by co-opting / appointing new Special Invitees equal to such number of vacancies. Such members shall be treated at par with other members of the

same category and their term shall expire with other existing members of the same category. For any such co-options to the Elected and/or Co-opted member vacancies, the new co-options shall have to be done from the same category in which the vacancy has arisen. For example, if there is a vacancy from the Business Association (Local) category, the new co-option has to be done from members of the same category. If no such member is available, such a vacancy shall not be filled at all till the time a member from the same category is found eligible for co-option. Filling in of such vacancies shall be done within 2(two) months from the date arising of such vacancies.

- f) The tenure of the office of the President and Vice Presidents shall be up to the conclusion of the next Annual General Meeting after they occupy the post.
- g) From elected members of Executive Committee, every year Honorary Secretary, Honorary Secretary (Regional) and Honorary Treasurer shall be elected by the Executive Committee in its first meeting after the AGM, and their tenure of office shall be up to the conclusion of the next Annual General Meeting after they hold the office. However, if such members continue to be members of the Executive Committee then they shall continue to hold their respective posts till the time new appointments are made.

Note: No member shall be elected/appointed as Office Bearer on the same designation for more than one year consecutively.

- h) If, for any reason Honorary Secretary post is vacant in between, then the vacancy for the remaining period of the year shall be filled in from elected Local members of Executive Committee by calling an emergency meeting and if there is a vacancy for the post of Honorary Secretary (Regional) the same shall be filled in from elected outstation members of the Executive Committee. If there is a vacancy for the post of Honorary Treasurer then the same shall be filled from the elected members of the Executive Committee.

36. Rights of the office bearers:

- a) All the office bearers of The Chamber viz. President, Sr. Vice President, Vice President, Honorary Secretary (Local), Honorary Secretary (Regional) and Honorary Treasurer shall have authority to appoint heads of different departments and other staff members of The Chamber and they will inform Executive Committee about the same. The appointment of Secretary General shall have to be approved by the Executive Committee.
- b) Any cases or legal proceedings made for or against The Chamber shall be in the name of the Secretary General of The Chamber or in the name of an officer appointed for the purpose by the office bearers of The Chamber. In case any legal proceedings are initiated against the office bearers of The Chamber in relation to the activities of The Chamber, then in such circumstances, The Chamber shall defend at its own costs. The officer bearers shall not be held personally responsible for any bona fide actions of office bearers to fulfil objectives of The Chamber or for the activities of The Chamber, but it will be treated as the responsibility of The Chamber and if on account of any judicial proceedings any actions are initiated against the office bearers of The Chamber

or either of them, then The Chamber shall take full responsibilities for cost and damages, if any, caused to such member at its own cost.

c) To give instructions, directions and suggestions to the Secretary General, Deputy Secretary General and/or other staff members of the secretariat for the day to day activities of The Chamber.

d) Responsibilities of the President:

- i. To Chair the following meetings;
 - Executive Committee,
 - Annual General Meeting, Extra Ordinary General Meeting and other meetings,
 - Summit, Seminar, Conference, Exhibition, discussions and other meetings.
- ii. To lead the delegations of representatives,
- iii. To make effective representations on the issues of the trade and industry, before the Government and other related authorities and organizations, for the growth and development of The Chamber and to express the sentiments of business community on implementation of laws and rules, and make necessary suggestions. To discuss and exchange ideas with the Government and other authorities on matters concerning trade and industry and, in such matters, to give memorandum.
- iv. To head The Chamber, give guidance to the office staff, take their care and keep necessary control.
- v. To perform the duties on other matters relating to office.
- vi. To give statements in matters of emergency, urgency and other important matters.
- vii. To request special invitees to remain present and take part in the discussions at meetings of the Executive Committee.

e) Responsibilities of Sr. Vice President & Vice President:

- i. To act on behalf of the President in absence of the President.
- ii. To chair the sub-committees assigned to them by the President
- iii. To help the President to oversee specific missions, tasks and responsibilities assigned by the President.
- iv. To guide specific heads of the departments in the secretariat as per the assignment given by the President.

f) Responsibilities of Honorary Secretaries:

- i. To look after the day to day working of The Chamber
- ii. To act on behalf of and represent The Chamber as per the guidance of the President
- iii. To co-ordinate the working of various sub-committees of the Executive Committee
- iv. To optimize the incomes of The Chamber and sanction routine expenses of day to day working of The Chamber
- v. To plan and organize various events of The Chamber
- vi. To co-ordinate the implementation and follow-up of the decisions taken by the Executive Committee
- vii. To co-ordinate the meetings and agenda of the Executive Committee

g) Responsibilities of the Treasurer:

- i. To keep accounts of The Chamber,
- ii. To deposit surplus funds with the Nationalized Banks or roved Central/ State managed Companies and Government Securities under the directions of the Executive Committee,
- iii. To get the accounts audited at the end of the year. To present the audited accounts with the recommendations of Executive Committee at Annual General Meeting for approval.
- iv. To monitor all types of financial transactions of The Chamber under the directions of the Executive Committee.

h) Responsibility of Secretary General:

The Secretary General shall act as the chief administrator of The Chamber. The Secretary General shall be responsible for the total administration of The Chamber. Such responsibilities shall be performed by him according to the Constitution and Regulations of The Chamber under the directions of the Executive Committee. He will give guidance to the office staff, supervise them and keep requisite control. In accordance with the guidance of the President, the Secretary General shall be responsible to him for every matter pertaining to administration of The Chamber. Executive Committee of The Chamber shall vest authorities with the Secretary General from time to time and if necessary, will change or curtail the same.

CHAPTER - 8

Accounts

37. Accounts and Audit

The Secretary General shall maintain the accounts of The Chamber in accordance with guidance given by the Executive Committee, office bearers and Treasurer and as decided by them the surplus fund shall be deposited in Scheduled Banks, investments in Government and State managed companies and government securities. Such accounts shall be audited in a proper manner at the end of the year and the same will be approved at the Annual General Meeting of The Chamber.

38. Management of the Funds

If the General Meeting of The Chamber passes resolution authorizing the Executive Committee to borrow monies, then by virtue of the resolution the Executive Committee may borrow monies as may be necessary for the purpose of the objects of The Chamber. The rate of interest, nature of borrowing, terms and conditions and securities against which the borrowing is to be made etc. shall be mentioned in the resolution passed by Executive Committee. As per the aforesaid decision and direction of Executive Committee the Empowered Apex Committee shall deal with the property of The Chamber or any part thereof, and shall provide security in relation to the monies borrowed and interest thereon.

39. Withdrawal of funds

The Secretary General shall have the custody of cash and other financial instruments, deposits and funds of The Chamber. Under the guidance of Honorary Treasurer, he will open the Current and/or other types of accounts in the name of The Chamber with decided scheduled bank or in approved companies managed by Central or State Government. All monies and funds shall be deposited in such accounts and/or placed as deposit. For withdrawal of monies from bank accounts and/or for withdrawal of deposits, Cheques and/or other required instruments will be signed by the prevailing;

- i. President or by Sr. Vice President and Vice President, one of the two, and any one of two Honorary Secretaries and Honorary Treasurer shall sign Cheques and documents and withdraw money from the banks.

Note: Every Cheque and every withdrawal shall require the counter signature of Secretary General. During absence of Secretary General, Executive Committee by a resolution may empower Deputy Secretary General for such counter signature.

- ii. Executive Committee may authorize Secretary General and/or Deputy Secretary General to sign such Cheques up to a prescribed monetary limit. Authority for signing any legal agreement for sale or documents for mortgage may be given to Secretary General/Deputy Secretary General or any other officer of The Chamber.

CHAPTER - 9

Election

40. Election of President, Sr. Vice President, Vice President and Members of Executive Committee:

Notice of election for the post of President, Sr. Vice President, Vice President and Members of Executive Committee retiring by rotation shall be given by Secretary General to every member before 15th May, by way of circular and/or through the Bulletin of The Chamber.

- a) The forms for candidature in election shall be available at the Office of The Chamber as per the election program decided by Executive Committee.
- b) Form for candidature for President, Sr. Vice President and Vice President under Clause 35(a) received from any candidate must be signed by him, must be proposed by any member (excluding a non-voting member) of GCCI and must be seconded by an elected Executive Committee member, together with deposit of Rs.10,000/- and should reach the Secretary General before 4.00 p.m. of the last date decided for receiving the applications for candidature. The amount of said deposit shall be forfeited in case the candidate receives less than 15% votes of total votes cast in the election, unless he is declared elected. Senior Vice President, whose term as Senior Vice President has ended at the end of the immediate previous year of the Current Year, can be the only person who shall be qualified to file his candidature for the post of President in the election for the Current Year. In case, the Sr. Vice President as mentioned above, decides not to file his candidature for the post of President, and writes to Secretary General, not later than at least 21 days before Annual General Meeting, then any other member eligible to contest as President in accordance with other provisions of this Constitution and Regulations, shall be able to file his candidature form. If such Sr. Vice President shows his unwillingness in writing, to Secretary General later than the above date, election of President shall be postponed and conducted on a date, which shall be within a period of 30 days from the date of Annual General Meeting, and shall be decided by the Executive Committee in its first meeting, to be held at least 15 days ahead of such election. After notifying such date of election for President to all the members, candidature forms from eligible Members, for the post of President shall be accepted by Secretary General in accordance with other provisions of the Constitution and Regulations.
- c) Form for candidature for the vacant positions in the Executive Committee under section 35(c) received from any candidate must be signed by him, must be proposed by any member (excluding a non-voting member) of GCCI and must be seconded by any member (excluding a non-voting member) of GCCI, together with deposit of Rs.10,000/- and should reach the Secretary General before 4.00 p.m. of the last date decided for receiving the applications for candidature. The amount of said deposit shall be forfeited in case the candidate receives less than 15% votes of total votes cast in the election, unless he is declared elected.

- d) It shall be mandatory for all members elected to the Executive Committee to register themselves as Lifetime member or Patron Member and pay necessary membership fees within 60 days from the declaration of result. Such elected members originally registered in the Individual Category shall convert into Lifetime members while representatives elected on behalf of business entities shall have to get their Member entities to register as Patron members.

If any such elected member fails to register for Lifetime/Patron Membership, he/she automatically get disqualified from the Executive Committee for that term.

Representatives of Corporate Members, Regional Chambers, Business Associations (Mahajans) shall be exempted under the rule to become Lifetime/Patron Members after their election.

- e) No member or a representative of a member entity will contest as candidate for more than one post in the above-mentioned election.
- f) The candidate shall be required to declare in the candidature form his/her place of business for a period of 6(six) months immediately preceding the date of candidature form specifying whether he/she/it had his/her/its business address in the area falling within the jurisdiction of Ahmedabad Municipal Corporation and/or AUDA or outside thereof along with appropriate official proof thereof. The required evidence produced by the candidate along with the form for candidature should be acceptable to the Election Officer. If the proofs so produced by him/her are not considered appropriate then his form for candidature may be disqualified and such decision shall be binding to the candidate.
- g) Additionally the candidate shall be required to declare that “I have properly read the Constitution and Regulations of The Chamber and I agree to abide by and obey the same and I am contesting as a candidate according to Constitution and Regulations of The Chamber and I shall comply with the provisions and regulations of such election.”
- h) Election of President, Sr. Vice President, Vice President and the members of the Executive Committee shall be held on the date of Annual General Meeting. The Secretary General shall prepare a list of Candidates, which shall mention the date of election, and shall send the same to members so as to reach them at least five days prior to the date fixed for election.
- i) Only a member who has his/her/its business address in the area not falling within the jurisdiction of Ahmedabad Municipal Corporation and/or AUDA for at least six months prior to his/her filling the form for candidature shall be considered as an out-station member. Any member not satisfying the above condition shall be a local member for GCCI. In case of any dispute in this regard, the candidate shall provide such incidental proofs as may be required by the Election Officer and the decision of Election Officer will be considered as final.

- j) Only promoters/owners or businessmen as registered as authorized representative of a member can be nominated as candidate for election of the chamber.

41. Procedures relating to Election

Elections of General Category members as well as Specific Categories of members shall be undertaken by adopting the following procedure for the respective categories.

1. Objection against candidature:

Objections against any candidature by the candidates contesting the election, should be sent in writing to the Office of The Chamber latest by 11:00 a.m. on or before the date for scrutiny of the application forms for candidature, decided in the election program by the Executive Committee. Such date for scrutiny of the application forms shall be within 3 days from the last date of filing the candidature forms.

The Election Officer shall be empowered to deal with such objections and his decision shall be binding to all.

2. Date for withdrawal of candidature:

Candidature can be withdrawn within four days from the last date prescribed for submitting applications for candidature. The names of such candidates, who send intimation in writing to The Chamber by 4.00 p.m. of the last date prescribed for withdrawing candidature, shall be removed from the list of candidates and they shall be refunded the amount of deposit paid along with the application for candidature. Any candidate intimating withdrawal of his/her candidature after the aforesaid last date shall not be entitled to get refund of the deposit amount paid along with the application for candidature. The votes cast in favour of such candidates in the election shall be counted, but such votes will not be considered for declaration of election result.

3. Election Procedures and Results

- a. Out of total candidates contesting election in the General Category, 16 Local candidates who have received highest votes in descending order and out of the total candidates contesting the election from the regional category, 8 Regional candidates who have received highest votes in descending order, shall be declared as elected in their respective categories.
- b. If the number of Local and Regional candidates is less than the number of available posts, then such vacant posts shall be filled in by Co -option from members of the respective category at the first meeting of Executive Committee.
- c. If the number of posts in Local and Regional category are equal to the number of candidates of the concerned category then such candidates of the respective category shall be declared as having been elected uncontested.

- d. If the number of candidates in the respective categories is more than the posts, then elections shall be held for such category only.
- e. If there is only one candidate for the post of President, then he shall be declared as having been elected uncontested. Similarly, if there is one candidate each for two posts of Sr. Vice President and Vice President then they shall be declared as having been elected uncontested

4. Procedure for Election of Executive Committee Members:

After scrutiny of application forms for candidature to vacant posts of members of the Executive Committee and for the vacant post of the President and two Vice Presidents, election for vacant posts of members of Executive Committee and for the vacant post of the President and two Vice Presidents shall be held at the Head Office of The Chamber at Ahmedabad, from eligible candidates.

All members of The Chamber, as per their eligible voting rights as specified in Clause 43 of this Constitution and Regulations, shall only vote for General Category Elections. In addition, thereto, Specific Category Members shall also be eligible to vote as per their voting rights, for their respective Specific Category.

Members entitled to vote in election of The Chamber shall be allowed to vote after verification of the Bar-Coded Photo Identity Card or any such new Identity card or Biometric Identity issued by the chamber from time to time. (All other kind of Identity cards issued by the chamber earlier shall automatically be considered as cancelled). No member shall be allowed to vote without the photo identity card. Under exceptional circumstance the decision of election officer shall be considered as final.

Voting for General Category members shall be carried out at Office of The Chamber between 10.00 a.m. to 4.00 p.m. on the day of the Annual General Meeting. Ballot papers shall be issued to members after verification of identity card issued to them and such members can vote on the spot by dropping their ballot papers in ballot box. The members shall be required to sign the counterfoil of the ballot paper and such counterfoil shall remain with election officer. On receipt of all printed ballot papers and their counterfoils from the printing press, the same shall be initialled either by the Secretary General of The Chamber or by the Officer deputed for that purpose by the President. All members shall be required to vote either by ballpoint pen or fountain pen.

Same procedure shall be followed for elections of the members of the Specific Categories of the Executive Committee by the respective Specific Category Members.

42. Procedure for counting of votes:

Opening of the ballot box and counting of votes shall be undertaken in the presence of candidates or their representatives after one hour of completion of voting at 4.00 p.m. on the day of respective elections or on the next day of the election, starting at 10:30 a.m. The decision regarding the timing of starting of counting the votes from the above two options shall be taken by the appointed Election Officer and the same shall be binding to all the candidates. Till the

declaration of results of the election from the place where the counting of votes is undertaken, the sealed ballot boxes shall be kept in the custody of the secretariat. The sealed ballot boxes will have signatures of the outgoing President, the Secretary General and the Election Officer. Till such time, that the counting of votes is started, the room in which such sealed ballot boxes are kept, shall be also sealed with the signatures of the outgoing President, the Secretary General and the Election Officer. Under no circumstances, the sealed ballot boxes can be transferred to any premises outside the building where the office of The Chamber is located; till such time that the election officer declares the results of the election after the votes are counted. After completion of counting of votes, election officer shall place the details of the results on the notice board of The Chamber under the signature of Secretary General or Deputy Secretary General and/or Secretary of The Chamber which shall be considered as having been declared in the Annual General Meeting.

43. Voting by members to the candidates for the Executive Committee.

- a. Every year election shall be held from the members of the following categories.

Categories of Members	Local	Regional	Total
Specific Category			
a) Corporate Members			3
b) Regional Chamber Members	0	2	2
c) Business Associations (Mahajan) Members	2	1	3
d) Lifetime & Patron Members	2	1	3
General Category			
f) All the Members of The Chamber (incl. Ordinary Members but excluding Non-voting Members)	8	4	12
Total Members	12	8	23

- b. It shall be mandatory for every member to cast votes equal to the number of members to be elected in his/her category. If less or more votes are cast then it shall be treated as cancelled.
- c. As regards, Corporate members and Business Association (Mahajan) members, votes cast by such members shall be considered with the appropriate voting weightage as for which such members are eligible in their respective category as mentioned in Clause 43(c)(I) and 43(c)(II);

(I) Voting Rights of Corporate Members

The “voting weightage” of Corporate Member, whether an existing or a new member, shall be calculated on a slab system on the basis of its Consolidated Total Revenue during the last financial year in the following way:

CONSOLIDATED TOTAL REVENUE	VOTES
Not exceeding Rs. 500 Crores	1
Exceeding Rs. 500 Crores but not exceeding Rs. 1000 Crores	2
Exceeding Rs. 1000 Crores but not exceeding Rs. 1500 Crores	3
Exceeding Rs. 1500 Crores but not exceeding Rs. 2000 Crores	4
Exceeding Rs. 2000 Crores but not exceeding Rs. 2500 Crores	5
Exceeding Rs. 2500 Crores but not exceeding Rs. 3000 Crores	6
Exceeding Rs. 3000 Crores but not exceeding Rs. 3500 Crores	7
Exceeding Rs. 3500 Crores	8

Consolidated Total Revenue would be equal to Consolidated Total Income of the Corporate Member, net of excise duty, as reported in their last Consolidated Audited Annual Accounts.

The words “last financial year”, contained in this Clause shall mean the last financial year of respective companies for their accounting purposes.

However, if a Corporate member has not deposited his renewal fees for the current year with reference to the date on which the election is being held, till the 31st of March of the previous year, he will have no voting weightage but will have the right to cast 1 vote only.

(II) Business Association (Mahajan) Member

The “voting weightage” of Business Association (Mahajan) member whether an existing or a new member shall be calculated on a slab system on the basis of their number of Members as per their membership list as recommended by the Scrutiny Committee and as approved by the Executive Committee.

NUMBER OF MEMBERS OF MAHAJAN OR BUSINESS ASSOCIATION	VOTES
Not exceeding 49 Members	1
Exceeding 49 Members but not exceeding 200 Members	2
Exceeding 200 Members but not exceeding 300 Members	3
Exceeding 300 Members but not exceeding 400 Members	4
More than 400 Members but not exceeding 500 Members	5
More than 500 Members	6

Note: For establishing voting weightage, all the Business Associations shall have to submit a certified list of its members as on 31 March of the previous year in reference to the current year along with the latest Balance sheet. If such a list is not submitted by 15th May of the current year, no voting weightage shall be allowed and they shall the right of one vote only.

(III) A Regional Chamber member shall have a voting weightage of 6 (six) votes.

As per Chapter 4 (15), a Regional Chamber/Business Association shall have to intimate any change in their representatives by 15th May of the current year in reference to the date on which the election is being held. Voting right shall be given to the representatives registered with the Chamber as on 15th May.

44. Election by Ballot:

If the number of votes cast in favour of the candidates of the concerned category for the posts of President, Sr. Vice President, Vice President and/or the members of Executive Committee are in equal numbers then the President shall draw lots of candidates and the candidate whose names appears in the lot so drawn shall be declared as elected.

45. Election Regulations:

- i. Election canvassing shall be stopped 12 hours before the scheduled time on the day of the election.
- ii. Only valid voters shall be allowed to enter the voting area to cast vote and should leave immediately. The same condition shall be applicable to the candidates contesting the election.

Note: Voting area includes the space where identity verification is done, space where ballot papers are issued, space where voting booths are set up, and space where ballot boxes are kept.

- iii. If any candidate and/or his representative and/or any other person interferes in any manner whatsoever or tries to adopt any wrong means in connection with implementation of the aforesaid regulations and attention of election officer is drawn to these facts , then he/she can take necessary steps in connection therewith, including making the candidate, his representative and/or any other such person, vacate the premises and/or correcting the harm caused by the action of any candidate or his representative or any such other person
- iv. Every candidate shall be given an identity card.
- v. The results of elected candidates shall be declared in alphabetical order as published in the ballot paper together with number of votes received.
- vi. If, the candidate who had contested in election makes a written application to seek information on votes received by him and by other candidates, then the details asked, shall be provided to him/her on or before the end of the next day.

46. Declaration of uncontested election:

If the number of candidates for the concerned category of President, two Vice Presidents, Local candidates of Executive Committee, Corporate candidates and Regional candidates of Executive Committee are equal to the number of posts in their respective category, then such candidates shall be declared as having been elected uncontested prior to 48 hours of election.

47. Objection application for re-counting of votes:

Out of candidates who have contested election, those who have lost election may make a written application for re-counting of votes within one hour of the declaration of the result of election and Rs. 5,000/- shall be taken from him/her as a deposit. If re-counting of votes, changes the number of votes given to the candidate, his deposit amount will be refunded back to him, otherwise the deposit amount shall be forfeited by The Chamber. The result arising out of the recounting of votes shall be declared as final and no further recounting shall be allowed nor shall previous counting result be considered.

48. Objection Application for Election results:

Any candidate who has an objection against the results of election on any grounds others than counting and recounting of votes, shall within 3 days of the concerned yearly Annual General Meeting wherein election result is noted, make an application objecting the said results under his/her signature or with joint signatures of other candidates, along with deposit of Rs. 5,000/- by 6.00 p.m. of the last date so fixed for accepting such applications. The election board shall verify such applications and take appropriate measures considering the same and after the completion of entire process of election board if an application is rejected then deposit of Rs.5,000/- shall not be refunded. However, if election board approves such application the deposit amount shall be required to be refunded.

49. Election Board

In the last executive meeting held before the elections are held, the Executive Committee meeting shall form an Election Board. The members of this Election Board shall be as under;

- Outgoing President
- Any one past President
- One elected member of Executive Committee from General Category
- One elected member from Corporate Member, Lifetime Member or Patron Member Category
- One elected member from Business Association Member or Regional Chamber Member Category.

The Election Board constituting of 5 (five) members as above shall hear objection applications and shall dispose of the same within one month from the last date fixed for receiving such applications. If under any circumstances, it appears that election board would be unable to give its decision within one month, then with the approval of the Executive Committee, the above

period may be extended by a further period of one month.

If any member of the Election Board is connected directly or indirectly with the objection matter, he shall resign from the Election Board and shall be replaced with another member representing his category by the remaining members of the Election Board. The election board shall decide by a majority and its decision shall be considered as final.

If due to the decision of the election board, the election of all members of the Executive Committee is held unlawful then election officer shall within 45 days from the date of such decision of election board, hold a re-election according to the index of the members. Such election shall not require the approval of Annual General Meeting. Such election shall be considered as annual election according to the Constitution and Regulations. If the election board by its decision holds election of one or more members of Executive Committee as unlawful and declares such posts as vacant, then Executive Committee shall decide to fill in the vacancy by co-option of a member from the same category.

Election board may utilize the services of staff members of The Chamber for its functioning. No remuneration shall be payable to members of election board. All expenses pertaining to the functioning of election board shall be borne by The Chamber. The election board shall decide its own procedure for the disposal of objection applications received in connection with elections and it shall be vested with all powers. The vacancy caused on account of resignation or any other reason in the post of member of election board, shall be filled-in by the remaining members of the Election Board by replacing the vacancy with another member representing his category. Election Board so constituted with members appointed in such manner shall not be required to start its process afresh but shall continue the proceedings and take the decision.

50. Appointment of Election Officer

For appointment of an election officer The Chamber shall, request the Empowered Apex Committee to appoint a competent and experienced election officer for election of The Chamber, and accordingly the appointment of Election Officer shall be made. The Election Officer shall be paid honorary remuneration as may be fixed by office bearers of The Chamber.

51. Authority of Election Officer:

Following shall be the responsibilities of the Election Officer

- i. To sign after verification, applications for candidature received on the last day fixed for receipt of such applications for candidature by The Chamber and submit his/her report to the President and to take the final decision of rejection of any application for candidature.
- ii. To prepare final list of the candidates contesting election after the last date fixed for withdrawal of applications for candidature.
- iii. To ensure that all arrangements for election have been made.
- iv. To obey rules of election.

- v. To monitor election activities on the day of election.
- vi. To open the ballot box in the presence of candidates and their representatives and to seal the same on the day of election before starting of voting process.
- vii. To declare the voting from time to time on the day of election, for the information of the candidates and members.
- viii. After completion of voting at 6.00 p.m. on the day of election the ballot box shall be sealed in the presence of candidates or their representatives. All the ballot boxes so sealed shall be opened as per the timing decided as per Clause 42 in the presence of candidates or their representatives, if so desired by such candidates and counting of votes shall commence and ballot papers shall be given to the designated representatives for counting of votes.
- ix. To make arrangement of a separate space to enable the candidate and/or his one representative to sit and view the process of counting of votes.
- x. To open ballot boxes, remove all the ballot papers; prepare bundles of specific numbers, and give group wise serial numbers to ballot papers of each such bundle and to do all necessary activities required in this connection.
- xi. To sign on the report containing details of the total votes.
- xii. To sign on the short report containing the numbers of cancelled (invalid) votes and reasons thereof and to put stamp of 'invalid' on all such cancelled (invalid) ballot paper.
- xiii. To handover the report of the results to President after verification of completion of counting of votes for announcement.
- xiv. After 6 months of the declaration of the results of election, the ballot papers, counterfoils, etc., pertaining to the said election can be destroyed

CHAPTER - 10: *Extraordinary circumstances*

52. Provisions for a period when elections are not possible to be held in extra ordinary circumstances:

- i. Prior to the date fixed for election or on the day of the election, if extra ordinary circumstances arise and election officer believes that it is not possible to continue the election process, then in that case on the basis of his written recommendation, the President shall declare the cessation of remaining election process. The President shall call a meeting of Executive Committee and shall declare a new date for election which shall be within the period of 60 days from that day. Such new date of election as fixed by the Executive Committee shall be informed 15 days in advance to all members of The Chamber through monthly bulletin or circular sent thru ordinary post.
- ii. In extra ordinary circumstances under Clause 52(a), if election of President, Sr. Vice President, Vice President and members of Executive Committee is not held, then until Executive Committee is formed, as per the provisions of the Constitution and Regulations, the Empowered Apex Committee shall manage the affairs of The Chamber.

53. Tenure of Empowered Apex Committee and its duties and responsibilities during the tenure.

- a) The tenure of the Empowered Apex Committee shall be of 6 years from the date of Annual General Meeting in the year, when it was last constituted or elected, whichever is later. The tenure shall be shortened or extended automatically till the date of Annual General Meeting, in the year in which the tenure is expiring.
- b) Empowered Apex Committee shall consist of 5 (five) persons of which 2 persons shall be pre-eminent businessmen and/or industrialists, 2 persons shall be ex-Presidents of the Chamber and 1 person shall be a citizen, renowned in public life. At the expiry of any tenure of EAC, the members of EAC, shall decide whether to reconstitute, partly or fully, or continue the next tenure with the existing members. A decision regarding the reconstitution of members of EAC taken by EAC itself, shall be binding to all the Members of the Chamber. Any one person out of the above 5 persons, shall be the Chairman of EAC and in case of any decision during a meeting of EAC, divided into equal votes, shall give his casting vote.
- c) Members of Empowered Apex Committee will perform their duties as Trustees of The Chamber. The management of the property of The Chamber shall be done by the Empowered Apex Committee - Trustees of The Chamber in accordance with the recommendations of the Executive Committee, made by majority resolution, the same being passed by majority in the Annual General Meeting or Extra Ordinary General Meeting. The Empowered Apex Committee - Trustees shall carryout transactions

relating to insurance, invest funds and also arrange for the exchange, lease or mortgage of property and execute declaration or letters or documents. While performing their duties as Empowered Apex Committee - Trustees, if any responsibility, risk or expenses arises to their account then the same shall be reimbursed by The Chamber.

54. Functions of the Empowered Apex Committee: -

1. In event of any situation of constitutional difficulty or emergency wherein the current Executive Committee and the office bearers are not managing or are unable to manage the affairs of The Chamber as per the provisions of the Constitution and Regulations, then to undertake the responsibility of management and administration of The Chamber.
2. To enjoy all authorities of the Executive Committees under extra ordinary circumstances.
3. In the event that elections cannot be held under extraordinary circumstances, to manage affairs of The Chamber in accordance with the Constitution and Regulations, till the new Executive Committee is constituted.
4. In extraordinary circumstances, to complete the activities relating to election of new Executive Committee within maximum 6 months and if for any reason such activities are not completed within 6 months then compulsorily to complete the same within 3 months.
5. If any question relating to management of The Chamber arises then to take necessary steps by appointing an Arbitration Committee of 3 members from the members of the Empowered Apex Committee. If deemed necessary the Empowered Apex Committee shall take other external members in such Arbitration Committee. Any decision of the Arbitration Committee shall be binding to The Chamber and members.
6. If it is required to investigate and present report on any specific matter of The Chamber and any questions coming within the purview of its activities, then the Empowered Apex committee shall appoint an Investigation Committee of 3 members out of its members. If deemed necessary the Empowered Apex Committee shall take other external members in such Investigation Committee. The conclusions and recommendations of such Investigation Committee shall be binding to the Members.

55. Amendments in the Constitution and Regulations: -

The Executive Committee shall constitute a Constitution Committee to consider amendments to the Constitution and Regulations suggested by Members and/or office bearers of The Chamber and the Constitution Committee shall, after deliberating on the same, send amendments received along with its recommendations, to Executive Committee. Amendments along with the recommendations of the Executive Committee shall be placed in the General Meeting of The Chamber. Notice calling such meeting shall be sent by the Secretary General

of The Chamber, by ordinary post or by a courier, 10 days in advance to all members of The Chamber along with details of amendments to be placed in the meeting. At least representatives in terms of individual persons, irrespective of more than one vote that a representative may have, (excluding non-voting members) equal to the number of 5% of the Members of the Chamber (rounded off to the nearest integer) must remain present in such General Meeting to get such amendments passed. The amendments, additions or alterations shall be made with consent of minimum two third of votes from the total votes available from the Voting Members present at the meeting. If at least representatives in terms of individual persons, irrespective of more than one vote that a representative may have, (excluding non-voting members) equal to the number of 5% of the Members of the Chamber (rounded off to the nearest integer) are neither present at the decided commencement time of the meeting nor even after the expiry of 30 minutes from the decided commencement time of the meeting, then the same shall be passed by calling the meeting again. A copy of additions and alterations made to provisions of the Constitution and Regulations from time to time shall be noted in the register and maintained at the office of The Chamber.

56. Dissolution:

- a) The Chamber may be dissolved by a Extraordinary General Meeting of the Chamber convened specifically for this purpose, on the recommendation of the Executive Committee or on requisition of not less than 100 voting members (without considering their voting weightage exceeding one vote). Provided that in such meeting three- fifths of the total number of voting members of the Chamber shall express their explicit consent for dissolution and approving a resolution for dissolution by votes in person or by their votes as proxy received through postal ballot. Ballots by post shall not be valid in any of the General Meetings of the Chamber, except an Extra Ordinary General Meeting of the Chamber convened specifically for the purpose of dissolution and no other agenda shall be taken up in such meeting.
- b) The resolution passed under sub Rule (a) hereof may direct that if upon the dissolution of the Chamber there remains after the satisfaction of all debts and liabilities of the Chamber any property whatsoever the same shall not be paid to or distributed amongst the members of the Chamber but shall be given or transferred to some other society, institution or institutions having objects similar to the objects of the Chamber to be determined by the members of the Chamber at the aforesaid Extra Ordinary General Meeting.
- c) If the Chamber shall be insolvent, the liability of the members, who were members on the first day of the year preceding the commencement of the winding up shall be limited to contributing towards the deficit to the extent of year's annual subscription payable by them.

Chapter 11

Constitution and Regulations, its translation and compliance

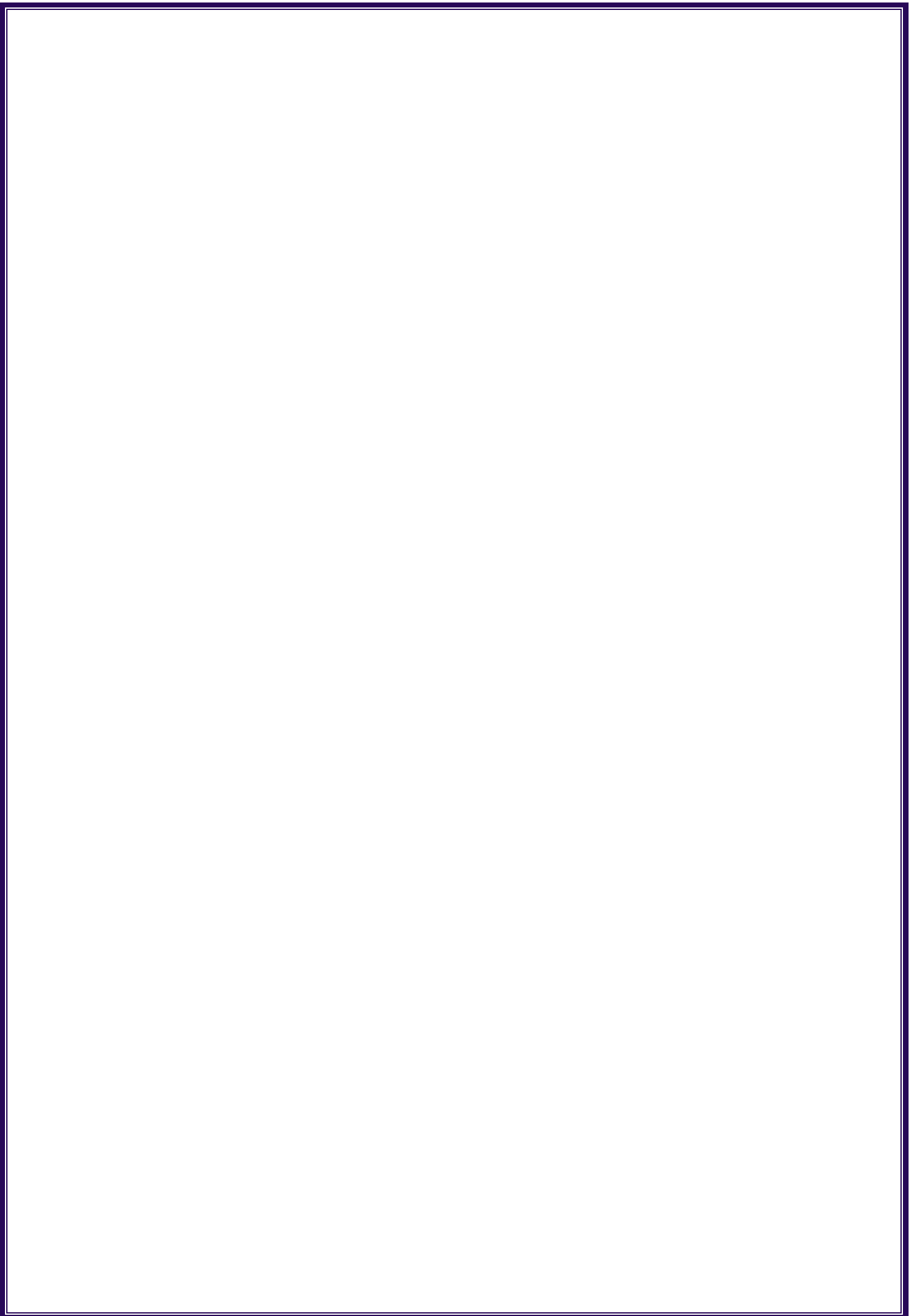
57. If any amended provision of the Constitution and Regulations is not in accordance with the current provision of the Constitution and Regulations, then in such circumstances amended provisions of the Constitution and Regulations shall be considered as final and the same shall be binding.

58. On or after the date of this Constitution and Regulations amendments getting effective, all voting members of the Chamber, including the applicants who become members for the first time, shall be given a copy, in its original English version or its Gujarati translation, as desired, free of charge by the Chamber. On receiving any request for an additional copy, by any voting member, a copy of this Constitution and Regulations in its original English version or its Gujarati translation, as desired, shall be made available by the office of Secretary General of The Chamber. A member requesting a copy of the Constitution and Regulations in English or its translated copy in Gujarati shall pay Rs. 50 per copy to The Chamber. In a given financial year not more than 2 copies shall be made available to a member of The Chamber.

59. In case of any dispute in terms of interpretation between the original version in English, and its translation in Gujarati, interpretation in English shall prevail over Gujarati translation, in the court of law and for any other use.

60. If any of the terms mentioned in any chapter or part thereof, if found ultra virus under any specific law, then in such case such term shall be treated as null and void, without affecting the rest of the terms, chapters, clauses and parts thereof, forming part of this Constitution and Regulations.

61. This Constitution and Regulations, along with amendments/ additions / deletions, if any, from time to time, shall be the Constitution and Regulations for Gujarat Chamber of Commerce and Industry (GCCCI) to get itself registered as a body under any act and/or get itself affiliated with any apex body at the national level and the same can be submitted for that purpose to the concerned authority and/or institution





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