

Membership & Election Rules of SGEPC, 2025

1. DEFINITIONS:

In these Rules unless there be something in the subject or context inconsistent therewith:-

“COUNCIL”	Means	Sports Goods & Toys Export Promotion Council.
“MEMBER”	Means	A Member of the Council
“CHAIRPERSON	Means	Chairperson of the Council
“COMMITTEE”	Means	Committee of Administration of the Council, constituted, as such, under Articles of Association of the Council hence forth referred to as the “Committee”.
“SECRETARY”	Means	The Secretary of the Council and includes any officer of the Council performing secretarial functions
“EXECUTIVE DIRECTOR”	Means	The Executive Director (ED) of the Council and includes any officer of the Council performing secretarial functions

MEMBERSHIP

2. CATEGORIES OF MEMBERS AND ELIGIBILITY OF MEMBERSHIP

2.1 Categories of members of the Council

The Council shall have the following categories of members, namely:

- (a) Associate members;
- (b) Ordinary members.

2.2. Eligibility for Associate Membership

A person shall be eligible for admission to the Council as an Associate member on receiving the Importer - Exporter Code (IEC) from the Directorate General of Foreign Trade (DGFT), Government of India, in respect of the product with which the Council is concerned.

2.3. Eligibility for Ordinary Membership

A person shall be eligible for admission to the Council as an Ordinary member of the Council, on meeting the following requirements, namely:

- (a) The person or the entity represented by the person, must have been an Associate member of the Council for at least two years; and

Membership & Election rules 2025 approved during 335th Meeting of Committee of Administration, held on 11th January 2025..

(b) The person or the entity represented by the person must have to its credit during the two immediately preceding financial years average exports in respect of the product of not less than the amount mentioned below:

(i) Micro, Small, Medium Enterprises (MSMEs):

Micro Enterprises- Rs. 25 lakhs

Small Enterprises -Rs. 50 lakhs

Medium Enterprises- Rs. 1 crore

(ii) Others: Above Rs.1 Crore

2.4. Conversion to Associate Membership

If the average exports of a product by an Ordinary Member is below the pecuniary limits mentioned in clause(b) of clause 2.3, during the immediately preceding two financial years, the Committee may, after giving the Member reasonable opportunity of being heard, convert the Ordinary membership to an Associate membership, unless specifically exempted.

3. APPLICATION FOR MEMBERSHIP

3.1 Form of application

Online Application for membership of the Council as a member shall be made to the Council in the prescribed application form on a common digital platform of DGFT (URL: <https://www.dgft.gov.in/CP/?opt=e-rcmc>) or as may be prescribed by the Govt., from time to time and the same shall be available on the Council's website.

3.2 Accompaniments

The application for membership shall be sent to the Council, along with requisite documents which may include the following:

- (a) a copy of the active IEC number by the applicant;
- (b) a certificate of financial soundness from the applicant's bankers;
- (c) proof of payment of the prescribed fee which, along with any other payments to the Council.
- (d) name and contact details of person representing the organisation.
- (e) The Committee may call for such further information, documents, statements, clarifications or take such steps to verify the correctness of the details set out in the application form as it may deem necessary in its absolute discretion.

3.3 Decision on the application

- (a) The Committee or any authority designated by the Committee shall take a decision on the application for membership within 45 days from the receipt of a properly completed application, and the Committee's decision shall be final.

- (b) In case, a decision is taken by a designated authority, the same shall be ratified by the Committee in its first subsequent meeting.
- (c) The decision of the Committee whether of acceptance or rejection of the application, shall be communicated to the applicant along with reasons, in writing.

3.4 Commencement of membership

Where the application for membership is accepted by the Committee, the membership of the applicant shall commence from the beginning of the financial year during which the application is accepted.

4. REPRESENTATION OF FIRMS

- (a) Any firm, which is a member of this Council, shall by consent of all partners authorize any one of its partners to act as its representative at any meeting of the Council or of the Committee.
- (b) In the absence of any such authority in the case of any firm, any one partner whose name has been registered in the records of the Council shall be entitled to act as a representative of the firm at any meeting of the Council or of the Committee.
- (c) Any Company or Co-operative Society or other Corporation which is a member of the Council shall, by a resolution of its Directors (or of any persons in the position of Directors) authorize any of its Directors or any person in the position of Directors to act as its representative at any meeting of the Council or of the Committee.
- (d) A sole proprietary firm or Hindu Undivided Family firm shall be represented by its proprietor or Karta as the case may be.
- (e) A person authorized to represent an entity by or under clause (a), (b) (c) or (d) of this rule shall thereupon be entitled to exercise the same rights and powers on behalf of the member whom the person represents, as if it were an individual member of the Council, of the same class as the firm, company, society, or other corporation, as the case may be.
- (f) Any authority granted under clause (a) or (c) of this article shall be effective, only on expiry of seven days from the date on which it is lodged with the Council.
- (g) Authorizations referred to above shall continue to be in force until revoked and/or withdrawn in writing by the member.

5. ADMISSION FEE, SUBSCRIPTION & CONTRIBUTION

- (a) Admission fee
Every member shall pay an Admission Fee Rs. 2000/- or as may be fixed by the Committee from time to time.
- (b) Subscription
Every member shall pay a Subscription of Rs. 10000/- per year or as may be fixed by the Committee from time to time. The subscription shall be due in advance for the whole year and shall be payable on or before 30th April, each year.

- (c) Contributions:
Every member, shall pay trade contributions regularly @ **.05% of F.O.B. Value of exports or as may be fixed by the committee from time to time, against export effected during the month including that for NIL exports during a particular month/s. Discounted rate of 0.04% would be applicable, if export returns and trade contribution are submitted / deposited within 45 days of the close of the month.** There is a ceiling of Trade Contribution to maximum of Rs.2,00,000 per year, or as may be fixed by the committee from time to time.

Notwithstanding anything contained in this Clause, nominated members shall be exempt from paying subscriptions, admission fee and contributions.

6. CESSATION OF MEMBERSHIP

- (i) Any member may withdraw from the Council by giving a written notice to the Executive Director/ Secretary of his/ her intention to do so. Provided, however, the member shall continue to be a member until such time the resignation is accepted by the Committee.
- (ii) A member whose subscription, contributions and any other dues are not paid upto 30th April each year, shall cease to be a member of the Council. Provided, however, the Chairman may at his/ her discretion, grant extension of time. The defaulting member as aforesaid shall be notified by the Executive Director/ Secretary of his/ her removal from the membership of the Council addressed to the last known address in India of such member / by electronic mode.
- (iii) A member who fails to submit returns of his/ her exports regularly as may be prescribed from time to time under the Foreign Trade Policy may lose the membership of the council as decided by the committee.
- (iv) A member who fails to settle the complaints received against him by the Council and also does not abide by the findings of the Committee shall cease to be a member of the Council.

Nothing contained in Clause 6(iii) and (iv) above shall be effective unless a show cause notice is issued under the signature of the Executive Director/ Secretary and sent to the member at his/ her last known address in India or by electronic mode and until the expiry of the time specified therein to show cause.

- (v) A member who has resigned / deregistered shall nevertheless continue to be liable to the Council for all amounts due from him to the Council and for any other liability, which he/ she might have incurred towards the Council.

7. DISQUALIFICATIONS FOR MEMBERSHIP OF COUNCIL

7.1 Disqualification

- (a) A person shall be disqualified for being, or for continuing as a member of the Council, if:
- i. found to be of unsound mind by a competent court;

- ii. adjudicated as, or applies to be adjudicated as, an insolvent;
- iii. convicted by a court of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months;
- iv. they or any firm in which they are a partner or any company of which they are a Director, commits a violation of relevant sections of the Act;
- v. they become disqualified by an order of the court or tribunal under relevant sections of the Act;
- vi. they cease to be a member of the entity which they represent, or such entity ceases to be a member of the Council;
- vii. their name is removed from the Register of Members under clause 7.2; *or*
- viii. convicted of the offence dealing with related party transactions under the relevant sections of the Act; at any time during the preceding five years.

(b) A person shall be disqualified from reapplying for membership, if:

- i. a period of five years has not elapsed from the date of expiry of the sentence;
- ii. they have been convicted of any offence and have served a period of seven years or more.

7.2 Removal by the Committee

The Committee or any other Committees designated by the Council may, after giving a member reasonable opportunity of being heard, remove the name of that member from the Register of Members, either for a specified period or indefinitely, if the Member:

- (a) has violated any condition for membership; or
- (b) has been in arrears in regard to the payment of membership fee or of any other amounts due from the member to the Council for more than six months; or
- (c) has been found guilty of disorderly conduct at meetings of the Council or of the Committee; or
- (d) has been found guilty of conduct unbecoming of a member; or
- (e) has become disqualified under clause 7.1.

8. REGISTER OF MEMBERS

The Council shall keep a Register of Members (Ordinary, Associate, Co-opted, Nominated and Institutional) which will contain the following particulars of its members, namely:

- (a) the name, email address, postal address and occupation of the member;
- (b) registered office address, contact details, IEC/PAN/GST/TIN/CIN/DIN of the member applying, as applicable;
- (c) the class of membership of such member, if any;
- (d) the date on which each member was entered in the register; and
- (e) the date on which the person ceases to be a member.

ELECTIONS

9. COMPOSITION OF THE COMMITTEE

9.1 Chairperson and Vice Chairperson of the Committee

- a) The Chairperson shall be elected by the Council or elevated from the position of vice chairperson on being endorsed by the committee. The Chairperson:
 - i. shall hold office for a period of two years and shall retire accordingly;
 - ii. shall not be eligible for re-election at the next election in the same Council;
 - iii. shall be eligible for re-election as Vice-Chairperson/Chairperson as the case may be, in the same Council, only after a cooling off period of not less than four years from the date of demitting/vacating office as the Chairperson;
 - iv. can be removed by a “No Confidence Vote”. Such resolution shall be passed by not less than two third of the Members of the Committee. The resolution regarding No Confidence will be put to vote on the same pattern of direct elections as enumerated in AOA's.

- b) The Vice-Chairperson of the Committee shall be elected by the Council and shall hold office for a term of two years and;
 - i. on completion of the term of two years, the Vice-Chairperson shall be endorsed by the Committee to succeed as the Chairperson on completion of the Chairperson's term, unless the Vice-Chairperson is unwilling to accept Chairpersonship or the Vice-Chairperson has incurred any of the disqualifications enumerated in AOA's of the Council;
 - ii. in the event of the post of Vice-Chairperson falling vacant due to any of the circumstances, the post shall be filled up as per the procedure laid down;
 - iii. shall be eligible for re-election as Vice-Chairperson in the same Council, only after the gap of four years from the date from which the Vice-Chairperson has last held office as a Chairperson or Vice-Chairperson, whichever is later;
 - iv. can be removed by a No Confidence Vote. Such resolution shall be passed by not less than two third of the Members of the Committee. The resolution regarding No Confidence, shall be put to vote on the same pattern of direct elections as enumerated in AOA's.

Notwithstanding the provision mentioned at 9.1(b)(i) above, the Council may also consider direct elections for the post of Chairperson by adopting a resolution with 2/3 majority of the Committee of Administration.

9.2 Composition of the Committee

- a) The Committee of Administration shall be elected by the Council. The COA members shall have a maximum of two terms of three years each followed by a cooling off period of two years.

- b) The Committee of Administration shall be composed of the following:
- i. Fifteen elected members (excluding the Regional Chairpersons) *.
 - ii. Nominated members not exceeding three, from the prescribed categories as per rule 9.3, if reservation criteria under rule 9.3 is not fulfilled through elections.
- c) More than one member from any firm/entity shall not be eligible to be an elected member in the same COA in any capacity.

9.3 Reservation

- a) At least one third of the seats for the elected members of the Committee shall be reserved for representatives of MSMEs.
- b) In addition, at least one third of the seats for elected members of the Committee shall be reserved for exporters who fall within the category of export houses, trading houses, star-trading houses and entities granted similar status for the purpose of the Foreign Trade Policy that is in force at the time.
- c) At least three seats shall be reserved for categories of women entrepreneurs (minimum one), startups, young entrepreneurs (less than 40 years of age as on 31st March of the year of election); or North Eastern/Hill Regions to ensure their suitable representation in the Committee.
- d) For the purposes of reservation as stated in paragraph (c), at least one seat shall be reserved for a woman entrepreneur.
- e) if the categories mentioned in (a), (b) and (c) are represented/elected through either of the above or overlapping categories, this will be sufficient for meeting the requirements mentioned under these provisions.
- f) Where any seat reserved under clause (c) of this Article cannot be filled up by candidates of that reserved category through election process, the Department of Commerce, in consultation with the respective Councils, shall nominate suitable representatives of the respective categories.
- g) The Council shall send a report to the Department of Commerce within 45 days after conclusion of election process.

9.4 Co-opted Members

- a. The Committee may co-opt such members, as it considers necessary from Central Government/State Government/Banking Institutions/Star Houses etc. for the efficient conduct of its business in relation to specific types of activities.

*To fill 3 additional seats (from 12 to 15) one seat is to be added every year starting from the year 2024-25 till 2026-27.

9.5 Other Provisions for Nominated / Co-opted Members

- (a) The term of office of members of the Committee who are nominated by the Central Government shall be co-terminus with the term of the Committee. Provided that, if a member is nominated during the term of the Committee, its term of office shall be such as the Central Government may specify.
- (b) The Central Government may, at any time, require such a nominee to relinquish its office and may appoint another person in its place.

9.6 Retirement of Elected Members

- a) One third of the elected members shall retire annually, but shall be eligible for re-election, as per laid down procedure.
- b) For the purpose of para (a), the names of the members who shall retire, shall be determined by lot/in accordance with the seniority (long serving members of COA will retire first).
- c) Election process of the retiring members may be started three months before the AGM of that year.
- d) There shall be a “cooling off” period of two years after two consecutive terms of the elected member of COA.
- e) The member elected to the post of Vice – Chairman of SGEPC will continue as Vice-Chairman and subsequently as Chairman, till the expiry of his/her term, as prescribed in Article 9.1. However, in case the tenure of Vice-Chairman / Chairman as COA member fell short, the person so concerned will be deemed elected for the next term of COA so as to continue as Vice – Chairman / Chairman to complete his/ her tenure.

10. CONDUCT OF ELECTION

- (i) The Committee shall, at any time before the Annual General Meeting appoint an Election Committee comprising three of its members and one of them shall be designated as a Retuning Officer.
- (ii) Election of the Committee and also for the post of Vice-Chairperson/Chairperson of the Committee shall be conducted through evoting, as provided for in the relevant Act of the Foreign Trade Policy.
- (iii) A reputed agency i.e. National Securities Depository Limited, the Central Depository Services (India) Limited or any other entity approved by the Ministry of Corporate Affairs may be appointed by the Committee to conduct the election in a free and fair manner.
- (iv) Observer(s) for the election(s) for the post of Committee of Administration and for Vice-Chairperson/Chairperson will be deputed by the Government from the Department of Commerce, DGFT or any other Ministry/ Department/Organisation as may be decided by the Government.
- (v) The COA shall appoint one or more scrutiniser, who may be Chartered Accountant in practice, Cost Accountant in practice, or Company Secretary in practice or an Advocate, or any other person who is not in employment of the Council and is a person of repute who, in the opinion of the COA members can scrutinise the voting and remote e-voting process in a fair and transparent manner.

- (vi) The provisions under this article shall be subject to the provisions of the relevant Act, Rules, Regulations, Foreign Trade Policy (FTP) and instructions, guidelines, advisories issued by Government of India from time to time.
- (vii) At an Annual General Meeting, members shall elect from among themselves, members of the Committee in place of those who shall retire by rotation and such other vacancies as are to be filled up by election. Members of the Committee shall deem to continue in office until their successors are elected.

Notwithstanding anything herein contained, the existing Committee shall deem to have been elected under these rules and shall continue to be in office.

11. ELECTION PROCEDURE

11.1 RIGHT TO VOTE

- (a) Ordinary members shall have the right to vote.
- (b) Associate members having completed 3 continuous years, and not fulfilling the eligibility criteria for Ordinary Member, however, having average exports of Rs. 2.5 Lakhs to their credit during the preceding three financial years, shall also have the right to vote.

11.2 ELIGIBILITY TO CONTEST ELECTIONS

- (a) Only an Ordinary Member shall be eligible as a candidate for elections to various positions in the Council.
- (b) The person or the entity represented by the person must have to its credit during the two financial years immediately preceding the election, the average exports of the products of not less than the amount mentioned below:
 - (i) Micro, Small, Medium Enterprises (MSMEs):
Micro Enterprises- Rs. 50 Lakhs,
Small Enterprises -Rs. 1 crore and
Medium Enterprises- Rs. 2.5 crore
 - (ii) Others: Above Rs.2.5 Crore.
- (c) If applicable, where a person is contesting for election as Regional Chairperson, the person or the entity represented by the person must have minimum average exports of Rs. 2.5 crores of the product, to its credit during the two financial years immediately preceding the election.

- (d) Where a COA member is contesting for election as Chairperson or Vice-Chairperson, the person or the entity represented by the person must have minimum average exports of Rs. 2.5 crores of the product, to its credit during the two financial years immediately preceding the election.
- (e) A certificate issued by a Chartered Accountant shall be required for the purposes of paragraph (b), (c) and (d) of this Article.
- (f) A duly authorized representative of an ordinary member shall be eligible to propose, second or contest any election;
- (g) No two representatives of the same firm, company or undertaking or of affiliated firms or of an association shall be eligible to contest any election.
- (h) Only Ordinary Members shall have right to stand as a candidate, and to vote at the election of the members of the Committee and the right to vote on all matters brought before a meeting of the Council, provided there are no arrears of subscription or other dues or charges payable by them to the Council.
- (i) A candidate must have Director Identification Number (DIN) duly approved by Ministry of Corporate Affairs. In case of candidate not having DIN at the time of nomination, they should obtain the same by the date of AGM.

12. NOMINATIONS

- i) The Executive Director/ Secretary shall issue a notice to members together with nomination forms (as per performa annexed) inviting nominations in respect of vacant seats on the Committee. Nomination forms duly completed should reach the Executive Director/ Secretary within fourteen days from the date of the issue of the notice.
- ii)
 - a) Nominations not signed by the authorized representatives as candidate, proposer and seconder shall be rejected.
 - b) Nominations received after the prescribed date and time shall stand rejected.
- iii) All nominations received within the prescribed date and time shall be entered in a register maintained for the purpose. Election Committee shall scrutinize all nominations received and prepare a list of valid nominations.
- iv) A candidate who has been validly nominated, can withdraw his/ her name within three days from last date fixed for receipt of nominations.
- v) Within four days from the last date of withdrawal of nominations, the Executive Director/ Secretary / Returning Officer shall notify to the members of valid nominations received by the Council; if the number of valid nominations received are equal to the number of vacant seats then the candidates so nominated shall stand elected.
- vi) In the event of an election taking place, the Electronic Processing Agency (under the supervision of Returning Officer/scrutinizer) shall be Authorized to issue the Ballot Paper on the registered E-mail ID of concerned members.

13. PREPARATION OF ELECTORAL ROLL

- i) Before issuance of nomination papers, SGEPC shall prepare an Electoral Roll (Voter List) of the members of SGEPC as per the records available and place it on SGEPC website under the title 'Electoral Roll'.
- ii) The details once finalized and listed in the final electoral roll shall be considered as registered details of member and shall be considered as authentic and registered record.

14. VOTING

- i) The entire process of instructions for electronic voting will be made available on the SGEPC website under the Column “ELECTION PROCESS”. The member may first look into the instructions and thereafter may cast their vote through relevant Electronic means as per procedure.
- ii) A member can cast his/ her vote by electronic means only any time, any day prior to close of electronic voting as prescribed in voting procedure to be notified before every election. .
- iii) On completion of the process of voting by Electronic means, the Electronic Processing Agency shall hold the data captured in the system without declaration to the members.
- iv) Voting by proxy shall not be allowed and each member shall cast his/ her vote electronically only

15. COUNTING OF VOTES AND RESULT

- i) The counting of electronic votes will be held electronically as per system. Such data will be finalized and handed over to Returning Officer/Scrutinizer.
- ii) Candidate(s) receiving the largest number of votes shall be declared elected. In the event of equal number of votes having been cast in favour of any two candidates, the result shall be determined by draw of lots.
- iii) The decision of the Chairman in all matters relating to nominations and elections shall be final and legally binding.

NOMINATION PAPER

To

The Executive Director,
Sports Goods & Toys Export Promotion Council,
1-E/6, Swami Ram Tirth Nagar,
New Delhi-110055

Dear Sir,

We, _____ the Authorized Representative

of M/S _____ (proposer)

and _____ the Authorized Representative

of M/S _____ (secondar)

do, hereby, propose and second the name of Mr./ Ms. _____

Authorized Representative of M/S _____

who are the members of Sports Goods & Toys Export Promotion Council (hereinafter referred to as Council) for the membership of the Committee of Administration of the Council;

We also, hereby solemnly declare that we are the duly authorized representative of the members mentioned above and from whom no money is due to the Council on any account. We further declare that our authorization still subsists.

Proposer Signature

Secondar Signature

Date: _____

Place: _____

I hereby agree to be a candidate for Membership of Committee of Administration of the Council, in the following Category (Choose all applicable categories)

- MSME (Attach certificate)
- E.H/ T.H (Attach certificate)
- Women Entrepreneur
- Startup (Attach certificate)
- Young Entrepreneur (Attach proof of D.O.B)
- Members from North East / Hill Region
- Any eligible Ordinary member

Signature of the Candidate

DIN of the Candidate:

Note: The Candidate for nomination to COA shall have DIN (Director Identification Number) duly approved by Ministry of Corporate Affairs. In case DIN is not available, please apply at www.mca.gov.in and send the copy of DIN approval letter to the council before the AGM.

AUTHORIZATION LETTER

Name of the firm : _____

Address of the firm : _____

To,

Dated: _____

The Executive Director,
Sports Goods & Toys Export Promotion Council,
1E/6, Swami Ram Tirth Nagar,
New Delhi-110055

Dear Sir,

In pursuance of Para 4 of the membership Rules of the Council, we hereby authorize Mr./ Ms. _____ to represent us and take part in the deliberations of General Meeting including Annual General Meetings of Sports Goods & Toys Export Promotion Council, to be held from time to time.

This Authorization shall continue to be in force until revoked or withdrawn by us in writing. His/Her specimen signatures are attested below.

The official email address and mobile number of the authorized representative is also mentioned below.

Email address : _____

Mobile number: _____

Specimen signature of the Authorized Representative

Yours faithfully,

Attested by:

Signature : _____

Name : _____

Designation : _____

Signature with Company Stamp

In case of partnership firm, consent of all partners authorizing any one of its partner, to act as its representative at any meeting of the council or of the committee, is required.

(Seal and Signature of the firm for Pvt. Ltd/ Ltd. Company)

RESOLUTION

CERTIFIED COPY OF AN EXTRACT FROM THE MINUTES OF A MEETING OF THE
BOARD OF DIRECTORS OF _____
CONVENED AT WHICH A PROPER QUORUM WAS PRESENT AT ____ON_____

THAT MR/MRS. _____ BE AUTHORISED TO REPRESENT US AND
TAKE PART IN THE DELIBERATION OF GENERAL MEETING INCLUDING ANNUAL
GENERAL MEETING OF SPORTS GOODS & TOYS EXPORT PROMOTION COUNCIL
TO BE HELD FROM TIME TO TIME.

THAT MR/MRS _____ BE AUTHORISED TO CONTEST THE COA
ELECTION OF SPORTS GOODS & TOYS EXPORT PROMOTION COUNCIL.

CERTIFIED TO BE TRUE COPY

FOR _____

(DIRECTOR)