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Ministry of Commerce & Industry
Government of India



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EPCINDIA
ENGINEERING THE FUTURE

DOING BUSINESS IN KENYA



THE EEPIC INDIA
'DOING BUSINESS' SERIES



DOING BUSINESS
IN KENYA



Doing Business in KENYA

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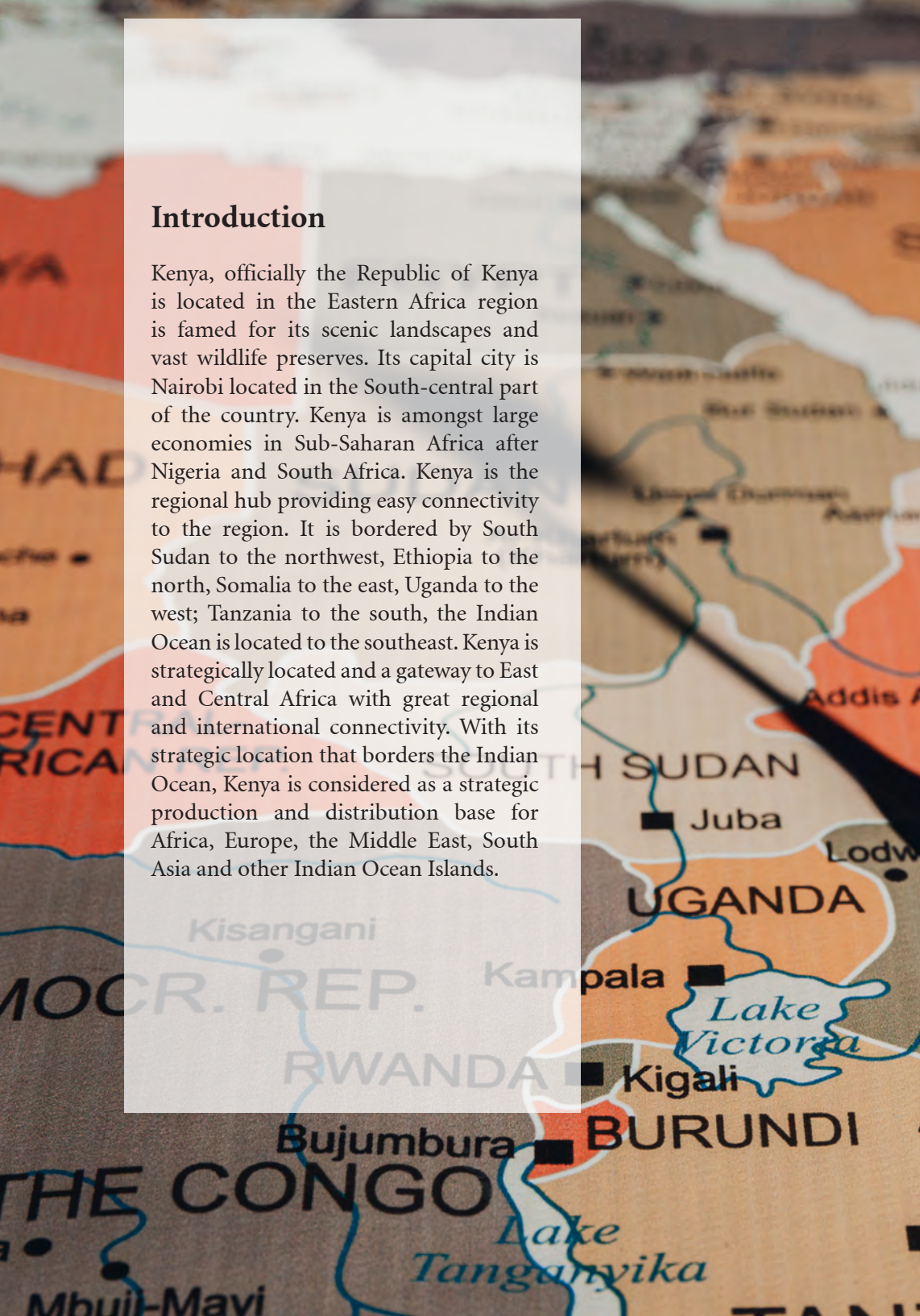
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Introduction

Kenya, officially the Republic of Kenya is located in the Eastern Africa region is famed for its scenic landscapes and vast wildlife preserves. Its capital city is Nairobi located in the South-central part of the country. Kenya is amongst large economies in Sub-Saharan Africa after Nigeria and South Africa. Kenya is the regional hub providing easy connectivity to the region. It is bordered by South Sudan to the northwest, Ethiopia to the north, Somalia to the east, Uganda to the west; Tanzania to the south, the Indian Ocean is located to the southeast. Kenya is strategically located and a gateway to East and Central Africa with great regional and international connectivity. With its strategic location that borders the Indian Ocean, Kenya is considered as a strategic production and distribution base for Africa, Europe, the Middle East, South Asia and other Indian Ocean Islands.





KENYA

■ Nairobi

● Arusha

● Mombasa

■ Dodoma

● Zanzibar

● Dar Es Salaam

TANZANIA

YEMEN

SOMALIA

■ Muqdisho (Mogadishu)

● Hargeysa

● Domo

● Dira Dawa

■ Ababa

■ Addis Ababa

■ Jibouti

■ Dire Dawa

■ Bishofty

■ Bahar Dar

■ Gondar

■ Addis Ababa

■ Addis Ababa

■ Addis Ababa

■ Addis Ababa

■ Addis Ababa

■ Addis Ababa

■ Addis Ababa

■ Addis Ababa

■ Addis Ababa

■ Addis Ababa

Country profile

Geography	
Capital City	Nairobi
Location	Eastern Africa, bordering the Indian Ocean, between Somalia and Tanzania
Total Area	580,367 sq km
Climate	varies from tropical along coast to arid in interior
Natural Resource	limestone, soda ash, salt, gemstones, fluorspar, zinc, diatomite, gypsum, wildlife, hydropower
Time Difference	India is 2 hours and 30 minutes ahead of Kenya
Demography	
Population	57,052,004 (2023 est.)
Languages	English (official), Kiswahili (official), numerous indigenous languages
Population Growth Rate	2.09% (2023 est.)
Literacy	82.6% as on 2021 (Literate means people age 15 and over can read and write)
Economy	
Currency	Kenyan shillings (KES)
Exchange Rate	109.638 per US dollar - (2021 est.)
GDP (Official Exchange Rate)	\$95.52 billion (2019 est.)
Real GDP Growth Rate	7.52% (2021 est.) -0.25% (2020 est.) 5.11% (2019 est.)
GDP - Per Capita (PPP) (Data in 2017USD)	\$4,700 (2021 est.) \$4,500 (2020 est.) \$4,600 (2019 est.)

Economy	
GDP - Composition by Sector	Agriculture: 34.5% (2017 est.) Industry: 17.8% (2017 est.) Services: 47.5% (2017 est.)
Inflation Rate (Consumer Price)	6.11% (2021 est.) 5.4% (2020 est.)
Industries	Agriculture, Transportation, Services, Manufacturing, Construction, Telecommunications, Tourism, Retail
Exports (Current US\$)	\$ 11.825 billion (2021 est.) \$ 9.709 billion (2020 est.)
Exports - Commodities	Tea, Cut Flowers, Coffee, Refined Petroleum, Titanium
Exports - Partners	Uganda 14%, Pakistan 8%, Netherlands 8%, United States 8%, United Kingdom 7% (2020)
Imports (Current US\$)	\$ 21.853 billion (2021 est.) \$ 17.717 billion (2020 est.)
Imports - Commodities	Refined Petroleum, Palm Oil, Broadcasting Equipment, Packaged Medicines, Cars
Import - Partners	China 27%, India 11%, United Arab Emirates 7%, Japan 4%, Saudi Arabia 3% (2020)
Ports and Terminals	Major Seaport(s): Kisumu, Mombasa LNG terminal(s) (import): Mombasa

Source: CIA World Fact Book



Economy of Kenya

Commercial Guide

Kenya is the largest economy in East Africa, with a GDP of \$109 billion in 2021, and has undergone significant economic growth in recent years. The Kenyan government has made substantial investments in infrastructure, agriculture, healthcare, housing, and manufacturing, with the goal of becoming a newly industrialized nation by 2030.

The country has a market-based economy with a few state-owned enterprises. Kenya is an emerging market and an industrialized nation, surpassing its East African neighbors in terms of economic development. Major industries in the country include agriculture, forestry, fishing, mining, manufacturing, energy, tourism and financial services.

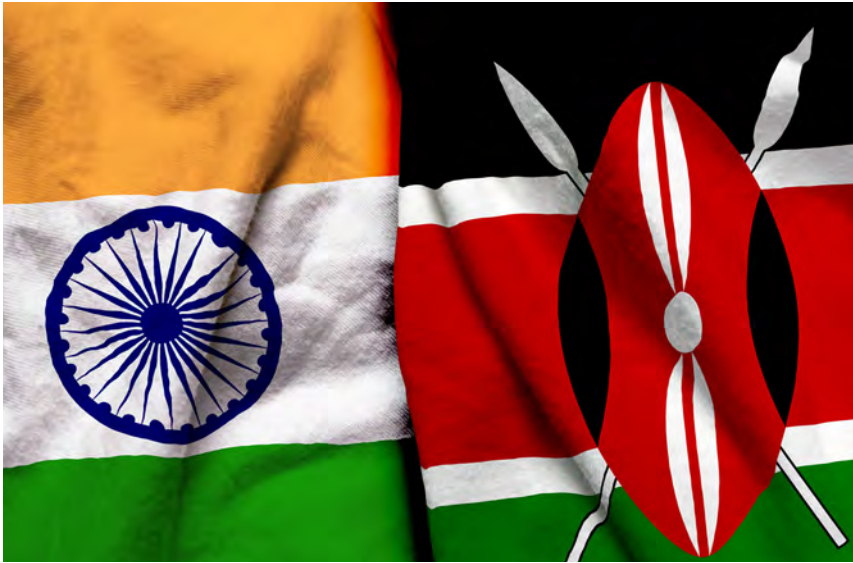


Market Opportunities

Kenya has a market-based economy and is generally considered the economic, commercial, financial and logistics hub of East Africa. With the strongest industrial base in East Africa, Kenya has been successful in attracting exporters and investors. Despite the many challenges that Kenya presents, there are a good number of opportunities locally and regionally. Kenya offers potential investment opportunities in sectors like infrastructure, environment & natural resources, Building and construction, manufacturing, agribusiness engineering services like: power generation equipment and power transmission infrastructure, household appliances.

Market Entry Strategy

A common strategy followed in Kenya is to first appoint an agent or distributor, and then to enter and register. Kenya is one of the key logistical conduits into the East Africa Community (EAC) regional market consisting of South Sudan, Kenya, Tanzania, Uganda, Rwanda, and Burundi. Many foreign companies operating here do business under their own name to manage penetration into the larger, regional market. Companies that create jobs and implement strong Corporate Social Responsibility (CSR), education and training programs are appreciated. Capacity building to create employment is needed to support Kenya's economic development goals.



Bilateral Relation between India and Kenya

India and Kenya, as maritime neighbors, have developed a strong and multi-faceted partnership in recent years, characterized by high-level visits, growing trade and investment, and collaboration in international fora. The two nations have been members of organizations such as the United Nations, Non-Aligned Movement, Commonwealth of Nations, G-77 and G-15, and the Indian Ocean Rim Association for Regional Cooperation, among others.

The India-Kenya Trade Agreement, signed in 1981, has played a significant role in strengthening trade relations between the two nations. As per the agreement, both countries granted Most Favoured Nation (MFN) status to each other, and several Joint Trade Committees were established to promote trade and investment. India is now one of the largest trading partners of Kenya, and the trade volume between the two nations has been consistently increasing over the years.

In addition to trade and investment, India and Kenya have also signed a bilateral Double Taxation Avoidance Agreement (DTAA), which helps to

prevent double taxation of income and reduce tax evasion. The agreement was first signed in 1989 and revised in July 2016, coming into effect on 30th August 2017.

Overall, the partnership between India and Kenya has become increasingly robust and multi-faceted over the years, with both countries collaborating closely in areas such as trade, investment, and diplomacy. The close relationship between the two nations is likely to continue to grow and evolve in the years to come.

Bilateral Commercial Relation

Trade

The bilateral trade relations between India and Kenya encompass various sectors of the economy.

For 2022-23, the trade volume between India and Kenya stood at USD 3.4 billion. Out of this, Indian exports to Kenya were valued at USD 3.3 billion, and imports from Kenya stood at USD 0.12 billion.

The main exports from India to Kenya include petroleum products, pharmaceuticals, steel products, machinery, yarn, vehicles, and power transmission equipment. On the other hand, Kenyan exports to India primarily comprise soda ash, vegetables, tea, leather, and metal scrap.

Over the years, the bilateral trade between the two countries has been consistently increasing.

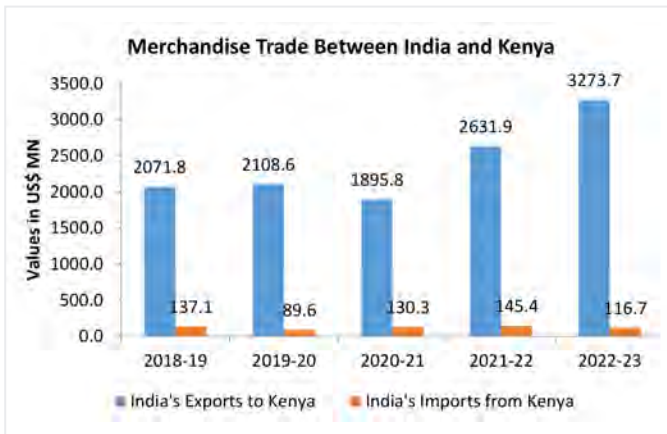


Merchandise Trade between India and Kenya (USD Million)

Values in US\$ MN	2018-19	2019-20	2020-21	2021-22	2022-23	CAGR
India's Export to Kenya	2,071.84	2,108.58	1,895.84	2,631.89	3,273.66	12.1%
India's Import from Kenya	137.12	89.62	130.27	145.35	116.68	-4.0%
Total Trade	2,208.96	2,198.20	2,026.11	2,777.24	3,390.34	11.3%
Trade Balance	1,934.72	2,018.96	1,765.57	2,486.54	3,156.98	

Source: Ministry of Commerce, Govt. of India

Merchandise trade between India and Kenya reached an all-time high of USD 3.4 billion in 2022-23 with a CAGR of 12.1% in the last five years. The following figure depicts the merchandise trade scenario between Indian and Kenya in the last five fiscals.



Source: Ministry of Commerce, Govt. of India and EEPC Research

Engineering Trade between India and Kenya (USD Million)

India and Kenya share a significant bilateral trade relationship in the engineering sector. Total engineering goods trade accounted for over 24% of the total merchandise trade between the two countries for 2022-23.

India's engineering exports to Kenya experienced a growth of 33.5% during the fiscal year 2021-22. However, during 2022-23, there was a negative growth of around 13% compared to the same period last year. In contrast, engineering imports from Kenya registered a growth of 65% in 2021-22 but experienced a negative growth of 43% during 2022-23.

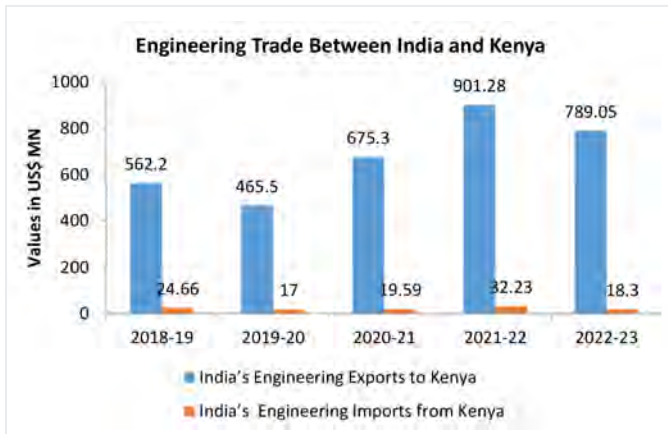
Major engineering products exported from India to Kenya include industrial machinery for dairy and agriculture, iron and steel products, two and three-wheelers, electrical machinery and equipment, auto components/parts, aluminum and its products, and other construction machinery.

On the other hand, major engineering products imported by India from Kenya include copper and its products, aluminum and its products, iron and steel products, zinc and its products, industrial machinery including boilers, electrical machinery and equipment, and others.

Values in US\$ MN	2018-19	2019-20	2020-21	2021-22	2022-23	CAGR
India's Engineering Exports to Kenya	562.20	465.50	675.30	901.28	789.05	8.8%
India's Engineering Imports from Kenya	24.66	17.00	19.59	32.23	18.30	-7.2%
Total Engineering Trade	586.86	482.50	694.89	933.51	807.35	8.3%
Trade Balance	537.54	448.50	655.71	869.05	770.75	----

Source: Ministry of Commerce, Govt. of India

The table above shows that India's total engineering trade with Kenya declined in 2022-23. Total trade however registered 8.3% CAGR during the last five fiscals.



Source: Ministry of Commerce, Govt. of India and EEPC Research

India's share in Kenya's Global Engineering Import

Particulars	2020	2021	2022
Share of India in Kenya's Global Import	10.5%	13.6%	13.3%

Source: ITC Trade Map

Top five engineering product groups exported to Kenya (USD Million)

Product Group	2022-23	Share in total engineering exports to Kenya (%)
Incl. Machinery for Dairy Etc	158.8	20.1%
Iron and Steel	133.9	17.0%
Two and Three Wheelers	60.6	7.7%
Products of Iron and Steel	57.6	7.3%
Electric Machinery and Equipments	42.5	5.4%

Source: Ministry of Commerce, Govt. of India

Ten five exported engineering product India as shown in the table above constitute over 57% in India's engineering commodity basket exported to Kenya.

Focus Engineering products for Kenya

We have carried out a product-wise analysis of India's engineering exports to Kenya at 6 digit HS code level with an objective to find out which are the high potential products for exporting to Kenya.

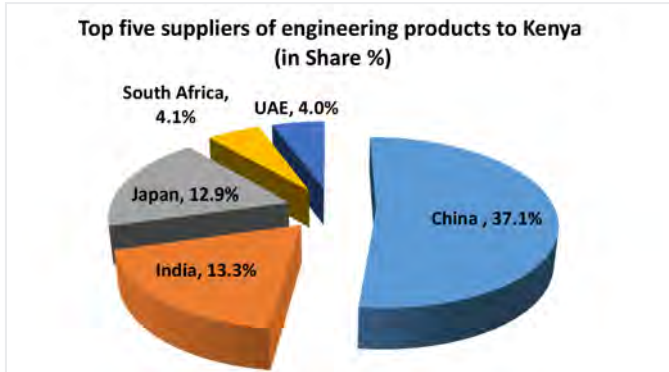
Hs Code (6 Digit)	Item Description	Export in 2022-23 (USD Million)
720719	Forged Blanks of Nonalloy Steel	84.49
871120	Scooters Wth Cylndr Cpcty >50 Bt <= 75 Cc	60.16
720711	Electrical Quality	27.85
732111	Cookers & Kitchen Stoves	17.43
790111	Zinc,Not Alloyd,Contng By Wt>=99.99% Zinc	17.31
847490	Parts of Machns Of Hdg 8474	15.53
843890	Parts of Othr Food Processing Machinery	14.04
870423	Refrgrtd Goods Vhcls,Wth Cmprsn Igntn Intrnl Cmbstn Pstn Engn Wth G.v.w.>20 Tons:lorry & Truck	13.82
842952	Mchnry Wth A 360 Dgr. Rvlvng Supr-Strctr	9.02

Source:Ministry of Commerce, Govt. of India

In line with the table showing top exported engineering product groups to Kenya, most of the top exported products come from product groups namely Iron and Steel and Products of Iron and Steel, Two and Three-wheelers, Industrial Machinery for dairy and agriculture and etc.



Top Five Global Suppliers of Engineering products to Kenya



Source: ITC Trade Map

China is the largest supplier of engineering products to Kenya with 37.1 percent share in global engineering imports of Kenya. India is the immediate follower of China with 13.3 percent share while Japan is the third largest holding 12.9 percent share in global engineering imports of Kenya as on 2022.

India's Investment in Kenya

According to the Kenya Investment Authority (KenInvest), India is the second largest investor in Kenya. Over 60 major Indian companies have invested in various sectors including manufacturing, real estate, pharmaceuticals, telecom, IT & ITES, banking and agro-based industries. Indian investments have resulted in creation of thousands of direct jobs to Kenyans.

Tata Chemicals Ltd. acquired Magadi Soda Company Limited in 2005. Several leading Indian public sector insurance companies participate in KenIndia Assurance Co. Ltd. More recent investments by Indian corporates in businesses in Kenya include Essar Energy (petroleum refining), Bharti Airtel, Reliance Industries Ltd. (petroleum retail); Tata (Africa) (automobiles, IT, pharmaceuticals, etc.). Several Indian firms including KEC, Karuturi Ltd., Kalpataru Power Transmission Ltd., Power Grid Corporation of India Ltd., Kirloskar Brothers Ltd., Mahindra & Mahindra, Thermax, WIPRO, Jain Irrigation System Ltd., Punj Lloyd, VIL Ltd., Emcure, Dr. Reddy, Cipla, Cadila, TVS and Mahindra Satyams, etc., have a business presence in Kenya as do the Bank of India and the Bank of Baroda. HDFC and the Central Bank of India have Representative Offices in Kenya.

Investment in Kenya

Rationale for Investing in Kenya

- **EAST AFRICA'S LARGEST ECONOMY-** Kenya has the second largest population within the EAC at 43 million and is growing at a rate of 2.7 per cent per annum. There is a rising trend towards urbanization, which is contributing to an increase in consumer demand for high value goods. This trend is fore casted to continue, with 50 per cent of the population expected to live in urban areas by 2050. The size of Kenya's middle class is growing as evidenced by the growth in its gross national income per capita, which has increased at a CAGR of 2 per cent over the past 10 years.
- **LOW RISK INVESTMENT ENVIRONMENT-** FDI has been on the rise and is stronger than investment in other EAC countries. Given its position as the economic, commercial and logistical hub of East Africa, private equity capital is now flowing into Kenya. In 2013, Kenya was the top destination for international investors in the Eastern Africa Region after attracting 12 private equity deals valued at over USD 110.5 million; and in 2015, PwC ranked Nairobi as the most attractive African city for FDI.
- **STRATEGIC LOCATION-** With a border to the Indian Ocean, Kenya is well suited as a production and distribution base to service Africa, Europe, the Middle East, South Asia and other Indian Ocean Islands. Jomo Kenyatta International Airport functions as an effective Air hub between Africa, Europe and Asia. Kenya also serves as the Communication Hub of the region.
- **WIDE MARKET ACCESS-** Kenya's membership to regional economic blocs coupled with her strategic geographic position makes the country the gateway to the huge East African Community (EAC) market with over 135 million people and the Common Market for Eastern and Southern Africa (COMESA) market with over 450 million people. Kenya is a beneficiary of several trade preferential arrangements which includes The African Growth and Opportunities Act (AGOA) which allows for quota free and duty free access to the USA market for over 6,000 items

produced in Kenya and The new Africa Caribbean and Pacific-European Union (ACP-EU) Economic Partnership Agreement (EPA) which gives duty free access to the EU among others

- **POLITICAL STABILITY AND FAVORABLE INVESTMENT POLICY-** Kenya is a multi-party Democracy with a unicameral Parliament which creates laws which are administered by the Executive arm of the Government. The Kenyan Constitution protects private property and provides safeguards against expropriation of such property without compensation. Kenya is also a signatory to Multilateral Investment Guarantee Agency (MIGA), an agency of the World Bank and a Member of the International Council of Settlement of Investment Disputes (ICSID). In case of Commercial disputes, Kenya has a Commercial Court under the Kenyan Judiciary.
- **IMPROVING INFRASTRUCTURE-** Kenya has a relatively well developed physical infrastructural facilities including, four international airports, an extensive road and railway network, a modern deep sea port at Mombasa capable of handling bulk and other containerized cargo, an expanding, liberalized energy sector and digital telecommunication networks. As a result, Kenya continues to develop as financial, other services and transport hub for the East and Central African region.
- **REDUCING ENERGY COST AND IMPROVING AVAILABILITY-** Kenya is ideally positioned to unleash Africa's power generation capacity through its focus on green energy and cost effective sources of energy, set to contribute to a 5000MW increase in the national power grid.
- **WELL ESTABLISHED PRIVATE SECTOR-** Kenya's private sector is substantial and includes a number of foreign investors. Key players in voicing private sector concerns include: Kenya Private Sector Alliance (KEPSA), Federation of Kenya Employers (FKE) and the Kenya Association of Manufacturers (KAM).
- **VIBRANT CAPITAL MARKETS-** Foreign participation in NSE: 54.1 per cent of total equity turnover (January-June 2014)

- **SKILLED AND EDUCATED TALENT POOL-** Kenya has a huge pool of labor force is one of the best educated in the world, English-speaking and extremely adaptable. Qualified professional staff can be hired at reasonable pay-scales, in all occupations and at all levels of expertise.

Major Sectors for Investments

Following are the major sector falls under engineering where Kenya offers substantial opportunity for investments

- Real Estate and Construction
- Manufacturing
- Energy
- Textile
- Agriculture
- Tourism
- Rail, port, and road network
- Service and ICT



Banking Sector in Kenya

The banking industry in Kenya is governed by the Companies Act, the Banking Act, the Central Bank of Kenya Act and the prudential guidelines issued by the Central Bank of Kenya (CBK).

The CBK is responsible for formulating and implementing monetary policy and fostering the liquidity, solvency and proper functioning of the financial system.

According to CBK for the financial year ended 30 June 2020, Kenya had 41 commercial banks, 1 mortgage finance company, 14 microfinance banks, 9 representative offices of foreign banks, 69 foreign exchange bureaus, 19 money remittance providers and 3 credit reference bureaus.

The banks have come together under the Kenya Bankers Association (KBA), which serves as a lobby for the banking sector's interests. The KBA serves a forum to address issues affecting members.

Working Hours in Kenya

As per the information obtained from the ILO website, the maximum working hours for employees shall be forty eight (48) hours per week. Working hours shall not exceed forty eight hours per week and any extra hours shall be deemed to be overtime. An employee shall be entitled to a day's holiday with full pay on every public holiday during his or her employment. An employee who works on a public holiday receives, in respect of such work, pay at not less than double the rate payable for work on a day that is not a public holiday, that employee shall not be entitled to a day's holiday with full pay in lieu of the public holiday.

Useful Info: Government Departments of Kenya

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Upcoming Trade Exhibitions in Kenya on Engineering and Related Sectors

Exhibition Name	Cycle	City / Location	Next Date
Mombasa International Show (MIS) 2023	Yearly	Jomo Kenyatta Showground, Nairobi (Kenya)	Sept. 06 - 10, 2023
Medic East Africa 2023	Yearly	Kenyatta International Conference Center, Nairobi (Kenya)	Sept. 11 - 13, 2023
Nairobi International Trade Fair (NITF) 2023	Yearly	Jamhuri Park, Nairobi (Kenya)	Sept. 25 - Oct. 01, 2023
Kenya Plastprintpack 2023	every 2 years	The Sarit Centre, Nairobi (Kenya)	Oct. 11 - 13, 2023
THE BIG 5 Construct East Africa 2023	Yearly	The Sarit Centre, Nairobi (Kenya)	Nov. 08 - 10, 2023
Kenya Trade Show 2023	Yearly	The Sarit Centre, Nairobi (Kenya)	Nov. 17 - 19, 2023

Source: <http://www.eventseye.com>

Source:

Ministry of Commerce, Govt. of India
 Ministry of External Affairs, Govt. of India
 ITC Trade map
 CIA Fact Book
 World Bank
www.eventseye.com
 Other websites, news and reports
<https://mfa.go.ke/country-profile/>
<https://www.state.gov/countries-areas/kenya/>
<https://www.britannica.com/place/Kenya/People>
<https://www.afdb.org/en/countries-east-africa-kenya/kenya-economic-outlook#:~:text=Inflation%20is%20projected%20to%20rise,with%20the%20fiscal%20consolidation%20path.>
<http://www.invest.go.ke/why-invest-in-kenya-2/well-established-private-sector/>
<https://www.pwc.com/ke/en/industries/banking.html>
<https://hreaafrica.com/kenya-labour-laws/#item-4-1>

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