

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

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November 16, 2018

Through Courier, Fax & E-mail

Mr. Khamas Saeed

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SECRETARY GENERAL

Federation of Pakistan Chambers of Commerce & Industry
Federation House Main Clifton
Abdullah Shah Ghazi Road
Karachi

----- Appellant

----- Respondents

SUBJECT: APPEAL TO THE ELECTION COMMISSION OF THE FPCCI BY MR. KHAMAS SAEED, MEMBER DESIGNATED ON EC & GB FROM M/S ALL PAKISTAN PAPER MERCHANTS ASSOCIATION AGAINST THE DECISION OF SECRETARY GENERAL OF THE FPCCI AGAINST INCLUSION OF THE NOMINEES OF M/S UNITED PRODUCERS ASSOCIATION IN THE PROVISIONAL LIST OF VOTERS FOR THE FPCCI ELECTIONS FOR THE YEAR 2019

The appellant aggrieved with the decision of the Secretary General of the FPCCI, under Rule 18(6) of the TOR 2013 made written representation to the Election Commission of the FPCCI vide letter No. Nil dated November 12, 2018.

Written Statement by the Appellant

The Appellant, vide his letter dated November 12, 2018, aggrieved with the decision of the Secretary General on the acceptance of the nominations of Mr. Satish Chandra Anand, EC & GB Nominee and Mr. Barkat Ali Siddiqui, GB Nominee representing United Producers Association, made appeal to the Election Commission on the following grounds:



- i. That the Secretary General's decision is bad on rules and facts.
- ii. That the Secretary General's decision is totally unjustified and incorrect.
- iii. That the Secretary General's decision is an illegal decision based on prejudices and is inconsistent, incoherent, and contradictory and is liable to be cancelled.
- iv. That rejection of my Objection is totally unwarranted, unjustified, illegal, unprecedented and a proof of incompetence/ partiality of the Secretary General.
- v. That Secretary General willfully and deliberately ignored the facts and rules.
- vi. That license of UNITED PRODUCERS ASSOCIATION has been cancelled as per Trade Organizations Act, 2013 & as per Trade Organizations Rules, 2013.
- vii. That the name of UNITED PRODUCERS ASSOCIATION does not appear on the list of valid Trade Associations on the website of Directorate General of Trade Organizations. The list on the DGTO website only shows valid trade bodies, hence UNITED PRODUCERS ASSOCIATION is not a valid trade organization.
- viii. That the Secretary General's decision is in gross violation of FPCCI's own rules notified for inviting Nominations for Executive Committee and General Body, FPCCI for the Year 2019, Notice No. FPCCI-TB/EL. 2019/2018/-4764 dated 3rd October 2018 which clearly states: "Copy of License granted by the Ministry of Commerce, Islamabad" among other documents required for submitting with Nominations from trade bodies.

Decision of the Secretary General of FPCCI Dated :

The Secretary General rejected the initial representation made by the appellant on the following reasoning:-

"The objections raised are without any credible evidence. The license of the Trade Organization is deemed to have been cancelled, if under Section 7(3) of the Trade Organizations Act 2013, the Federal Government has notified such cancellation in the Official gazette.

It is further observed that complainant signatures on the objection letter differ from the specimen signatures sent by concerned Association for our record and also from the copy of CNIC. However, even otherwise, as per the relevant Section of the Act (quoted above), his objection is not maintainable."

Decision of the Members of the Election Commission of FPCCI:

While concluding the matter the Members of the Election Commission of FPCCI decided as under:

That, the appellant had leveled certain allegations on the nominees of the association, but had failed in furnishing any cogent evidences in order to substantiate the leveled allegations.

Thus, in the light of the above the said representation is hereby declined, and the decision of the Secretary General is hereby upheld.

The Election Commission did not consider it necessary to summon the party for pleading the representation in person.



MUHAMMAD ZUBAIR CHHAYA
Member of the Election Commission



CAPT. ABDUL RASHID ABRO
Member of the Election Commission



MASOOD NAQI
Member of the Election Commission

Dated: 16th November 2018

Copy to: Regulator, Trade Organizations, Islamabad
Secretary General FPCCI