

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

Federation House, Main Clifton, Karachi
T. 021-35873691-94, Fax. 021-35874332

November 16, 2018

Through Courier, Fax & E-mail

Mr. Khamas Saeed

Member designated on Executive Committee & General Body from
M/s All Pakistan Paper Merchants Association
Proprietor, M/s Khamis Paper Cutting Centre
Shop # 26/27, Jalaldin Hospital Building Circular Road
Lahore.

Tel:- 042-37354298 / M: 0300-4243948

Email: khamissaheed@hotmail.com / rehman2020@yahoo.com

----- Appellant

MRS. AZRA JEMSHED

Director
Awan Cold Storage
House No. 3 Sector- E1, Street 1, Phase 1, Hayatabad
Peshawar
T. 091-9225418
M. 03008588799
R. 0923-529207
E. nancyjamshed@hotmail.com

SECRETARY GENERAL

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

----- 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 NOMINEE OF M/S WOMEN CHAMBER OF COMMERCE & INDUSTRY PESHAWAR DIVISION 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 Ms. Azra Jamshed, GB Nominee representing Women Chamber of Commerce & Industry Peshawar Division, 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 MRS. AZRA JEMSHED is not a bona fide member of WOMEN CHAMBER OF COMMERCE & INDUSTRY (PESHAWAR DIVISION).

- vii. That MRS. AZRA JEMSHED does not meet the criteria of woman entrepreneur as laid down in Article 2 R (IV) of Trade Organizations Rules 2013 (reproduced below).
(r) "woman entrepreneur" means-
-a sole proprietorship where the proprietor is a female; or
-a partnership where the majority partners are female; or
-an association of any kind where majority of its persons are female; or
-a company where majority shares are held by female.
- viii. That she is not a 50% or more shareholder in the business, Awan Cold Storage (Pvt.) Ltd., therefore, she cannot be classified as a woman entrepreneur. Hence as per Trade Organization Rules 2013, she is not eligible to be member of the Chamber.

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, whereas the nomination of Ms. Azra Jemshed fulfills the laid down requirements for the EC & GB of the FPCCI for the year 2019.

It is further observed that the signatures of the Appellant 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 available record 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 GB nominee of the Women CC& Peshawar Division, but had failed in furnishing any cogent evidences in order to substantiate the leveled allegations. The nominations received from the respective Women CC&I were also found to be in order

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

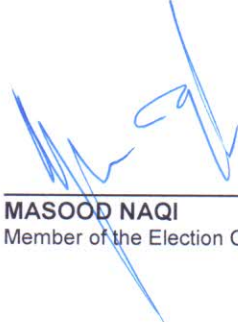
The Election Commission did not consider it necessary to summon the party for pleading the representation in person.



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