

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

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November 16, 2018

Through Courier, Fax & E-mail

MR. SIKANDAR YAR KHAN
MARDAN CHAMBER OF SMALL TRADERS &
SMALL INDUSTRY
CHAMBER HOUSE, AIWAN-E-SANAT-O-TIJARAT ROAD
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-----Appellant

SECRETARY GENERAL
The Federation of Pakistan Chambers of Commerce & Industry
Federation House
Karachi

----- Respondents

SUBJECT: APPEAL TO THE ELECTION COMMISSION OF THE FPCCI BY MR. SIKANDER YAR KHAN CLAIMING TO BE SECRETARY GENERAL OF MARDAN CHAMBER OF SMALL TRADERS & SMALL INDUSTRY AGAINST THE DECISION OF SECRETARY GENERAL OF THE FPCCI AGAINST NON-ACCEPTANCE OF THE NOMINATIONS SENT UNDER HIS SIGNATURES 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 representation to the Election Commission of the FPCCI vide letter no. MCSTS/FPCCI/18/33 dated November 12, 2018 received in FPCCI Head Office Karachi on November 14, 2018 on the grounds mentioned therein.

Written statement of the appellant:

The appellants while contending the decision of the Secretary General of the FPCCI, stated that Mardan Chamber of Small Traders & Small Industry had sent the nominations of Haji Muhammad Hussain and Mr. Hakeem Khanzada on the Executive Committee and General Body respectively which were not entertained and included in the provisional list of voters due to the fact the FPCCI had received the same after the due date of nominations which was October 24, 2018. The appellant while defending his stance stated that the nominations of MCSTSI were dispatched on October 23, 2018 via OCS courier service but the same were delivered to the FPCCI on October 25, 2018. As the delay in delivery of the said nominations were solely due to the services of the postal company OCS, therefore, the reasons to reject the nominations of Haji Muhammad Hussain and Mr. Hakeem Khanzada on the Executive Committee and General Body respectively be accordingly set aside as they are the genuine nominations of MCSTSI.

Decision of the Secretary General of FPCCI

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

“The last date of submission of nominations for Executive Committee and General Body was October 24, 2018 and the nominations papers received from your Chamber i.e. Haji Muhammad Hussain on EC and Hakeem Khanzada on Gb, on 25th October 2018.

On the other hand, the another set of nominations i.e. Haji Wazir Gul on EC and Mr. Faqir Muhammad on GB, received on 22nd October 2018 from Mardan Chamber of Small Traders & Small Industry, were found in order and accepted.

In view of the above, appeal for acceptance of nominations cannot be entertained. “



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, as the directives received from the office of Regulator TO vide letter no. 6(13)/2018-TO dated November 5, 2018 are explicit in nature, therefore, the compliance of the same on part of FPCCI is imminent. Hence, the representation of Mr. Sikandar Yar Khan, falsely claiming to be the Secretary General of Mardan Chamber of Small Traders & Small Industry in the light of the aforementioned directives received from the office of Regulator TO are hereby **REJECTED.**

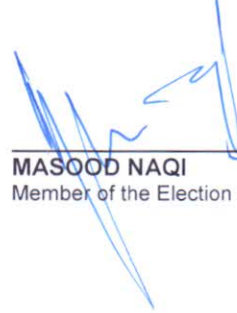
As the directives of the DGTO vide above referred letter is very clear in the said case, therefore, the Election Commission did not consider it necessary to summon the party for pleading the representation in person.



MOHAMMAD ZUBAIR CHHAYA
Member of the Election Commission



CAPT. ABDUL RASHID ABRO
Member of the Election Commission



MASOOD NAQI
Member of the Election Commission

Dated: 16 November 2018

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