

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

Federation House, Main Clifton, Karachi
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15th December 2018

Through Courier, Fax & E-mail

MR. MANZOOR AHMED
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----- Appellant

Nominee of CHITRAL CHAMBER OF COMMERCE AND INDUSTRY

SUBJECT: OBJECTION/APPEAL, UNDER RULE 18 SUB RULE 12 OF TRADE ORGANIZATION RULES 2013, ON THE CANDIDATES FOR THE OFFICE BEARERS

Consequent upon Appellant's written representation/appeal dated Nil received in FPCCI Head Office Karachi on December 15, 2018 on the above subject, the appellant submitted as under:-


1. The worthy office of DGTO issued letter no. 17(13)/2008-TO dated December 11, 2018 on the insistence of FPCCI issued clarification conveyed by Ministry of Commerce, the FATA has been merged into KPK. By reason of issuance of the referred clarification, the right of undersigned as a contesting candidate stands prejudiced.
2. The FPCCI should have got issued this clarification before the date of submission of nomination papers from DGTO.
3. The process of law, justice and fundamental right of participation in the election process is a sine qua non for holding of a free, fair and an election in which all segments are fully represented in view of the situation as developed consequent to the re-constitution of Electoral College for KPK and ICT/Federal Area, the dictates of fair play and equal representation for all requires that the Election Process for both these areas i.e. KPK and ICT/Federal Area to reconstituted and re initiated.
4. In view of the clarification ibid and the situation as developed thereto, the election process for KPK and Federal Area be re constituted/re initiated to provide equal opportunity and right of participation to all voters/chambers/association.

Decision of the Election Commission:


Despite the time given for a personal hearing before the Election Commission from 3pm to 5pm on December 15, 2018, the appellant did not appear in person, therefore, the Election Commission while considering the written representation 'received in time' decided as under:

1. That in compliance to the clarification received from the office of Regulator Trade Organizations vide letter no. 17(31)/2008-TO dated December 11, 2018 with respect to the merger of FATA into KPK province, the FPCCI had issued notification no. FPCCI.EL-2019/2018/ dated December 12, 2018 thereby apprising all the licensed Trade Organizations about the said development and subsequently a copy of the same was also endorsed to the office of Regulator for information purposes.
2. The Election Commission has thoroughly examined the correspondence between the Secretary General FPCCI and the DGTO on the subject and accordingly it is revealed that FPCCI had acted well in advance to get the subject clarification vide their letter dated 31st October 2018, and the response was issued from the Office of DGTO on 11th December 2018 and received on FPCCI Head Office Karachi on 12th December 2018, i.e. after the lapse of the deadline for submission of nomination papers for the Office Bearers.
3. The Election Commission of FPCCI does not have any mandate either to re-constitute or re-initiate the election process for any jurisdiction.

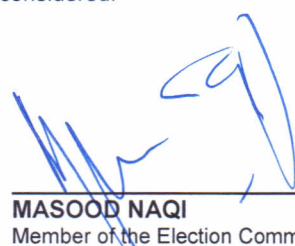
Thus, in the light of the aforementioned observation, the very representation/appeal cannot be considered.



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: Saturday, 15th December 2018

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