

FROM THE OFFICE OF
THE ELECTION COMMISSION - FPCCI
Federation House, Main Clifton, Karachi
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23th November, 2020

Through Courier, Fax & E-mail

Mr. IKRAM UL HAQ QURESHI

Pakistan overseas Employment Promoters Association
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Appellant

MR. ABDUL MANAN KHAN

MIRPURKHAS CHAMBER OF COMMERCE AND INDUSTRY
NEW TOWN
MIRPURKHAS
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Respondent

SUBJECT: APPEAL TO THE ELECTION COMMISSION OF THE FPCCI BY IKRAM UL HAQ QURESHI, PAKISTAN OVERSEAS EMPLOYMENT PROMOTERS ASSOCIATION OBJECTION ON NOMINATION OF MR ABDUL MANAN KHAN, MIRPURKHAS CHAMBER OF COMMERCE AND INDUSTRY.

Written Statement by the Appellant (MR. IKRAM UL HAQ QURESHI)

Objection against nomination of Mr. Abdul Manan Khan, nominee of Mirpurkhas Chamber of Commerce and Industry

Decision of the Secretary General of FPCCI

The relevant trade body has been asked to provide the requisite documents and the same will be referred to the Election Commission of FPCCI for consideration.


Appeal by the Appellant Trade Body

Business turnover is not sufficient due to corporate class and not sales tax record found and license expired and name does not appear in member list of 2019 so two years not completed.

Decision of the Election Commission.

Copy of valid license and requisite documents not provided by Mirpurkhas CCI, and no document provided to prove that he falls under corporate member category, hence objection is accepted and the concerned Trade Body is excluded from the Voter List for the year 2021.


ALI A. RAHIM
Member of the Election Commission 2021
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Member
Election Commission
FPCCI 2021


SHAHID VASEEM
Member of the Election Commission 2021
SHAHID VASEEM
Member
Election Commission
FPCCI 2021


ARSHAD KHURSHID
Member of the Election Commission 2021
ARSHAD KHURSHID
Member
Election Commission
FPCCI - 2021

Copy to:

Regulator, Trade Organizations, Islamabad
Secretary General, FPCCI

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10th November 2020

To,
Secretary General,
Federation of Pakistan Chamber of Commerce and Industry,
Karachi

**Subject: Objection against nomination of Mr. Abdul Manan Khan,
nominee of Mirpurkhas Chamber of Commerce and Industry**

Dear Sir,

I hereby, raise the following objections on nomination of the aforementioned individual

1. Mirpurkhas Chamber of Commerce has listed Mr. Abdul Manan Khan as Corporate member of its chamber. However, I would draw your attention to Rule 2(g) of the Trade Organizations Rules, 2013, which require annual turn-over in excess of Rupees fifty million to qualify as Corporate member of any chamber. Mr. Khan is proprietor of M/s Khan Armory and it is highly unlikely that M/s Khan Armory has an annual turnover in excess of Rupees fifty million and Mr. Khan is put to strict proof of it.
2. No sales tax number is either provided or available on record, whereas it is compulsory for a corporate member to be a registered sales tax entity

Please note in light of Islamabad High Court decision in case titled Aftab Ahmad Barlas V Director General Trade Organization and others WP 4172/2019, an individual is required to eligible to vote for the specific class in his nominating chamber, which is evident, that Mr. Khan fails to do so.

In the light of foregoing, you're requested to reject nomination of Mr. Abdul Manan Khan from Mirpurkhas Chamber of Commerce and Industry

Regards,

MR. IKRAM-UI-HAQ QURESHI

Chief Executive

Manpower Project Services

49-E Johar Town 1st Floor City Bank Molana Shoukat Ali Road, Lahore

NIC: 35202-4930639-7

M. 0300-8428680

E. mps@brain.net.pk

5:25 PM



19th November 2020

To,
Election Commission
Federal of Pakistan Chamber of Commerce and Industry
Karachi

SUBJECT: APPEAL UNDER RULE 18(6) OF TRADE ORGANIZATION RULES 2013 AGAINST FPCCI SECRETARY GENERAL DECISION DATED 16TH NOVEMBER 2020, ON FAILING TO MAKE ANY DECISION IN OBJECTION AGAINST MR. ABDUL MANAN KHAN

Dear Sirs,

1. The undersigned filed an objection against nomination of aforementioned individual on aforementioned grounds:-
 - a. The aforementioned individual business turnover is not sufficient enough to be a corporate member of Bajur Chamber of Commerce and Industry under Rule 2(g) of Trade Organizations Rule, 2013;
 - b. No record can be found against the sale tax number provided by the aforementioned individual;
2. Whilst considering the complaint of the undersigned to carry weight, the Secretary General has sought comments from aforementioned individual, however, has failed to make any decision upon the objection submitted by the undersigned
3. Rule 18(5) of Trade Organization Rules 2013 requires the Secretary General to decide within five days from the receipt of the complaint and accordingly, the Secretary General is duty bound to make a decision within five days. In case, the respondent to the objection fails to submit any comments, the Secretary General shall decide the objection *ex-parte* on the basis of the objection of the undersigned or by according to the undersigned hearing to further substantiate the objections. However, the Secretary General has failed to decide within time stipulated by the law.
4. Considering the fact that the undersigned made a prima-facie case which compelled the Secretary General to seek comments from the respondent to the objection, who has failed to provide any comments to the satisfaction of the Secretary General. Accordingly, the nomination of the aforementioned individual shall be rejected on this ground
5. Appellant reverse right to argue further grounds at appeal stage if needed. Appellant further reserve right to add supplementary grounds if ever the matter is decided by the Secretary General



In the light of foregoing, it is requested that the nomination of the aforementioned individual may be rejected and decision of the Secretary General to not decide the complaint within stipulated time shall be set aside.

Regards,



MR. IKRAM-UI-HAQ QURESHI

Chief Executive Officer

Manpower Project Services

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