

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

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FPCCI.Election.2024-25/2023-12395
23rd November 2023

Through E-mail, Website, Courier

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NOMINEE FROM RICE EXPORTERS ASSOCIATION OF PAKISTAN

----- APPELLANT

MR. GUL FARAZ KHAN
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NOMINEE FROM PAKISTAN OIL TANKERS OWNERS ASSOCIATION

----- RESPONDENT

DECISION # 1 (002 – 007)

PASSED BY THE ELECTION COMMISSION OF FPCCI (FPCCI ELECTIONS 2024-2025)

Consequent upon Appellant's written representation / appeal received on 18th November 2023 in FPCCI Head Office Karachi from Mr. Shahzad Ali Malik, representing Rice Exporters Association of Pakistan, to the Election Commission of FPCCI, against the decision of the Secretary General of FPCCI.

Decision of the Secretary General:

“After going through the said arguments and the documents referred/ submitted, my finding are as follows;

1. That the nominee has completed two years valid membership of trade organization, as provided by the Association.
2. The Nominee has produced Sales Tax Registration Certificate and also produced Tax Return Copy, which shows that his turn over is more than Rupees Fifty Million.
3. That Mr. Shahzad Ali Malik, nominee from Associate Class, showing Company as “Private Limited” which does not comes in Associate Class, as defined in TOR 2013.

The nomination received from Rice Exporters Association of Pakistan, i.e. Mr. Shahzad Ali Malik representing from Associate Class, which does not found in order and comes under definition of Associate Class. Hence the objection raised by the Appellant is accepted and the name of Mr. Shahzad Ali Malik has been excluded provisional list of voters.”

Hearing Proceedings:

In order to provide both the parties with an equal right of representation and plead their respective stances accordingly, the Election Commission of FPCCI granted hearing opportunity on 20th November 2023 at FPCCI Head Office Karachi.

During the hearing the learned counsel for the Appellant submitted that the nominee on Associate class is not qualified as his business his business is well over the minimum threshold for associate class as provided in the TO Rules. Whereas it has been argued at length that the said nominee may be treated as nominee on the Corporate Class, as in Association there can be two nominees on the Corporate Class. A clarification in this regard was also sent by the SG of the Rice Exporters Association of Pakistan vide letter No. REAP/FPCCI/2394 dated 14th November 2023, with the request to

change the status of nomination to Corporate Class as per Rule 20(2)(d) of TOR 2013, prior to issuance of the decisions of the SG FPCCI.

Decision of the Election Commission of FPCCI:

The Election Commission has carefully gone through the order passed by the SG FPCCI and also gone through the documents submitted by the learned Counsel during hearing, and the decision is as follows;

It is clear that there is no bar if the Association sends two nominees on Corporate Class, however, initially the nomination of Mr. Shahbaz Ali Malik, received from the Association on Associate Class. Referring Rule 20(2)(d), which states as under”

(d) in case of an association, at least one representative shall be nominated from the corporate class;

In view of the above rule, as well as clarification received from Rice Exporters Association of Pakistan, the Election Commission is pleased to accept the appeal and name of Mr. Shahbaz Ali Malik, included as Corporate Class, in the provisional list of voters.

This order is passed on Thursday, 23rd November 2023.


ARSHAD KHURSHID
Member of the Election Commission
Election Commission
FPCCI 2024-2025


ASHFAQ AHMED TUNIO
Member of the Election Commission
Election Commission
FPCCI 2024-2025


ANJUM RASHEED BAWA
Member of the Election Commission
Election Commission
FPCCI 2024-2025

Copy to: Directorate General of Trade Organizations, Islamabad
Secretary General FPCCI