

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

Federation House, Tariq Sayeed Complex,
Main Clifton, Block 5, Abdullah Shah Ghazi Road, Karachi
T. 021-35873691-94, E. info@fpcci.org.pk, Website. www.fpcci.org.pk

FPCCI.Election.2024-25/2023. 12356
23rd November 2023

Through E-mail, Website, Courier

MR. NADEEM A. KUSHTIWALA
Partner M/s. JB Saeed & Company
Fazal Chambers Kutchi Gali # 03, Marriot Road
Karachi, Mailing Address: JB. Saeed Studio,
10-C Main Khayaban-e-Bukari, Bukari
Commercial Area, Phase 6, DHA, Karachi
T: 021-111-111-527 M: 03008221033
E: ceo@jbsaeedstudio.com

NOMINEES FROM PAKISTAN HARDWARE MERCHANTS ASSOCIATION

----- APPELLANT

SH. OMER SARFRAZ
C.E.O M/s. Eagle International (Pvt.) Ltd.
46-A, Mall Godaam, Near Model Steel, Badami Bagh, Lahore
T: 042-37286866
M: 03008516666
E: gamarsteel1@gmail.com

NOMINEE FROM PAKISTAN STEEL LINEPIPE INDUSTRY ASSOCIATION

----- RESPONDENT

DECISION # 08 (015 – 046)

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

Consequent upon Appellant's written representation / appeal to the Election Commission of FPCCI, received on 18th November 2023 in FPCCI Head Office Karachi from Mr. Nadeem A. Kushtiwala, nominee of Pakistan Hardware Merchants Association, against the decision of the Secretary General of FPCCI, as follows:

Decision of the Secretary General:

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

In view of the remarks / documents submitted by the Complainant and the Respondent and the documents available with FPCCI, the Office of the DGTO's Order No. 122/2021 (F.No. 6(72)/2021-TO) dated 3rd December 2021, in line with the Order Sheet under C.M.A. No. 17 of 2021 of Honorable High Court of Islamabad issued on 5th November 2021, the nominations received from Pakistan Hardware Merchants Association, cannot be entertained at this stage, till the final outcome / decision of the Honorable High Court of Islamabad and the directives from the esteemed Office of the Directorate General of Trade Organizations."

Hearing Proceedings:

The appellant has challenged the orders of the SG FPCCI, where the name of the nominee of the said Association has been excluded from the Provisional voter list. The learned Counsel for the Appellant has produced a valid license which shows that the license of the Association was renewed on April 20th, 2022. As such the Association can file their nominees in accordance with law.

On the other hand, the learned Counsel for the Respondent has referred to CMA No. 17 of 2021, passed by the Honorable Islamabad High Court, whereby Order in Original No. 41 of 2021, passed by the learned DGTO has been assailed.


He argued that injunction order has been passed whereby both the Orders in Original and Order in Appeal have been suspended. On which he was instructed to produce the said order. No copy of such order has been provided till now.

The Election Commission consider the valid license of the trade body, renewed in April 2022, meaning thereby the Regulator have no question on the renewal of the Trade Body license.

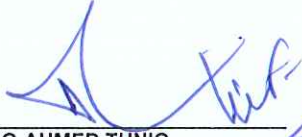
Decision of the Election Commission of FPCCI:

In view of forgoing the instant appeal is accepted and both the nominees i.e. Mr. Nadeem A. Kushtiwala, nominee on EC&GB (Associate Class) and Mr. Shaukat Ismail, nominee on GB (Corporate Class) of of Pakistan Hardware Merchants Association are included in the provisional list.


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


ARSHAD KHURSHID

Member of the Election Commission


ASHFAQ AHMED TUNIO

Member of the Election Commission


ANJUM RASHEED BAWA

Member of the Election Commission

Copy to:

Directorate General of Trade Organizations, Islamabad
Secretary General FPCCI

Arshad Khurshid
Member
Election Commission
FPCCI 2024-2025

Mr. Ashfaq
Member
Election Commission
FPCCI 2024-2025

Anjum Rasheed Bawa
Member
Election Commission
FPCCI 2024-2025