

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

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FPCCI.Election.2024-25/2023-12344
23rd November 2023

Through E-mail, Website, Courier

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NOMINATED ON GB ASSOCIATE FROM LIVE STOCK FARMERS ASSOCIATION OF PAKISTAN----- APPELLANT

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NOMINEE FROM ATTOCK CHAMBER OF COMMERCE & INDUSTRY

----- RESPONDENTS

DECISION # 16 (027 – 099)

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 Syed Ali Hammad Kazmi, nominee of Live Stock Farmers Association of Pakistan, against the decision of the Secretary General of FPCCI, as follows:

Decision of the Secretary General:

"The Learned Council for the Respondent, Nominee on Corporate Class, has submitted / provided his active Sales Tax profile which shows that he is registered with the sales tax department. As far as the issue of turnover is concerned, the Council has provided the Form 29 of the nominee company which shows that he is one of the director in his Company. As such the said nominee is competent to be nominated on the Corporate class.

The Learned Council for the Respondent, Nominee on Associate Class, at the outset submitted that the nomination paper has been submitted on behalf of Syntex Pharmaceutical Company, which is a sole proprietorship concerned as per the tax profile. Whereas entire objection as raised by the Complaint is in respect of M/s. Syntex Pharmaceutical, status of the said entity was changed to Private Limited Company. The said Private Limited Company was however defaulted and was auctioned by the Court. The learned Council for the Complaint has submitted certified copies issued by the Hon'ble Banking Court at Rawalpindi issued which shows the name of the Judgment Debtor as M/s. Syntex Pharmaceutical Private Limited Company

In the light of above, the Complaint seems to be devoid of merit, as the said two nominee are competent to be nominee of the subject trade body. Hence, the Complaint is denied. "

Hearing Proceedings:

It is contended by the learned Counsel for the objector / Appellant that the both the nominee of the said chamber are not entitled to be nominated by the said chamber as the license of the said chamber has been cancelled expired. He contended that even otherwise the nominee on Corporate Class does not qualify to be nominated on Corporate Class. He raised objection on the nominee of the Associate class, as the status of the said nominee firm has been changed from AOP to Private Limited Company. He also alleged that the said nominee company has been auctioned by the learned Banking Court as he defaulted in a Bank loan.

In reply, the learned Counsel for the Respondent produced / submitted a covering letter showing that the said chamber has already applied for the renewal of their license along with the copy of pay order.


As far as the entitlement of the two nominees is concerned, the learned Counsel produced FBR profile, Tax Returns, etc. which show that the nominee on the Corporate Class is fully entitled to be nominated on the said class. On behalf of nominee of Associate class, he clarified that his business is M/s. Syntex Pharmaceuticals, a sole proprietorship, which is a separate entity form M/s. Syntex Pharmaceuticals (Pvt) Limited. There has been no conversion from AOP and Company.


Decision of the Election Commission of FPCCI:

In the light of the above verification, and documents furnished, the objections as raised by the Appellant are found devoid of any merit and same are hereby declined.

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


ARSHAD KHURSHID
Member of the Election Commission
FPCCI 2024-2025


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


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

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