

# FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

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FPCCI.Election.2024-25/2023-12386  
23<sup>rd</sup> November 2023

**Through E-mail, Website, Courier**

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NOMINEE FROM PAKISTAN CHEMICAL MANUFACTURERS ASSOCIATION

----- APPELLANT

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NOMINATED BY PAK COMMERCIAL EXPORTERS OF TOWELS ASSOCIATION

----- RESPONDENTS

## **DECISION # 20 (034-A – 111(1961))**

### **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 18<sup>th</sup> November 2023 in FPCCI Head Office Karachi from Mr. Zubair F. Tufail, nominee of Pakistan Chemical Manf. 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;

Reviewing the nomination papers, received from PCETA, the nominees are rightly on Corporate and Associate Class with necessary supporting documents provided by the Association.

Referring the Order of the Honorable High Court of Sindh, and the Order of the office of the DGTO, as follows: Vide DGTO Order No. 99/2020 dated 4<sup>th</sup> November 2020:

Quote: "Although the license of PCETA has not been granted under the Trade Organizations Act 2013, and the matter is still pending final adjudication on matter of question of law before the Honorable High Courts. Furthermore, a contempt application against DGTO is pending on the same matter in CMA 10986/2018 before the Honorable High Court of Sindh. Therefore, the DGTO is constrained to offer any views on the matter until final outcome of the relevant petitions / application before the High Courts of Pakistan. The matter stands disposed off accordingly." Un-Quote.

In view of the above, the objection received from the Objector cannot be entertained, and the nominations received from PCETA are valid for necessary inclusion of the nominees in the provisional voters list of FPCCI."

Hearing Proceedings:

The Appellant raised objection on the trade body itself. Besides he also raised objection on the eligibility of both the nominees of the said association.

In this regard the learned counsel for the Respondents produced order passed in Misc. App. 88 of 2008, pending before Hon'ble Sindh High Court, at Karachi, which shows that the issue of their license has been impugned in the said proceedings and injunction order has been granted by the Hon'ble Court. As such the no order can be passed in the light of said orders.

- As regard nominee of Corporate Class, the firm is not a body corporate and the counsel for the respondent did not produce any evidence of turnover greater than Rs. 50 M.
- As for the nominee of Associate Class, it is a Private Limited company, which is specifying to be an Associate Class.

Further the license of the Trade Body is not licensed under TOA & TOR 2013. Hence, the nominations of the Association could not be entertained.

Decision of the Election Commission of FPCCI:

Therefore, both the nominees are not qualified for their respective classes.

This order is passed on Thursday, 23<sup>rd</sup> 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