

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

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FPCCI.Election.2024-25/2023_12362
23rd November 2023

Through E-mail, Website, Courier

MALIK MUHAMMAD KHALID
Proprietor, M/s. Gojjar Electrical Company
36-Madina Electric Market, Shahalam Gate,
Lahore
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NOMINATED FROM LAHORE CCI

----- APPELLANT

MR. FAYYAZ MEHMOOD SHAIKH
Proprietor / CEO / MD
M/s. Kundan Restaurants & Filling Station
The Shikarpur CCI, Near Masjid-e-Aqsa
Municipal Premises Jumani Hall,
Shikarpur
T: 0726-521120
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NOMINEE ON EC&GB CORPORATE, FORM SHIKARPUR CCI

MR. POKAR DAS
Proprietor, M/s. SK Kanta & Rice Mill
The Shikarpur CCI, Near Masjid-e-Aqsa
Municipal Premises Jumani Hall, Shikarpur
T: 0726-521120
M: 03008312114
NOMINEE ON GB (ASSOCIATE) FROM SHIKARPUR CCI

----- RESPONDENTS

DECISION # 27 (045 – 155)

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. Malik Muhammad Khalid, nominee of the Lahore CCI, 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;

One of the primary objections raised by the Complainant was in respect of corporate class of Mr. Fayyaz Mehmood Shaikh. In rebuttal, the Consul for the Nominee has submitted his NTN return for the tax year. The said return shows that the total turnover as shown in the return is less than Rs. 50 Million. As such the Nominee, Mr. Fayyaz Mehmood Shaikh does not qualify to be nominee of the subject Association on Corporate Class.

In the light of the findings and the objection raised by the Objector seems to be invalid for Mr. Pokar Das from Associate Class.

Hence the objection on Mr. Fayyaz Mehmood Sheikh from Corporate Class is found to be valid. Therefore the name of Mr. Fayyaz Mehmood Sheikh on corporate class is hereby removed from the Provisional List.”

Hearing Proceedings:

This appeal has been instituted by Malik Muhammad Khalid, Proprietor, M/s. Gujjar Electrical Company seeking to delete the name of Mr. Pokar Das from the provisional list.

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

Mr. Asad Ullah Jan, Advocate High Court, appeared for the Appellant while Mr. Ghulam Sabir Malik, Advocate High Court appeared on behalf of the Respondents. The main contention(s) of the Appellant are

- The list of members of Shikarpur Chamber of Commerce & Industry consists of persons who have no active business concern, currently engaged in trading in the territorial jurisdiction of Sargodha. It consists of random persons just to satisfy the requirement of Rules.
- The nominee does not have operational and active business within the territorial boundaries of the Chamber.

In response, the learned Counsel for the Respondents submitted list of Members of the Sargodha Chamber of Commerce & Industry showing business names and addresses. He also produced FBR profile showing the nominee as Income Tax Active and Sales Tax Operative, and three businesses located in Shikarpur.

During the hearing, learned Counsel for the Respondents also presented a copy of appeal, received on 20-11-2023 in FPCCI Karachi, on behalf of Mr. Pokar Das. However, on pointation, he requested that this appeal be treated as from Mr. Fayyaz Mehmood Shaikh. The request is not acceptable as appeal is submitted after prescribed time limitation as well as from a person who is not aggrieved by the Secretary General's decision.

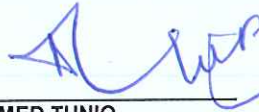
Decision of the Election Commission of FPCCI:

The documents provided on behalf of the Respondent Mr. Pokar Das supports his eligibility for the respective class. On the other hand, no evidence has been furnished by the Appellant to substantiate his contentions. As such, the instant appeal is not maintainable and is hereby dismissed.

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

Ashfaq Ahmed Tunio
Member
Election Commission
FPCCI 2024-2025

Anjum Rasheed Bawa
Member
Election Commission
FPCCI 2024-2025