

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.2024-25/2023-12200
18th November 2023

Through E-mail, Website

URGENT & IMPORTANT

MALIK MUHAMMAD KHALID
Proprietor
M/s. Gojjar Electrical Company
36-Madina Electric Market, Shahalam Gate,
Lahore
T: 042-37667655, 37662036, 37930811
M: 03334238853
R: 042-35834829
E: gojjars@gmail.com

NOMINEE FROM THE LAHORE CHAMBER OF COMMERCE & INDUSTRY

----- APPELLANT

MR. TARIQ YAQOOB
Chief Executive
Tariq Enterprises
Liaqat Market
Sargodha
T: 048-3713054
M: 03008602222
E: tariq.qb@gmail.com

NOMINEE FROM SARGODHA CHAMBER OF COMMERCE & INDUSTRY

----- RESPONDENT

HEARING # 10 (023 – 074)

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

Please refer to the Appeal dated Nil received on 18th November 2023 in FPCCI Head Office Karachi from Mr. Malik Muhammad Khalid, representing Lahore CCI, to the Election Commission of FPCCI, against the decision of the Secretary General of FPCCI.

The Election Commission of FPCCI is pleased to grant the appellant(s) and the respondent(s) a hearing opportunity in person or through their authorized representative (with letter of authorization from the Appellant(s) / Respondent(s)) before the Election Commission of FPCCI alongwith all original / relevant documents, as per following schedule:

Day & Date: **Monday, 20th November 2023**
Time: **Between 11:00 a.m. to 12:00 a.m.**
Venue: **Basement 2, FPCCI Head Office Karachi**


FPCCI has arranged special Zoom link facility for the outstation Appellant(s) / Respondent(s). Those who are unable to attend physically may avail the hearing via Zoom Link, by the following link:

Zoom ID: 764 276 3799
Password: fpcci1214
Link: <https://us06web.zoom.us/j/7642763799>

Punctuality of time is requested. Also you are requested to be precise and brief.

In case of non- appearance, the case shall be decided ex-parte.


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

23 (74)



Election Commission,
Federation of Pakistan
Chamber of Commerce and Industries,
Karachi.

**APPEAL UNDER RULE 18(6) OF THE TRADE ORGANIZATION RULES, 2013
AGAINST ORDER DATED 15.11.2023 PASSED IN COMPLAINT UNDER RULE
18(4) OF THE AFORESAID RULES BY SECRETARY GENERAL
FEDERATION OF PAKISTAN CHAMBER OF COMMERCE AND
INDUSTRIES, KARACHI**

Respectfully Sheweth,

That the undersigned has filed the instant representation, being aggrieved of the order dated 15.11.2023 "**Impugned Order**" passed by the Office of the Secretary General of Federation of Pakistan Chamber of Commerce and Industry "**Chair**" consequent to the objection petitions filed under Rule 18(4) of the Trade Organization Rules, 2013 and heard on 13.11.2023 and 14.11.2023. The undersigned raised objections against the nomination of **MR. TARIQ YAQOOB** hailing from Corporate Class, nominated by **SARGODHA CHAMBER OF COMMERCE AND INDUSTRIES**. The Chair declined the objections raised by the undersigned with observations reproduced below as follow:

- "1. The nominee on EC and GB Class has provided the with valid FBR documents proving that he is Sales Tax Registered
2. The license of the Chamber is valid upto 29th August 2026, issued by the Ministry of Commerce."
3. The Chamber provided all the basic documents as required for verification of Member nominated."

That on the basis of aforementioned observations the Chair passed the decision as follow:

"The nomination of Mr. Tariq Yaqoob, nominee on EC & GB (Corporate) from Sargodha Chamber of Commerce and Industry is valid and found well in order for needful inclusion in the Provisional List of Voters issued on 4th November 2023. Moreover, your objections are not substantiated with any prudent evidences and accordingly your objections are declined."

That the undersigned being aggrieved by the Impugned Order has challenged the same on the grounds as follows:

ASG

1. That the Impugned Order inter alia suffers from misreading and nonreading of the facts and record which were also submitted by the counsel for the undersigned during the course of proceedings.

2. That the Chair failed to recognize and appreciate the primary grievance raised by the undersigned, which was extensively discussed during the course of the arguments, that the Respondent in order to manipulate the electoral process has submitted the list of members of Sargodha Chamber of Commerce and Industry which consist of the persons who have no active business concern, currently engaged in trading in the territorial jurisdiction of Sargodha. Moreover, the list consist of random personals just to satisfy the requisite of Rules. Hence, the aforesaid action of the Respondent stands in utter disregard to the purpose of the Trade Organization as purported by the Trade Organization Act and Rules, which is flourishment of trade and commerce within a certain district from where the nominations have been sent. The Respondent rather, is using the same to his own benefit to seek illegal gains in the cover of Sargodha CCI by mean of manipulating the electoral process.

3. That the Chair failed to recognize the fact that the mere existence of business address on the Online Verification Profile sought online from the FBR website do not validate that the Respondent has legitimate active business concern within the territorial boundaries of nominer trade organization. The nominee must have an operational and active business concern within the district in accordance with Rule 11 of the Trade Organization Rules, 2013. The same fact do not depend on mere presence of business address on the NTN Profile rather the Respondent has to provide substantial documents proving the existence of business concern within the territorial boundaries of the Chamber.

4. That no proof of auditing of accounts was provided by the Sargodha CCI which is a necessary requisite in accordance with Rule 6 (n) of the Trade Organization Rules, 2013.

PRAYER:

I. In the light of the facts and circumstances as mentioned above, it is respectfully prayed from this Hon'ble Forum that the Sargodha Chamber of Commerce and Industries may please be deleted from the provisional voter list as the same could not provide any substantial evidence that it is a compliant trade organization in accordance with Rules as well as Act.

II. That the name of Mr. Tariq Yaqoob may please be deleted from the Provisional Voter List for the year 2024-2025 as the same do not stands in accordance with Rules and Act.

Dated:

MALIK . M. KHALID
Appellant
through Counsel

