

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

Federation House, Tariq Sayeed Complex,
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FPCCI.Election.2024-25/2023 - (2215)
18th November 2023

Through E-mail, Website

URGENT & IMPORTANT

MR. MOHAMMAD ARIF
Chief Executive Officer
M/s. United Diamond Tools Pvt. Limited
Plot # 45, Street # 10, I-9/2 Industrial Area,
Islamabad
T: 051-4430410 M: 03335129988
E: arif@udt.com.pk; info@udt.com.pk

NOMINEES FROM ALL PAKISTAN MARBLE INDUSTRIES ASSOCIATION

----- APPELLANT

THROUGH:

MR. ASGHAR KHAN UTMANKHEL
CHAIRMAN
ALL PAKISTAN MARBLE INDUSTRIES ASSOCIATION
SUIT #1, 1ST FLOOR, PLOT #45
STREET #10, SECTOR I-9/2
INDUSTRIAL AREA
ISLAMABAD
T. 051-4433508
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E. apmia.ho@gmail.com
E. apmiaislamabad@yahoo.com
URL. www.apmia.org.pk

MR. MUHAMMAD HANIF LAKHANY
Director M/s. Lakhany Silk Mills (Pvt)
8-C, Muhammad Ali Cooperative Housing
Society Johar Road,
Karachi
T: 021-34526401 M: 03008241500
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NOMINEE FROM PAKISTAN SILK & REYON MILLS ASSOCIATION

----- RESPONDENT

HEARING # 24 (018 – 055)

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

Please refer to the Appeal dated 17th November 2023 received through e-Mail on 17th November 2023 in FPCCI Head Office Karachi from Mr. Asghar Khan Utmankhel, Chairman of All Pakistan Marble Industries Association, , 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 1:00 p.m. to 2:00 p.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



ALL PAKISTAN MARBLE INDUSTRIES ASSOCIATION

Sr #. 10772

Ref No.: APMIA/HO/2023/4574

Dated: November 17, 2023

Chairman,
Election Commission,
Federation of Pakistan Chambers of Commerce & Industry,
Federation House, Karachi

Subject: REQUEST FOR RESTORATION OF MR. MOHAMMED ARIF NOMINATION IN
FPCCI's VOTERS LIST 2024-25

Dear Sir,

With reference to the letter No. FPCCI.EL2024-25/2023/12075, Dated November 15, 2023.

I am writing to bring to your attention a critical matter concerning the removal of our esteemed member, Mohammed Arif from the provisional voter list (Sr. # 225) for the FPCCI Elections 2024-25. This decision, reportedly made on the grounds of his alleged disaffiliation from the Marble & Granite sector, greatly concerns us at the All Pakistan Marble Industries Association (APMIA).

Mohammed Arif holds a significant position within our association as a founding member. His extensive experience spans both the marble processing and marble cutting saw Blades and Polishing tools businesses, which he has passionately pursued in the past. More recently, at the explicit request of our Association, he has dedicated his efforts to the domain of marble & granite cutting Saw Blades and tools drawing upon his invaluable expertise in this field.

It's important to note that Mr. Arif has been a stalwart office bearer of our association and has been a consistent representative at FPCCI on multiple occasions in the past, effectively advocating for the interests and concerns of our industry.

Moreover, as per the Trade Organization Act of 2013, Section 11 (a), and the specific provisions outlined in the APMIA Memorandum & Articles of Association, Section 2, there are clear and unambiguous indications that Mr. Arif remains eligible for membership within our association by virtue of his engagement in the marble & granite cutting saw Blades and polishing tools business.

In light of these facts and the provisions laid out in both legal frameworks, we respectfully request the restoration of Mohammed Arif's nomination as EC & GB member in the FPCCI voter list for the year 2024-25. His active participation and representation in FPCCI are crucial not only for our association but also for the holistic representation of the Marble & Granite sector.

We hope for your prompt attention and favorable consideration in rectifying this matter.

Copy of Trade Organization Act 2013, Section 11 (a) & APMIA Memorandum & Articles of Association, Section 2 are attached.

Thank you for your understanding and cooperation in this regard.

Sincerely,

Asghar Khan Utankhel
Chairman
All Pakistan Marble Industries Association

Copy to:

1. Secretary General, Federation of Pakistan Chambers of Commerce & Industry
2. Mr. Mohammed Arif, CEO, M/s United Diamond Tools (Pvt.) Ltd, Islamabad

Head Office:
1st Floor, Plot # 45, Street # 10,
Sector I-9/2, Industrial Area, Islamabad.

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- (g) copies of utility bills of the trade organization for the preceding year; and
- (h) proof of filing income tax return on behalf of the trade organization.

11. Membership of trade organizations/ – (1) Any business concern shall be eligible for grant or renewal of membership of any trade organization if such business concern meets the following conditions, namely:-

- (a) the prospective member is a sole proprietorship or a partnership firm or an association of persons or a company holding national tax number and sales tax registration, if applicable, in name of the business concern;
- (b) the prospective member's business falls within the defined business scope or area of jurisdiction of the trade organization as provided in the said trade organization's approved memorandum and articles of association and under the licence granted by the Federal Government;
- (c) the application for grant of membership has been proposed and seconded by existing members of the said trade organization;
- (d) the prospective member has no criminal conviction; and
- (e) the prospective member has a valid national tax number and sales tax registration, if applicable.

(2) The Regulator, if satisfied that a prospective member meets the eligibility criteria under sub-rule (1), may direct any trade organization for the purposes of enrolling any such person as member upon the application of such prospective member having filed a complaint with the Regulator on the grounds of delay or refusal in obtaining membership in the said trade organization.

(3) Membership may be cancelled or such membership be disqualified, in addition to the grounds provided under the trade organization's memorandum and articles of association, if the member breaches any provision of these rules or the Act.

(4) The membership of a trade organization shall be granted for a period of one year and shall expire on the 31st day of March each year irrespective of the date of grant of membership.

(5) The membership shall be renewable on annual basis subject to fulfilment of following conditions, namely:-

- (a) payment of prescribed subscription within the time stipulated in the memorandum, which shall not be later than the 31st of March; and
- (b) proof of filing return of income tax and sales tax, if applicable, for the preceding year.

(6) Upon a complaint filed by the aggrieved member, the Regulator, if satisfied that the renewal of membership of an eligible member has been delayed or refused, may direct the trade organization to renew the membership of the applicant.

(7) There shall be two classes of memberships in a trade organization, except chamber of small traders and association of small traders.