

FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

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FPCCI.Election.2024-25/2023-12709
19th December 2023

Through E-mail, Website

MR. AUN ALI SYED
Proprietor
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PROVISIONAL CANDIDATE FOR THE POST OF VP KP

OBJECTOR

MR. AKBAR KHAN
Proprietor
Akbar Corporation
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Swat
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RESPONDENT

DECISION # KPK-VP-003

PASSED BY THE ELECTION COMMISSION (FPCCI ELECTIONS 2024-2025)

Under the provision of rule 18(12) of the Trade Organization Rule 2013, the Election Commission of FPCCI entertained the objections as raised in the application, in order to dispose of the objection as filed by the Objector namely Mr. Aun Ali Syed, Candidate on the VP KPK FPCCI against the inclusion of the name of Mr. Akbar Khan, Candidate for the post of VP KPK FPCCI on the provisional list of Candidates for the Election of FPCCI 2024-2025.

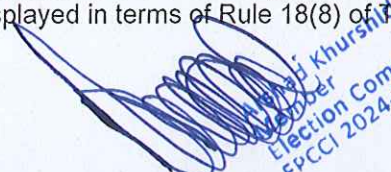
The hearing of this case was conducted at the office of Election Commission of FPCCI on 18th December 2023, and the same was attended by the Counsels of objector and by the respondent(s), namely Advocate Asad Ullah Jan (on behalf of the Objector) and Advocate Ghulam Sabir (on behalf of Respondent) and discussed on the objections filed by the Objectors.

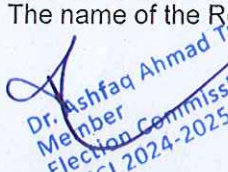
Decision of the Election Commission:

The Election Commission examined the record and nomination form of the respondent available with the Election Commission of FPCCI, which shows that objector has raised objections on the Respondent that relate to his eligibility for inclusion in the voter list, and not on the nomination *per se*.

Before giving findings on the objection raised by the Objector, it is important to point that the election procedure for trade bodies is prescribed in Rules 13 to 20 of the TORs, 2013; and FPCCI elections are being conducted under 13(a) of TORs, 2013. Thus, in accordance with Rule 18(3) of the TORs 2013, the Secretary General FPCCI displayed the provisional list of members eligible to vote, and the name of the Respondent was reflected in the provisional list.

Rule 18(4) of the TORs, 2013 entitles any member to file objections against any member whose name appears in the provisional voters list within seven days of its issuance, which are to be decided by the Secretary General FPCCI in terms of Rule 18(5). Rule 18(6) then gives a right to the Election Commission of FPCCI against the decision of the Secretary General. A second right of appeal to the Regulator TOs is also available under Rule 18(7). After passing through all these stages, the Final Voter List is prepared and displayed in terms of Rule 18(8) of TORs, 2013. The name of the Respondent also appeared in this list.


Ghulam Khurshid
Member
Election Commission
FPCCI 2024-2025


Dr. Ashfaq Ahmad Tunji
Member
Election Commission
FPCCI 2024-2025

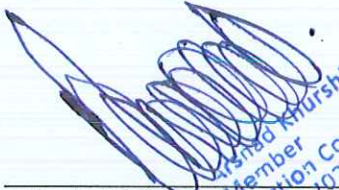

Anjum Rasheed Bawa
Member
Election Commission
FPCCI 2024-2025

Thus, either if no objection was raised on the Respondent's eligibility as voter, or an objection was raised and decided through the above process, fresh objections on the same basic eligibility cannot be raised at this stage, where only objections relating to the nomination are being considered.

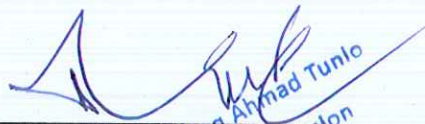
Even if the Appellant's objections have any ground, these have been raised at belated stage and are time barred. If such objections are entertained at this stage, it will nullify the election schedule issued by FPCCI and take the entire process back to square one.

For the above reasons the objections are hereby declined.

However, the nomination of Mr. Akbar Khan, who has applied for the Post of VP KPK of FPCCI, has already been rejected by the Election Commission in the Provisional List of Candidates.



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: Regulator, Trade Organizations, Islamabad
Secretary General FPCCI