

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.2024-25/2023-12647
16th December 2023

Through E-mail, Website

URGENT & IMPORTANT

ENGR. DAROO KHAN ACHAKZAI
603-, 604, TRUNCH ROAD
CHAMAN

----- APPELLANT

HEARING # B-VP-003 HEARING CALLED BY THE ELECTION COMMISSION OF FPCCI (FPCCI ELECTIONS 2024-2025)

Please refer to the objection received on 16th December 2023 in FPCCI Head Office Karachi from Mr. Daroo Khan for the post of VP Baluchistan, to the Election Commission of FPCCI.

The Election Commission of FPCCI is pleased to grant the objector 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, 18th December 2023
Time: Between 10:30 a.m. to 3:00 p.m.
Venue: Basement 2, FPCCI Head Office Karachi


FPCCI has arranged special Zoom link facility for the outstation Objector(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
Election Commission
FPCCI 2024-2025
ARSHAD KHURSHID
Member of the Election Commission


Dr. Ashfaq Ahmed Tunio
Member
Election Commission
FPCCI 2024-2025
ASHFAQ AHMED TUNIO
Member of the Election Commission


Anjum Rasheed Bawa
Member
Election Commission
FPCCI 2024-2025
ANJUM RASHEED BAWA
Member of the Election Commission

Copy to: Regulator, Trade Organizations, Islamabad
Secretary General FPCCI



DAROO KHAN & BROTHERS TRADING CO.

Importer Exporter Custom Clearing & forwarding Agents

Ref: _____

Date: _____

To,
The Election Commission of Federation of Pakistan Chamber of Commerce and Industry,
Federation House, Tariq Sayeed Complex,
Main Clifton, Karachi,
Pakistan.

B.V.P-003



Subject;- Representation/request under Rule 18(12) of the Trade Organizations Rules, 2013 for review/reconsideration of decision dated. 14-12-2023 taken by the Election Commission at the time of scrutiny of nomination papers of the undersigned without affording an opportunity for explanation.

Respectfully Sheweth,

1. That the undersigned nomination papers were submitted as a candidature for the seat of Vice President of the FPCCI.
2. The candidature for the post of Vice President of FPCCI for the year 2024-2025 representing the Chamber of Commerce from Baluchistan Province of the undersigned was proposed and seconded by the eligible voters as per Rule 18 (9) of the Trade Organizations Rules, 2013.
3. That the Election Commission of the FPCCI issued provisional voter list dated 14-12-2023, through which the learned Election Commission of the FPCCI rejected the nomination papers of the undersigned by giving reasons that the Proposer and Seconder are not from electoral college of candidate as per Rule 18 (9) of the TOR 2013, hence rejected.
4. The election commission failed to discharge their duties as per 18(11) of the Trade Organizations Rules, 2013 in its letter and spirit. The purpose of scrutiny as provided in the above referred rule is to provide an opportunity to the candidate to complete the formalities/ requirement of the Rules and the law but the Election Commission of the FPCCI through the above referred order nullify the meaningful exercise of scrutiny.
5. That the order dated 14-12-2023 passed by the Election Commission of the FPCCI was passed without application of his independent mind and without even realizing that the said order is not only illegal but also against the Article 17 of the Constitution of Pakistan, 1973, hence the Election Commission of the FPCCI failed to discharge his duties as per exigencies of his statutory

SG-FPCCI 16/12/23
Election Commission


responsibilities and acted in excess of their statutory responsibilities and acted in violation of his lawful authority and in violation of law and constitutional mandate. Therefore, the conduct of the Election Commission of the FPCCI is violative of the dictates of the Hon'ble Superior Court and needs to judicially reviewed by this Learned Authority.

6. That the order dated 14-12-2023 passed by the Election Commission of the FPCCI is violative of principle of natural justice. The Election Commission exercised the power in manner which is not fair.
7. The it is the primary duty of the election Commission of the FPCCI to maintain a political impartiality amongst the candidates during the election of the FPCCI, but the above said conduct of the Election Commission of FPCCI leaves no doubt in my mind the Election Commission is bias towards the undersigned.

In view of the above it is most respectfully prayed that the by accepting the instant application the order of rejection of the nomination papers of the undersigned may kindly be reversed/ set aside and the nomination for the candidature of Vice President of Chamber from province of Baluchistan, of the undersigned may kindly be accepted in the interest of justice.

Dated. 16-12-2023

Applicant


Daroo Khan,
representing the Chaman Chamber
of Commerce from Baluchistan,.