

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.2024-25/2023-12666
16th December 2023

URGENT & IMPORTANT

Through E-mail, Website

MR. ABDUL GHANI
Chief Executive Officer
M/s. Ghani Osman Securities Pvt Ltd.
Pardesi House, Servey No. 2/1, RY-16, old
Queens Road, Karachi
T: 021-32462688 M: 03008221082
E: mail@gosecurities.com.pk

PROVISIONAL CANDIDATE FOR THE POST OF SVP FPCCI

----- OBJECTOR

MR. WASEEM UR REHMAN
Proprietor, Waseem Corporation
House No.30, Block 7/8, Modern Cooperative
Housing Society, Tipu Sultan Road Karachi
T: 021-32532571
M: 03008230433
E: waseemcorp@gmail.com

PROVISIONAL CANDIDATE FOR THE POST OF SVP FPCCI

----- OBJECTOR

MR. ARIF MEHMOOD
Chief Executive Officer
M/s. Al-Hassan Trading Company
Office # 14, Sukh Maidan, Main Bazar,
Skardu
T: 05815-940105
M: 03015242420
E: info@scci.pk
W: www.skdscci.com

----- RESPONDENT

HEARING # ICT-VP-022 HEARING CALLED BY THE ELECTION COMMISSION OF FPCCI (FPCCI ELECTIONS 2024-2025)

Please refer to the objections, received on 16th December 2023 in FPCCI Head Office Karachi from Mr. Abdul Ghani and Mr. Waseem ur Rehman, to the Election Commission of FPCCI, on the proposer Mr. Arif Mehmood.

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**

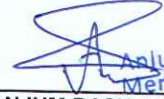
FPCCI has arranged special Zoom link facility for the outstation Objector(s) / Respondent(s). Those who are unable to attend physically may avail the hearing via Zoom Link, by the following link:

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 of the Election Commission
FPCCI 2024-2025


Dr. Ashfaq Ahmad Tunio
Member of the Election Commission
FPCCI 2024-2025


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

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

ICT-VP-022

BEFORE THE ELECTION COMMISSION FEDERATION OF PAKISTAN
CHAMBERS OF COMMERCE AND INDUSTRY, KARACHI

Abdul Ghani Usman

versus

Arif Mehmood



OBJECTIONS UNDER RULE 18(12) OF THE TRADE ORGANIZATION RULES, 2013

Respectfully Sheweth,

1. That the undersigned is filling the instant objections against **MR. ARIF MEHMOOD**, a proposer/ seconder for the election of the Federation of Pakistan Chambers of Commerce and Industry for the election year 2024-2025. The nomination of aforementioned nominee sent by Mr. Arif Mehmood is in violation of Trade Organization Rules 2013 as well as Trade Organization Act, 2013 on the grounds inter alia, mentioned as below:

- i. That as per the FBR's online verification, as sought from the credentials provided in the Provisional Voter's List the nominee is not an active taxpayer and has not filed Income Tax and Sales Tax Returns for the year 2022-2023 and his taxpayer status appeared as "non active" hence, being in violation of **Rule 2(g) of the Trade Organization Rules, 2013**. The same can be verified by the by the Online Tax Payers Inquiry Profile issued by the FBR, hence being in violation of **Rule 11 and Rule 15 of the Trade Organization Rules, 2013**. Moreover, the nominee has also not provided any proof of over requisite annual turnover as necessary in accordance with rules.
- ii. That moreover, the **SKARDU** Chambers of Commerce and Industry is not able to provide the list of members in accordance with **Rule 10 (2) (a) of the Trade Organization Rules, 2013** hence, is not able to maintain the minimum membership threshold of 300 members necessary for being licensee of the Chamber, hence being in violation of the aforesaid rule. Therefore, it can easily be inferred that the aforesaid Chamber in defunct and nonfunctioning, using the garb of trade organization to manipulate the electoral process for their own interests. Hence, the aforesaid member stands in violation of the **Section 3 of the Trade Organization Act, 2013** as well as **Rule 2(e), Rule 11 and Rule 15 of the Trade Organization Rules, 2013**.
- iii. That moreover, the website of the **SKARDU** Chambers of Commerce was neither functional nor any list of members was displayed in it, hence the mandatory statutory requirement was not fulfilled by the aforesaid trade organization.
- iv. That the judgments pronounced by the Hon'ble Court, more particularly reported as **PLD 2021 ISB 204, 2020 CLD 121 and Gulzar Feroz VS DGTO**; have held that the requirements qua eligibility of membership, eligibility to vote and other conditions required by the Trade Organizations Act, 2013 and the Trade Organizations Rules, 2013

are to be mandatorily and compulsorily met, even a nomination of a purported member or from a non compliant trade organization is in negation of, violation of or contrary to the provisions of the Trade Organizations Act and Rules, such nominations are to be rejected forthwith.

PRAYER:

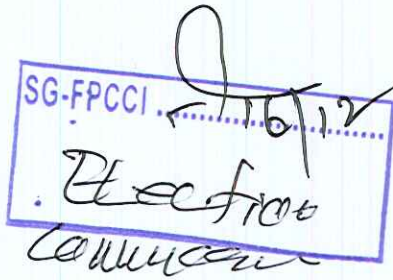
- I. That the nomination seconded and proposed by **MR. ARIF MEHMOOD** may please be deleted and removed from the for the year election year 2024-2025 as the nominee is included in the list by misrepresentation, whereby the same do not abide by the Rule 2(g), Rule 11 as well as Rule 15 of the Trade Organization Rules, 2013 as well as the judgements of the Courts of Superior Judiciary, notably **PLD 2021 ISB 204, 2020 CLD 121 and Gulzar Feroz VS DGTO**. Hence, the aforesaid nominee do not fulfills the eligibility to vote in accordance with **Rule 15** of the **Trade Organization Rules, 2013** and may please be treated in accordance with law.

Dated:

15/12/2023


Applicant/ Objector
through Counsel

BEFORE THE ELECTION COMMISSION FEDERATION OF PAKISTAN
CHAMBERS OF COMMERCE AND INDUSTRY, KARACHI



Waseem ur Rehman

versus

Ashfaq Ahmed



OBJECTIONS UNDER RULE 18(12) OF THE TRADE ORGANIZATION RULES, 2013

Respectfully Sheweth,

1. That the undersigned is filling the instant objections against **MR. ASHFAQ AHMED**, a nominee for **VICE PRESIDENT** for the election of the Federation of Pakistan Chambers of Commerce and Industry for the election year 2024-2025. The nomination of aforementioned nominee is in violation of Trade Organization Rules 2013 as well as Trade Organization Act, 2013 on the grounds inter alia, mentioned as below:

- i. That as per the FBR's online verification, as sought from the credentials provided in the Provisional Voter's List the nominee is not an active taxpayer and has not filed Income Tax and Sales Tax Returns for the year 2022-2023 and his taxpayer status appeared as "non active" hence, being in violation of **Rule 2(g) of the Trade Organization Rules, 2013**. The same can be verified by the by the Online Tax Payers Inquiry Profile issued by the FBR, hence being in violation of **Rule 11 and Rule 15 of the Trade Organization Rules, 2013**. Moreover, the nominee has also not provided any proof of over requisite annual turnover as necessary in accordance with rules.
- ii. That moreover, the **GILGIT** Chambers of Commerce and Industry is not able to provide the list of members in accordance with **Rule 10 (2) (a) of the Trade Organization Rules, 2013** hence, is not able to maintain the minimum membership threshold of 300 members necessary for being licensee of the Chamber, hence being in violation of the aforesaid rule. Therefore, it can easily be inferred that the aforesaid Chamber is defunct and nonfunctioning, using the garb of trade organization to manipulate the electoral process for their own interests. Hence, the aforesaid member stands in violation of the **Section 3 of the Trade Organization Act, 2013** as well as **Rule 2(e), Rule 11 and Rule 15 of the Trade Organization Rules, 2013**.
- iii. That moreover, the website of the **GILGIT** Chambers of Commerce was neither functional nor any list of members was displayed in it, hence the mandatory statutory requirement was not fulfilled by the aforesaid trade organization.
- iv. That the judgments pronounced by the Hon'ble Court, more particularly reported as **PLD 2021 ISB 204, 2020 CLD 121 and Gulzar Feroz VS DGTO**; have held that the requirements qua eligibility of membership, eligibility to vote and other conditions required by the Trade Organizations Act, 2013 and the Trade Organizations Rules, 2013 are to be mandatorily and compulsorily met, even a nomination of a purported member or from a non compliant trade organization is in negation of, violation of or contrary to the provisions of the Trade Organizations Act and Rules, such nominations are to be rejected forthwith.

PRAYER:

- I. That the nomination of **MR. ASHFAQ AHMED** for president of FPCCI may please be deleted and removed for the year election year 2024-2025 as the nominee is included in the list by misrepresentation, whereby the same do not abide by the Rule 2(g), Rule 11 as well as Rule 15 of the Trade Organization Rules, 2013 as well as the judgements of the Courts of Superior Judiciary, notably **PLD 2021 ISB 204, 2020 CLD 121 and Gulzar Feroz VS DGTO**. Hence, the aforesaid nominee do not fulfills the eligibility to vote in accordance with **Rule 15** of the **Trade Organization Rules, 2013** and may please be treated in accordance with law.

Dated:

Applicant/ Objector

