

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.2024-25/2023-12659
16th December 2023

Through E-mail, Website

URGENT & IMPORTANT

MR. AKBAR KHAN
Proprietor
Akbar Corporation
Office No. 61-62, Abasin Market Madyan Road,
Mingora,
Swat
T: 0946-811911
F: 0946-818083
M: 03468387777
R: 0946-726077
E: akbarkhana838@gmail.com

----- APPELLANT

HEARING # KP-VP-015 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. Akbar Khan, to the Election Commission of FPCCI, for rejection of his nomination.

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 along with 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 KHURSHIED
Member of the Election Commission
FPCCI 2024-2025


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


ANJUM RASHEED BAWA
Member
Election Commission
FPCCI 2024-2025

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



AKBAR CORPORATION

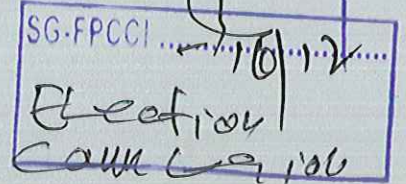
Akbar Khan

Managing Director



KP-VP-015

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



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 Khyber Pakhtunkhwa Province of the undersigned was proposed and seconded by the eligible voters as per Rule 18 (9) of the Trade Organizations Rules, 2013. The said nomination papers was witnessed by the Secretary General of the Swat Chamber of Commerce and Industry.
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 3 nomination papers of the undersigned by giving different reason which are reproduce here in below;
 - i. Proposer is not electoral college of candidate as per Rule 18 (9) of the TOR 2013, hence rejected.
 - ii. Proposer is not in final voter list hence rejected.
 - iii. 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

Office: 62-Abasin Market Madyan Road, Mingora Swat.

Cell: + 92-3468387777
+ 92-3348387777

Ph: Off: + 92- 946-811911
Fax: + 92- 946-818083

akbar_corp62@yahoo.com
akbarkhana838@gmail.com



and the law but the Election Commission of the FPCCI through the above referred order nullify the meaningful exercise of scrutiny.

5. That the second nomination which was rejected by the Election commission of the FPCCI is based on the decision of the Secretary General of the FPCCI at the time of issuance of final voter list of the eligible voters by excluding the nomination of the nominee of Mr. Shakirullah as nominee of Khyber Chamber of Commerce and Industry. The Secretary General of the FPCCI exercised its powers in violation of the Trade Organization Rules, 2013 which are not sustainable in the eyes of law. The Election Commission and the Director General are not subservient to the Secretary General of the FPCCI, therefore are not obligated to follow any illegal act of the Secretary General of the FPCCI. The basis of excluding the said proposer was that the license of the Khyber Chamber of Commerce and Industry has been expired are not correct, the licence of the Khyber Chamber of Commerce and Industry was valid till 10-12-2023 however, the Secretary General by an illegal order excluded the nominees of the Khyber Chamber of Commerce and Industry on 08-10-2023 before the expiry of the licence. It is further submitted that the renewal of the licence application of Khyber Chamber of Commerce and Industry is pending with the DGTO and there is every likely that the licence will be renewed within a short span of time, therefore the said reasons are contrary to facts and circumstances.
6. 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 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.
7. 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.
8. 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 Khyber Pakhtunkhwa, of the undersigned may kindly be accepted in the interest of justice.

Applicant



Dated. 16-12-2023

Akbar Khan,
Candidate for Vice President of
for Vice President of FPCCI for the
year 2024-2025 representing the
Chamber of Commerce from Khyber
Pakhtunkhwa, EC & GB Swat
Chamber of Commerce and
Industry.