

# 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.2024-25/2023-12639  
16<sup>th</sup> December 2023

Through E-mail, Website

## URGENT & IMPORTANT

MR. MUHAMMAD ALI  
Proprietor  
M/s. Zukhruf International  
Flat No.3, Block 27-B, Farrukh Plaza, G-9  
Market,  
Islamabad  
M: 03008643199  
E: alisheikh1976@gmail.com

PROVISIONAL CANDIDATE FOR THE POST OF PRESIDENT FPCCI

----- RESPONDENT/RESPONDENT

MR. ATIF IKRAM  
Managing Director  
Hafeez Iqbal Oil & Ghee Industries (Pvt) Ltd.  
Plot No. 191 & 192, I-9, Industrial Area,  
Islamabad  
T: 051-4430237-38, 4433040  
M: 03008549797  
R: 051-2255040

PROVISIONAL CANDIDATE FOR THE POST OF PRESIDENT FPCCI

----- RESPONDENT/RESPONDENT

## **HEARING # P-005 HEARING CALLED BY THE ELECTION COMMISSION OF FPCCI (FPCCI ELECTIONS 2024-2025)**

Please refer to the objections, received on 16<sup>th</sup> December 2023 in FPCCI Head Office Karachi from Mr. Muhammad Ali and Mr. Atif Ikram to the Election Commission of FPCCI, on the provisional nominations of President FPCCI on each other.

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, 18<sup>th</sup> 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

  
ASHFAQ AHMED 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



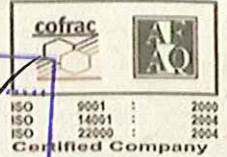
# HAFEEZ IQBAL Oil & Ghee Industries (Pvt.) Ltd.

Site: Plot # 44, Industrial Estate Hattar, Haripur, Phones. (0995)617367, 68, 617535, Fax: (0995) 617008

SG-FPCCI

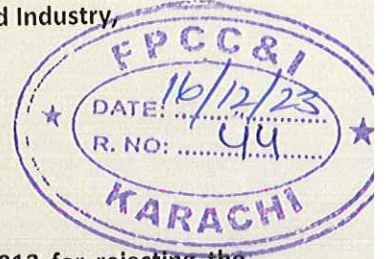
*Election*

*COMPL*



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

*P-005*



Subject;- Objection Under Rule 18(12) of the Trade Organizations Rules, 2013 for rejecting the nomination of Mr. Muhammad Ali Proprietor M/s Zukhrif International candidate for the post of President of FPCCI for the year 2024-2025 included in the provisional list of candidates issued by the Election Commission of the FPCCI.

Respectfully Sheweth,

1. That through the instant application the applicant raising objection regarding inclusion of Mr. Muhammad Ali EC & GB (Associate) as Proprietor, M/s Zukhrif International as candidate for the post of President of the FPCCI as nominee of All Pakistan Stainless Steel Importers and Traders Association Gujranwala ("APSSITA").
2. The 2013 Rules have been framed by the Federal Government in exercise of the powers conferred by Section 31 of the 2013 Act. Rule 20 provides the Organizational structure of the Federation and sub rule 7 of the Rule 20 provides that rotation cycle of the office of president of the Federation shall be as provided in Schedule "D". The schedule "D" provides the mechanism for rotation of office of President of the Federation of Pakistan Chambers of Commerce and Industry amongst Geographical Territories which are (a) Sindh (b) Khyber Pakhtunkhwa (c) Baluchistan (d) Punjab (e) Sindh (f) Punjab and (g) Federal Area.
3. Article 12 of the Memorandum and Article of FPCCI provides that the President, Sr. Vice President and Vice Presidents shall be elected from amongst the Members of the Executive Committee for a period of one year. The President and Senior Vice-President of the Federation shall not be from the same Province. The office of President shall be subject to the following rotation as provided in Schedule-D to the Trade Organization Rules.
4. Sub Rule (h) of the Said Rules read with sub Article (xii) of Article 1 of the MOA of the FPCCI provides that the "Federal Area" means Islamabad Capital Territory.
5. Rule 20 of the 2013 Rules read with Article 9 of MoA of FPCCI provides that The Federation

shall comprise a president a senior vice president, twelve vice-presidents, an executive committee and a general body. The general body of the Federation shall comprise the representatives, nominated by each licensed chamber, association of small traders, women's chamber and chamber of small traders subject to the following.

- (a) Two representatives shall be nominated from each licensed chamber, association, women's chamber and chamber of small traders and association of small traders;
  - (b) The representatives shall be members of the nominating trade organization;
  - (c) In case of chamber of women's chamber, one representative shall be nominated from each class of members provided in sub-rule (7) of rule 11
  - (d) .....
6. The co joint reading of the above said provision of the Rules and the Articles of the MoA of the FPCCI suggest and concludes that for the purposes of Rule 20(7) read with Schedule "D" of the Rules, the Federal Area can be represented through the member Trade bodies those are registered with the Company Registration Office Islamabad of the SECP and have their registered office with in the territory of Islamabad Capital Territory.
7. The nomination of Mr. Muhammad Ali as Proprietor of M/s Zukhraf International has been forwarded as EC & GB in the FPCCI by the All Pakistan Stainless Steel Importers and Traders Association Gujrawala which is registered with the Company Registration Lahore and according to the Memorandum and Articles of Association have its registered office in the Province of Punjab.
8. That as per Rule 20 (7) read with Schedule D of the Trade Organizations Rules, 2013 the present turn in the election for the year 2024-2025 of the FPCCI for the office of the President is for the Federal Area as stated above the APSSITA does not represent the Federal Area, therefore, Mr. Muhammad Ali is not eligible to contest the election for the post of President of the FPCCI for the year 2024-2025.

**WITH OUT PREJUDICE**

9. Rule 18 (4) provides that the members who have objections to the entries in the list of voters shall send their objections in writing to the Secretary General, F.P.C.C.I. within a period of seven days of the issuance of the voters list.
10. Rule 18(5) of the said Rules provides that the Secretary General, F.P.C.C.I. shall, within five days from the receipt of objections intimate action on the objections or changes, if any. Rule 18(6) of the said Rules provides that any person aggrieved by the decision of the Secretary General may, within three days of the receipt of the decision, make a representation to the Election Commission which shall decide the representation within three days.

11. Rule 18(7) of the said Rules provides a remedy of an appeal to a person aggrieved by the decision of the Election Commission to the Regulator of the Trade Organizations.
12. Rule 18(8) of the said Rules provides that the Secretary General of a Trade Organization shall display and submit copies to the Regulator, within two days of the decision of the Regulator, the final voter list of all members eligible to vote. Rule 18(9) of the said Rules provides that within in four days of the display of the final list of voters, any person who is eligible to contest elections for the vacant post, shall send his nominations, duly proposed and seconded by a duly registered voter and signed by the candidate, to the secretary General.
13. Rule 18(11) of the said Rules provides that the Election Commission shall scrutinized the nomination papers and within twenty-four hours of the last date of receipt of nomination papers display the list of candidates.
14. That by co-joint reading of the Rules provides that the Election Commission of the FPCCI not either in the first phase ("as per Rule 18 (4) to 18 (7) of the Trade Organizations Rules, 2013 ') but also in the second phase ("as per Rule 18 (12) of the Trade Organizations Rules, 2013) can disenfranchise any nominee or member body which is does not fulfil the criteria of Rule 15 read with Rule 11 of the Rules and Section10 of the Trade Organizations Act, 2013.
15. The nomination of the Mr. Muhammad Ali Proprietor Zukharaf International has been forwarded by the APSSITA. The Tax Payer profile of the said individual reflects that the business concern is being assessed for the purposes of tax at RTO Gujranwala which is situated in the province of Punjab and have business related to the Stainless Steel Importers and Traders. The address of the business concern is fictitious there is no such business concern with the name and style of Zukhraf International as well as no such activity of the said business concern is going on hence.
16. section 3(2) (d) read with section 7(3) and 2 (i) of the 2013, Act and Rule 2(b)(c) and 3 (2) (d) of the 2013 Rules provides that an Association is organized to represent the stakeholders of specific trade, industry or services. The business of the above said representative does not related to business of Importer and Trader of Stainless Steel therefore does not fulfil the criteria of being member of APSSITA. It is further submitted that the said business concern also does not fulfil the criteria of Associate member consequently could not be a member of APSSITA.
17. That in light of the judgment passed by the Honourable Islamabad High Court in Writ Petition No. 4172/2019, titled as Aftab Ahmed Barlas vs Director General Trade Organizations and

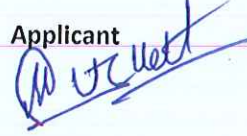
Others (2021 CLD 204), if a member is not qualified to be member of the trade body, then it would also not be eligible to represent that trade body in the FPCCI elections. It is further submitted that the the Honourable Islamabad High Court in Writ Petition No. 4682/2018, titled as Noor Ahmed Khan and another vs Director General Trade Organizations and Others disqualified the office bearer (Vice President of Association for FPCCI) of the FPCCI on account that the said individual was not a valid member of its own trade body i.e. All Pakistan Fruit and Vegetable Exporters, Importers and Merchant Association.

**Prayer**

In view of the above it is most respectfully prayed that the by accepting the instant objection petition the nomination papers of Mr. Muhammad Ali as Proprietor Zukharaf International as candidate for the post of President of FPCCI may kindly be rejected in the interest of justice.

It is further prayed that the name of Mr. Mr. Muhammad Ali as Proprietor Zukharaf International from the final voter list may kindly also be excluded in the interest of justice.

Applicant



Dated. 16-12-2023

Atif Ikram  
Candidate for President of the  
FPCCI, EC & GB, Islamabad Chamber  
of Commerce and Industry.



## Taxpayer Profile Inquiry

Printed On: 12/15/2023 5:17:59 PM

Registration No 3410187490175  
Reference No 0315642-7  
Registered for Sales Tax Yes, w.e.f. 04-AUG-99  
Name MUHAMMAD ALI  
Category Pakistani Male  
PP/REG/INC No.  
Email all\*\*\*\*kh1\*\*\*@gmail.com  
Cell 00923\*\*864\*\*99  
Address FLAT # 03, BLOCK 27-B, FARRUKH PLAZA, G-9 MARKAZ, ISLAMABAD, Islamabad  
Registered On 24-OCT-1995  
Tax Office RTO GUJRANWALA  
Registration Status Income Tax: Active , Sales Tax: OPERATIVE

Sr.	Business/ Branch Name	Business/ Branch Address	Principal Activity
1	ZUKHRAF INTERNATIONAL	FLAT # 03, BLOCK 27-B, FARRUKH PLAZA, G-9 MARKAZ, ISLAMABAD, Islamabad	010000-Importer/Exporter/Importer/Importer
2	SHEL WOOD	INSIDE SHELTON HOTEL G.T. ROAD ,GUJRANWALA	010000-Importer/Exporter/Importer/Importer
3	M/S ZUKHRAF INTERNATIONAL,	INSIDE SHELTON HOTEL G.T. ROAD ,GUJRANWALA	139100-Manufacturing/Manufacture of other textiles/Manufacture of knitted and crocheted fabrics

objections

- ① RTO Punjab.
- ② No Steel Business
- ③ No office operative (Address given is of Flat)

**FPCCI HEAD OFFICE KARACHI**

**From:** Ali Sheikh <alisheikh1976@gmail.com>  
**Sent:** Friday, December 15, 2023 9:34 PM  
**To:** info@fpcci.org.pk  
**Subject:** Objection on the candidature of Mr Atif Ikram nominee on the seat of President FPCCI for the year 2024-2025  
**Attachments:** IMG-20231215-WA0352.jpeg; IMG-20231215-WA0350.jpeg

Dear Sir  
Please find attached application with this email  
Regards  
Muhammad Ali



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

Muhammad Ali

versus

Auf Ikram

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

Respectfully Sheweth,

1. That the instant objections are being filed under Rule 18(12) of the Trade Organization Rules, 2013 whereby the undersigned have raised considerable objections on the nomination of Mr. Auf Ikram, nominee for the election of President for the year 2024-2025. The nomination of Mr. Auf Ikram is contrary to the criterion provided by the Trade Organization Rules, 2013 as well as Trade Organization Act, 2013.

2. That the nomination of the aforesaid nominee is against the eligibility criteria as set in the Trade Organization Rules as well as Trade Organization, Act 2013 on the grounds inter alia as follow:

A. That Mr. Auf Ikram, nominee for the President for the year 2024-2025, was nominated and elected for the post of vice president for the year 2018, from the province of Khyber Pakhtunkhwa representing the business concern namely "Hafeez Iqbal Oil and Ghee Limited". The nominee has again sent its nominations from the same business concern.

(Notification of Mr. Auf Ikram declaring him as Vice President for the year 2018-19 attached as Annexure "A").

B. That Mr. Auf Ikram has now sent his nomination from the same business concern i.e. Hafeez Iqbal Oil and Ghee Co. for the post of President for the year 2024-2025 from the Islamabad Chambers of Commerce and Industry, on the presidential turn of Islamabad as set by Rule 20 (7) read with Schedule - D of the Trade Organization rules.

C. That the shuffling of the same candidate from one Trade Organization to another is gross violation of principle of rotation as set in the Rule 20 (7) of Trade Organization Rules, 2013 as well as Order in Original No. 44/2017 passed by the Director General of Trade Organizations in the case of Mr. Ghazanfar Bilour v. Capt. A. Rashid and others whereby the case of with same set of facts was adjudicated and decided. The DGTO in the aforesaid Order in Original held as follow:

"The second objections on the rotational issue is valid on the grounds that the same person appears as a candidate from regions whose turn for president slot is due, and is not in line with the spirit of the Rule 20(7) read with Schedule D of the TORs, 2013. The appeal is allowed to the extent of the questions raised with regard to the principle of rotation that secures representation to the regions forming



...ederation, therefore the nomination papers of Haji Ghulam Ali are hereby rejected and decision of Election Commission be set aside."

D) That respecting the command of the adjudicating authority as well as principle of state decisis the instant case may please be treated in the same manner.

E) That, the nomination being in violation of section 3 of Trade Organizations Act, 2013, Rule 3, Rule 11 and Rule 15 of the Trade Organizations Rules, 2013. The nominee lacks the requisite credentials and eligibility criteria to become a member of and be nominated to Islamabad Chamber of Commerce and Industry. The perusal of the Tax Payers profile of Mr. Hafeez Oil and Ghee Mills (Reg No 0819196) reveals that the company is assessed for the purposes of Income Tax and Sales Tax in Abbottabad. The Mill and factory are located and function in Abbottabad and therefore is not qualified or entitled to become a member of Islamabad Chamber of Commerce and Industry. Chambers of Commerce and Industries are formed to represent TRADE, INDUSTRY AND SERVICES IN A DISTRICT. The Ghee Mill in the instant case is located, functioning and having business interest in District of Abbottabad and not Islamabad. It is pertinent to mention here that Director General Trade Organization (DGTO) in the case of Ms. Hina Mansab v. Election Commission FPPCI vide order dated 03.12.2021 held that a person not having any real and substantial business presence on the district can not sent its nomination from that very district. In the aforesaid case the name of Appellant i.e. Ms. Hina Mansab was excluded from the voters list of year 2022. Hence, this office may please upheld the principle of state decisis and decided the instant objections in line with the principle set in the aforesaid order of DGTO, abiding by the command of judicial authority.

F) That the nomination of Mr. Auf Ikram has been made from the business concern of Hafeez Oil and Ghee Mills, which business concern is engaged in Trade, Industry and Services in Abbottabad.

G) That the judgments pronounced by the Hon'ble Court, more particularly reported as PLD 2021 ISB 204, 2020 CLD 121 and Gulzar Peroz 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 which 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:

In light of the facts and circumstances as mentioned above it is therefore respectfully prayed from the Hon'ble Election Commission of the FPPCI that the nomination of Mr. Auf Ikram may please be set aside as the same stands in contrary to the Trade Organization Act and Rules 2013.

Dated: 15 December 2023

Objector  
Muhammad Ali  
Fulke Ali

## FPCCI HEAD OFFICE KARACHI

---

**From:** Ali Sheikh <alisheikh1976@gmail.com>  
**Sent:** Friday, December 15, 2023 9:30 PM  
**To:** info@fpcci.org.pk  
**Subject:** Objection on the candidature of Mr Atif Ikram nominee on the seat of President FPCCI for the year 2024-2025  
**Attachments:** IMG-20231215-WA0352.jpeg; IMG-20231215-WA0350.jpeg

Dear Sir  
Please Dear Sir  
Please find attached application with this email  
Regards  
Muhammad Ali  
Candidate for President FPCCI 2024-2025



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

Muhammad Ali

versus

Auf Ikram

OBJECTIONS UNDER RULE 18(2) OF THE TRADE ORGANIZATION  
RULES, 2013

Respectfully Sheweth,

1. That the instant objections are being filed under Rule 18(2) of the Trade Organization Rules, 2013 whereby the undersigned have raised considerable objections on the nomination of Mr. Auf Ikram, nominee for the election of President for the year 2024-2025. The nomination of Mr. Auf Ikram is contrary to the criterion provided by the Trade Organization Rules, 2013 as well as Trade Organization Act, 2013.

2. That the nomination of the aforesaid nominee is against the eligibility criteria as set in the Trade Organization Rules as well as Trade Organization, Act 2013 on the grounds inter alia as follow:

A. That Mr. Auf Ikram, nominee for the President for the year 2024-2025, was nominated and elected for the post of vice president for the year 2018, from the province of Khyber Pakhtunkhwa representing the business concern namely "Hafeez Iqbal Oil and Ghee Limited". The nominee has again sent its nominations from the same business concern.

(Notification of Mr. Auf Ikram declaring him as Vice President for the year 2018-19 attached as Annexure "A").

B. That Mr. Auf Ikram has now sent his nomination from the same business concern i.e. Hafeez Iqbal Oil and Ghee Co. for the post of President for the year 2024-2025 from the Islamabad Chambers of Commerce and Industry, on the presidential turn of Islamabad as set by Rule 20 (7) read with Schedule - D of the Trade Organization rules.

C. That the shuffling of the same candidate from one Trade Organization to another is gross violation of principle of rotation as set in the Rule 20 (7) of Trade Organization Rules, 2013 as well as Order in Original No. 44/2017 passed by the Director General of Trade Organizations in the case of Mr. Ghazanfar Bilour v. Capt. A. Rashid and others whereby the case of with same set of facts was adjudicated and decided. The DGTO in the aforesaid Order in Original held as follow:

" The second objections on the rotational issue is valid on the grounds that the same person appears as a candidate from regions whose turn for president slot is due, and is not in line with the spirit of the Rule 20(7) read with Schedule D of the TORs, 2013. The appeal is allowed to the extent of the questions raised with regard to the principle of rotation that secures representation to the regions forming

federation, therefore the nomination papers of Hap Ghulam Ali are hereby rejected and decision of Election Commission is set aside."

13. That respecting the command of the adjudicating authority as well as principle of stare decisi the instant case may please be treated in the same manner.

1. That the nomination being in violation of Section 3 of Trade Organizations Act, 2013, Rule 5, Rule 11 and Rule 15 of the Trade Organizations Rules, 2013. The nominee lacks the requisite credentials and eligibility criteria to become a member of and be nominated by Islamabad Chamber of Commerce and Industry. The period of the Tax Payers profile of M/s Hafeez Oil and Ghee Mills (Reg No 0819498) reveals that the company is assessed for the purposes of Income Tax and Sales Tax in Abbottabad. The Mill and factory are located and function in Abbottabad and therefore is not qualified or entitled to become a member of Islamabad Chamber of Commerce and Industry. Chambers of Commerce and Industries are formed to represent TRADE, INDUSTRY AND SERVICES IN A DISTRICT. The Ghee Mill in the instant case is located, functioning and having business interest in District of Abbottabad and not Islamabad. It is pertinent to mention here that Director General Trade Organization (DGTO) in the case of MS. Hina Mansab v. Election Commission FPPCI vide order dated 03.12.2021 held that a person not having any real and substantial business presence on the district can not send its nomination from that very district. In the aforesaid case the name of Appellant i.e. Ms. Hina Mansab was excluded from the voters list of year 2022. Hence, this office may please upheld the principle of stare decisi and decided the instant objections in line with the principle set in the aforesaid order of DGTO, abiding by the command of judicial authority.

F. That the nomination of Mr. Atif Ikram has been made from the business concern of Hafeez Oil and Ghee Mills, which business concern is engaged in Trade, Industry and Services in Abbottabad.

G. 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 which 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:

In light of the facts and circumstances as mentioned above it is therefore respectfully prayed from the Hon'ble Election Commission of the FPPCI that the nomination of Mr. Atif Ikram may please be set aside as the same stands in contrary to the Trade Organization Act and Rules 2013.

Dated: 15 December 2023

Objector  
Muhammad Ali  
Fulke Ali

**FPCCI HEAD OFFICE KARACHI**

**From:** Ali Sheikh <alisheikh1976@gmail.com>  
**Sent:** Friday, December 15, 2023 9:27 PM  
**To:** info@fpcci.org.pk  
**Subject:** Objection on the candidature of Mr Atif Ikram nominee on the seat of President FPCCI for the year 2024-2025  
**Attachments:** IMG-20231215-WA0352.jpeg; IMG-20231215-WA0350.jpeg

Dear Sir please find this email with attached documents  
Regards  
Muhammad Ali  
Candidate for President FPCCI 2024-2025

SG-FPCCI ..... 16/12  
Election  
Commission



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

Muhammad Ali

VERSUS

Auf Ikram

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

Respectfully Sheweth,

1. That the instant objections are being filed under Rule 18(12) of the Trade Organization Rules, 2013 whereby the undersigned have raised considerable objections on the nomination of Mr. Auf Ikram, nominee for the election of President for the year 2024-2025. The nomination of Mr. Auf Ikram in contrary to the criterion provided by the Trade Organization Rules, 2013 as well as Trade Organization Act, 2013.

2. That the nomination of the aforesaid nominee is against the eligibility criteria as set in the Trade Organization Rules as well as Trade Organization, Act 2013 on the grounds inter alia as follow:

A. That Mr. Auf Ikram, nominee for the President for the year 2024-2025, was nominated and elected for the post of vice president for the year 2018, from the province of Khyber Pakhtunkhwa representing the business concern namely "Hafeez Iqbal Oil and Ghee Limited". The nominee has again sent its nominations from the same business concern.

(Notification of Mr. Auf Ikram declaring him as Vice President for the year 2018-19 attached as Annexure "A").

B. That Mr. Auf Ikram has now sent his nomination from the same business concern i.e. Hafeez Iqbal Oil and Ghee Co. for the post of President for the year 2024-2025 from the Islamabad Chambers of Commerce and Industry, on the presidential turn of Islamabad as set by Rule 20 (7) read with Schedule - D of the Trade Organization rules.

C. That the shuffling of the same candidate from one Trade Organization to another is gross violation of principle of rotation as set in the Rule 20 (7) of Trade Organization Rules, 2013 as well as Order in Original No. 44/2017 passed by the Director General of Trade Organizations in the case of Mr. Ghazanfar Bilour v. Capt. A. Rashid and others whereby the case of with same set of facts was adjudicated and decided. The DGTO in the aforesaid Order in Original held as follow:

"The second objections on the rotational issue is valid on the grounds that the same person appears as a candidate from regions whose turn for president slot is due, and is not in line with the spirit of the Rule 20(7) read with Schedule D of the TORs, 2013. The appeal is allowed to the extent of the questions raised with regard to the principle of rotation that secures representation to the regions forming

ederation, therefore the nomination papers of Haji Ghulam Ali are hereby rejected and decision of Election Commission is set aside."

D. That in giving the command of the adjudicating authority as well as principle of stare decisis the instant case may please be treated in the same manner.

E. That the nomination being in violation of Section 3 of Trade Organizations Act, 2013, Rule 3, Rule 11 and Rule 15 of the Trade Organizations Rules, 2013. The nominee lacks the requisite credentials and eligibility criteria to become a member of and be nominated to Islamabad Chamber of Commerce and Industry. The perusal of the Tax Ejector profile of M/s Hafeez Oil and Ghee Mills (Reg. No 0819198) reveals that the company is associated for the purposes of Income Tax and Sales Tax in Abbottabad. The Mill and factory are located and function in Abbottabad and therefore is not qualified or entitled to become a member of Islamabad Chamber of Commerce and Industry. Chambers of Commerce and Industries are formed to represent TRADE INDUSTRY AND SERVICES IN A DISTRICT. The Ghee Mill in the instant case is located, functioning and having business interest in District of Abbottabad and not Islamabad. It is pertinent to mention here that Director General Trade Organization (DGTO) in the case of Ms Hina Mansab v Election Commission FPPCI vide order dated 03.12.2021 held that a person not having any real and substantial business presence on the district can not sent its nomination from that very district. In the aforesaid case the name of Appellant i.e. Ms. Hina Mansab was excluded from the voters list of year 2022. Hence, this office may please upheld the principle of stare decisis and decided the instant objections in line with the principle set in the aforesaid order of DGTO, abiding by the command of judicial authority.

F. That the nomination of Mr. Atif Ikram has been made from the business concern of Hafeez Oil and Ghee Mills, which business concern is engaged in Trade, Industry and Services in Abbottabad.

G. That the judgments pronounced by the Hon'ble Court, more particularly reported as PLED 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 which 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:

In light of the facts and circumstances as mentioned above it is therefore respectfully prayed from the Hon'ble Election Commission of the FPPCI that the nomination of Mr. Atif Ikram may please be set aside as the same stands in contrary to the Trade Organization Act and Rules 2013.

Dated: 15 December 2023

Objector  
Muhammad Ali  
Fulke Ali