

# FROM THE OFFICE OF THE ELECTION COMMISSION – FPCCI

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FPCCI.Election.2024-25/2023-12-664  
16<sup>th</sup> December 2023

## URGENT & IMPORTANT

Through E-mail, Website

MR. MUHAMMAD YASIN MEMON  
Managing Partner  
M/s. Suzuki Nawabshah Motors  
Main Sakrand road Muhammadi Town,  
Nawabshah,  
Shaheed Banzirabad  
T: 0244-4382145  
M: 03330308001  
E: yasinom.pk@gmail.com  
PROVISIONAL CANDIDATE FOR THE POST OF VP SINH

----- OBJECTOR

MR. FAYYAZ MEHMOOD SHAIKH  
Proprietor / CEO / MD  
M/s. Kundan Restaurants & Filling Station  
The Shikarpur CCI, Near Masjid-e-Aqsa  
Municipal Premises Jumani Hall,  
Shikarpaur  
T: 0726-521120  
M: 03002000036  
E: presidentshikarpur.cci75@gmail.com  
PROVISIONAL CANDIDATE FOR THE POST OF VP SINDH

----- RESPONDENT

## HEARING # S-VP-020 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 Yasin Memon, objecting on Mr. Fayyaz Mehmod Shaikh provisional candidate VP Sindh, to the Election Commission of FPCCI.

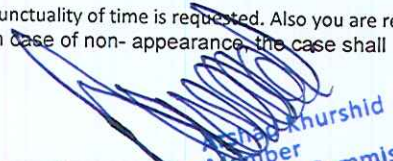
The Election Commission of FPCCI is pleased to grant the objector and the respondent(s) a hearing opportunity in person or through their authorized representative (with letter of authorization from the Appellant(s) / Respondent(s)) before the Election Commission of FPCCI along with all original / relevant documents, as per following schedule:

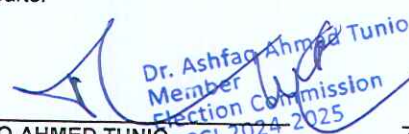
Day & Date: **Monday, 18<sup>th</sup> December 2023**  
Time: **Between 10:30 a.m. to 3:00 p.m.**  
Venue: **Basement 2, FPCCI Head Office Karachi**

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

  
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

S-VP-020

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

Yaseen Memon

versus

Fayyaz Mehmood Shaikh



**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. Fayyaz Mehmood Shaikh, nominee for the election of Vice President for the year 2024-2025. The nomination of Mr. Fayyaz Mehmood Shaikh 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 the objections were filed against Mr. Fayyaz Mehmood Shaikh by Mr. Malik Muhammad Khalid before the Secretary General of the FPCCI under Rule 18 (4) of the Trade Organization Rules 2013. In result of such objections the name of Mr. Fayyaz Mehmood Shaikh was excluded from the provisional voter list. The aforesaid order of the Secretary General was never challenged by Mr. Fayyaz Mehmood Shaikh before Election Commission. However, DGTO in absence of any appeal against the SG's order before Election Commission however, to shock and dismay of the Objector the name of included in the final list was included by DGTO vide Order in Original No. 80 of 2023 dated 06.12.2023. The same stands in utter violation of the provisions of Trade Organization Rules and Act, 2013 whereby the appellatant was provided a remedy in absence of the provisions of same by legislature.

B. 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.

C. That moreover, the **SHIKARPUR** 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

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Election Commission

Trade Organization Act, 2013 as well as Rule 2(e), Rule 11 and Rule 15 of the Trade Organization Rules, 2013.

- i. That moreover, the website of the **SHIKARPUR** 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.

D. 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. Fayyaz Mehmood Shaikh for Vice President may please be set aside as the same stands in contrary to the Trade Organization Act and Rules 2013.

Dated: 15/12/23

  
Objector