

FROM THE OFFICE OF THE ELECTION COMMISSION - FPCCI

Federation House, Main Clifton, Karachi
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23rd November, 2020

Through Courier, Fax & E-mail

SYED MINHAJ UD DIN SHAH

Representative,
All Pakistan Commercial Exporters
Association of Rough & Un-Polished
Precious & Semi Precious Stones
Suite # 1, 2nd Floor
Al-Jalil Market, Namak Mandi
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----- Appellant

MR. MUHAMMAD FAROOQ SHAIKHANI,

Hyderabad Chamber of Small Traders And
Small Industry
Naz & Bilal Shopping Mall
41/499/1, Mezzanine Floor, Saddar
Hyderabad
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----- Respondent

SUBJECT: APPEAL TO THE ELECTION COMMISSION OF THE FPCCI BY SYED MINHAJ UD DIN SHAH, ALL PAKISTAN COMMERCIAL EXPORTERS ASSOCIATION AGAINST NOMINATION OF MR. MUHAMMAD FAROOQ SHAIKHANI, HYDERABAD CHAMBER OF SMALL TRADERS AND SMALL INDUSTRY

Written Statement by the Appellant (Syed Minhaj Ud Din Shah)

Objection against nomination of Mr. Muhammad Farooq Shaikhani, Hyderabad Chamber of Small Traders and Small Industry

Decision of the Secretary General of FPCCI

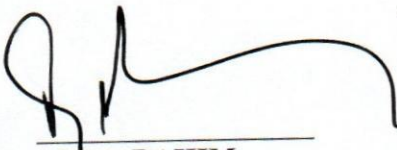
DECLINED

Appeal to EC

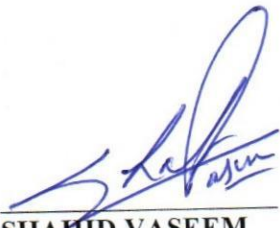
Syed Minhaj Ud Din filed an objection that Mr. Muhammad Farooq Shaikhani is nominated by Chamber of Small Traders & Industry while the Scope of his business is of large scale which does not fall under the scope of small traders and industrialist under TO Act.

Decision of the Members of the Election Commission of FPCCI:

The document provided by Mr. Muhammad Farooq Shaikhani nominee of Hyderabad Chamber of Small Traders and Small Industry does not prove whether he is eligible to be termed in the category of Small Traders/Industry, therefore his nomination is excluded from the Voter list of FPCCI Election for the year 2021. He may appeal to the DGTO with his tax return to prove his eligibility.



ALI A. RAHIM
Member of the Election Commission 2021



SHAHID VASEEM
Member of the Election Commission 2021



ARSHAD KHURSHID
Member of the Election Commission 2021

Copied to: **ALI A. RAHIM** Regulator, Trade Organization, Hyderabad
Member Secretary General, FPCCI
Election Commission
FPCCI 2021

SHAHID VASEEM
Member
Election Commission
FPCCI 2021

ARSHAD KHURSHID
Member
Election Commission
FPCCI - 2021

10th November 2020

To,
Secretary General,
Federation of Pakistan Chamber of Commerce and Industry,
Karachi

Subject: Objection against nomination of Mr. Muhammad Farooq Shaikhani, nominee of Hyderabad Chamber of Small Traders and Small Industry

Dear Sir,

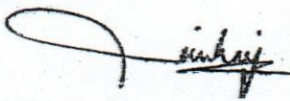
I hereby, raise the following objections on nomination of the aforementioned individual

1. Hyderabad Chamber of Small Traders and Small Industry has nominated Mr. Muhammad Farooq Shaikhani who has listed himself to be in business of builder and developers, an activity which requires a substantial amount of capital and investment and accordingly the scale of activities of Mr. Shaikhani makes it clear that Mr. Shaikhani does not falls within the in definition of traders, and industry which is a pre-requisite for small traders and industry under Section 3(2)(f) of Trade Organization Act 2013. Accordingly, Mr. Shaikhani is outrightly ineligible to be member of small traders associations

Please note in light of Islamabad High Court decision in case titled Aftab Ahmad Barlas V Director General Trade Organization and others WP 4172/2019, an individual is required to eligible to vote for the specific class in his nominating chamber, which is evident, that Mr. Shaikhani fails to do so.

In the light of foregoing, you're requested to reject nomination of Mr. Muhammad Farooq Shaikhani from Hyderabad Chamber of Small Traders and Small Industry

Regards,



SYED MINHAJ UD DIN SHAH

Proprietor

M/s. Pak Business International,
Office No. 501, Pak Medical Centre,
Khyber Bazar,
Peshawar

NIC: 37405-0608172-9

M: 0333-5963138, 0310-6669993

E: pbiei@yahoo.com



19th November 2020

To,
Election Commission
Federal of Pakistan Chamber of Commerce and Industry
Karachi

**SUBJECT: APPEAL UNDER RULE 18(6) OF TRADE ORGANIZATION RULES 2013
AGAINST FPCCI SECRETARY GENERAL DECISION DATED 16TH
NOVEMBER 2020, ON REJECTION OBJECTION AGAINST MR.
FAROOQ SHAIKHANI**

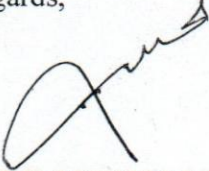
Dear Sirs,

1. The undersigned filed an objection against nomination of the aforementioned individual on grounds that:-
 - a. The aforementioned individual is nominated by a chamber of small trades and industry and the scope of his business concern M/s Mian Zafar & Co is large scale which does not fall within the scope of small traders as defined under Section 3(2)(f) of Trade Organization Act 2013, making him ineligible to be member of small traders chambers at outset
2. The Complaint is being denied for lack of evidence, however, sufficient record was provided to establish the allegation.
3. Under the decision of Islamabad High Court, in case titled Aftab Ahmad Barlas V Director General of Trade Organization and others WP 4172/2019, an individual is required to be eligible to vote for the nominating chamber as well to be eligible to be member of general body of FPCCI.
4. Ever since, the aforementioned individual is ineligible to be member of general body of FPCCI on the basis of aforementioned basis.
5. Appellant reverse right to argue further grounds at appeal stage if needed.

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In the light of foregoing, it is requested that the nomination of the aforementioned individual shall be rejected and the Secretary General shall be set aside.

Regards,



SYED MINHAJ UD DIN SHAH

Proprietor

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Office No. 501, Pak Medical Centre,
Khyber Bazar,
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