

FROM THE OFFICE OF THE ELECTION COMMISSION - FPCCI

Federation House, Main Clifton, Karachi
T. 021-35873691, 93-94, Fax. 021-35874332

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
Peshawar
C. 0321-9133122
T. 091-9331910-11/213276
F. 091-9331912
E. apceap@yahoo.com
URL. www.apcea.com.pk

Appellant

MR. MUHAMMAD AMJAD CHAUDHRY

All Pakistan Customs Agents Association
Room No. 7/8, Bombay Plaza
Mezzanine Floor, Bohri Road
Opp. New Custom House
Karachi
C. 0333-4227711
T. 021-32311155-66
F. 021-32311190
E. apcaa.pk@gmail.com;
info@apcaa.pk
URL. www.apcaa.pk

Respondent

SUBJECT: APPEAL TO THE ELECTION COMMISSION OF THE FPCCI BY SYED MINHAJ UD DIN SHAH, ALL PAKISTAN COMMERCIAL EXPORTERS ASSOCIATION AGAINST THE NOMINATION OF MR. MUHAMMAD AMJAD CHAUDHRY, ALL PAKISTAN CUSTOM AGENTS ASSOCIATION

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

Objection against nomination of Mr. Muhammad Amjad Chaudhry, by All Pakistan Custom Agents Association

Decision of the Secretary General of FPCCI

On identification the objection, the relevant trade body has been asked to provide the requisite documents and the same will be referred to the Election Commission of FPCCI for consideration.

Appeal by the Appellant

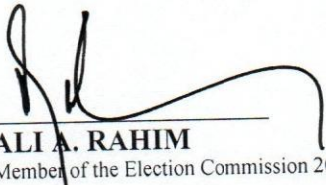
Syed Minhaj ud Din Shah filed an appeal that Muhammad Amjad Choudry Does not have an active tax payer number and his turn over less than 50 million rupees which is mandatory for corporate members.

M/S All Pakistan Custom Agent Association provided the following documents against objection.

1. Valid Custom agent License Number.
2. NTN Certificate
3. Sales Tax Registration Certificate.

Decision of the Members of the Election Commission of FPCCI:

As per section 6 TOA-2013 the application for renewal of license should be filed 90 days prior to the expiry of the license but the same has not been provided and the Association has not provided the updated membership list for the confirmation that the nominee falls under the category of Corporate member as per objection raised by the Syed Minhaj Ud Din, Representative, All Pakistan Commercial Exporters Association, hence the trade body is excluded from the Voter List of FPCCI Election for the year 2021


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
23/11/2020

Copy to: Regulator, Trade Organizations, Islamabad.
ALI A. RAHIM
Member
Election Commission
FPCCI 2021
SHAHID VASEEM
Member
Election Commission
FPCCI 2021
Secretary General, FPCCI

ARSHAD KHURSHID
Member
Election Commission
FPCCI - 2021

11 November 2020

Objection 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 FAILING TO MAKE ANY DECISION IN
OBJECTION AGAINST MR. MUHAMMAD AMJAD CHAUDHRY**

Dear Sirs,

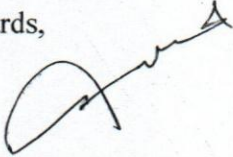
1. The undersigned filed an objection against nomination of aforementioned individual on aforementioned grounds:-
 - a. The aforementioned individual does not have an active taxpayer number, whereas it is compulsory for a corporate member under Rule 2(g) of Trade Organization Rules 2013 for a member of corporate class to have a sales tax registration;
 - b. Turnover of the aforementioned individual is less than Rs. Fifty million which make him ineligible for nomination under corporate class
2. Whilst considering the complaint of the undersigned to carry weight, the Secretary General has sought comments from aforementioned individual, however, has failed to make any decision upon the objection submitted by the undersigned
3. Rule 18(5) of Trade Organization Rules 2013 requires the Secretary General to decide within five days from the receipt of the complaint and accordingly, the Secretary General is duty bound to make a decision within five days. In case, the respondent to the objection fails to submit any comments, the Secretary General shall decide the objection *ex-parte* on the basis of the objection of the undersigned or by according to the undersigned hearing to further substantiate the objections. However, the Secretary General has failed to decide within time stipulated by the law.
4. Considering the fact that the undersigned made a prima-facie case which compelled the Secretary General to seek comments from the respondent to the objection, who has failed to provide any comments to the satisfaction of the Secretary General. Accordingly, the nomination of the aforementioned individual shall be rejected on this ground
5. Appellant reserve right to argue further grounds at appeal stage if needed. Appellant further reserve right to add supplementary grounds if ever the matter is decided by the Secretary General

4/5/20

19/11/20
4239

In the light of foregoing, it is requested that the nomination of the aforementioned individual may be rejected and decision of the Secretary General to not decide the complaint within stipulated time shall be set aside.

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



All Pakistan Customs Agents Association

آل پاکستان کسٹمز ایجنٹس ایسوسی ایشن (رجسٹرڈ)

(REGD.)
Phone: 0092-21-32311155-66
Fax: 0092-21-32311190
E-mail: apcaa.pk@gmail.com
info@apcaa.pk
Web: www.apcaa.pk

APCAA/SZH/0874/2020
19th November 2020

The Secretary General
FPCCI Head Office
Federation House
Clifton
Karachi

Kind attn: Mr. Muhammad Iqbal Tabish

Subject: **OBJECTION AGAINST NOMINATION OF MR. MUHAMMAD AMJAD CHAUDHRY –
ALL PAKISTAN CUSTOM AGENTS ASSOCIATION.**

Dear Sir:

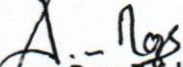
With reference to your letter No. FPCCI.Elections.2021/2020-5831 dated 16th November 2020, we are pleased to submit the relevant documents as under:

1. Copy of valid Customs Agents License No. 31/87
2. Copy of NTN certificate bearing No. 0608579-0.
3. Copy of Sales Tax Registration certificate bearing No. 03-10-9805-003-73.

We hope the above documents will find you in order.

Thanking you,

Yours faithfully,
For All Pakistan Customs Agents Association


Syed Narrar Raza Zaidi
Secretary General
Cell: 03002258753





THE FEDERATION OF PAKISTAN
CHAMBERS OF COMMERCE & INDUSTRY
وفاق ایوان ہائے تجارت و صنعت - پاکستان

146

5831

FPCCI Elections 2021/2020 -
November 16, 2020

Syed Minhaj ud Din Shah
Member nominated on EC by Pak. Commercial Exporters Ass.
M/s Pak Business International
Office No. 501, Pak Medical Centre,
Khyber Bazar, Peshawar, Cell: 0333-5963138/0310-6669993
Email: pbiei@yahoo.com

Subject:

1. Objection against nomination by Mirpurkhas Chamber of Commerce and Industry
2. Objection against nomination of Mr. Muhammad Amjad Chaudhry, by All Pakistan Custom Agents Association
3. Objection against nomination of Mr. Zafar Iqbal, nominee of Faisalabad Chamber of Small Traders and Small Industry

Please refer to your letters No; Nil dated 10th November 2020 received in FPCCI Head Office on 10th November 2020 on the above subjects.

On identification the objections, the relevant trade bodies have been asked to provide the requisite documents and the same will be referred to the Election Commission of FPCCI for consideration.

(MUHAMMAD IQBAL TABISH)
Secretary General

Copy to:

- Regulator, TOs, Islamabad
- Members Election Commission FPCCI
- Secretary General & the Nominees of the Mirpurkhas Chamber of Commerce & Industry (Please submit relevant documents)
- Secretary General & the Nominees of the All Pakistan Custom Agents Association (Please submit relevant documents)
- Secretary General & the Nominees of the Faisalabad Chamber of Small Traders and Small Industry. (Please submit relevant documents)

FPCCI Head Office, Karachi, Pakistan

Federation House, Main Clifton, Block-5, Abdullah Shah Ghazi Road, Karachi-75600, Pakistan. Tel: (92-21) 35873691-94 Fax: (92-21) 35874332 E-mail: info@fpcci.org.pk Web: www.fpcci.org.pk

FPCCI Capital Office, Islamabad
Capital House, G-8/1,
Aiwan-e-Sanat-o-Tijarat Road,
Mauve Area, Islamabad
Tel: (92-51) 2251891-3, 2289303
Fax: (92-51) 2251894
E-mail: islamabad.capital@fpcci.org.pk

FPCCI Regional Office, Lahore
50-A, Tufail Road, Lahore Cantt
Tel: (92-42) 36670970-71
Fax: (92-42) 36670972
E-mail: lahore.regional@fpcci.org.pk

FPCCI Regional Office, Peshawar
Office No. 516, 517, 518, 5th Floor,
Block-C, City Towers, University Road,
Peshawar, KP, Pakistan.
Tel: (92-91) 5704291-2
Fax: (92-91) 5846259
E-mail: Peshawar.regional@fpcci.org.pk

FPCCI Regional Office, Quetta
First Floor 1-C, Shahbaz Town,
Phase II, Quetta Cantt
Tel: (92-81) 9202241
E-mail: quetta.regional@fpcci.org.pk

FPCCI Regional Office, Gwadar
Business Centre, Gwadar Free Zone,
Pak-China Friendship Road, Gwadar
Tel: (92-86) 4211112
E-mail: gwadar.regional@fpcci.org.pk

10th November 2020

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



Subject: Objection against nomination of Mr. Muhammad Amjad Chaudhry, by All Pakistan Custom Agents Association

Dear Sir,

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

1. No active sales tax number is provided, whereas, it is compulsory for a corporate member to have a sale tax registration. According requirement of corporate member set under Rule 2(g) of Trade Organization Rules 2013 is not complied with
2. M/s Macafat International does not have an annual turnover in excess of Rupees fifty million, therefore, under Rule 2(g) of Trade Organization Rules 2013, Mr. Muhammad Amjad Chaudhary cannot be nominated as corporate member

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. Muhammad Amjad fails to do so.

In the light of foregoing, you're requested to reject nomination of Mr. Muhammad Amjad Chaudhry from All Pakistan Custom Agents Association.

Regards,

SYED MINHAJ UD DIN SHAH

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