# **MINUTES OF THE PSAA EXECUTIVE COMMITTEE**

# **MEETING HELD ON 13.07.2016 AT 03.00 PM**

**AT ASSOCIATION’S OFFICE, KARACHI**

Present:

Mr.M.Younus Vayani Vice Chairman

Capt.Javed Iqbal Executive Committee Member

Capt.Nusrat Iqbal Executive Committee Member

Mr.Kareem Ispahani Executive Committee Member

Mr.Jawed Iqbal Executive Committee Member

Mr.Khalid W.Khokhar Executive Committee Member

Capt.Mohammad Inam Executive Committee Member

Mr.Amir Ali Jamal Secretary General

Mr.Syed Tahir Hussain Deputy Secretary

Regrets:

Ms.Ava A.Cowasjee Chairperson

Mr.Tariq Haleem Senior Vice Chairman

Mr.Bilal-ur-Rehman Executive Committee Member

A meeting of the Executive Committee was held on Wednesday, 13.07.2016 at 03.00 pm at Association’s office, Karachi.

Mr.Amir Ali Jamal informed Ms.Ava A.Cowasjee, Chairperson is abroad and Mr.Tariq Haleem, Senior Vice Chairman is sick and requested Mr.Younus Vayani, Vice Chairman to chair the meeting.

Before commencement of proceedings, Mr.Amir Ali Jamal on behalf of all participants congratulated Capt.Nusrat Iqbal on the wedding of his son and extended best wishes to the newly married couple.

He also requested all present to recite Sura-e-Fateh for the father of Mr.Jawed Iqbal, Executive Committee Member who passed away on 08.07.2016.

**1) To confirm minutes of the Executive Committee meeting held on 05.04.2016.**

The minutes of the above meeting were approved by all present.

**Matters Arising:**

a) Mr.Amir Ali Jamal informed so far there is no further progress on the draft of Trade Dispute Resolution Act, 2016 initiated by Trade Dispute Resolution Organization, Ministry of Commerce.

b) Mr.Amir Ali Jamal informed that Inland Revenue officials invited PSAA for meetings on 21.03.2016, 13.04.2016 and 24.05.2016 to discuss submission of return u/s 143 at the time of vessels’ departure whereas Shipping Agents are submitting it within 30 days after the departure of vessel. PSAA highlighted about several difficulties and insisted to continue with the existing practice which is running smoothly.

(2)

c) Capt.Javed Iqbal informed PQA intends to allocate Marginal Wharf for exclusive handling of Coal for power plants however the Chinese operator is not interested in dredging berths in order to increase draft at berths. He was of the view that the operator intends to utilize smaller vessels for unloading coal from larger vessels which in turn will discharge cargo at berths. He further informed that contract signing has not taken place between the Chinese operator and PQA.

d) Mr.Amir Ali Jamal informed that a dispute is going on since long between PQA and FAP about collection of Berthage and Wharfage wherein both entities are claiming their rights and the issue is s*ub-judice* for quite some time*.* FAP had recently filed an application requesting SHC to make PSAA an intervener. Subsequently, SHC had issued two notices to PSAA directing to appear in the Court on 10.03.2016 and 31.03.2016 however, PSAA has not appeared before SHC. Subsequently, SHC has ordered not to make PSAA an intervener while disposing of the application filed by FAP.

e) Mr.Amir Ali Jamal informed about the decision of Sindh High Court in favour of PSAA and subsequent appeal by Sindh Revenue Board in the Supreme Court which suspended the Sindh High Court order. He further informed that some of the Shipping Lines have engaged Barrister Makhdoom Ali Khan and Justice Shaiq Usmani to represent them in the Supreme Court. He informed the EC that he alongwith Mr.Khalid W.Khokhar are shortly meeting our Lawyer Mr.Mohammed Yousuf to seek his option on our next move and will inform the EC about the outcome of the meeting. All present agreed to his suggestion.

All present agreed in principle to engage a suitable Lawyer for representation in the Supreme Court.

f) Mr.Amir Ali Jamal informed that after hectic efforts and with the exceptional help from Mr.Mohammed A. Rajpar finally PSAA has collected 52 advertisements approximately amounting to Rs.1,600,000 for incorporation in Members’ Directory, 2016 while cost of publication is Rs.1,50,000 thereby creating a surplus of Rs.1,450,000. All present deeply appreciated efforts of Mr.Mohammed A.Rajpar

**2) To approve Election Schedule for the year 2016-2017.**

Mr.Amir Ali Jamal presented Election Schedule for approval. The Election Schedule for the year 2016-2017 was approved by all present.

**3) To appoint Election Commission for the Elections 2016-2017.**

Mr.Amir Ali Jamal informed the meeting that we have to appoint a three member Election Commission to supervise election process. All members were invited for this purpose where after following three volunteered themselves:

a) Mr.KazimShariff, Bulk Shipping & Trading (Pvt) Ltd.

b) Mr.Syed M. Shad, EastWind Shipping Company (Pvt) Ltd.

c) Mr.M.Kashif Alam, Noble Shipping Services (Pvt) Ltd.

The meeting unanimously approved all these three names.

(3)

**4) To approve changes in the Memorandum and Articles of Association as per Trade Organizations Act/Rules, 2013.**

Mr.Amir Ali Jamal informed Executive Committee of PSAA had approved changes in the Memorandum & Articles of Association in its meeting held on 17.02.2014 and subsequently same were approved by the General Body in EOGM held on 08.04.2014. He added due to time taken by DGTO in approving changes in the Memorandum and Articles of Association the resolution passed by the Executive Committee needs to be renewed in order to comply with the formalities of SECP. All present renewed the resolution tabled by Mr.Amir Ali Jamal.

**Any other business with the permission of the Chair.**

i) Mr.Amir Ali Jamal informed that Chairman, PNSC invited PSAA and several other stakeholders for meetings on 23.06.2016 and 28.06.2016 in order to discuss exorbitant charges by Shipping Lines/Agents and Terminal Operators. Ms.Ava A.Cowasjee and Mr.Amir Ali Jamal attended these meetings and recorded “note of dissent” that PSAA cannot discuss charges/rates/tariff due to restrictions under The Competition Act, 2010.

ii) Mr.Amir Ali Jamal requested Mr.Younus Vayani to update participants about KDLB which had imposed special cess with effect from 01.11.2015 in order to recover arrears arising from the impact of recently concluded charter of demands till such time as the amount of arrears is completely recovered.

Mr.Younus Vayani informed the arrears have been now recovered and KDLB intends to discuss this issue in the next Board meeting in order to cease collection of special cess.

iii) Mr.Younus Vayani informed the meeting that Members are facing difficulties in dealing with FIA (Immigration - Seaport) in order to complete the formalities with respect to arrival and departure of crew. Mr.Amir Ali Jamal stated that our last meeting with AD FIA held on 25.01.2016 was not fruitful due to cross talks and presence of too many participants attending the meeting from both sides. He added that soon another meeting will be arranged.

iv) Mr.Younus Vayani informed that with the introduction of WeBOC and bifurcated of Appraisement Collectorates into East and West Collectorate now the vessels with deeper drafts which was used to first berth at East Wharf and later on once lightened shifted to West Wharf to accommodate more vessels at East Wharf is discontinued thereby creating tremendous problems. Capt.Javed Iqbal informed the meeting that earlier PSAA has raised this issue with Customs but there was no progress. Mr.Younus Vayani requested to re-write to the Customs on this issue. Mr.Amir Ali Jamal was requested to the needful in this regard.

There being no other business, the meeting terminated at 05.00 pm with a vote of thanks to the Chair.

  **Confirmed**

**Date:\_\_\_\_\_\_\_\_\_ Chairman:\_\_\_\_\_\_\_\_\_\_\_**