



EMPLOYERS' FEDERATION OF PAKISTAN

THE ONLY MEMBER OF INTERNATIONAL ORGANIZATION OF EMPLOYERS, GENEVA,
A CONSTITUENT OF INTERNATIONAL LABOR ORGANIZATION, MEMBER OF CONFEDERATION OF
ASIA-PACIFIC EMPLOYERS & SOUTH ASIAN FORUM OF EMPLOYERS

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27TH July, 2017

Dear Sir/Madam:

SUB: CHALLENGING SESSI NOTIFICATION IN THE SINDH HIGH COURT

As you are aware the Government of Sindh has issued a Notification on 12th May 2017 according to which, acting on the recommendation of the Governing Body of SESSI in its 145th meeting and in exercise of the powers conferred under section 75(2) of the SESSI Act 2016, the '**Upper Wage Limit**' has been enhanced from Rs. 10,000/- to Rs. 22,400/- with immediate effect for the purpose of coverage of workers contribution and benefits as envisaged under Section 2 (9) (e), 20, 21 and 57 of the Act.

An urgent consultative meeting of Employers' Federation of Pakistan (EFP) was convened on 26th July, 2017 which considered the legality of this Notification. The meeting, after examining all the legal aspects and adverse repercussions of this Notification, was of the considered opinion that the old Governing Body of SESSI acted with no legal jurisdiction as the new Governing Body under Section 5 of the Act was yet to be formed and the illegal increase of more than 100% liability of employers in respect of social security contribution and increase in the number of workers to be covered under SESSI will tremendously add to Employers' financial liability and hardships, thus adversely affecting employers right to do business. It was, therefore, decided that the legality of this Notification should be immediately challenged through Constitutional Petition in the Sindh High Court.

The meeting also authorized EFP to lead the filing of constitutional petition in the Sindh High Court challenging the Notification and to advise members about the modus operandi after due consultation with the lawyers.

The EFP after due consultations hereby take this opportunity to advise as under:-

1. All the intending companies willing to file Constitutional Petition may send their consent letter (Sample attached) to be a party in the said petition along with a cheque of Rs. 60,000/- in favor of 'Employers Federation of Pakistan' to cover the processing and legal fees of the case.
2. They must also send the attached Authority Letter duly printed on their Company's letter head and the Vakalatnama with the signature of the Authorized Officer and stamp, copies of SESSI notices if any directly to the office of Advocate Mr. Zaheer Minhas at his address mentioned below with copy to the EFP Secretariat.

Advocate

Zaheer & Zaheer

301, 3rd Floor, Plot 37-C,

Khyaban-e-Baddar

Phase-V, Extension DHA, Karachi

In view of the gravity and urgency of the situation, the participating companies are requested to furnish above necessary documentations at the earliest, preferably by 31st July, 2017 so that the petition may be filed in the first week of August, as decided in the meeting.

Your immediate cooperation is solicited with the assurance that EFP will solidly stand beside you to defend and protect the interest of business.

With warm regards

FASIHUL KARIM SIDDIQI
SECRETARY GENERAL