



Government of Pakistan
Directorate General of Trade Organizations
(Office of Regulator of Trade Organizations)
Ministry of Commerce,
State Life Building No. 7, 2nd Floor, Blue Area,



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F. No. 6(40)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 27/2023

Passed by Mr. Umar Dad Afridi, Regulator of Trade Organizations

Mr. Qurban Ali nominee of Nagar Chamber of Commerce and Industry

Versus

Election Commission of Federation of Pakistan Chamber of Commerce and Industry
(FPCCI)

Present in the hearing.

1. Hafiz Munawar Iqbal, Advocate (on behalf
of appellant)

.....Appellant/Complainant

1. Ms. Mahreen Razzak (on behalf of Secretary
General FPCCI)

.....Respondents

2. Mr. Arshad Khurshid
(Member Election Commission of FPCCI)

3. Mr. Anjum Rasheed Bawa
(Member Election Commission of FPCCI)

4. Mr. Ali Nawaz Kharral, Advocate (on behalf
of Respondents)

Date of Hearing: 30-11-2023

Place of Hearing: OFFICE OF REGULATOR OF TRADE ORGANIZATIONS,
DIRECTORATE GENERAL OF TRADE ORGANIZATIONS,
STATE LIFE BUILDING NO.7, 2ND FLOOR, BLUE AREA,
ISLAMABAD.

Date of issuance of Order: 06-12-2023

UMAR DAD AFRIDI
Regulator of Trade Organizations
Directorate General of Trade Organization
Ministry of Commerce, Islamabad

By this order the undersigned intends to dispose of appeals filed by Mr. Qurban Ali nominee of Nagar Chamber of Commerce and Industry against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding exclusion of nominees of Nagar Chamber of Commerce and Industry from the Provisional Voter List of FPCCI for election 24-25. The case was fixed for hearing on 30-11-2023 which was attended by both sides.

2. The background of the case is that the Election Commission FPCCI excluded names of nominees of Nagar Chamber of Commerce and Industry on the basis that the appellant has not paid annual subscription fee in time to FPCCI.

3. The Counsel for the appellant has argued that Mr. Qurban Ali is a bonafide member of Nagar Chamber of Commerce and Industry and the license of the Nagar Chamber of Commerce and Industry is valid.

4. The Counsel for the appellant further stated that the subscription fee has been paid on 1st November 2023 and submitted to the FPCCI. The Counsel further stated that FPCCI allowing many other Trade Organizations whose annual subscription fee was paid after 31st March. The counsel has stated that it is not a justice that one of the Trade Organization's nominations has been rejected but many other Trade Organizations submitted subscription fee after 31st March. the Counsel for the appellant prayed to include the name of the appellant in the voters list of FPCCI.

5. The Counsel for the Respondent has submitted that the nomination papers of Nagar CCI vide No. NCCI-2024/19 dated 23rd October 2023 received on 30th October 2023 and in response to FPCCI letter No. FPCCI.EL2023-24/2023/11894 dated 31st October 2023 as well as various reminders / circulars, the Nagar CCI has failed to provide any evidence of dues payments of outstanding subscriptions. Hence, FPCCI has received the outstanding subscriptions / dues on 1st November 2023, which is after the date of the nominations. Annual subscription of the



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Appellant was not paid in time therefore; the appeal may not be entertained and accordingly dismissed.

6. **FINDINGS:-**

- i. As per Rule 15(1)(b) read with Rule 11(5) of Trade Organizations Rules, 2013, the last date of renewal of membership of Trade Organization is 31st March. As per record submitted by the appellant and Respondent, it appears that the appellant has submitted annual subscription fee after due date i.e. 31st March, 2013. Therefore, the appeal is liable to be dismissed. However, the learned counsel for appellant Hafiz Munawar Iqbal Advocate Supreme Court raised a question pertaining to Article 25 of the Constitution of Islamic Republic of Pakistan regarding equality of citizen. He requested Regulator TOs to direct FPCCI to issue a certificate certifying therein the no member in EC & GB of FPCCI for the year 2024-25 have been included who has paid membership fee after 31st March, 2023.

ORDERS:-

Arguments heard, record perused and relevant provisions of law examined in light of observation recorded in para 6 under the heading findings, the following orders are passed:

- i) The instant appeal is dismissed and the decision of Election Commission FPCCI is upheld based on the Rule 11(5) read with Rule 15(a)(b) of TORs, 2013.
- ii) The matter stands disposed of accordingly.

(Umar Dad Afridi)
Regulator (TO)

6/12/23

Announced Dated: 06-12-2023.

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Directorate General of Trade Organization
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