



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(56)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 29/2023

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

Syed Ali Hamad Kazmi nominee of Live Stock Exporter Association of Pakistan
Versus


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

Present in the hearing.

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|--|----------------------------|
| 1. Malik Ghulam Sabir, Advocate (on behalf of appellant) |Appellant/Complainant |
| 2. Syed Ali Hamad Kazmi | |
| 3. Malik Sohail | |
| 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.


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

Date of issuance of Order: 06-12-2023

By this order the undersigned intends to dispose of an appeal filed by Syed Ali Hamad Kazmi nominee of Live Stock Exporter Association of Pakistan (LEAP) against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of nominees of Pakistan Waste Product Association. 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 decision of the Election Commission FPCCI included the nominees of Waste Products Association of Pakistan. The appeal was dismissed.


3. The counsel for the appellants has stated that the nominees Mr. Sultan Rehman's business is not related to waste products as per online verification of his NTN profile. Nominee reflects that he does not have any business of waste products, therefore, he does not fulfill the criteria of Section 3(2)(d) to become the member of PWPA and the nomination is illegal. The counsel for the appellant further stated that Mr. Sheikh Amir Mubaraz Bhindari's business is not related to waste products as per online verification of his NTN profile. Nominee reflects that he does not have any business of waste products, therefore, he does not fulfill the criteria of Section 3(2)(d) of TOA 2013 and Rule 2(1)(g) of ToRs 2013 to become the member of PWPA and the nomination is illegal. Therefore, the nominees of PWPA may be excluded from the voter list.

4. The counsel for respondent has stated that both the nominees are bonafide members of PWPA and fulfill the criteria of membership as per Rule 2(1)(g), Rule 3(2)(d), Rule 11 and Rule 15 of TOR 2013. Therefore, it is prayed that the appeal may be dismissed.

FINDINGS:-

I. As per online verification of the tax-payer profiles of both the nominees, the business of the neither nominee is related to PWPA as per Section 3(2)(d) of ToA 2013 and Rule 2(1)(g) and Rule 3(2)(d)(iii) of ToRs 2013. The respondents have also failed to provide this office with sales tax returns as per Rule 2(1)(g) of ToRs 2013 to determine their membership eligibility.

iii. Therefore, the nominees of PWPA are likely to be excluded from the voter list of FPCCI election 2024-25.


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

ORDERS:-

Arguments heard, record perused and relevant provisions of law examined in light of the above the following orders are passed:

- i) The instant appeal is hereby allowed and the decision of Election Commission is hereby, set-aside. The Secretary General is directed to exclude both the nominees of PWPA from the voter list of FPCCI election 2024-25.
- ii) The matter stands disposed of accordingly.



(Umar Dad Afridi)
Regulator (TO)

Announced Dated: 06-12-2023.

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