



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(54)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 30/2023

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

Mirza Istiaq Baig nominee Pakistan Denim Manufacturers and Exporters Association
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. 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.

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 an appeal filed by Mirza Istiaq Baig nominee of Pakistan Denim Manufacturers and Exporters Association against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding exclusion of his name from the Provisional Voter list of FPCCI for the year 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 name of Mirza Istiaq Baig nominee of Pakistan Denim Manufacturers and Exporters Association on the basis that the name of the company does not prove it is engaged in denim manufacturing. The Income Tax Returns also do not show manufacturing activity and only shows rental income.

3. The Counsel for the appellant has argued that Mirza Istiaq Baig is a bonafide member of the Pakistan Denim Manufacturers and Exporters Association and has fulfilled the criteria of membership with the Association. The Counsel has submitted that PDL Denim Private Limited company is engaged in manufacturing, buying, selling, import, export, distribution, stockest, commission agent and dealer of all kinds of fabrics including denim cloth, textile including decorative and machine-made ready-made garments, carpets, durries, rugs, blankets, shawls, tweets, linen, flannels, beds, spreads, quilts, scarf, belts, tapestry and all other article of silk, cotton, woolen and worsted material and all sorts of apparels. Also, the M&AoA of the PDMEA shows that any individual/firm/company manufacturer, exporter, or trader of denim & home textiles engaged in the relevant sector, shall be eligible for membership of the PDMEA, therefore, according the M&AoA of PDL Denim Pvt. Ltd. fulfills the criteria of being a member of the PDMEA.

4. The Counsel for the Respondent has stated that Mirza Istiaq Baig does not fulfill the criteria of membership of PDMEA on the basis that the name of the company does not prove it is engaged in denim manufacturing. The Income Tax Returns also do no show any manufacturing activity and only shows rental income.



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FINDINGS: -

i. The appellant has submitted Form 29 of SECP which clearly shows Mirza Istiaq Baig is a director in M/s PDL Denim Pvt Ltd and submitted membership certificate of M/s PDL Denim Pvt Ltd with PDMEA which indicates that he has fulfilled the criteria of membership with the Association. As per the M&AoA of the Company, it appears that the company is also engaged in the business of the denim manufacturing. Therefore the appeal is liable to be allowed and the decision of the Election Commission is liable to be set-aside.

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 allowed and the decision of Election Commission FPCCI is set-aside.
- ii) The Secretary General FPCCI is directed to include the name of Mr. Ishtiaq Baig in the voters list of FPCCI election for the year 2024-25
- iii) The matter stands disposed of accordingly.

(Umar Dad Afridi)
Regulator (TO)

Announced Dated: 05-12-2023.

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