

Most Immediate



**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,



F. No. 6(80)/2023-TO

Email / Courier
Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 32/2023

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

Ms. Riffat Shaheen, President, Rawalpindi Women Chamber of Commerce and Industry
& Other
Versus

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

Present in the hearing.

1. Ms. Riffat Shaheen
2. Mrs. Mumtaz Akhtar
3. Sh. Khurram Abbas, Advocate (on behalf of appellant)

.....Appellant/Complainant

1. Ms. Mahreen Razzak (on behalf of Secretary General FPCCI)
2. Mr. Arshad Khurshid (Member Election Commission of FPCCI)
3. Mr. Anjum Rasheed Bawa (Member Election Commission of FPCCI)
4. Mr. Ibtsam Rashid Mirza, Advocate (on behalf of Respondents)
5. Ms. Noreen Tariq
6. Ms. Musarrat Jabeen

.....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

Page 1 of 3

By this order the undersigned intends to dispose of appeals filed by Ms. Riffat Shaheen, President, Rawalpindi Women Chamber of Commerce and Industry and Mrs. Mumtaz Akhtar against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of nominees of Rawalpindi Women Chamber of Commerce and Industry. 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, decision No. 23-11-2023, wherein, Election Commission, FPCCI accepted the nominations of Rawalpindi Women Chamber of Commerce & Industry, Ms. Musarrat Jabeen, M/s Pearl Beauty Saloon and M/s Noreen Tariq, M/s Zain Furniture, Rawalpindi for the elections of FPCCI, 2024-25. However, nominations submitted by Ms. Riffat Shaheen were declined.

3. The counsel for appellant submitted that she is the current elected President, Rawalpindi Women Chamber of Commerce & Industry. That she sent nominations to FPCCI, which were accepted by the Secretary General, FPCCI, however, later on, Election Commission, FPCCI rejected, her nominations, and accepted the Respondents as valid nominees for elections of FPCCI, 2024-25.

4. The counsel for the Respondent submitted that their nominations were duly approved by the majority of the Executive Committee and endorsed by the Senior Vice President of the Chamber. Both the nominees were in accordance with law.

FINDINGS:-

As per record submitted to this office, both the parties, the President and the executive committee, submitted two sets of nominees to FPCCI for election 2024-25.

2. As per record with this office, Ms. Riffat Shaheen is the elected President of Rawalpindi Women Chamber of Commerce & Industry. The subject Chamber is also not compliant on various provisions of ToA, 2013 and ToRs, 2013. Renewal of its license is also under process, which has already expired and the SG, Rawalpindi WCCI could not complete renewal requirements in time. Various Complaints are pending before the Regulator (TOs) regarding irregularities in the Chamber. Due to serious mutual differences between the President and the Executive Committee, the work of the Chamber has practically come to a halt.

3. President Rawalpindi WCCI was removed before completion of her tenure, which was enhanced from one to two through amendment in ToA, 2013 as notified on 3-11-2022. The Honorable Islamabad High Court vide orders dated 18-9-23 in WP No, 226/2023 directed Regulator to allow Office Bearers of all TOs to complete two years tenure, to amend the ToRs 2013.

4. The nominees of Acting President, in place of legal President without adopting any legal procedure is a clear violation of law. There is no provision of an Acting President in ToA 2013 and ToRs 2013. Similarly, nominees from the sitting President alone cannot be accepted without the approval of Executive Committee.

5 In the present, scenario/controversy, both sets of nominations are in contradiction with law. Hence, both sets of nominations are liable to be rejected / declined to participate in the Elections of FPCCI, 2024-25. Decision of the Election Commission, FPCCI, dated, 23-11-2023, 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 appeals are allowed and the decision of Election Commission FPCCI is set-aside.
- ii) Secretary General, FPCCI is directed to exclude all 04 nominees of Rawalpindi Chamber of Commerce & Industry from the final voters list of FPCCI, Elections, 2024-25.
- iii) The matter stands disposed of accordingly.


(Umar Dad Afrifi)
Regulator (TO)

Announced Dated:06-12-2023.

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