



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,

Most Immediate
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F. No. 6(84)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 37/2023

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

Mr. Ali Farooq nominee of Pakistan Electronics Manufacturers Association

Versus

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

Present in the hearing.

1. **Malik Ghulam Sabir**, Advocate (on behalf
of appellant)

.....Appellant/Complainant

2. **Malik Sohail**

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

.....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 Mr. Ali Farooq nominee of All Pakistan Electronics Manufacturers Association against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of name of Ansar Haq Khan Babar nominee of All Pakistan Oil Mills Association. (APOMA) 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 vide decision No. 49 dated 23-11-2023 included Mr. Ansar Haq Khan Babar, Corporate, nominee of All Pakistan Oil Mills Association, upheld the decision of the Secretary General, FPCCI and the appeal of the appellant declined.
3. The counsel for the appellants has stated that NTN of Mr. Ansar Haq Khan Babar M/s Hoor Oil Mills Pvt Ltd nominee of APOMA reflects that he has no such business registered with the name and style of Hoor Oil Mills Pvt Ltd. Resultantly, the said individual is neither a director nor a chief executive M/s Hoor Oil Mills Pvt Ltd. Therefore he does not fulfill the criteria of being a corporate member consequently and could not be a member of APOMA. Hence, his nomination is to be rejected.
4. The counsel for the appellant further submitted that the license of APOMA has expired, therefore as per article 3 of M&AoA of FPCCI read with Section 10 of TOR 2013, the APOMA is not eligible to be enrolled in the voter list of FPCCI. Therefore, the nominees of APOMA may be excluded from the voter list.
5. The counsel for respondent has stated that both the nominees are bonafide members of APOMA and fulfill the criteria of membership as per Rule 2(1)(g), Rule 3(2)(d), Rule 11 and Rule 15 of TOR 2013 and application for renewal of license of APOMA in under process at the DGTO. Therefore, it is prayed that the appeal may be dismissed.

FINDINGS:-

The respondents failed to provide documentary proof to show that he falls in the corporate class membership of the Chamber. Hence, decision of Election Commission is liable to be set aside and his nominee is liable to be excluded from the voter list of FPCCI election 2024-25.



UMAR DAD AFRIDI
Regulator of Trade Organizations
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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 the nominee of Mr. Ansar Haq Khan nominee of APOMA 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
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