



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



F. No. 6(51)/2023-TO

Islamabad, the 6th December, 2023

ORDER IN ORIGINAL NO 38/2023

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

Mr. Liaqat Ali nominee of Jhang Chamber of Small Traders and Small Industry

Versus

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

Present in the hearing.

1. **Qazi Ahmed Saeed, Advocate** (on behalf of appellant)
2. **Malik Ghulam Sabir, Advocate** (on behalf of appellant)
3. **Mr. Liaqat Ali**
4. **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)
5. **Mr. Waqar Ahmed Nayyar**
6. **Mr. Abdul Quyoum**

.....Appellant/Complainant

.....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. Liaqat Ali nominee of Jhang Chamber of Small Traders and Small Industry (JCSTSI) against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of name of Mr. Waqar Ahmed Nayyar and Mr. Abdul Quyoum and exclusion the name of Mr. Liaqat Ali and Muhammad Younas as nominees of Jhang Chamber of Small Traders and Small Industry from the provisional voters list. The case was fixed for hearing on 30-11-2023, which was attended by relevant parties.

2. The background of the case is that the Election Commission FPCCI, vide decision Nos. 64 & 65, dated 23-11-2023, included the name of Mr. Waqar Ahmed Nayyar and Mr. Abdul Quyoum, and excluded the name of Mr. Liaqat Ali and Muhammad Younas from the nominations received from Jhang Chamber of Small Traders and Small Industry for the provisional voters list of FPCCI, 2024-25. Vide, decision, dated 23-11-2023, Election Commission, FPCCI disposed of the appeals, with remarks that as the nominations sent by the President and Secretary General of the said Chamber is supported by majority of Executive Committee Members and Affidavit, therefore, the same is considered to be genuine and is accepted and the names of Mr. Waqar Ahmed Nayyar, nominee on EC & GB of FPCCI and Mr. Abdul Qayoum, nominee on GB of FPCCI are included in the provisional list.

3. The counsel of the appellant submitted that the nominations of the Mr. Liaqat Ali and Muhammad Younas, were duly approved by the majority of the members of the Executive Committee, of JCSTSI, therefore, their nominations are in accordance with law. Furthermore, a complaint is already pending before the Regulator (TOs) against the illegalities committed in JCSTSI, therefore, their names may be excluded from the voters list.

4. The counsel of the Respondents, submitted that both the nominees were duly approved by the Executive Committee and submitted with the endorsement of the elected President, JCSTSI. The counsel of the appellants submitted documents related with the proceeding / nominations approval of the subject nominees for FPCCI election, 2024-25.

FINDINGS:-

- i. Nominees of both the sides submitted attendance sheets with signatures showing approval of the Executive Committee for participation in the election of FPCCI, 2024-25. However, it is also matter of record with this office that Executive Committee of the Chamber is divided among itself, which indicates that the affairs of the Chambers are not being run according to ToA, 2013 and ToRs, 2013.
- ii. For the smooth functioning of the Chamber, it is mandatory for the Executive Committee of the Chamber to resolve internal issues of the Chamber with mutual agreement to promote trade, industry and commerce in the District.
- iii. Till the time, when majority of the Executive Committee submits a resolution to DGTO Office for handling internal disputes with mutual agreement and shows compliance of ToA, 2013 and ToRs, 2013, any nominations submitted to the FPCCI, may be declared as null and void. Hence, decision of the Election Commission, FPCCI, is set-aside.

ORDERS:-

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

- i) Decision of the Election Commission FPCCI is hereby set aside dated 23-11-2023.
- ii) Secretary General, FPCCI is directed to exclude both sets of nominees (all four) from Jhang Chamber of Small Traders and Small Industry from the voter list of FPCCI election 2024-25.
- iii) 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