



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(41)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 41/2023

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

Mr. Mehmood Ahmed nominee of Pakistan Commercial Exporter of Towel Association

Versus

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

Present in the hearing.

1. Mr. Ali Nawaz Kharral, Advocate (on behalf of appellant)
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. Malik Ghulam Sabir, Advocate (on behalf of Respondent)

.....Appellant/Complainant

.....Respondents

Date of Hearing: 01-12-2023

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. Mehmood Ahmed nominee of Pakistan Commercial Exporters of Towels Association (PCETA) against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of nominees of Pakistan Commercial Exporters of Towels Association. The case was fixed for hearing on 30-11-2023 which was attended by both sides.

2. Background of the case is that Election Commission, FPCCI vide decision dated 23-11-2023, excluded both the nominees from Pakistan Commercial Exporters of Towels Association by setting aside the decision of the Secretary General, FPCCI, as the license of the Pakistan Commercial Exporters of Towels Association is not registered under Trade Organizations Act, 2013 (ToA 2013), Trade Organizations Rules, 2013 (ToRs 2013), therefore, nominations of the Association could not be entertained.


3. The counsel of the appellant submitted that, the license of the Pakistan Commercial Exporters of Towels Association is not registered under Trade Organizations Act, 2013, Trade Organizations Rules, 2013, therefore, nominations of the Association cannot be considered for nomination of FPCCI elections, 2024-25. Furthermore, both the nominees are not eligible in their respective class of membership to become valid voters.

4. The counsel of the Respondent submitted that although the Association is not registered under Trade Organizations Act, 2013, however, it falls under the category of existing Trade Organization under Trade Organizations Ordinance, 1961 licensed Associations as per Section 4 of the ToA, 2013. Furthermore, the matter is subjudice in Honorable Sindh High Court, Karachi.

FINDINGS:-

Pakistan Commercial Exporters of Towels Association is not registered under Trade Organizations Act, 2013, hence, does not falls under a valid licensed Trade Organization. Furthermore, the appellants failed to provide any documentary evidence to prove their eligibility of memberships. Hence, the instant appeal is liable to be dismissed.

ORDERS:-


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

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 dismissed and decision of the Election Commission is upheld.
- 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