



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,



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F. No. 6(76)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 49/2023

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

Mr. Shakir Ullah nominee of Sarhad Chamber of Commerce and Industry

Versus

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

Present in the hearing.

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

.....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.

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

Date of issuance of Order: 06-12-2023

By this order the undersigned intends to dispose of an appeal filed by Mr. Shakir Ullah nominee of Khyber Chamber of Commerce and Industry (KCCI) against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of nominees of Chitral Chamber of Commerce and Industry (CCCI). 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. 42, dated 23-11-2023 included the nominees of Chitral CCI in the voter list of FPCCI election 2024-25, upheld the decision of the Secretary General, FPCCI, and declined the appeal of the appellant.
3. The counsel of the appellant stated that, the subject chamber is totally expired / defunct, hence, it is not eligible to send nominations to the FPCCI for the elections 2024-25. Furthermore, both the nominees are not valid members of the Chamber and do not qualify under the respective classes of membership.
4. The Respondents submitted that both the members are eligible to contest elections. Furthermore, the Chamber has applied for renewal at the relevant forum.

FINDINGS:-

The license of the chamber is expired since 17-11-2019 and has been declared as time barred. This TO is totally non-compliant of ToA 2013 and ToRs 2013, specially, Rules 22 and Rule 23 of ToRs 2013.. Hence, the Chamber has lost its representative character as a trade body. The decision of the Secretary General and Election Commission, FPCCI are, therefore, liable to be set-aside.

2. The counsel on behalf of Chitral CCI did not submit any evidence to substantiate either the validity of the Chamber or compliance of section 6 of ToA 2013 and Rule 22 and 23 of Tors 2013.


UMAR DAD AFRIDI
Regulator of Trade Organizations
Directorate General of Trade Organization
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 allowed and the decision of Election Commission FPCCI is set-aside. The Secretary General, FPCCI is directed to exclude the name of Chitral Chamber of Commerce & Industry (defunct) from final voters 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
Ministry of Commerce, Islamabad