



**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(62)/2023-TO

Islamabad, the 6th December, 2023

ORDER IN ORIGINAL NO 62/2023

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

Muhammad 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**, (on behalf of appellant)
2. **Malik Sohail**

.....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.**

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 Muhammad Ali Farooq nominee Pakistan Electronics Manufacturers Association against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of nominees of Pakistan Artificial Leather Manufacturers Association (PALMA). 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. 73, dated 23-11-2023, included the both nominees of PALMA in the provisional voters list and upheld the decision of the Secretary General, FPCCI.

3. The counsel of the appellant submitted that PALMA nominated Mr. Haroon Anwar, M/s AHN Synthetic Pvt Ltd. The NTN profile of the above said individual reflects that no such business is registered with the name and style of M/s AHN Synthetic Pvt Ltd. Furthermore, the PALMA is in violation of Rule 3(2)(d) of ToRs, 2013, Rule 6(c)(d) read with the Rules 10(2)(a), 21(15) and 15 of TORs, 2013, which provides that the members of the executive committee are not eligible to contest elections for at least a period of one year. Hence, they have requested to exclude the nominees from the provisional voters list.


4. The counsel of the Respondent submitted that both the nominees are valid members of the Association and fulfill the criteria of relevant classes of membership.

FINDINGS:-

Nominations sent by the PALMA are not valid as the Association is non-compliant on most of the provisions of the ToA 2013 and ToRs 2013.

2. Pakistan Artificial Leather Manufacturing Association was granted license No. 278 dated 25th November 2020. As per Schedule "A", serial No,7, an association must have members in all Federating Units of Pakistan, read with rule 3(2)(d)(iv) of ToRs 2013, whereas, PALMA has only 11 registered General Body members from Karachi and Lahore. Hence, PALMA is currently functioning under violation of Rule 21(13), 21(15) of ToRs 2013. Furthermore, no women representation in the Executive Committee of PALMA is also a violation of Rule 21(6) of ToRs 2013.

3. Hence, nominations sent by the Executive Committee (EC) of PALMA, are illegal on the ground that this year EC of PALMA are the same firms, who were also members of EC in preceding two years in violation of Rule 21(15) of ToRs 2013. Therefore, both the nominations are liable to be excluded from the voter list of FPCCI election 2024-25.


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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, both the nominees of PALMA are excluded from the final voters list.
- ii) Secretary General, FPCCI is directed to exclude the names of the nominees of PALMA from final voters 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