



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
Email / Courier



F. No. 6(87)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 66/2023

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

Ms. Mumtaz Akhtar nominee of Islamabad Women Chamber of Commerce and
Industry
Versus

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

Present in the hearing.

1. Ghulam Sabir Advocate (on behalf of appellant)
2. Mrs. Mumtaz Akhtar

.....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. Mirza Ibtisam Rashid, Advocate (on behalf of Respondent)

.....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 Mrs. Mumtaz Akhtar nominee of Islamabad Women Chamber of Commerce and Industry (ICCI) against the nominations of Ms. Hina Mansab Khan and Ms. Naeema Naz nominees of Attock Women Chamber of Commerce and Industry (Attock WCCI). The case was fixed for hearing on 01-12-2023 which was attended by both sides.

2. Background of the case it that the Election Commission of FPCCI has included nominees of Attock WCCI, Ms. Hina Mansab Khan and Ms. Naeema Naz in the voter list of FPCCI election 2024-25.
3. The counsel of the appellant submitted that Attock WCCI is a non-complaint chamber on Rule 22, 23, 11, and 15 of ToRs 2013 and is a defunct chamber.
4. The counsel of the appellant has further submitted that the Attock Women Chamber of Commerce and Industry forwarded the name Ms. Hina Mansab Khan (Corporate) as Director M/s Laila Pvt Limited from Corporate Class. The nominations sent by the Attock WCCI could not be allowed as the nominee does not fulfill the criteria of being a member of the Attock WCCI and is not eligible to be nominated for the reason that the business concern as defined in section 3(2)(c) of the Trade Organization Act, 2013 read with Rule 11 (b) of the Trade Organizations Rules 2013 namely Laila (Pvt) Limited is registered with SECP having its head office at Islamabad which is situated within the Islamabad Capital Territory and for the purposes of Tax the company is also assessed at Islamabad as well as the business concern has no substantial business interest at Attock district hence the said business concern could not become a member of the Attock WCCI, further that the sales tax of the above business concern is Black listed since from 27--08-21 hence the nomination sent by the Attock WCCI. The counsel of the appellant has also submitted that the second nominations sent by the Attock WCCI could also not be allowed as the nominee for the reason that the business concern as defined in section 3(2)(c) of the Trade Organization Act, 2013 read with Rule 11 (b) of the Trade Organizations Rules 2013, namely Naeema Naz having business concern namely N/s Brio Jewels having its business address at House No. 24, Street No. 39, Sector I-8/1, Islamabad, which is not situated within territorial jurisdiction of District Attock, and also for the purposes of Tax the business concern is being assessed at Islamabad as well as the business concern has no substantial business interest at Attock district hence the said business concern could not become a member of the Attock WCCI, hence the nomination sent by the Attock WCCI, is liable to be rejected.



5. The counsel for respondent raised the objection on the maintainability of the appeal under Rule 18 of TORs, 2013. That the Respondent Chamber has forwarded valid names of the nominees after approval of the names from the executive committee. Ms. Hina Mnasab Khan has her address at Attock District, and the second nominee also belongs to Attock District, therefore, the Respondents are valid member of the Attock WCCI. The counsel for respondents requested some time to produce documents to show that the Laila's Pvt Ltd's is no more Black listed. Hence, , the Respondents are eligible to represent the Attock WCCI in the FPCCI's Election for the year 2024-25

FINDINGS:-

- i. As per record submitted to this office and online verification, M/s Laila Pvt Ltd is black listed for sales tax registration via online verification.
- ii. As per record submitted to this office and online verification, M/s Brio Jewels is not reflected in the tax profile of Ms. Naeema Naz.
- iii. Both the nominees are not eligible as per Rule 11 and 15 of ToR 2013. Hence, the appeal is liable to be allowed and nominees of Attock WCCI to be excluded from the voter list of FPCCI election 2024-25.

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. The Secretary General is hereby directed to exclude both the nominees of Attock WCCI from voter list of FPCCI election 24-25.
- ii) The matter stands disposed of accordingly.

Announced Dated:06-12-2023.

(Umar Dad Afridi)
Regulator (TO)



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