



Government of Pakistan  
Directorate General of Trade Organizations  
(Office of Regulator of Trade Organizations)  
Ministry of Commerce,  
State Life Building No. 7, 2<sup>nd</sup> Floor, Blue Area,  
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**Most Immediate**

F. No. 6(60)/2023-TO

Email / Courier  
Islamabad, the December 6<sup>th</sup>, 2023

**ORDER IN ORIGINAL NO 69/2023**

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

Mr. Imtiaz Ahmed nominee of Sargodha 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. Mr. Imtiaz Ahmed
2. Mr. Sikandar Ali
3. **Malik Ghulam Sabir**, Advocate (on behalf of appellant)
4. **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 Respondents)
5. **Mr. Asif Iqbal Sheikh**
6. **Mr. Amjad Mehmood Sheikh**

.....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, 2<sup>ND</sup> 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. Imtiaz Ahmed President Sargodha Chamber of Small Traders and Small Industries ("SCSTSI") and Sikandar Ali Proprietor M/s Hafeez General Store nominee of SCSTSI for Federation of Pakistan Chamber of Commerce and Industry filed against the decision dated 23-11-2023 passed by Election Commission of FPCCI for exclusion of the name of the Appellants, and inclusion of name of the respondents as nominees of SCSTSI from the provisional voters list of FPCCI for elections of the year 2024-2025. The matter was fixed for hearing on 01-12-2023 and was attended by the relevant parties.

2. The counsel of the appellants has submitted that the appellants are the bonafide members of Sargodha CSTSI and their nomination has been duly approved by Executive Committee of the Chamber and were forwarded through the sign of Secretary General and the President. That the nominations of the appellants are valid and Election Commission of the FPCCI did not consider the documents submitted by the appellants and committed a material illegality while dismissing the appeal. The counsel for the appellants further stated that the nominations submitted by Mr. Asif Iqbal Sheikh and Mr. Amjad Mehmood Sheikh were neither approved by the Executive Committee nor signed by the rightfully elected President. Moreover, the membership of Mr. Asif Iqbal Sheikh has been suspended by the DGTO vide order No. 24/2023 dated 26-10-2023 and the inquiry is underway. Therefore, Mr. Asif Iqbal Sheikh not being a valid member of the SCSTSI could not represent the SCSTSI in the FPCCI, hence the nomination of Mr. Asif Iqbal Sheikh is not valid. It is further submitted that the membership of Mr. Asif Iqbal has also been terminated by the General Body of the SCSTSI in the Annual General Meeting dated 31<sup>st</sup> October 2023. Therefore, Asif Iqbal Sheikh is not eligible to participate in the FPCCI's election and his nomination is prayed to be rejected/ deleted and the nomination submitted by the appellants may be accepted for FPCCI election 2024/25.

**UMAR DAD AFRIDI**  
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3. Furthermore, the counsel of the appellants stated that the finding in the impugned order with regard to the non-submission of the resolution passed by the SCSTSI is against facts. In fact, the Secretary General of the SCSTSI through the e-mail dated 13-11-2023 forwarded all the documents including the resolution passed by the SCSTSI along with attendance sheet. The Appellant submitted the resolution along with the attendance sheet with the signatures of the member of the executive committee. The subsequent so-called affidavits of the some members of executive committee are an afterthought, and have no value in the eyes of law. Once the resolution has been passed by the House it can only be undone through the General body of the SCSTSI. The Appellants submitted the minutes of 8<sup>th</sup> executive committee meeting of the SCSTSI along with attendance sheet signed by sixteen members of executive committee out of eighteen and copy of screen shot of the e-mail sent to the DGTO and notice of Annual General Meeting and minutes of AGM dated 31-10-2023. The counsel for the Appellants submitted that the nominations of the Appellants were validly approved by the executive committee of the SCSTSI and thereafter forwarded by the Secretary General and President of the SCSTSI and requested for acceptance of Appeal.

4. The counsel of the respondent has submitted that the membership of Mr. Asif Iqbal's was suspended by the DGTO only for seven days and the respondent appeared in the inquiry proceedings before the inquiry proceedings and submitted the relevant documents. The counsel of the Respondents submitted that out of 18 members of the executive committee 10 are ready to record their stance that they never approved the names of the Appellants to represent the SCSTSI.

### FINDINGS

As per record of this office, the membership of Mr. Asif Iqbal Sheikh is suspended till the final decision in the on-going inquiry by the DGTO vide DGTO's order No. 24/2023 dated 26-10-2023, in exercise of the powers conferred under Section 14(3)(a). The matter is subjudice as of this date. There are serious allegations of financial embezzlement on Mr. Asif Iqbal Sheikh. Therefore, nominations of Mr. Asif Iqbal Sheikh and Amjad Mehmood Sheikh are illegal.

2. As per record with this office, Mr. Imtiaz Hussain Ahmed is the current elected President of SCSTSI. The nominations forwarded by the sitting President duly

approved by the Executive Committee are liable to be accepted as nominees from SCSTSI as per Rule 20(2)(a) of TOR 2013.

**ORDERS:-**

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

- i) The instant Appeal is accepted and the decision of the Election Commission of the FPCCI is set-aside.
- ii) The Secretary General of FPCCI is directed to include the names of the Appellants namely Mr. Imtiaz Ahmed Proprietor M/s, Alishan Furniture and Mr. Sikandar Ali, Proprietor M/s, Hafiz General Store, nominees of SCSTSI in the Final voter list of FPCCI for the year 2024-2025.
- iii) The matter stands disposed of accordingly.

  
(Umar Dad Afridi)  
Regulator (TO)

Announced Dated:06-12-2023.

**UMAR DAD AFRIDI**  
Regulator of Trade Organizations  
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