



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(55)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 74/2023

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

Mr. Waheed Ahmed nominee of Pakistan Fruit and Vegetable Exporter Association

Versus

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

Present in the hearing.

1. Mr. Ghulam Sabir, Advocate

.....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)

.....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. Waheed Ahmed nominee of Pakistan Fruit and Vegetable Exporter and Importer and Merchants Association against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of nominees of Pakistan Silk & Reyon Mills Association (PSRMA). The case was fixed for hearing on 01-12-2023 which was attended by both sides.

2. The background of the case is that the Election Commission FPCCI declined the objection of the appellant and included the nominees of PSRMA on the basis that they have fulfilled the criteria of membership.

3. The Counsel for the appellant has argued that the nominees of PSRMA do not fulfill the criteria of membership of the Association. That the license issued to PSRMA is expired therefore, according to Article 3 of the M&AoA of FPCCI read with Article Section 10 of the ToA, 2013, the PSRMA is not eligible to be enrolled / admitted as member of the FPCCI for the year 2024-25 and therefore, both their nominations are to be excluded from the voter list of FPCCI election 2024-25.

4. The counsel for the appellant further argued that the NTN profile of Mr. Muhammad Hanif Lakhani Saleem (corporate) as GB member as Director of Lakhani Silk Mills Pvt Ltd reflects that there is no such business registered with the name and style of Lakhani Silk Mills. Therefore, the said business concern could not be member of PSRMA. Hence, his nomination is liable to be rejected.

5. The Counsel for the Respondent has maintained that the nominees of the PSRMA are bonafide members of the Association and fulfill the criteria of membership with PSRMA. The Counsel for the Respondents further stated that the renewal of license is under process with the office of the Regulator TOs. Therefore, the allegations of the appellant are not valid.

FINDINGS:-

The license of the PSRMA is expired since 23-09-2021 and the Association has yet to complete all codal formalities for the renewal of license, especially the Sales Tax Returns of the enrolled members have not been provided as of this date. Also , no documentary evidence showing that Mr. Muhammad Hanif Lakhani has any relation with M/s Lakhani Silk Mills Pvt Ltd has been submitted with this office. Therefore, Mr. Muhammad Hanif Lakhani the nominee of PSRMA is liable to be excluded from the voter list of the FPCCI election 2024-25.

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) Since, Pakistan Silk & Reyon Mills Association (PSRMA) has failed to renew license, especially due to non-provision of Sales Tax Returns of enrolled members, therefore, appeal is allowed and the decision of Elections is set aside. The SG, FPCCI is directed to exclude both the nominees from the Voter List for the FPCCI elections 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