



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(89)/2023-TO

Islamabad, the December 6th, 2023

ORDER IN ORIGINAL NO 82/2023

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

Mr. 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.

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|--|----------------------------|
| 1. Mr. Ghulam Sabir, Advocate on behalf of Appellant |Appellant/Complainant |
| 1. Ms. Mahreen Razzak (on behalf of Secretary General FPCCI) |Respondents |
| 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) | |

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. Ali Farooq nominee of 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 Agriculture and Dairy Farmers Association. 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 vide decision NO. 23 dated 23-11-2023 included the nominees of Pakistan Agriculture & Dairy Farmers Association, and upheld the decision of the Secretary General, FPCCI. The appeal was declined.

3. The counsel for the appellants has stated that the nominees Ms. Quratulain Zahid's business is not related to dairy farming as per online verification of her NTN profile. Nominee reflects that it does not have any business of agriculture and dairy farming, therefore, she does not fulfill the criteria of Section 3(2)(d) of TOA 2013 to become the member of PADFA and the nomination is illegal. The counsel for the appellant further stated that Mr. Faisal Saleem Vohra M/s Advance Corporation business is not related to dairy farming as per online verification of her NTN profile. Nominee reflects that it does not have any business of agriculture and dairy farming, therefore, he does not fulfill the criteria of Section 3(2)(d) of TOA 2013 and Rule 2(g) of TOR 2013 to become the member of PADFA and the nomination is illegal.

4. The counsel further submitted that the license of PADFA has expired, therefore as per article 3 of M&AoA of FPCCI read with Section 10 of TOR 2013, the PADFA is not eligible to be enrolled in the voter list of FPCCI. Therefore, the nominees of PADFA may be excluded from the voter list.

5. The counsel for respondent has stated that both the nominees are bonafide members of PADFA and fulfill the criteria of membership as per Rule 2(1)(g), Rule 3(2)(d), Rule 11 and Rule 15 of TOR 2013 and application for renewal of license of PADFA in under process at the DGTO. Therefore, it is prayed that the appeal may be dismissed.

FINDINGS:-

- i. As per record with this office the license of the PADFA has expired since 15-08-2022.
- ii. As per online verification of the tax-payer profiles of both the nominees, the business of the neither nominee is related to PADFA as per Section 3(2)(d) and Rule 2(1)(g), 3(2)(d)(iii) of TOR 2013. The respondents have also failed to provide this office with sales tax returns as per Rule 2(g) and Rule 11(5)(b) of TOR 2013 to determine their membership eligibility.



iii. Therefore, the nominees of PADFA are likely 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 hereby allowed and the decision of Election Commission is hereby set aside. The Secretary General is directed to exclude both the nominees of PADFA from the voter 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