



Government of Pakistan
Ministry of Commerce
Directorate General of Trade Organizations
(Office of Regulator of Trade Organizations)
State Life Building No. 7, 2nd Floor,
Jinnah Avenue, Blue Area,

**Most Immediate
Email / Courier**



F. No. 6(26)/2023-TO

Islamabad, the 6th December, 2023

ORDER IN ORIGINAL NO. 86/2023

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

Loralai Chamber of Commerce & Industry & Others
(10 TOs)

Versus

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

Present in the hearing.

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|--|----------------------------|
| 1. Mr. Ali Nawaz Kharral, Advocate
(on behalf of Appellant) |Appellant/Complainant |
| 2. Mr. Wali Muhammad | |
| 1. Malik Ghulam Sabir, Advocate
(on behalf of Respondent) |Respondents |
| 2. Malik Sohail | |

Date of Hearing: 04-12-2023

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 (10) appeals filed by Loralai Chamber of Commerce & Industry, Pakistan Transport Association, Scrap Importers Association, Gas Heater Importers Association of Pakistan, Women Chamber of Commerce & Industry Quetta District, Plastic Scrap Association of Pakistan, All Pakistan Land Route Custom Agents Association, Ghee Exporters Association of Pakistan, All Pakistan Copper Importer Exporters Association and All Pakistan Glass Manufacturers Importers & Exporters Associations against decisions of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding exclusion of their nominees from the provisional votes list. The case was fixed for hearing on 04-12-2023, which was attended by relevant parties.

2. The background of the case is that the Election Commission FPCCI, decisions Nos. 40,52,56,59 etc, dated 23-11-2023, excluded the nominees of Loralai Chamber of Commerce & Industry, Pakistan Transport Association, Scrap Importers Association, Gas Heater Importers Association of Pakistan, Women Chamber of Commerce & Industry Quetta District, Plastic Scrap Association of Pakistan, All Pakistan Land Route Custom Agents Association, Ghee Exporters Association of Pakistan, All Pakistan Copper Importer Exporters Association and All Pakistan Glass Manufacturers Importers & Exporters Associations, from the provisional voters list, setting aside the decision of the Secretary General, FPCCI. Election Commission, FPCCI, excluded the above 10 Trade Organizations (TOs), with the remarks that as the licenses of these TOs have been cancelled by the Regulator. The Election Commission further noticed that the judgment of the Honourable Supreme Court merely allows them to avail remedy in terms of section 6 or 9 of ToA 2013, and they have failed to provide any evidence of renewal or re-issuance of license. Hence, these organizations are to be treated as cancelled TOs. As such, they are not entitled to be members of FPCCI, hence are not allowed to participate in FPCCI elections.

3. The counsel of the appellants, submitted that as per directions of the Honourable Supreme Court of Pakistan, dated: 07-11-2023, in CP No. 32-Q/2022 and CMAs No. 37-Q to 45-Q/2022, respect of following trade bodies are at liberty to avail remedy under the law. Two provisions as a remedy have been quoted in the said order for the below mentioned TOs, i.e. Section 6 and 9 of TO Act 2013. Both the said sections are different as

Section 6 of the TO ACT deals with the renewal of licence whereas Section 9 of TO Act 2013 deals with De-novo Licence.


1. Laoralai Chamber of Commerce & Industry. (CP 32-Q/22)
2. Pakistan Transport Associate. (CMA 37-Q/22)
3. Scrap Importer Association. (CMA 38-Q/22)
4. Gas Heater Importers Association of Pakistan. (CMA 39-Q/22)
5. Woman CCI, Quetta District. (CMA 40-Q/22)
6. Plastic Scrap Association of Pakistan. (CMA 41-Q/22)
7. All Pakistan land Route Custom Agent Association. (CMA 42-Q/22)
8. Ghee Exporter Association of Pakistan. (CMA 43-Q/22)
9. All Pakistan Copper Importer Exporter Association. (CMA 44-Q/22)
10. All Pakistan Glass Manufactures & Importers Exports. (CMA 45-Q/22)

5. The learned counsel of the appellants submitted that the said Trade Bodies have applied for renewal of their respective trade bodies. Besides the said objection, no other objections were agitated by the learned Councils for the Objectors on the appellants. Therefore, these trade bodies may not be treated as cancelled TOs.

4. The counsel of the Respondent submitted that, as the license of the subject TOs have been cancelled / expired, therefore, they are not eligible to be enrolled / admitted as member of FPCCI or participate in elections of FPCCI, 2024-25, Moreover, the nominees do not have valid business concerns / NTN business profile in the relevant sector trade under which the Trade Organizations were registered earlier.

FINDINGS:-

In compliance of the orders of honorable supreme court date 07-11-23 regarding subject Trade Organisations in CP and CMAs as mentioned hereinabove, since the licenses of these TOs are expired and they have not applied for renewal in stipulated as per Section 06 of ToA 2013, their licenses are no more in field. Therefore, the appeals of the subject appellants are liable to be dismissed.


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. In compliance of Honorable Supreme Court order passed CP No.32-Q/2022 and CMA No. 37-Q to 45-Q of 2022, dated 07-11-2013, the subject 10 appeals are hereby dismissed and decision of the Election Commission of FPCCI is upheld.
- ii. The Secretary General FPCCI is directed to exclude the nominees of the subject (10) TOs from the voter 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