FROM THE OFFICE OF
THE ELECTION COMMISSION – FPCCI

Federation House, Tariq Sayeed Complex,
Main Clifton, Block 5, Abdullah Shah Ghazi Road, Karachi
T. 021-35873691-94, E. info@fpcci.org.pk, Website. www.fpcci.org.pk

FPCCI.Election.2027-28/2026-5279
Wednesday, 25th November 2026
Through E-mail, Website, WhatsApp

DECISION NO. ECD-A010 (010) 214
PASSED BY THE FPCCI ELECTION COMMISSION

MUSLIM MOHAMEDI
PARTNER
M/S. M.A. MOHAMEDI AND CO.
PLOT D-7, FISH HARBOUR, WEST WHARF
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SHAUKAT ALI OMERSON
CHIEF EXECUTIVE
M/S. LALQILA PRIVATE LIMITED
PLOT NO. 10/A, MUHAMMAD ALI SOCIETY,
SHAHRAH-E-FAISAL,
KARACHI
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ADEEL FEROZ KALIA
PARTNER
M/S. KAYBEES CAFE & GRILL
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SUBJECT: DECISION OF THE ELECTION COMMISSION ON APPEAL FILED BY ALL PAKISTAN RESTAURANTS ASSOCIATION AGAINST THE DECISION OF FPCCI SECRETARY GENERAL

This is with reference to your appeal No. Nil received in FPCCI on 25th November 2026 on the above subject.

Objection:

Objection has been raised regarding the classification of nominations non-renewal of the License of the Association, business activities of the nominees does not relate to the association and nominees' ineligibility and less than 50 million turnover.

Findings:

The points raised by the appellant at this forum were also presented before the secretary General. FPCCI. However, no evidence was submitted in support of these objections before him. Similarly, no evidence was produced by the appellant before the election commission.

Decision:

The Election Commission of FPCCI has examine the appeal filed by All Pakistan Restaurants Association and found that points and reasons raised in the appeal are considered on merit, hence the Election Commission accept the appeal and direct the Secretary General of FPCCI to include the nominees of All Pakistan Restaurants Association accordingly.

MASOOD NAQI
Member of the Election Commission

JAVED IQBAL MIRZA
Member of the Election Commission

BILAL PERWAIZ
Member of the Election Commission

Copy to: Directorate General of Trade Organizations, Islamabad
Secretary General FPCCI

APRA
Government of Pakistan License No. 214
ALL PAKISTAN RESTAURANT ASSOCIATION

EC of FPCCI

BEFORE THE ELECTION COMMISSION, FEDERATION OF PAKISTAN CHAMBERS OF COMMERCE & INDUSTRY (FPCCI), KARACHI

FPCC&I DATE 25/11/26 R. NO. 001 KARACHI

Election Appeal / Representation No. _____ of 2026

1. **Mr. Shaukat Ali Omerson**, Chief Executive, M/s Lalqila Private Limited, Plot No. 10/A, Muhammad Ali Society, Shahrah-e-Faisal, Karachi (CNIC No. 42201-0519613-9) — nominee of All Pakistan Restaurant Association on the FPCCI Executive Committee and General Body (Corporate Class), Sr. No. 06 of the Additional List of Nominations dated 23.11.2026.

2. **Mr. Adeel Feroz Kalia**, Partner, M/s Kaybees Cafe & Grill, Shop No. 5, SB-3, Shazco Center, Block-4, Gulshan-e-Iqbal, Karachi (CNIC No. 42000-5289996-7) — nominee of All Pakistan Restaurant Association on the FPCCI General Body (Associate Class), Sr. No. 07 of the Additional List of Nominations dated 23.11.2026.

3. **All Pakistan Restaurant Association (APRA), Karachi**, a trade organization licensed under section 3(2)(d) of the Trade Organizations Act, 2013 (Licence No. 214), registered with the SECP as a company limited by guarantee (CUIN 0101019), Plot No. 550, Flat No. 1, 1st Floor, Adamjee Nagar, Block-C, K.C.H.S., Karachi, through its Secretary General, Mr. Salman Aleem Khan.

...
Appellants

VERSUS

1. **Mr. Muslim Mohamedi**, Partner, M/s M.A. Mohamedi and Co., Plot D-7, Fish Harbour, West Wharf, Karachi — nominee of the Pakistan Fisheries Exporters Association on the FPCCI Executive Committee and General Body (Corporate) .

2. **The Secretary General, FPCCI**, Federation House, Tariq Sayeed Complex, Main Clifton Block-5, Abdullah Shah Ghazi Road, Karachi-75600.

... Respondents

APPEAL / REPRESENTATION UNDER RULE 18(6) OF THE TRADE ORGANIZATIONS RULES, 2013, MADE UNDER THE TRADE ORGANIZATIONS ACT, 2013, AGAINST DECISION NO. 010 (214) DATED 24 NOVEMBER 2026 (REF. FPCCI.EL2027-28/2026/5248) OF THE SECRETARY

All Pakistan Restaurant Association

GENERAL, FPCCI, WHEREBY THE NOMINATIONS OF THE APPELLANTS No. 1 AND 2 WERE "EXCLUDED / REJECTED"

Respectfully Sheweth:

Preliminary Legal Objections

I. The Appellants were condemned unheard; the decision is void.

That the Appellants, though arrayed as "Respondents" in the decision, were given no notice, no copy of the objection, no opportunity to produce a single document and no hearing. The principles of natural justice are read into every statute even where not expressly incorporated, and since the insertion of Article 10A of the Constitution their violation is a violation of the fundamental right to fair trial and due process.

II. The Secretary General has overridden a binding directive of the Regulator.

That FPCCI is itself a licensed trade organization subject to the regulatory control of the Regulator under sections 7 and 14 of the Act. The Regulator, the only authority competent to grant, renew, suspend or cancel a licence (sections 3, 6 and 7), has decided APRA's licence status by Order No. 99/2026, and by the directive of 16.11.2026 has expressly directed the Secretary General *and this Commission* to include APRA's nominees in the EC and GB lists and in the List of Voters. The Secretary General's own finding (a) acknowledges that the Appellants were included under that directive — yet, without a word of explanation, he has excluded them.

III. The decision gives no reasons, in breach of section 24-A of the General Clauses Act, 1897.

That Section 24-A requires every power to make an order under an enactment to be exercised "reasonably, fairly, justly and for the advancement of the purposes of the enactment", with reasons, which the affected person may demand. The impugned decision identifies no provision of the Act, the Rules or FPCCI's Articles that the Appellants breached; nor any evidence produced by the objector.

IV. The objection was incompetent.

Rule 18(4) confers the right to object on "the members". Respondent No. 1 objected in his personal capacity, on his own firm's letterhead, without any resolution or authority of the Pakistan Fisheries Exporters Association. A trade organization acts only through its Executive Committee. Moreover, a nominee of a fisheries exporters' association is a stranger to APRA and has no standing to question who APRA admits as its members, or in which class.

All Pakistan Restaurant Association

FACTS

Plot # 550, Flat No. 1, First Floor, Adamjee Nagar, Block C, K.C.H.S., Karachi-75300, Pakistan.
Tel: 021-34397788, 0332-3300021 Email: aprapakistan786@gmail.com URL: apra.org.pk

1. That appellants No. 1 and 2 are the members nominated whose names have been excluded, and are thus entitled to appeal under note (a) of the schedule and Rule 18(6). Appellant No. 3, whose entire representation in FPCCI's electoral college has been wiped out by the impugned decision, is plainly a "person aggrieved" within Rule 18(6) and joins as such.

2. That Appellant No. 3 (APRA) is an all-Pakistan trade organization licensed under section 3(2)(d) of the Trade Organizations Act, 2013 ("the Act") under Licence No. 214. It represents the restaurant, catering, hospitality and allied food-service sector, and is a Member Trade Organization of FPCCI.

3. That APRA's licence was valid up to 06.05.2026, and its application for renewal was filed on 13.05.2026. The Regulator of Trade Organizations issued a Show Cause Notice No. F. 21(38)/2026-TO dated 07.07.2026 under section 7(2) read with section 7(1)(a) of the Act, heard APRA on 20.07.2026, issued a further directive dated 27.07.2026, and received APRA's submissions dated 21.10.2026 and 02.11.2026.

4. While those proceedings were pending, the Directorate General of Trade Organizations (DGTO), by letters No. 17(31)/2026-TO dated 16.10.2026 and 23.10.2026 and the Corrigendum thereto, directed FPCCI to delete the nominations of certain trade organizations, including APRA (Corrigendum Sr. No. 30 of added Annex-A; Provisional List Part E, Sr. Nos. 386–387), solely on account of the time-barred status of their renewal applications.

5. That vide **Order No. 99/2026 dated 02.11.2026** (F. No. 21(38)/2026-TO), passed under sections 7, 14 and 25 of the Act, the Regulator accepted APRA's explanation as sufficient cause, **dropped the proposed cancellation** of Licence No. 214, **discharged** the Show Cause Notice, imposed a penalty of Rs. 50,000/- under section 25 in lieu of cancellation, and directed that APRA's renewal application shall stand regularized and be processed on merits under section 6(1).

6. That by **letter No. F. 17(31)/2026-TO dated 16.11.2026, issued "with the approval of the Regulator"** and addressed to both the Secretary General and this Honourable Commission, the DGTO recorded that "the grounds on which the exclusion of the aforesaid Trade Organizations was directed no longer subsist", withdrew its earlier directions to the extent of APRA and three other trade organizations, and **directed** the Secretary General and the Election Commission, FPCCI to include the names of APRA's nominees in the Executive Committee and General Body lists of FPCCI;



7. That APRA nominated Appellant No. 1 from the Corporate Class on the Executive Committee and General Body, and Appellant No. 2 from the Associate Class on the General Body, and forwarded the nominations to FPCCI with the requisite documents .

8. On 24.11.2026, Respondent No. 1 — the nominee of a fisheries exporters' association, writing on the letterhead of his own firm, M/s M.A. Mohamedi and Co. — filed an objection alleging that (i) APRA's licence had not been renewed; (ii) the nominees' businesses did not relate to APRA's trade; and (iii) Appellant No. 1's company did not meet the Rs. 50 million turnover threshold for the Corporate Class. The objection annexed no document in support of any of these allegations. It was a bare five-page letter with no annexure at all: no tax record, no turnover data and no evidence of any kind.

9. On the very same day, 24.11.2026, the Secretary General passed the impugned **Decision No. 010 (214)**, recording only two "findings": (a) "Included under the directives of DGTO, vide Order F. No. 17(31)/2026 dated 16th November 2026"; and (b) "FBR Tax Returns not provided to decide the corporate class and Turnover of the nominees." He then held: "it is not possible to classify the category of the nominees, therefore, objection is accepted, therefore, at this stage, the nominations of Pakistan Restaurants Association, are hereby excluded / rejected."

10. No notice of the objection, no copy of it, no call for any document and no hearing was given to any Appellant before the decision was made, although the decision itself names Appellants No. 1 and 2 as "Respondents".

11. Being aggrieved, the Appellants file this appeal on the following grounds, each taken without prejudice to the others.

Grounds

A. The licence objection is foreclosed by the Regulator's Order No. 99/2026 and directive of 16.11.2026.

The only ground on which APRA's nominees were ever excluded — the time-barred renewal application — has been adjudicated by the Regulator after a show-cause notice and personal hearing. The proposed cancellation was dropped, the notice discharged, and the renewal regularized for processing under section 6(1). With full knowledge that renewal was "under process", the Regulator found that the grounds of exclusion "no longer subsist" and directed inclusion.

All Pakistan Restaurant Association

B. The burden of proof was reversed.

Instead of dismissing a bare, unsupported objection, the Secretary General faulted the nominees for not producing FBR returns that which were never called for. It is pertinent to mention here that any so called document in challenge were neither asked for nor given an opportunity to submit it.

C. The Secretary General had already scrutinized and accepted the classification.

The Additional List of 23.11.2026 was issued only after scrutiny of APRA's nominations, and itself records Appellant No. 1 as "EC & GB (Corporate)" and Appellant No. 2 as "GB (Associate)", each with "Business Interest: FOOD". Rule 18(5) only requires the Secretary General to "intimate action on the objections" received under Rule 18(4). It gives him no power to reopen his own scrutiny on a bare assertion, without any fresh material, and without hearing those affected.

D. Appellant No. 2 was excluded with no finding against him at all.

That Appellant No. 2 is a nominee of the **Associate Class**. The turnover threshold relied upon by the objector is part of the definition of the Corporate Class in rule 2 of the Rules (cited by the objector as rule 2(g)) and has no application to the Associate Class. The Secretary General's only operative finding (b) concerns "the corporate class and Turnover", yet he has excluded Appellant No. 2 as well. That is complete non-application of mind.

E. The "business nexus" objection is baseless and was not accepted.

FPCCI's own list records the business interest of both nominees as "FOOD". Appellant No. 1 is Chief Executive of M/s Lalqila Private Limited, which operates the Lal Qila restaurant on Shahrah-e-Faisal, Karachi, and Appellant No. 2 is a partner of M/s Kaybees Cafe & Grill — both squarely within the restaurant and food-service sector that the Regulator's Order No. 99/2026 records APRA as representing.

F. Appellant No. 1 meets the Corporate Class requirement.

Without prejudice to the above, M/s Lalqila Private Limited is a company incorporated under the Companies Act, 2017, whose annual turnover for the preceding year is well above the Rs. 50 million threshold. Since the Appellants were never given the opportunity to place these documents hence cannot decide upon it without the physical presence of the said document.

G. The Secretary General acted beyond the jurisdiction conferred by Rule 18.

Rule 18(4) and (5) concern objections "to the entries in the list of voters". An objection to KCCI "as a Trade Organization", its register and its electoral college is not an objection to an entry. The status and compliance of a licensed trade organization are matters for the

Regulator under sections 7 and 14 of the Act; nothing empowers FPCCI's Secretary General to "reject the nominations" of a licensed Member Body.

The Appellants reserve the right to urge further grounds on receipt of the complete record, including the objection as received, its time of receipt, and any material placed before the Secretary General.

Prayer

In view of the above, the Appellants respectfully pray that this Honourable Election Commission may be pleased to:

1. Accept this appeal and set aside Decision No. 010 (214) dated 24.11.2026 (Ref. FPCCI.EL2027-28/2026/5248) of the Secretary General, FPCCI, in its entirety; dismiss the objection of Respondent No. 1 dated 24.11.2026 as not maintainable, unsupported by any evidence, and foreclosed by the Regulator's Order No. 99/2026 and directive dated 16.11.2026;

2. Direct the Secretary General, FPCCI, in compliance with the DGTO's directive No. F. 17(31)/2026-TO dated 16.11.2026, to restore and retain Appellant No. 1 (EC & GB — Corporate) and Appellant No. 2 (GB — Associate) at Sr. Nos. 06 and 07 of the Additional List of Nominations, as APRA's nominees, and to include them in the final list of voters for the FPCCI Elections 2027–28; and

3. grant any other relief that this Honourable Commission deems just and proper.

List of Annexures

- **Annex A** — DGTO letter No. F. 17(31)/2026-TO dated 16.11.2026 (inclusion of nominees of four trade organizations)
- **Annex B** — Order No. 99/2026 dated 02.11.2026 of the Regulator of Trade Organizations (F. No. 21(38)/2026-TO)

Appellant No. 1 — Mr. Shaukat Ali Omerson _____

Appellant No. 2 — Mr. Adeel Feroz Kalia _____

All Pakistan Restaurant Association

Appellant No. 3 — All Pakistan Restaurant Association, through its Secretary General,

Mr. Salman Aleem Khan _____

Plot # 550, Flat No. 1, First Floor, Adamjee Nagar, Block C, K.C.H.S., Karachi-75300, Pakistan.
Tel: 021-34397788, 0332-3300021 Email: aprapakistan786@gmail.com URL: apra.org.pk

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, Islamabad
*****

F. No. 17(31)/2026-TO

Islamabad, the 16th November, 2026

The Secretary General,
Federation of Pakistan Chambers of Commerce & Industry (FPCCI),
Federation House, Tariq Sayeed Complex,
Main Clifton Block-5, Abdullah Shah Ghazi Road,
Karachi-75600.

The Election Commission,
Federation of Pakistan Chambers of Commerce & Industry (FPCCI),
Federation House, Tariq Sayeed Complex,
Main Clifton Block-5, Abdullah Shah Ghazi Road,
Karachi-75600.

SUBJECT: **INCLUSION OF THE NOMINEES OF FOUR (04) TRADE ORGANIZATIONS IN THE EXECUTIVE COMMITTEE AND GENERAL BODY LISTS OF FPCCI – ELECTIONS FOR THE TERM 2027-28 – IN CONTINUATION OF THIS OFFICE LETTERS NO. 17(31)/2026-TO DATED 16th AND 23rd OCTOBER, 2026**

1. Reference this Office's letter No. 17(31)/2026-TO dated 16th October, 2026, the letter of the same number dated 23rd October, 2026 and the Corrigendum thereto dated 23rd October, 2026, whereby FPCCI was directed, in exercise of the regulatory functions of this Office under Section 14 of the Trade Organizations Act, 2013 (TOA 2013), to delete from the Provisional List of Voters of FPCCI for the year 2027-2028 the nominations of certain Trade Organizations, including the four (04) Trade Organizations mentioned in the Table below, on account of the time-barred status of their applications for renewal of licence.

2. Show Cause Notices under Section 7(2) read with Section 7(1)(a) of the TOA 2013 had been issued to each of the said Trade Organizations. After affording each of them an opportunity of personal hearing before the Regulator of Trade Organizations and upon consideration of their written submissions and the documentary evidence placed on record, the Regulator has found sufficient cause to condone the delay in the filing of the renewal applications and to lift the time bar. The proposed cancellation of licence has accordingly been dropped in each case, and the renewal applications are now under process in this Office in accordance with Section 6(1) of the TOA 2013 and the Trade Organizations Rules, 2013 (TORs 2013).

3. The particulars of the Trade Organizations, of the letter of this Office whereby their nominees were excluded and of the Orders of the Regulator whereby the delay has been condoned are as under:

Sr. No.	Name of Trade Organization	Licence No.	This Office letter excluding the nominees from the Provisional List of Voters	Order of the Regulator condoning the delay and lifting the time bar
1	**All Pakistan Restaurant Association (APRA), Karachi**	214	Corrigendum to letter No. 17(31)/2026-TO dated 23rd October, 2026, Sr. No. 30 of added Annex-A entries Provisional List, Part E, Sr. Nos. 386–387 deleted	**Order No. 99/2026** F. No. 21(38)/2026-TO dated 2nd November, 2026
2	**All Pakistan Furniture Makers Association (APFMA), Gujrat**	210	Corrigendum to letter No. 17(31)/2026-TO dated 23rd October, 2026, Sr. No. 29 of added Annex-A entries Provisional List, Part E, Sr. Nos. 268–269 deleted	**Order No. 98/2026** F. No. 21(7)/2026-TO dated 2nd November, 2026
3	**All Pakistan Commercial Exporters Association of Rough & Un-Polished Precious & Semi Precious Stones (APCEA), Peshawar**	34	Corrigendum to letter No. 17(31)/2026-TO dated 23rd October, 2026, Sr. No. 28 of added Annex-A entries Provisional List, Part E, Sr. Nos. 246–247 deleted	**Order No. 100/2026** F. No. 21(2)/2-26-TO dated 3rd November, 2026
4	**All Pakistan Aluminium Utensils Manufacturers Association (APAUMA), Gujranwala**	209	Letter No. 17(31)/2026-TO dated 23rd October, 2026, Annex-A, Part-I, Sr. No. 8 Provisional List, Part E, Sr. Nos. 248–249 deleted	**Order No. 108/2026** F. No. 21(10)/2026-TO dated 13th November, 2026

4. In view of the above, the grounds on which the exclusion of the aforesaid Trade Organizations was directed no longer subsist. The directions contained in para 4(i) of this Office's letter dated 23rd October, 2026 and in para 3 of the Corrigendum thereto **stand withdrawn** to the extent of these four (04) Trade Organizations.

5. The Secretary General and the Election Commission, FPCCI are accordingly **directed** to:

(i) include the names of the nominees of the above-mentioned Trade Organizations in the respective Executive Committee (EC) and General Body (GB) lists of FPCCI; and

(ii) allow the said Trade Organizations to participate in the FPCCI elections for the term 2027–28 and to send their nominees for the EC and GB, after such nominees have been approved by their respective Executive Committees.

6. FPCCI is further directed to include in the nominees of the above-mentioned Trade Associations in the List of Voters and to intimate compliance to this Office accordingly.

7. This communication is being issued with the approval of the Regulator.

Pir Shah Gul Ahmad
Deputy Director (TOs)

Enclosures: Copies of Order No. 99/2026, Order No. 98/2026, Order No. 100/2026 and Order No. 108/2026 of the Regulator of Trade Organizations (as per Table above).

Copy to:

1. The Secretary General / Chairman, All Pakistan Restaurant Association, Plot No. 550, Flat No. 1, 1st Floor, Adamjee Nagar, Block-C, K.C.H.S., Karachi.
2. The Secretary General / Chairman, All Pakistan Furniture Makers Association, Gujrat Chamber of Commerce and Industry Building, 2nd Floor, G.T. Road, Gujrat.
3. The Secretary General / Chairman, All Pakistan Commercial Exporters Association of Rough & Un-Polished Precious & Semi Precious Stones, Suite No.1, 2nd Floor, Al-Jalil Market, Namak Mandi, Peshawar.
4. The Secretary General / Chairman, All Pakistan Aluminium Utensils Manufacturers Association, Suite No. 15/16, 1st Floor, T-Block, Trust Plaza, G.T. Road, Gujranwala.

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

F. No. 21(38)/2026-TO

Islamabad, 2nd November, 2026

ORDER NO. 99 / 2026

PASSED BY BILAL KHAN PASHA, REGULATOR OF TRADE ORGANISATIONS, UNDER SECTION 7 READ WITH SECTION 25 OF THE TRADE ORGANIZATIONS ACT, 2013

PASSED BY BILAL KHAN PASHA, REGULATOR OF TRADE ORGANISATIONS, UNDER SECTION 7 READ WITH SECTION 25 OF THE TRADE ORGANIZATIONS ACT, 2013

In the matter of: Show Cause Notice bearing F. No. 21(38)/2026-TO dated 7th July, 2026, and subsequent directive dated 27th July, 2026, issued under Section 7(2) read with Section 7(1)(a) of the Trade Organizations Act, 2013, against All Pakistan Restaurant Association (APRA) for non-compliance with Section 6(2) of the Act.

- Respondent: All Pakistan Restaurant Association (APRA), through its Secretary General / Chairman, Plot No. 550, Flat No. 1, 1st Floor, Adamjee Nagar, Block-C, K.C.H.S., Karachi.
- **Appearances on behalf of Respondent:**
    1. Mr. Salman Aleem Khan, Secretary General, APRA
    2. Legal Counsel / Representatives of the Association

FACTUAL MATRIX

1. The All Pakistan Restaurant Association (hereinafter referred to as "APRA" or "the Association") is an all-Pakistan trade organization granted Trade Organization Licence No. 214 under Section 3(2)(d) of the Trade Organizations Act, 2013 (hereinafter "TOA, 2013"), registered as a company limited by guarantee with the Securities and Exchange Commission of Pakistan (SECP) under Corporate Unique Identification No. 0101019, representing the restaurant, catering, hospitality, and allied food service sector across Pakistan.

BILAL KHAN PASHA
Regulator Trade Organisations
Directorate General of Trade Organisations
Islamabad
Ministry of Commerce
Government of Pakistan

2. Trade Organization Licence No. 214 held by the Association was valid up to 6th May, 2026. Under Section 6(2) of TOA, 2013, an application for renewal of licence is required to be submitted to the Regulator of Trade Organizations (hereinafter "the Regulator") at least ninety (90) days prior to the date of expiry (i.e., on or before 6th February, 2026). Under the proviso to Section 6(2), the Regulator may, on sufficient cause being shown, extend the period by an order in writing for a duration not exceeding thirty (30) days (i.e., up to 8th March, 2026).

3. The Association failed to submit its renewal application within the mandatory ninety-day timeline or the thirty-day statutory grace period, and tendered its application on 13th May, 2026, entailing an established procedural delay of ninety-eight (98) days (equivalent to three months and eight days) beyond the expiry of the statutory grace period.

4. In consequence of the time-barred submission, a Show Cause Notice bearing F. No. 21(38)/2026-TO dated 7th July, 2026 was issued under Section 7(2) read with Section 7(1)(a) of TOA, 2013, calling upon APRA to show cause in writing as to why its licence should not be cancelled, and affording it an opportunity of personal hearing scheduled for 20th July, 2026.

5. APRA submitted an initial written response dated 16th July, 2026, and the personal hearing was conducted before the Regulator on 20th July, 2026, attended by Mr. Salman Aleem Khan, Secretary General of APRA. Upon examining the initial explanation, this Directorate found the justification deficient in verified documentary proof and declined to accept it. Consequently, a second Show Cause / Directive dated 27th July, 2026 was issued, directing APRA to submit a valid, satisfactory justification supported by relevant documentary evidence.

6. In compliance, APRA submitted an updated explanation dated 21st October, 2026, followed by a consolidated supplementary submission dated 2nd November, 2026, enclosing complete medical records, paid SECP fee challans, and a formal Resolution of the Executive Committee.

SUBMISSIONS OF THE RESPONDENT ASSOCIATION

7. In its written explanations and through verbal submissions during the personal hearing, the management of APRA submitted that the procedural delay was neither willful nor contumacious, but occasioned by genuine force majeure constraints, extraordinary personal hardship, and procedural dependencies:

   i. **Mandatory Corporate Filings with SECP:** Between January and March 2026, the Association was actively regularizing its statutory corporate compliance with the SECP to secure updated corporate certification necessary for licence renewal.

BILAL KHAN PASHA
Regulator Trade Organisations
Directorate General of Trade Organisations
Islamabad
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APRA deposited eight statutory challans on 4th February, 2026 (amounting to PKR 51,020/- covering late filing fees for annual returns, annual accounts, Ultimate Beneficial Ownership (UBO) filings, and induction/cessation of company officers) and two subsequent challans on 4th March, 2026 (for change of registered office address and certified true copies). A complete and legally sustainable renewal dossier could not be presented to the DGTO until certified corporate documents were cleared by the registrar.

ii. **Severe Medical Emergency of Principal Caregiver:** During April 2026, the mother of the Secretary General, Mst. Muhammadi Begum, suffered a life-threatening critical medical breakdown, necessitating emergency treatment and intensive care hospitalization across Liaquat National Hospital, Dow University Hospital, and Saifee Hospital, Karachi (substantiated through hospital receipts, emergency discharge summaries, and inpatient discharge cards). As her sole son and primary caregiver, the Secretary General was confined to medical attendance for 25 consecutive days (from 2nd April to 27th April, 2026).

iii. **Administrative Vulnerability & Single Custodianship:** The administrative database passwords, physical seals, digital keys, and statutory files were restricted to the Secretary General's personal custody, which inadvertently halted secretarial operations during his family medical emergency.

iv. **Institutional Rectification & Governance Overhaul:** Acknowledging this administrative bottleneck, the Executive Committee of APRA convened a formal meeting on 28th October, 2026 and unanimously resolved to authorize the Chairman (Mr. Umair Idrees) and the Vice-Chairman (Mr. Adeel Feroz Kalia) joint access to all institutional credentials, records, and regulatory filing portals, ensuring that administrative functioning shall never again depend upon a single official.

v. **Public Interest & Economic Magnitude of the Sector:** APRA serves as the apex representative platform for over 250 corporate restaurants and catering enterprises licensed by provincial food authorities, directly supporting an industry comprising over 294,000 establishments and generating hundreds of billions of rupees in national turnover, taxes, and hospitality employment. Cancelling Licence No. 214 would destabilize organized representation, disrupt institutional consultative bridges with the Federal Government and provincial food authorities, and severely prejudice innocent industrial stakeholders.

BILAL KHAN PASHA
Regulator Trade Organisations
Directorate General of Trade Organisations
Islamabad
Ministry of Commerce
Government of Pakistan

ISSUES FOR DETERMINATION

8. The legal questions requiring determination by this office are:

   i. Whether the procedural delay of 98 days in filing the renewal application makes cancellation of Trade Organization Licence No. 214 mandatory under Section 7(1)(a) of TOA, 2013; and

   ii. Whether the cumulative justifications, supported by medical discharge summaries, deposited SECP challans, and the institutional governance resolution, constitute sufficient cause to regularize the application by imposing a monetary regulatory penalty under Section 25 of TOA, 2013 in lieu of cancellation.

ANALYSIS AND FINDINGS

9. This quasi-judicial forum has evaluated the complete record of the case, the supplementary submissions of APRA, the hospital emergency records, the verified SECP challans, the Executive Committee resolution, and the statutory provisions of TOA, 2013 and TORs, 2013.

10. Section 6(2) of TOA, 2013 prescribes a ninety-day timeline prior to licence expiry for renewal applications, extendable by up to thirty days on sufficient cause shown. Submitting a renewal application ninety-eight (98) days beyond the extended grace period constitutes an admitted non-compliance with the statutory timeline.

11. While Section 7(1)(a) lists failure to apply within the prescribed or extended period as a ground for cancellation, Section 7(2) explicitly mandates the issuance of a show-cause notice and the provision of an adequate opportunity of being heard before deciding the matter. The inclusion of Section 7(2) proves that cancellation is not an automatic administrative forfeiture. The Legislature has vested the Regulator with adjudicatory discretion to assess the surrounding circumstances and ascertain whether the default was contumacious or driven by genuine, verifiable hardship.

12. The supplementary record conclusively establishes that the default was neither intentional nor indicative of regulatory defiance. APRA was actively engaged in regularizing its SECP corporate filings during January to March 2026, paying significant statutory late fees to ensure corporate transparency. The subsequent acute medical crisis of the Secretary General's mother in April 2026 disrupted secretarial execution. Under the legal maxim *lex non cogit ad impossibilia* (the law does not compel the impossible), genuine personal emergencies must be given due consideration in administrative adjudication. Crucially, the Association has demonstrated institutional maturity by formally amending its administrative governance protocols vide Executive Committee Resolution dated 28th October, 2026 to ensure multi-custodial continuity.

BILAL KHAN PASHA
Regulator Trade Organisations

13. Under Section 24-A of the General Clauses Act, 1897, public authorities are bound to exercise statutory powers reasonably, fairly, justly, and for the advancement of the purposes of the enactment. This statutory requirement is fortified by settled judicial precedents:

    i. In *Muhammad Amin Muhammad Bashir Limited v. Government of Pakistan* (2015 SCMR 630), the Supreme Court held that discretionary statutory powers must be exercised reasonably, fairly, and with objective regard to relevant material facts rather than mechanical inflexibility.

    ii. In *Independent Newspapers Corporation (Pvt.) Ltd. v. PEMRA* (PLD 2014 Islamabad 7), it was authoritatively held that regulatory cancellation of a licence without proportionality and genuine regard to mitigating facts violates the fundamental dictates of natural justice.

    iii. In *Government of Punjab v. Naseem Ahmed* (PLD 2019 SC 318), the Supreme Court ruled that procedural timelines are handmaids of justice and not its mistress, and bona fide procedural lapses merit condonation where substantive compliance and good faith are established.

14. Under the **Doctrine of Proportionality**, the extreme penalty of licence cancellation under Section 7(1)(a) is reserved for defunct, fraudulent, or willfully contumacious bodies. Imposing cancellation on an apex national body representing the vast restaurant, food service, and hospitality industry would be wholly disproportionate and contrary to public and economic interests.

15. Nevertheless, statutory timelines established by Parliament cannot be bypassed with impunity. An established contravention of Section 6(2) warrants an effective regulatory sanction. Section 25 of TOA, 2013 authorizes the Regulator to impose a monetary penalty extending up to PKR 100,000/- for contravention of any provision of the Act. Imposing a penalty of PKR 50,000/- marks the statutory infraction appropriately while ensuring the uninterrupted functioning of the trade body.

ORDER

In exercise of the powers vested in the Regulator of Trade Organizations under Sections 7, 14, and 25 of the Trade Organizations Act, 2013 read with the Trade Organizations Rules, 2013, it is hereby ordered as follows:

I. The supplementary explanation, hospital verification records, SECP fee challans, and institutional governance undertakings submitted by All Pakistan Restaurant Association (APRA) regarding the procedural delay of ninety-eight (98) days in filing its licence renewal application are hereby **ACCEPTED** as sufficient cause;

BILAL KHAN PASHA
Regulator Trade Organisations
Secretariat General of Trade Organisations
Islamabad
Ministry of Commerce
Government of Pakistan

II. The proposed cancellation of Trade Organization Licence No. 214 under Section 7(1)(a) of TOA, 2013 is **DROPPED**, and Show Cause Notice bearing F. No. 21(38)/2026-TO dated 7th July, 2026 stands **DISCHARGED**;

III. In lieu of cancellation, and for the established procedural contravention of the statutory timeline under Section 6(2) of TOA, 2013, a monetary regulatory penalty of **PKR 50,000/- (Pakistani Rupees Fifty Thousand only)** is hereby **IMPOSED** upon APRA under Section 25 of the Act;

IV. APRA shall deposit the said penalty of PKR 50,000/- into the designated bank account of the **Trade Organisations Fund** (pursuant to Section 27 of TOA, 2013) within **fifteen (15) days** from the issuance of this Order, and furnish the original deposit slip to this office;

V. Upon verification of the deposit of the penalty, the renewal application submitted by APRA shall stand **REGULARIZED** on record and shall be processed on its merits in accordance with Section 6(1) of TOA, 2013, subject to complete scrutiny and fulfillment of all codal, legal, and reporting requirements prescribed under the Act and TORs, 2013; and

VI. The management of APRA is strictly **DIRECTED** to implement its Executive Committee Resolution dated 28th October, 2026 in letter and spirit to ensure multi-custodial continuity of institutional records, and is warned that any future failure to adhere to statutory filing deadlines or election schedules shall attract severe regulatory consequences under the Act.

(BILAL KHAN PASHA)
Regulator of Trade Organizations

BILAL KHAN PASHA
Regulator Trade Organisations
Directorate General of Trade Organisations
Islamabad
Ministry of Commerce
Government of Pakistan

Announced Dated: -02-11-2026

Distribution:

1. Secretary General, All Pakistan Restaurant Association, Plot No. 550, Flat No. 1, 1st Floor, Adamjee Nagar, Block-C, K.C.H.S., Karachi.
2. Chairman, All Pakistan Restaurant Association.
3. Secretary General, Federation of Pakistan Chambers of Commerce & Industry.