



GOVERNMENT OF PAKISTAN
MINISTRY OF COMMERCE
4th Floor, Block-A, Pak-Secretariat,
Islamabad.

F. No. 15(1)/2013-TO

Islamabad, the September 5th, 2013

ORDER IN ORIGINAL NO. 01/2013

Passed by Mr. Qasim Niaz, Secretary Commerce

NB: Section 21, Sub-Section 4 of Trade Organizations Act, 2013 stipulates that any person aggrieved by the final order or decision of the Federal Government, involving a question of law, may, within thirty days of such order or decision, prefer to the High Court.

Muzaffar Saleem Ch.

Versus

The Regulator of Trade Organizations and others

Present in the hearing on 05-09-2013:

i) Muzaffar Saleem Ch.

.....Appellant

ii) Regulator, Trade Organizations

iii) Muhammad Naseer Tariq

.....Respondents

Date of Hearing: **05-09-2013**

Place of Hearing: **COMMITTEE ROOM (4TH FLOOR), MINISTRY OF COMMERCE,
BLOCK "A" PAK-SECRETARIAT, ISLAMABAD.**

Date of issuance of Order: **05-09-2013**

Contd....P/2

By this Order, the undersigned intends to decide the complaint filed by Shaikh Zahid Hassan, M.D. Habib Carpet (Pvt) Ltd, Karachi against Pakistan Carpet Manufacturers and Exporters Association.

Brief Facts:

2. Brief facts of the complaint are that Mr. Sajid Mehmood, Chief Executive of AK International Travels & Tours, Haripur alleged that his membership of the Chamber was suspended for two years by Haripur Chamber of Commerce and Industry (HCC&I) without any cogent reason. He further alleged that HCC&I had not followed a transparent way while spending the money granted from the Export Development Fund by the Ministry of Commerce to the Chamber for establishment of Research and Development Centre (R&D) Centre.

3. In order to adjudicate upon the aforementioned complaint, it was deemed appropriate to call for parawise comments of HCC&I on the complaint. In response, the Chamber furnished its comments stating that all the required formalities regarding disbursement of money granted out of EDF were strictly observed. It was also informed that initially an amount of RS 40.952 million was approved by the Export Development Fund whereas only 6.8 million rupees were released. The complainant had since asked the Director (EDF) to look into incurring of expenditure in a colorful manner, the EDF Secretariat asked the HCC&I to submit a report on the issue, which was furnished to the EDF Board with a request to regularize the said expenditure. In response, EDF Board had accepted the proposal of HCC&I and the amount in question was finally regularized. The Chamber contended that issue stands already finalized; therefore the allegation of the complainant at this stage is not sustainable.

4. However, in order to meet norms of justice, both the parties were directed to appear before the Regulator, Trade Organizations on 30-5-2013. Accordingly, the complainant appeared in person; whereas none on behalf of the respondents appeared before the undersigned on the said date and time.

5. During the course of hearing, the complainant himself admitted that he was satisfied with the carrying out of construction work and regularization of expenditure

involved in construction of R&D Centre by EDF Board, therefore he was no more interested to press his allegation. The complainant had also submitted a written statement stating that he had no issue with the administration of the Chamber at present and therefore he intends to have reconciliation with HCC&I. However, he requested that his membership of the Chamber may be ordered to be restored.

ORDER:-

6. After hearing the complainant at length and examination of his written statement, this forum has decided to restore his membership of the Haripur Chamber of Commerce and Industry with immediate effect, holding that suspension of his membership for deviation from chamber's policies amounts to denial of the fundamental right of the stake holder, on the part of HCC&I.

7. Hence HCC&I is directed under Section 14(3)(g) to restore the membership of Mr. Sajid Mehmood, Chief Executive, International Travels and Tours, Haripur immediately and submit a compliance report in this regard to the office of Regulator of Trade Organizations within seven days of issuance of this order.

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Director (TO)

Announced Dated:- 23 -08-2013.