



**Government of Pakistan
Directorate General of Trade Organizations
(Office of Regulator of Trade Organizations)
Ministry of Commerce and Textile Industry,
State Life Building No. 7, 2nd Floor, Blue Area,
Islamabad.**



ORDER IN ORIGINAL NO. 09/2013

Passed by Mr. Javed-ul-Hassan Qureshi, Regulator of Trade Organizations

Mr. Nazeem Askari Fakhar, Fakhar CNG Station, Faisalabad and Others

Versus

All Pakistan CNG Association

Present in the hearing on 04-09-2013:

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| i) | Mr. Nazeem Fakhar Askari, Fakhar CNG Station,
Faisalabad and Others. | |Appellants |
| i) | Mohammad Zaman, Secretary General (APCNGA) | | |
| ii) | Mr. Ghiyas Member Executive Committee, APCNGA | |Respondents |

Date of Hearing: **04-09-2013**

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: **10-09-2013**

By this order, I intend to dispose of appeals filed by Fakhar CNG Station, Faisalabad and 24 others against All Pakistan CNG Association (APCNGA).

2. Brief facts of the case are that above mentioned appellants had alleged that:-

- i. Elections of All Pakistan CNG Association were not held in the past;
- ii. Election Schedule for 2013-14 was announced on 07-08-2013 whereas the same should have been approved by the Executive Committee and made public in the first half of July, in accordance with Rule 16(1) of Trade Organizations Rules, 2013;
- iii. Provisional voters list was not displayed as prescribed;
- iv. Website of the Association was not operative;
- v. Membership numbers were not allotted due to which reason intending candidates could not mention the same on the nomination forms;
- vi. Profiles and contact numbers of the members of Election Commission were not provided to the members;
- vii. Since elections were not held in previous years, therefore all 12 seats of the Executive Committee need to be filled up through election this year instead of holding election for six seats only;
- viii. Faisalabad Region having 98 members/votes has not been declared polling station which is contravention of clause (C) of Sub Rule 1 of Rule 18 of Trade Organizations Rules, 2013 and
- ix. Copies of audited annual reports of the Association were not being provided to the members, nor voters lists are being supplied by the Association.

3. While rebutting the allegations of the appellants, the respondents contended that elections of the Association were held regularly in the past, record of which is not only available in the Associations Office but the same was also provided to the Office of the Regulator of Trade Organizations. In relation to the website, they stated that it was hacked but it has now been got operational. In response to the demand for

filling up all seats of the Executive Committee, the respondents stated that election on 50% seats as per requirement under the law and rules is being held. However, conceding to the demand of the appellants, representatives of the Association promised to set up a polling station at Faisalabad also.

Order:-

4. After hearing the arguments advanced by the parties and considering the relevant provisions of law, it seems that election schedule of APCNGA was not announced in line with Rule 16 and Rule 18 of Trade Organizations Rules, 2013. However, in order to settle the dispute in an amicable manner and to protect the interests of CNG sector, both parties, inter alia, agreed to conduct 2013-2014 election under a revised schedule to be issued by the Regulator of Trade Organizations. (Annex-I)

5. In view of the foregoing, I hereby decide that:-

- i. Election schedule issued by the association on 07-08-2013 is null and void;
- ii. The process completed so far under the above mentioned Election Schedule is consequently null & void;
- iii. Fresh Election of All Pakistan CNG Association shall be conducted in accordance with election schedule to be issued by the Office of Regulator of Trade Organizations, and
- iv. Till completion of fresh election, the current incumbents will continue to hold their respective positions till transfer of power to the elected representatives.

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Regulator (TO)

Announced Dated:- 10 -09-2013.