

Immediate



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.



F. No: 6(1)/2014-TO

Islamabad, 10th September, 2014.

ORDER IN ORIGINAL NO. 09/2014

Passed by Mr. Sajid Hussain, Director General Trade Organizations

NB: Section 14, Sub-Section 3 (e) of Trade Organizations Act, 2013 stipulates that the Regulator shall exercise the power to act as a final forum of appeals against the decisions of any person, committee or office bearers of a trade organization in matters relating to electoral process before conduct of election.

Mr. Sahibzada Muhammad and others

Versus

***Chamber of Commerce & Industry, Quetta ,
Chamber Building, Zarghoon Road, P. O. Box 117, Quetta***

Date of issuance of Order: **10-09-2014**

By this Order, I intend to dispose of complaints filed by Mr. Sahibzada Muhammad and others against Chamber of Commerce and Industry, Quetta.

2. The complainants have raised objections against the voters list of both corporate and associate classes. The main allegations in the complaints are as follows:

- i. Some corporate members who have not completed two years as corporate members of the Chamber have been included in the voters list of corporate class;
- ii. NTN of some corporate members included in the voters list are bogus;
- iii. The same NTN and CNIC is appearing in both the voters list maintained for associate and corporate class;
- iv. Some firms who have not completed two years of membership have been included in the voters list;
- v. Some firms who are not located in the jurisdiction of Quetta have been included in the voters list;
- vi. Some firms who are either not registered with the Sales Tax Department or have their registration suspended have been included in the corporate list of voters;
- vii. A large number of voters of associate class have bogus NTNs;
- viii. A number of associate members who qualify to become corporate members have been not been given corporate membership of the Chamber.

3. After going through the contents of the complaints, reply filed by the Chamber of Commerce and Industry, Quetta and relevant provisions of law, this forum holds as under:

- i. Only that business concern which has completed two consecutive years in a particular class from the date of enrollment in the Chamber's record is eligible to become a voter in that particular class. For example a corporate member who has completed at least two consecutive years as a corporate member of the Chamber shall be eligible to be included in the voters list of corporate class;
- ii. The voter list of corporate members provided by the Chamber shows that NTNs of M/s Al Yaqoob Hajj & Umrah Services Pvt. Ltd, M/s Noahisar Travels & Tours

- Pvt. Ltd, M/s Spinzer International Trading Pvt. Ltd and M/s Zeet Hajj Services Pvt. Ltd are not correct, which need to be corrected;
- iii. Only firms with a different NTN can have their voting rights for their respective class. A business concern with one NTN cannot vote simultaneously for corporate and associate class at one time;
 - iv. As Chief Executive of a company is also on the board of directors of the company, he is eligible to cast vote on behalf of the company;
 - v. Any business concern who has got its membership renewed in accordance with sub rule 5 of rule 11 of Trade Organizations Rules 2013 and has completed two successive years of membership in its class is eligible to cast vote in the election;
 - vi. Any business concern that has substantial business and also Head or branch office in Quetta can become member of the Chamber;
 - vii. Firms whose sales tax registration has been suspended by the Sales Tax Department should not be included in the voters list of corporate class;
 - viii. The voter list of associate members provided by the Chamber shows that NTN of a large number of members is incomplete or not valid, which needs to be corrected and those having non-verifiable NTNs, at the moment, shall be excluded from the voters list;
 - ix. The firms who have applied and qualify to become corporate members of the Chamber be enrolled as corporate members of the Chamber. Since the following firms have approached the office of Regulator for denial of corporate membership to them, their cases may be scrutinized and if in order, be granted corporate membership:
 - a. M/s Habib Sultan Model Industries
 - b. M/s Asia Steel Industries
 - c. M/s Strongwill Wire Industries
 - d. M/s Strongwill Steel Industries
 - e. M/s Muhammad Hashim Khan Nasir Steel Re-Rolling Mill
 - f. M/s Shaheen Re-Rolling Steel Industries
 - g. M/s S.J Enterprises
 - h. M/s Sarhad Enterprises

- i. M/s Abdul Sattar & Company
- j. M/s Khojak Trading Company (Pvt) Ltd
- k. M/s International Clearing Agents (Pvt) Ltd
- l. M/s Allauddin and Brothers (Pvt) Ltd
- m. M/s Al-Shahab Enterprizes

4. In order to hold election of the Chamber of Commerce and Industry, Quetta in a fair manner, voters list of both corporate and associate classes needs to be revised in a transparent manner. Therefore, it has been decided that voters list of both corporate and associate classes shall be revised by a scrutiny committee consisting of five members in accordance with the directions contained in para 3 ante. The scrutiny committee shall comprise of members of election commission of the Chamber and the following two persons;

- i. Syed Abdul Hai, M/s Al-Rehmat P.C.C. Plant Saranan Pvt. Ltd.
- ii. Mr. Jamaluddin, M/s Khojak Trading Company Pvt. Ltd.

5. This committee will submit the revised voters list within seven days to the office of the Regulator. The decisions of the scrutiny committee should have approval of at least four of its members. The revised voters list shall also be displayed on the notice board and the website of the Chamber so that any member who has any objection on the voter list may file his objection on the revised voter list. The election schedule of Chamber of Commerce and Industry, Quetta shall also be revised accordingly, so that the election process resumes after meeting out all objections. Any objection received after three days of issuance of revised voters list shall not be entertained by this office and the revised election schedule to be issued after that will be considered final.

6. The above named members of the scrutiny shall be provided all necessary assistance by the Secretary General of the Chamber. In case of failure to carry out this process smoothly, may lead to other actions, as per Trade Organizations Act, 2013.

(Sajid Hussain)
Regulator (TO)