



**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.**



By Fax/Courier

F. No. 6(13)/2013-TO

Islamabad, the September 11th, 2013

ORDER IN ORIGINAL NO. 11/2013

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

Mr. Sajid Pervaiz Bhatti of M/s Sajid Trading Company, Gujranwala

Versus

Election Commission of Gujranwala Chamber of Commerce and Industry

Present in the hearing on 10-09-2013:

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|--|------------------------------|
| i) Mr. Sajid Pervaiz Bhatti of M/s Sajid Trading Company, Gujranwala |Appellant |
| ii) Mirza Muhammad Kashif, Advocate | On behalf of Appellant |
| i) Mr. Ahmad Raza, Secretary General, Gujranwala Chamber of Commerce and Industry. |Respondent |

Date of Hearing: **10-09-2013**

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: **11-09-2013**

By this order, I intend to dispose of an appeal filed by Mr. Sajid Pervaiz Bhatti of M/S Sajid Trading Company, Gujranwala against Election Commission of Gujranwala Chamber of Commerce and Industry (GCC&I), before the Regulator of Trade Organizations under Rule 18(13) of Trade Organizations Rules, 2013.

2. Brief facts of the above referred appeal are that nomination paper of appellant was rejected by the Scrutiny Committee of Gujranwala Chamber of Commerce and Industry on the ground that appellant had failed to mention his class of membership on the form. The other reason for rejection of appellant's form was that his nomination paper was seconded by Mr .Aftab A. Khan of M/S Noubahar Bottling Company (Ptv) Ltd whose name was not included in the list of valid voters of GCC&I. Subsequently, the appellant, filed an amended nomination form before the Election Commission of GCC&I, however the Commission upheld the decision of the Scrutiny Committee stating that there was no provision in the M&AoA of GCC&I allowing submission of amended form. The appellant, hence, filed the instant appeal under Rule 18(13) of Trade Organizations Rules, 2013 before the Regulator of Trade Organizations on 5-9-2013. The time limit for filing the appeal was 3-9-2013. The appellant stated in connection with delay in submission of appeal that decision of the Election Commission was received on 2-3-2013, therefore according to him, the appeal to the Regulator of Trade Organizations was filed within the prescribed period.

3. In order to decide the fate of the appeal, notices of personal hearing fixed for 10-9-2013 were served on Secretary General and Election Commission of GCC&I.

4. During the personal hearing appellant and his Counsel reiterated the stance taken in his appeal. While defending the Election Commission's decision, the Secretary General of GCC&I stated that Mr. Aftab A Khan was not a representative of M/S Noubahar Bottling Company as his name was not mentioned on form-29 submitted by the company. He further stated that appellant had conceded his earlier mistake and had submitted an amended nomination form which could not be entertained at a belated stage. He also contended that decision of Election Commission was announced on 30-9-2013 and according to rules, appellant should have filed the appeal, if any, within

two days of the decision of the Election Commission; hence the appeal was time barred. He also denied that appellant had ever approached him on 30-8-2013 to obtain the copy of decision passed by the Election Commission of GCC&I.

ORDER:-

5. After hearing the parties at length, perusing the available record and taking into consideration the provisions of law, this forum upholds the decision of the Election Commission as the appeal was time barred, nomination paper of Mr. Sajid Pervaiz Bhatti was technically faulty and there was no provision in law to entertain amended nomination form.

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Regulator (TO)

Announced Dated:- 11 -09-2013.