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**Government of Pakistan**  
**Directorate General of Trade Organizations**  
**(Office of Regulator of Trade Organizations)**  
**Ministry of Commerce,**  
State Life Building No. 7, 2<sup>nd</sup> Floor, Blue Area,  
Islamabad.



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F. No. 6(11)/2014-TO

Islamabad, the January 19<sup>th</sup>, 2015

**ORDER IN ORIGINAL NO. 01/2015**

**Passed by Mr. Sajid Hussain Regulator of Trade Organizations**

***Mr. Amjad Ch. and Usman Ghani***  
***Versus***

***Lahore Chamber of Commerce and Industry***

**Present in the hearing**

- i. Mr. Amjad Chaudhri of M/s Trade Channel
- ii. Mr. Usman Ghani of M/s Scale Tech Corporation

.....**Appellants**

Mr. Shahid Khalid, Secretary General, LCC&I  
Moin-ud-Din Siddiqui  
Malik Parvaiz Iqbal  
Anjum Perviz

.....**Respondents**

Date of Hearing: **27-11-2014, 19-12-2014 and 06-01-2015**

Place of Hearing: **OFFICE OF REGULATOR OF TRADE ORGANIZATIONS  
DIRECTORATE GENERAL OF TRADE ORGANIZATIONS, STATE LIFE  
BUILDING No. 7, 2<sup>ND</sup> FLOOR, BLUE AREA, ISLAMABAD.**

Date of issuance of Order: **19-01-2015**

By this Order, the undersigned intends to dispose of a post election complaint filed by Mr. Amjad Chaudhri of M/S Trade Channel and Mr. Usman Ghani of M/S Scales Tech Corporation (members LCC&I) against Lahore chamber of Commerce and Industry under Clause (f) of Sub Section 3 of Section 14 of Trade Organizations Act, 2013.

2. Brief facts of the complaint are that elections of Lahore Chamber of Commerce and Industry, hereinafter called as LCC&I, for the year 2014-15 were conducted in accordance with election schedule issued by LCC&I. All the procedure laid down in election schedule issued by the Chamber in the light of Rule 18 of Trade Organizations Rules, 2013 and M&AOA of the Chamber was complied with. The complainants alleged that though elections were conducted in accordance with election schedule issued by the LCC&I but last step i.e holding of Annual General Meeting in accordance with Sub Rules 19 and 20 of Rule 18 of Trade Organizations Rules, 2013 was not completed and official result of the LCC&I was never announced. The Annual General Meeting wherein LCC&I was required to announce election result was not completed and whole proceedings were halted at Agenda item No 2. Apart from Sub Rules 19 and 20 of Rule 18 of Trade Organizations Rules, 2013, the complainant further stated that Articles 27(v), 32(iii), 40, 41 of M&AoA of LCC&I were not observed by the LCC&I while holding Annual General Meeting on 30-9-2014. The complaint was forwarded to the Secretary General, LCC&I vide this Office letter dated 29<sup>th</sup> October, 2014 to furnish comments in the matter. The Secretary General vide letter dated 5<sup>th</sup> November, 2014 submitted comments on complaint. He stated that Sub Rules 19 and 20 of Rule 18 of Trade Organizations Rules, 2013 only dealt with announcement of election result in AGM on or before 30<sup>th</sup> September of every year. The Agenda Item No ii of Annual General Meeting held on 30-9-2014 was about authentication and adoption of minutes of EGM held on 27-1-2014. All the agenda items were unanimously approved and meeting was attended by more than the requisite number of members essential for observing the quorum. The Clauses of M&AOA quoted by the complainants showed that if any item was approved with majority of present members, it attained finality. The agenda Item No (V) regarding announcement of official result was also unanimously approved by majority of votes.

3. In order to decide the above referred complaint, both the parties were directed to appear before the undersigned for personal hearing on 27-11-2014 in his office located at State Life Building No 7, Jinnah Avenue, China Chowk, Islamabad. In compliance thereof, both the parties appeared before the undersigned. The complainants reiterated the stance taken in post election complaint and stated that agenda Item No ii was not approved and due procedure was

not followed while conducting EGM 27-01-2014. Notices were not served to the members as it was mandatory to do the same for holding such meeting. The Secretary General informed that due procedure was followed and notices of EGM were served through courier service. He also produced complete record of Courier Company which delivered the notices to all the members of LCC&I in his defense. The Regulator asked the parties to focus on irregularities committed during the course of annual elections of the LCC&I for the year 2014-15. Thereafter, hearing was adjourned and both the parties were directed to come again for hearing on 19-12-2014 in order to provide full opportunity to the complainants to forward their arguments. The Secretary General, LCC&I appeared before the Regulator on 19-12-2014, however, complainants did not turn up on the pretext of fog and called for adjournment of hearing which was later on acceded to by the Regulator and hearing was fixed for 6-1-2015.

4. During the course of hearing on 6-1-2015, the complainants stated that Annual General Meeting held on 30-9-2014 was not completed and proceedings of the meeting were halted on agenda Item No. II. He stated that this fact could be verified from news papers clippings. He further stated that Secretary General, LCC&I did not respond to their complaint filed before him on 03-10-2014 regarding holding of AGM in violation of Trade Organizations Act, 2013, Trade Organizations rules, 2013 and M&AOA of the Chamber. Video clippings of the events which were covered by some private news channel who were present in the AGM on 30-9-2014 were shown to the Regulator. On query from the Regulator, complainants conceded that except from holding AGM, entire election procedure was conducted in accordance with election schedule issued by the Chamber. Irregularities were not committed during the conduct of elections process.

5. The Secretary General LCC&I stated categorically that due procedure for conduct of AGM was followed as per relevant rules and official result of LCC&I for the year 2014-15 was announced and was also forwarded to the Office of Regulator of Trade Organizations as laid down in the rules. The queries raised by the complainants during the course of hearing were forwarded to the Chamber vide this Office letter dated 7<sup>th</sup> January, 2015 to be responded within seven days. The Secretary General replied that it was absolutely wrong to say that proceedings of AGM were halted. The business of AGM was carried out and completed with majority vote of the present while opposition continued to raise noise and tried to disrupt the proceedings even after the meeting was over and same was portrayed through the video clippings. He also stated that media has always been present at all the major events of the chamber being hub of all the trade and commerce related activities as a norm and nobody has ever raised any objections to that.

6. After hearing the parties at length, perusing the relevant record and taking into consideration the relevant provisions of Trade Organizations Act, 2013, Trade Organizations Rules, 2013 and M&AOA of LCC&I, this forum holds as under:-

i. The elections of the Chamber for the year 2014-15 were conducted in accordance with election schedule issued by LCC&I and no irregularities were committed during the conduct of elections. This fact has also been conceded by the complainants during the course of hearing.

ii. The complaint has been filed under Clause f of Sub Section 3 of Section 14 of Trade Organizations Act, 2013 which reads as under:-

“Annul the result of any election held by any trade organizations.

If he is satisfied that upon a complaint filed by an aggrieved person in this behalf within thirty days of the announcement of results of such election, that the irregularities in the conduct of such election justify such annulment and by order in writing direct that fresh election to be held within such period as may be specified in the Order”.

From the perusal of the above, it transpires that irregularities if committed during the conduct of elections would justify annulment. However, in the instant case complainants have admitted that entire election process was followed in accordance with mandatory provisions of Trade Organizations Act, 2013, Trade Organizations Rules, 2013 and M&AOA of the Chamber apart from holding AGM which primarily is convened to culminate the process of elections in any trade body by announcing the results in this meeting. This process was duly completed. It means no irregularities were committed and whole procedure was completed in transparent manner.

iii. The official result of the elections for the year 2014-15 was announced in Annual General Meeting held on 30-09-2014 in accordance with Sub Rules 19 and 20 of Rule 18 of Trade Organizations Rules, 2013 and copy of the same was also forwarded to the Office of Regulator of Trade Organizations. The complainants have also failed to provide substantial and convincing evidence that the AGM was not completed. Hence complaint is dismissed.

**(SAJID HUSSAIN)**  
Regulator (TO)

Announced Dated:-19 -01-2015.