



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

Most Immediate
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F. No. 6(1)/2014-TO

Islamabad, the May 20th, 2015

ORDER IN ORIGINAL NO. 16/2015

Passed by Mr. Azher Iqbal Regulator of Trade Organizations

M/s Fajar Trading Company

Versus

Chamber of Commerce and Industry, Quetta

Present in the hearing

i). Mr. Shah Wali

...Appellant/ Complainant

ii). Mr. Akhtar Aziz Khan, Advocate on behalf of
Respondent

iii). Mr. Arshid Mehmood, Secretary General

iv). Raja Sajid Mehmood, Legal Assistan

.....Respondents

Date of Hearing: **14-05-2015**

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: **20-05-2015**

By this Order, I intend to dispose of a complaint filed by M/s Fajar Trading Company against Chamber of Commerce and Industry, Quetta.

2. CEO of M/s Fajar Trading Company in his complaint alleged that Chamber of Commerce and Industry, Quetta has suspended basic membership of three members of the executive committee in violation of law. The complaint was forwarded to the Chamber of Commerce and Industry, Quetta for their comments on the complaint. The Chamber in its reply stated that the membership renewal committee comprising three members constituted by the President for scrutiny of renewal of members has temporarily suspended the membership of the three members of executive committee on the grounds that the members are hesitating to sign form 27 of SECP, which has to be submitted to SECP after completion of election. The names of members of executive committee whose membership has been suspended are Mr. Shah Wali, Mr. Sahibzada Muhammad Khan and Mr. Naseer Ahmed.

3. In order to adjudicate on the complaint, a hearing was held on 14-05-2015 in the office of the Directorate General of Trade Organizations, Islamabad. Mr. Shah Wali represented the complainant, whereas, Ahktar Aziz Khan Advocate, Rashid Mahmood Secretary General and Raja Shahid Mahmood appeared on behalf of Chamber of Commerce and Industry, Quetta.

4. The complainant reiterated his allegation of suspension of membership of three members of executive committee in violation of law. He pointed out that rule 11(5a&b) of Trade Organizations Rules stipulate that only payment of renewal fee and proof of filing income tax return and sales tax return, if applicable, for the preceding year are required for renewal of membership. He stated that despite meeting the requirement for renewal of membership, the Chamber has not renewed membership of three members of executive committee.

5. Secretary General of Chamber of Commerce and Industry, Quetta informed that the three members of the executive committee were hesitating to sign form 27 of SECP, which needs to be submitted by the Chamber to SECP after completion of election. Hence, the membership of the three members of executive committee has been temporarily suspended.

6. After going through the contents of the complaints, reply filed by the Chamber of Commerce and Industry, Quetta, hearing the parties and relevant provisions of law, this forum holds that renewal of membership has to be carried out in accordance with provisions of clauses (a) and (b) of sub-rule 5 of rule 11 of Trade Organizations Rules 2015, which reads as follows:-

The membership shall be renewable on annual basis subject to fulfillment of following conditions, namely:-

(a) payment of prescribed subscription within the time stipulated in the memorandum, which shall not be later than the 31st of March; and

(b) proof of filing return of income tax and sales tax, if applicable, for the preceding year.

7. The above quoted provision of law clearly shows that the decision of Chamber of Commerce and Industry, Quetta to not renew membership of three members of executive committee on the grounds that they have not signed form 27 of SECP is illegal and without lawful authority. However, all members of executive committee are bound to sign form 27 of SECP, which has to be submitted on behalf of Chamber of Commerce and Industry, Quetta to SECP. Mr. Shah Wali of M/s Fajar Trading Company signed the form during the hearing.

8. In view of the above, it is held that:

- i. The Chamber of Commerce and Industry, Quetta shall forthwith notify renewal of membership of the three members of the executive committee whose membership has been suspended; and
- ii. The two members of the executive committee who have not signed form 27 of SECP shall sign the said form without any delay.

(Azher Iqbal)
Regulator (TO)

Announced Dated:-20 -05-2015.