



**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,**



F. No. 6(69)/2016-TO

Islamabad, the December 26th, 2016

ORDER IN ORIGINAL NO. 93/2016

Passed by Mr. Azher Iqbal Regulator of Trade Organizations

Muhammad Wazir

Versus

Election Commission of Federation of Pakistan and Others

Present in the hearing.

1. Abdul Rahim Jadoon Advocate (on behalf of
appellant)

.....Appellant/
Complainant

1. Mr. Faisal Akhter, (Dy. Secretary General) FPCCI
2. Kaleem Ullah, Mardan CCI

.....Respondents

Date of Hearing: 26-12-2016

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: 26-12-2016

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AZHER IQBAL
Regulator of Trade Organizations
Ministry of Commerce
Government of Pakistan
Islamabad

By this Order the undersigned intends to dispose of an appeal filed by Muhammad Wazir against the decision of Secretary General and Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI), regarding objection on Kaleem Ullah candidates for the post of Vice President from KPK of FPCCI elections on behalf of Mardan Chamber of Commerce and Industry.

In his appeal the appellant has alleged as under:-

1. The Respondent No. 2 is contesting for the post of Vice President from Khyber Pakhtunkhwa. He has filed his two nomination papers for the same post. The first nomination has been proposed by Mr. Riaz Arhsad from Sarhad Chamber of Commerce & Industries where as seconded by Mr. Ahmed Khan of M/s. Swat Chamber of Commerce & Industries. Similarly, the second nomination papers of Respondent No. 2 has been proposed and seconded by the same person but propose is Mr. Ahmad khan whereas Mr. Riaz Arsahd has seconded him.

2. In terms of the judgment passed by the Hon'ble Islamabad High Court the issue of M/s. Sarhad Chamber of Commerce & Industries license has been declared to be in valid and the matter at present is pending before Your good self. Your good self has already passed an order in the case of Engineering Components Manufacturer Association & Hyderabad Chamber of Commerce that if the matter is subjudcie then you wait for the decision of the Hon'bel court. In this case also till such time the issue of M/S Sarahad Chamber Of Commerce is not decided by your good seif the matter has already been decided by Islamabad High Court and as such the license of the Sarhad Chamber is not valid. As both the nomination papers of Respondent No. 2 has been proposed and seconded by the nominee of M/s. Sarhad Chamber of Commerce & Industries, therefore the nomination paper of Respondent No. 2 are invalid and liabel to be rejected on this score.

Secondly, the issue of Mardan Chamber of Commerce was sent to you the Arbitration decision among them and instead of you abiding by the amicable settlement of the members of Malfaan Chamber your goods self have substituted the name of the Respondent No. 2 with the name of the nominee of the Mardan CCI. There is no precedence of even a single type in which the name proposed by the Chamber has been substituted by the Regulator Office.

3. If your good self is not satisfied with the nominee of the Mardan CCI which has been decided amicably even then your good self can send the same back to Mardan CCI but there is no provision in the law in which your good self have the power to substitute the name of the nominee with your own name. Copies of the correspondence sent to you by Mardan CCI is annexed as annexure B-1 to B-3".

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Additional grounds will be urged at the time of hearing.

It is therefore appreciated that the name of the Respondent No. 2 may kindly be removed / expunged as a candidate for the post of Vice President as he is not eligible to contest the election of FPCCI Vice President.

ORDER:-

1. The contention of the appellant is baseless. Only the letter sent by Mardan Chamber of Commerce and Industry (MCC&I) duly & signed by Secretary General of the Mardan CCI was forwarded by this office to Federation of Pakistan Chamber of Commerce and Industry. The contention does not hold good and is against the factual position.
2. The appeal is turned down accordingly.



(Azher Iqbal)
Regulator (TO)

Announced Dated: 26-12-2016.

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