



**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(106)/2020-TO

Islamabad, the December 4th, 2020

ORDER IN ORIGINAL NO 111/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

**Mr. Tariq Haleem nominee of Pakistan Ship Agents Association
Versus**

**Election Commission of Federation of Pakistan Chamber of Commerce and Industry
(FPCCI)**

Present in the hearing.

1. **Malik Ghulam Sabir, Advocate (on behalf of appellant)**
2. **Ms. Ramsha Banuri, Advocate (on behalf of appellant)**

.....Appellant/Complainant

1. **Mr. Maher Alam Khan,
(Acting Secretary General) FPCCI**
2. **Mr. Arshad Khurshid
(Member Election Commission of FPCCI)**
3. **Mr. Shahid Vaseem
(Member Election Commission of FPCCI)**
4. **Mr. Ali Nawaz Kharral, Advocate (on behalf of Respondents)**
5. **Ms. Mahreen Razzak**

.....Respondents

Date of Hearing: 02-12-2020

**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: 04-12-2020

By this order the undersigned intends to dispose of an appeal filed by Mr. Tariq Haleem against the decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) in which Mr. Zubair Ali, from Charsadda Chamber of Commerce and Industry (CCCI) has been included in the FPCCI voters list for the year 2021. The case was fixed for hearing on 02-12-2020 which was attended by both sides.

2. The counsel for appellant and respondent argued at length, however the arguments made were irrelevant as per the findings of DGTO produced below.

FINDINGS:-

The license of Charsadda Chamber has been cancelled as per record of DGTO and the matter was subjudice in Peshawar High Court under Writ Petition 1102-P/2019 titled Sikandar Khan vs FoP and was disposed of vide judgment dated 27-06-2019. The Court directed FPCCI in the above mentioned judgment to treat the petition as an appeal and decide the matter accordingly. The decision of FPCCI however, is silent on the directions provided by the Court, although FPCCI Election Commission and Secretary General FPCCI have acknowledged of the judgment dated 27-06-2019. Therefore it appears that FPCCI has appropriated the powers of the Regulator without following any due process. Hence the decision is devoid of any merit as per law, and a show-cause notice as to explain the matter shall be issued to FPCCI after conclusion of FPCCI elections, 2021. It appears that FPCCI has taken action in favor of CCCI without taking any direction from either the Regulator or the Honorable High Courts.

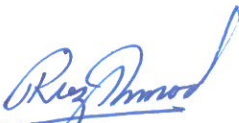
2. Since the license of CCCI stands cancelled by DGTO and order to the contrary has been by any competent forum, therefore CCCI cannot be allowed voting right in the FPCCI elections 2021.

ORDERS:-

Arguments heard, record perused and relevant provisions of law examined in light of the above the following orders are passed:

1. The instant appeal is allowed and the decision of Election Commission FPCCI is set aside
2. The matter stands disposed of accordingly.

Announced Dated: 04-12-2020.


(Riaz Ahmed)
Regulator (TO)
RIAZ AHMAD
Regulator of Trade Organizations
Directorate General of Trade Organization
Ministry of Commerce, Islamabad
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