



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(105)/2020-TO

Islamabad, the December 4th, 2020

ORDER IN ORIGINAL NO 112/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. Gulzar Firoz nominee of Pakistan Tanners 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
6. Syed Umer Hayat, Acting Secretary General PSMA

.....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


RIAZ AHMAD
Regulator of Trade Organizations
Directorate General of Trade Organization
Ministry of Commerce, Islamabad

By this order the undersigned intends to dispose of an appeal filed by Gulzar Firoz against the decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of Mr. Muhammad Saeed Chaudhry of Pakistan Sugar Mills Association in the provisional voters list for FPCCI elections 2021. . The case was fixed for hearing on 02-12-2020 which was attended by both sides.

2. The background of the case is that the Election Commission FPCCI included Mr. Muhammad Saeed Chaudry as nominee for FPCCI elections 2021 on the basis that the firm Mr. Saeed M/s Hunza Sugar Mill Private Limited is a corporate body as per Rule 2(1)(g) of Trade Organization Rules, 2013 and hence cannot be classified as an associate member.

3. The Counsel for the Appellant has argued that Mr. Muhammad Saeed Chaudry is representative of Hunza Sugar Mills Private Limited as per provisional voters list published by FPCCI, and hence does not fulfill the criteria of membership as per rule 2(1)(b) of Trade Organizations Rules, 2013 (ToRs, 2013) as an associate member representing PSMA in the FPCCI elections 2021.

4. The Counsel for the Defendant has submitted that as per Rule 20(2)(d), in case of an Association, at least one member is to be represented from Corporate Class, however there is no limitation as per Rule 20(2)(b) of ToRs, 2013 to send both nominations from the Corporate Class. Furthermore, in case of PSMA where all members are corporate members as defined in rule 2(1)(g) of Trade Organization Rules, 2013, therefore there is no bar on inclusion of Mr. Muhammad Saeed Chaudry as associate member in the FPCCI elections 2021.

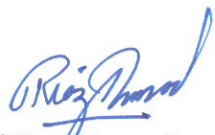
FINDINGS:-

Rule 20(d) of Trade Organizations Rules, 2013 clearly allows PSMA to send nominees from the corporate class as an associate class nominee for voting in the FPCCI elections 2021, therefore the objection is liable to be overruled.

ORDERS:-

- Arguments heard, documentary record perused and relevant provision of law examined
2. The instant appeal is dismissed and the decision of Election Commission FPCCI is upheld.
 3. 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