



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,  
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**Most Immediate  
Email / Courier**



F. No. 6(94)/2020-TO

Islamabad, the December 4<sup>th</sup>, 2020

**ORDER IN ORIGINAL NO 127/2020**

**Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations**

Secretary General Pakistan Hardware Merchants 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)
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

.....Appellant/Complainant

.....Respondents

Date of Hearing: 01-12-2020

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: 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 Secretary General of Pakistan Hardware Merchants Association (PHMA) against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding exclusion of nominees of PHMA from voters list for elections at FPCCI for the year 2021. The case was fixed for hearing on 01-12-2020 which was attended by both sides.

2. The background of the case is that Election Commission FPCCI excluded nominations of Pakistan Hardware Merchants Association on the grounds that DGTO vide Order No. 82/2020 dated 26-10-2020 had restricted the voting nomination of PHMA for non-compliance.

3. The Counsel for the Appellant has argued that the matter of compliance is between DGTO and PHMA and the Election Commission FPCCI cannot on its own debar PHMA from voting in the elections for the year 2021 without any directions to the contrary being issued to FPCCI by DGTO.

#### **FINDINGS:-**


Although the Counsel for the Appellant is correct in maintaining that the matter of compliance is between DGTO and PHMA, however the continued history of non-compliance by PHMA renders it ineligible for voting in the upcoming FPCCI election 2021.

#### **ORDERS:-**

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

- i) The instant appeal is dismissed and the decision of Election Commission FPCCI is upheld.
- ii) 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