



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,

Most Immediate
Email / Courier



F. No. 6(125)/2020-TO

Islamabad, the December 24th, 2020

ORDER IN ORIGINAL NO 132/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. Tariq Haleem nominee Pakistan Ships Agents Association

Versus

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

Present in the hearing.

1. **Malik GhulamSabir**, Advocate (on behalf of
appellant)

.....Appellant/Complainant

1. **Mr. ArshadKhurshid**
(Member Election Commission of FPCCI)

.....Respondents

2. **Mr. ShahidVaseem**
(Member Election Commission of FPCCI)


3. **Ms. MahreenRazzak**

4. **Mr. Ali Nawaz Kharral**, Advocate (on behalf
of Respondents)

Date of Hearing: 23-12-2020

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: 24-12-2020


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 Mr. Tariq Haleem candidate of Pakistan Ship Agents Association (PSAA) against the decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) regarding inclusion of name of Pashin Chamber of Commerce and Industry in the provisional and final voters list of FPCCI elections 2021. The case was fixed for hearing on 23-12-2020 which was attended by both sides.

2. The background of the case is Pashin Chamber has not nominated any candidate for any post of Office Bearers for FPCCI elections 2021. Therefore, this petition does not fall under the ambit of rule 18(13) of Trade Organizations Rules, 2013 (TORs). The Election Commission FPCCI in its decision has concluded that since the nomination of PCCI was withdrawn before issuance of provisional voters list for FPCCI elections 2021, therefore the objection was not entertained.

3. The Counsel for the Petitioner has argued that the Regulator under Section 14 of the Act is empowered to strike off name of PCCI from the voters list at any stage of the election process. Furthermore, they have highlighted various administrative issues of the TO pertaining to the TO's non-compliance including non-renewal of license and submission of corporate compliance certificate, etc.

4. The Counsel for the Respondent has argued that the instant appeal is non-maintainable as the appellant failed to file objection against PCCI for inclusion in final voters list within the prescribed time-frame before DGTO. Furthermore, as no candidate is contesting elections from PCCI as an office bearer in FPCCI elections 2021, therefore the appeal does not hold merit.

FINDINGS:-

It is correct that the instant appeal pertains to the voting right in the FPCCI elections that has been provided to PCCI vide FPCCI decision 17-12-2020. The record of DGTO clearly shows that PCCI has a valid license and is therefore eligible to vote in the FPCCI elections. Therefore, the Regulator is of the view that the voting right of PCCI is liable to be allowed for 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:

- i. The instant appeal is dismissed with the directions to FPCCI to include the name of Pashin Chamber of Commerce and Industry from the voters list of FPCCI for elections 2021 only.
- ii. The matter stands disposed of accordingly.

Announced Dated:24-12-2020.


(Riaz Ahmed)
Regulator (TO)

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