



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(84)/2020-TO

Islamabad, the December 24<sup>th</sup>, 2020

ORDER IN ORIGINAL NO 137/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. Sarfraz Ahmed All Pakistan Aluminium Utensils 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. Arshad Khurshid**  
( Member Election Commission of FPCCI)
2. **Mr. Shahid Vaseem**  
(Member Election Commission of FPCCI)
3. **Ms. Mahreen Razzak**
4. **Mr. Ali Nawaz Kharral**, Advocate (on behalf of Respondents)

.....Appellant/Complainant

.....Respondents

Date of Hearing: 24-12-2020

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: 24-12-2020

By this order the undersigned intends to dispose of an appeal filed by Mr. Sarfraz Ahmed of All Pakistan Aluminum Utensils Association (APAUMA) against decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) in pursuance of Islamabad High Court Order dated 21-12-2020 in Writ Petition Number 3726/2020. A part of the judgment is reproduced below for ready reference:

*“Against the said order dated 14-11-2020, the petitioners preferred an appeal to the Election Commission which was dismissed vide order dated 23.11.2020. The appeal against the said order was dismissed by the DGTO vide order dated 4-12-2020. Perusal of the DGTOs order shows that petitioner number 1 had been granted an opportunity to submit a written undertaking to provide the correct set of nominations which has been sent with his consent to the FPCCI. The appeal was dismissed because petitioner number 1 failed to submit the required undertaking. Today, petitioner number 1 has submitted an undertaking wherein he stated that the APAUMA had, vide its resolution dated 19-10-2020, approved the nomination of Mr. AbdurRauf for the Executive Committee and Mr. Muhammad Siddiq Bhatti for General Body for the FPCCI’s elections 2021. Let this undertaking be taken into consideration by the DGTO and thereafter the petitioners’ appeal be decided.*

*In view of the above, the instant petition is allowed. The DGTO’s order dated 04-12-2020 is set aside and the matter is remanded to the DGTO for a decision afresh after taking into consideration the said undertaking.”*

2. The case was fixed for hearing on 24-12-2020 which was attended by both sides. The Counsel for the Petitioner appeared before DGTO and submitted an undertaking signed by the Petitioner in which he has written that the resolution of Association dated 19-10-2020 has approved the nominations of Mr. AbdurRauf for Executive Committee and Muhammad Siddiq for General Body.

3. The Counsel for the Respondent argued that there is a question of limitation of time as the final voters list of FPCCI elections has attained finality.

#### **FINDINGS:-**

The Regulator is of the view that the Honorable Islamabad High Court has remanded the matter to DGTO as DGTO was not in receipt of the undertaking of the

petitioner, and as the same has been submitted to the Regulator and Honorable Court, there is no longer any reason to disallow APAUMA to send its approved nominees for voting in FPCCI elections 2021.

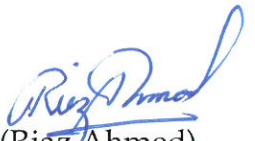
2. The question of limitation of time, though valid, is not accepted for the reason that elections of FPCCI are to be held on 30<sup>th</sup> December, 2020, and this is sufficient time to amend the voters list upon any direction of the Regulator.

**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 allowed and the order of Election Commission of FPCCI is set aside with the direction to include Mr. AbdurRauf as nominee for Executive Committee and Mr. Muhammad Siddiq as nominee for General Body in FPCCI elections 2021.
- 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