



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(126)/2020-TO

Islamabad, the December 24th, 2020

ORDER IN ORIGINAL NO 139/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. MianZahidHussain nominee of Benazirabad Chamber of Commerce and Industry

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: 24-12-2020

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. Mian Zahid Hussain of Shaheed Benazirabad Chamber of Commerce and Industry against decision of Election of FPCCI for exclusion of his name from voters list for FPCCI elections 2021. The case was heard in pursuance of honorable Islamabad High Court order dated 15-12-2020 in WP # 3724/2020, a part of which is reproduced below for ready reference:

“in view of the above, the instant writ petition is allowed and the impugned order dated 04-12-2020 passed by the DGTO is set-aside and the matter is remanded to the DGTO with the direction to decide the petitioner’s appeal after affording an opportunity of hearing to the petitioner as well as respondent number 5. The contesting parties shall be at liberty to produce documents in the proceedings before the DGTO.

Since the elections of FPCCI are fast approaching, it is expected that the DGTO would decide the said appeal expeditiously preferably within a period of one week from the date of the receipt of this order”.

2. The case was fixed for hearing on 24-12-2020 which was attended by both sides. During the course of the hearing, the Counsel for the Petitioner submitted an FBR document dated 26-12-2020 which shows M/s Avanti Corporation against the NTN of Mr. Mian Zahid Hussain, and also submitted an unregistered partnership agreement which has not been attested by the relevant authority, which shows Mr. Zahid as a partner of M/s Avanti Corporation. Furthermore, the Counsel submitted an authorization letter from the partners of M/s Avanti to allow Mr. Zahid to see to the affairs of M/s Avanti on their behalf.

3. The Counsel for the Respondent has maintained that M/s Avanti has not completed minimum 1 year requirement of membership with Shaheed Benazirabad Chamber as per provisions of Rule 15(a) of Trade Organizations Rules, 2013. The Counsel for the Petitioner has responded by submitting membership certificates of M/s Avanti with the Chamber.

FINDINGS:-

The representatives of FPCCI were asked to comment on the authenticity of the Membership certificate of M/s Avanti with the Chamber as per the documents


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submitted. Vide Email dated 24-12-2020, FPCCI has informed DGTO that the membership certificates are suspicious and were not issued by FPCCI. As per record of FPCCI membership books were issued on 29-10-2019 to Benazirabad Chamber, whereas one of the membership certificate shown by the petitioner is dated 14-10-2019.

2. The email submitted by FPCCI seems to indicate that the petitioner has submitted forged documents to the Regulator. Such an act is liable to be punished and therefore, non-withstanding any arguments in the case, M/s Avanti should be barred from participating in the elections of FPCCI 2021, and the Secretary General of Benazirabad Chamber shall be issued directions in this regard to explain this position after completion of 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 and the order of Election Commission of FPCCI is upheld and M/s Avanti is debarred from participating in FPCCI elections 2021 on the basis that its Counsel has submitted documents that have been disowned by FPCCI.
- ii. The matter stands disposed of accordingly.


(Riaz/Ahmed)
Regulator (TO)

Announced Dated:24-12-2020.

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