



Government of Pakistan  
Ministry of Commerce  
Directorate General of Trade Organizations  
(Office of Regulator of Trade Organizations)  
, State Life Building No. 7, 2<sup>nd</sup> Floor, Blue Area,  
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F. No. 6(18)/2020-TO

Islamabad, the August 20<sup>th</sup>, 2020

**ORDER IN ORIGINAL NO 15/2020**

**Passed by Mr. Riaz Ahmad Regulator of Trade Organizations**

*Muhammad Nadeem*

*Versus*

*Sargodha Chamber of Commerce and Industry (SCCI)*

**Present in the hearing.**

|  |                                |
|--|--------------------------------|
| 1. Mr. Muhammad Faisal Malik, Advocate ( on behalf of Appellant) | .....Appellant/<br>Complainant |
| <b>VERSUS</b>  | .....Respondents               |
| 1. Mr. Khalique Ahmed Khan, Secretary General SCCI               |                                |
| 2. Ch. Shafqat Ali, Member Election Commission                   |                                |
| 3. Rana Kashif, Member Election Commission                       |                                |
| 4. Mr. Ibtisam Rashid Mirza, Advocate (on behalf of Respondents) |                                |

Date of Hearing: 19-08-2020

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: 20-08-2020

By this order the undersigned intends to dispose of appeal filed by Muhammad Nadeem against the decision of Election Commission regarding inclusion of name of representative of M/s Crescent Flour Mill (Pvt) Ltd in the provisional voters list of Sargodha Chamber of Commerce and Industry for the election year 2020-21. The case was fixed for personal hearing on 19-08-2020, which was attended by both sides.

2. The Counsel of appellant contended that as per the data of SECP and FBR Mr. Saeed Iqbal of M/s Crescent Flour Mill (Pvt.) Ltd, Business Concern does not fulfill the criteria for membership of Sargodha Chamber of Commerce and Industry.

3. The Counsel of appellant further contended that M/s Crescent Flour Mill (Pvt.) Ltd, have not met criteria as mentioned in Rule 3(2)(b) of Trade Organizations Rules, 2013 (TORs,) which stated that “ *in case of a chamber it has a minimum of one hundred and fifty members who are either permanently domiciled in the relevant district or have a substantial business interest such as an industrial concern, a corporate business entity or are being assessed for the purpose of income tax and sales tax in the territorial jurisdiction of the proposed chamber*”.

4. The Counsel of appellant further stated that M/s Crescent Flour Mill (Pvt) Ltd has not established its unit in Sargodha District, no business interest with RTO Sargodha, therefore, M/s Crescent Flour Mill (Pvt) Ltd not met the criteria of membership of SCCI.

5. On the other hand, the Counsel for the Respondents appeared and contested that M/s Crescent Flour Mill (Pvt) Ltd is a valid corporate member / voter of SCCI and fulfills the criteria for membership of SCCI. The Counsel for the Respondents further stated that M/s Crescent Flour Mill (Pvt) Ltd has renewed its membership on time and fulfill all requirements as voter as per Rule 15 of TORs, 2013. The Secretary General of SCCI provided Form A and Form 29 of Securities and Exchange Commission of Pakistan, Registered Office Faisalabad which shows that the company registered office located at Sargodha Road, Faisalabad and also show that Ch. Saeed Iqbal is one of Director of M/s Crescent Flour Mill (Pvt) Ltd.

#### **FINDINGS:-**

- i. As per Rule 3(2)(b) of Trade Organizations Rules, 2013 (TORs,) the criteria for membership of a Chamber is as under:-  
*which stated that “ in case of a chamber it has a minimum of one hundred and fifty members who are either permanently domiciled in the relevant district or have a substantial business interest such as an industrial concern, a corporate business entity or*

*are being assessed for the purpose of income tax and sales tax in the territorial jurisdiction of the proposed chamber”.*

- ii. The only document provided by the Secretary General SCCI is Form A and Form 29 of Securities and Exchange Commission of Pakistan, Registered Office Faisalabad which shows that the company registered office located at Faisalabad. Hence the respondent does not fulfill the provisions of Rule 3(2)(b) of Trade Organizations Rules, 2013 as required for the membership of Chamber.
- iii. The respondent failed to provide any documents / proof for eligibility of his membership in SCCI. The company registered office is not located in District Sargodha, nor proof that registered with RTO Sargodha for the purpose of Income Tax and Sale Tax.

**Order:-**

- Arguments heard and documentary evidence / record perused. The Respondents failed to produce sufficient evidence to substantiate the membership eligibility of M/s Crescent Flour Mill (Pvt) Ltd as corporate member of SCCI.
2. Keeping in view the above mentioned facts and circumstances, the instant appeal is hereby accepted. The Secretary General SCCI is directed to exclude the name of M/s Crescent Flour Mill (Pvt) Ltd from the memberships / voters list of SCCI for the year 2020-21.
  3. The matter stands disposed of accordingly.

  
**(Riaz Ahmad)**

Regulator (TO)

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

Announced Dated:-20-08-2020.