



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

**ORDER IN ORIGINAL NO 17/2020**

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

*Mazhar Hayat*

*Versus*

*Sargodha Chamber of Commerce and Industry (SCCI)*

**Present in the hearing.**

1. Mr. Muhammad Faisal Malik, Advocate ( on behalf of Appellant)	.....Appellant/ Complainant
<b>VERSUS</b>	
1. Mr. Khaliq Ahmed Khan, Secretary General SCCI	.....Respondents
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 Mr. Mazhar Hayat against the decision of Election Commission regarding inclusion of name of representatives of M/s Vigo International (Pvt.) Ltd and M/s Waqar Brothers 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 appellant contended that M/s Vigo International (Pvt.) Ltd and M/s Waqar Brothers are not eligible for the membership of SCCI to cast their vote due to non fulfillment of Rule 11 and 15 of TORs, 2013. As per the data of SECP and FBR both the firms do not fall under the territorial jurisdiction of Sargodha District.
3. The Counsel of appellant further contended that M/s Vigo International (Pvt.) Ltd and M/s Waqar Brothers, 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 Vigo International (Pvt.) Ltd and M/s Waqar Brothers have no established its unit in Sargodha District, not business interest with RTO Sargodha, therefore, M/s Vigo International (Pvt.) Ltd and M/s Waqar Brothers not met the criteria of membership / voting of SCCI.
5. On the other hand, the Counsel for the Respondents appeared and contested that M/s Vigo International (Pvt.) Ltd and M/s Waqar Brothers are valid corporate members / voters of SCCI and fulfills the criteria for membership of SCCI. The Counsel for the Respondents further stated that M/s Vigo International (Pvt.) Ltd and M/s Waqar Brothers have renewed their memberships on time and fulfill all requirements as voter as per Rule 15 of TORs, 2013. The Secretary General of SCCI provided Tax Return of Muhammad Waqar for the year 2017 and Tax Return of M/s Vigo International (Pvt) Limited for the year 2016.

#### **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 states 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 Secretary General has only provided acknowledgment slip of Income Tax Return of 2017 in respect of Muhammad Waqar and Income Tax Return of M/s Vigo International (Pvt) Limited of 2016, which does not corroborate the provision of Rule 3(2)(b) of TORs, 2013 as required for the membership of Chamber.

**Order:-**

- Arguments heard and documentary evidence / record perused. The Respondents failed to produce sufficient evidence to substantiate the membership / voter eligibility of M/s Vigo International (Pvt.) Ltd and M/s Waqar Brothers 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 Vigo International (Pvt.) Ltd and M/s Waqar Brothers 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.