



Government of Pakistan
Ministry of Commerce
Directorate General of Trade Organizations
(Office of Regulator of Trade Organizations)
, State Life Building No. 7, 2nd Floor, Blue Area,



F. No. 6(18)/2020-TO

Islamabad, the August 20th, 2020

ORDER IN ORIGINAL NO 18/2020

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
VERSUS	
1. Mr. Khalique Ahmed Khan, Secretary General SCCIRespondents
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, 2ND 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 representative of M/s Al-Muzaf Ahmad Cheema Pvt. Limited 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 Al-Muzaf Ahmad Cheema Pvt. Limited is not eligible for the membership of SCCI and to cast its vote due to non fulfillment of Rule 15 of TORs, 2013. As per the data of SECP and FBR M/s Al-Muzaf Ahmad Cheema Pvt. Ltd. cannot be found.
3. The Counsel of appellant further contended that M/s Muzaf Ahmad Cheema Pvt. Limited does not meet criteria as mentioned in Rule 3(2)(b) of Trade Organizations Rules, 2013 (TORs,) 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*” .
4. On the other hand, the Counsel for the Respondents appeared and contested that M/s Muzaf Ahmad Cheema Pvt. Limited is a valid corporate members / voters of SCCI and fulfills the criteria for membership of SCCI. The Counsel for the Respondents further stated M/s Muzaf Ahmad Cheema Pvt. Limited has renewed their memberships on time and fulfill all requirements as voter as per Rule 15 of TORs, 2013. The Secretary General of SCCI provided NTN of Ch. Almustansar Ahmed Cheema which shows that the business of Almazaf Ahmed Cheema (Pvt) Ltd and registered with RTO Sargodha.

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. As per online verification of FBR of NTN of Ch. Almustansar Ahmed Cheema, the address is of Sargodha District and registered with RTO Sargodha.

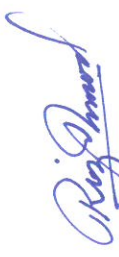
- iii. The respondent provided documents / proofs for eligibility of their memberships in SCCI. Almuzaf Ahmed Cheema (Pvt) registered office is located in District Sargodha and also registered with RTO Sargodha for the purpose of Income Tax and Sale Tax.

Order:-

Arguments heard and documentary evidence / record perused. The respondent provided documents / proofs for eligibility of their memberships in SCCI. Almuzaf Ahmed Cheema (Pvt) registered office is located in District Sargodha and also registered with RTO Sargodha.

2. Keeping in view the above mentioned facts and circumstances, the instant appeal is hereby dismissed and the decision of Election Commission is upheld.
3. The matter stands disposed of accordingly.

Announced Dated:-20-08-2020.


(Riaz Ahmad)

Regulator (TO)

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