



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(28)/2020-TO

Islamabad, the 24th August, 2020

ORDER IN ORIGINAL NO 24/2020

Passed by Mr. Riaz Ahmad Regulator of Trade Organizations

Mr. Abid Khan

Versus

Mardan Chamber of Commerce and Industry (MCCI)

Present in the hearing.

1. Mr. Abid Khan
2. Mr. Muzammil Butt, Advocate (on behalf of Appellant)

VERSUS

3. Mr. Shakeel Ahmed, Secretary General MCCI
4. Mr. Khair Muhammad, Member Election Commission
5. Mr. Muazam Butt Advocate (on behalf of Respondents)
6. Mr. Faizan Aziz, Advocate (on behalf of Respondents)

.....Appellant/
Complainant

.....Respondents

Date of Hearing: 21-08-2020

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: 24-08-2020

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

By this order the undersigned intends to dispose of appeal filed by Mr. Abid Khan against the decisions of Election Commission regarding not inclusion of his name in the provisional voters list of Mardan Chamber of Commerce and Industry (MCCI) for the election year 2020-21. The case was fixed for personal hearing on 21-08-2020, which was attended by both sides.

2. The Counsel for the appellant contended that Secretary General of MCCI had not included appellant name in the provisional voters list of MCCI for the year 2020-21. The appellant filed objection in this regard to the Secretary General which was not decided by the Secretary General. As per Election Schedule the appellant filed appeal to the Members Election Commission as per Rule 18 of TORs, 2013 which was also dismissed by the Election Commission. 3. The counsel of the appellant further contended that the appellant is a bona fide member of MCCI and renewed his membership within stipulated time period and is eligible for vote. The appellant submitted receipt of fee subscription for renewal dated 15-06-2020 and contend that he had filed all documents as required for renewal of membership to the Secretary General MCCI within time.

4. On the other hand, the Counsel for the Respondents appeared and contested that the appellant submitted renewal fee on 28-07-2020 after the stipulated time i.e. 15th June, 2020. The counsel for the respondents also contended that the appellant was enrolled with FBR on 3rd May, 2019 and he has not completed two years membership as required for eligibility of valid voter as prescribed in rule 15 of TORs, 2013.

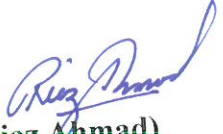
FINDINGS:-

- i. The Rule 15(1)(a) states that “ the member has completed two years of valid membership of the trade organization as on the date of announcement of election schedule by the executive committee of the trade organization.”
- ii. The appellant submitted the receipt No. 2545788 dated 15-06-2020 which shows the following irregularities:-
 - The Receipt shows overwriting on the Receipt Number.
 - Hand writing of the date and other writings on the receipt do not match.
 - The Bank Stamp on the receipt to be scanned.
 - The signature of the Secretary General on the stamp of MCCI is also doubtful.
- iii. The copy of Bank Receipt Number 2521311 dated 28-07-2020 submitted by Secretary General in respect of Mr. Abid Khan is different from the one submitted by the appellant.
- iv. The appellant is registered with FBR on 3rd May, 2019 and has not completed mandatory of period of two years.

Order:-

Arguments heard and documentary evidence / record perused. The Appellant failed to provide sufficient and authentic proof to substantiate his claim about the eligibility of vote as per Rule 15 of TORs, 2013. Hence the instant appeal is hereby dismissed.

2. The matter stands disposed of accordingly.


(Riaz Ahmad)
Regulator (TO)

Announced Dated:-24-08-2020.

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