



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,  
\*\*\*\*\*



F. No. 6(23)/2020-TO

Islamabad, the 24<sup>th</sup> August, 2020

**ORDER IN ORIGINAL NO 30/2020**

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

*Muhammad Najaf Raza*

*Versus*

*Gujranwala Chamber of Commerce and Industry (GCCI)*

**Present in the hearing.**

1. Mr. Ibtisam Rashid Mirza, Advocate (on behalf of  
Appellant)

.....Appellant/  
Complainant

**VERSUS**

2. Mr. Muhammad Burhan, Secretary General GCCI  
3. Mr. Muhammad Naveed Khokhar (Advocate on behalf of  
Respondents)

.....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: 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. Muhammad Najaf Raza M/s Najaf Traders against the decision of Election Commission regarding not inclusion of his name in the corporate class of provisional voters list of Gujranwala Chamber of Commerce and Industry (GCCCI) 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 M/s Najaf Traders is a bona fide member of Gujranwala Chamber of Commerce and Industry and has got membership among corporate class since inception and the business entrepreneur is getting its membership renewed every year. He further contended that the name of M/s Najaf Traders enlisted as a valid voter for corporate class in the provisional voters list for the elections year 2020-21. The Counsel for the appellant further contended that M/s Ashraf Traders, Gujranwala filed objection against M/s Najaf Traders before the Secretary General GCCCI but the Secretary General GCCCI did not inform him regarding objection and an ex-parte order was passed. Aggrieved by the order of the Secretary General M/s Ashraf Traders filed an appeal before the members of Election Commission as per Rule 18 of TORs, 2013. The Election Commission also did not provide him hearing opportunity and ex-parte decision was passed.

3. The Counsel of appellant further contended that while deciding the appeal against the appellant / petitioner the members of Election Commission have transgressed the authority vested in them as they have curtailed the voting right of the appellant.

4. On the other hand, the Counsel for the Respondents appeared and contested that M/s Najaf Traders was corporate member of GCCCI. At the time of renewal of membership the appellant presented his current income tax and sales tax returns which revealed that the turnover of the appellant was below than 50 million. The name of appellant firm was added in voter list of corporate class mistakenly. M/s Ashraf Traders filed objection before Secretary General against the entry of M/s Najaf Traders in the corporate voters list. The objection was dismissed by the Secretary General.

5. The representative of M/s Ashraf Traders aggrieved by the decision of Secretary General GCCCI filed an appeal before the Election Commission as per Rule 18 of TORs, 2013. The notices for hearing were communicated to both parties but representative of M/s Najaf Traders did not attend the hearing. The members of Election Commission scrutinized the file of M/s Najaf Traders which shows that M/s Najaf Traders did not fulfill the criteria of corporate class as prescribed in Rule 2(g) of TORs, 2013 and excluded the name of M/s Najaf Traders from the corporate voters list of GCCCI.

## FINDINGS:-

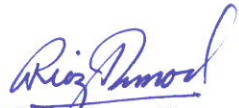
- i. The Rule 2(g) states that “*corporate member*” means a member of a trade organization which is either a body corporate or a multinational corporation with its head office or branch office in Pakistan or a sales-tax-registered manufacturing concern or a sales-tax-registered business concern having annual turn-over of not less than fifty million Rupees.
- ii. The appellant did not provide any proof regarding fulfillment of Rule 2(g) of TORs, 2013 for mandatory requirement for corporate class.

## Order:-

Arguments heard and documentary evidence / record perused. The Appellant failed to produce sufficient evidence to substantiate the requirement of Rule 2(g) of TORs, 2013 mandatory for corporate class membership.

2. Keeping in view the above mentioned facts and circumstances, the instant appeal is decided and the Secretary General GCCI is directed to exclude the name of M/s Najaf Traders Company from the corporate voters list and include in the associate class voters list of GCCI for the election year 2020-21.
3. The matter stands disposed of accordingly.

Announced Dated:-24-08-2020.

  
(Riaz Ahmad)

Regulator (TO)

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