



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. 7(6)/2020-TO

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

ORDER IN ORIGINAL NO. 39/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

*Mian Mahmood Ahmad, of M/s Mahmood Cotton Ginners Pressing & Oil Mills*

V/s

*Secretary General and Election Commission of  
Pakistan Cotton Ginners Association (PCGA)*

Present in the hearing.

1. Mian Mahmood Ahmad
2. Malik TalatSohail
3. Malik Muhammad Faisal (Advocate)

Appellant/ Complainant

1. Mr. Asif Khalil (Secretary General)
2. Mr. Hafeez Anwar (Member of Election Commission)
3. Mr. Khalil Ahmed (Member of Election Commission)
4. Mr. Ibtسام Rashid Mirza (Advocate)

.....Respondents

Date of Hearing: 20-08-2020

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 complaints filed by Mian Mahmood Ahmed, of M/s Mahmood Cotton Ginners Pressing & Oil Mills against Secretary General and Election Commission of Pakistan Cotton Ginners Association regarding objection on inclusion of the name of Sh. Fayyaz Ud Din in the voter list. The case was fixed for personal hearing on 20-08-2020, which was attended by both sides.

2. The appellant Mian Mahmood Ahmed of M/s Mahmood Cotton Ginners Pressing & Oil Mills filed an appeal against the Election Commission and Secretary General of PCGA regarding objection on inclusion the name of Sh. Fayyaz Ud Din of M/s Zeb Agro Industries (Pvt) Ltd in the voter list. The learned counsel of petitioner stated that M/s Zeb Agro Industries (Pvt) Ltd is itself a independent body, therefore, the voting right of M/s Zeb Agro Industries (Pvt) Ltd can only be exercised by its directors. Sh. Fayyaz Ud Din who has no concern with M/s Zeb Agro Industries (Pvt) Ltd is not eligible to cast vote on behalf of M/s Zeb Agro Industries (Pvt) Ltd. the appellant filed an appeal the election commission against inclusion of Sh. Fayyaz Ud Din in the voter list which was not acceded. The appellant filed an appeal with the Secretary General against the decision of Election Commission which was also turned down. The appellant filed instant appeal with DGTO against the decision of Election Commission.

3. On the other hand the counsel of the respondent stated that Sh. Fayyaz Ud Din is not director of M/s Zeb Agro Industries (Pvt) Ltd. Therefore, he cannot cast to vote.

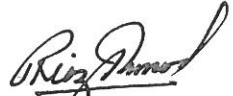
### FINDINGS

As per Rule 15 (2) of Trade Organizations Rules 2013 which states that "the right to vote shall be allowed only to the proprietor, partner or the director of the member firm of company, or a person not below the rank of general manager authorized by the board of directors of a public limited company or, as the case may be, a multinational corporation.

2. In the instant petition Sh. Fayyaz Ud Din is neither director nor General Manager of M/s Zeb Agro industries (Pvt) Ltd. Therefore, Sh. Fayyaz Ud Din is not eligible to cast vote on behalf of M/s Zeb Agro Industry (Pvt) Ltd.

ORDER

Arguments heard and documentary evidence / record perused. The Respondents i.e Secretary General failed to produce sufficient evidence to refute the allegations raised by the appellant Mian Mahmood Ahmed of M/s Mahmood Cotton Ginners Pressing & Oil Mills against Mr. Fayyaz Ud Din. Hence, Secretary General is directed to exclude the name of Sh. Fayyaz Ud Din from the voter list.

  
(Riaz Ahmed)  
Regulator (TO)

Announced Dated:-24-08-2020

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