



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. 7(5)/2020-TO

Islamabad, the 4th September, 2020

ORDER IN ORIGINAL NO.51/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. Silawar Khan, Managing Director of M/s Jan Travels P.S.A., and Others

Versus

Travel Agents Association of Pakistan TAAP

Present in the hearing.

1. Mr. Jamshed Khan
2. Mr. Shamsher Ali
3. Mr. Hussain Shah
4. Mr. Rana Abdul Ghafoor

Appellant/ Complainant

1. Mr. Amanullah Suleman (Secretary General)
2. Mr. Mukhtar Ahmed (Advocate)

..Respondents

Date of Hearing: 25-08-2020

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: 04-09-2020



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 Mr. Silawar Khan of M/s Jan Travel P.S.A., Mr. Hussain Shah, Director of M/s Shah Corporation (Pvt) Ltd, Mr. Mehmood Ul Hassan, Director of M/s Malik Express, Mr. Jamshid Khan, CEO of M/s Travel Linker, M/s Palwasha Travels and Dr. Muhammad Sharif Khan Baloch of CEO of Al-Hayat Travels & Tours regarding financial irregularities and mismanagement of Travel Agents Association of Pakistan. This order shall also dispose of complaints filed by Mr. Silawar Khan of M/s Jan Travel P.S.A, Mr. Ashfaq Ahmed Mirza of M/s Travel Shop (Pvt) Ltd and Malik Muhammad Tahir Rafiq of M/s Islami Khizriya Hajj & Umrah Service on exclusion of their name from the voters list of TAAP.

The background of the case is that the Association has submitted an undertaking dated 11.07.2020 in which relevant parties have agreed to conduct free and fair election under a mutually agreed election commission. Due to various Writ Petitions since 2017, the Association has been unable to conduct elections. On the basis of DGTO Order No. 08/2020 dated 13.03.2020, the Association was given an opportunity to have the election process completed so that the management of the Association could pass on to a democratically elected Executive Committee.

3. Apropos to mismanagement of the Association and financial misappropriations, the complainants have argued that since no Annual General Meeting has been conducted in the Association for the last 4 years, the Association is being run on personal likes and dislikes of a few individuals. They have also mentioned a Takaful inquiry commission which *prima facie* found members of TAAP guilty for misappropriation of 2,90,00,000 PKR. They have requested that, in light of these allegations, elections at TAAP may be postponed.

4. Regarding the issue of exclusion of certain members from the voters list, the Complainants have submitted that they are members of the Association who have been condemned unheard and excluded from the voters list of TAAP.


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Regulator of Trade Organizations
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FINDINGS:

The allegations of financial embezzlements and misappropriations against the Association are grave, however DGTO prefers that such matters are resolved in transparent manner by the management of the Association itself. Considering the fact that elections have not been conducted in TAAP since 2017, there is no legal management committee authorized by the executive committee to investigate such matters therefore, it is imperative that the election proceed in a free and transparent manner so that relevant action against such allegation can be taken by the leaders of the Association.

2. On the issue of exclusion of the Mr. Silawar Khan of M/s Jan Travel P.S.A, Mr. Ashfaq Ahmed Mirza of M/s Travel Shop (Pvt) Ltd and Malik Muhammad Tahir Rafiq of M/s Islami Khizriya Hajj & Umrah Service. The Secretary General and Ex-Officio Chairman of the Association appeared before the Regulator of Trade Organizations 03.09.2020 and explained that the complainants have been excluded from voters list on minor technical grounds. Considering the importance of the upcoming elections for the future of the Association the Secretary General has agreed to allow them to participate in the upcoming election by condoning the mistakes in the Complainants application.

ORDERS:

Argument heard, record perused and relevant provisions of law examined. In light of the above the following orders are passed.

The election for TAAP shall be conducted on all seats of Executive Committee on 12 September, 2020. The newly formed executive committee upon assuming charge shall conduct an independent third party audit of the finances of the Association. The newly formed Executive Committee shall submit the audit report on the matters in the office of DGTO within one month of assuming charge their office, signed and stamped by a reputed Chartered Accountant Firm.

Mr. Silawar Khan of M/s Jan Travel P.S.A, Mr. Ashfaq Ahmed Mirza of M/s Travel Shop (Pvt) Ltd and Malik Muhammad Tahir Rafiq of M/s Islami Khizriya Hajj & Umrah Service shall be allowed to participate in the upcoming elections

The matter stands disposed of.


RIAZ AHMAD
(Riaz Ahmad)
Regulator of Trade Organizations
Directorate General of Trade Organization
Ministry of Commerce, Islamabad

Announced Dated:-04-09-2020.