



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(12)/2020-TO

Islamabad, the 14th September, 2020

ORDER IN ORIGINAL NO.60/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. Muhammad Numan Afzal

V/s

Pakistan Yarn Merchants Association (PYMA)

Present in the hearing:

1. Mr. Numan Afzal

Appellant/ Complainant

1. Mr. Salman Farooq (Advocate)

2. Mr. Syeda Sajida (Advocate)

.....Respondents

Date of Hearing: 09-09-2020

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: 14-09-2020


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

By this order the undersigned intends to dispose of a complaint filed by Mr. Numan Afzal against Election Commission (EC) of Pakistan Yarn Merchants Association (PYMA) regarding its illegal constitution. The case was fixed on 09.09.2020, which was attended by both sides.

2. The background of the case is that Mr. Muhammad Numan Afzal member of PYMA submitted a complaint in the office of DGTO in which he raised certain allegations against the EC of PYMA. The Association has allegedly formed a 6 member's election commission in contravention with Rule 16 (a) Trade Organizations Rules 2013.

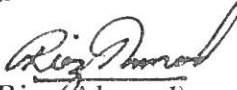
FINDING

The Counsel of the defendant has admitted that the Association has indeed formed a six member's election commission. The Counsel of the defendant was of the view that Rule 16 (a) of Trade Organization Rules, 2013, only specifies a minimum numbers of members of election commission and it is not illegal to form a election commission of more than three members. The relevant Rule 16 (c) of Trade Organization Rule, 2013 states that the "commission comprises three members"

ORDER

Arguments heard and record/ evidence perused. Rule 16 (a) of Trade Organizations Rules, 2013 clearly specifies that the election commission comprises of three members. Therefore the instant appeal is upheld and the Association is directed to notify a three member election commission within two days receipt of passing of this order.

The election process shall continue as per election schedule submitted to the Regulator. The Secretary General of the Association is further directed to ensure that, in the future, all provisions of Trade Organization Act, 2013 and Trade Organization Rules, 2013 are implemented in letter and spirit.


(Riaz Ahmed)
Regulator (TO)

Announced Dated:-14-09-2020

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