



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. 7(11)/2020-TO

Islamabad, the 25<sup>th</sup> September, 2020

ORDER IN ORIGINAL NO.74/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. Noor Ahmed Khan

V/s

North Karachi Association of Trade & Industry (NKATI)

Present in the hearing.

1. Mr. Noor Ahmed Khan
2. Mr. Muhammad Shahid

Appellant/ Complainant

1. Abdul Adnan Saboor (Barrister)

.....Respondents

Date of Hearing 25-09-2020

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: 25-09-2020

  
**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 complaints filed by Mr. Noor Ahmed Khan, founder member of North Karachi Association of Trade and Industry (NKATI) against revised election schedule of North Karachi Association of Pakistan and non-compliance of DGTO's Order No.62/2020 on final voter list. The case fixed for hearing on 25.09.2020, which was attended by the Counsel of the Secretary General and Complainant.

The background of the case is that DGTO, vide order number 62/2020 directed the Secretary General of the Association as follow:

*The Secretary General is directed to circulate a revised final voters list as per TOA and TOR rules, 2013, and provide sufficient time to members to file objections against the voters list as per Trade Organizations Act, 2013 and Trade Organization Rules, 2013.*

*Polling may be conducted immediately after all objections on the voters list are resolved as per law.*

2. In this regard, the Association submitted a revised election schedule dated 15 September, 2020, in which objections on the voters list are to be decided by the Regulator by 25 September, 2020. The instant appeal was submitted within stipulated time to the Regulator. A bare perusal of the revised voters list indicates that provisions of Trade Organization Act, 2013 and Trade Organizations Rules, 2013 have not been complied with, as multiple votes are reflected in the voters list against singular NTN's.

#### FINDINGS:

The Complainant has highlighted approximately 50 votes that contravene the Trade Organizations Act, 2013 and Trade Organization Rules, 2013. The Counsel of the Defendant has argued that the final date of decision of election commission was 23<sup>rd</sup> September, 2020, however as the Complainant received summons on 23<sup>rd</sup> September, 2020 for personal hearing before the Regulator, the list has not been updated. The voters list has been accessed by the office of the Regulator on 25 September, 2020 and it still contains a number of duplicate votes which is a clear violation of the law. Therefore, it is necessary that the same is corrected for free and fair elections.

2. The counsel of the Respondent has undertaken to upload a correct voters list on the website of the Association as per the directions of DGTO order number 62/2020. However, it is also a fact that the revised final voters list was to be published by 23<sup>rd</sup> September, 2020, however the same has not been done.

### ORDER

Arguments heard, record perused and relevant provisions of law examined, in light of the above, the following order is passed

- i) The Association is directed to pay a fine of PKR 50,000/- for non-compliance of DGTO order number 62/2020
- ii) The Final Voters list is to be uploaded on the website and on the notice board of the Association before day end of 25<sup>th</sup> September, 2020
- iii) In case the final voters list is not in accordance to Trade Organizations Act, 2013 and Trade Organizations Rules, 2013, the elections shall be considered *void ab initio*

The matter stands disposed of accordingly.



(Riaz Ahmed)  
Regulator (TO)

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

Announced Dated:-25-09-2020