



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(21)/2020-TO

Islamabad, the 26th October, 2020

ORDER IN ORIGINAL NO. 82/2020

Passed by Riaz Ahmed, Regulator of Trade Organizations

M/s Lever Engineering Industries & Others

Versus

Pakistan Hardware Merchants Association (PHMA)

Present in the hearing.

1. Mr. Tahir Manzoor

Appellant/ Complainant

None for respondent

Date of Hearing: 20-10-2020

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: 26-10-2020


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

by this order the undersigned intends to dispose of complaint filed by counsel on behalf of M/s Lever Engineering Industries, M/s Lever International and M/s Lever Lock Hardware Co. regarding pending renewal of their membership from the Association for the year 2020-21. The case was fixed for hearing on 01-10-2020 and again on 21-10-2020 and was attended by the complainant. No one appeared on behalf of respondent on 01-10-2020 and 21-10-2020, therefore, the matter has been decided ex-parte.

FINDING

During the course of hearing on 01-10-2020, complainant provided all the record pertaining to his complaint including NTN and payment of membership fee which was paid in time for subject firms.

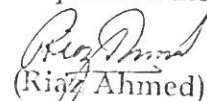
2. An opportunity of personal hearing to the Secretary General and complainant to appear before the Regulator (TO) was given on 01-10-2020 and again on 21-10-2020. The Secretary General did not attend both the hearings rather submitted e-mail that directions are issued to relevant concerns for renewal of memberships of the subject firms vide dated 19th October, 2020 and hearing may be abandoned in this regard.

3. It appears that the Secretary General of the Association is misleading the Regulator (TO) by making different statements and not appearing before the Regulator (TO) on the notices issued which may lead to show cause notice to the Association under Section 7 of Trade Organizations Act, 2013.

ORDER

Arguments heard and record/ evidence perused, the following orders are passed:

- i. The Secretary General's continued absence from official proceedings at DGTO is not acceptable and this ascertains that Secretary General is unable to perform his functions properly. A fine of Rs.10,000/- is being imposed on Secretary General due to non-compliance of Regulator orders.
- ii. The Association is directed to submit an audit report for last 03 years of its finances from a reputed chartered accountant firm within 20 days after issuance of this order.
- iii. Copy of election record of the Association for last 03 years shall be provided duly attested by Secretary General of the Association.
- iv. Compliance report on the directions of Regulator (TO) regarding renewal of membership of subject firms shall be submitted within 05 days after issuance of this order.
- v. Nomination of nominee for the FPCCI Election 2020-21 shall not be allowed until the above mentioned directions are fully complied to the satisfaction of this office.


(Riaz Ahmed)

Regulator (TO)
RIAZ AHMAD

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

Announced Dated:-26-10-2020