



Government of Pakistan
Directorate General of Trade Organizations
(Office of Regulator of Trade Organizations)
Ministry of Commerce,
State Life Building No. 7, 2nd Floor, Blue Area,

Most Immediate
Email / Courier



F. No. 6(73)/2020-TO

Islamabad, the December 4th, 2020

ORDER IN ORIGINAL NO 92/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. Najam ur Rehman and others

Versus

Election Commission of Federation of Pakistan Chamber of Commerce and Industry
(FPCCI)

Present in the hearing.

1. Mr. Rizwan Shabbir Kiyani Advocate (on behalf of Appellants)

.....Appellant/Complainant

1. Mr. Maher Alam Khan,
(Acting Secretary General) FPCCI

.....Respondents

2. Mr. Arshad Khurshid
(Member Election Commission of FPCCI)

3. Mr. Shahid Vaseem
(Member Election Commission of FPCCI)

4. Mr. Ali Nawaz Kharral, Advocate (on behalf of Respondents)

5. Ms. Mahreen Razzak

6. Mr. Fawaz Khan Advocate (on behalf of Association)

Date of Hearing: 30-11-2020

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: 04-12-2020


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

By this order the undersigned intends to dispose of an appeal filed by Mr. Najum ur Rehman and others against the decision of Election Commission of Federation of Pakistan Chambers of Commerce and Industry regarding inclusion of nominees of Pakistan Paper Merchants Association in the provisional voters list of FPCCI for the elections year 2021. The case was fixed for hearing on 30-11-2020 which was attended by both sides.

2. The Background of the case is that an appeal was filed before the Election Commission of Federation of Pakistan Chambers of Commerce and Industry (FPCCI) against the decision of Secretary General FPCCI, regarding suspension of right to vote for All Pakistan Paper Merchants Association in the upcoming elections of FPCCI for the year 2021 on various grounds. The Appeal was declared not maintainable by Secretary General FPCCI on the basis that the appellant was not a nominee of any Trade Body for the FPCCI elections 2021. This decision of the Secretary General FPCCI was upheld by the Election Commission of FPCCI.


3. The Counsel for the Appellant has argued that as per Rule 21(13) and Rule 21(14), the executive committee only has tenure of 2 years while office bearers have a tenure of 1 year as representatives of a Trade Organization. In the instant case, due to various reasons, elections of All Pakistan Paper Merchant Association were not conducted in 2019 and 2020. However, the Honorable Lahore High Court, Lahore, in Writ Petition No 66012/2019 titled Khamis Saeed Vs FOP, in order dated 04-11-2019 has declared:

"subject to notice for aforesaid date, the election shall remain held in abeyance, meanwhile"

FINDINGS/ ORDER

Due to the instant matter being subjudice in the Honorable Lahore High Court, Lahore, and the status of elections being held in abeyance, DGTO is constrained to pass any order on the subject matter until the final decision of the Court.

Announced Dated:04-12-2020.


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