FROM THE OFFICE OF THE ELECTION COMMISSION OF THE MULTAN CHAMBER OF COMMERCE AND INDUSTRY

Multan Chamber of Commerce and Industry, Shahrah-e-Aiwan-e-Tijarat-o-Sanat, Multan

07 August, 2026

Mr. Kamran Ahmad Awan,
M/s Fatima Energy Ltd.,
Head Office: E-110, Khayaban-e-Jinnah,
Lahore Cantt.

SUBJECT; **DECISION OF THE ELECTION COMMISSION OF THE MULTAN CHAMBER OF COMMERCE & INDUSTRY IN THE APPEAL FILED BY THE APPELLANT.**

Facts and Grounds of Appeal

The Appellant, **M/s Fatima Energy Ltd.,** after publication of the provisional voters' list, submitted a representation dated **28.07.2026** before the Secretary General, Multan Chamber of Commerce & Industry, requesting that its name be included in the provisional voters' list as a **Corporate Member** eligible to participate in the elections of the Chamber for the term **2026–2028**.

The Secretary General, vide order dated **31.07.2026**, rejected the representation on the ground that the Appellant had not completed **two years of valid membership** as on the date of announcement of the election schedule by the Executive Committee, as required under **Rule 15(1)(a) of the Trade Organizations Rules, 2013**. It was observed that the Appellant's earlier membership had ceased owing to non-payment of annual subscription in terms of **Article 28(3) of the Memorandum & Articles of Association of the Multan Chamber of Commerce & Industry**, and that the Appellant had thereafter submitted a **fresh application for membership** and deposited the prescribed membership fee with admission through a crossed cheque. Consequently, the Secretary General held that the Appellant had not acquired the requisite period of valid membership and, therefore, was not entitled to be included either in the provisional or the final voters' list.

Aggrieved by the said order, the Appellant preferred the instant appeal before the Election Commission under the provisions of the Trade Organizations Rules, 2013. Learned Authorized Representative of the Appellant contended that **Rule 15(1)(a)** of the Trade Organizations Rules, 2013 merely requires completion of **two years' membership** and does not stipulate that such membership must be **continuous or consecutive**. It was argued that the expression "consecutive two years" is conspicuously absent from the Rule; therefore, a temporary lapse in membership or subsequent fresh membership along with admission could not deprive the Appellant of its voting rights. It was thus submitted that the Secretary General had misconstrued the statutory provision and illegally excluded the Appellant from the voters' list.

The Principal Grievance of the Appellant

The principal grievance of the Appellant is that the Secretary General acted illegally, arbitrarily and without lawful authority in interpreting Rule 15(1)(a) of the Trade Organizations Rules, 2013, by reading into the Rule a condition of continuous and uninterrupted membership, although no such requirement has expressly been prescribed by the legislature.

The Appellant has further asserted that its previous membership cannot be ignored merely because it had temporarily ceased due to non-payment of subscription and that, upon restoration through fresh enrollment, the earlier period of membership ought to be counted for determining eligibility under Rule 15(1) (a). It is, therefore, contended that the impugned order is contrary to law and liable to be set aside.

Consideration by the Election Commission and Findings

The Election Commission has heard the learned Authorized Representative of the Appellant, carefully examined the pleadings, scrutinized the entire membership record produced by the Secretary General relating to the Appellant, and considered the provisions of the **Trade Organizations Act, 2013**, the **Trade Organizations Rules, 2013**, and the **Memorandum & Articles of Association of the Multan Chamber of Commerce & Industry**.

Upon a careful examination of the record, it stands conclusively established that the Appellant was previously enrolled as a member of the Multan Chamber of Commerce & Industry. However, the record further reveals that the Appellant failed to pay the prescribed annual subscription within the period stipulated under the governing legal framework.

In terms of **Rule 11(4) of the Trade Organizations Rules, 2013**, membership of a trade organization is granted for a period of one year only and expires on the 31st day of March each year, irrespective of the date on which such membership was originally granted. Furthermore, **Article 28(3) of the**

Memorandum & Articles of Association unequivocally provides that a member shall cease to be a member upon failure to pay the prescribed annual subscription or any other dues by the date determined by the Executive Committee.

The combined effect of the aforesaid statutory rule and the Articles of Association leaves no room for ambiguity. The continuation of membership is expressly made contingent upon the timely payment of the prescribed annual subscription. Upon failure to fulfil this mandatory requirement, cessation of membership ensues automatically by operation of law, and no separate declaration, resolution, or order of the Executive Committee is required to bring such cessation into effect. The role of the Chamber in such circumstances is merely ministerial, namely to record the legal consequence that has already occurred by virtue of the governing provisions.

In the present case, the Appellant admittedly failed to renew its membership by depositing the prescribed annual subscription within the stipulated period. Consequently, its membership stood ceased by operation of **Rule 11(4) of the Trade Organizations Rules, 2013**, read with **Article 28(3) of the Memorandum and Articles of Association**. Having ceased to be a member, the Appellant could neither claim any vested right arising out of its previous membership nor insist upon being treated as a continuing member for any purpose, including participation in the affairs or electoral process of the Chamber, unless and until its membership was restored or renewed strictly in accordance with the applicable law and the governing Articles.

The record further reveals that after cessation of its membership, the Appellant submitted a **fresh application for membership**, which was processed as a **new enrollment**, and the prescribed membership fee with admission was deposited afresh. Thus, the Appellant's existing membership commenced from the date of its fresh enrollment and cannot, in law, be treated as a continuation of its earlier ceased membership.

Rule 15(1)(a) of the Trade Organizations Rules, 2013, confers the right to vote only upon those members who have completed the prescribed period of **valid membership**. The expression "valid membership" necessarily denotes a membership which is subsisting, uninterrupted and recognized under the governing law. Once membership ceases by operation of the Memorandum & Articles of Association, the legal relationship between the member and the Chamber comes to an end. A subsequent admission on a fresh application creates a new and independent membership, and the previous period cannot be tacked on for the purpose of calculating the qualifying period prescribed under the Rules.

The contention of the Appellant that the Rule does not expressly employ the word "consecutive" is misconceived. Statutory provisions cannot be interpreted in isolation; they must be read harmoniously with the

Memorandum & Articles of Association governing the trade organization. Any other interpretation would render the provisions relating to cessation of membership otiose and permit members who have lost their membership to claim continuity despite the legal cessation of their status, which is neither contemplated by the Rules nor by the Articles of Association.

It is a settled principle of administrative law that where the governing statute and the constituent documents prescribe objective conditions for eligibility, the Election Commission cannot ignore or dilute those conditions on equitable considerations. Eligibility to vote in an election is a statutory right and must be determined strictly in accordance with the applicable legal framework.

Accordingly, the Election Commission is satisfied that the Secretary General correctly applied the provisions of **Rules 11(4), 15(1)(a)** read with Article 28 of the Memorandum and Articles of Association in holding that the Appellant had not completed the requisite period of **two years of valid membership** from the date of its fresh enrollment and was, therefore, rightly excluded from the provisional as well as the final voters' list.

Decision of the Election Commission of the Multan Chamber of Commerce & Industry

For the foregoing reasons, this Commission finds no illegality, irregularity, misreading of law, or jurisdictional defect in the order dated 31.07.2026 passed by the Secretary General.

Consequently, the appeal, being **devoid of merit**, is hereby **dismissed**.

The order dated **31.07.2026** passed by the Secretary General is affirmed**,** and the name of **M/s Fatima Energy Ltd.,** shall not be included in the final voters' list for the elections of the Multan Chamber of Commerce & Industry for the term **2026–2028**, as the Appellant has not completed the prescribed period of **two years of valid membership** in accordance with **Rule 15(1)(a) of the Trade Organizations Rules, 2013**, read with **Article 28 of the Memorandum & Articles of Association**.

KHAWAJA MUHAMMAD ALI
Member of the Election Commission

MIAN ARIF IQBAL
Member of the Election Commission

C.C To: DGTO for information