



**BEFORE THE
MONOPOLY CONTROL AUTHORITY
IN THE MATTER OF
M/s. A.G. Spiral
(File No. 8(292)/INV/(DD-R&I)/MCA/84)**

Present:

Mr. Khalid A. Mirza
Chairman

Raja Raza ARshad
Member

Abdul Ghaffar
Member

Date of hearing:

June 28, 2007

Present for the Respondent:

Mr. Ahmed Malik,
General Manager.

ORDER

1. M/s. A.G. Spiral, engaged in the manufacture and sale of treated bottled water, is an undertaking (hereinafter referred to as the “undertaking”) as defined under Section 2(1)(m) of the Monopolies and Restrictive Trade Practices (Control & Prevention) Ordinance 1970 (hereinafter referred to as the “Ordinance”).

2. The Monopoly Control Authority (hereinafter referred to as the “Authority”) passed Order dated April 27, 2007, against the undertaking, M/s A.G Spiral and imposed a penalty of Rs 100,000/- on it due to non-supply of information, non-response to the Show Cause Notice and non-appearance before the Authority on the date of hearing. The undertaking made a request vide its application dated May 22, 2007 for review of the Order and the Authority fixed the matter for hearing on June 28, 2007 at Islamabad.

3. On the date of hearing Mr. Ahmed Malik, General Manager of the undertaking, appeared before the Authority and argued the case. He submitted that the Head Office of the undertaking is situated in Islamabad and all legal correspondence is made from Head Office. The Show Cause Notice was received in Lahore office but due to internal management problems (arising out of changes in management responsibilities) and misunderstanding this was not honored properly by the management of the Lahore office. An adjournment letter was also submitted to the Authority by the Lahore office upon receipt of the hearing notice, without the knowledge of the Head Office, on April 23, 2007. He further submitted that the factual position came to the notice of the present management after receipt of the Order of the Authority dated April 27, 2007 and the undertaking made a formal request for review of the Order vide its application dated May 22, 2007. It also supplied the requisite information vide its letter dated May 23, 2007. He requested that the Authority may kindly take a lenient view and recall the Order on the basis of the facts, referred to above.

4. The Authority after considering the facts of the case and submissions of the representative decided to recall its Order dated April 27, 2007.

-Sd-

(Khalid A. Mirza)
Chairman

-Sd-

(Raja Raza Arshad)
Member

-Sd-

(Abdul Ghaffar)
Member

Islamabad the June _____, 2007