



**BEFORE THE  
MONOPOLY CONTROL AUTHORITY**

**IN THE MATTER OF**  
**M/s. HinoPak Motors Limited**  
**(File No. 8(491)/INV (DD-R&I)/MCA/91**

Present:	Mr. Khalid A. Mirza Chairman
	Raja Raza Arshad Member
	Mr. Abdul Ghaffar Member
Date of hearing:	August 23, 2006
Present for the Respondent:	Mr. Fahim Aijaz Sabzwari, Manager Finance

**ORDER**

M/s. HinoPak Motors Limited is an undertaking (hereinafter referred to as the ‘undertaking’) engaged in the production and sale of automobiles. The undertaking was asked, by the Monopoly Control Authority (hereinafter referred to as the ‘Authority’), vide letter, dated September 22, 2004 to supply the information specified therein under the Monopoly Control Authority (Supply of Information) Rules, 1995 (hereinafter referred to as the ‘Rules’) but it failed to do so. The undertaking was reminded vide letter date November 3, 2004 but it again failed to supply the requisite information or to respond to related letters of the Authority.

The undertaking was, therefore, served with Show Cause Notice No.58 of 2004-05 dated January 28, 2005, under section 19 of the Monopolies and Restrictive Trade Practices (Control and Prevention) Ordinance, 1970 (hereinafter referred to as the “Ordinance”). The undertaking was required to respond to the Show Cause Notice by February 15, 2005 but it neither responded to the Show Cause Notice nor supplied the requisite information.

Disposal of the Show Cause Notice was fixed for hearing on January 16, 2006 at Islamabad vide hearing notice No. 8(491)INV(DD-R&I)MCA/91 dated December 31, 2005. In response, the undertaking vide its letter dated January 9, 2006 submitted that in view of the Eid Holidays coupled with pre-occupation due to closing of financial year and annual statutory audit it would not be possible to attend the hearing. It also requested that the hearing be postponed atleast by 15 days. The Authority acceded to their request and adjourned the matter for date in office.

The matter was again fixed for hearing at Karachi on August 23, 2006 vide hearing Notice of even number dated August 16, 2006. Mr. Fahim Aijaz Sabzwari, Manager Finance, appeared before the Authority and argued the case. He submitted that the undertaking supplied the information under the Rules for the year ended in 2005 but the information pertaining to the year ended in 2004 could not be supplied due to the reason that the concerned officer of the undertaking left service and the matter remained unattended. The Authority directed him to supply the requisite information by August 24, 2006 and the undertaking supplied the same within the given timeframe.

The Authority, after considering the facts of the case, submissions of the representative and the fact that the undertaking supplied the requisite information within the given timeframe disposed off Show Cause Notice No. 58 of 2004-05 dated January 28, 2005, without any penalty for the undertaking's previous non-compliance.

-Sd-  
**(Khalid A. Mirza)**  
**Chairman**

-Sd-  
**(Raja Raza Arshad)**  
**Member**

-Sd-  
**(Abdul Ghaffar)**  
**Member**

**Islamabad the August ,2006.**