



**BEFORE THE
MONOPOLY CONTROL AUTHORITY
IN THE MATTER OF
M/s. Irfan Textiles (Pvt) Limited
(File No. 8(1154)/INV/Chief-R&I/MCA/2003)**

Present:

Mr. Khalid A. Mirza
Chairman

Abdul Ghaffar
Member

Date of hearing:

December 4, 2006

Present for the Respondent:

Syed Farqan Rizvi,
Senior Manager Finance

ORDER

1. M/s. Irfan Textiles (Pvt) Limited, engaged in manufacture and sale of knitted garments and fabrics, 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'). The total value of assets of the undertaking as per its annual audited accounts for the year ended September 30, 2004 was 1.745 billion rupees and an undertaking the total value of assets of which is not less than three hundred million rupees is required to furnish to the Monopoly Control Authority (hereinafter referred to as the 'Authority') every year, within four months of the closing of its financial year, the information prescribed under the Monopoly Control Authority (Supply of Information) Rules, 1995 (hereinafter referred to as the 'Rules') but it failed to supply the information under the Rules for the year ended June 30, 2005. The undertaking was, therefore, reminded to supply the information under the Rules for the year ended June 30, 2005 alongwith statements of accounts in respect of Rs 4.798 million due to associated undertaking and Rs 9.850 million due from associated undertakings and rates of mark-up charged, vide letter dated June 14, 2006 but it failed to do so. The undertaking was reminded vide letter dated August 17, 2006 but it again failed respond to the letters of the Authority or to supply the requisite information.

2. The undertaking was, therefore, served Show Cause Notice No.02 of 2006-07 dated September 27, 2006 under section 19 of the Ordinance. The undertaking did not respond to the Show Cause Notice.

3. For disposal of the Show Cause Notice the Authority fixed the matter for hearing on December 4, 2006 at Lahore vide hearing notice dated November 17, 2006.

4. On the date of hearing Syed Farqan Rizvi, Senior Manager Finance of the undertaking appeared before the Authority as authorized representative and argued the case. He submitted that the Authority enhanced the limit of total value of assets from three hundred million rupees to four billion rupees and due to confusion, the undertaking could not supply the information, prescribed under the Rules. The Authority pointed out that the undertaking could not supply the information even after receipt of reminders dated June 14 and August 17, 2006. It also failed to respond to the Show Cause Notice. The authorized representative apologized and requested for grant of time for submission of the requisite information and the Authority, acceding to his request, allowed him time upto December 5, 2006. The undertaking supplied the information within the given time frame.

5. The Authority, after considering the facts of the case, submissions of the authorized representative and the fact that it supplied the information within the given timeframe, taking a lenient view imposed a penalty of Rs 25,000/- on it. The undertaking is required to deposit the penalty under the relevant head of account and to furnish original paid challan to the Authority within fifteen days from the date of receipt of the Order.

-Sd-
(Khalid A. Mirza)
Chairman

-Sd-
(Abdul Ghaffar)
Member

Islamabad the December ,2006