



**BEFORE THE  
MONOPOLY CONTROL AUTHORITY  
IN THE MATTER OF  
M/s. Maqbool Textile Mills Ltd  
(File No. 8(569)/INV/DD-R&I/MCA/94)**

Present:	Mr. Khalid A. Mirza Chairman
	Abdul Ghaffar Member
Date of hearing:	December 4, 2006
Present for the Respondent:	Mr. Muhammad Ehsanullah Khan, Company Secretary

**ORDER**

1. M/s. Maqbool Textile Mills Ltd., engaged in the manufacture and sale of yarn, 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 June 30, 2005 were 854.812 million 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 vide letter dated June 5, 2006 to supply the information under the Rules for the year ended June 30, 2005 but it failed to do so. The undertaking was again reminded vide letter dated August 17, 2006 but it failed to supply the requisite information or to respond to the letter of the Authority.

2. The undertaking was, therefore, served Show Cause Notice No.04 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 Mr. Muhammad Ehsanullah Khan, Company Secretary of the undertaking, appeared before the Authority as authorized representative and argued the case. He presented the information to the Authority but the same was not complete. He also submitted that the undertaking supplied a copy of its annual audited accounts for the year ended on June 30, 2005. The Authority pointed out that the undertaking is liable for supply of information prescribed under the Rules, but it failed to supply the same even after issue of reminders dated June 5 and August 17, 2006. It also failed to respond to the Show Cause Notice. Mr. Ehsanullah apologized and requested for grant of time for submission of the remaining information and the Authority, acceding to his request, allowed him time upto December 5, 2006. The undertaking failed to supply the information within the given timeframe.

5. The Authority, after considering the facts of the case, submissions of the authorized representatives and the fact that it could not supply the information within the given timeframe concluded the default of the undertaking as willful and imposed a penalty of Rs 100,000/- 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. The undertaking is also required to supply the requisite information by that time frame. In case of failure, action shall be initiated against the undertaking under sub-section (2) of Section 19 of the Ordinance.

-Sd-  
(Khalid A. Mirza)  
Chairman

-Sd-  
(Abdul Ghaffar)  
Member

**Islamabad the December ,2006**