



**BEFORE THE
MONOPOLY CONTROL AUTHORITY**

**IN THE MATTER OF
M/s. Yousaf Weaving Mills Limited
(F. No. 8(570)/INV/(DD-R&I)/MCA/ 94)**

Present:

Mr. Khalid A. Mirza
Chairman

Raja Raza Arshad
Member

Abdul Ghaffar
Member

Date of hearing:

November 6, 2006

Present for the Respondent:

Mr. Muhammad
Jahangir Khan,
Company Secretary

ORDER

M/s. Yousaf Weaving Mills Ltd., engaged in the business of textile weaving, spinning and sale of processed fabric and home textile, 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 undertaking was asked by Monopoly Control Authority (hereinafter referred to as the ‘Authority’), vide letter dated June 29, 2006 to supply the information specified 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 dated August 17, 2006, in response thereof, the undertaking vide its letter dated September 16, 2006 supplied copy of its annual report and audited accounts for the year ended on June 30, 2005 but it did not supply the information prescribed under the Rules.

2. The undertaking was, therefore, served Show Cause Notice No.03 of 2006-07 dated September 27, 2006, under section 19 of the Ordinance. The undertaking was required to respond to the Show Cause Notice by October 12, 2006. The undertaking vide its letter dated October 11, 2006 stated that the requisite information had already been supplied by it vide letter dated September 16, 2006.

4. For disposal of the Show Cause Notice the matter was fixed for hearing on November 6, 2006 at 11.30 a.m at Islamabad vide hearing notice dated October 19, 2006.

5. On the date of hearing Mr. Muhammad Jahangir Khan, Company Secretary of the undertaking, appeared before the Authority as an authorized representative and argued the case. He submitted that the undertaking received the reminders dated June 29 and August 17, 2006 and supplied the required information on September 16, 2006 i.e. prior to issue of Show Cause Notice No.03 of 2006-07 dated September 27, 2006. The Authority pointed out that the undertaking had only supplied its annual report and audited accounts and that too after receipt of the second reminder, whereas it is liable to furnish the information prescribed under the Rules on its own, within four months from the date of closing of its financial year. Mr. Jahangir admitted that the Authority was right to issue a Show Cause Notice due to default of the undertaking. He also apologized and requested for grant of two days time for submission of the required information. The Authority allowed him time upto November 8, 2006. The undertaking supplied the requisite information vide its letter dated November 7, 2006.

6. 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 time frame, took a lenient view and decided to impose a penalty of Rs 20,000/- (twenty thousand), which shall be deposited by it under the relevant head of account within fifteen days from the date of receipt of this Order.

-Sd-
(Khalid A. Mirza)
Chairman

-Sd-
(Raja Raza Arshad)
Member

-Sd-
(Abdul Ghaffar)
Member

Islamabad the November ,2006.