

## MEMORANDUM OF ASSOCIATION

OF

### PAKISTAN TIBBI PHARMACEUTICAL MANUFACTURERS' ASSOCIATION

1. The name of the Association shall be Pakistan Tibbi Pharmaceutical Manufacturers Association, hereinafter referred to as Association.
2. The Registered office of the Association, which shall be the Head Office, shall be situated at Lahore. Besides the Head Office, the Association may have Zonal offices.
3. The objects and purposes, for which the Association is established are;
  - i. To promote, protect and develop Tibbi Pharmaceutical and allied natural healthcare products manufacturing industry in Pakistan.
  - ii. To safeguard the genuine interests of Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicines manufacturing industry;
  - iii. To promote best practices and transparency for Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicines manufacturing and presentation, to ensure consumer safety, responsible and informative communications and compliance with applicable legislation.
  - iv. To represent the collective aspirations, interests and requirements of the manufacturers of Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicines.
  - v. To foster cooperation and dialogue between Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicine manufacturers and medical profession and related industries.
  - vi. To work and interact with domestic, foreign and international organizations for the promotion, representation and export of Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicines.
  - vii. To interact with legislators, policy makers, statutory organizations, regulatory bodies and key opinion formers for effectively projecting and promoting the objects, purposes, aspirations and projects of Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicine manufacturers.
  - viii. To ensure for all concerned the maximum freedom of choice and access to high quality Tibbi Pharmaceutical, Traditional Complementary and



Alternative Medicines.

- ix. To secure adequate representation for the Association in Government or public organizations, statutory bodies and trade organizations and appropriate representation on business delegations for taking part in various conferences, meetings, seminars etc. at national and international level.
- x. To promote, encourage and facilitate research and education concerning the quality, safety and effectiveness of Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicines,
- xi. To publish journals, magazines and other periodicals and books for the promotion of Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicines and the industry.
- xii. To establish, maintain and assign testing laboratories and also collaborate with domestic and international analytical and research laboratories.
- xiii. To acquire and manage immovable and movable properties by purchase, lease, hire, exchange or otherwise and to demolish, erect, alter and or maintain the same for the benefit of the Association.
- xiv. To accept or reject gifts, donations, grants or subscriptions for the Association, to accumulate and provide funds or endowments and to invest the same and apply the income arising there from or to resort to draw upon the capital thereof for any objects of the Association.
- xv. To subscribe to any local or other charities and to grant donations for public purposes.
- xvi. To employ and remunerate such staff and other officers as are necessary for carrying out the work of the Association and promoting its objects.
- xvii. To file, prosecute, defend, contest, or join or aid in filing, prosecuting and defending any such action, suits, applications, appeals or other proceedings as the Association may think proper or which may be conducive to the attainment of the objects of the Association.
- xviii. To pay all costs, charges and expenses, preliminary and incidental for the formation, establishment, registration and promotion of the Association and the conduct of the affairs thereof.
- xix. To collect, circulate and disseminate statistics and other information among the members of the Association relating to commerce, industry, trade or



services.

- xx. Generally to do all acts, deeds and things, which may be incidental, or conducive to the attainment of all or any of the objects stated herein above.
4. In pursuing its objects the Association shall not be influenced, guided or driven by any prejudice, leaning or affiliations rooted in creed, cult, colour, class, cadre and politics.
5. The income and property of the Association shall be applied solely towards the promotion of the aims and objects of the Association as set forth in this Memorandum and no portion thereof shall be paid or transferred by way of dividend, bonus or profit to any of its members.ss
6. The liability of the members of the Association is limited to their membership subscription.
7. (1) No addition, alteration and amendment shall be made in this Memorandum or in the Articles of Association unless the same have been passed by two-third of the total number of the members of the Association present in a general or extra ordinary meeting of the Association.
- (2) Notwithstanding the provisions in sub-clauses (1) and (2), amendments in this Memorandum when required by the Federal Government by law or, as the case may be, by rules to be made in the public interest, the said amendments shall be made without two-third majority.

We, the several persons whose names and address are subscribed are desirous of being formed into an Association in pursuance of this Memorandum of Association.

Sr.No.	Name of Subscribers	CNIC	Address	Signature
1	Mr. Iqbal Ahmad Qarshi	35202-4946782-5	Qarshi Industries (Pvt) Ltd. 15-G, Jam-e-Shirin Boulevard, Gulbarg-III, Lahore	
2	Dr. Navaid-ul-Zafar	42201-0662262-3	Hamdard Laboratories (Waqf) Pakistan Al-Majeed Hamdard Center, Nazimabad Number III, Karachi	
3	Dr. Zahid Ashraf	33100-3288440-7	Ashraf Laboratories (Pvt) Ltd Share-e-Ashraf 6th Kilometer Sargodha Road, Faisalabad.	



4	Mr. Nadeem Khalid	42301-1805217-7	Herbion Pakistan (Pvt) Ltd. Plot no 30, Sector 28, Korangi Industrial Area, Karachi	
5	Mr. Muhammad A. Qayyum	42201-0807892-7	Medics Laboratories (Pvt) Ltd. DP-32, Sector 12-C, Industrial Area, North Karachi.	

Dated the ..... day of .....2014

**Witness to above signatures**

Signature	
Full Name (in Block Letter)	MAJID ALI
Father's/ Husband's name	Muhammad Akram
Nationality	PAKISTANI
Occupation	
CNIC NO.	37405-2532309-7
Full Address	# G-701, Islam pura College Road, Rawalpindi.



**ARTICLES OF ASSOCIATION**  
**OF**  
**PAKISTAN TIBBI PHARMACEUTICAL MANUFACTURERS' ASSOCIATION**

**DEFINITIONS**

1. In these Articles unless there be something in the subject or context inconsistent therewith\_
  1. "Association" means Pakistan Tibbi Pharmaceutical Manufacturers' Association (PTPMA);
  2. "Articles" mean Articles of the Association;
  3. "Regulator" means the Regulator of the Trade Organisations appointed by the Federal Government and includes an officer empowered by the Federal Government to perform the functions of the Regulator under the Act.
  4. "Election Commission" means election commission appointed for the purpose of holding annual elections of the Association;
  5. "Executive Committee" means the Executive Committee of the Association, for the time being elected under these Articles, responsible for the management and conduct of the affairs of the Association;
  6. "General Body" mean all members of the Association;
  7. "General Meeting" means General Meeting of the General Body of the Association, whether ordinary or extraordinary;
  8. "Member" means a firm and includes a proprietorship, an association of persons, a partnership, a company, a multinational corporation engaged in Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicines manufacturing;
  9. "North Zone" means the provinces of the Punjab and Kahyber Pukhtoon Khawa and the tribal territories;
  10. "Office Bearers" means the Chairman, Senior Vice Chairman and Vice Chairman of the Association;



11. "Ordinance" means the Companies Ordinance, 1984;
12. "Secretary" means the Secretary General of the Association;
13. "SECP" means Securities and Exchange Commission of Pakistan established under section 3 of the Securities and Exchange Commission Act, 1997 (XL II of 1997);
14. "South Zone" means the provinces of Sindh and Balochistan;
15. "Tibbi Pharmaceutical" means any substance or mixture of substances, product, or preparations intended for external or internal use in human beings or animals for the treatment, mitigation or prevention of disease, an abnormal physical state or the symptoms thereof, or for restoration, correction or modification of organic functions of human beings or animals, manufactured exclusively in accordance with the ingredients or formula prescribed in the authoritative books of Tibb e Unani, Ayurvedic, Sidha, Herbal or Traditional Complementary and Alternative Medicines. It may also include dietary supplements prepared from vitamins, minerals, herbs or other botanical plants, amino acids, concentrate, metabolite, micro nutrients, constituent, extract, or combination of any of these ingredients;
16. " Act" means Trade Organizations Act, 2013;
17. " Rules" means Trade Organizations Rules, 2013;
18. "Women Entrepreneur" means,
  - (i) A sole proprietorship where the proprietor is a female; or
  - (ii) A partnership where the majority partners are female(s); or
  - (iii) An association of any kind where the majority of persons forming the Association are female; or
  - (iv) A company where the majority shares are held by the female(s).

## PRELIMINARY

2. In these Articles, unless the context otherwise requires, expressions defined in the Ordinance and the Act, or any statutory notifications issued there under shall have the same meanings; the words importing the singular shall include the plural and vice



versa; the words importing the masculine gender shall include the feminine and words importing the person shall include bodies corporate.

#### MEMBERSHIP

3. (1) For the purposes of registration, the Association is declared to consist at least one hundred (100) members.
- (2) The number may increase as and when new prospective members are enrolled by the Executive Committee in accordance with these Articles.
- (3) The Executive Committee shall endeavor to enroll in the Association every Tibbi Pharmaceutical Manufacturer who seeks enrollment with a view to achieve higher level of coordination, harmony and understanding amongst the active enterprises within this sector of manufacturing.

#### CLASSES OF MEMBERS

4. The Association shall comprise of two categories of members:
  - (1) **Corporate Member** means such member of the Association, which is either a body corporate or a multinational corporation with a manufacturing facility in Pakistan or is a sales tax registered Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicine(s) manufacturing concern having annual turnover of Rs. 50 million or above; and
  - (2) **Associate Member** means a member of the Association engaged in Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicine (s) manufacturing concern having annual turnover of less than Rs. 50 million but not a body corporate or a multinational or a sales tax registered person.

#### ENROLMENT OF MEMBERS

5. (1) A business concern shall be eligible for grant of membership of the Association if such business concern (hereinafter prospective member) meets the following conditions, namely:—
  - (a) The prospective member is a sole proprietorship or a partnership firm or an association of persons or a company holding national tax number and sales tax registration, if applicable, in the name of the business concern;



- (b) The prospective member is engaged in the manufacturing of Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicine(s);
  - (c) The prospective member operates at least one manufacturing facility anywhere in Pakistan having adequate quality control arrangements for the product(s) being manufactured;
  - (d) The application of the membership has been proposed and seconded by existing members of the Association;
  - (e) The prospective member has no record of any criminal conviction involving moral turpitude; and
  - (f) The prospective member submits an application on the prescribed form to the Secretary General of the Association.
- (2) Secretary General shall, after due scrutiny, forward the application to the Executive Committee:  
The application for the membership may be rejected only by three-fourth of the members present at the Executive Committee meeting.
- (3) If a prospective member is refused membership or the grant of membership is delayed beyond three months of filing of application for membership with Executive Committee, he may file a complaint with the Regulator.
- (4) The Regulator, if satisfied that a prospective member meets the eligibility criteria, may direct the Association for enrolling the complainant as member of the Association. The Executive Committee shall thereupon enroll the prospective member as a member of the Association.
- (5) Membership of the Association shall not be transferable.

**FEES**

- 6. A prospective member shall pay admission fee as per Schedule A of these Articles.
- 7. Every member of the Association shall pay annual subscription as per Schedule A.
- 8. The Executive Committee may change the admission fee and annual subscription after the approval of the General Body and the Regulator.



9. The Executive Committee may, if considered expedient, allow one or more members to pay the fee and / or the annual subscription in two or more installments.

#### TERM OF MEMBERSHIP

10. The membership of the Association shall be granted for a period of one year and shall expire on 31st day of March every year irrespective of the date of grant of membership but it shall be renewable subject to provisions of Articles 11 and 12.

#### RENEWAL OF MEMBERSHIP

11. The membership shall be renewable on annual basis subject to fulfillment of the following conditions:-
- (a) payment of the subscription within the time as may be prescribed by the Executive Committee but not later than 31st March unless extended by the Executive Committee in case of any Member for reasons to be recorded in writing; and
  - (b) proof of filing of return of income tax and sales tax, if applicable, for the preceding year.
12. The Regulator, if satisfied that the renewal of the membership of an eligible member has been delayed or refused, upon a complaint filed by the aggrieved member, may direct the Association to renew the membership of the said member. The Executive Committee shall thereupon renew the membership accordingly.

#### PRIVILEGES OF MEMBERSHIP

13. (1) A member of the Association shall have one vote.
- (2) He shall become eligible to vote in the meeting of the Association and in the annual elections only after completing Two years of enrollment;
- Provided, that such member fulfills the conditions for the renewal of membership.
14. Every member shall have a right to move resolutions and speak for or against any resolution at General Meetings in accordance with the rules and procedures as may, from time to time, be in force in this behalf.
15. Every member shall be entitled to inspect the accounts of the Association subject to reasonable restrictions as may, from time to time, be imposed in this regard by the Executive Committee for such inspection.



16. Every member shall pay all dues of the Association in time.

(1) Every member of the Association shall abide by these Articles, the Act and the Rules and the provisions of the Ordinance and the rules made there under and in force.

(2) Every member shall faithfully follow, comply with and act upon the rules and regulations of the Association and the directions of the Executive Committee which may from time to time be issued in connection with the conduct of the Association.

17. No member shall do anything which may prove, or apprehended to be, harmful directly or indirectly to the cause of the Association or which may cause disunity amongst the members.

18. (1) If a member fails to perform or otherwise fails to fulfill any of the duties, obligations

or objects set forth for members in the Memorandum or these Articles and the failure or default is of grave nature and is likely to prejudice the interests of the Association or if he persistently violates the rules of the Association and has already been warned on that account by the Executive Committee, he shall be liable to be expelled from the Association by the Executive Committee.

(2) Before expulsion, the member shall be suspended and served upon a statement of the charges and provided a fair opportunity of presenting his written defense against the same within a reasonable time.

(3) The Executive Committee shall consider the written defense of the member and pass its order as deemed fit.

(4) A resolution of expulsion passed by the Executive Committee through a three fourth majority vote shall be sufficient to expel the member.

19. (1) A member so expelled may prefer an appeal against expulsion before the Regulator.

(2) The Regulator, after examining such appeal and being satisfied that it has merit, may restore the membership of such member.

20. Subject to provisions of Article 20(2), a member once expelled shall not be re-enrolled as a member of the Association without the approval of the Executive Committee on his written application:

Provided that before he is enrolled afresh, he shall pay the admission and subscription fees as well as the amount, which was due from him at the time of his expulsion from



the Association.

21. (1) A member may, of his own will, resign from the membership of the Association through authorized representative.
- (2) The resignation shall be addressed to the Executive Committee and filed with the Secretary General.
- (3) The Executive Committee shall consider such resignation within ten days and, unless found to be unsigned, not tendered on Member's known letter head or not dated, it may be accepted.

#### CESSATION OF MEMBERSHIP

22. (1) A person shall cease to be a member of the Association for one or more of the following reasons:-
- (a) On resignation from membership of the Association, duly accepted by the Executive Committee;
- (b) On his discontinuing the business of Tibbi Pharmaceutical, Traditional Complementary and Alternative Medicine(s) manufacturing;
- (c) In case of an individual, on his death or his becoming of unsound mind or insolvent or if he is convicted of an offence involving moral turpitude;
- (d) In case of a company or corporate body, on its being wound up or its being convicted of an offence involving moral turpitude;
- (e) On failure of a member to pay annual subscription of the Association on or before 31st of March or such extended period not exceeding four months as may be allowed by the Executive Committee; and/ or
- (f) On his expulsion from the Association in accordance with Article 20.
- (2) A member who has resigned may seek fresh enrollment or restoration of membership in accordance with these Articles.

#### REGISTER OF MEMBERS

23. A register of members shall be maintained in the prescribed form at the registered office of the Association. The register shall be regularly updated and every member may inspect the same during the working hours of the office of the



Association.

#### **LIABILITY OF MEMBERS**

24. The liability of the members of the Association shall be limited to their membership subscription.

#### **EXECUTIVE COMMITTEE**

25. The total number of members of the Executive Committee shall not be less than ten and not more than thirty.
26. (1) The tenure of the members of the Executive Committee shall be two years, commencing from first October of the year in which elections are held.
- (2) Fifty percent of members of the Executive Committee shall retire every year.
- (3) After the first elections of the Executive Committee under the Act, fifty percent members shall retire on the expiry of the first year.
- (4) After the first elections of the Executive Committee, a draw shall be held to determine the fifty percent members who shall retire after expiry of the first year.
27. The immediate past Chairman of the Association shall be an ex-officio member of the Executive Committee without voting right.

#### **OFFICE BEARERS**

28. (1) Association shall have a Chairman, Senior Vice Chairman and Vice Chairman.
- (2) The Executive Committee shall elect the Office Bearers of the Association from amongst its members.
- (3) The term of the Office Bearers shall be one year.
29. (1) The Office Bearers and members of the Executive Committee, on completion of their term, shall not be eligible to contest election in any representative capacity for the next one year:
- (2) All office bearers and members of the Executive Committee shall act without remuneration.



## ELECTIONS (GENERAL)

The election of the Association shall be conducted according to the procedure laid down in the Articles of Association and according to a schedule approved by the Executive Committee between the first day of July and 30<sup>th</sup> day of September each year subject to the following wherever applicable:

- a). The election of the Members of the Executive Committee including Chairman, Senior Vice Chairman and Vice Chairman shall be held by secret ballot. The members of Executive Committee so elected shall proceed to elect from themselves Chairman, Senior Vice Chairman and Vice-Chairman and their final result shall be officially announced at the General Meeting of the Association called for this purpose within fifteen days of the date of polling but before or on 30<sup>th</sup> September.
- b). On completion of their term the retiring members of the Executive Committee shall not be eligible to stand for election or co-option for the Executive Committee in any representative capacity for the next one year.
- c). No voting by proxy or postal ballot shall be allowed.
- d). No member shall be entitled to vote at any meeting of Association unless all moneys due on account of Membership fee or otherwise have been paid to the Association by the due date.
- e). Voting rights shall accrue only after two year's standing as member, except, for the first elections after the incorporation.
- f). No member who has resigned or ceased to be a member or has been expelled from the Association shall be entitled to attend or vote at any meeting of the Association.
- g). The Chairman or whosoever be presiding over a meeting shall, in the case of equality of votes, have a second or casting vote except in the matter of any election of the Association

## ELIGIBILITY TO VOTE

30. A member shall be eligible to vote in election of the Association after completion of two year of membership in the Association provided such a member fulfills the conditions stipulated for the renewal of membership and the change of class of membership, if any, has been notified by the Secretary General with the approval of



Executive Committee of the Association as the case may be, at least three months prior to announcement of election schedule.

31. Every member eligible to vote shall deposit with the Secretary General of the Association the specimen signature card along with his / her photograph indicating his / her status in the firm, company or concern. The right to vote shall be allowed only to the proprietor, partner or the director of the member firm or company, or a person not below the rank of General Manager authorized by the Board of Directors of a public limited company or a Multi-National company, as the case may be.
32. The Proprietor, partner or director of the member firm or company concerned or a person not below the rank of General Manager authorized by the Board Directors of public limited company or a multinational company shall be entitled to cast his / her vote at the time of election only if his or her name has already been registered with the Secretary General of the Association and his name appears on the list of voters. However, in the case of Associated Bodies, Associations or persons a society or a trust etc., the member may be represented by an authorized person who is member of its Governing Body.

#### LIST OF VOTERS

33. The Secretary General of the Association shall within seven days of the issuance of the election schedule display a list of all members eligible to vote alongwith their National Tax Number, Sales Tax Registration Number, if applicable and the name and National Identity Card Number of their representative. Provided that every member of the Association will be entitled to obtain a copy of such list upon payment of the prescribed fee. The voters list shall be displayed at:
  - a). The Notice Board of the Association; and
  - b). The website of the Association.
34. The change, if any, regarding name of representative appearing in the list of voters shall be sent to the Secretary General of the Association along with necessary proof of eligibility within three days of the announcement of election schedule.
35. The members who have any objection to the entries / changes in the list of voters shall send their objections in writing to the Secretary General within seven days of the issuance of the said list.
36. The Secretary General will intimate action on the objections or changes sent by members within five days from the last day under preceding clause.



37. In case of any dispute pertaining to the eligibility of a member, the matter may be referred to the Election Commission of the Association by any person aggrieved by the decision of the Secretary General of the Association within three days which will decide that case within three days.
38. Within three days of the decision by the Election Commissioner, any person aggrieved by the decision of the Election Commission may appeal to the Regulator who shall decide the case within ten days whose decision in this regard shall be final.
39. Within two days of the decision of the Regulator the final voters' list shall be:
  - a) displayed at the notice board of the head office and regional offices of the Association;
  - b) displayed at the website of the Association; and
  - c) submitted to the Regulator:

#### NOMINATION PAPERS

40. Within four days of the issuance of the final list of voters, any person who is eligible to contest the election for the vacant post, shall send his nomination duly proposed, seconded, and signed by the candidate to the Secretary General on the prescribed form in accordance with the Articles of Association or rules of the Association.

Within twenty-four hours of receipt of nomination papers, a copy of the final list of voters shall be provided to each contesting candidate.

The nomination papers shall be scrutinized by the commission and list of candidates shall be displayed within twenty-four hours of the last date of receipt of nomination papers.

The objections, if any, to the nomination of the candidates can be filed to the election commission within twenty-four hours of issuance of the list of candidates, which shall be decided by the election commission within two days.

Within two days of decision of the commission or in case the commission fails to decide within the stipulated time, any candidate aggrieved by the decision of the commission may file an appeal to the Regulator, who shall decide within 7 days and his decision in this regard shall be final.

Within two days of the decision of the Regulator the commission shall issue the final list of candidates.

Provided that if no appeal has been filed to the Regulator, the final list of candidates shall be issued within eleven days of the decision of the election commission.



Within five days of display of final list of candidates, the polling for election of members of Executive Committee shall be held.

Within 2 days of the polling, any person elected as member of Executive Committee, shall send his nomination for election as an office bearer duly proposed and seconded by an elected Executive Committee member and signed by the candidate to the election commission.

The nomination papers shall be scrutinized by the commission and list of candidates shall be displayed within 24 hours of the last date of receipt of nomination papers.

Within 2 days of display of final list of candidates, the polling for election of office bearers shall be held.

#### **APPOINTMENT OF ELECTION COMMISSION**

41. Simultaneously with the approval of election schedule the Executive Committee of the Association shall appoint an Election Commission, subject to the following conditions namely:
  - a). The Commission may comprise of three members;
  - b). The members so appointed have submitted their consent in writing to their appointment as such;
  - c). The members of the Commission, so appointed have not held any office of the Association for the preceding two years.
  - d). The members of the Commission shall not become a candidate in the election they are conducting;
  - e). The members of Commission shall act independently and impartially; and
  - f). The members of the Commission shall not canvass for any candidate or panels contesting the election, they are conducting.

#### **BALLOT PAPERS**

42. The ballot papers shall have duly numbered counterfoils and the voters shall sign or affix thumb impression thereon in the presence of the polling agents of the candidates and the returning officer before the issuance of ballot papers to him / her.
43. It shall be the duty of the polling officer to see the original identity card issued by the Association or national identity card or passport and or the driving license or any



other acceptable mode of identification of the voter and write the number thereof on the counterfoil.

44. After comparing the signatures and photographs with the specimen signatures cards the polling officer shall handover the ballot paper to the voter.
45. The ballot paper shall be signed by the Secretary General or an officer of the Association duly authorized by the Commission in this behalf and shall also be signed by the polling officer at the time when it is issued.
46. The voter shall not be allowed to leave the booth after the ballot paper has been handed over to him until and unless he or she has inserted his / her ballot paper in the box placed before the presiding officer / polling officer and polling agents of the candidates.
47. Adequate arrangements shall be made to maintain the secrecy of the polls.
48. Proper account shall be maintained by a designated officer in respect of ballot papers including used, unused, tendered, challenged or stray ballot papers.
49. The challenged votes shall be kept in a separate sealed envelope duly signed and sealed by the polling officer.
50. The Commission or an officer designated by the Commission shall decide about the challenged votes after verification of necessary information from the member firm, company or concern before the official announcement of the results.
51. No ballot papers shall be invalid for failure to have cast all votes on all seats contested for in the said election.

#### **CONDUCT OF POLLING**

52. The returning officer as appointed shall be incharge of all arrangements connected with such elections, including counting of votes and announcement of results.

#### **COUNTING OF VOTES**

53. Counting of votes shall take place immediately after the polling hours under the supervision of Returning officer in the presence of polling agents of the candidates, if any, at the designated sites.

#### **PROVISIONAL RESULTS**

54. Provisional results may be declared by the returning officer immediately after the counting votes is completed.



### INSPECTION OF RECORD OF ELECTIONS

55. The record of elections shall be open to inspection by the Members upon an application made to the Returning Officer or his nominee in this behalf within seven days of the date of polling with the approval of Regulator.

### EQUALITY OF VOTES

56. In the event of Equality of votes between two or more candidates a lot shall be drawn by the returning officer in the presence of candidates or their authorized representatives / polling agents of such candidates and a record of the result thereof shall be made.

### ANNOUNCEMENT OF RESULTS

57. The final result of elections shall be announced at the Annual General Meeting of the Association. Called for this purpose within fifteen days of the date of polling, but not later than 30<sup>th</sup> of September of the year, which shall be the material date for the purposes of paragraph (iii) of clause (f) of sub-Section (2) of Section 14 of the Act.
58. The final election result announced at the General Meeting shall be displayed at:
- a). The Notice Board of the Association within two days; and
  - b). Displayed at the website of the Association within two days; and
  - c). Submitted to the Regulator within 7 days.

### VACATION OF SEAT IN THE EXECUTIVE COMMITTEE

59. The office of a member of the Executive Committee shall stand vacated if
- (a) the member is found to be of unsound mind by a court of competent jurisdiction; or
  - (b) is adjudged as insolvent; or
  - (c) he or any firm of which he is a partner or any company of which he is a director accepts or holds any office of profit under the Association other than that of a legal advisor or a banker; or



- (d) he absents himself from three consecutive meetings of the Executive Committee or for a continuous period of three months whichever is longer without leave of absence from the Executive Committee; or
- (e) by change of class he ceases to be the member of the class which he represents in the Executive Committee; or
- (f) he or the firm, joint stock company or associated body which he represents, ceases to be a member.

#### POWERS AND DUTIES OF EXECUTIVE COMMITTEE

60. The Executive Committee shall exercise all such powers of the Association as are provided for under the Ordinance and Act, and the powers as delegated to it by resolutions of the General Body.
61. The Executive Committee may constitute or appoint committees or sub-committees to carry out an enquiry or one or more tasks according to the objects laid down in the Memorandum of Association and may prescribe the scope, terms of reference and the procedure for transacting its business in carrying out enquiry or performing any work entrusted to it.
62. (1) Fourteen days' notice shall ordinarily be given for calling meetings of the Executive Committee.
- (2) In either case the subjects to be discussed at such meetings shall be duly communicated to its members along with the notice.
- (3) In case of emergency a shorter notice of three clear days shall be deemed sufficient
63. (1) One-third of the Executive Committee members shall form a quorum at any of its meetings.
- (2) A meeting once adjourned for want of quorum may be reconvened subsequently.
- (3) A reconvened meeting may be conducted without a quorum if the usual notice of the adjourned meeting has been duly given and at least two persons are personally present.
64. (1) The Chairman shall preside over all meetings of the Executive Committee.



- (2) If at any meeting the Chairman does not present himself upto half an hour from the time appointed for such meeting, the Senior Vice Chairman shall take the chair.
- (3) In case both the Chairman and the Senior Vice Chairman are not present, the Vice Chairman shall take the chair, in case all three are not present, the members present shall choose one from amongst themselves to preside over the meeting.
65. (1) The business of the Executive Committee shall ordinarily be conducted by discussion at the meeting.
- (2) In case of emergency, decision may be arrived at by circulation of proposals: Provided always that no decision shall be arrived at in this manner if any two members of the Executive Committee desire in writing or through internet messaging that the subject be discussed at the meeting.
66. All minutes of the meetings of the Executive Committee shall be recorded in a book provided for the purpose and signed by the Chairman of the meeting and all minutes purporting to be signed shall be considered as prima facie evidence of the matters stated therein.
67. The Executive Committee shall keep or cause to be kept, books of accounts in which shall be entered full and true accounts and affairs and transactions of the Association. In particular it shall maintain\_
- (a) Minutes Book for meetings of the General Body;
  - (b) Minutes Book for meetings of any committee or sub-committee;
  - (c) Register of Members showing their registered correspondence addresses (including names of their representatives or nominees), contact numbers, fax and e-mail addresses;
  - (d) Register of Members of the Executive Committee showing the names, addresses, occupation of all members and the changes made therein from time to time;
  - (e) Cash Book, Ledger and documents pertaining to income, expenditure, investment, loans, leases etc;
  - (f) Bank statements and cheque books and counterfoils thereof; and



(g) Stock register.

68. (1) The Executive Committee shall ensure that proper accounts are maintained of the receipts and expenditure of the Association.
- (2) Subject to any reasonable restrictions as to the time and manner of inspecting the same as may be prescribed by the Executive Committee and subject to any regulations of the Government for the time being in force, the accounts of the Association shall be open to inspection by the members.
- (3) Once at least in every year the accounts shall be duly audited and the correctness of its income and expenditure and of its balance sheet ascertained and certified by Chartered Accountants.
69. Without prejudice to the general powers conferred through these Articles, the Executive Committee shall have in particular the following powers and duties:-
- (a) To carry out properly all the aims, objects and purposes of the Association.
  - (b) To secure, get and utilize the benefits and rights extended by the Government to registered/recognized associations of industry.
  - (c) To purchase, take on lease or otherwise acquire any property, movable or immovable, for and in the name of the Association.
  - (d) To keep custody of, repair, renovate, pull down, reconstruct and otherwise look after and properly manage the movable and immovable properties held by the Association.
  - (e) To frame, alter or vary rules, regulations and/or byelaws for the conduct of its own business and of any committees or sub-committees appointed by it for specified inquiries, tasks and purposes, for appointment, promotion, compensation, dismissal, and removal from service of its employees.
  - (f) To convene meetings of General Body and to place before it proposals relating to the aims, objects and purposes of the Association.
  - (g) To interpret these Articles.



- (h) To fill any vacancy occurring among its members, from the same class of members to which the outgoing member belonged.
- (i) To call for reports on any work and matter and generally to supervise the work of committees and sub-committees appointed by it and of its paid employees.
- (j) To appoint, promote, suspend or dismiss Secretary General or any one or more paid employees of the Association.
- (k) To receive the annual audited accounts of the Association and the annual report of the Secretary General before sending it to the General Body.
- (l) To adopt measures for the eradication of unethical business practices from trade, commerce and industry.
- (m) To attend to matters relating to the laws, rules and regulations which pertain to Pakistan Tibbi Pharmaceutical Manufacturing Industry with a view to protecting and promoting the genuine and legitimate interests of its members.
- (n) To arrange and execute programs, hold events and seminars, to disseminate information about Traditional Medicines, Tibbi Pharmaceutical Industry, Traditional Complementary and Alternative Medicines manufacturing.
- (o) To deal with any matter or taking it up with the Government in the larger interest of the industry, its members and the country at large.
- (p) To maintain and operate the funds of the Association.
- (q) To raise funds for the Association subject to the condition that no funds shall be solicited from foreign sources without prior permission, approval or clearance from the competent authority and without compliance of the laws and regulations in force in this regard.
- (r) Generally, to decide all questions of policy affecting the interests of the members of the Association.

#### POWERS AND DUTIES OF CHAIRMAN, VICE CHAIRMEN

70. The Chairman of the Association shall perform such duties and shall have such powers as are vested in the Chief Executive in terms of the Ordinance and, as the case may be, the



Act. Without prejudice to the generality, the Chairman shall discharge the following duties:-

- (a) To preside over the meetings of the Executive Committee and the meetings of the General Body.
- (b) To control and maintain decorum and discipline at the meetings.
- (c) To look after and supervise the working and the operations of the Association.
- (d) To use his casting vote in the event of a tie when the General Body or the Executive Committee is voting over an issue.
- (e) To give precedence to any item of the agenda and to give rulings over points raised in a meeting.
- (f) To direct the Secretary General to call a meeting of the Executive Committee or, as the case may be, of the General Body.
- (g) To adjourn a meeting for want of quorum, order or for any other cogent reason.
- (h) To lead delegations and deputations of the Association.
- (i) In the absence of the Chairman, the Vice-Chairman, designated by him for the purpose, shall exercise all the powers of the Chairman in relation to the Association and the Executive Committee.
- (j) The Chairman may delegate any of his powers to a Vice Chairman of the Association.

#### SECRETARY GENERAL

71. (1) The Secretary General of the Association shall be a salaried employee and shall not be a member of the Association.
- (2) He shall act in accordance with the directions of the Executive Committee of the Association and in keeping with the terms of the Memorandum and these Articles.
- (2) All properties, documents, records and assets of the Association shall be in the custody of Secretary General, subject to the control of the Executive Committee.



- (3) He shall receive all correspondence and shall ensure that all letters, notices and proposals calling for response from the Association are duly responded to without delay and with due approval of the Executive Committee.
- (4) He shall cause to keep and maintain proper accounts of all the income and expenditure of the Association, of its assets and liabilities and the inventory of stock items and get the same audited in accordance with these Articles.
- (5) He shall issue notices and agenda for convening meetings, and circulate minutes and reports of meetings and of conferences convened, sponsored, organized or called by the General Body or Executive Committee.
- (6) He shall facilitate the conduct and the proceedings of the annual elections and appropriately assist the Election Commission in this behalf as provided in these Articles.
- (7) He shall assist the Executive Committee in enrollment of members, in renewal of their membership and in other matters related thereto and the maintenance of the Register of Members.
- (8) He shall maintain registers for minutes of General Meetings, the meetings of Executive Committee and of any other committee or sub-committee.
- (9) He shall ensure that web-site of the Association is maintained and updated from time to time.

#### GENERAL MEETINGS

72. (1) Every year, a meeting of the General Body called Annual General Meeting (AGM) shall be held at such time not being later than six months following the close of the income year and within 15 months after the holding of last preceding General Body meeting.
- (2) The AGM shall be held at such place as the Executive Committee may consider convenient.
- (3) The AGM shall discharge such business as receiving the Annual Audited Accounts and the Balance Sheet together with the Auditor's report, the budget for the next succeeding year, report of the Secretary General regarding the Association's work during the last concluded year, holding of the elections of the members of the Executive Committee and the office bearers and any other business as may be included in the agenda.



- (4) The audited accounts and balance sheet shall be sent to all members along with notice of the AGM.
73. The Annual General Meeting of the General Body shall be called Ordinary General Meeting, and all other meetings of the General Body shall be called Extraordinary General Meetings.
74. (1) The Chairman or the Executive Committee may, if deemed necessary, by giving the usual notice, call an Extraordinary General Meeting of the General Body at any time.
- (2) An Extraordinary General Meeting shall also be called upon a requisition signed by one third of the total members of the Association or ten members whichever is less.
- (3) Every requisition for an Extraordinary General Meeting shall state the purpose of the meeting.
- (4) Each such requisition shall be in writing and it shall be duly filed in the office of the Association.
- (5) Upon receipt of the requisition under clause (3), the Executive Committee shall forthwith proceed to convene Extraordinary General Meeting.
75. (1) Twenty-one days' notice shall be given for an Ordinary General Meeting to the members by hand or by post.
- (2) In case of an Extraordinary General Meeting, twenty four days advance notice in writing shall be required to be given to all members and office bearers.
- (3) The notice shall specify the place, day and time of the meeting and in case of special business, the nature of such business.
- (4) Accidental omission to give such notice to any of the members or the non-receipt of such notice by any member shall not invalidate the proceedings of the General Meeting.
76. One-fourth of the total number of members of the Association shall form a quorum at all meetings of the General Body.



77. (1) The Chairman shall preside over General Meetings.
- (2) If he is not present for fifteen minutes after the time appointed for such a meeting, the Vice Chairman shall preside over the meeting.
- (3) In case the Chairman, Senior and Vice Chairman are not present, the meeting of the General Body shall be presided over by a member of the Executive Committee present and nominated by consensus of the General Body for the purpose.
- (4) In case no member of the Executive Committee is present, the members of the Association present shall nominate a member of the Association to preside over the meeting.
78. (1) If within half an hour after the time appointed for the holding of General Meeting the quorum is not complete, the meeting, if convened upon the requisition of members, shall stand dissolved.
- (2) In any other case, the meeting shall stand adjourned to the same day in the next week at the same time and place as was appointed for holding the General Meeting.
- (3) If at such adjourned meeting the quorum is not present, the members present and entitled to vote shall form a quorum for that meeting irrespective of their number and may transact the business for which the meeting was called.
79. (1) The Chairman, with the consent of the members present, may adjourn any General Meeting from time to time and place to place.
- (2) No business shall be transacted at any adjourned meeting other than the business left unfinished at the General Meeting from which the adjournment took place and which might have been transacted at that meeting.
80. (1) Every matter submitted to a General Meeting shall be decided by a simple majority vote.
- (2) In case of a tie, the Chairman shall have a casting vote in addition to the vote to which he may be entitled as a member of the Association.
81. (1) Votes shall ordinarily be counted by a show of hands.



- (2) In any meeting a member may ask for vote by ballot on any issue under consideration.
- (3) In case the controversy on mode of voting cannot be resolved by consensus or vote due to prevailing circumstances in the meeting, the Chairman shall decide whether the vote shall be by show of hands or by the ballot and his decision on the subject shall be final.
- (4) Where the vote is to be by ballot, it shall be by secret ballot.
- (1) No voting by proxy or postal ballot shall be allowed.
83. No objection shall be made to the validity of any vote except at the meeting at which such vote shall be tendered and every vote, not disallowed at such a meeting, shall be deemed valid for all purposes of such meeting.
84. (1) Minutes of each meeting held shall be prepared incorporating therein all the resolutions passed and the decisions taken and shall be signed by the Chairman. The same shall be kept in the book provided for the purpose.
- (2) The minutes so prepared shall be deemed as the documentary evidence of the said proceedings, of the resolutions passed, if any, and the decisions taken.
85. A simple majority of members present and voting at such a meeting shall be sufficient to decide a question referred to, and considered by, the General Meeting.

#### AMENDMENTS IN THE ARTICLES

86. No addition, alteration and amendment shall be made in the Memorandum of Association and in these Articles unless the same have been passed by a two-third of the total number of the members present in an Ordinary or Extraordinary General Meeting, and unless the same have been submitted to, and approved by, the Federal Government, the Regulator and SECP:
- Provided that amendments in this Memorandum shall be made when required by the Federal government in the public interest without two-third majority:

#### SEALS

87. (1) The Executive Committee shall forthwith provide for a common seal of the Association.
- (2) The seal shall be deposited with the Secretary General at the Head Office.



- (3) It shall be affixed to any document after obtaining prior approval of the Executive Committee and only in presence of Chairman or Vice-Chairmen.
- (4) All deeds, bonds and other documents duly executed on behalf of the Association, shall be sealed with common seal of the Association and signed by the Chairman, or any of the Vice Chairmen.

#### WEBSITE

88. The Association shall, within one year from the date of grant of license, create and maintain a website at all times which shall include all relevant information duly updated from time to time.

#### PLAN OF ACTIVITIES

89. The Office Bearers and the Executive Committee shall prepare three years plan of proposed future activities and place the same before the AGM for ex-post-facto approval.

#### FUNDS OF ASSOCIATION

90. (1) The funds of the Association shall be deposited in one or more scheduled banks.  
  
(2) The bank accounts of the Association shall be operated under direction of the Executive Committee which shall appoint one Member of the Executive Committee and the Secretary General to sign all cheques for transfer and for encashment and disbursements.
91. Subject to the provisions of the Ordinance and the Act, 2013 and the rules made thereunder, the Executive Committee shall fix the membership fee and other fees for each class of members and may revise the same as and when deemed expedient and necessary.
92. The Executive Committee may allocate appropriate funds from the income of the Association for use as and when may be deemed appropriate by it.
93. (1) The Executive Committee shall maintain petty cash not exceeding fifty thousand Rupees for meeting its day to day expenses.  
  
(2) The Executive Committee shall utilize the income of the Association and donations received during a year or brought forward from the preceding year for achieving its aims and objects. Any money set apart or not utilized during a year shall not exceed 25% of its annual income, including surplus left out of the amount from donations made to it:  
Provided that a certificate is produced to the effect that the amounts so in excess of the said limit have been invested in Government securities including but not limited to NIT Units or any mutual funds registered with State Bank of Pakistan or



SECP or the said amounts stand deposited in scheduled banks.

#### THE AUDITORS

94. (1) The Accounts of the Association shall be closed on 30th June of each year and got audited by one or more firms of Chartered Accountants.
- (2) The Auditors shall be appointed at the Annual General Meeting of the Association.
- (3) If any vacancy occurs in the office of auditors, it shall be filled up forthwith by the Executive Committee and ex post facto approval thereof shall be obtained from the General Body at its next immediate meeting and if there be no such meeting, by circulation amongst all members and obtaining their approval.

#### INDEMNITY

95. (1) Every member, every officer and every employee for the time being of the Association may be indemnified out of the assets of the Association against any liability incurred by him in defending any proceedings, whether civil or criminal, arising out of his dealings in relation to the affairs of the Association, except those brought by the Association against him, in which judgment is given in his favour or in which he is acquitted, or in connection with any application under section 488 of the Ordinance in which relief is granted to him by the court.
- (2) The members of the Executive Committee, the office bearers and the paid employees of the Association shall be entitled to be indemnified by the Association against the consequence of all lawful acts done by them jointly or severally in the course as well as in the discharge of their respective duties.

#### GENERAL

96. (1) In respect of any matter for which no provision has been made in these Articles, the provisions of the Act or, as the case may be, the Ordinance, or both, shall apply.
- (2) In case any provision of these Articles is inconsistent with the provisions of the Ordinance, the Act or the rules made thereunder, the provisions of the Ordinance, the Act or the rules made thereunder shall prevail.
97. Any dispute or difference of opinion in regard to the interpretation or scope of application of these Articles which cannot be resolved by the Association itself shall be referred to the Regulator and the ruling given by him shall be binding on the Association, its members, members of the Executive Committee and the Office Bearers.



98. The accounting year of the Association shall commence on 1st July and end on 30th June of the calendar year immediately following.
99. The Association shall not itself set up or otherwise engage in industrial or commercial activities or in any manner function as a trading set up :  
Provided that it shall be proper for the Association to set up, manage and operate Tibbi Research Laboratories and proto-type Tibbi Pharmaceutical plants for and on behalf of the members and to utilize the proceeds, income and profit thereof exclusively for promoting the objects of the Association.
100. Notwithstanding the provisions of these Articles, the Association shall comply with all conditions, and restrictions as may be imposed by SECP and the Regulator.
101. The Association shall act as a non-aligned, non-prejudiced body with respect to colour, creed, class, cadre and shall have no affiliations whatsoever with any cult, sect, party or group, whether religious, political, racial, cultural or any other.
102. The Association shall not claim, expressly or impliedly, patronage of any Government or authority unless such patronage has been signified by the said government or authority in writing.
103. Notwithstanding anything stated in any object clause, the Association shall obtain such other licenses, permissions, or approvals of the relevant public authorities as may be required under any statutory regulations and laws for the time being in force, to carry out any particular object.
104. No resolution of the General Body shall be rescinded within four months after its passing unless the resolution for rescission is supported by at least two-thirds of the total number of the members on the roll of the Association at the time and in case of a meeting wherein two-third of the members are present, whichever is less.
105. (1) Subject to provisions of the Ordinance and the Act, the Association may receive any bequest, gift, donation or subscription from any person or persons interested in its objects, purposes or work.
- (2) The Association may take out loans and may mortgage any of its property, movable or immovable, in order to secure such loan(s).
106. The Association may set up branch offices within and without any province of Pakistan, and may frame, from time to time, such rules, regulations, and by-laws as may be necessary:  
Provided that no branch offices shall be set up outside Pakistan without prior approval of two-third majority of the Executive Committee and without prior approval of authorities as may be required under the Ordinance or the Act or any other law of the land for the time being in force.



## DISSOLUTION OF ASSOCIATION

107. (1) The dissolution of the Association shall be subject to the provisions of the Ordinance and the Act.
- (2) In case of voluntary dissolution of the Association by members, it shall not be dissolved unless four-fifth of the total number of the members vote for dissolution.
- (3) In case of dissolution, all the assets, property and funds of the Association, after the outstanding liabilities, if any, have been discharged, shall be made over to an association, society or institution with similar objects to be determined by the Executive Committee.
108. Provisions of Table 'C' in the First Schedule to the Ordinance shall apply where no similar provisions exist in these Articles and the said provisions of the said Table 'C' shall be deemed to have been executed to the extent to which provisions have been made in these Articles.
109. (1) The General Body in its meeting has unanimously resolved that on the date when Pakistan Tibbi Pharmaceutical Manufacturers Association is registered with the Regulator, the present Association shall cease to exist and its dissolution shall be informed to all concerned.
- (2) The Assets, liabilities and contractual obligations of the said Association shall forth-with be transferred to the newly registered Pakistan Tibbi Pharmaceutical Manufacturers Association (PTPMA).

## WINDING UP

110. (1) Every member of the Association undertakes to contribute to the assets of the Association in the event of the same being wound up during the time that he is a member, or within one year afterwards for payment of the debts and liabilities of the Association contracted before the time of dissolution.
- (2) Every member shall also be bound to contribute towards the cost, charges and expenses of winding up of the Association and for the adjustment of rights of the contributors amongst themselves, such amount as may be required but not exceeding a member's annual subscription.

We, the several persons whose names and address are subscribed are desirous of being formed into an Association in pursuance of these Articles of Association.



Sr.No	Name of Subscribers	CNIC	Address	Signature
1	Mr. Iqbal Ahmad Qarshi	35202-4946782-5	Qarshi Industries (Pvt) Ltd. 15-G, Jam-e-Shirin Boulevard, Gulbarg-III, Lahore	
2	Dr. Navaid-ul-Zafar	42201-0662262-3	Hamdard Laboratories (Waqf) Pakistan Al-Majeed Hamdard Center, Nazimabad Number III, Karachi	
3	Dr. Zahid Ashraf	33100-3288440-7	Ashraf Laboratories (Pvt) Ltd Share-e-Ashraf 6th Kilometer Sargodha Road, Faisalabad.	
4	Mr. Nadeem Khalid	42301-1805217-7	Herbion Pakistan (Pvt) Ltd. Plot no 30, Sector 28, Korangi Industrial Area, Karachi	
5	Mr. Muhammad A. Qayyum	42201-0807892-7	Medics Laboratories (Pvt) Ltd. DP-32, Sector 12-C, Industrial Area, North Karachi.	

Dated the ..... day of .....2014

Witness to above signatures

Signature	
Full Name (in Block Letter)	MUHAMMAD HASSAN
Father's/ Husband's name	Fazal-ur-Rehman
Nationality	PAKISTANI
Occupation	
CNIC NO.	61101-7118079-9
Full Address	# 937, St, 54, G-11/2, Islamabad.



**PTPMA**

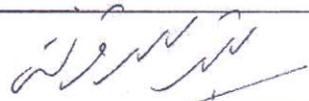
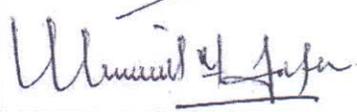
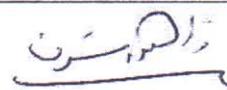
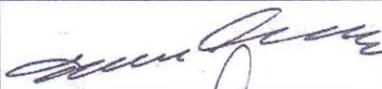
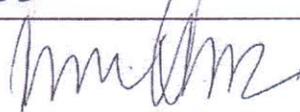
**ARTICLES OF ASSOCIATION**

**SCHEDULE – A**

Admission Fee (Under Article 6)	Rs. 5,000.00
Annual Subscription Fee (Under Article 7):	
(i) For Associate members	Rs. 10,000.00
(ii) For Corporate Members	Rs. 25,000.00



We, the several persons whose names and address are subscribed are desirous of being formed into an Association in pursuance of these Articles of Association.

Sr.No	Name of Subscribers	CNIC	Address	Signature
1	Mr. Iqbal Ahmad Qarshi	35202-4946782-5	Qarshi Industries (Pvt) Ltd. 15-G, Jam-e-Shirin Boulevard, Gulbarg-III, Lahore	
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5	Mr. Muhammad Abdul Qayyum	42201-0807892-7	Medics Laboratories (Pvt) Ltd. DP-32, Sector 12-C, Industrial Area, North Karachi.	

Dated the .....13<sup>th</sup> ..... day of .....November.....2014

Witness to above signatures

Signature	
Full Name (in Block Letter)	MUHAMMAD IMRAN MASSOD
Father's/ Husband's name	MUHAMMAD AZMAT MASOOD
Nationality	PAKISTANI
Occupation	Employment
CNIC NO.	35200-4810997-5
Full Address	House No. 5, Street No. 5, Gulshan Abbass Mansoor Mansoor Road, Lahore.