



Securities and Exchange Commission of Pakistan

BEFORE APPELLATE BENCH III

In the matter of

Appeal No. 33 of 2013

Zafar Iqbal Anjum

..... Appellant

Versus

Additional Registrar of Companies,
Securities and Exchange Commission of Pakistan

..... Respondent

Date of hearing

02/12/14

ORDER

Present:

For the Appellant:

Nemo

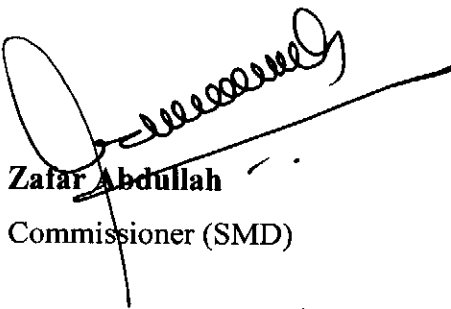
For the Respondent:

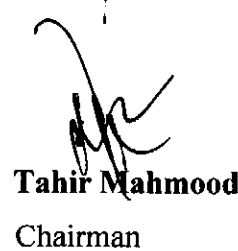
Mr. Abid Ali Abid, Deputy Registrar (CRO)



Securities and Exchange Commission of Pakistan

1. This order is in appeal No. 33 of 2013 filed under section 33 of the Securities and Exchange Commission of Pakistan (the "Commission") Act, 1997 against the order dated 25/04/13 (the "Impugned Order") passed by the Respondent.
2. Brief facts of the case are that the Appellant applied for registration of a company under the name of "*Fraud 360 (Pvt.) Limited*" (the "Company"). The Appellant's application to register the Company under the said name was turned down by the Respondent. The Respondent maintained that the proposed name was "*inappropriate*" as it contravened the provisions of section 37 of the Companies Ordinance, 1984 (the "Ordinance").
3. The Appellant has preferred the instant appeal against the Impugned Order. At the outset of the hearing before the Appellate Bench (the "Bench"), the Bench took a preliminary objection as to the maintainability of the instant appeal. S.R.O.1061(I)/2005 dated 18/10/05 delegates power to the Registrar to decide as to whether or not certain name of a company is in violation of the provisions of section 37 of the Ordinance. In the instant case, the Impugned Order was passed by the Additional Registrar, therefore, the preliminary appeal lies with the Registrar of Companies.
4. In view of the above, the appeal is not maintainable. The appeal is hereby forwarded to the Respondent department to be decided by the Registrar of Companies.


Zafar Abdullah
Commissioner (SMD)


Tahir Mahmood
Chairman

Announced on: 08/12/14