



Government of Pakistan
Ministry of Commerce
Directorate General of Trade Organizations
(Office of Regulator of Trade Organizations)
State Life Building No. 7, 2nd Floor,
Jinnah Avenue, Blue Area,



F. No. 9(27)/2020-TO

Islamabad, the 18th September, 2020

ORDER IN ORIGINAL NO. 69/2020

Passed by Mr. Riaz Ahmed, Regulator of Trade Organizations

Mr. Usama Usman

Versus

Pakistan Association of Automotive Parts & Accessories Manufacturers (PAAPAM)

Present in the hearing.

1. Mr. Usama Usman
2. Mr. Waheed Gul
3. Mr. Nasrullah Khan
4. Mr. Tariq Awan
5. Mr. Ibtisam Rashid Mirza (Advocate)

Appellant/ Complainant

1. Mr. Anas Haroon (Acting Secretary General)
2. Mr. Imran Riaz

..Respondents

Date of Hearing: 15-09-2020

Place of Hearing: OFFICE OF REGULATOR OF TRADE ORGANIZATIONS
DIRECTORATE GENERAL OF TRADE ORGANIZATIONS,
STATE LIFE BUILDING NO.7, 2ND FLOOR, BLUE AREA,
ISLAMABAD.

Date of issuance of Order: 18-09-2020

RIAZ AHMAD
Regulator of Trade Organizations
Directorate General of Trade Organization
Ministry of Commerce, Islamabad

By this order the undersigned intends to dispose of a petition filed in the office of the DGTO in pursuance of directions of Lahore High Court, Lahore in Writ Petition No. 39134/2020 dated 04-09-2020 filed by Mr. Usama Usman against Pakistan Automotive Parts and Accessories Manufacturers (PAAPAM) and Others, regarding various illegalities committed by respondent PAAPAM in carrying out the election proceeding of its office bearers and its affairs. The case was fixed for hearing on 15-09-2020, which was attended by both sides.

2. The counsel of the appellant has raised the following points under discussion in the subject Writ Petition for rederessal:-

- i. Illegal constitution of election commission
- ii. Removal of Secretary General and appointment of Acting Secretary General
- iii. Financial embezzlement by the Association

3. The counsel of the respondent has denied the allegations raised by the appellant and argued that the points under discussion have already been decided vide DGTO Orders No. 47, 48 and 49. The defendant has stated that they shall submit a forensic audit report from a reputed firm and submit the same to the Regulator. Furthermore, the defendant has provided the following documents as active compliance of DGTO's Order number 47, 48 and 49:-

- i. Copy for advertisement for appointment of Secretary General on 09-09-2020. Furthermore, he also provided copy of advertisement published on 26-01-2020 during the tenure of Mr. Muhammad Arshad as Secretary General along with notification of his relieving.
- ii. Copy for appointment for election commissioner / constitution of committee and managing committee meeting.


FINDING

After hearing the council of appellant and perusal of the documents submitted by the Acting Secretary General of Association, it can be seen that the association is actively pursuing compliance with DGTO Orders. However, the appellant has challenged the DGTO order dated 01-09-2020 before the Honorable Lahore High Court, Lahore in Writ Petition No. 39134/2020 dated 04-09-2020 wherein the Honorable High Court directed the Regulator (TO) to decide the petition within 15 days after hearing both sides. The appellant once again raised the same allegations which already been decided by the Regulator (TO) in Orders number 47, 48 and 49. The matter of non-appointment of Secretary General was discussed at length and the defendant undertook to comply with order number 47 and complete hiring process of permanent Secretary General.

ORDER

Arguments heard and record/ evidence perused. All the contentions raised during this hearing have been addressed previously vide order No. 47,48 and 49 passed on 01-09-2020. The Association is directed to strictly comply with Order No.47/2020 dated 01-09-2020, Order No.48/2020 dated 01-09-2020 and 49/2020 dated 01-09-2020.

The matter stands disposed of accordingly.


(Riaz Ahmed)
Regulator (TO)

Announced Dated:-18-09-2020.

RIAZ AHMAD
Regulator of Trade Organizations
Directorate General of Trade Organization
Ministry of Commerce, Islamabad