



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



F. No. 7(21)/2019-TO

Islamabad, the 14th October, 2020

ORDER IN ORIGINAL NO. 78/2020

Passed by Riaz Ahmed, Regulator of Trade Organizations

Mr. Ahmed Irfan and Mr. Muhammad Farhan

Versus

Pakistan Solar Association

Present in the hearing.

1. Mr. Farhan, Founder Member PSA
2. Mr. Ibtisam Rashid Mirza, Advocate

Appellant/ Complainant

1. Mr. Mohin Shaukat, Assistant
Secretary General

...Respondents

Date of Hearing: 07-10-2020

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: 14-10-2020

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

By this order the undersigned intends to dispose of complaint filed by Mr. Ahmed Irfan and Mr. Muhammad Farhan against Pakistan Solar Association regarding appointment of administrator in Pakistan Solar Association. The case was fixed for hearing on 07-10-2020 and was attended the both sides.

2. It is worth mentioning here that Mr. Mohsin Shaukat attended the hearing as Assistant Secretary General on behalf of Association , the said post is not recognized by Trade Organizations Act, 2013 and Trade Organizations Rules, 2013.

3. During the course of hearing, the appellant pointed out that he is the founder member of Pakistan Solar Association, the Association is almost defunct without Executive Committee. The Association was granted License No. 196 dated 20th February, 2015 valid upto 19th February, 2020. Association announced its elections in the grace period of 2 years when is not mandatory as per Trade Organizations Act,2013. Therefore, to run the affairs of Association an administrator was appointed by the Regulator (TO) vide Order No.37/2016 dated 2nd September, 2016 for six months to conduct elections. The appellant informed that no elections were conducted by the Association this year i.e 2020-2021.

4. The appellant ensured that by appointment of administrator and renewal of license of the association, the new management will make the solar energy sector strong and manage its affairs as per law. If the founder members be allowed to run the affairs of the association, a new committee will be constituted and office bearers will be elected.

5. Furthermore, respondent on behalf of Association also accepted the allegations raised by the appellant and agreed with the proposals of appellant being the founder member of the association.

FINDING

During the course of hearing, it was observed that there is no Secretary General working for the Association. Affairs of the association were managed without appointment of Secretary General. Post of Assistant General is not defined in Trade Organizations Act, 2013. As per record of the DGTO, Mr. Imran Hashmi was the Secretary General of the Association who lodged complaint against the Administrator appointed by the DGTO regarding illegal and unlawful behavior and his manhandling and lodging FIR against him.

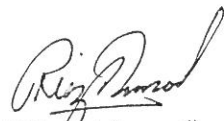
2. It is further observed that the appellants being the founder members of the Association seem serious to run the association under the law and they assured that if this office allowed them to work, they will constitute new committee of founder members and conduct elections accordingly. Post licensing requirements and renewal of license of association shall be carried out accordingly.

ORDER

Arguments heard and record/ evidence perused, the following orders are passed:

- i. A management committee of founder members be constituted to run the affairs and correspondence of the same.
- ii. The management committee is directed to appoint Secretary General at earliest as per Trade Organizations Rules, 2013
- iii. The association may apply for the renewal of license after fulfillment of post licensing requirements as per relevant provisions of law.

Announced Dated:-14-10-2020


(Riaz Ahmed)
Regulator (TO)
RIAZ AHMAD
Regulator of Trade Organizations
Directorate General of Trade Organization
Ministry of Commerce, Islamabad