



PAKISTAN TELECOMMUNICATION AUTHORITY
HEADQUARTERS, F-5/1 ISLAMABAD

**Enforcement Order under sub-section 3 of Section 23 of the Pakistan
Telecommunication (Re-organization) Act, 1996 in the matter of
M/s COMPUTERONICS INTERNATIONAL (PVT.) LIMITED.**

File No. 14-372/L&A/PTA/06

Date of Zonal Director' determination: 1st August, 2007
Date of Hearing: 13th September, 2007
Venue of Hearing: PTA H/Qs, Islamabad

The Authority Present:

S. Nasrul Karim Ghaznavi: Member (Finance)
Dr. Muhammad Yaseen: Member (Technical)

The Issue:

“Discontinuation of services/operations without prior approval of the Authority
and non payment of Authority’s dues on account of annual license fee”

Ex-parte Decision of the Authority

1. BRIEF FACTS:

1.1 M/s Computeronics International (Pvt.) Ltd. (the “licensee”) was awarded a non-exclusive license No. DIR(C)/L/PTA/476/2002 dated 13th December, 2002 by the Pakistan Telecommunication Authority (the “Authority”) to establish, maintain and operate commercial Electronic Information Services in Punjab Province on the terms and conditions contained in the license. As a licensee of the Authority, M/s Computeronics International (Pvt.) Ltd. was required to comply with the provisions of the prevailing regulatory laws comprising of the Pakistan Telecommunication Authority (Re-organization) Act,

1996 (the "Act"), the Pakistan Telecommunication Rules, 2000 (the "Rules"), the Non Voice Communication Network Service Regulations, 2004 (the "NVCNS Regulations") and the terms and conditions of the license.

1.2 Provisions of clause 8.1 of Appendix B of the Rules, regulation 10 (8) of the NVCNS Regulations and clause 4.18 of the conditions of license make it obligatory on the licensee not to discontinue/terminate/wind-up its service without prior approval of the Authority and settlement of all claims, obligations and accounts.

1.3 The licensee, i.e. M/s Computeronics International (Pvt.) Ltd. discontinued its commercial services/operations at Burewala region without prior approval of the Authority and clearance of its liabilities towards the Authority and its customers. Zonal Director (Enforcement) Lahore also received complaints against the licensee regarding non-availability of Internet services for the prepaid Internet cards in stock at District Vehari and Bahawalnagar. These complaints were communicated to the licensee with the direction to clear the liabilities vide letter dated 2nd February, 2007 and submit a compliance report by 12th February, 2007. This letter was served on the licensee at the addresses available in record, but it neither cleared the liabilities nor submitted the required compliance report. Hence, a Show Cause Notice No. 10-6/8 dated 13th April, 2007 under section 23 of the Act was issued to the licensee by PTA Zonal Director (Enforcement) Lahore, which was duly responded by the licensee vide its letter dated 7th May, 2007. The reply was not satisfactory, hence, a meeting was arranged on 29th June, 2007 which was communicated to the licensee vide letter dated 14th June, 2007, but the licensee failed to attend the aforesaid meeting as well. Therefore, before passing an enforcement order, the licensee was called for a personal hearing on 30th July, 2007 vide letter dated 5th July, 2007 but it failed to attend the said hearing, hence, the Zonal Director (Enforcement) Lahore passed the following enforcement order through determination dated 1st August, 2007 whereby forwarded the case to the Authority with recommendations to terminate the license and to initiate recovery process for recovery of outstanding dues.

As the services of the licensee have been disconnected since August, 2006, and the company is not responding to this office, therefore the license of M/s. Computeronics International (Pvt) Limited is liable to be terminated. So, the case is referred to PTA Headquarters, with recommendation to terminate the license and to initiate the process of recovery of outstanding dues.

1.4. Pursuant to the above referred recommendations of the Zonal Director, Lahore, a hearing notice dated 13th September, 2007 was issued to the licensee vide letter dated 4th September, 2007, but the licensee failed to attend the hearing on the said date despite service of the notice on the licensee, which constitute irresponsible attitude of the licensee towards the writ of the Authority.

Furthermore, the licensee has already discontinued its services and closed its offices and also undertook in writing on 7th May, 2007 that “we are no more able to run the EIS Services so we request to the Authority to take back or cancel the license”.

2. ORDER

2.1. Keeping in view the above mentioned facts in light of the available record and recommendations of Zonal Director (Enforcement) Lahore, the Authority hereby decides to proceed *ex-parte* against the licensee by passing the following order:

- (a) License of M/s. Computeronics International (Pvt) Ltd No. DIR(C)/L/PTA/476/2002 dated 13th December, 2007 is hereby TERMINATED with immediate effect.
- (b). PTCL is directed to forthwith terminate all telecommunication facilities extended to the licensee pursuant to the license, till further orders of the Authority.

Dr. Muhammad Yaseen
Member (Technical)

S. Nasrul Karim Ghaznavi
Member (Finance)

Signed on 24th September, 2007 and comprises 03 pages.