



PAKISTAN TELECOMMUNICATION AUTHORITY
HEADQUARTERS, F-5/1 ISLAMABAD
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**Enforcement order under sub-section 3 of section 23 of the Pakistan
Telecommunication (Re-organization) Act, 1996 in the matter of M/s. Falcon
Communication (Pvt.) Limited**

No. PTA/Finance/CPPS/Falcon Communication/2006

Date of Issuance of Show Cause Notice: 2nd July, 2007
Date of Hearing: 8th November, 2007
Venue of Hearing: PTA HQs, Islamabad

The Authority Present:

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

The Issue:

“Non payment of Authority’s dues on account of annual license fee and non-submission of annual audited accounts”

DECISION OF THE AUTHORITY

1. BRIEF FACTS:

1.1. M/s. Falcon Communication (Pvt.) Limited (the “licensee”) is a private limited company incorporated under the Companies Ordinance, 1984 and is engaged in the business of Card Payphone Services pursuant to the non-exclusive license No. DIR (C)/L/PTA/605/2003 dated 30th December 2003 (the “license”) issued by the Pakistan Telecommunication Authority (the “Authority”) to establish, maintain and operate Card Payphone services in Punjab on the terms & conditions contained in the license.

1.2. The licensee has defaulted in payment of the Authority’s dues on account of annual license fee amounting to Rs.82,500/- for the year ended on 30th June 2005 and also failed in providing its annual audited accounts for the year ended on 30th June, 2006. In this regard Authority made various requests to the licensee but in vain. Hence, the Authority issued Show Cause Notice dated 2nd July, 2007 under section 23 of the Act requiring the licensee to reply to the Notice within thirty (30) days of the

issuance of the Notice and explain as to why any enforcement order should not be passed under section 23 of the Act, against it.

1.3. The licensee responded to the show cause notice vide its letter dated 9th July, 2007 wherein it requested the Authority for extension of ten days for making the payment and also requested the Authority for cancellation of its license. In this regard a hearing notice dated 2nd November, 2007 was issued for conducting the personal hearing of the licensee before the Authority on 8th November, 2007.

1.4. Syed Rifat Mehmood, Director / Company Secretary of M/s. Falcon Communication (Pvt.) Limited attended the hearing on the said date and submitted that the licensee has already cleared the outstanding dues of the Authority amounting to Rs 82,500/- vide Call Deposit No.1174334/845 dated 19th July, 2007 and also submitted its annual audited accounts for the year 2006-07 vide its letter dated 23rd October, 2007. In addition, the licensee informed to the Authority that due to the prevailing market conditions the management of the company has decided to wind up the company, that is why the licensee has requested for the cancellation of its license.

2. ORDER

2.1. Keeping in view the above mentioned facts and in light of the available record, the Authority hereby dispose of the matter of licensee by passing the following enforcement order:

- (a) Since the licensee has paid its outstanding dues of Rs.82,500/- and submitted its annual audited accounts for the year 2006-07 pursuant to the show cause notice dated 2nd July, 2007 and also does not intend to continue its services and requested for the cancellation of license, as requested the license No. DIR (C)/L/PTA/605/2003 issued on 30th December 2003 to M/s. Falcon Communication (Pvt.) Ltd is hereby CANCELLED/TERMINATED on the licensee's request.
- (b). PTCL is directed to forthwith terminate all telecommunication facilities extended to the licensee pursuant to the license, till further orders of the Authority.

(S. Nasrul Karim Ghaznavi)
Member (Finance)

Dr. Muhammad Yaseen
Member (Technical)

3. This determination is signed on 16th day of November, 2007 and comprises 02pages.