



PAKISTAN TELECOMMUNICATION AUTHORITY
HEADQUARTERS, F-5/1 ISLAMABAD
Ph: 051-9214243 Fax: 051-2878113

Enforcement order under sub-section 3 of section 23 of the Pakistan Telecommunication (Re-organization) Act, 1996 against Hazara Communication (Pvt) Limited

Date of Issuance of Show Cause Notice: 1st April , 2010

Venue of Hearing: PTA HQs, Islamabad
Date of Hearing: 20th May, 2010

The Authority present:

S. Nasrul Karim A. Ghaznavi: Member (Finance)
Dr. Khawar Siddique Khokhar: Member (Technical)

The Issue:

“Non payment of PTA dues of Rs.18, 317/- for the year ended December 31, 2009”

EX-PARTE DECISION OF THE AUTHORITY

1. BRIEF FACTS

- 1.1. **Hazara Communication (Pvt.) Limited** (the “licensee”) was awarded non-exclusive Local Loop License No.LL-12-2004 dated 20th July, 2004 by Pakistan Telecommunication Authority (the “Authority”) to provide the licensed services in the licensed region of HTR to establish, maintain and operate Telecommunication System, subject to the terms and conditions contained in the license.
- 1.2. The licensee has defaulted in payment of annual regulatory fees and contributions (ALF, R&D and USF) for the year ended December 31, 2009. In this regard the Authority made various requests to the licensee but in vain. Hence, the Authority issued Show Cause Notice (the “Notice”) dated 1st April, 2010 under section 23 of the Act whereby required the licensee to remedy the contravention by paying the annual regulatory dues for the year ended December 31, 2009 within seven days and also to submit written reply to the Notice within thirty (30) days of the issuance of the Notice and explain as to why the license should not be suspended, terminated or any other enforcement order should not be passed under section 23 of the Act against the licensee.

- 1.3. The licensee neither submitted its reply to the Notice within the statutory period of thirty days nor deposited the Authority's dues as well as failed to submit annual audited accounts along with annual license fee for the aforesaid period, hence, committed sheer violation of the provisions of the license and the Act.
- 1.4. Therefore, before passing an enforcement order a Hearing Notice dated 6th May, 2010 was issued and served on the licensee whereby informed the licensee to attend the hearing dated 20th May, 2010. The show cause and hearing notice were served on the address of the company provided and maintained by the licensee with PTA.
- 1.5. In response to aforesaid hearing notice it submitted its annual audited accounts upto December, 2009 on 18th May, 2010 and telephonically requested to Director (L&A) that the amount due be communicated to it before the hearing so that the same is paid and the show cause is disposed of.
- 1.6. However, on the date of hearing no one appeared on behalf of the licensee. The Finance Division of PTA has calculated the payable dues on account of annual regulatory dues on the basis of annual audited accounts submitted by the licensee which arrived at **Rs.18,317/-** and informed the Authority.

2. ORDER

- 2.1. Keeping in view the above mentioned facts coupled with the available record, the Authority hereby decides to precede *ex-parte* against the licensee by passing the following enforcement order:
 - (a) Hazara Communication (Pvt) Ltd is hereby directed to pay **Rs.18,317/-** within a period of thirty days of the issuance of this order.
 - (b) In case of failure of the licensee to deposit the Authority's aforesaid dues as provided in Para 2.1 (a) above, Local Loop License No.LL-12-2004 dated 20th July, 2004 of the company shall STAND SUSPENDED without further notice which shall be restored on receiving the aforesaid amounts mentioned in para 2.1 (a) above.

(S. Nasrul Karim A. Ghaznavi)
Member (Finance)

(Dr. Khawar Siddique Khokhar)
Member (Technical)

3. This determination signed on 23-08-2010 and comprises 02 pages.