



**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 POL (PVT.) LIMITED.**

File No. PTA/Enforcement/ISPs/POL 259/2006  
DIR(C)/L/PTA/43/97

Date of Issuance of Show Cause Notice: 26<sup>th</sup> July, 2007  
Date of Hearing: 13<sup>th</sup> 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-submission of annual audited accounts and non-payment of annual license fee”

**Ex-parte Decision of the Authority**

**1. BRIEF FACTS:**

1.1 M/s POL (Pvt.) Ltd. [previously named as M/s Wize Computers International (Pvt.) Ltd] (the “licensee”) was awarded a non-exclusive license No. DIR(C)/L/PTA/43/97 dated 1<sup>st</sup> January, 1998 by the Pakistan Telecommunication Authority (the “Authority”) to establish, maintain and operate commercial Electronic Information Services in Pakistan on the terms and

conditions contained in the license. As a licensee of the Authority, M/s POL (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 2.10 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 with other value added telecommunication service providers, data communication network operators, the Company, its customers and the Authority. In addition regulation 4 of the NVCNS Regulations and clause 2.1 & 2.2 of the conditions of the license make it obligatory on the licensee to deposit annual license fee in the first quarter of every financial year and also to submit audited financial statements and summary of the accounts to the Authority within three months of the closing date of each financial year.

1.3 The licensee i.e. M/s POL (Pvt.) Ltd. discontinued its commercial operations in Lahore, Gujranwala, Sahiwal, Mianwali, Multan, Gujrat, Bahawalpur and Sialkot without prior approval of the Authority. In addition, the licensee neither submitted its annual audited accounts for the years 1999 to 2006 nor deposited the annual license fee. Hence, a Show Cause Notice No. PTA/Enforcement/ISPs/POL 259/2006/1475 dated 26<sup>th</sup> July, 2007 under section 23 of the Act was issued to the licensee, which was not responded by the licensee within the statutory period of thirty days.

1.4 In order to proceed further in the matter, and prior issuing any enforcement order, the licensee was required through Hearing Notice PTA/Enforcement/ISPs/POL 259/2006/1630 dated 4<sup>th</sup> September, 2007 to appear before the Authority for personal hearing on 13<sup>th</sup> September, 2007, but no one appeared on behalf of the licensee before the Authority on the said date.

1.5 The case was presented before the Authority in presence of the officers from Finance Wing. It was argued that the licensee has violated statutory provisions as mentioned in Para 1.2 above and has also not responded to the show cause notice dated 26<sup>th</sup> July, 2007 and failed to attend the hearing before the Authority which constitute irresponsible behaviour of the licensee towards the writ of the Authority. Previously the licensee vide its letter dated 25<sup>th</sup> November, 2006 informed the Authority that it intends to close its operations at Lahore and Sialkot by 31<sup>st</sup> December, 2006 but permission for closure of services could not be given due to its failure to provide the required information to the Authority.

## 2. ORDER

2.1 The Authority, after careful perusal of record and keeping in view the non-complying attitude of the licensee, hereby decides to proceed *ex-parte* against the licensee by passing the following order:

- (a) License of M/s. POL (Pvt) limited No. DIR(C)/L/PTA/43/97 dated 1<sup>st</sup> January, 1998 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.

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Dr. Muhammad Yaseen  
Member (Technical)

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S. Nasrul Karim Ghaznavi  
Member (Finance)

Signed on 24<sup>th</sup> September, 2007 and comprises 03 pages.