



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. Tanawal
Communication (Pvt.) Limited**

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

Date of Issuance of Show Cause Notice: 29th June, 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. Tanawal 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 in Pakistan pursuant to the non-exclusive license No. DIR (C)/L/PTA/408/2002 dated 14th May, 2002 (the “license”) issued by the Pakistan Telecommunication Authority (the “Authority”) to establish, maintain and operate Card Payphone services 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.55,000/- 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 the Authority made various requests to the licensee but in vain. Hence, the Authority issued Show Cause Notice dated 29th June, 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 4th July, 2007 wherein it informed that it has been facing problem for recovery of amount from

the market for the last year, therefore, it requested the Authority for allowing it to make the payment in five equal monthly installments. The Authority took a sympathetic view and allowed the licensee to deposit the payable dues, i.e., Rs.55,000/- in installments with direction to deposit demand draft of Rs. 27,500/- by 10th August, 2007 and provide three post dated cheques of Rs 9,167/- each dated 6th September, 2007, 6th October, 2007, and 6th November 2007, respectively, which was communicated to the licensee vide letter dated 1st August, 2007, but the licensee failed to make any payment. Therefore, before passing any enforcement order under section 23 of the Act, the licensee was given opportunity of personal hearing by the Authority, for which hearing notice dated 2nd November, 2007 was issued requiring the licensee to appear before the Authority on 8th November, 2007. Mr. Kamran Younis, Manager, M/s. Tanawal Communication (Pvt.) Limited attended the hearing on the said date and informed that it did not received the letter of the Authority dated 1st August, 2007 and requested to allow making payment in installments.

2. ORDER

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

- (a) M/s. Tanawal Communication (Pvt.) Limited is directed to deposit the 50% i.e. Rs.27,500/- of the total outstanding dues within ten (10) days of the issuance of this determination and the rest of the amount be paid in two equal monthly installments of Rs.13750/- each, with effect from 15th December, 2007 and also submit annual audited accounts for the year 2006 by 15th December, 2007.
- (b). In case of failure of the licensee to deposit the Authority's dues and submission of annual audited accounts for the year 2006 as provided in para 2.1 (a) above, license No. DIR (C)/L/PTA/408/2002 dated 14th May, 2002 of the licensee shall stand TERMINATED and recovery proceedings under section 30 of the Act shall be initiated by the Authority against the company for recovery of dues as arrears of land revenue.

(S. Nasrul Karim Ghaznavi)
Member (Finance)

Dr. Muhammad Yaseen
Member (Technical)

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