



PAKISTAN TELECOMMUNICATION AUTHORITY
HEADQUARTERS, F-5/1, ISLAMABAD

**Enforcement Order under section 23 of the Pakistan Telecommunication
(Re-organization) Act, 1996 against APEX Internet (SMC-Pvt.) Limited**

No. PTA/Finance/CVAS-Data/Defaulters/1083/2010/546

Date of Show Cause Notice: 7th August, 2024
Venue of Hearing: PTA HQs, Islamabad
Date of Hearing: 6th February, 2025

Panel of Hearing:

Abdul Batin Khan: Director General (Wireline Licensing)
Muhammad Khurram Siddiqui: Director General (L&R)
Ubaid Tayyab: Director (Finance)
Syeda Samreen Afzaal: Director (Enforcement)

Issue:

“Non-submission of Annual Audited Accounts (AAAs) and Non-payment of Annual Regulatory Dues (ARDs) for the year ended 30th June, 2023”

DECISION OF THE OFFICERS OF THE AUTHORITY

1. Precisely stated the facts of the case are that APEX Internet (SMC-Pvt.) Limited (the “licensee”) was awarded a non-exclusive license No. DIR (L)/CVAS-415/PTA/2011 dated 26th August, 2012 (the “license”) by Pakistan Telecommunication Authority (the “Authority”), to establish, maintain and operate Data Class Value Added Services in the licensed region, subject to the terms and conditions contained in the license.
2. The licensee is required to comply with the prevailing regulatory laws comprising the Pakistan Telecommunication (Re-organization) Act, 1996 (the “Act”), the Pakistan Telecommunication Rules, 2000, (the “Rules”) the Pakistan Telecommunication Authority (Functions & Powers) Regulations, 2006 (the “Regulations”), Class Licensing and Registration Regulations, 2007 (the “CL Regulations”), and the terms and conditions of the license. As per license condition No.3 read with sub-regulation (1) of regulation 11 of the CL Regulations and sub-regulations (6) and (7) of regulation 23 of the Regulations, it is obligatory upon the licensee to submit Annual Audited Accounts (“AAAs”) and pay Annual License Fee (“ALF”) within 120 days of the close of financial year.

3. The licensee through letters dated 28th September 2023, 12th December 2023, 11th March 2024 and email dated 14th May 2024 was required to submit AAAs for the year ended 30th June, 2023 along with the payment of ALF for the aforesaid year including applicable Late Payment Additional Fee (“LPAF”) calculated till date of payment, however, the licensee did not pay any heed to comply with the same.

4. Due to failure on the part of the licensee for non-submission of AAAs and non-payment of ALF for the aforesaid year including applicable LPAF till date of payment, a Show Cause Notice (SCN) dated 7th August, 2024 under section 23 of the Act was issued wherein it was required to remedy the aforementioned contraventions by submitting AAAs and making payment of ALF for the year ended 30th June, 2023 including LPAF for the year ended 30th June, 2023 **within seven (07) days** of the issuance of the SCN and also to explain in writing, **within thirty (30) days** of the issuance of the SCN as to why an enforcement order should not be passed under section 23 of the Act.

5. Before passing an enforcement order under sub-section (3) of Section 23 of the Act, the matter was fixed for hearing on 6th February, 2025. It is pertinent to mention here that the SCN and hearing notices were issued on the address as provided and maintained by the licensee with PTA. Perusal of the delivery record reveals that the said notices were delivered at the address maintained with PTA. However, the licensee neither replied to the SCN nor attended hearing. Furthermore, the licensee through email dated 25th May 2025 was again provided a final opportunity for submission of AAAs and deposit of ALF along with applicable LPAF calculated till date of payment latest by 28th May 2025. However, the licensee failed to adhere to the same. Thus, due to persistent failure on the part of the licensee to adhere regulatory compliances, the Hearing Panel has left with no option except to proceed *ex-parte* against the licensee as per available record.

6. After the examination of the available record, it is concluded that the licensee did not comply with the aforesaid applicable regulatory provisions.

7. **Order:**

7.1 Keeping in view the above-mentioned facts coupled with the available record, the Officers of the Authority hereby decide as under:

- a) The license is hereby suspended for a period of one month or till the licensee submits AAAs for the year ended 30th June, 2023 along with payment of ALF for the aforesaid year including LPAF till the date of payment to the Authority, whichever is earlier;
- b) In case of non-compliance of para 7.1 (a) above, license No. DIR (L)/CVAS-415/PTA/2011 dated 26th August, 2012 of the licensee shall stand terminated upon expiration of one month after the date of issuance of this order without any further notice;
- c) All LDI, LL, TIP and Mobile licensees are directed to suspend immediately all telecommunication facilities extended to the licensee pursuant to the license till further orders of the Authority.

Abdul Batin Khan
Director General (Wireline Licensing)

Muhammad Khurram Siddiqui
Director General (L&R)

Syeda Samreen Afzaal
Director (Enforcement)

Ubaid Tayyab
Director (Finance)

This enforcement order is signed on 28th September, 2025 and comprises of (03) pages only.