



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

**Enforcement order under section 23 of the Pakistan Telecommunication (Re-organization) Act, 1996 against Fariya Networks (Pvt.) Ltd. for non-commencement of licensed services**

PTA/Wireline Licensing/Fariya Networks/558/2014

Date of Show Cause Notice:	17 <sup>th</sup> September, 2018
Venue of Hearing:	PTA HQs, Islamabad
Date of Hearing:	26 <sup>th</sup> November, 2018

**The issue**

"Non-commencement of licensed services"

**DECISION OF THE AUTHORITY**

1. Precisely stated the facts of the case are that the Fariya Networks (Pvt.) Limited (The "Licensee") was awarded Local Loop License No. LL/49-2015/KTR dated 9<sup>th</sup> November, 2015 (the "license") issued by the Pakistan Telecommunication Authority (the "Authority") to provide the licensed services on the licensed region (KTR) and to establish, maintain and operate a Telecommunication system, subject to the terms and conditions contained in the license.
2. The licensee is under an obligation to comply with the provisions of prevailing regulatory laws comprising of the Act, the Pakistan Telecommunication rules, 2000, (the "Rules") the Pakistan Telecommunication Authority (Functions & Powers) Regulations, 2006 (the "Regulations") and the terms and conditions of the license.
3. In accordance with clause (a) of sub-section (4) of section 21 of the Act, clause 8.1 of the Appendix B of the Rules and condition 3.1 of the license is required to observe the provisions of the Act, the Rules and the Regulations. As per license conditions No. 3.2 and 6.11 of the license, the licensee was required to obtain Commencement Certificate from the Authority and was also required to commence at least one (1) Network Connection Point within eighteen (18) months from the date of issuance of license.
4. PTA vide letter dated 28<sup>th</sup> November, 2017 extended period for commencement of services however, the licensee failed to comply with the mandatory requirements for obtaining Commencement Certificate. As a consequence of non-compliance of commencement certificate as Show Cause Notice (SCN) under section 23 of the Act wherein the licensee was required to remedy the aforementioned contravention by obtaining Commencement Certificate within seven (07) days of the issuance of the show cause notice and also explain in writing, within thirty (30)

days of the license of the issuance of this notice , as to why the license should not be suspended, terminated or any other enforcement order should not be passed against the licensee under section 23 of the Act.

5. The licensee vide letter dated 24<sup>th</sup> September, 2018 replied to SCN. Main contentions of the licensee are as under:

- a. The soft switch and relevant hardware could not be arranged. We are combing the market to arrange for the necessary equipment so that the testing process could commence in due course of time.
- b. The Allocation of Numbering series from PTA is already done.
- c. Co-location space has been occupied in Gulshan-e-Iqbal, PTCL exchange for the Last two months. Company shall pay the rent of its Co-location.
- d. We need approximately 60 days more time to arrange relevant equipment and test is as per our specifications.
- e. The company is willing to proceed for testing of LL license commencement as soon as possible.

6. In order to proceed further in that matter, the case was fixed for hearing on 26<sup>th</sup> November, 2018. Mr. Aneel Sohail Ahmed, Manger Operation attended the hearing before the Authority. During the hearing, he reiterated the same as stated in reply and submitted that the licensee is willing to commence the licensed services thus requested for sixty (60) days more for commencement .

7. After perusal of record and considering the request of the licensee, the Authority taking lenient view grants sixty (60) days from the date issue of this enforcement order, as a last and final opportunity, for obtaining commencement certificate for provision of licensed services.

8. In case of non-compliance of the order as stated at para 7 above, the license No.LL/49-2015/KTR dated 9<sup>th</sup> November, 2015 for KTR region shall stand terminated without any further notice.

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Muhammad Naveed  
**Chairman**

This enforcement order is signed on \_\_\_\_\_ and comprises of two (02) pages only.