



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 against, I M Traders International (Pvt.) Limited.

Date of Issuance of Show Cause Notice: 1st November, 2010
Venue of Hearing: PTA HQs, Islamabad
Date of Hearing: 17th February, 2011

The Authority present:

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

The Issue:

“Non provision of license services, non payment of PTA dues and non submission of Annual Audited Accounts for the years ended 30th June 2006 to 2009”

DECISION OF THE AUTHORITY

1. BRIEF FACTS:

1.1 I M Traders International (Pvt.) Limited (the “licensee”) was awarded non-exclusive license No. DIR (C)/L/PTA/528/2003 dated 26th June, 2003 (the “license”) by Pakistan Telecommunication Authority (the “Authority”), to establish, maintain and operate Card Payphone Services in the Sialkot District, subject to the terms and conditions contained in the license.

1.2 The licensee has defaulted in submission of Annual Audited Accounts(AAAs) along with Annual License Fee(ALF) including late payment additional fee @ 2% per month or part thereof for the years ended on 30th June, 2006 to 2009 till date as well as discontinued provision of licensed services which tantamount to violation and contravention of license conditions 3.1 (b), 3.2, 4.51, 5.51 (m) and 8.3 of the license read with sub- regulation (1) of regulation 11 of the Class Licensing and Registration Regulations, 2007 and sub-regulations (6) and (7) of regulation 23 of the Pakistan Telecommunication Authority (Functions & Powers) Regulations, 2006.

1.3 Due to above contraventions and violations on the part of the licensee, a Show Cause Notice(SCN) dated 1st November, 2010 under section 23 of the Act was issued to the licensee. The licensee, under the notice, was required to remedy the said contravention by submitting AAAs , ALF for the years ended on 30th June, 2006 to 2009, including late payment additional fee @ 2% per

month or part thereof and to restore licensed services within seven days and also directed to explain in writing within 30 days of the issuance of SCN as 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.

1.4 The licensee vide letter No.Nil dated nil replied the SCN and submitted that, immediately after its first year of the operation I.M Traders were forced to wind up all its business due to entire loss of its capital investment. There was no alternative left rather than looking for jobs to get rid of hand to mouth living in the absence of any means of earning even to fulfill daily amenities of life. He further asserted that the license may be cancelled.

1.5 Resultantly, a hearing on 17th Feb., 2011 was convened. Mr. Mudassar Imtiaz Bajwa, Director of the company attended the hearing on the said date. He reiterated the same as mentioned in reply to SCN.

2. Order

Keeping in view the above mentioned facts coupled with the available record, the Authority hereby decides as under:

- (a) As requested by the licensee the license No.DIR (C)/L/PTA528/2003 dated 26th June, 2003 awarded to I.M Traders International (Pvt.) Ltd. is cancelled from the date of issuance of this order.
- (b) I.M Traders International (Pvt.) Ltd. is hereby directed to provide AAAs along with ALF including late payment additional fee @ 2% per month or part thereof for the years ended on 30th June, 2006 to 2009, within one month, from the date of issuance of this order.
- (c) In case of non-compliance of para 2 (b) of this order, recovery proceedings under section 30 of the Act shall be initiated by the Authority against the company for recovery of all payable dues, if any, as arrear of land revenue.

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

(Dr. Khawar Siddique Khokhar)
Member (Technical)

This determination signed on _____ and comprises 02 pages.