



**Enforcement Order under Section 23 of the Pakistan Telecommunication (Re-organization) Act, 1996 against Starlite Telecommunications (Pvt.) Limited**

No: PTA/Enforcement/Vigilance Cell/Starlight CDRs/277/2016/02

Date of Issuance of Show Cause Notice: 10<sup>th</sup> May, 2017  
Venue of Hearing: PTA HQs, Islamabad  
Date of Hearing: 13<sup>th</sup> July, 2017  
20<sup>th</sup> September, 2017  
23<sup>rd</sup> May, 2018  
26<sup>th</sup> November, 2018  
21<sup>st</sup> September, 2021  
19<sup>th</sup> November, 2021

**Authority present in hearing**

Maj. Gen. Amir Azeem Bajwa (R)	Chairman
Dr. Khawar Siddique Khokhar	Member (Compliance & Enforcement)
Muhammad Naveed	Member (Finance)

**The Issue**

***“Illegal termination of international incoming calls and non-provision of CDRs”***

**Decision of the Authority**

1. Brief facts of the case are that Starlite Telecommunications (Pvt.) Limited (the "licensee"), was awarded a non-exclusive Local Loop License No. LL-43-2006 dated 18<sup>th</sup> August, 2009 (the "license") by Pakistan Telecommunication Authority (the "Authority") to provide the licensed services in LTR and KTR telecom regions and to establish, maintain and operate telecommunication System, subject to the terms and conditions contained in the license.
2. The licensee vide clause 8.1 of Appendix B of the Rules, and clause 3.1.3 of the license is required to co-operate with the Authority and its authorized representatives in exercise of the powers, functions and responsibilities and to comply with all orders, determinations, directions and decision of the Authority.
3. The licensee vide email dated 11<sup>th</sup> November, 2016 was required to provide complete Inbound and Outbound CDRs for time period from August, 2016 till November, 2016 which was followed by email reminders dated 15<sup>th</sup> November, 2016, 18<sup>th</sup> November, 2016, 21<sup>st</sup> November, 2016, 16<sup>th</sup> December, 2016 and 22<sup>nd</sup> December, 2016 and letter No. 2-15(vigilance)/PTA/2017 and 2-16(vigilance)/PTA/2017 dated 11<sup>th</sup> January, 2017 and 19<sup>th</sup>

Dated: 12th Jan, 2022

January, 2017 respectively but the licensee failed to do so within the specified time despite repeated demands and reminders as referred above

4. Resultantly, the Authority took cognizance of the said contravention of the license condition read with applicable regulations, and issued a Show Cause Notice (SCN) dated 10<sup>th</sup> May, 2017 under section 23 of the Act, wherein the licensee was required to remedy the contravention by (i) Stopping/Ceasing its illegal and unlicensed connections/operations of termination of incoming International Telephony calls through its FLL Platform/Interconnection arrangements with PTCL; (ii) Stopping/Ceasing of masking of its local loop numbers for the aforesaid purpose immediately; and (iii) Providing complete inbound and outbound CDRs from January, 2016 till January, 2017 within seven days of the issuance of this SCN and also to explain in writing, within thirty days 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. However, the licensee did not pay any heed to the aforementioned SCN.

5. In order to proceed further, the matter was fixed for hearing on 20<sup>th</sup> September, 2017. Mr. Kashif Ali Bukhari attended the hearing on the said date. During the hearing, the licensee was required to provide billing and payment detail in respect of PTCL along with the particulars of their customer/subscriber. In response thereof, the licensee through email dated 20<sup>th</sup> September, 2017 requested one-week time for provision of requisite information. Moreover, a meeting was held at PTA, Zonal office, Lahore on 07<sup>th</sup> December, 2017 wherein the licensee was once again required to provide CDRs and customer data till 18<sup>th</sup> December, 2017, but the same has not been complied with.

6. Since the licensee failed to provide the requisite information despite extending ample opportunities, the matter was again fixed for hearing before the Authority on 23<sup>rd</sup> May, 2018 and 26<sup>th</sup> November, 2018. However, no one appeared on the behalf of licensee. Further, to conclude the issue, the matter was fixed for hearing on 21<sup>st</sup> September, 2021. Consequently, upon receipt of request of the licensee for adjournment along with request for provision of all relevant record, the matter was adjourned and the licensee vide letter dated 8<sup>th</sup> October 2021 was asked to collect relevant record from PTA by 13<sup>th</sup> October, 2021. However, no one from the licensee contacted to receive the said record. Accordingly, the matter was finally fixed for hearing on 19<sup>th</sup> November, 2021. Hearing notice was sent at the available addresses as well as intimated through email to the licensee. The dispatched hearing notice was received back undelivered. It relevant to point out that the licensee did not attend the hearing on the said date. Consequently, there is no option except to proceed ex-parte against the licensee as per available record.

7. The record perused and examined, it is concluded that the licensee did not pay any heed to observe and comply with the terms and conditions of license, letters issued with respect to provide complete inbound and outbound CDRs from January, 2016 till January, 2017. The said conduct of the licensee in terms of accomplishment of obligations contained in the license is non-serious and non-compliant which falls within the ambit of sub-section (3) of section 23 of the Act.

Dated: 12<sup>th</sup> Jan, 2022

8. **Order:**

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

- a. Since the licensee has failed to provide requisite information and persistent at fault in terms of adherence of regulatory compliances and directions of the Authority for provision record / information. It has also been observed that despite providing ample opportunities of hearings and time lines for providing requisite information, the licensee has miserably failed to abide by the same. In such circumstances, the conduct and intent of the licensee in non-pursuing the case which is pending since 2016 till to date, the Authority has no option except to terminate the license bearing No.LL-43-2006 dated 18<sup>th</sup> August 2009 issued to Starlite Telecommunications (Pvt.) Limited with immediate effect.
- b. It is also to note that in case of any involvement if found on the part of company in terms termination of illegal traffic at any stage even after termination of license, the matter will be processed in accordance with applicable law.
- c. In view of the above, all LDI, LL and Mobile licensees are directed to discontinue / terminate immediately all telecommunication facilities extended to the licensee/ company pursuant to the license till further orders of the Authority.

**Maj. Gen. Amir Azeem Bajwa (R)**  
Chairman

**Muhammad Naveed**  
Member (Finance)

**Dr. Khawar Siddique Khokhar**  
Member (Compliance & Enforcement)

Signed on 12<sup>th</sup> day of January, 2022 and comprises of (3) pages only.