

Litigation renders PTA dysfunctional

By Malik Asad

ISLAMABAD, March 19: Litigation has virtually rendered the Pakistan Telecommunication Authority (PTA), which generates Rs411,377 million revenue per annum, dysfunctional since March 16.

According to sub section 2 of section 3 of PTA act of 1996, the authority shall consist of three members, and they will be appointed by the federal government for a term of four years.

According to the act, the federal government shall appoint one of the members as chairman of the authority.

Sub-section 4 of section 3 of the act, however, added that a member of the authority shall not have any direct or indirect financial interest in, or have business connection with any person, any establishment or firm which renders telecommunication services in Pakistan or abroad.

The government in August last year appointed Farooq Awan, a civil servant as PTA chairman but the Lahore High Court (LHC) on January 15 this year while deciding a petition removed him from the post.

The LHC observed that Mr Awan had also served as PTCL chairman, therefore, under sub section 4 of section 3 of PTA act, he did not qualify for the post of PTA chairman.

The Establishment Division on March 1 again posted Mr Awan as member finance of the authority but later on March 11 withdrew its notification after the petitioner filed a contempt of court petition against the federal government.

Meanwhile, the Cabinet Division in January this year started the process for the recruitment of member finance and member technical as Nasarul Karim and Dr Khawar Siddique were going to be retired on February 15 and March 16 respectively.

The new process of the appointment, however, was challenged in the Islamabad High Court (IHC) as on February 28 by a convener of internet service providers association Wahajus Siraj.

According to Mr Siraj, the government altered the selection criteria in order to accommodate their 'own people'.

The government on January 29 advertised the posts of member finance and member technical.

The necessary qualifications for member, technical were PhD, MSc/MS or BSc. in Telecom System/Electronic/Electrical Engineering, and registration with the Pakistan Engineering Council.

For member, finance, the advertisement specified an MBA in Finance or Chartered Accountancy from a local or foreign university as qualification for the posts.

But later the qualification and experience were relaxed, the petition of Mr Siraj added.

The court on his petition did not stop the recruitment process but passed the order that the appointment on the said position would be subject to the scrutiny of the court.

The government under the pressure of IT and telecom companies may promote the directors general to the post of members, he added.

He, however, admitted that the absence of chairman and members of the PTA causing serious problems to IT and telecom industry.

He suggested that if the Cabinet Division properly assists the court and expedites the appointment process the PTA would be out of the current crisis.

Ali Raza, a senior advocate and expert of telecom industry, said that the cellular companies which have over 120 million subscribers suffer as a result of the 'authority' lying dysfunctional.

The telecom sector or cellular operators cannot take major decision for the promotion of their business because it needed approval of the PTA, he said.

According to him, the PTA does not exist for the time being and after the appointment of at least one member the regulatory body would be able to run its day to day affairs but policy decision would only be taken after the appointment of a chairman and another member. Shahidullah Baig, special secretary cabinet division, when contacted said that the matter was sub judice therefore, he could not comment.

He, however, said that the vacant position could be filled soon after the court decided the matter.