

SENATE SECRETARIAT

“QUESTIONS FOR ORAL ANSWERS AND THEIR REPLIES”

to be asked at a sitting of the Senate to be held on

Wednesday, the 23rd January, 2013

DEFERRED QUESTIONS

(Questions Nos. 73, 77, 78 and 79 were originally set down for answering on 20th December, 2012 (88th Session) but were deferred)

73. ***Mr. Nisar Muhammad:** (Notice received on 26-11-2012 at 09:10 a.m.)

Will the Minister for Information Technology and Telecommunications be pleased to refer to the Senate starred question No. 39-A, replied on 5th September, 2012, and state the sources through which Universal Service Fund is generated?

Minister for Information Technology and Telecommunications: The source of USF are defined under section 33A, sub-section (4) of the Telecom Act (Annex-A), as follows:—

- a. Grants made by the Federal Government and the Provincial Governments.
- b. Prescribed contribution by licensees.
- c. Sale proceeds from the auction of the right to use radio spectrum.
- d. Loans obtained from the Federal Government; and
- e. Grants and endowments received from other agencies.

The prescribed contribution by the licensees as mentioned at (b) above is defined under rule-4(3) of the USF Rules (Annex-B). Currently, USF contribution by the eligible Telecom Operators is 1.5% of their Gross Revenues after adjustment of PTA License fee payments, FAB Spectrum Fee payments.

Annex-A

telecommunication service is provided [or any licensed service is being used against the interest of national security and public safety]⁵³ therefrom carry out search and inspection thereof and seize such telecommunication system, wireless telegraph apparatus or terminal equipment [or crypto apparatus]⁵⁴

(2) Any telecommunication equipment, wireless telegraphy apparatus or terminal equipment seized under sub-section (1) having no ostensible owner shall vest to the Authority, or as the case may be, the Board.

33. **Indemnity.**—No suit, prosecution or other legal proceedings shall lie against the Authority or any member or employee of the Authority in respect of anything done or intended to be done by the Authority in good faith under this Act.

[CHAPTER IIIA

SPECIAL FUNDS

33A. **Establishment of USF.**—(1) As soon as may be, after the commencement of this Pakistan Telecommunication (Amendment) Act, 2005, the Federal Government shall by notification in the Official Gazette, establish a Fund to be called the Universal Service Fund hereinafter referred to as USF.

(2) The USF shall be under the control of the Federal Government and therein shall be credited any sums of money mentioned under sub-section 4.

(3) The balance to the credit of the USF shall not laps at the end of the financial year.

(4) The USF shall consist of—

- (a) grants made by the Federal Government and the Provincial Governments;
- (b) prescribed contribution by licensees;
- (c) sale proceeds from the auction of the right to use radio spectrum;
- (d) loans obtained from the Federal Government; and
- (e) grants and endowments received from other agencies.

33B **Administration and utilization of USF.**—(1) The Federal Government shall have the power to administer the USF in such manner as may be prescribed.

(2) The USF shall be utilized exclusively for providing access to telecommunication services to people in the un-served, under-served, rural and remote areas and other expenditure to be made and incurred by the Federal Government in managing USF.

(3) The Federal Government shall be responsible for the coordination and ensuring timely utilization and release of sums in accordance with the criteria as may be prescribed.

33C Research and Development Fund.—(1) As soon as may be, after the commencement of this Pakistan Telecommunication (Re-organization)

Annex-B

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(c) determine, make, monitor and liquidate investments and make reinvestments of surplus sums standing to the credit of the Fund account;

(d) make shall make quarterly releases to the USF company as per the approved budget of USF not later than fourteen days before the commencement of each quarter;

(e) nominate one or more signatories to the Fund Account;

(f) address all matters related to the audit of the Fund; and

(g) co-ordinate with relevant licensees and the Authority on matters related to contributions to the Fund.

4. The Fund.—(1) The Fund shall consist of the amounts, grants and contributions provided in sub-section (4) of section 33A of the Act and includes proceeds of the Funds.

(2) Every licensee having a license containing provision regarding USF contribution, issued, renewed or validated, shall contribute 1.5%, from date of grant of such license, of its annual gross revenues for the most recently completed financial year of the licensed services minus inter-operator and related Authority and Frequency Allocation Board mandated payments.

(3) The Federal Government may at any time reduce the percentage of the USF contribution but shall not increase it beyond 1.5% without consent of USF contributors.

(4) For the purpose of these rules the sale proceeds from the auction of the right to use radio spectrum as provided in sub-section (4) of section 33A of the Act shall include the remaining installments of such sale proceeds yet to be paid by licensees and the renewal fee to be paid by remaining mobile cellular licensees benchmarked on the basis of auction price of the two mobile cellular licensees in the year 2004 for renewal of their licensees after the said auction.

5. Collection of USF contribution.—(1) The Federal Government may require licensees directly to deposit USF contributions, within the period prescribed in their

licences or may require them to deposit USF contribution on quarterly basis during the running financial year on estimated annual gross revenues subject to adjustments at the end of the financial year, and APC for USF in accordance with AP Rules or direct Authority to collect and remit USF contribution and APC for USF to the Fund's designated account without any deduction within one month of receipt.

77. ***Begum Najma Hameed:** (Notice received on 26-11-2012 at 13:30 p.m.)

Will the Minister for Information Technology and Telecommunications be pleased to state:

- (a) the original estimated cost of Optical Fiber Based Transmission Link between Gawadar and Jewani Project; and*
- (b) whether it is a fact that the said cost has increased due to delay in completion of work, if so, its extent?*

Minister for Information Technology and Telecommunications: (a) The original estimated approved PC-1 cost of overall project of Optical Fiber Based Transmission Link between Keti Bandar/Port Qasim Khi to Jewani was **Rs.627.137 (M)**. However, for Gwadar to Jiwani portion, its actual cost is **Rs.26(M)**.

(b) No. the said cost has not been increased due to any delay in completion of work. The actual completion cost of the whole project is **Rs.367.870 (M)** with a saving of **Rs.259.267 (M)**. As far as Gwadar to Jewani portion is concerned, its actual completion cost is **Rs.26(M)**.

78. ***Begum Najma Hameed:** (Notice received on 26-11-2012 at 13:30 p.m.)

Will the Minister for Information Technology & Telecommunications be pleased to state:

- (a) the date on which work on the project of Optical Fiber Based Transmission Link between Gawadar and Jewani was started;*
- (b) the original date of completion of the said project; and*
- (c) whether the date of completion of that project has been revised, if so, the time by which it will now be completed?*

Minister for Information Technology and Telecommunications: (a) The work on the project of Optical Fiber Based Transmission Link between Gwadar and Jewani was started on 23rd June, 2004.

(b) The original date of completion of the project was one year after start of project *i.e.*; 23rd June, 2005.

(c) Optical Fiber cable in this portion *i.e.*, from Gwadar to Jiwani was laid well in time. However, the overall completion date of the project was revised upto 30th June, 2009 due to non-availability of. 02xdark fibers by DEFCOM (NLC). So, the extension was actually with reference to usability of the project in total. After that, it is handed-over to NTC maintenance wing. Overall project was completed in December, 2011 upon receiving 2 x dark fibers from DEFCOM (NLC).

79. ***Begum Najma Hameed:** (Notice received on 26-11-2012 at 13:30 p.m.)

Will the Minister for Information Technology and Telecommunications be pleased to state:

- (a) *the length of the project of Optical Fiber Based Transmission Link between Gawadar and Jewani;*
- (b) *the date on which tender for the project was awarded and the name of the company/firm to which awarded; and*
- (c) *the procedure adopted for awarding the contract?*

Minister for Information Technology and Telecommunications: (a) The length of the Optical Fiber cable between Gwadar and Jewani is 85 Km.

(b) The contract after tendering for the project was awarded on 23rd June, 2004. The work was awarded to a Joint Consortium of M/s Satcomm, M/s LTE and M/s Rahat Builders.

(c) Work for Coastal Fiber project was awarded through open competition. Tender for Coastal Fiber Project was floated/advertised in National newspapers by NTC HQs (S&P) wing on 13th February, 2004. The tender opening and evaluation of the bids was carried out by a committee comprising of technical and financial professionals and work was awarded after the approval of competent authority in line with the Government rules (GFR) as per NTC procurement procedure.

13. ***Mrs. Nuzhat Sadiq:** (Notice received on 07-01-2013 at 10:00 a.m.)

Will the Minister for Law and Justice be pleased to state:

- (a) *whether it is fact that the government has established public defender and legal aid office to promote justice throughout Pakistan;*
- (b) *the annual expenditure earmarked and spent for this purpose from the financial years 2008-09 to 2012-13;*

- (c) *the procedure adopted by federal government to facilitate litigants;*
- (d) *whether any foreign assistance / aid was also extended to the Pakistan during the said period for aforesaid assistance; if so, the detail thereof; and where such aid / assistance was utilized; and*
- (e) *the steps taken to give awareness of such legal assistance, which is extended by the government?*

Mr. Farooq Hamid Naek: No such office has been established so far at Federal level.

15. ***Begum Najma Hameed:** (Notice received on 08-01-2013 at 09:15 a.m.)

Will the Minister for Law and Justice be pleased to state the amount allocated for the coming general elections in the country with head-wise break-up?

Mr. Farooq Hamid Naek: The Election Commission has sent the Finance Division an estimated amount of **Rs. 5,099,962,000/-** in shape of supplementary grant for the forthcoming General Elections, the head-wise break-up of that amount is as under:—

Sl.	Heads of Allocation	Estimates for G.E. 2012-13
1.	Election Allowance/Diet Charges	1,259,986,000
2.	Casual Telephones for DROs/ROs	21,000,000
3.	Improvisation of Polling Stations	87,500,000
4.	Transportation of Election Material	480,000,000
5.	Allocation to DROs/ROs Office Stationery	16,596,000
6.	Publicity Charges	450,000,000
7.	Honoraria to the Employees of ECP	90,000,000
8.	Procurement of Election Material	148,000,000
9.	PCSIR-Indelible Ink	76,880,000
10.	Procurement & Transportation of Ballot Boxes & Voting Screen	215,000,000
11.	Printing of Ballot Papers, Forms, Envelops, Poster and Placard etc.	1,000,000,000
12.	Allocation to Army	500,000,000
13.	Allocation to ECP and PECs (Misc. Expenditure)	750,000,000
14.	Training for DROs/Returning Officers.	5,000,000
	Total:	5,099,962,000

17 . ***Mrs. Nuzhat Sadiq:** (Notice received on 10-01-2013 at 10:45 a.m.)

Will the Minister for Information Technology and Telecommunications be pleased to state:

(a) *names of consultants alongwith their qualification, appointed in the Ministry since March, 2008 with perks and privileges extended to each; and*

(b) *the justification of appointment of each consultant?*

Minister for Information Technology and Telecommunications: (a) Mr. Zain Iftikhar Sukkera, a Law Graduate was appointed as Consultant in the Ministry on 31-12-2009 in MP-II Scale. Perks and privileges extended to him were:

Salary: (MP-II Scale)

Rs.81,500-12 225-130,400

HRA: Rs.48,900

Utilities: 4,075

Total: Rs.134,475/-

Petrol: 270 Ltr

(b) To assist the Ministry of Information Technology in the field of IT and Telecom.

ISLAMABAD :
The 22nd January, 2013.

IFTIKHAR ULLAH BABAR,
Secretary.