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Policy notes: CCP's real teeth

It pays to have a watch dog; sooner or later it bites the bugger, secures the place and makes its own reputation.

When the Competition Commission of Pakistan (CCP) placed fines upon fines on businesses for their alleged wrong doings, many status quo pundits made fun of it—saying 'ah well nothing is going to happen'.

And on the face of it, nothing has happened. The CCP has fined more than Rs200 billion

but to no avail; only a hundred plus cases as review petitions pending in the court. Not quite the reward one would expect for doing their job right. A similar perception of being toothless has been built around CCP's policy notes.

But, at times they are changing! With time, petitioners are picking up policy notes and based on those notes they are filing cases in the court to review government policy and

business practices.

One such case based on policy note was the one filed against the establishment of the International Clearing House (ICH), where 14 long-distance international operators were allowed, with the approval of Ministry of Information Technology and Pakistan Telecommunication Authority to form a consortium for setting up a gateway for termination of incoming international traffic,

involving price fixing and quota fixing.

Another evidence of CCP's policy note in action is the issue related to Amnesty Scheme for Smuggled/Seized Vehicles. The CCP issued a policy note in March 2013 and advised the Ministry of Finance and asked it to withdraw or suitably amend the Scheme.

The policy note was largely ignored until late last month when the Islamabad High Court

(IHC) observed that the CCP had warned the Federal Government and FBR about the negative consequences of Amnesty Scheme. The IHC declared that the Scheme is illegal, unconstitutional, void ab initio.

These are promising developments and if advocated the right way, could start off a wave of petitions to question government policies born out of nepotistic wedlock or born with blindness of thought.

The country is going through an era of constitutional activism anyway, and taking the government to the court has also become a favourite past time of this newfound breed of roaming petitioners.

All the CCP has to do is to come up with policy notes on other hot issues like power, pharma, transport, tax SRO culture and what not. The rest can be handled by the petitioners and the courts.