

ASSIGNMENT No.1

Q. 1 What is Defamation? Define the Law of Defamation in Pakistan.

Any wrongful act or publication or circulation of a false statement or representation made orally or in written or visual form which injures the reputation of a person, tends to lower him in the estimation of others or tends to reduce him to ridicule, unjust criticism, dislike, contempt or hatred shall be actionable as defamation.

(2) Defamation is of two forms, namely:–

(i) Slander; and

(ii) Libel.

(3) Any false oral statement or representation that amounts to defamation shall be actionable as slander.

(4) Any false written, documentary or visual statement or representation made either by ordinary form or expression or by electronic or other modern means of devices that amounts to defamation shall be actionable as libel.

Defamation Actionable.– The publication of defamatory matter is an actionable wrong with out proof of special damage to the person defamed and where defamation is proved, damage shall be presumed.

Defences.– In defamation proceedings a person has a defence if he shows that–

(a) he was not the author, editor, publisher or printer of the statement complained of;

(b) the matter commented on is fair and in the public interest and is an expression of opinion and not an assertion of fact and was published in good faith;

(c) it is based on truth and was made for the public good;

(d) assent was given for the publication by the plaintiff;

(e) offer to tender a proper apology and publish the same was made by the defendant but was refused by the plaintiff;

(f) an offer to print or publish a contradiction or denial in the same manner and with the same prominence was made but was refused by the plaintiff;

(g) the matter complained of was privileged communication such as between lawyer and client or between persons having fiduciary relations; and

(h) the matter is converted by absolute or qualified privilege.

Absolute privilege.– Any publication of statement made in the Federal or Provincial Legislatures, reports, papers, notes and proceedings ordered to be published by either House of the Parliament or by the Provincial Assemblies, or relating to judicial proceedings ordered to be published by the court or any report, note or matter written or published by or under the authority of Government, shall have the protection of absolute privilege.

Explanation.– In this section legislature includes a local legislature and Court includes any Tribunal or body exercising the judicial powers.

Qualified privilege.– Any fair and accurate publication of parliamentary proceedings, or judicial proceedings which the public may attend and statements made to the proper authorities in order to procure the redress of public grievances shall have the protection of qualified privilege.

d. Base Price

the initial price of something (goods or services) without the additional charges that may be added, such as handling or shipping charges, sales tax, optional equipment charges, etc.

Q. 2 Define key features of PEMRA Ordinance 2007, amended in 2007.

1. PEMRA Ordinance 2007

2. Quaid-e-Azam, the founder of Pakistan says “I expect press for complete fearless.” regrettably, press in Pakistan has been unsuccessful to appreciate the goal of Quaid-e-Azam.

3. PAKISTAN ELECTRONIC MEDIA REGULATORY AUTHORITY × (i) Improve the standards of information, education and entertainment. × (ii) Enlarge the choice available to the people of Pakistan in the media for news, current affairs, religious knowledge, art, culture, science, technology, economic development, social sector concerns, music, sports, drama and other subjects of public and national interest. × (iii) Facilitate the devolution of responsibility and power to the grass-roots by improving the access of the people to mass media at the local and community level. × (iv) Ensure accountability, transparency and good governance by optimizing the free flow of information.

4. PRELIMINARY × 1. Short title, extent and commencement. × (1) This Ordinance shall be called the Pakistan Electronic Media Regulatory Authority Ordinance, 2007. × (2) It extends to the whole of Islamic Republic of Pakistan. × (3) It shall come into force at once.

5. DEFINITIONS × In this Ordinance, unless there is anything repugnant in the subject or context × (a) “advertisement” means a set of visual and audio messages for the projection of a product, service, or idea with the object of propagating sale, purchase or hire of the product, service or idea for creating other related effects; × (b) “Authority” means the Pakistan Electronic Media Regulatory Authority (PEMRA) established under section 3. × (c) “Broadcast Media” means such media which originate and propagate broadcast and prerecorded signals by terrestrial means or through satellite for radio or television and includes teleporting, provision of access to broadcast signals by channel providers and such other forms of broadcast media as the Authority may, with the approval of the Federal Government, by notification in the official Gazette, specify; × (ca) “Broadcast Station” means physical, technical and software infrastructure for the operation of radio or television and also includes satellite unliking from ground, repeaters and all such other accessories.

6. × (d) “Broadcaster” means a person engaged in broadcast media except broadcast journalists not actively involved in the operation, ownership, management or control of the broadcast media. × (da) “Cable TV” means reception of broadcast and pre-recorded signals from different channels and their distribution to subscribers through a set of closed transmission paths. × (e) “Chairman” means the Chairman of the Authority. × (ea)

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“Chairperson” means the head of a Council of Complaint. × (f) “Channel” means the set of frequencies that a broadcast station occupies for broadcasting. × (fa) “Channel Provider” means a vendor who represents local or foreign channels and provides access of their signal to a distribution service. × (g) “Company” means a company as defined in the Companies Ordinance 1984. × (h) “Copyright” means copyright as defined in the Copyright Ordinance 1962

7. × (ha) “Distribution Service” means a service which receives broadcast and pre-recorded signals from different channels and distributes them to subscribers through cable, wireless or satellite options and includes Cable TV, LMDS, MMDS, DTH and such other similar technologies. × (hb) “DTH” means Direct to Home distribution of audiovisual signals received via satellite to small dish antennas across the foot-print of the satellite to subscribers. × (hc) “Electronic Media” includes the broadcast media and distribution services. × (i) “Foreign Company” means a company or body corporate organized, and registered under the laws of a foreign government; × (j) “Frequency” means the frequency of the electromagnetic wave number measured in Hertz per second and used for transmission; × (k) “FAB” means the Frequency Allocation Board established under section 42 of the Pakistan Telecommunication (Reorganization) Act, 1996.

8. × (ka) “Illegal operation” means the broadcast or transmission or distribution of, or provision of access to, programmes or advertisements in the form of channels without having a valid licence from the Authority. × (kb) “LMDS” means local multipoint distribution service to transmit audio-visual signals through wireless devices, on a higher frequency range for the provision of cable television service. × (l) “Media Enterprise” means an enterprise concerned with the publication of a printed newspaper or a broadcast media or distribution service. × (la) “MMDS” means multi-channel multi-point distribution service to transmit audio-visual signals through wireless devices, to multiple subscribers, after receiving such signals from other channels of communication¹⁶; × (m) “Licence” means a licence issued by the Authority to establish and operate a broadcast media or distribution service. × (n) “Licensee” means a person to whom the Authority has issued a licence. × (na) “newspaper” means a newspaper as defined by the Press, Newspapers, News Agencies and Books Registration Ordinance, 2007.

9. × (o) “Member” means a member of the Authority. × (p) “National Broadcaster” means the Pakistan Broadcasting Corporation, the Pakistan Television Corporation and the Shalimar Recording and Broadcasting Company. × (q) “PTA” means the Pakistan Telecommunication Authority established under the Pakistan Telecommunication (Reorganisation) Act, 1996. × (r) “Person” includes an individual, partnership, association, company, trust or corporation. × (s) “Prescribed” means prescribed by the rules or regulations made by the Authority. × (t) “Programme” means the systematic broadcasting of visual or sound images by a broadcast station but does not include an advertisement. × (ta) “Regulations” means the regulations made under this Ordinance. × (u) “Rules” means the rules made under this Ordinance. × (v) “Teleport” means a facility with

installed equipment used or required in the process of uplinking or downlinking of audio-visual programmes and signals between an earth station and a satellite. × (w) “Uplinking” means transmission of audio-video signal from ground transmission facility to a satellite, in order to transmit any programme within or outside Pakistan.

10. Establishment of the Authority × (1) As soon as may be, after the commencement of this Ordinance, the Federal Government shall, by notification in the Official Gazette, establish an authority to be known as the Pakistan Electronic Media Regulatory Authority (PEMRA) for carrying out the purposes of this Ordinance. × (2) The Authority shall be a body corporate having perpetual succession and a common seal with powers subject to the provision of this Ordinance to hold and dispose of property by the said name, sue and be sued. × (3) The principal office of the Authority shall be at Islamabad and it may set up offices at such place or places in the country as it may deem appropriate. × (4) No act or proceeding of the Authority shall be invalid by reason only of the existence of a vacancy in, or defect in the constitution of, the Authority.

11. Functions of the Authority × (1) The Authority shall be responsible for regulating the establishment and operation of all broadcast media and distribution services in Pakistan established for the purpose of international, national, provincial, district, local or special target audiences. × (2) The Authority shall regulate the distribution of foreign and local TV and radio channels in Pakistan; × (3) The Authority may, by notification in the official Gazette, make regulations and also issue determinations for carrying out the purposes of this Ordinance.

12. Power of the Federal Government to issue directives × The Federal Government may, as and when it considers necessary, issue directives to the Authority on matters of policy, and such directives shall be binding on the Authority. × If a question arises whether any matter is a matter of policy or not, the decision of the Federal Government shall be final.

13. Members of Authority × (1) The Authority shall consist of a Chairman and twelvemembers to be appointed by the President of Pakistan. × (2) The Chairman of the Authority shall be an eminent professional of known integrity and competence having substantial experience in media, business, management, finance, economics or law. × (3) Out of twelvemembers one shall be appointed by the Federal Government on full time basis and five shall be eminent citizens chosen to ensure representation of all provinces with expertise in one or more of the following fields: media, law, human rights, and social service. Of the five members from the general public, two members shall be women. × (4) Secretary, Ministry of Information and Broadcasting, Secretary, Interior Division, Chairman, Pakistan Telecommunication Authority and Chairman, Central Board of Revenue²⁶ shall be the ex officio members. × (4A) The remaining two members shall be appointed by the Federal Government on need basis on the recommendation of the Chairman. × (5) The members shall receive such fee and expenses for each meeting as may be prescribed. × (6) A member, other than an ex officio member, shall be deemed to

have vacated his office if he absents himself for three consecutive meetings of the Authority without the leave of the Authority.

14. Tenure of members × (1) The Chairman and members, other than ex officio members, unless earlier removed for misconduct or physical or mental incapacity, shall hold office for a period of four years and shall be eligible for re-appointment for a similar term or as the Federal Government may determine: × Provided that the Chairman and a member shall retire on attaining the age of sixty-five years. × Explanation.- For the purposes of this section the expression “misconduct” means conviction for any offence involving moral turpitude and includes conduct prejudicial to good order or unbecoming of a gentleman. × (2) The Chairman or a member may, by writing under his hand, resign his office.

15. Meetings of the Authority × (1) The Chairman or, in his absence, the member elected by the members for the purpose, shall preside at a meeting of the Authority. × (2) One-third of the total members shall constitute a quorum for meetings of the Authority requiring a decision by the Authority. × (3) The members shall have reasonable notice of the time and place of the meeting and the matters on which a decision by the Authority shall be taken in such meeting. × (4) The decisions of the Authority shall be taken by the majority of its members present, and in case of a tie, the member presiding a meeting shall have a casting vote. × (5) All orders, determinations and decisions of the Authority shall be taken in writing and shall identify the determination of the Chairman and each member separately.

16. Remuneration, of Chairman and members × (1) The Chairman and members shall be paid such emoluments as the President of Pakistan may determine and shall not be varied to their disadvantage during their term of office.

17. Chairman and members not to engage themselves in certain business × (1) The Chairman shall not, during his term of office, engage himself in any other service, business, vocation or employment, or enter into the employment of, or accept any advisory or consultancy relationship with any person or entity engaged in applying for a license from the Authority or operating a broadcast station established within the purview of the Authority or in providing services or products to the Authority on any of the projects, schemes, proposals or plans undertaken, executed or supervised by the Authority or any related undertaking of such aforesaid person or entity. × (2) The members shall not have any direct or indirect financial interest, or have any connection with any such person, entity or related undertaking as mentioned in sub-section (1) of this section associated in any way with the licensee of a broadcast station for so long as they are members and hold office.

18. Officers, employees × To carry out the purposes of this Ordinance, the Authority may, from time to time, appoint members of its staff, experts, consultants, advisers and other officers and employees on such terms and conditions as it may deem fit. Officers, etc. deemed to be public servants × The Chairman, members, members of its staff, other officers and employees of the Authority shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

19. Delegation × The Authority may, by general or special order, delegate to the Chairman or a member or any member of its staff, or an expert, consultant, adviser, or other officer or employee of the Authority any of its powers, responsibilities or functions under this Ordinance subject to such conditions as it may by rules prescribe: × Provided that the delegation of such power shall not include the power to grant, revoke or cancel a broadcast media or distribution service licence except Cable TV.

20. Fund × (1) There shall be established a fund to be known as “PEMRA Fund” which shall vest in the Authority and shall be utilized by the Authority to meet charges in connection with its functions including payment of salaries and other remunerations to the Chairman, members, employees, experts and consultants of the Authority. × (2) The Fund shall consist of:- Inserted by the PEMRA (Amendment) Act, 2007 (Act No.II of 2007) in place of first and second proviso to Section 13 which read as “Provided that the delegation of such power shall not include the power to grant, suspend, revoke or cancel a broadcast licence Provided further that the rules made under this Ordinance shall specify use of delegated powers and shall be framed and enforced after promulgation of this Ordinance and before the notification of the establishment of the Authority”. × (i) Seed money by the Federal Government; × (ii) fees for issuance and renewal of licences for establishing and operating broadcast or CTV stations; × (iii) loans obtained with the special or general sanction of the Federal Government; × (iv) foreign aid obtained with sanction of and on such terms and conditions as may be approved by the Federal Government. × (v) all other sums received by the Authority from any other source. × (3) The Authority may open and operate one or more accounts in local, or foreign currency, in any scheduled bank × (4) The Authority may invest its funds in such investments as it may, from time to time, determine.

21. Budget × The Authority shall, in respect of each financial year, prepare its own budget and submit it to the Federal Government three months before the commencement of every financial year for information. Accounts and Audit × (1) The Authority shall maintain complete and accurate books of accounts of its actual expenses and receipts in such form as the Federal Government may, in consultation with the Auditor General of Pakistan, determine. × (2) The Authority shall cause to be carried out audit of its accounts by one or more auditors who are chartered accountants within the meaning of the Chartered Accountants Ordinance, 1961 (X of 1961). × (3) Notwithstanding the audit provided in sub-section (2) the Auditor- General shall have the power to audit or cause to be audited the accounts of the Authority.

22. Annual report × The Authority shall compile and submit an annual report on its operations and accounts for each financial year to the President of Pakistan and shall also arrange for its publication and circulation to the media and the public. Categories of licenses × The Authority shall issue licenses for broadcast media and distribution service in the following categories, namely:- 1. International and National scale stations 2. Provincial scale broadcast 3. Local Area or Community based Radio and TV Broadcast 4. Specific and specialized subjects 5. Distribution services 6. Up linking facilities including teleporting and DSNG.

23. License to broadcast or operate × (1) The Authority shall have exclusive right to issue licenses for the establishment and operation of all broadcast media and distribution services, provided that this exclusive right shall be used by the Authority in conformity with the principles of fairness and equity applied to all potential applicants for licenses whose eligibility shall be based on prescribed criteria notified in advance and that this shall be done through an open, transparent bidding process: × Provided that the bidding shall be held if the number of applications exceeds the number of licenses to be issued by the Authority. × (2) No person shall engage in any broadcast media or distribution service except after obtaining a license issued under this Ordinance. × (3) Every license shall be subject to such terms and conditions as may be prescribed. × (4) The Authority shall have the power to determine number of licenses to be issued in each category or sub-category and charge fees at such rates as the Authority may fix from time to time for the grant of a license and for its annual renewal³⁷. × (5) The Authority shall devise a Code of Conduct for programmes and advertisements for compliance by the licensees.

24. Terms and conditions of license × A person who is issued a license under this Ordinance shall × (a) ensure preservation of the sovereignty, security and integrity of the Islamic Republic of Pakistan. × (b) ensure preservation of the national, cultural, social and religious values and the principles of public policy as enshrined in the Constitution of the Islamic Republic of Pakistan. × (c) ensure that all programmes and advertisements do not contain or encourage violence, terrorism, racial, ethnic or religious discrimination, sectarianism, extremism, militancy, hatred, pornography, obscenity, vulgarity or other material offensive to commonly accepted standards of decency. × (d) comply with rules made under this Ordinance.

25. × (e) broadcast, if permissible under the terms of its license, programmes in the public interest specified by the Federal Government or the Authority in the manner indicated by the Government or, as the case may be, the Authority, provided that the duration of such mandatory programmes do not exceed ten per cent of the total duration of broadcast or operation by a station in twenty-four hours except if, by its own volition, a station chooses to broadcast such content for a longer duration. × (f) comply with the codes of programmes and advertisements approved by the Authority and appoint an in-house monitoring committee, under intimation to the Authority, to ensure compliance of the Code. × (g) not broadcast or distribute any programme or advertisement in violation of copyright or other property right. × (h) obtain NOC from Authority before import of any transmitting apparatus for broadcasting, distribution or teleporting operation. × (i) not sell, transfer or assign any of the rights conferred by the license without prior written permission of the Authority.

26. Consultation with Provinces × (1) The Authority, except where applications for the issue of licenses relates to the Islamabad Capital Territory, shall invite a representative of the Government of the Province concerned with regard to the proposed location of the radio station or TV channel or CTV station for which the application has been made and shall consider the viewpoint of the concerned Provincial Government before taking a

decision on the issuance, suspension, revocation or cancellation of a license: × Provided that where the Provincial Government objects to the issuance of a particular licence or its suspension, revocation or cancellation, the applicant shall be provided an opportunity to be present at the meeting of the Authority and afforded a public hearing with regard to the observations made by the Provincial Government. × (2) Where the broadcast signal of a radio station or a TV channel or the CTV network has the potential to cover an area outside the limits of the Province in which the unit is proposed to be located, the Authority shall invite one or more representatives from each of the four Provincial Governments to express their viewpoint, if any, on the inter-Provincial dimensions of the broadcast signal. × (3) In applying the provisions of sub-section (2) the Authority shall ensure that the consultation with the Provincial Government or the Provincial Governments, as the case may be, is conducted with the objective of facilitating freedom of expression on the air waves within the framework defined by this Ordinance and shall ensure that no unreasonable delay occurs in the issuance of a license and its utilization by the licensee merely on the grounds that the Federal Government and the Provincial Governments require unspecified time to fulfil their respective and related procedures” substituted by the PEMRA (Amendment) Act, 2007.

27. Duration for consideration of the application for a license × The Authority shall take decision on the application for a license within one hundred days from the receipt of the application. Exclusion of monopolies × (1) No person shall be entitled to the benefit of any monopoly or exclusivity in the matter of broadcasting or the establishment and operation of broadcast media or distribution service or in the supply to or purchase from, a national broadcaster of air time, programmes or advertising material and all existing agreements and contracts to the extent of conferring a monopoly or containing an exclusivity clause are, to the extent of exclusivity, hereby declared to be inoperative and of no legal effect. × (2) In granting a license, the Authority shall ensure that open and fair competition is facilitated in the operation of more than one media enterprise in any given unit of area or subject and that undue concentration of media ownership is not created in any city, town or area and the country as a whole: × Provided that if a licensee owns, controls or operates more than one media enterprise, he shall not indulge in any practice which may impede fair competition and provision of level playing field.

28. License, application, issuance, refusal and validity × (1) Any person desirous of obtaining a license for establishment and operation of broadcast media or a distribution service shall apply to the Authority in such manner and form as may be prescribed. × (2) The Authority shall process each application in accordance with prescribed criteria and shall hold public hearings in the respective provincial capitals of each Province, or as the case may be, in Islamabad, before granting or refusing the license. × (3) Each application shall be accompanied by such fee as the Authority may prescribe. × (4) A license shall be valid for a period of five, ten or fifteen years subject to payment of the annual fee prescribed from time to time. × (5) The Authority may renew a license on such terms and conditions as may be prescribed and in case of refusal to renew a license reasons shall be recorded in writing.

29. Certain persons not be granted license × A license shall not be granted to × (a) a person who is not a citizen of Pakistan or resident in Pakistan. × (b) a foreign company organized under the laws of any foreign government. × (c) a company the majority of whose shares are owned or controlled by × foreign nationals or companies whose management or control is vested in foreign nationals or companies. × (d) any person funded or sponsored by a foreign government or organization.

30. Council of Complaints × (1) The Federal Government shall, by notification in the Official Gazette, establish Councils of Complaints at Islamabad, the Provincial capitals and also at such other places as the Federal Government may determine. × (2) Each Council shall receive and review complaints made by persons or organizations from the general public against any aspects of programmes broadcast or distributed by a station established through a license issued by the Authority and render opinions on such complaints. × (3) Each Council shall consist of a Chairperson and five members being citizens of eminence from the general public at least two of whom shall be women. × (3 A) The Councils shall have the powers to summon a licensee against whom a complaint has been made and call for his explanation regarding any matter relating to its operation. × (4) The Authority shall formulate rules for the functions and operation of the Councils within two hundred days of the establishment of the Authority. × (5) The Councils may recommend to the Authority appropriate action of censure, fine against a broadcast or CTV station or licensee for violation of the codes of programme content and advertisements as approved by the Authority as may be prescribed.

31. Prohibition of broadcast media or distribution service operation × The Authority shall by order in writing, giving reasons therefore, prohibit any broadcast media or distribution service operator from × (a) broadcasting or re-broadcasting or distributing any programme or advertisement if it is of the opinion that such particular programme or advertisement is against the ideology of Pakistan or is likely to create hatred among the people or is prejudicial to the maintenance of law and order or is likely to disturb public peace and tranquility or endangers national security or is pornographic, obscene or vulgar or is offensive to the commonly accepted standards of decency. × (b) engaging in any practice or act which amounts to abuse of media power by way of harming the legitimate interests of another licensee or willfully causing damage to any other person.

Q. 3 Explain PNNBR in detail.

1. Short title, extent and commencement.

PRELIMINARY

2. Definitions.

PRINTING PRESSES, NEWSPAPERS AND NEWS AGENCIES

3. Particulars to be printed on books and papers.
4. Keeper of printing press to make declaration.
5. Publication of newspapers.
6. Declaration of the printer, publisher and an owner of news agency.

7. No minor to be printer, publisher or editor.
8. Effect of change of language, periodicity or place of publication.
9. Effect if printer or publisher leaves Pakistan.
10. Authentication of the declaration.
11. Effect of non-publication of newspaper.
12. Restrictions on foreign ownership of newspapers.
13. Deposit of authenticated declaration.
14. Inspection and supply of copies.
15. Copy of declaration or newspapers to be prima facie evidence.
16. News declaration by persons who have signed declaration and subsequently ceased to be printers or publishers.
17. Putting copy in evidence.
18. Person whose name has been incorrectly published as editor may make declaration before a Regional Information Officer concerned.
19. Cancellation of declaration.
20. Appeals.
21. Government advertisement.
22. Advertising agencies.

DELIVERY OF BOOKS

23. Copies of books printed to be delivered gratis to Government.
24. Receipts of copies so delivered.
25. Disposal of copies.
26. Copies of newspapers printed to be delivered gratis to Government.

PENALTIES

27. Penalty for contravention of section 3.
28. Penalty for keeping printing press without making a declaration required by section 4.
29. Punishment for making false statement.
30. Penalty for printing or publishing newspaper in contravention of the provisions of this Act.
31. Penalty for failure to make a declaration.
32. Penalty for disseminating unauthorized new-sheets and newspapers.
33. Penalty for not delivering book.
34. Penalty for failure to supply copies of newspaper gratis to Government.
35. Recovery of amount payable to Government.
36. Responsibility of page in-charge.

37. Responsibility as regards to the offences.
38. Cognizance of offence.

REGISTRATION OF BOOKS

39. Registration of memorandum of books.
40. Publication of the memoranda registered.

REGISTRATION OF NEWSPAPERS

41. Appointment of Registrar and other officers.
42. Register of newspapers.
43. Certificate of registration.

MISCELLANEOUS

44. Appointment of officers.
45. Service of notices.
46. Act to override other laws, etc.
47. Power to make rules.
48. Repeal and savings.

Q. 4 Explain the procedure of acquiring license for satellite TV and radio in Pakistan.

Satellite television is a service that delivers television programming to viewers by relaying it from a [communications satellite](#) orbiting the Earth directly to the viewer's location. The signals are received via an outdoor [parabolic antenna](#) commonly referred to as a [satellite dish](#) and a [low-noise block downconverter](#).

A satellite receiver then decodes the desired [television program](#) for viewing on a [television set](#). Receivers can be external [set-top boxes](#), or a built-in [television tuner](#). Satellite television provides a wide range of channels and services. It is usually the only television available in many remote geographic areas without [terrestrial television](#) or [cable television](#) service.

Modern systems signals are relayed from a [communications satellite](#) on the [X band](#) (8–12 GHz) or [Ku band](#) (12–18 GHz) frequencies requiring only a small dish less than a meter in diameter. The first satellite TV systems were an obsolete type now known as [television receive-only](#). These systems received weaker analog signals transmitted in the [C-band](#) (4–8 GHz) from [FSS](#) type satellites, requiring the use of large 2–3-meter dishes. Consequently, these systems were nicknamed "big dish" systems, and were more expensive and less popular.

Early systems used [analog signals](#), but modern ones use [digital signals](#) which allow transmission of the modern television standard [high-definition television](#), due to the significantly improved [spectral efficiency](#) of digital broadcasting. As of 2018, [Star One C2](#) from Brazil is the only remaining satellite broadcasting in analog signals, as well as one channel ([C-SPAN](#)) on [AMC-11](#) from the United States.

Pakistan Electronic Media Regulatory Authority (PEMRA) has approved the licensing process of new satellite TV channels through an open bidding process.

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The 146th meeting of the PEMRA Authority was held with Chairman Saleem Baig in the chair in Islamabad.

The authority after through deliberation approved the process of licensing of new satellite TV channels.

The licensing process was stayed by a bench of Lahore High Court directing the regulator to re-advertise the licensing process once a permanent chairman of the authority was appointed.

The authority in its meeting also determined the numbers of licenses to be issued and their genre in light of the LHC's decision.

The meeting also approved amendments to PEMRA Television Broadcast Station Operations 2012 and in regulations regarding Security Clearance of Directors/Licensees of Satellite TV channels.

The authority approved the grant of two Non-Commercial FM Radio Licenses to Punjab Food Authority (PFA), Lahore and Beaconhouse National University, Lahore.

Two Landing Rights Permissions were approved for M/S Mediacon Network (Pvt) Ltd, Karachi for Foreign TV Channel "English Club TV" and "Kidzone TV," and Landing Right Permissions for the channel "TOONAMI" was canceled on their own request.

Likewise, approval was granted for one Mobile TV (Video & Audio Content Provision) Services license to M/s Ideation (Pvt) Ltd. Islamabad, and two Internet Protocol TV Distribution Service Licenses for M/s TES Media (Pvt) Ltd Islamabad, for Karachi, Lahore and Islamabad Telecom Zones and M/s Nayatel (Pvt) Ltd, for Islamabad, Rawalpindi, Peshawar, and Faisalabad Telecom Zones. Besides these agendas, the authority reviewed the status of DTH licensing and took appropriate decisions as per law.

The authority members welcomed Secretary Information and Broadcasting as an authority member in the pursuance of the amendment to the Ordinance as a representative of the Federal Government.

The meeting was attended by Shafqat Jalil, Secretary Information and other members including Nargis Nasir, Member Punjab, Shaheen Habibullah, Member KP, Sarfaraz Khan Jatoi, Member Sindh, Muhammad Naveed, Chairman PTA, and Ashfaq Jumani, Executive Member PEMRA.

Q. 5 Elaborate different key terms used in PEMRA Rules.

Pakistan Electronic Media Regulatory Authority, is an independent and constitutionally established federal institution responsible for regulating and issuing channel licenses for establishment of the mass media culture, print and electronic media.^[3]

Codified under the Article 19: Chapter I^[4] of the Constitution of Pakistan, it has jurisdiction to impose reasonable restrictions in the interest of the religion, the integrity, national security of Pakistan.^[5] Established on 1 March 2007, Pemra's principal objectives are to facilitate and regulate the private electronic mass-media industry and to improve the standards of information, education and entertainment.^[5]

Its constitutional mandate is to enlarge the choice available to the people of Pakistan including news, current affairs, religious knowledge, art and culture as well as science and technology.^[6] On 28 June 2018 after the Supreme Court's order Saleem Baig was appointed as the Chairman of PEMRA

The constitutional freedom of speech and press are highlighted in the constitution of Pakistan. Under the Article 19 and Article 19A of Fundamental Rights in the Constitution of Pakistan. The Constitution grants PEMRA following powers:

1. Improve the standards of information, education and entertainment.^[6]
2. Enlarge the choice available to the people of Pakistan in the media for news, current affairs, religious knowledge, art, culture, science, technology, economic development, social sector concerns, music, sports, drama and other subjects of public and national interest.^[6]
3. Facilitate the devolution of responsibility and power to the grass roots by improving the access of the people to mass media at the local and community level.^[6]
4. Ensure accountability, transparency and good governance by optimization in the free flow of information.^[6]

Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defense of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, [commission of] or incitement to an offence. Article 19(A)— Right to information: Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law.

The Pakistan Electronic Media Regulatory Authority (PEMRA) was promoted by the government as an open media policy reform and was fortified with strong regulatory teeth. The establishment of PEMRA was initiated in 2000, during President Musharraf's term; through the formation of the Regulatory Authority for Media Broadcast Organisations (RAMBO) which was mandated to improve standards of information, education and entertainment; expand the choice available to the people of Pakistan in the media for news, current affairs, religions knowledge, art, culture, science, technology, economic development, social sector concerns, music, sport, drama and other subjects of public and national interest; facilitate the devolution of responsibility and power to grass roots by improving the access to mass media at the local and community level; and lastly, to ensure accountability, transparency and good governance by optimising the free flow of information.

Many pro-democratic campaigners consider this four-point mandate to be a solid foundation supporting democracy processes and comprehensive media liberalisation. However, the general opinion among media practitioners is that PEMRA only acted as a licence issuing office that has implemented regulatory barriers for broadcasters. "It is a Bhatta (money extortion in Urdu) body that collects money from broadcasting operators in a legal way. Nothing more can be expected." notes media law activist and journalist Matiullah Jan.

The PEMRA laws were utilized by the Musharraf regime in his attempts to tame the media. Some stations were shut down and some were under severe harassments using these laws. The 12-member authority was dominated by bureaucrats and ex-police officers - a phenomenon that had been partly changed after the assumption of

office by the present government. However, media activists are still not comfortable with the composition of the 12-member committee where they highlight the need of a greater representation from the media itself. "Regulation of the TV and Radio should be through the participation and representation of the stake holders. What must happen is the restructuring of the Board of PEMRA with independent eminent people. It is still full of bureaucrats and ex-policemen, so there you find lack of ownership." says Matiullah Jan.

PEMRA's leadership agree to that the institution needs to be more engaged with its stakeholders. "It's a combination of regulator and the stakeholders. Therefore, the chain is - Law/Regulator/Stakeholder," says Dr. Abdul Jabbar, the Executive Member of PEMRA.

However, the present government is under pressure to amend or repeal these laws. Many media practitioners confirmed that the harsh use of the PEMRA laws during the Musharraf regime had not occurred during the past years. The PEMRA board has been reconstituted to some extent and includes some media professionals. Furthermore, the government is making some attempts to reintroduce some democratic norms in its media regulation reform.

The Code of Conduct made by PEMRA has been subjected to criticism by the industry players, and is now being reviewed by the government. The former Minister of Information has requested Pakistani Broadcasters Association to draft a new Code of Conduct to replace the existing Code of Conduct of PEMRA.