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**PART II**

Statutory Notifications containing Rules and Orders issued by all  
Ministries and Divisions of the Government of Pakistan and  
their Attached and Subordinate Offices and  
the Supreme Court of Pakistan

GOVERNMENT OF PAKISTAN

MINISTRY OF INFORMATION & BROADCASTING

NOTIFICATION

*Islamabad, the 4th November, 2010*

**S.R.O. 146 (KE)/2010:**

In exercise of the powers conferred by sub-section (4) of section 26 read with section 39 of the Pakistan Electronic Media Regulatory Authority, Ordinance, 2002 (XIII of 2002), the Pakistan Electronic Media Regulatory Authority, with approval of the Federal Government is pleased to make the following rules, namely:-

**1. Short title and commencement:-**(1) These rules shall be called the Pakistan Electronic Media Regulatory Authority (Councils of Complaints) Rules 2010.

(2) They shall come into force at once.

**2. Definitions:-** (1) In these rules, unless there is anything repugnant in the subject or context:-

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- (a) "authorized officer" includes an officer in charge of the respective region or any other officer so authorized by the Authority;
- (b) "Chairperson" means the chairperson of the respective Council;
- (c) "Chairman" means the chairman of the Authority;
- (d) "code" means the code of conduct for media broadcasters and distribution service operators as prescribed by the Authority;
- (e) "Council" means the Council of Complaints established under section 26 of the Ordinance;
- (f) "member" means a member of the Council;
- (g) "Ordinance" means the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002);
- (h) "regulations" means the regulations made by the Authority under the Ordinance;
- (i) "rules" means the rules made under the Ordinance;
- (j) "subscriber" means a person who subscribes to a service provided by a licensee without further transmitting it to any person;
- (2) All other words and expressions used but not defined herein shall have the same meanings as are assigned to them under the Ordinance and the rules made thereunder.

**3. Establishment of the Councils of Complaints:-** (1) There shall be established Councils of Complaints at Islamabad, the Provincial Capitals and at such places as the Federal Government may determine, for carrying out the functions under the Ordinance.

- (2) The Councils shall work independently under facilitation by the Authority and their functions shall be coordinated by the Secretary to the Authority.
- (3) The Councils shall take action on the complaints received against broadcast media or distribution service operators, as provided in the Ordinance and these rules.

**4. Composition of the Councils:-** Each Council shall consist of a Chairperson and five members out of whom at least two of the members shall be women. The Chairperson and members of a Council shall be persons of eminence from the general public.

**5. Tenure of Chairperson and Members:-** (1) The Chairperson and members unless earlier removed for misconduct or physical or mental incapacity, shall hold office for a period of two years and shall be eligible for re-appointment for a similar term.

- (2) The Chairperson or a member may, by writing under his hand addressed to the Authority, resign from his office.

**6. Chairperson and members to have honorary positions:-** (1) The Chairperson and members shall hold honorary positions.

- (2) The Chairperson and members of a Council shall participate in all meetings and shall receive such fee and expenses for each meeting as may be determined by the authority from time to time.

**7. Seat of the Council:-** (1) The Council shall have offices in Islamabad and the Provincial headquarters and such other places as the Federal Government may deem necessary and for the running of these offices shall be manned by such member of staff as the Authority may determine from time to time.

**8. Filing of complaint and functions of the Councils:-**(1) any person aggrieved by any aspect of a program or advertisement may lodge a complaint before the Council or the authorized officer, in whose jurisdiction that programme of advertisement is viewed:

Provided that where a complaint is received by an authorized officer, the authorized officer shall place the same before the Council for consideration and further proceedings.

- (2) A Council or the authorized officer may issue summons to the operator against whom complaint has been lodged and to such other persons as may be deemed necessary for disposal of the complaint, and record their statements.
- (3) Where summons are served to the operator or a person under sub-rule (2), and such operator or person fails to appear or provide his explanation on the date fixed in the summons, the Council may proceed with the matter on the basis of the record available and make appropriate recommendation to the Authority.
- (4) A Council shall also take cognizance of such matters as referred to it by the Chairman or the Authority and render its opinion thereon.
- (5) A Council may recommend to the Authority appropriate action of censure, fine upto the limit prescribed in section 29 of the Ordinance, seizure, suspension or revocation of licence against a broadcast media or distribution service operator or licensee for violation of the Ordinance, rules regulation, code of conduct for programmes and advertisements or terms and conditions of licence.

- (6) A Council shall keep the Authority informed on the feedback and public response to the contents quality and impact of the programmes and advertisements broadcast or distributed.

**9. Meetings of the Councils, etc. :-**(1) The Chairperson or, in his absence, the member elected by the members for the purpose, shall preside over a meeting of the Council.

- (2) One-third of the total members shall constitute a quorum for meetings of the Council requiring a decision by the Council.
- (3) The Members shall have reasonable notice of the time and place of the meeting and the matters on which a decision by the Council shall be taken in such meeting.
- (4) The decisions of the Council shall be taken by the majority of its members present, and in case of a tie, the Chairperson or a member presiding the meeting, as the case may be shall have a casting vote.
- (5) All recommendations of the Council shall be made in writing.
- (6) The Authority or the Chairman may direct any Council to hold a meeting and discuss a specific agenda proposed by the Authority or the Chairman, as the case may be.
- (7) The Council shall hold meetings generally in the respective regional office or at such other places as may be expedient.
- (8) A Council may make sub-committees, on such terms as the Council may determine to process and inquire into the complaints for a specific subject.
- (9) A Council on receipt of a complaint shall take immediate action and shall dispose of the matter within a period of forty days.

**10. Procedure upon recommendation by a Council:-** The Authority shall take into consideration the recommendations made by a Council in each matter and may approve the recommendations or disagree with the recommendations, while recording the reasons in writing for the same, and pass such order as deemed appropriate, or refer the matter back to the Council for re-consideration if so considered necessary in the opinion of the Authority.

**11. Secretary to the Council and Coordinating Officer:-**(1) Regional General Manager or officer in charge of respective region, as the case may be shall act as Secretary to the respective Council.

- (2) Secretary to the Council shall perform such functions and duties as may be assigned to him under these rules.
- (3) Secretary to the Council shall receive complaints, issue summons

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and make correspondence on behalf of the Council and maintain record of the cases and submit such record to the Council.

- (4) The Secretary to the Council shall coordinate with Secretary to the Authority for submission of recommendations of the Council to the Authority.
- (5) The Secretary to the Council shall inform the Council regarding the actions taken on its recommendations.

**12. Report :-**(1) Each Council shall compile and submit report on its operations to the Authority bi-annually.

- (2) The report referred to in sub-rule (1) shall *inter-alia* include the nature and number of complaints received, recommendations made by the Council and action taken by the management or the Authority as the case may be.

**13. Repeal:-** The Pakistan Electric Media Regulatory Authority (Council of Complaints, organization and functions) Regulations, 2002 are hereby repealed.

No. F.7(276)/Legal/08.

MUHAMMAD AZAM  
*Director General (IP)*