

# NATIONAL ASSEMBLY SECRETARIAT

## REPORT OF THE STANDING COMMITTEE ON INFORMATION & BROADCASTING ON THE PAKISTAN BROADCASTING CORPORATION (AMENDMENT) BILL, 2020

I, Chairman of the Standing Committee on Information & Broadcasting, have the honour to present the report on the Bill further to amend the Pakistan Broadcasting Corporation Ordinance, 1973 (XXXII of 1973) [the Pakistan Broadcasting Corporation (Amendment) Bill, 2020] (Private Member's Bill) referred to the Committee on 17<sup>th</sup> September, 2019.

2. The Committee comprises the following:

<b>01</b>	<b>Mian Javed Latif</b>	<b>Chairman</b>
02.	Engr. Usman Khan Tarakai	Member
03.	Mr. Nasir Khan Musazai	Member
04.	Mr. Zahoor Hussain Qureshi	Member
05.	Mr. Tahir Iqbal	Member
06.	Mr. Muhammad Akram Cheema	Member
07.	Mr. Muhammad Alamgir Khan	Member
08.	Mr. Aftab Jahangir	Member
09.	Ms. Javeria Zafar Aheer	Member
10.	Ms. Syma Nadeem	Member
11.	Ms. Kanwal Shauzab	Member
12.	Syed Amin-ul-Haque	Member
13.	Khawaja Saad Rafique	Member
14.	Mr. Nadeem Abbas	Member
15.	Ms. Marriyum Aurangzeb	Member
16.	Ms. Maiza Hameed	Member
17.	Mr. Zulfiqar Ali Behan	Member
18.	Dr. Nafisa Shah	Member
19.	Ms. Naz Baloch	Member
20.	Minister Incharge for Information & Broadcasting	Ex-Officio Member

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on 07-10-2019, 05-12-2019, 30-12-2019, 21-01-2020 and 06-03-2020. The Committee recommends that the Bill as introduced may be passed by the National Assembly.

sd/-  
(TAHIR HUSSAIN)  
Secretary  
Islamabad, the 8<sup>th</sup> July, 2020

sd/-  
(MIAN JAVED LATIF)  
Chairman

## AS REPORTED BY THE STANDING COMMITTEE

A

## Bill

*further to amend the Pakistan Broadcasting Corporation Act, 1973*

WHEREAS it is expedient further to amend the Pakistan Broadcasting Corporation, Act, 1973 (XXXII of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.**-(1) This Act may be called the Pakistan Broadcasting Corporation (Amendment) Act, 2019.

(2) It shall come into force at once.

**2. Substitution of section 21, Act XXVII of 1997.**- In the Pakistan Broadcasting Corporation Act, 1973 (XXXII of 1973), for section 21, the following shall be substituted, namely:-

**"21. Power to make rules.**- (1) Subject to sub-sections (2) and (3), the Minister-in-charge may, by notification in the official Gazette, within six months, make rules to carry out the purposes of this Act.

(2) Except the rules made prior to commencement of the Pakistan Broadcasting Corporation (Amendment) Act, 2019,-

- (a) the draft of the rules proposed to be made under sub-section (1) shall be published for the information of persons likely to be affected thereby;
- (b) the publication of the draft rules shall be made in print and electronic media including websites in such manner as may be prescribed;
- (c) a notice specifying a date, on or after which the draft rules will be taken into consideration, shall be published with the draft;
- (d) objections or suggestions, if any, which may be received from any person with respect to the draft rules before the date so specified, shall be considered and decided before finalizing the rules; and
- (e) finally approved, in the prescribed manner, rules shall be published in the official Gazette.

(3) Rules, made after the prorogation of the last session, including rules previously published, shall be laid before the National Assembly and the Senate as soon as may be after the commencement of next session, respectively, and thereby shall stand referred to the Standing Committees concerned with the subject matter of the rules for examination, recommendations and report to the National Assembly and the Senate to the effect whether the rules,-

- (a) have duly been published for considering the objections or suggestions, if any, and timely been made;
- (b) have been made within the scope of the enactment;
- (c) are explicit and covered all the enacted matters;
- (d) relate to any taxation;
- (e) bar the jurisdiction of any Court;
- (f) give retrospective effect to any provision thereof;
- (g) impose any punishment; and
- (h) made provision for exercise of any unusual power.”.

### STATEMENT OF OBJECTS AND REASONS

Subject to the Constitution, primarily *Majlis-e-Shoora* (Parliament) has exclusive power to make laws with respect to any matter in the Federal Legislative List. Frequently enactments empower the Government, or specified bodies or office-holders to make rules to carry out the purposes thereof popularly known as delegated, secondary, or subordinate legislation.

Rules of both the National Assembly and the Senate provide that delegated legislation may be examined by the Committees concerned. But practically no effective parliamentary oversight has been made. Further, in the prevalent legal system it is also a departure from the principle of separation of powers that laws should be made by the elected representatives of the people in Parliament and not by the executive Government. In parliamentary democracies, the principle has been largely preserved through an effective system of parliamentary control of executive law-making, by making provision that copies of all subordinate legislations be laid before each House of the Parliament within prescribed sitting days thereof otherwise they cease to have effect.

Although under the Constitution, the Cabinet is collectively responsible to the Senate and the National Assembly, yet, under the Rules of Business, 1973, the Minister-in-Charge is responsible for policy concerning his Division and the business of the Division is ordinarily disposed of by, or under his authority, as he assumes primary responsibility for the disposal of business pertaining to his portfolio. Therefore it is necessary that all rules, including previously published, made after the prorogation of the last session shall be laid before both Houses as soon as may be after the commencement of a session and thereby shall stand referred to the Standing Committee concerned with the subject matter of the rules.

The proposed amendment would achieve objective of valuable participation of the people in rules making process, meaningful exercise of authority by the Minister-in-Charge to assume primary responsibility for the disposal of business pertaining to his portfolio including rule making and efficient and effective parliamentary oversight relating to delegated legislation.

Sd/-

**MR. AMJID ALI KHAN**

Member, National Assembly

## قومی اسمبلی سیکرٹریٹ

پاکستان براڈکاسٹنگ کارپوریشن (ترمیمی) بل، ۲۰۲۰ء پر قائمہ کمیٹی برائے اطلاعات و نشریات کی رپورٹ۔

میں، چیئر مین قائمہ کمیٹی برائے اطلاعات و نشریات ۱۷ ستمبر، ۲۰۱۹ء کو کمیٹی کے سپرد کردہ پاکستان براڈکاسٹنگ کارپوریشن آرڈیننس، ۱۹۷۳ء (نمبر ۳۲ سب ۱۹۷۳ء) میں مزید ترمیم کرنے کے بل [پاکستان براڈکاسٹنگ کارپوریشن (ترمیمی) بل، ۲۰۲۰ء] (نئی رکن کا بل) پر رپورٹ ہذا پیش کرنے کا شرف حاصل کرتا ہوں۔

۲۔ کمیٹی حسب ذیل اراکین پر مشتمل ہے:-

چیئر مین	۱۔ میاں جاوید لطیف
رکن	۲۔ انجینئر عثمان خان ترکئی
رکن	۳۔ جناب ناصر خان موسیٰ زئی
رکن	۴۔ جناب ظہور حسین قریشی
رکن	۵۔ جناب طاہر اقبال
رکن	۶۔ جناب محمد اکرم چیمہ
رکن	۷۔ جناب محمد عالمگیر خان
رکن	۸۔ جناب آفتاب جہانگیر
رکن	۹۔ محترمہ جویریہ ظفر آہیر
رکن	۱۰۔ محترمہ صائمہ ندیم
رکن	۱۱۔ محترمہ کنول شوبز
رکن	۱۲۔ سید امین الحق
رکن	۱۳۔ خواجہ سعد رفیق
رکن	۱۴۔ جناب ندیم عباس
رکن	۱۵۔ محترمہ مریم اورنگزیب
رکن	۱۶۔ محترمہ مانزہ حمید
رکن	۱۷۔ جناب ذوالفقار علی بیہن
رکن	۱۸۔ ڈاکٹر نفیسہ شاہ
رکن	۱۹۔ محترمہ ناز بلوچ
رکن بلحاظ عہدہ	۲۰۔ وزیر انچارج برائے اطلاعات و نشریات

۳۔ کمیٹی نے ۷ اکتوبر، ۲۰۱۹ء، ۵ دسمبر، ۲۰۱۹ء، ۳ دسمبر، ۲۰۱۹ء، ۲۱ جنوری، ۲۰۲۰ء اور ۱۶ مارچ، ۲۰۲۰ء کو منعقدہ اپنے اجلاسوں میں منسلک ”الف“ کے طور پر قومی اسمبلی میں پیش کردہ بل پر غور کیا۔ کمیٹی سفارش کرتی ہے کہ قومی اسمبلی پیش کردہ بل کی منظوری دے۔

دستخط۔

(میاں جاوید لطیف)

چیئر مین

دستخط۔

(طاہر حسین)

سیکرٹری

اسلام آباد، ۸ جولائی، ۲۰۲۰ء