

INTRODUCED ON 15-11-2021

[AS INTRODUCED IN THE SENATE]

A

Bill

to ensure the protection of the journalists who are at risk as a result of their professional pursuit of journalism

WHEREAS it is expedient to provide for the creation of a commission to protect the journalist who is providing information to the public on all the matters of public importance under the Constitution of the Islamic Republic of Pakistan and for matters connected therewith and incidental thereto;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Protection of Journalist Act, 2021.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.- (1) In this Act, unless there is anything repugnant in the subject or context,-

(a) "applicant" means a person who apply for protection before the Commission under this Act;

(b) "assault" means any gesture or conduct that violates in any way the life, physical, psychological, moral or economic integrity, liberty or security as well as the property or rights of journalist and collaborating journalist and their family or other persons linked to them in the performance of his activity;

(c) "collaborator" means anyone who makes the exercise of freedom of expression or broadcasting of information their primary, significant or substantive activity, either on an

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intermittent or regular basis, whether with or without union registration, compensation or any accreditation for such exercise;

- (d) "commission" means the commission established under this Act;
- (e) "concerned Government" means the Federal Government or a Provincial Government, as the case may be;
- (f) "freedom of expression" means the right of every person to broadcast information and publish ideas or opinions of any kind, either personally or collectively without being subject to any administrative or institutional or private obstruction or assault, directly or indirectly, only for the reason that persons who wield administrative, social or political authority or power are adversely affected by such information or opinions and to not be discriminated against for reasons of race, caste, community, religion, gender, sexual orientation, language, national origin, ethnicity or political persuasion for such broadcasting or expression through any form of media;
- (g) "journalist" includes any person who makes the exercise of freedom of expression or broadcasting of information, his primary, substantive or significant activity or any individual, whose job is to collect, store, generate, process, edit, comment, review, broadcast, publish or provide information through any media or any communication that can be printed, broadcast in a digital or image form, or an individual who has the experience or qualification to practice journalism and registered under this Act;
- (h) "media" include any means of communication used regularly for purposes of broadcasting of information and

expression of views and opinions such as the print media, newspapers, magazines and journals including audio-visual media such as radio, community radio, video magazines, electronic media including state sponsored and private television channels and digital media including web magazines;

- (i) "member" means a member of the Commission and includes the Chairperson;
- (j) "prescribed" means prescribed by the rules or regulations made under this Act;
- (k) "regulations" means the regulations made under this Act;
- (l) "rules" means the rules made under this Act; and
- (m) "victim" means the person who is the subject of or against whom any offence under this Act has been committed.

(2) All other words and expressions used but not defined in this Act shall have the same meaning as assigned to them in respective laws for the time being in force.

3. Establishment of the Commission.- (1) The Federal Government, after the commencement of this Act, within three months, shall constitute a Commission to be known as the National Commission for the protection of journalist to exercise its powers and perform its functions under this Act.

(2) The Commission shall consist of-

- (a) a Chairperson, who has been, or is qualified to be a judge of the Supreme Court or a person having demonstrable knowledge with fifteen years practical experience in law especially matters relating to journalist rights;
- (b) Chairperson of the Pakistan Federal Union of Journalists;
- (c) One member from each Province nominated by the Provincial Journalist bodies;

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- (d) One member from Islamabad Capital Territory nominated by the Islamabad Capital Territory Journalist union body;
- (e) Chairperson of the Pakistan Newspapers society or his nominee as an *ex-officio* member;
- (f) Chairman of the Pakistan Electronic Media Regulatory Authority or his nominee or his representative not below the rank of Joint Secretary (BPS-20) as an *ex-officio* member; and
- (g) One *ex-officio* member from Federal Government and one *ex-officio* from each Provincial Government, not below the rank of Additional Secretary.

(3) The Secretary shall act as secretary of the Commission as well.

(4) The Commission shall be a body corporate having perpetual succession and a common seal with powers subject to the provisions of this Act to hold and dispose of property by the said name, sue and be sued.

(5) The Secretariat of the Commission shall be at Islamabad, however, the Commission may establish its offices at such other places as the Chairperson may determine with the approval of the Federal Government, from time to time.

4. Appointment of Chairperson and members.- (1) The Chairperson and members, other than *ex-officio* members, shall be appointed by the Federal Government on such salary, allowances, privileges and other terms and conditions as may be prescribed.

(2) The salary, allowances, privileges and other terms and conditions under sub-section (1) of the Chairperson or any member, as the case may be, shall not be varied to their disadvantage after their appointment.

5. Term of office of Chairperson and members.- (1) The Chairperson and every member, other than *ex-officio* members, shall hold office for a term of three years, extendable for a further term of three years:

Provided that the Chairperson or a member, other than *ex-officio* member, shall not hold office for more than two terms.

(2) The Chairperson or an official member may, at any time by writing under his hand addressed to the Federal Government, resign from his office.

6. Disqualification.- A person shall be disqualified for becoming or being the Chairperson or a member of the Commission, if such person-

- (a) is an un-discharged insolvent or has been declared a bankrupt; or
- (b) is of unsound mind or has physical infirmity to discharge his functions under this Act; or
- (c) has been dismissed from public service of Pakistan on grounds of inefficiency, misconduct, fraud or corruption; or
- (d) has been convicted of an offence of moral turpitude.

7. Removal from office.- (1) Subject to the provisions of sub-section (2), the Chairperson or a member may be removed from office on-

- (a) the grounds of misconduct;
- (b) any condition under section 6; or
- (c) a resolution passed for such removal by fifty percent of the total members of the Commission.

(2) No person shall be removed under sub-section (1) until-

- (a) the reasons in writing for the removal have been communicated to the person concerned by the Federal Government;

- (b) he has been given an opportunity of submitting, against the communication under clause (a), a reply in writing within seven days of receipt of the communication from the Federal Government; and
- (c) such person has been given an opportunity of being heard in person after submission of reply under clause (b).

8. Vacancy in office of the Chairperson or member.- If a vacancy occurs in the office of the Chairperson or of any member, whether by reason of death, resignation or removal under section 7, such vacancy shall be filled within a period of sixty days by making a fresh appointment in accordance with the provisions of sections and the person so appointed shall hold office for the residual of the term of office of the Chairperson or member of whom the vacancy has arisen.

9. Acting Chairperson.- Where at any time the Chairperson is unable to perform his functions due to any reason, the Federal Government may appoint acting Chairperson for performance of functions under this Act till the vacancy is filled on regular basis under this Act:

Provided that period of acting appointment shall not exceed four months.

10. Procedure for transaction of business.- (1) The Commission shall meet regularly at such time as the Chairperson thinks fit, but at least once in every quarter.

- (2) All decisions at a meeting shall be taken by majority:

Provided that in the case of equality of votes, the Chairperson or in his absence the person presiding shall have and can exercise a second or casting vote.

- (3) If for any reason, the Chairperson is unable to attend a meeting of the Commission, any member chosen by the members present from amongst themselves at the meeting shall preside.

(4) Quorum of the meeting shall not be less than fifty percent of its total membership at the time of such meeting:

Provided that the fifty percent of ex-officio members are also present.

(5) In the event of a requisition signed and presented by one-fourth of the members, the Chairperson shall call a meeting of the Commission within seven days of such requisition, presented to the Chairperson.

11. Standing bodies and committees.- The Commission may from time to time appoint such standing bodies or committees from amongst its members as it may consider necessary to assist it in the performance of its functions and to discharge such of its functions as it may assign to them on such terms and conditions as may be prescribed by regulations.

12. Secretary, officers and other employees of the Commission.- (1) The Federal Government shall appoint Secretary of the Commission on such terms and conditions as may be prescribed.

(2) The Secretary shall be responsible for proper administration of affairs of the Commission and its day-to-day management and shall exercise and discharge such other-powers and perform such other functions as may be prescribed.

(3) The Commission may appoint consultants, researchers, experts, advisers, officers and other staff members on such terms and conditions and criteria as may be prescribed.

13. Scope of the Commission.- The Commission shall exercise its powers for the protection of-

- (a) journalist or journalist collaborator who is facing assault for practicing the freedom of speech or expression;
- (b) wife, any next of kin or dependents of the journalist or collaborator in paragraph (a) above;

- (c) person that participate, collaborate or associate in the same or similar activities from the same group, organization or social movement as in paragraph (a);
- (d) property, goods or other objects belonging to the person, group, organization or social movement; and
- (e) other people that are specified in the risk analysis.

14. Functions of the Commission.- The Commission shall perform all or any of the following functions, namely:-

- (a) to take *suo moto* or on a petition presented to it by a victim or any person on his behalf, inquire into complaints of—
 - (i) violation of journalist's rights including security, protection or abetment thereof; or
 - (ii) negligence in the prevention of such violation, by a public servant;
- (b) to review the safeguards provided by or under the Constitution of the Islamic Republic of Pakistan or any other law for the time being in force for the protection of journalist and recommend adoption of new legislation, the amendment of existing laws and the adoption or amendment of administrative measures for their effective implementation:

Provided that if requested by the Government, the Commission may examine any legislation and submit its views thereon and comment on the implication of the same for legislation.

- (c) to propose and promote public policies aimed at strengthening the comprehensive security and protection of journalist;
- (d) to promote the recognition and exercise of the right to defend freedom of expression;

- (e) to promote, coordinate, evaluate and review with the various departments of the Federal Government, Provincial Governments and public policies that guarantee the right to exercise of freedom of expression;
- (f) to register the unions of journalist and monitor the election thereof;
- (g) to make sure the authentic journalism in Pakistan;
- (h) to direct, coordinate, evaluate and review with the various departments of the Federal Government, specific actions that ensure that those journalists who are at risk in the performance of their work or profession, are given the conditions to continue their activities;
- (i) to study treaties, other international instruments on security and protection of journalists and reports submitted by the Government of Pakistan on them including the comments thereon, to make recommendations for their effective implementation;
- (j) to direct investigation and inquiry in respect of any incident of violation of protection of journalist rights;
- (k) to enquire and investigate into assault upon journalist, collaborators or threats and risks to them in order to pass appropriate directions to the concerned Federal Government and Provincial Governments authorities for their protection;
- (l) to summon concerned Government and call for relevant documents in connection with enquiries and investigation, the passing of appropriate directions of protection and prevention, and the evaluation and review of such orders;
- (m) to arrange seminars and training programs for journalist;
- (n) to develop a national plan of action for the promotion and protection of journalist fundamental rights; and

- (o) to do all acts and things necessary for the security and protection of the journalists and for the matters ancillary thereto.

15. Procedure of the Commission.- (1) The Commission shall regulate its own procedure.

(2) All orders and decisions of the Commission shall be authenticated by the Secretary or any other officer of the Commission duly authorized by the Chairperson in this behalf.

(3) The quorum for a meeting of the Commission shall not be less than one-half of the total membership of the Commission.

(4) The decision of the Commission shall be taken by the majority of its members present and, in case of a tie, the member presiding the meeting shall have a casting vote.

16. Delegation of functions.- The Commission or the Chairperson may, by notification in the official Gazette, delegate its functions subject to such conditions as it or he may specify in this behalf to anybody or individual that is part of the Commission.

17. Prohibition of violent, intolerant or abusive behavior.- No person shall be permitted to use abusive, violent or intolerant behavior with a journalist during performing his duty. However, any person commits this offence shall be liable on conviction to imprisonment for a term not exceeding seven years or with fine not exceeding three hundred thousand rupees or with both.

18. Right to privacy and non disclosure of source of information.- No person shall force a journalist to disclose any source of information which he received during performing his duty except under the prevailing law, However, any person who violates this section shall be liable on conviction to imprisonment for a term not exceeding three years or with fine not exceeding one hundred thousand rupees or with both.

19. Independence in the performance of duties.-

Notwithstanding anything contained in this Act or any other law, a journalist shall perform his duty independently without pressure of any person, group, organization or department. However, any person who violate this section shall be liable on conviction to imprisonment for a term not exceeding five years or with fine not exceeding one two hundred thousand rupees or with both.

20. Inquiry into complaints.- (1) The Commission while inquiring into the complaints of violations of journalist rights may call for information or report from the Federal Government or a Provincial Government or any other authority or organization, subordinate thereto, within such time as may be specified by it:

Provided that if the information or report is not received within the time stipulated by the Commission, it may proceed to inquire into the complaint on its own:

Provided further that in case the complaint relates to areas that are security sensitive, the Commission shall obtain a report within fifteen days from the Federal Government and if the report is not received within thirty days the Commission may proceed to inquire into complaint on its own:

Provided also that if on receipt of information or report, the Commission is satisfied either that no further inquiry is required or that the required action has been Initiated or taken by the concerned Government or authority, it may not proceed with the complaint and inform the complaint accordingly.

(2) Without prejudice to anything contained in sub-section (1), if the Commission considers necessary, having regard to nature of the complaint, it may initiate an inquiry.

(3) if at any stage of the inquiry, the Commission-

- (a) considers it necessary to inquire into the conduct of any person; or
- (b) is of the opinion that the reputation of any person is likely to be prejudicially affected by the inquiry, it shall give to that person a reasonable opportunity of being heard in the inquiry and to produce evidence in his defence:

Provided that nothing in this section shall apply where the credit of a witness is being impeached.

21. Powers relating to inquires.- (1) The Commission shall, while inquiring into complaints under this Act, have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters, namely:-

- (a) summoning and enforcing the attendance of witnesses and examining them on oath;
- (b) discovery and production of documents;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses or documents; and
- (f) any other matter which may be prescribed.

(2) The Commission shall have power to require any person, subject to any privilege which may be claimed by that person under any law for the time being in force, to furnish information on such points or matters as, in the opinion of the Commission, may be useful for, or relevant to, the subject-matter of the inquiry and any person so required shall be deemed to be legally bound to furnish such information within the meanings of section 176 and section 177 of the Pakistan Penal Code, 1860 (Act XLV of 1860).

(3) The Commission shall be deemed to be a civil court to the extent that is described in sections 175, 178, 179, 180 and 228 of the Pakistan

Penal Code, 1860 (Act XLV of 1860). If the offence is committed in the view or presence of the Commission, the Commission may, after recording the facts constituting the offence and the statement of the accused as provided for in the Code of Criminal Procedure, 1898 (Act V of 1898), forward the case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1898 (Act V of 1898).

(4) Every proceeding before the Commission shall be deemed to be a judicial proceeding within the meaning of sections 193, 196 and 228 of the Pakistan Penal Code, 1860 (Act XLV of 1860).

(5) The Commission shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1898 (Act V of 1898).

22. Statement made by persons to the Commission.- No statement made by a person while giving evidence before the Commission shall subject him to or be used against him in any civil or criminal proceeding except prosecution for giving false evidence:

Provided that where-

- (a) it is necessary to inquire into the conduct of any person; or
- (b) the reputation of any person is likely to be prejudicially affected by the inquiry, it shall give an opportunity to such person of being heard and to produce evidence in his defence, if any.

23. Investigation.- (1) Notwithstanding anything contained in any other law for the time being in force, the Commission may, for the purpose of conducting an investigation into a matter which is the subject of a complaint, requisition the services of any officer or investigation agency of the Federal Government or a Provincial Government with their concurrence.

(2) For the purposes of investigating into any matter which is the subject of a complaint, any officer or agency whose services are requisitioned under sub-section (1) shall, under the direction and control of the Commission-

- (a) summon and enforce the attendance of any person and examine him;
- (b) require the discovery and production of any document; and
- (c) requisition any public record or copy thereof from any office.

(3) The provision of this Act shall apply in relation to any statement made by a person before any officer or agency whose services are requisitioned under sub-section (1), as they apply in relation to any statement made by a person in the course of giving evidence before the Commission.

(4) The officer or agency, whose services are requisitioned under sub-section (1), shall submit a report to the Commission within such period as may be specified.

(5) The Commission shall consider the report submitted to it under sub-section (4) and, after satisfying itself that the procedure prescribed by or under this Act has been duly observed in the investigation, may proceed in accordance with the provisions of this Act.

24. Steps after inquiry.- The Commission may take any of the following, amongst other, steps upon the completion of an inquiry held under this Act, namely:-

- (a) where the inquiry discloses the commission of violation of journalists rights or negligence in the prevention of violation of journalists rights by a public servant, it may recommend to the concerned Government or authority the

initiation of proceedings for prosecution or such other action as the Commission may deem fit against the concerned person or persons;

- (b) recommend to the concerned Government or authority for the grant of such immediate interim relief to the victim or the members of his family as the Commission may consider necessary;
- (c) provide a copy of the inquiry report to the complainant or his representative;
- (d) the Commission shall send a copy of its inquiry report together with its recommendations to the concerned Government or authority which shall, within a period of one month or such further time as the Commission may allow, submit its reply indicating the action taken or proposed to be taken to implement the recommendations or reasons why these cannot or should not be implemented; and
- (e) the Commission shall publish its inquiry report together with its recommendations and the reply of the concerned Government or authority thereto.

25. Registration of FIR.- (1) Notwithstanding anything contained in any other law for the time being in force, upon receiving information that a complaint is forwarded by the Commission, the officer in charge of a police station shall reduce the same into writing in the same book and in the same manner as prescribed for a cognizable offence under section 154 of the Code of Criminal Procedure and shall be under a duty to cause investigation of the same.

(2) A police officer investigating the case on the complaint forwarded by the Commission shall have the same powers as available to an officer investigating a cognizable offence under the Code of Criminal Procedure:

Provided that the provisions of this section are intended to supplement the powers, responsibilities and duties of the police in relation to security and protection of journalists measures and nothing herein shall be deemed to curtail or detract from their powers, responsibilities and duties in respect of any offence relating thereto as provided under any other law for the time being in force.

26. Punishment under this Act.- (1) Any police officer who does not comply with the provisions of this Act, in relation to protection of journalist or any other public officer who willfully delays or hinders in providing or processing the information shall be punished with imprisonment of either description not less than two years and up to three years and a fine of not less than one hundred thousand and up to three hundred thousand.

27. Commission to preserve identity.- Where the Commission considers that the preservation of the identity of a person who, has-

- (a) made a complaint; or
- (b) furnished or proposes to furnish information; or
- (c) produced or proposes to produce a document; or
- (d) given or proposes to give evidence; or
- (e) made or proposes to make a submission

to the Commission or to a person acting for or on behalf of the Commission, is necessary to protect the security of employment, the privacy or any fundamental right of the person, the Commission may give directions prohibiting the disclosure of the identity of the person.

28. Declaration of journalists courts.- For the purposes of speedy trial of offences arising out of violation of protection of journalist, the Federal Government may, in consultation with Chief Justice of Islamabad High Court and Chief Justices of all Provinces, by notification in the official

Gazette, specify a Court of Sessions to be the protection of journalists court for that District to try such offences:

Provided that nothing in this section shall apply, if—

- (a) a Court of Sessions is already specified as a special court;
or
- (b) a special court is already constituted, for such offences under any other law for the time being in force.

29. Special prosecutors.- The Federal Government, on the advice of the Commission, shall, by notification in the official Gazette, appoint an advocate from the list prepared by the Commission, who has been practicing as an advocate for not less than seven years, to be the special prosecutor for the purposes of conducting cases in that Court.

30. Procedure with respect to intelligence agencies.- Notwithstanding anything contained in this Act, the functions of the Commission do not include inquiring into the act or practice of intelligence agencies and where a complaint is made to the Commission alleging that an act or practice of such an agency is inconsistent with or contrary to any human right, the Commission shall refer the complaint to the competent authority concerned.

31. Independence of the Commission.- (1) The Commission and every member of its staff shall function without political or other bias or interference and shall, unless this Act expressly otherwise provides, be independent and separate from any government, administrations or any other functionary or body directly or indirectly representing the interests of any such entity.

(2) If at any stage during the course of proceedings at any meeting of the Commission, it appears that a member has or may have a financial or personal interest which may cause a substantial conflict of interests in the performance of his functions as such, the member shall forthwith and fully

disclose the nature of his interest and absent himself from that meeting so as to enable the remaining members to decide whether the member should be precluded from participating in the meeting by reason of that interest. Such a disclosure and the decision taken by the remaining members shall be entered on the record of the proceedings.

(3) If a member fails to disclose any conflict of interest as required under sub-section (2) and is present at a meeting of the Commission or in any manner participates in the proceedings, such proceedings in relation to the relevant matter shall, as soon as such non-disclosure is discovered, be reviewed and be varied or set aside by the Commission without the participation of the member concerned and such conduct on the part of the member shall be treated as misconduct.

32. Annual reports of the Commission.- (1) The Commission shall prepare an annual report on the situation of journalist in the country and performance of the Commission and submit it to the Federal Government which shall lay the report before each House of Majlis-e-Shoora (Parliament).

(2) The Commission may at any time submit special report, before each House of Majlis-e-Shoora, on any matter which, in its opinion, is of such urgency or importance that it should not be deferred till submission of the annual report.

(3) The Commission shall assist the Federal Government in preparation of its periodic report in accordance with international declarations, conventions, treaties, covenants and agreements relating to freedom of expression, security and protection measures of journalists in the country.

33. Funds of the Commission.- There shall be established by the Federal Government a fund to be known as the Security and Protection measures of journalists fund, which shall vest in the Commission and shall

be used by the Commission to meet charges in connection with its functions under this Act.

(2) The sources of the Fund, amongst other moneys, may be the following, namely:-

- (a) such fund as the Federal Government shall allocate each year as a non-lapsable grant in annual budget of the fund;
- (b) such voluntary donations, contributions or subscriptions as be made by Provincial Governments;
- (c) donations, if any, made by private individuals, national and international natural and juristic persons;
- (d) income from investment by the Commission as may be prescribed; and
- (e) all other sums or properties or assets which may in any manner become payable to or vest in the Commission in respect of any matter.

(3) The Commission shall, while performing its functions and exercising its powers under this Act, ensure highest sense of prudence in respect of expenditures incurred from the Fund.

(4) The Fund shall be expended for the purposes of—

- (a) performing functions of the Commission;
- (b) Establishment charges of Chairperson and members, including consultants, researchers, experts, advisers, officers and other staff members, legal and other fees and costs; and
- (c) such other activities which fall within purview of the Commission.

(5) The Commission may invest money from the Fund in accordance with instructions of the Federal Government.

34. Accounts and audit of Commission.- (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Federal Government.

(2) The Chairperson shall be the Principal Accounting Officer of the Commission and the accounts of the Commission shall be audited by the Auditor General at such intervals as may be specified by him.

(3) The accounts of the Commission, as certified by the Auditor-General or any other person appointed in his behalf, together with the audit report thereon shall be forwarded annually to the Federal Government by the Commission and the Federal Government shall cause the audit report to be laid, as soon as may be after it is received, before each House of the Parliament.

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

36. Returns or information.- The Commission shall furnish to the Federal Government such returns or other information with respect to its activities as the Federal Government may, from time to time, require.

37. Power to make regulation.- The Commission may, by notification in the official Gazette make regulations, not inconsistent with the provisions of this Act and rules made thereunder, for carrying out the purposes of this Act.

38. Power to make rules.- Within six months of the commencement of this Act, the Federal Government may, in consultation

with the Commission and by notification in the official Gazette, make rules to carryout purposes of this Act.

39. Power to remove difficulties and doubts.- If any difficulty or doubt arises in giving effect to the provision of this Act, the Federal Government may, by order in writing published in the official Gazette, make such provision as may appear to it to be necessary for removing the difficulty or doubt:

Provided that no order shall be made under this section after expiry of a period of three years from commencement of this Act.

40. Act to override other laws.- The provisions of this Act shall have overriding effect notwithstanding anything contained in any other law for the time being in force.

41. Admission of cases.- (1) Any journalist or journalist collaborator facing assault or threat of assault as a result of his activities, or a third party on behalf of such a person, may apply or communicate with the Commission by giving details of the assault or the threat of such an assault.

(2) The Commission may take *suo-moto* cognizance of cases brought to its notice where a journalist or journalist collaborator is facing a threat to his life, liberty, physical integrity or security, and forward this information to the Commission.

(3) Any criminal cases involving arrest or imprisonment of a journalist or journalist collaborator shall be placed before the Commission and the concerned police department, and no arrest can be made unless it is sanctioned by the Commission. The evaluation as to whether the accused in a criminal case qualifies to be a journalist or journalist collaborator shall be made by the Commission.

(4) The shall accept the application of the applicant, or information forwarded by the third party to the Commission and shall conduct an evaluation for immediate action.

(5) If it is determined that a person's life, physical integrity or liberty is in imminent danger, then extraordinary procedure shall be employed in the case.

(6) If it is determined that there is a prima facie assault or a threat against a journalist or a journalist collaborator but no person's life, physical integrity or liberty is in imminent danger, then ordinary procedures shall be employed.

STATEMENT OF OBJECTS AND REASONS

Media is indeed an integral part of freedom of expression. Role of the media is important for shaping public minds and democracy. Under the Constitution of the Islamic Republic of Pakistan, it is responsibility of the state to protect the journalists under law from physical violence and arbitrary arrests because media acts as a mirror for the society that reflects the reality and faces the wrong reaction sometimes by the public and Governments while the freedom of press is the distinguished quality of a democratic country.

**SENATOR SALEEM MANDVIWALLA
SENATOR TAJ HAIDER
SENATOR SHAHADAT AWAN
SENATOR AZAM NAZEER TARAR
MEMBERS-IN-CHARGE**