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Form No: HCJD/C-121.

**JUDGEMENT SHEET**

**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

W.P. No. 172 of 2019

Zafarullah, Advocate

***Vs***

Federation of Pakistan, etc

**PETITIONER BY:** Sardar Zaheer Ahmed Khan & Malik Mubashir  
Nazar, Advocates.

**DATE OF HEARING:** 17-01-2019.

ATHAR MINALLAH, J.- The petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 because in his opinion the Islamic provisions of the Constitution are being violated. The petitioner feels that obscenity is prevalent on the electronic media. The petitioner has sought a direction to Pakistan Electronic Media Regulatory Authority (hereinafter referred to as the "**Authority**") for taking action against those channels of electronic media involved in spreading obscenity.

2. The petitioner who appeared in person was asked whether before invoking the jurisdiction of this Court he had approached the Authority. His answer was in the negative. The Authority has been established under the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (hereinafter referred to as the "**Ordinance of 2002**"). The said law provides the mechanism for filing complaints and the adjudication thereof. The competent forums to adjudicate such complaints have also been established thereunder. The Ordinance

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of 2002 provides efficacious alternate remedy and, therefore, this petition is not maintainable. However, the petitioner shall be at liberty to file his complaint before the competent authority under the Ordinance of 2002.

3. For what has been discussed above, this petition is not maintainable and is, therefore, accordingly dismissed *in limine*.

**(ATHAR MINALLAH)**  
**JUDGE**

*Asif Mughal\**