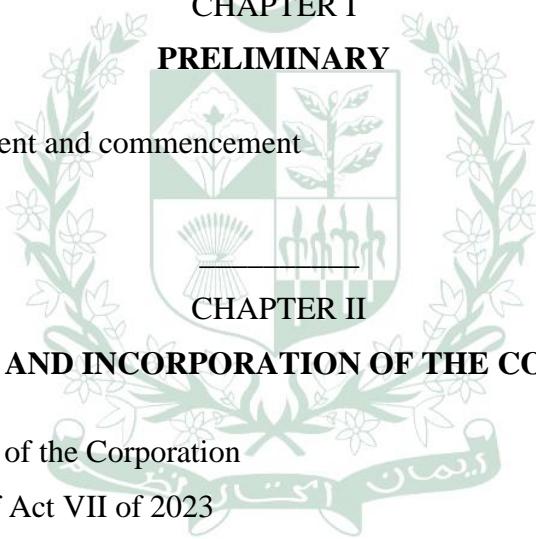




# THE PAKISTAN BROADCASTING CORPORATION ACT, 1973



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# THE PAKISTAN BROADCASTING CORPORATION ACT, 1973

ACT No. XXXII OF 1973

[9<sup>th</sup> February, 1973]

*An Act to establish a Pakistan Broadcasting Corporation*

WHEREAS it is expedient to provide for the establishment of a Broadcasting Corporation to ensure effective operation and growth of broadcasting as a function-oriented public service medium, general improvement in the quality of programmes, speedy implementation of projects and better utilisation of talent, and for matters connected therewith;

It is hereby enacted as follows:—

## CHAPTER I PRELIMINARY

**1. Short title, extent and commencement.**—(1) This Act may be called the Pakistan Broadcasting Corporation Act, 1973.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once and shall be deemed to have taken effect on the twentieth day of December, 1972.

**2. Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

- (a) “Board” means the Board of Directors of the Corporation;
- (b) “Chairman” means the Chairman of the Board;
- (c) “Corporation” means the Pakistan Broadcasting Corporation established under section 3;
- <sup>1</sup>[ca] “division concerned” means the division to which business of the Corporation stands allocated;]
- <sup>2</sup>[(d) “Member” means a Member of the Board;]
- (e) “regulation” means a regulation made under this Act;
- (f) “rule” means a rule made under this Act;
- <sup>1</sup>[(fa) “secretary” shall have the same meaning as assigned thereto in the Rules of Business, 1973;
- (fb) “SOE Act” means the State-Owned Enterprises (Governance and Operations) Act, 2023 (VII of 2023); and]
- (g) “station” means any production, receiving, or transmitting unit, fixed or mobile.

<sup>1</sup>Ins. and added by Act No. VI of 2024, s. 2.

<sup>2</sup>Subs. by Ord. No. XCIV of 2002, s.2.

## CHAPTER II ESTABLISHMENT AND INCORPORATION OF THE CORPORATION

**3. Establishment of the corporation.**—(1) As from the commencement of this Act, there shall be established a Corporation to be called the Pakistan Broadcasting Corporation.

(2) The Corporation shall be a body corporate by the name of the Pakistan Broadcasting Corporation, having perpetual succession and a common seal, with power to hold and dispose of property, and shall by the said name sue and be sued.

<sup>1</sup>[**3A. Application of Act VII of 2023.**—(1) The provisions of the State-Owned Enterprises (Governance and Operations) Act, 2023 (VII of 2023) shall apply to the Pakistan Broadcasting Corporation which shall be deemed to be a state-owned enterprises for the purposes of the said Act.

(2) Where any inconsistency arises in a provision of the said Act and a provision of this Act for the purpose of governance of the corporation as a state-owned enterprise, the provisions of the said Act shall prevail.]

## CHAPTER III MANAGEMENT

<sup>1</sup>[**4. Board.**—(1) The general direction and the administration of the Corporation shall vest in a Board consisting of—

S. No.	Membership (2)	Status (3)
(1)		
1.	A person to be appointed by the Federal Government from amongst the independent members	<i>Chairman</i>
2.	Secretary of the division concerned or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	<i>Member</i>
3.	Additional Foreign Secretary or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	<i>Member</i>
4.	Additional Secretary Finance or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	<i>Member</i>
5.	Director General, Inter-Services Public Relations (ISPR) or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	<i>Member</i>
6.	Managing Director, Pakistan Television Corporation or in his absence his nominee not below the rank of an officer in BPS-20 or equivalent	<i>Member</i>
7.	Director General	<i>Member-cum-Secretary</i>
8.	A representative of the Interior Division not below the rank of an officer in BPS-20 or equivalent	<i>Member</i>
9.	Nine eminent independent members to be appointed by the Federal Government including not less than one from each province, Islamabad Capital Territory, Gilgit-Baltistan and Azad Jammu and Kashmir	<i>Members</i>

<sup>1</sup>Ins. and subs. by Act No. VI of 2024, ss. 2A-3.

(2) The members, other than *ex-officio* members, shall hold office for a term of three years and shall be eligible for re-appointment but in no case for more than two consecutive terms and they may, by writing under their hand addressed to the Federal Government by giving a notice of not less than one month, resign their offices:

Provided that the resignation shall not take effect until it has been accepted by the Federal Government.

(3) In particular and without prejudice to the generality of the provisions of sub-section (1), the Board shall have full powers with regard to—

- (a) the preparation of the annual revenue budget of the Corporation and approval of the budget and expenditure not included in its annual budget for capital and development expenditure;
- (b) the formulation and implementation of all programs and policies; and
- (c) the making of plans for infrastructural and technological development within the country and for promotion of the Corporation's interests, abroad.]

**5.** <sup>1</sup>[*Omitted*]

**2[6. Removal of independent members.]**—The Federal Government may, by notification in the official Gazette, remove an independent member in accordance with the provisions of the SOE Act.]

**7. Meetings of the Board.**—(1) The Board shall meet at such time and such place as may be prescribed by regulations:

Provided that not less than one meeting of the Board shall be held <sup>1</sup>[at least once in a quarter].

**2[(2) Not less than fifty percent of total membership of the Board including not less than four independent and one *ex-officio* members shall constitute quorum for a meeting of the Board.]**

(3) The Chairman, or in his absence a <sup>1</sup>[member] authorised by him, shall preside at the meetings of the Board.

**2[8. Director-General.]**—(1) There shall be a Director General of the Corporation who shall be its chief executive officer to be appointed by the Board in such manner and on such terms and conditions as may be prescribed by the Board.

(2) The Director General shall—

- (a) be responsible for the management of the Corporation and for its procedures in financial and other matters under delegation from the Board and subject to the oversight and directions of the Board;
- (b) ensure the proper implementation of strategies and policies approved by the Board; and
- (c) put in place appropriate arrangements to ensure that funds and resources are properly safeguarded and are used economically, efficiently and effectively and in accordance with the state-owned enterprise business plan, the primary objective and all statutory obligations.]

<sup>1</sup>Omitted and Subs. by Ord. No. XCIV of 2002, ss. 5 and 7.

<sup>2</sup>Subs. by Act No. VI of 2024, ss. 4-6.

**9. Delegation of powers.**—The Board may, from time to time, delegate any of its powers to the Director-General or any other officer of the Corporation.

## CHAPTER IV FUNCTIONS OF THE CORPORATION

**10. (1)** The functions of the Corporation shall be—

- (a) to provide broadcasting services for general reception in all parts of Pakistan and the territorial water thereof and on board ships and aircrafts (such services being hereafter referred to as Home Services) and in other countries and places (such services being hereafter referred to as External Services) for the purposes of disseminating information, education and entertainment through programmes which maintain a proper balance in their subject-matter and a high general standard of quality and morality;
- (b) to broadcast such programmes as may promote Islamic ideology, national unity and principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam, discourage parochial, racial, tribal, sectarian, linguistic and provincial prejudices and reflect the urges and aspirations of the people of Pakistan;
- (c) to broadcast in the Home Services such special programmes as the <sup>1</sup>[Board] may, from time to time, direct;
- (d) to broadcast programmes in the External Services to such countries and in such languages and at such times as the <sup>1</sup>[Board] may, from time to time, direct;
- (e) to bring to public awareness the whole range of significant activity and to present news or events in as factual, accurate and impartial a manner as possible;
- (f) to carry out instructions of the Federal Government with regard to general pattern or policies in respect of programmes, announcements and news to be put out on the air from time to time;
- (g) to hold the existing, and to construct or acquire and establish or install additional, stations and apparatus;
- (h) to hold the existing, and to construct or acquire additional, equipment and apparatus for telephony in Pakistan for purposes of broadcasting;
- (i) to compile, prepare, print, publish, issue, circulate and distribute, with or without charge, such papers, magazines, periodicals, books, circulars and other such matter as may be conducive to any of the functions of the Corporation; and
- (j) to collect news and information in any part of the world in any manner that may be deemed fit.

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<sup>1</sup>Subs. by Ord. No. XCIV of 2002, s. 8.

(2) In the discharge of its functions the Corporation shall be guided on questions of policy by the instructions, if any, given to it from time to time by the Federal Government which shall be the sole judge as to whether a question is a question of policy.

## **CHAPTER V** **ESTABLISHMENT**

**11. Employment of officers and staff.**—The Board may, from time to time, employ such persons as it may consider necessary for the performance of its functions on such terms and conditions as it may prescribe by regulations.

**12. Transfer of Radio Pakistan servants to the Corporation.**—(1) Notwithstanding anything to the contrary in any contract or agreement or in the conditions of service, the Federal Government may, subject to the provisions of sub-sections (2) and (3), transfer persons in the service of Pakistan and serving in connection with the affairs of the department of the Government of Pakistan headed by the Director-General, Radio Pakistan, hereinafter referred to as Radio Pakistan, immediately before the commencement of this Act, including persons on deputation to other organisations in Pakistan or abroad, to the Corporation on the same terms and conditions to which they were entitled immediately before such commencement.

<sup>1</sup>[(1A) The persons transferred to the Corporation under sub-section (1) shall cease to be civil servants in the service of Pakistan and become employees of the corporation from the date of its establishment under section 3, on the same terms and conditions to which they were entitled immediately before such transfer.

(1B) Notwithstanding any judgement of any Court or tribunal, including the Supreme Court, any law, contract, agreement or the conditions of service, all actions taken, powers exercised, orders or instructions issued, by the Corporation in respect of terms and conditions of employees referred to in sub-section (1A) after their transfer to the Corporation till the coming into force of the Pakistan Broadcasting Corporation (Amendment) Act, 1996 (IV of 1996), shall be deemed to have been validly taken, exercised or issued by the Corporation.]

(2) Notwithstanding anything in sub-section (1), only such members of the Information Service of Pakistan serving Radio Pakistan immediately before the commencement of this Act shall be transferred to the Corporation as opt for service in the Corporation.

(3) The persons transferred to the Corporation under sub-section (2) shall, on such transfer, cease to be members of the Information Service of Pakistan.

(4) The terms and conditions of service of the members of the Information service of Pakistan transferred to the corporation under sub-section (2) shall not be altered by the Corporation to their disadvantage.

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<sup>1</sup>Ins. by Act No. IV of 1996, s. 2 and shall be deemed always to have so been inserted.

(5) No person in the service of Pakistan who is transferred to the Corporation under sub-section (1) shall, notwithstanding anything contained in any law for the time being in force, be entitled to any compensation because of such transfer.

## CHAPTER VI FINANCE

**13. Sources of income.**—The sources of income of the Corporation shall be—

- (a) grants-in-aid made by the Federal Government for approved projects of the Corporation;
- (b) moneys paid by the Federal Government for the expenditure incurred by the Corporation on the External Services and other services performed by the Corporation at the instance and on behalf of that Government;
- (c) such annual subsidy as the Federal Government may grant;
- (d) licence fee as the Federal Government may fix in respect of licences issued under section 4 of the Wireless Telegraphy Act, 1933 (*XVII of 1933*), to possess wireless telegraphy apparatus;
- (e) income derived from sale of programmes and broadcast time for advertisement; and
- (f) income from other sources.

**14. Budget for capital and development expenditure.**—Before the commencement of each financial year, the Corporation shall submit to the <sup>1</sup>[Board] for its approval a budget for the capital and development expenditure proposed to be incurred by the Corporation during the financial year and shall not incur any expenditure of the nature of capital and development expenditure which is not provided for in the budget as approved by the <sup>1</sup>[Board].

**15. Borrowing power.**—The Corporation may, with the previous sanction of the Federal Government, and on such terms and conditions as may be approved by the Government, borrow in Pakistan currency or foreign currency.

**16. Audit and accounts.**—<sup>1</sup>[(1) The accounts of the Corporation shall be maintained and audited in accordance with the provisions of Articles 169 and 170 of the Constitution of the Islamic Republic of Pakistan.]

(2) Copies of the audit report shall be sent to the Board and the report shall also be available for public inspection.

(3) The statement of audited accounts of the Corporation together with a report of the Board thereon shall be furnished to the <sup>1</sup>[secretary finance division through the secretary of the division concerned] by the Corporation within six months of the close of every financial year.

(4) The <sup>1</sup>[secretary finance division through the secretary of the division concerned] may at any time issue directions to the Corporation to rectify and audit objection and the Corporation shall comply with every such direction.

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<sup>1</sup>Subs. by Act No. VI of 2024, ss. 7-8.

**17.**<sup>1</sup>[*Omitted*]

**18. Reports.**—(1) The Corporation shall submit to the Federal Government at such time, after the end of every financial year, in such form and in such manner as may be prescribed by rules, a report on the conduct of its affairs for that year.

(2) The Federal Government shall cause the report to be laid the National Assembly.

**19. Transfer of assets and liabilities of Radio Pakistan.**—All assets and liabilities of the Federal Government in relation to Radio Pakistan subsisting immediately before the commencement of this Act shall, unless the Federal Government, by notification in the official Gazette, otherwise directs, vest in the Corporation as from such commencement.

**20. Liquidation of Corporation.**—No provision of law relating to the winding up of companies shall apply to the Corporation and the Corporation shall not be wound up save by an order of the Federal Government and in such manner as the Federal Government may direct.

## CHAPTER VII RULES AND REGULATIONS

**21. Power to make rules.**—The Federal Government may make rules for carrying out the purposes of this Act.

**22. Power to make regulations.**<sup>2</sup>[(1)] The Board may, with the previous sanction of the Federal Government, make regulations to provide for all matters not required to be provided for by rules and for which provision is necessary or expedient for carrying out the purposes of this Act.

<sup>2</sup>[(2) The regulations made under this section on the first occasion, other than those having financial implications, may be made so as to have effect from the date of the establishment of the Corporation.]

<sup>3</sup>[**22A. Removal of difficulties.**—If any difficulty arises in giving effect to any of the provisions of this Act, the Federal Government may make such order, not inconsistent with the provisions of this Act, as may appear to be necessary for the purpose of removing the difficulty.]

**23.**<sup>4</sup>[*Omitted*]

**THE PAKISTAN CODE**

RGN Date: 23-08-2024

<sup>1</sup>Omitted by Act No. IV of 1999, s. 23.

<sup>2</sup>Re-numbered and added by Ord. No. XXXIII of 1979, s. 2.

<sup>3</sup>Ins. by Act No. VI of 2024, s. 9.

<sup>4</sup>Omitted by Ord. No. XXVII of 1981, s. 3 Sch. II.