

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-2713 of 2017

Date	Order with signature of Judge
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Hearing / Priority Case:

1. For hearing of CMA No.13281/2017.
 2. For hearing of Main Case.
- (Notice issued)(Bailiff report filed)
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17th May, 2018

Mr. Ghulam Muhammad, Advocate holds brief for Mr. Abdul Karim Khan, Advocate for Petitioner.

Mr. Asim Mansoor Khan, D.A.G.

Mr. Kashif Hanif, Advocate for Respondent No.2.

SIP Nizamullah from P.S. Ferozabad present in person.

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Basically, this Constitution Petition has been filed with the grievance against the respondent No.3, which is a Cable TV Network / Distribution Licensee, to uninterruptedly broadcast the petitioner's TV channel. The petitioner has also sought direction against the respondent No.2/Pakistan Electronic Media Regulatory Authority (PEMRA) to ensure uninterrupted transmission of "BOL NEWS" on the respondent No.3 (Cable TV Network).

Today, learned counsel for the respondent No.2/PEMRA pointed out that this petition was presented on 02.05.2017, but on the same date, the petitioner's company had also lodged a complaint to the Chairman, Pakistan Electronic Media Regulatory Authority, against the same respondent No.3, which was forwarded to the Council of Complaint. He has also placed on record a copy of letter dated 12.05.2017 issued by the Regional General Manager, PEMRA Sindh, to the Chief Executive Officer,

M/s. TV Nation (Pvt.) Ltd. / licensee of the Cable TV Network operating the business under the name and style of “M/s.Storm Fiber”. In this letter while giving reference to Rule 14 of the PEMRA Rules, 2009, it has been denoted that the Cable Operator shall relay the TV channels licensed by the authority and under Regulation 21 of Distribution Service Operations Regulations, 2011, a distribution service licensee shall distribute only those TV channels having valid licence from the Authority. In this letter, Regional General Manager, PEMRA Sindh, has also given the reference of Regulation 8(7) of the PEMRA Distribution Service Operations Regulations, 2011, in which Cable TV Operators are obliged to club channels of similar category and have been refrained from changing channel position. In the conclusion, the respondent No.3’s company has been directed to comply with the relevant rules and regulations. In view of the aforesaid letter issuing the directions to the respondent No.3 the grievance of petitioner, if any, has already been redressed in all fairness.

Mr. Faizan Mehmood, Advocate has effected appearance on behalf of the respondent No.3, who undertakes to file his vakalatnama within three days in the office. He frankly admitted that they never off aired the petitioner’s TV channel and will comply all the relevant rules and regulations framed under PEMRA Law in relation to the distribution of petitioner’s TV channel.

The petition is disposed of alongwith all pending applications accordingly.

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