

No.SOI(INF)RULES/SPOJ&MPA/2021/2022:- In exercise of the powers conferred by section 24 of the Sindh Protection of Journalists and Other Media Practitioners Act, 2021, the Government of Sindh are pleased to make the following rules:-

1. Short title and commencement:

(1) These rules may be called the Sindh Protection of Journalists and Other Media Practitioners Rules, 2021.

(2) They shall come into force at once.

2. Definitions: In these rules unless the context otherwise requires:

(a) "Act" means the Sindh Protection of Journalists and Other Media Practitioners Act 2021 (Sindh Act No.XX of 2021);

(b) "Department" means the Information Department, Government of Sindh;

(c) "Secretariat" means the Secretariat of the Commission;

(d) "Secretary" means the Secretary of the Commission appointed under these rules;

(e) "section" means a section of the Act.

(2) The words or expressions used but not defined in these rules shall have the same meanings as assigned to them in the Act.

3. Gender and number. In these rules --

(a) the words importing the masculine gender shall be taken to include female; and

(b) words in the singular shall include the plural, and vice versa.

4. Secretariat of the Commission:

(1) The Commission shall have Secretariat at Karachi; provided that the Commission may, in consultation with the Department, establish office(s) at such place(s) in the Province of Sindh as may be deemed necessary.

5. Secretariat assistance:

(1) The Chairperson shall be the Chief Executive Officer of the Commission. He shall be assisted by the Secretary who shall be an officer of BS-19/18 and such other officers and staff as may be appointed by the Commission; and all such officers and staff shall be sub-ordinate to him.

(2) The Secretary and other officers and staff shall be appointed in a manner as may be prescribed by the Services Rules of the Commission and until such rules are framed as may be determined by the Commission:

Provided that the Commission may in consultation with the Department transfer and post such officers and staff working in the Department including an officer of BS-19/18 as Secretary of the Commission, for carrying out the purposes of the Act and these rules:

Provided further that the persons so transferred and posted in the Secretariat of the Commission shall continue to draw the salary and allowances as they were drawing immediately before their transfer to the Secretariat:

Provided also that the Commission may allow such allowance to the employees so transferred as may be determined by it.

6. Duties of Chairperson:

(1) In addition to any other duty assigned to him under the Act, the Chairperson shall be responsible for -

- (a) work as the Principal Accounting Officer of the Commission;
- (b) run day to day affairs of the Commission;
- (c) convening meetings of the Commission as required under the Act and these rules;
- (d) presiding over,, and ensuring orderly conduct of meetings of the commission at which he is present;
- (e) ensuring maintenance of record of the meetings of the Commission;
- (f) constituting committees of the Commission under the Act and oversee their working;
- (g) ensuring that the business of the Commission is carried out strictly in accordance with the Act and these rules; and all other relevant laws, rules for the time being in force;

- (h) efficient, effective and transparent functioning of the Commission;
- (i) accomplishment of operational and fiscal objectives set out by the Commission or as the case may be, the Government under the provisions of the Act;
- (j) presenting annual report on the performance of Commission to Government each year;
- (k) representation of the Commission at civic or ceremonial functions;
- (l) assist and advise the Commission, Committees, and sub Committees in proper discharge of their duties under the Act and these rules;
- (m) ensure timely, effective and efficient implementation of Commission's policy and decisions;
- (n) supervise and control officers and members of staff of the Commission and to coordinate and synergize the work of all offices of the Commission;
- (o) exercise the financial and administrative powers and to maintain discipline to ensure that the business is carried out strictly in accordance with the provisions of the Act, these rules and other laws for the time being in force;
- (p) prepare annual budget of the Commission and to place before the Commission for its approval in June every year;
- (q) enter into and manage all contracts on behalf of the Commission;
- (r) undertake all procurements on behalf of the Commission in accordance with the Sindh Public Procurement Act, 2009 and rules made thereunder;
- (s) maintain records pertaining to the functions of the Commission;
- (t) observe general policy and any specific direction of the
- (u) act for and on the behalf of the Commission in every action or other legal proceedings whether instituted by or against the Commission;
- (v) perform such other duties as are assigned to him by Government or Commission.
- (w) general supervision and control over officers and members of staff of the Commission;

(2) For the purpose of transaction of the business of the Commission, the Chairperson may exercise such powers as are conferred upon him under the Act or any other law for the time being in force; and such powers of the Commission as are delegated by the Commission through a resolution.

(3) Subject to other provisions of the Act, the Chairperson shall, while performing his duties or exercising powers, observe the general policy or directions of Government.

(4) At the end of each financial year or at such of other appointed interval, the Chairperson shall evaluate the work done and results obtained by the Secretariat of the Commission and shall place the same before the Commission.

5. Duties Of Member:

(1) While acting under the Act, a member shall --

(a) serve the overall interest of the public; and

(b) ensure that there is no conflict or possible conflict between his private interest and honest performance of his role of serving public interest.

(2) A member shall not direct or attempt to direct any officer or member of staff of the Commission in which the duties of an officer or member of staff of the Commission shall be performed.

6. Venue of the meetings:

The Commission shall ordinarily hold its meetings in its Secretariat at Karachi. However, the Commission may, if it considers expedient, hold the meeting at such place and time, and in such a manner as the Chairperson may considers appropriate.

7. Meeting of the Commission:

(1) The ordinary meeting of the Commission shall be held on date, time and place as may be approved by the Chairperson;

provided that the Commission shall have a meeting frequently as often as possible,

but not less than four times a year.

(2) The quorum for a meeting of the Commission shall be one-third of the total membership of the Commission as provided in sub-section (5) of section 13. However, a fraction shall be counted as one.

8. Agenda:

(1) The Secretary shall prepare the agenda in consultation with the Chairperson and circulate it among the members at least ten days before the meeting along with working paper.

(4) Any member may propose an item which may be included in the agenda with the approval of the Chairperson; provided that it is received at least five days before the date of meeting.

9. Supplementary agenda:

(1) In case any occasion arises, supplementary agenda may be issued by the Secretary with the approval of the Chairperson at least four days before the meeting of the Commission.

(2) Items included in the agenda or supplementary agenda may be taken up for consideration in such order as may be deemed fit by the Chairperson.

10. Special meeting:

A special meeting of the Commission may be convened with the approval of the Chairperson at the request of half of the members to discuss a particular issue. Agenda for such a meeting shall be circulated at least three days before the meeting.

11. Emergency Meeting:

In case of an emergency, the Chairperson may call a meeting of the Commission at twenty-four hours' notice. Circulation of agenda in such a case would not be necessary.

12. Presiding over the meeting:

(1) Every meeting of the Commission shall be presided over by the Chairperson. However, in his absence, the meeting shall be presided over by such member as authorized by him, who shall have all powers of the Chairperson while presiding over the meeting.

(2) The Secretary shall act as Secretary of the Commission and record all the minutes of the meeting.

13. Code for Business:

(1) The Chairman shall control the order in which members of the Commission may address the meeting and the manner in which the business of the House may be conducted.

(2) Members when speaking, shall address the Chair. No member shall without special permission from the Chairperson speak more than once on the same proposition.

(3) No members shall address the meeting on the issue after the Chairperson has called for vote.

14. Conduct of Business:

(1) All matters shall be decided by simple majority of vote of the members, by voice-vote, show of hands for "A Yes" or "No", or under special circumstances the Chairperson may order the vote by secret ballot.

(2) In case of a tie, the Chairperson shall have a casting vote in addition to his vote as member of the Council.

15. Proceedings and validation of proceedings:

(1) The proceedings of the Commission shall not be invalidated on the grounds that either any member did not receive the notice or agenda and working papers or both for meeting of the Council, or the availability of a vacancy in the Council due to expiry of the term of office of any member.

(2) The Secretary shall record the proceedings and shall submit them to the Chairperson for further necessary action.

(3) After the authentication of the proceedings, two master copies shall be kept under lock and key in the office of the Chairperson and Secretary. Every page of the master copies shall be signed by the Secretary and counter-signed by the Chairperson.

(4) Copies of the proceedings shall be circulated among all the members of the Commission.

(5) If any member of the Council draws the attention of the Secretary to any discrepancy between a decision taken and its record in the proceedings, the views of the member shall be placed before the Chairperson whose judgment shall be forwarded to the member concerned. If the member is still not satisfied, the matter shall be placed before the Commission at its next meeting, without prejudice to the action taken.

(6) The relevant extract of the proceedings along with relevant working papers/files shall be forwarded by the Secretary to the respective sections for information and necessary action.

16. Procedure for dealing with complaints:

(1) All complaints in whatever form received by the Commission, shall be registered and assigned a number and placed for admission as per the special or general directions of the

Chairperson before a Single-Member Bench constituted for the purpose, not later than one week of receipt thereof or for final

(2) If the Single-Member Bench dealing with the case, either for admission disposal, having regard to the importance of the issues involved, is of the opinion that the case should be heard by a Bench of not less than two Members, he may refer the case to a Bench of two Members.

(3) On receipt of the reference, the case shall be assigned to a Bench of two or more Members, as may be constituted by the Chairperson.

(4) Ordinarily, complaints of the following nature are not entertainable by the Commission:

(i) Matters which are sub-judice.

(ii) Complaints which are of frivolous nature

(iii) those who are outside the purview of the Commission.

17. Complaints fee:

There shall be no fee to be charged by the Commission on complaints.

18. Language of complaints.

For the purpose of facilitation to public, the Commission shall entertain the complaints in English, Urdu, or Sindhi.

19. Requisition of documents:

It shall be open to the Commission to ask for further information and affidavits to be filed in support of allegations whenever considered necessary.

20. Complaints received through digital tools or otherwise:

The Commission may, in its discretion, accept complaints received through its website, email, Social Media posts, regular postal service or through personal representation.

21. Dismissal of complaints:

The Commission shall have power to dismiss a complaint in limina.

22. Investigation into a complaint:

Upon admission of a complaint, the Chairperson/Commission shall direct whether the matter would be set down for inquiry by it or should be investigated into.

23. Call for reports/comments:

On every complaint on which a decision is taken by the Chairperson/Commission to either hold an enquiry or investigation, the Secretariat shall call for reports/comments from the concerned authority giving the latter a reasonable time therefor.

24. Detailed note for consideration by the Commission:

On receipt of the comments of the concerned authority under the preceding rule, a detailed note on the merits of the case shall be prepared for consideration of the Commission.

25. Transmittal of recommendations:

The directions and recommendations of the Commission shall be communicated to the concerned authority and copy of such shall be endorsed to the complainant.

26. Opportunity of person hearing:

The Commission may, in its discretion, afford a personal hearing to the complainant or any other person on his behalf and such other person or persons as in the opinion of the Commission should be heard for appropriate disposal of the matter before it and, where necessary, call for records and examine witnesses in connection with it.

27. Cross examination of witnesses:

The Commission shall afford a reasonable hearing, including opportunity of cross-examining the witnesses, if any, in support of the complaint and leading of evidence in support of his stand, to a person whose conduct is enquired into by it or where in its opinion the reputation of such person is likely to be prejudicially affected.

28. Submission of report of investigation:

Where investigation is undertaken by the team of the Commission or by any other person authorized by it, the report shall be submitted within a week of its completion or such further time as the Commission may allow.

29. Course of action when the investigation is improper:

The Commission may, in its discretion, direct further investigation in a given case if it is of opinion that investigation has not been proper, or the matter requires further investigation for ascertaining the truth or enabling it to properly dispose of the matter.

30. Enquiry and its evidence:

On receipt of the report, the Commission on its own motion, or if moved in the matter, may direct inquiry to be carried by receive evidence in course of such inquiry.

31. Visitation:

The Commission or any of its Members when requested by the Chairperson may undertake visits for an on-the-spot study and where such study is undertaken by one or more Members, a report thereon shall be furnished to the Commission as early as possible.

32. Follow up action:

Unless specifically authorized, no action shall be taken by the Secretariat of the Commission on the minutes of the meetings until the same are confirmed by the Chairperson.

33. Report of action taken:

Report of follow up action shall be submitted to the Commission at every subsequent sitting indicating therein the present stage of action on each item on which the Commission had taken a decision in any of its earlier meetings, excepting the item on which no further action is called for.

34. Transaction of business outside the Secretariat:

The Commission or some of the Members may transact business at places outside its Secretariat as and when previously approved by the Chairperson; provided that if parties are to be heard in connection with any inquiry under the Act or these rules, at least two Members shall constitute the bench of the Commission for such purpose.

35. Authentication of orders and decisions:

Orders and decisions of the Commission shall be authenticated by the Chairperson, Presiding Officer or any officer of the Commission authorized by the Chairperson.

36. Copies of enquiry reports or orders passed:

Finally disposing of matters by the Commission shall be made public and shall furnished free of cost to the petitioner and be placed on the Commission website.

37. Documents to be made available to the parties:

Unless any document is classified by the Commission as confidential, copies would be available to the parties in the matter on payment of a reasonable fee raised to meet the cost. Every effort should be made to provide the copies with utmost expedition and, in any case, not later than one week of the date of request.

38. Annual report:

The Commission shall furnish its annual report for the period commencing from 1st January of the year to 31st December of the preceding year to the Sindh Assembly as provided in Article 14 of the Act. The original report shall be signed by the Chairperson and Members of the Commission and appropriately preserved, and a duly authenticated copy shall be sent to the Speaker of Sindh May 3 of every year.

39. Special reports:

The Commission may furnish such Special Reports on specific matters as may be considered expedient.

40. Reports on Complaints and Inquiries:

Every report to which section 14 applies shall be sent to the concerned Government, authority or person, as the case may be, within one week of completion of the proceedings before the Commission and on receipt of the comments of the concerned authority, the Commission shall publish the report in the manner provided in section 14, as the case may be, within one week of the receipt of the appropriate intimation.

41. Printing of the reports:

The Secretariat of the Commission shall be responsible the printing of the Annual Report and Special Reports with utmost expedition and in any case, not later than one month of finalization of the same.

42. Matters not covered by these rules:

As and when any matter arises which is not covered by these rules, it shall be competent for the Commission to make appropriate directions.