

**A Proposed Bill
on
Community
and
Non-commercial
Broadcasting
2059**

**Community Radio Support Centre (CRSC)
Nepal Forum of Environmental Journalists (NEFEJ)**



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Publisher's Note

The community radio movement has been gaining momentum since its inception in 1997 in Nepal. The number of community radios has reached to 20 in addition to more than three-dozen commercial radio stations.

Nepal Forum of Environmental Journalists (NEFEJ), being the pioneer in establishing community/public interest radio (Radio Sagarmatha F.M. 102.4) in Nepal has been engaged in promoting community radio movement in the country by providing training, technical assistance, grant, producing resource materials and lobbying for greater freedom and conducive environment for the community radios to grow. To facilitate such activities, NEFEJ has established a separate wing, which is Community Radio Support Center (CRSC). The draft bill on "Community Radio Broadcasting..." is one of the outcome of CRSC's many activities.

As there is no distinct line between community and commercial radio stations in the existing Broadcasting Act, the draft bill may be an example for the government that how it could differentiate community radio and commercial radio by enacting separate law to promote the community radios which are non profit making and committed for serving the society.

There is no doubt that NEFEJ is not an authority to draft a bill. But being a stakeholder, its sole intention is to attract government's attention how it could support community radio in Nepal by formulating appropriate legislation. I hope it will also be useful for those who are interested in community radio.

Finally, I would like to thank Mr. Satish Kearel, Advocate for putting his hard efforts into producing this draft bill. And thanks to Advocate Megha Raj Pokharel for translating in English and Daniel Harter for editing the bill. I would also like to thank the station manager of Community Radio who has contributed in finalizing the draft bill.

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Raghu Mainali
Coordinator
Community Radio Support Center



A Proposed Bill on Community and Non-commercial Broadcasting -2059

Proposed by Non-Governmental Organization sector

1. A seminar was organized in Kathmandu in Puash 3, 2059 for an extensive discussion between the Community Broadcasters of Nepal on "A Concept Paper on Proposed Community Broadcasting Law" prepared by Advocate Shatishkrishna Kharel for Community Radio Cooperation Center/NEFEJ.

Points Discussed on Community Broadcasting Law

Whether the subject "Community Broadcasting" shall be encapsulated in one single Act dealing with the whole broadcasting system or shall it be logical to formulate a separate Act?

Remarks

In most of the countries, there is a common practice of enacting a comprehensive Act dealing with the whole broadcasting system, i.e. community broadcasting, commercial broadcasting and government broadcasting, etc., in a consolidated form. Irrespective of this fact, Australia has a separate Act focussing only on community broadcasting. But there are also elaborate provisions pertaining to community broadcasting in a single consolidated Act in Botswana, Malta, Germany, etc. In the context of Nepal, National Broadcasting Act has granted the policy-wide power to decide on whole matters to His Majesty's Government and there are very few provisions pertaining to community broadcasting. As a result, it shall be logical to advance a concept of a new Act.

2. Whether broadcasting shall be recognized as a right or shall there be a provision to acquire a license on the discretionary basis of His Majesty's Government?

Remarks

In most of the countries, community broadcasting has been recognized as a right of the community and individuals. In few other countries, there is a practice of issuing a license on demand to any resident or institution of the respective area. But there should not be any other community broadcaster providing a broadcasting service from earlier in the demanded area. In this background, a principal of obligatory registration in case no other community

broadcaster operating in an equal frequency is there in the respective area and no other reasonable cause is there rejecting to issue a license or grant registration to a person demanding a license or registration, has been adopted in this Draft Bill.

3. Whether or not a broadcasting right shall be given to anyone without acquiring a license?

Remarks

Such restrictions may not be reasonable particularly for educational institutions and low power stations limiting it to a very narrow area. The LPFM concept of the United States of America is of this nature. With respect to this fact, the FCC has excluded other low power broadcasting systems from the compulsion of acquiring a license. It is certain to increase the participation of common people in media in Nepal if such systems, with few restrictions, are also exempted and can work openly. Despite this fact, the compulsion of registration for record and observation is accepted in the Draft Bill.

4. Whether the responsibility of registration and supervision of community broadcasting shall be vested to His Majesty's Government, Ministry of Communication or a separate Unit shall be constituted for this purpose?

Remarks

A practice has been found of establishing a Broadcasting Authority as a supervising body in broadcasting laws enacted particularly during the last decades in various countries. In this context, in Nepal, the establishment of a Broadcasting Authority also seems to be appropriate. But, at present, there is a likelihood of unwillingness from the Government for such provisions due to the economic burden, which may occur from the creation of an establishment and a structure of an Authority. Considering this fact, a simple provision of forming a "Committee" has been developed in the Draft Bill.

5. Whether or not the Community Broadcasting Institution may earn income?

Remarks

Due to the fact that there is no guarantee of any cooperation from the Government or Local Authority for community broadcasting, a concept has been adopted in the Draft Bill that other community broadcasters, excluding educational or individual broadcasters, may earn an income but may not keep profit making objectives. Further, any educational or individual broadcaster who is not required to obtain a license or registration should

broadcast as a service at his/her own expenditure pursuant to this Draft Bill. Otherwise, there will be no difference between commercial broadcasting and community broadcasting.

6. What kinds of limitations are reasonable to be created in broadcasting ?

Remarks

Larger influences of foreign music with commercial objectives are witnessed not only in private sectors but also in Government owned FMs. To this effect, few restrictions are imposed against community broadcasters to reduce the intervention of such culture. It is very much urgent to observe whether or not such restrictions are necessary, which are provided in the Draft Bill, considering the unique geo-political situation of the Kingdom of Nepal.

7. What kinds of restrictions shall there be in community broadcasting to broadcast advertisements?

Remarks

Broadcasters, who are not required to acquire a license, are restricted from broadcasting advertisements and various other limitations have been fixed for other broadcasters as well. Indeed, it will be in the national interest to also impose most of these restrictions against commercial broadcasters.

8. Whether or not broadcasting media shall come within the parameter of Journalism?

Remarks

Due to the fact that there is no clear vision of the Government pertaining to this subject, the right of journalists to keep the source of information confidential has been recognized in an effort to gradually include broadcasting media into the parameter of journalism. Additionally, a concept has been adopted that other laws with respect to journalism will also be applicable.

9. Whether the access of community broadcasting shall be in broadcasting only?

Remarks

Even though the establishment of the FM system is comparatively cheaper, it is justifiable to include Medium Wave and television in community broadcasting. Despite this, short wave and satellite broadcasting are not included due to their local nature.

10. What type of remedy is required for an affected person from injury of defamation from wrongly stated news or comments broadcasted by any Broadcasting Institution?

Remarks

For this matter the legal provision of Malta has been adopted. In case there is any objection of any person with respect to the subject matter broadcasted by the Broadcasting Institution, the opinion of such person is felt reasonable to be brought in objection or protest to the Broadcasting Institution Only an individual who is directly affected by the wrongly stated news or comment shall be allowed to bring a complaint, objection or protest to the Broadcasting Institution. If an incorrect statement is discovered the Broadcasting Institution shall re-broadcast the corrected information or comments. The Broadcasting Institution shall not be required to re-broadcast any information from objections or protests based solely on ideological or academic grounds.

11. What may be the grounds of canceling a license or registration?

Remarks

Notwithstanding the acceptance of broadcasting as a right, the provision which states that cancellation of a license or registration of such broadcaster who does not fulfill the fixed standards or can not continue broadcasting due to various reasons is reasonable.

12. Who shall frame the Rules under the Community Broadcasting Act?

Remarks

There is a general practice that His Majesty's Government is empowered to frame Rules under respective Acts. Notwithstanding this, no such limitations, with respect to the Courts and Corporations, are constituted under the various Acts. This is why it is felt reasonable to grant power to frame Rules to the Committee and approval from His Majesty's Government is required to be taken under this Act. Otherwise a situation may arise like that of the Film Development Board where Rules could not be made for several years.

An Act Made to Provide Community and Non-Commercial Broadcasting

Preamble

Whereas, it is expedient to expand the participation of the local communities in the social, educational and cultural development for the effective protection and promotion of the peoples' right to information guaranteed by the Constitution of the Kingdom of Nepal 2047, it is necessary to make proper legal provisions to manage and encourage non-commercial and community broadcasting,

Now, therefore, the Parliament has made this Act in the second year of the reign of His Majesty King Gnyanendra Bir Bikram Shah Dev.

1) **Short Title and Commencement:**

- a. This Act may be called the "Community and Non-commercial Broadcasting Act, 2059."
- b. This Act shall come into force immediately.

2) **Definitions: In this Act, unless the subject or context otherwise requires**

- a) "Non-Commercial Broadcasting" means an amplitude modulation in the medium wave, frequency modulation in VHF broadcasting band, VHF or U.H.F television broadcasting service, audio or television broadcasting service through satellites or a cable television broadcasting service set by individuals, institutions or local authorities with non-profit making objectives.
- b) "Community Broadcasting Service" means the non-commercial broadcasting service rendered by the Broadcaster pursuant to Section 14.
- c) "Non-Commercial Broadcaster" means a license-holder or registered local institution, authority or individual that provides a non-commercial broadcasting service.
- d) "Community Broadcaster" means a Broadcaster whom has acquired a license to provide a community-broadcasting service.
- e) "Non-Commercial Broadcasting Authority" means the Broadcasting Authority as provided under Section 4.
- f) "Re-broadcasting" means any broadcasting broadcasted in the same time as other frequencies in its original mode without any alteration by adopting some broadcasted signal.

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- g) "Program" means the radio or television programs broadcasted by the Broadcasting Authority.
 - h) "Prescribed" or "as prescribed" means prescribed or as prescribed in the Rules made under the Act.

3) Responsibility with Regard to Non-commercial Broadcasting

- a. The Non-Commercial and Community Broadcasting Authority shall have the responsibility to formulate the policy with regard to the non-commercial and community broadcasting within the Kingdom of Nepal, to conduct proper coordination, observation and supervision thereof.
- b. His Majesty's Government shall issue a separate band plan as prescribed to grant necessary frequencies for non-commercial and community broadcasting ensuring that they are covered within the national band plan. In the band plan issued in such manner, at least 33 percent frequencies of the broadcasting band plan shall be segregated for non-commercial and community broadcasting.

4) Establishment and Constitution of Non-commercial and Community Broadcasting Authority

Nepal Non-commercial and Community Broadcasting Authority has been hereby established to regulate and manage Non-commercial Broadcasting.

5) Authority to be an Autonomous and Organized Institution

- 1. Authority that is established under Section 4 should be an autonomous and organized Institution with perpetual succession.
- 2. The Authority shall have a separate seal of its own for its functions.
- 3. The Authority as a person may acquire, use or manage in any other manner movable or immovable property.
- 4. The Authority as a person may sue in its own name, on its behalf, and be sued in the same manner.

6) Constitution of the Authority

- 1. The Authority shall have the following Members:

a. President:

Nominated by His Majesty's Government from among diploma degree

holders having at least 20 years' experience in the field of broadcasting or journalism - 1 (one)

b. Members:

- ✿ Appointed by His Majesty's Government from among individuals bearing the major responsibilities in the broadcasting programs of Local Authorities involved in broadcasting service covering as many individuals as possible using different broadcasting systems-2 (two)
 - ✿ Nominated by the Council of Directors of the Authority from among Community Broadcasters - 2 (two)
 - ✿ Nominated by the Council of Directors from among other Non-commercial Broadcasters - 1 (One)
 - ✿ Representative of the Nepal Press Council - 1 (one)
- c. Secretary:
- ✿ Civil servant designated by His Majesty's Government, Ministry of Communication, for the post of Assistant Secretary - 1 (one)

2. The tenure of the President and Members shall be for three years. But the tenure shall *ipso facto* be ended in case of his waiver of the institution or transfer there from where he has been representing.
3. The President or any other Members of the Authority may waive their involvement by giving resignation to His Majesty's Government, Hon'ble Minister of Communication.
4. A person working in any post of His Majesty's Government or any other Government authority receiving remuneration there from shall not be eligible for the post of President or Member of the Authority.

7) Office of the Authority

The Central Office of the Authority shall be in the Kathmandu Valley and the Authority can establish other branch offices within the Kingdom of Nepal as required.

8) Meeting and Decision of the Authority

1. The meetings of the Authority shall be held as required at least one time each month.
2. The meetings of the Authority shall be held in venue, date and time as appointed by the President.

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3. The President shall chair the meeting of the Authority and, in the absence of the President, a Member selected from among themselves by the Members present in the meeting shall chair the meeting.
 4. A quorum at the meeting shall be attained if more than fifty percent out of total Members of the Authority are present.
 5. The opinion of the majority in a meeting of the Authority shall be deemed a decision of the Authority and in case of a tie the President shall cast the decisive vote.
 6. The President shall authenticate the decision of the Authority and the Secretary of the Authority shall make such decision available to all the Members of the Authority.
 7. All decisions of the Authority with regard to a broadcasting license, registration and de-registration etc. shall be published and propagated publicly and shall be made available to all who demand, charging necessary photocopy charge.
- 9) **Removal of the President and Member from the Post:** His Majesty's Government shall remove the President or Member of Authority in the following conditions.
- a. In case of lack of efficiency,
 - b. In case of misconduct,
 - c. In case of not dispensing post duties honestly,
 - d. In case of mental imbalance or insanity.
- 10) **The Service, Terms and other Facilities of the President and Members.**
The service, terms and other facilities of the President and Members shall be as prescribed.
- 11) **Employees of the Authority**
The terms of services and facilities of the employees of the Authority shall be as prescribed.
- 12) **The Functions, Duties and Powers of the Authority:**
The functions, duties and powers of the Authority shall be as follows.
- a. To issue a license to the Non-commercial and Community Broadcasters, as well as to register and renew them,
 - b. To determine the conduct of the Non-commercial and Community Broadcasters, so as to fix the standard of broadcasting,

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- c. To observe and supervise the Non-commercial and Community Broadcastings,
 - d. To fix the standards for the observation of the Non-commercial and Community Broadcasters,
 - e. To take actions against the Non-commercial and Community Broadcasters violating this Act or Rules, excluding actions taken by other authorities in accordance with the prevalent laws.
 - f. To delegate the power, as required, to the District Development Committee for the easy performance of the functions pertaining to license, registration and observation.

13) Non-Commercial Broadcasters

Any Broadcaster whom desires to broadcast in accordance with the following shall acquire the license or register as a Non-commercial Broadcaster:

- a. Any radio or television broadcasting station having the RF output up to 500watt established and owned by the respective VDC or Municipality with the objective of providing a broadcasting service to the people of the area of such VDC or Municipality,
- b. Any radio or television station having the output up to 500watt established by any social organization, non-profit making company or cooperative institution with the objective of ensuring access of the common people of the establishment area to their broadcasting,
- c. Any radio or television station having the RF output up to 1watt established by any recognized educational institution with the objective of broadcasting only educational and cultural programmes for people within a three kilometer radius of the area of their establishment,
- d. Any radio or television station having the RF output up to 500 megawatt established by any Nepali citizen with the objective of delivering a broadcasting service for people within a one kilometer radius of the area of their establishment, and
- e. Any other Broadcaster as prescribed.

14) Community Broadcaster

- a. As the need of the local community, at least one percent of the possible number of listeners or 25 persons, whichever is greater, can apply in written form for the establishment of any radio or

television broadcasting center up to 500watt RF output and for a broadcasting license. Such application in a prescribed form shall be given either to the Authority or to the respective District Development Committee along with the Constitution of the Community Broadcasting Institution in a prescribed format.\

- b. In case there is no registration of any Community Broadcasting Institution in the respective area in the demanded system or frequency, the District Development committee shall forward the registered application and proposed constitution to the Authority with the necessary recommendation for a license.
- c. The Authority shall grant a license to the Community Broadcaster if no other Broadcasting Center of any other Community Broadcasting Institution lies near the system or frequency demanded in the application received pursuant to subsection (3) or registered in its own office if the applicant has fulfilled all formalities required by law.
- d. The license shall have been deemed granted *ipso facto* to the Community Broadcasting Institution if notice with a reason for not registering the institution is not served within 30 days of the submission of the application to the Authority.
- e. The Community Broadcaster registered in the Authority shall be deemed as an institution having limited liability, autonomy and perpetual succession.

15) The Structure of the Community Broadcasting Institution

There shall be the following structural provisions in the Community Broadcasting Institution:

- a. There shall be proportional representation of all casts, tribes and religions along with the minorities of the respective area in the General Assembly of the Community Broadcasting Institution.
- b. There shall be representation of at least 40 percent women excluding the representation of all casts, tribes and religions of the respective area in the General Assembly of the Community Broadcasting Institution.
- c. There shall also be proportional representation of local minorities, casts along with at least 40 percent of women, in the Broad of Directors of the Community Broadcasting Institution.
- d. A Program Recommendation Committee with the inclusion of local non-governmental organizations, local authorities, other consumer groups and listener groups shall be constituted with

the objective to ensure that subjects of local interest are involved in the Community Broadcasting Institution.

- e. Volunteers shall have been mobilized to perform at least 30 percent of the functions freely in a volunteer ship basis among the operational functions of the Community Broadcasting Institution.

16) Not to be Broadcasted Without Acquiring License or Registration:

- a. Community Broadcaster or broadcasters pursuant to Section 13(a) and
- b. shall not broadcast any programmes without acquiring a license.
- c. Broadcaster pursuant to Section 13(c) and (d) shall not broadcast without registering their broadcasting frequency and work plan.

17) Procedure of Granting License and Registration:

- a. Other Non-commercial Broadcasters, excluding Community Broadcasters, may apply either to the Local District Development Committee or the Authority, attaching Rs. 100.00 in prescribed form.
- b. Broadcasters desiring to acquire registration may apply either to the Local District Development Committee or the Authority, attaching Rs. 50.00 in the prescribed form.
- c. After the submission of the application, the District Development Committee shall forward the application, with its recommendation, within 7 days to the Authority in the case where no other Community Broadcaster is witnessed from its record using the demanded frequency in the area.
- d. After the receipt of the application pursuant to section 3 through the District Development Committee or in its own office, the Authority shall grant a license to the Non-commercial or Community Broadcaster within 30 days in the case where no center of any other Broadcasting Institution is near the system or frequency demanded in the application and the applicant has fulfilled all the formalities required by law.
- e. After the submission of the application, notice shall be given to the Broadcaster by registering the details of the Broadcaster within 30 days in the case where no other Broadcaster using the demanded frequency is present in the area.
- f. If a Broadcaster whom has already acquired a broadcasting license under other prevalent Nepali laws, but comes under the coverage of this law, applies within one year of the date of enforcement of

this Act to convert his/her license, he/she shall be granted the license of Community Broadcaster by converting his/her earlier license.

18) To Reject to Grant License or to Register

If the broadcasting license or registration acquired earlier has been cancelled on the basis that the Broadcaster, or any person of the institution applying for broadcasting, was punished against any offences under this Act, the Committee can reject to grant the license or to register such Broadcaster.

19) Economic Benefit not to be Taken

- a. The Community Broadcaster or Broadcasters pursuant to Section 13 (a) and (b) shall spend profit acquired from advertisements etc. in the operation of broadcasting to ensure the future of the institution, to improve the standard of the institution, or for other social activities. No such profit shall be used for anyone's individual purposes.
- b. No Broadcaster pursuant to section 13 (c) and (d) shall be allowed to broadcast any advertisement or to receive any aid for broadcasting functions or to earn any income from the use of broadcasting, provided that it shall not be deemed to have been restricted to broadcast any slogans of positive changes against any social distortions or bringing awareness without taking economic benefit

20) To be Broadcasted

- (1) Community Broadcaster or Broadcaster pursuant to Section 13 (a), (b) and (c) shall broadcast flowingly.
 - a. The Institution shall produce at least 75 percent of its programmes' total broadcasting time on its own.
 - b. While producing or broadcasting programmes, local cultures, interests and needs shall be taken into consideration.
 - c. The news that is broadcasted by His Majesty's Government's National Broadcasting System shall be re-broadcasted at least twice a day.
 - d. At least 50 percent of time or of the total programmes that is stipulated in the work plan shall be beginning to be broadcast within one year of the acquired date of the license.

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- (2) The Broadcaster pursuant to Section 13 (d) shall broadcast in the following manner:
- a. Excluding the notices of birth, death, marriage or major events taken place within a 3 kilometer radius, all other programmes already produced and broadcasted by other license holder broadcasters and the notices pursuant to subsection (3) shall generally be re-broadcasted.
 - b. The news that is broadcasted by His Majesty's Government's National Broadcasting System shall be re-broadcasted at least once a day.
- (3) The Broadcaster shall freely broadcast the following notices on the request of His Majesty's Government or Local Administration.
- a. Notices pertaining to curfew, riot area, etc.
 - b. Notices taken relevant to be broadcasted immediately for the life, health or safety of the common people.
 - c. Notices pertaining to environmental protection, harm control and the reduction of natural calamities.
- (4) Other provisions pertaining to program broadcasting shall be as prescribed.

21) Political Balance to be Maintained

The Broadcaster shall give proportionate time to all available representatives of recognized national political parties to express views about their agenda during the Local or National Election.

22) Not to be Broadcasted

Notwithstanding anything mentioned in other prevalent Nepali law, the following materials shall not be broadcasted:

- a. Materials obstructing the physical, mental or moral development of minors or carrying adverse impacts.
- b. Materials creating hatred or malice on the basis of cast, religion, nationality or region and material insulting others.
- c. Vulgar materials.

23) Broadcasting Record to be Kept

Broadcasting Institution shall keep the record of each broadcasted program, and the tape recording of such programs shall be kept safe at least for 7 days.

24) Provisions Pertaining to Certain Kind of Advertisement

- a. The Broadcaster will not broadcast the advertisement of alcohol, cigarettes, chewing tobaccos, and other consumable tobacco materials, while broadcasting advertisements of consumable goods.
- b. The Broadcaster will not broadcast advertisements in which the sound and picture of the program conductor is utilized.
- c. While broadcasting advertisements, the Broadcaster will use sound signal or fixed sound to ensure that there is a clear difference between advertisements and other programmes.
- d. The Broadcaster will regularly broadcast advertisements on its own in the nature of removing social distortion and social inconsistencies and raising awareness about the environment, health and morality excluding advertisements of economic benefit.
- e. No Broadcaster shall be allowed to broadcast commercial advertisements more than 6 minutes in each hour.
- f. Other provisions regarding advertisement shall be as prescribed.

25) Not to be Compelled to Express the Sources of the Information:

No Broadcaster shall be compelled to express the sources of any information pertaining to any subject matter broadcasted by the broadcaster.

26) Exemptions To The Community and Non-Commercial Broadcaster:

- a. No custom or value added tax shall be imposed to the machines, instruments imported to establish the station and studio, or any other partice imported for their maintenance, provided that no instrument or goods imported under this custom exemption shall be sold to any other person besides other Community and Non-commercial Broadcasters up to 10 years.
- b. No income tax shall be imposed on the income of the Community or Non-commercial Broadcaster.
- c. Priorities shall be given to Community and Non-commercial Broadcasters for the broadcasting of any notice or advertisement of His Majesty's Government, Local Authority, Court, or His Majesty's Government's involved projects to be broadcasted locally.
- d. His Majesty's Government shall grant 50 percent of the total royalty acquired, pursuant to Rule 11 of the National Broadcasting Rules, 2052, to the Community Broadcasters as an aid in a proportionate rate.

27) Right To Defend

- a. If it is felt that any fact pertaining to any person or institution broadcasted by the Broadcaster is wrong or misleading, the affected person may request the broadcaster to defend with details within 15 days of the broadcasting of such program.
- b. In case of the receipt of such request, if it is proved that such broadcasted materials are to be related to the same individual or institution, the detail of such defense received from related person shall be broadcasted in the same program within 15 days of the receipt of the request.

28) Cancellation of License or Registration of the Broadcaster,

The license or registration of the Community or Non-commercial Broadcaster shall be cancelled in the following conditions:

- a. In the case where the legal personality of the broadcaster ceases if the broadcaster is a legal person.
- b. In the case where there is no successor of the Broadcaster after his death if the broadcaster is a natural person,
- c. In the case where the Broadcaster himself gives an application to the Authority desiring to close the broadcasting,
- d. In the case where the Authority decides it to be reasonable to cancel the license or registration of such Broadcaster due to the fact that the Broadcaster has violated this Act or the Rules under this Act more than three times in a year.

29) Punishment and Appeal

- a. There shall be imprisonment up to 10 years or a fine up to 10 thousand rupees or both to the person broadcasting without acquiring a license or obtaining registration under this Act.
- b. There shall be a fine up to 5 thousand rupees for the first violation, up to 10 thousand rupees for the second violation, up to 15 thousand for third violation and cancellation of license and registration and imprisonment up to 6 months for fourth time material is broadcasted which can not be broadcasted or is not broadcasted which should be broadcasted pursuant to this Act.
- c. The Authority shall have the power to punish, after conducting the necessary investigation, for the offence pursuant to this Act and appeal shall go to the respective Appellate Court against the decision of the Authority.

30) Prevalent Laws to be Obeyed

Notwithstanding anything contained in this Act, the broadcaster shall obey all laws in all subjects relating to press, defamation or contempt of court pertaining to news items to be broadcasted and negative impacts thereof.

31) Power to Make the Rules

The Authority may frame the Rules and enforce them by obtaining approval of His Majesty's Government for carrying out the objectives of this Act.





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