

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLTAMENTARY AFFAIRS DEPARTMENT,
MUZAFFARABAD

DATED: 7-10-2003

No. LD/653-60/03. The following Act of the Assembly received the

assent of the President on 30th day of September, 2003 is hereby
published for general information:-

(ACT XVII OF 2003)

AN
ACT
to provide law for the establishment of a Press Foundation

WHEREAS it is expedient to provide law for the welfare of the
persons relating to press and to establish a Foundation for this purpose;

It is hereby enacted as follows: -

1. Short title and commencement: - (1) This Act may be called
the Azad Jammu and Kashmir Press Foundation Act, 2003.
(2) It shall come into force at once.

2. Definitions: - Unless there is anything repugnant in the subject
or context the following expressions shall have meanings
respectively assigned to them:

(a) "Board" means the Board of Governors of the Press
Foundation;

(b) "Chairman" means the Chairman of the Press
Foundation;

(c) "Vice Chairman" means Vice Chairman of the Press
Foundation;

(d) "Dependent" includes the wife, son under the age of 18
years and unmarried or divorced daughter of a member
or any other member of his family;

(e) "Foundation" means the Azad Jammu and Kashmir
Press Foundation;

(f) "Fund" means the Press Foundation Fund;

(g) "Government" means the Azad Government of the State
of Jammu and Kashmir;

[(ga) "Media Groups" means and includes a Daily, Daily

Newspaper, Newspaper, Weekly, Weekly Magazine,

1 Added by the AJ&K Press Foundation (Amtd.) Act, 2018 (Act VII of 2018) dt. 11.10.2018

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News Agency/organization, National Daily, Electronic Media, Periodical and any other Media organization validly registered, accredited or enlisted with Directorate General of Public Relations/Information Department media list;

(gb) | “Journalist” means and includes an editor, news reporter, correspondent or photojournalist (cameraman) etc., of a Media Group;”]

‘T(h) “Member of the Foundation” means a State Subject of Jammu and Kashmir working as a Journalist of a Media Group who has been accredited as such by the Directorate General of Public Relations/Information Department and who regularly contributes toward the Press Foundation Fund;” and]

2[“(ha) “Press Club” means a Press Club validly registered, accredited or enlisted as per prescribed procedure with Directorate General of Public Relations/Information;”]

(i) “Regulations” means the Regulations framed from time to time by the Board of Governors under this Act; and

Gg) “Secretary” means the Secretary of the Foundation as envisaged in section 8(1).

Constitution of Accreditation | Committee:-(1) The Government shall constitute a Committee consisting of a Chairman with the following: -

a). Chairman, Board of Governors, Press Chairman Foundation;

b). Vice Chairman of the Board of Governors; Vice Chairman

c). Secretary Information; Member

Subs. by the AJ&K Press Foundation (Amdt.) Act, 2018 (Act VII of 2018) dt. 11.10.2018. The original extract ofcl. (h) of Sec. 2 is reproduced as under:-

“(h) “Member of the Foundation” means a state subject of Jammu and Kashmir working as an Editor or Correspondent of a Daily Newspaper, Weekly Magazine or any other Periodical on the media list of Azad Jammu and Kashmir who has been accredited as Journalist by the Public Relations/Information Department and who regularly contributes towards the Press Foundation Fund;”

Added by Ibid.

d). '[Head of Attached Department of Public Member

Relation Department];

e). Additional Secretary Law. Member

(2) The Committee shall be competent ?[to examine the

cases and recommend to the Government] to grant accreditation card to the persons fulfilling the conditions as laid down in

section 4.

3[“(3) The Committee may conduct meetings and discharge its functions notwithstanding the absence of Vice-Chairman until such time the Vice- Chairman is elected from the amongst the members of the foundation.”]

Qualification for _grant_of Accreditation Card.- Any

Incl. (d) of sub:

section (1) of Sec. 3 for the word “Director General” the

words “Head of Attached Department of Public Relation Department”
subs. by the AJ&K Press Foundation (Amdt.) Act, 2006 (Act III of 2006)

dt. 31.01.2006.

Ins. by the AJ&K Press Foundation (Amdt.) Act, 2018 (Act VII of 2018)

dt. 11.10.2018.

Added by the AJ&K Press Foundation (Amdt.) Act, 2006 (Act III of 2006)

dt. 31.01.2006.

Sec. 4 is amen

led / subs. two times. The original extract of the Sec. 4 is

reproduced as under:-

“4. Qualification for grant of accreditation card: - (1) The editors or correspondents of a daily/weekly/fortnightly or periodicals or a news

agency or
from the

conditions:

(a) He/S:

Kashi

(b) He/S

any other news media organization seeking accreditation
Government shall be required to fulfill the following
he should be hereditary State Subject of Jammu and
Kashmir or a national of Pakistan working in AJ&K;

he should possess a valid appointment letter/authority/order

authorizing him/her to perform his/her duties as a reporter/
correspondent of a News agency/Organization/or a National

Daily;

(c) He/S:

he should not engage himself/herself in any other business

or profession which in the judgment of the Committee
compromises his/her status as a correspondent or as a news
reporter;

(d) He/S

he should have at least five years journalistic experience at

the time of filing application;

(e) He/S:

such
prof:

he should at least possess a certificate of matriculation and
other academic attainment which enables him/her to fulfill
professional obligations as a correspondent, news reporter or a

national news agency/ organization or reporter of a national

daily

or editor of a periodical having validly publishing and

printing declaration, etc."

Journalist of a Media Group seeking accreditation from the Government shall be required to fulfill the following conditions:-

(i) He shall be a State Subject of Jammu and Kashmir or a National of Pakistan working as a Journalist in Azad Jammu and Kashmir;

(ii) he shall possess a valid appointment or authority letter/order authorizing him to perform duties as Journalist of a Media Group;

(iii) — he shall not engage himself in any other business or profession which in the judgment of the Committee compromises his status as a Journalist;

(iv) he is graduate from a recognized university having at least three years experience at the time of filing application which enable him to fulfill professional obligations as a Journalist; and

(v) he is not more than 45 years of age.”]

Disqualification of Membership.- (1) A member shall be disqualified if;

(a) his accreditation is cancelled or withdrawn by the Competent Authority;

(b) he fails to contribute membership fee regularly in accordance with the regulations framed by the Board; and

(c) he joins some other career or profession or in case of death of a member

(2) Membership of the Foundation shall be non-transferable.

Powers and functions of the Foundation.- (1) The Foundation

Cl (e) of Sec. 4 subs. by the AJ&K Press Foundation (Amdt.) Act, 2004 (Act II of 2004) dt. 23.09.2004 as under:-

“(e) He/She should at least possess a certificate of matriculation or should

have at least 20 years experience in journalism and such other academic attainment which enables him/her to fulfill professional obligations as a correspondent, news reporter of a national news agency/organization or reporter of a national daily or editor of periodical having validly publishing and printing declaration etc.”

Subs. by the AJ&K Press Foundation (Amdt.) Act, 2018 (Act VII of 2018) dt. 11.10.2018.

Sec. 6 subs. by the AJ&K Press Foundation (Amdt.) Act, 2018 (Act VII of 2018) dt. 11.10.2018. The original extract of the Sec. 6 is reproduced as under:-

shall examine the cases received for registration as a Member

and,

on the recommendation of the Board shall issue

membership card to the person who fulfill prescribed criteria.

(2)

(a)

(b)

(c)

(d)

(e)

(f)

(g)

The Foundation shall be responsible,-

to provide low cost accommodation to the Members;

to extend and improve medical facilities for the
Members and their dependants;

to provide grants in case of death of any of the
beneficiaries;

to register the Press Clubs and media organizations in
the manners as may be prescribed in the Regulations and
to provide grants to them when received from the
Government:

Provided that all grants in aid or any other grant
announced by the Government for any Media Group or
Press Club shall be distributed through the Foundation;

to make and notify the categories of Journalists in the
manners as may be prescribed in the Regulations;

to provide grants in case of marriage of the daughter and
son of deserving Members; and

to do all such other things as are incidental or conducive
to carry out the purposes and objectives of the
Foundation.”]

Fund: - (1) There shall be a Press Foundation Fund raised from
the following sources; -

- (a)
- (b)
- (c)
- (d)

grants-in-aid received from the Government;
annual contributions of the members;
donations;

profits on deposits; and

"6. Aims and Objectives of the Foundation: - These shall includes; -

- (a)
- (b)
- (c)
- (d)
- (e)

to provide low cost accommodation to the members;

to extend and improve medical facilities for the members and
their dependents;

to provide grants, in case of death of any of the beneficiary;

to provide grants, in case of marriage of the daughter and son of
the deserving member; and

to do all such other things as are incidental or conducive to carry
out the purposes and objectives of the Foundation."

(e)
(2)

(b)

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any other source approved by the Board

The Fund shall be utilized for the following purposes: -

(a)

for the welfare of the members of the Foundation; and to provide financial assistance to the members.

Press Foundation.- (1) There shall be a Press Foundation to be administered by the Board of Governors consisting of the

following.-

(a) a sitting Judge of the High Court to be Chairman nominated by the Government with prior consultation of the Chief Justice;

(b) a member of the Board of Governors Vice who shall be chosen by elected Chairman members of Board of Governors;

(c) Secretary Information; Member

(d) Secretary Finance'[or his nominee, not | Member below the officer of BPS-19]

(e) ?[Head of the Attached Department of Member/ Public Relation Department]; Secretary

3[“(f) | One member from each district elected by the Members of the Foundation;”]

[(fa) two members elected by such Members of the

Foundation who are working in Pakistan as editors or bureau chief or representative of a Media Group.”]

Ins. by the AJ&K Press Foundation (Amdt.) Act, 2018 (Act VII of 2018)

dt. 11.10.2018.

For the words “DG Information” the words “Head of the Attached Department of Public Relation Department” subs. by the AJ&K Press Foundation (Amdt.) Act, 2006 (Act III of 2006) dt. 31.01.2006.

Subs. by the AJ&K Press Foundation (Amdt.) Act, 2018 (Act VII of 2018)

dt. 11.10.2018. The original extract ofcl. (f) Sec. 8 is reproduced as under:-
“(f) nine members shall be elected by the members of the Foundation in the following manners: -

a) one member from each district; and
b) two members shall be elected by such members of the Foundation who are working in Pakistan as Editors or Bureau Chief or representative of Daily, Weekly Newspapers, which are on the Media List of AJ&K;”

(g) elected Presidents of Azad Kashmir Central Union of Journalists and Jammu and Kashmir Union of Journalists shall be members of the Board.

(2) The decisions of the Board shall be made by a vote of majority.

Powers and Duties of the Chairman.- (1) The Chairman of the Foundation shall:-

- a) preside meetings of the Board of Governors and shall exercise a casting vote in the event of tie among members;
- b) — ensure through the Secretary of the Board that all policies and decisions of the Foundation are implemented; and
- c) keep apprised the members of the Foundation the progress and important development of the Foundation's industrial, commercial and welfare schemes.

(2) The Chairman may issue letters, orders, instructions or exercise any power on behalf of the Foundation and it shall be presumed that he has issued and exercised the same after full consultation with members of the Foundation and the same shall not be called in question.

Meetings of the Board.- (1) The Chairman may convene meetings of the Board at such time and place as he may deem necessary and convenient for the transaction of the business. At least two meetings of the Board shall be held during a financial year:

Provided that the Chairman may ask the Vice Chairman to preside over the meeting of the Board.

[“Provided that the Chairman shall call the meeting of Board on written request of one half of the members of Board within thirty days.”]

(2) Half of members excluding the Chairman shall form the quorum of a meeting of the Board.

(3) Non Official members of the Board shall be entitled to get actual traveling and lodging expenses from the Foundation Fund as and when they travel from one place to another to participate in a Meeting of the Board, while the Government functionaries shall be entitled to get TA/DA from their respective departments in accordance with the prevailing

Added by the AJ&K Press Foundation (Amdt.) Act, 2018 (Act VII of 2018) dt. 11.10.2018.

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Government rules.

(4) The Chairman, or in his absence the Vice Chairman, shall preside over the meetings of the Board.

(5) A matter shall be decided on the basis of a simple majority of the members present in a meeting.

(6) The Vice Chairman and the Secretary shall be eligible to vote and the Chairman shall only exercise his casting vote in case of a tie.

Modes of Financial Assistance _to_the members of the Foundation.- (1) The Secretary may, with prior approval of the Chairman and in accordance with the rate of financial assistance determined by the Board, make payments out of Foundation Fund to the members or their heirs, as the case may be, on the following occurrences/occasions, if the matter has been reported on prescribed form: -

(a) In case of a death of member as burial expenses;
(b) In case of marriage of a daughter of a member:

Provided that no member shall be entitled to receive such assistance [in a year]; and

(c) In case a member is seriously injured due to some accident and is admitted in a hospital or is suffering from a serious disease and is hospitalized or has been advised a major operation by an official surgeon or has been operated upon .

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(3) The Board will entertain and consider requests from members for grants of educational/training scholarships to such children of its members who, after intermediate, have secured admission in professional institutions.

(4) The Board may grant assistance to the members in such other matters which have not been enumerated in clause (a), (b) and (c) of subsection (1).

For the words “more than once” the words “in a year” by the AJ&K Press Foundation (Amdt.) Act, 2018 (Act VII of 2018) dt. 11.10.2018.

Omitted by Ibid. The original extract of subsection (2) of Sec.11 is reproduced as under:-

“(2) Every year one member, selected through draw of ballots, shall be financed, out of Board Fund, to perform Hajj:

Provided that the members who have already performed Hajj shall

not be eligible for the assistance."

12.

13.

14.

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Functions of the Secretary :- (1)The Secretary shall have the powers to control and supervise all the industrial, commercial, welfare or other activities of the Foundation and shall also coordinate with the Government;

(a) with the approval of the Board deal with the Government for the purpose of making any presentations and for taking action to obtain any concession, privilege or right from the Government or any authority;

(b) subject to the control of the Board, be responsible for running the Foundation and cause the order and decision of the Chairman and the Board of Governors to be carried out;

(c) take all possible steps to ensure that the Funds of the Foundation spent on the purpose for which they are provided; and

(d) prepare and submit to the Board of Governors the audited annual statements of accounts and budget estimates for approval.

(2) All meetings of the Board shall be convened by the Secretary under the direction of the Chairman of the Board.

(3) The Secretary shall conduct the official correspondence of the Foundation under the authority of the Chairman.

(4) The Secretary shall perform such other duties as may be assigned to him by the Board.

Honorarium:- In lieu of their services for the Foundation the Vice Chairman, Secretary and the other Government officers or officials appointed to maintain and keep the office of the Foundation shall be paid honorarium out of the Foundation Fund at the rates prescribed by the Board.

Explanation: -

The other Government officers or officials shall be nominated by the Secretary with the consultation of the Vice Chairman.

Audit: - (1) The Foundation Fund shall be audited once every year by the Accountant General Azad Jammu and Kashmir or any officer authorized by him.

(2) The Secretary shall, as soon as the accounts have been audited, submit to the Board the audited statements of accounts along with any observation thereon.

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Contribution: - The members of the Foundation shall contribute to the Fund in [every year] according to the prescribed Financial Rules.

°[“15-A. Registration of Media Organizations and Press Clubs.- All

15-B.

15-C.

the Media Organizations and Press Clubs shall be registered with the Foundation in the manners as may be prescribed in the Regulations.

Observance of Code of Conduct.- (1) All the Media Groups and Press Clubs shall observe code of conduct laid down in the Regulations and its violation shall be punishable as may be prescribed.

(2) All the fines imposed under this Section shall be credited to the Fund.

Monitoring Committee.- (1) The Board shall constitute a Monitoring Committee for one year, with the approval of the Government, consisting of following:-

- i) Any member of BoG_ nominated by the Chairman Chairman
- ii) One member from Accreditation Committee nominated by the Chairman Member
- iii) Information officer of District Concerned Member
- iv) A Senior Journalist from Division concerned nominated by the Chairman Member
- v) Assistant Foundation | Member/Secretary

(2) The Monitoring Committee shall inquire into the cases

received from the Board in respect of violation of code of conduct and shall submit its recommendations to the Board proposing fine within 45 days in the manners as may be prescribed in the Regulations:

Provided that the Board may, on the request of Monitoring Committee, extend this period up to such extend as it may deem fit.

(3) The Monitoring Committee shall perform such other

functions as may be assigned to it by the Board under the Regulations.”]

1 For the words “every months” the words “every year” added by the AJ&K Press Foundation (Amendment) Act, 2018 (Act VII of 2018) dt. 11.10.2018.

2 Added by the AJ&K Press Foundation (Amendment) Act, 2018 (Act VII of 2018) dt. 11.10.2018.

16. Head Office:- The Head Office of the Foundation shall be at Muzaffarabad.

17. Powers to make Regulations: - The Board of Governors may make Regulations to carry out the purpose of this Act.

Sd/-IRSHAD AHMED QURESHI)

DEPUTY SECRETARY