

Dated 9th October 2020

To,

Pakistan Telecommunication Authority (PTA)
Headquarter F-5/1
Islamabad

Subject: Ban on TikTok Application in Pakistan

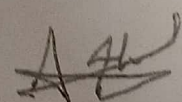
Dear Sir/Madam,

1. I am writing to you concerning the ban that you have imposed on an online application, namely, TikTok, in Pakistan, which has come to my knowledge through the Press Release dated 9th Oct 2020 which you have issued.
2. I am a citizen of Pakistan and the Senior Vice-President Pakistan Kickboxing Federation. I was declared world champion of kickboxing in 2016, five times international mixed martial arts champion, twelve times national champion of Wushu Kung-fu. I also run my private martial arts training club and train different units of the Pakistan Army. I have a 26 years of experience in martial arts and profoundly commit to promoting the sports industry of Pakistan
3. I have been using TikTok application for the past one year and have hundreds of followers throughout the world. My TikTok handle is **Ashfaqjutt52222** under the username of Ashfaq Jutt. I have been using the platform of TikTok, to upload instructive videos, raise awareness among the citizens of Pakistan, especially youth, about the benefits of engaging in physical sports, especially kickboxing. My TikTok handle also helps me advertise my club and the services I provides. As a regular user of TikTok, I am deeply concerned about the chilling effect that such a ban could have on my ability to earn livelihood, online speech,

Article 19 - Fundamental rights and freedoms guaranteed by the Constitution of Pakistan - 1973

4. TikTok is used by a large number of citizens of Pakistan. It is used by different users for different purposes. Banning of an entire platform used by a large number of Pakistanis on some vague and bald allegations on is not merited.
5. TikTok has helped provide an alternative platform to a large number of individuals to express their creativity, exercise their freedom of expression and also to earn livelihood. PTA's ban is going to infringe upon the constitutional rights of a large number of users including the undersigned. Therefore, it was appropriate that the end users were provided an opportunity to put forward their point of view before PTA before it could take a decision which is going to affect fundamental rights of a large number of citizens. In a recent judgement titled *M/s Proxima Beta Pte. Ltd. Versus Federation of Pakistan*, the honourable Islamabad High Court on the issue of banning another application *PubG*, the honourable Court stated that, "Under Section 6(d) of Pakistan Telecommunication (Re-organization) Act, 1996, where PTA is to take some decision under the said Act, notice thereof has to be given to a person likely to be affected providing them an opportunity of being heard"¹. PTA being a public body should have given a public notice and conducted open hearings before taking such a draconian step.
6. **Therefore**, considering my constitutional rights to freedom expression, speech and access to information, right to life, right to business, and other rights secured by the law and constitution have been infringed without providing me an opportunity to be heard, you are requested to immediately, within two days, remove the illegal ban on TikTok, otherwise the undersigned intend to take legal action against this illegal action.

Best,



Muhammad Ashfaq Jutt

Bearing CNIC [REDACTED]