



**A BRIEF  
FOR  
NATIONAL/INTERNATIONAL  
OBSERVERS**

**General Elections 2007-08**

**Election Commission of Pakistan**

**Islamabad**

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## CHAPTER # 1

### **ABOUT PAKISTAN**

The Constitution of the Islamic Republic of Pakistan, 1973 envisages a Federal Parliamentary System of governance. Pakistan spreads over an area of about seven hundred ninety six thousand square kilometres (796,096). It has a population of about 150 million, out of which about 80 million citizens have been registered as voters in the recently prepared Computerized Electoral Rolls-2006-2007. In terms of population, it is the 7<sup>th</sup> largest country in the world. The territories of Pakistan comprise—

- (a) the Provinces of Baluchistan, the North West Frontier, the Punjab and Sindh;
- (b) the Islamabad Capital Territory known as Federal Capital;
- (c) the Federally Administered Tribal Areas; and
- (d) such States and territories as are or may be included in Pakistan, whether by accession or otherwise.

### **SYSTEM OF GOVERNANCE IN PAKISTAN**

#### **Federation of Pakistan:**

The Federation of Pakistan comprises the President as the head of the State, who represents the unity of the Republic; bicameral Federal Legislature i.e. the Parliament (Majlis-e-Shoora) consisting of the Senate (Upper House) and the National Assembly (Lower House) and the four Provincial Assemblies.

### **THE PARLIAMENT (MAJLIS-E-SHOORA)**

#### **Senate of Pakistan:**

As stated above, the Federal Legislature has bicameral system having two Houses of Parliament (Majlis-e-Shoora) composed of the Senate of Pakistan and the National Assembly. The Senate consists of 100-members. It has equal number of representation of 22-members from each Province including 8-

members from FATAs and 4-members from the Federal Capital. The members of the Senate are elected for six years and half of the members retire after every three years. The question as to which Members of the Senate shall retire on the expiry of first three years is decided by drawing of lots. All members of the Senate are elected indirectly through the system of proportional representation by means of a single transferable vote, except Members of Senate from FATAs, who are elected by the members of National Assembly from FATAs in the same manner as the members of Senate are elected from Provinces. However a voter who is a member of National Assembly from FATAs has as many votes as the number of seats to be filled. For election of members to the Senate from Federal Capital, all Members of National Assembly form the Electoral College. There are 17 seats reserved for women in the Senate. Category-wise division of seats in the Senate is as under:

### **COMPOSITION OF THE SENATE**

<b>Provinces &amp; Administrative Areas</b>	<b>Senate Seats</b>		
	<b>General</b>	<b>Women</b>	<b>Technocrats/ Ulema</b>
Punjab	14	4	4
Sindh	14	4	4
Balochistan	14	4	4
NWFP	14	4	4
FATA	8	0	0
Federal Capital	2	1	1
<b>Total Seats</b>	<b>66 +</b>	<b>17 +</b>	<b>17 = 100</b>

### **National Assembly:**

The National Assembly of Pakistan, the Lower House of the Parliament, consists of 342 members: 272 general seats; 60 seats reserved for women and 10 seats for non-Muslims. General seats are filled by direct and free vote in accordance with law on the basis of single member territorial constituency. The seats reserved for women are filled in accordance with law through proportional representation system of political parties' lists of candidates on the basis of total

number of general seats secured by each political party from the province concerned in the National Assembly.

Each Province is a single constituency for all women seats allocated to that Province under clause (1A) of the Constitution. Likewise, the seats reserved for non-Muslim are filled in accordance with law through proportional representation system of political parties' lists of candidates on the basis of total number of general seats won by each political party in the National Assembly. The constituency for all seats reserved for non-Muslims is the whole country.

### **COMPOSITION OF NATIONAL ASSEMBLY**

<b>Provinces / Administrative Areas</b>	<b>National Assembly Seats</b>			<b>Total</b>
	<b>General</b>	<b>Women</b>	<b>Non-Muslim</b>	
Punjab	148	35	-	183
Sindh	61	14	-	75
Balochistan	14	3	-	17
NWFP	35	8	-	43
FATA	12	-	-	12
Islamabad Federal Capital	2	-	-	2
<b>Total Seats:</b>	<b>272</b>	<b>60</b>	<b>10*</b>	<b>342</b>

### **Provincial Assemblies:**

Each Provincial Assembly also consists of (1) general seats; (2) women seats and (3) non-Muslim seats. Members for the general seats are elected by simple majority on the basis of single member territorial constituency through direct vote. The reserved seats of women and non-Muslims are allocated to the political parties on the basis of number of general seats obtained by each political party in the Provincial Assembly. The Members to fill the seats reserved for women and non-Muslims allocated to a Province are chosen in accordance with law through proportional representation system of political parties' lists of

candidates on the basis of the total number of general seats secured by each political party in the Provincial Assembly. Each Province is a single constituency for all seats reserved for women and non-Muslims allocated to that Province.

### **COMPOSITION OF PROVINCIAL ASSEMBLIES**

Provinces	Provincial Assemblies			
	General	Women	Non-Muslim	Total
Punjab	297	66	8	371
Sindh	130	29	9	168
Balochistan	51	11	3	65
NWFP	99	22	3	124
<b>Grand Total</b>	<b>577</b>	<b>128</b>	<b>23</b>	<b>728</b>

#### **Federal Cabinet (Federal Government):**

The Constitution of Pakistan, *inter alia*, envisages a Cabinet of Ministers, with the Prime Minister at its head to aid and advise the President in the exercise of his functions. The President, in his discretion, appoints, from amongst the members of the National Assembly a Prime Minister who, in his opinion, is most likely to command the confidence of the majority of the members of the National Assembly. The Federal Ministers and Ministers of State are also appointed by the President on the advice of the Prime Minister from amongst the members of the Parliament (Majlis-e-Shoora). Before entering upon office, a Federal Minister or Minister of State makes before the President oath in the form set out in the Third Schedule to the Constitution. The Cabinet, together with the Ministers of State, is collectively responsible to the National Assembly.

#### **Provincial Cabinets (Provincial Governments)**

Similar is the position in the Provinces. There is a Cabinet of Ministers in each Province with the Chief Minister at its head to aid and advise the Governor in the exercise of his functions. The Governor appoints from amongst the members of the Provincial Assembly a Chief Ministers who, in his opinion, is

likely to command the confidence of the majority of the members of the Provincial Assembly. The Governor also appoints Provincial Ministers from amongst members of the Provincial Assembly on the advice of the Chief Minister. Before entering upon office, a Provincial Minister makes before the Governor oath in the form set out in the Third Schedule to the Constitution. Each Provincial Cabinet is collectively responsible to the Provincial Assembly.

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**CHAPTER # 2****ELECTION COMMISSION OF PAKISTAN****The Election Commission**

The Election Commission of Pakistan is a permanent constitutional independent body, constituted under Article 218 of the Constitution, comprising the Chief Election Commissioner as its Chairman and four Members, each of whom is a serving Judge of the High Court from each Province. The President appoints Members of the Election Commission after consultation with the Chief Justice of the High Court concerned and with the Chief Election Commissioner.

**Present Constitution of the Election Commission:**

At present, the Election Commission comprises Mr. Justice (R) Qazi Muhammad Farooq, Chief Election Commissioner at its Chairman and two Members of the Election Commission, namely, Mr. Justice Nasim Sikandar, Judge, Lahore High Court, Lahore and Mr. Justice Ahmed Khan Lashari, Judge, High Court of Balochistan, Quetta whereas two Members of the Election Commission from Sindh and NWF Provinces are to be appointed as the incumbents have since retired from their respective High Courts.

**Duties & Functions of the Election Commission:**

The Election Commission, *inter alia*, is charged with the duty of holding General Elections and to make such arrangements as are necessary to ensure the conduct of elections honestly, justly, fairly and in accordance with law and to guard against corrupt practices. All the executive authorities in the Federation and in the Provinces are required to assist the Chief Election Commissioner and the Election Commission in discharge of his or their functions.

Article 6 of the Election Commission Order, 2002 empowers the Election Commission to issue such directions or orders as may be necessary for the performance of its functions and duties, including an order doing complete justice

in any matter pending before it. Such directions or orders are enforceable throughout Pakistan and are executable as if the same have been issued by the High Court.

It may not be out of place to mention that the Election Commission has, so far, held six General Elections during the last 22 years i.e. in 1985, 1988, 1990, 1993, 1997 and 2002 for preserving high democratic values through proper representation of the people of Pakistan. The latest General Elections to the National Assembly and four Provincial Assemblies including FATA and Federal Capital Islamabad were held on October 10, 2002.

### **Appointment of Chief Election Commissioner:**

The President of Pakistan, in his discretion, appoints the Chief Election Commissioner under Article 213(1) of the Constitution. A person can be appointed as Chief Election Commissioner if he is, or has been, a Judge of the Supreme Court or is, or has been, a Judge of a High Court and is qualified under paragraph (a) of clause (2) of Article 177 to be appointed a Judge of the Supreme Court. The Chief Election Commissioner is appointed for a term of three years from the day he enters upon his office. However, the National Assembly may by resolution extend his term of office by a period not exceeding one year. The Constitution also provides that a person, who has held office as such may with the concurrence of both Houses, be reappointed to that office before the expiration of two years after he has ceased to hold that office. Before entering upon office, Chief Election Commissioner makes oath before the Chief Justice of Pakistan in the form set out in the Third Schedule to the Constitution. The Chief Election Commissioner cannot be removed from office except in the manner prescribed in Article 209 for the removal from office of a Judge of the Supreme Court or of a High Court. The Chief Election Commissioner cannot hold any other office of profit in the service of Pakistan or occupy any other position carrying the right to remuneration for the rendering of services.

**Duties of Chief Election Commissioner:**

Article 219 of the Constitution specifies following duties of the Chief Election Commissioner:

- ❖ Preparation of Electoral Rolls for election to the National Assembly and the Provincial Assemblies, and revising such rolls annually;
- ❖ Organizing and Conducting election to the Senate or to fill casual vacancies in a House or a Provincial Assembly; and
- ❖ Appointment of Election Tribunals.

In addition to above duties, the Chief Election Commissioner is charged with the duty of holding and conducting election to the office of President of Pakistan. He has also been entrusted with the gigantic task of conducting elections to Local Government Institutions under the Local Government Elections Ordinance, 2001 of the Punjab, Sindh, NWFP and Balochistan.

**Financial Autonomy:**

The Election Commission of Pakistan is financially autonomous. The Chief Election Commissioner enjoys:

- Full powers to re-appropriate funds from one head of account to another head of account within the allocated budget of the Election Commission of Pakistan;
- Full powers to sanction expenditure on any item from within the allocated budget of the Election Commission;
- Full powers to change nomenclature and upgrade/downgrade any post provided expenditure is met from within the overall allocated budget of the Election Commission.

**Organizational Set-up:**

The Election Commission of Pakistan has its central Secretariat at Islamabad, which is administratively headed by the Secretary, who is assisted by four Joint Secretaries, four Deputy Secretaries, one Director Public Relations and host of Section Officers. The Provincial Election Commissioners (PECs) are in-charge of the Election Commission's Provincial Headquarters in all the four Provinces. They, in their respective Provinces, have the services of Joint Provincial Election Commissioners, Deputy Election Commissioners, Assistant Election Commissioners and Election Officers at their disposal at divisional and district level. They are officers of the Election Commission and are under the administrative control of the Secretary, Election Commission.

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**CHAPTER # III****SOME IMPORTANT PRE-ELECTION STEPS****PREPARATION OF ELECTORAL ROLLS AND THEIR COMPUTERISATION:**

An accurate and authentic Electoral Roll is a *sine qua non* for a free, fair and impartial election. Article 219 (a) of the Constitution of the Islamic Republic of Pakistan, 1973 provides that the Chief Election Commissioner shall be charged with the duty of preparing electoral rolls for elections to the National Assembly and Provincial Assemblies and revising such rolls annually. For the conduct of Local Government Elections, Electoral Rolls were prepared on the basis of separate electorate under the Local Government Elections Order, 2000 (Chief Executive's Order No. 8 of 2000). These Electoral Rolls were prepared by NADRA on the basis of 1998 Census Forms and no door-to-door enumeration was undertaken. Whereas, the Electoral Rolls for the conduct of General Elections, 2002 were also prepared by the NADRA on the joint electorate basis considering the same data available with that Organization i.e. 1998 Census Forms and again no door-to-door enumeration was undertaken. As such, two Electoral Rolls were in the field separately for the conduct of Local Government Elections and General Elections, which resulted into confusion and chaos among the voters.

With regard to the Electoral Rolls in existence, the Political Parties/candidates expressed suspicions as to double/bogus enrolment of votes. Names of voters in these lists were scattered throughout the electoral areas and did not reflect the sequence of households, Gali (Street), Mohalla (residential locality), etc., which created a lot of problems for the Election Commission at the time of physical verification of the particulars of voters. Moreover, after physical verification a lot of additions/deletions had to be made because of which those lists had become paddy and cumbersome for the Election Commission to sort them out electoral-area-wise and maintain them.

In this backdrop, there was a pressing need to put an end to the imbroglio caused by the twin Electoral Rolls by replacing the same with one Electoral Rolls to be used both for the General Elections and the Local Government Elections. Therefore, it became expedient that fresh Electoral Rolls may be prepared through door-to-door enumeration and the same may be computerized. The then Chief Election Commissioner decided that there should be only one Electoral Rolls so as to be used for elections to the National and Provincial Assemblies and also for Local Government Elections.

However, the basis to prepare Fresh Computerized Electoral Rolls is as under:

1. The Electoral Roll, already in existence, being based on data contained in census Forms collected by NADRA, was found to be faulty for the reason that no door-to-door enumeration was undertaken by that Authority. Therefore, fresh Electoral Rolls were decided to be prepared after door-to-door enumeration for the purpose of computerization of the same. It was also decided that there should be only one Electoral Roll for General Elections as well as for election to Local Government Institutions and its data should be maintained so as to meet the varying needs of future elections whether they are held on *'joint' or separate' electorate basis*.
2. Rule 3(1) of the Electoral Rolls Rules, 1974, as amended vide SRO No. 603(I)/2006, dated 5.6.2006, provides that : "The electoral roll for each electoral area shall be in Form-I and the aforesaid form shall contain the number of National Identity Card of each voter". The CEC felt necessity of reaching out to the people throughout the country by launching comprehensive and effective voter's education campaign in collaboration with all stakeholders, persuading the citizens to get their CNICs so

as to get themselves registered as voters in the Computerized Electoral Rolls.

In the light of the decision taken by the CEC, Schedule for preparation of Fresh Computerized Electoral Rolls, 2006-07 was issued on the 24<sup>th</sup> April, 2005. After the completion of preliminaries, the actual process of enumeration started on 14.7.2006, in which lists of households were prepared by enumerators, followed by distribution and collection of Forms-II. The remaining stages included:

- 100% checking of forms with the lists of households and spot verification by the Supervisors;
- checking of Forms and spot verification;
- Transportation of data forms from field offices to Data Center and feeding of data for printing of draft electoral rolls;
- Transportation of draft electoral rolls from database to District Headquarters and then to Display Centers;
- Draft publication of Electoral Rolls for inviting claims, objections and applications for corrections;
- Filing of claims, objections and applications for corrections;
- Disposal of claims, objections and applications for corrections by the Revising Authorities;
- Incorporation of decisions on claims, objections and applications for corrections and preparation of manuscript copy of final electoral rolls;
- Printing of final list of electoral rolls;
- Transportation of final electoral rolls
- Final publication of electoral rolls.

It is pertinent to point out here that the Government passed the following Order, dated 17.7.2006 as to extension of validity of old NICs for preparation of Electoral Rolls, which was communicated to this Commission by the Ministry of

Interior, Government of Pakistan *vide* Letter No. 4/19/2001-NADRA, dated the 20<sup>th</sup> July, 2006.

“In view of the fact that a large number of citizens of voting age are still without computerized national identity cards, and the enrolment process is being undertaken between July-September 2006, the Prime Minister has been pleased to direct that the validity of old NICs issued under the National Registration Act, 1973 for the purpose of electoral rolls only (and not any other purpose) may be extended till further orders.”

Accordingly, necessary amendments were made in the Forms-II, III, IV, V, VI prescribed for the purpose of collection of data of eligible persons and registration of their names as voters in the Electoral Rolls. Necessary instructions in this regard were also issued to all concerned including Registration Officers throughout the country.

The data collected on Forms-II by enumerators through door-to-door visits was transmitted to M/s Kalsoft JV, a Firm hired for computerization of the Electoral Rolls, who produced a draft computerized print-out of such data, which was thoroughly checked in the field offices of the Election Commission, before draft publication of the Electoral Rolls on 12<sup>th</sup> June, 2007 initially for 21-days, inviting claims, objections and applications for corrections by the general public, which period was later extended by another 15-days by the Hon’ble CEC in view of the torrential rains, especially in the vast areas of the Sindh, NWFP and Balochistan with a view to provide an opportunity to those persons who could not visit/reach the Display Centres established throughout the country for checking their names in the draft electoral rolls (thus the Draft Electoral Rolls were published for a total period of 36 days). It may be mentioned that for the said extension in time (15-days) by the Chief Election Commissioner, the relevant law had to be amended through an Ordinance promulgated by the President of



Pakistan on the 3<sup>rd</sup> July, 2007. The Draft Publication of the Electoral Rolls was completed on 18.7.2007.

The remaining stages, before final publication of the Electoral Rolls, were in progress, when through Constitution Petition No. 45 of 2007 filed before the Hon'ble Supreme Court of Pakistan on behalf of Mohtarma Benazir Bhutto, Chairperson of Pakistan People's Party the Computerized Electoral Rolls were challenged on a number of grounds taken therein. The main reason for such a challenge was the apparent difference of registered votes in the Electoral Rolls, 2002 (updated in 2004) and the Draft Computerized Electoral Rolls, 2006-07. In the former Electoral Rolls, there were 72-million registered voters whereas in the latter, the number of registered voters therein after Display Process was shown to be 54-million voters. The ground taken on behalf of the petitioner was that the registered voters in the latter Voters' List should have been more than the number of voters (72-million) in the former List due to the gap of 5-five years between the two Lists. However, as a matter of fact, the reason for the difference of about 20-million voters in these Voters' Lists was that the Computerized Electoral Rolls, 2006-07 have been prepared containing names of only those eligible persons who are in possession of NIC or CNIC issued by NADRA, whereas, in the Electoral Rolls, 2002 innumerable columns meant for entering the number of identity cards are blank.

In the above Constitution Petition, after hearing the learned counsel for the parties in the case, the Apex Court, *inter alia*, was pleased to pass an Order directing the Election Commission to undertake 'Comparison Exercise' of both the Computerized Electoral Rolls, 2006-2007 and the Electoral Roll, 2002 so as to identify the names of such persons who were registered as voters in the latter Voters' List but were not included as such in the former List. As a result of the requisite 'Comparison Exercise' undertaken pursuant to the above Order of the Apex Court, 27 million voters were included in the Computerized Electoral Rolls, 2006-2007 augmenting the number of registered voters in the latter List to about 80-million.

It may not be out of place to mention here that at the time of commencement of the gigantic task of Preparation of Computerized Electoral Rolls, a Meeting with the Chairman NADRA was held in May, 2006 and after detailed discussions, the Chairman, NADRA was requested to provide softcopy of the CNICs Database so that an error-free and authentic Computerized Electoral Rolls are prepared. However, the Chairman NADRA expressed his view-point to the effect that the NADRA Ordinance does not provide for supply of CNICs Database to any department/agency because of its sensitivity and high degree security.

In view of complaints received from various political parties and the issue being of national importance, another Meeting was held on 12<sup>th</sup> July, 2007 with the Chairman, NADRA in his office so as to discuss the *pros and cons* of utilizing NADRA's CNICs Database and it was noticed in the Meeting that this exercise will disturb the whole "door-to-door" Enumeration Process as well as the process of preparing Polling Scheme showing the assignment of voters to Polling Stations established on the basis of Electoral Areas. Besides, the exercise proposed by the NADRA did not commensurate with the provisions of section 7 (2) of the Electoral Rolls Act, 1974, which provides that—"Where a person owns or possesses dwelling houses or other immovable property in more than one electoral area, he may, at his option, be enrolled in any one such area". Moreover, registration as a voter is not compulsory, rather it is entitlement and, as such, it was decided not to provide Computerized Electoral Rolls Database to NADRA enabling them to make necessary arrangements for developing a software of about 20 million voters, who, according to NADRA were issued CNICs but their names did not appear in the Computerized Electoral Rolls, as it was neither practicable nor feasible, so much so that sanctity and authenticity of the Electoral Rolls could be tarnished. Moreover, in the absence of Gharana Number, registration of voters at the place of residence shown in the CNIC, without taking into consideration the option of the voter as to where he/she wishes to be enrolled as voter for casting his/her vote, may result into complete

confusion and chaos in the Electoral Rolls and, in turn, may end up into great disturbance and disenfranchisement on the eve of polls, which may entail political crisis and turmoil.

Following is the statement showing the number of Registration Officers, Assistant Registration Officers, Supervisors and Enumerators deployed throughout the country for completing the process of enumeration through door to door visits for the preparation of Fresh Computerized Electoral Rolls, 2006-07:

S #	District/ Area	Total Number of			
		Registration Officers	Assistant Registration Officers	Supervisors	Enumerators
1	Federal Capital	1	18	113	330
2	Punjab	43	1067	13971	41178
3	Sindh	27	600	7303	22127
4	NWFP	31	265	4181	12571
5	FATAs	07	41	846	2585
6	Balochistan	35	247	2588	8083
<b>Total:</b>		<b>144</b>	<b>2238</b>	<b>29002</b>	<b>86874</b>

### **DELIMITATION OF CONSTITUENCIES:**

Delimitation of Constituencies is another important step towards the conduct of upcoming General Elections. Section 3 of the Delimitation of Constituencies Act, 1974 envisages that the Election Commission shall delimit territorial constituencies for elections to the National Assembly and to each Provincial Assembly in accordance with the provisions of the Constitution and the Delimitation of Constituencies Act, 1974. Section 9 thereof envisages the principles that are to be followed while delimiting the constituencies for National Assembly as well as Provincial Assemblies' seats, which are to the effect that all constituencies shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact areas, keeping in view existing boundaries of administrative units, facilities of communication and

public convenience and other cognate factors to ensure homogeneity in the creation of the constituencies.

Article 51 of the Constitution read with Section 7(2) of the Delimitation of Constituencies Act, 1974 provides that the delimitation of constituencies of National/Provincial Assemblies' general seats shall be carried out on the basis of population in accordance with the last preceding census officially published. It may be mentioned here that in Pakistan last preceding population census was conducted in 1998. Since general seats in the National Assembly as well as Provincial Assemblies were increased, therefore, the process of delimitation of constituencies was carried out afresh for General Elections, 2002. All possible care had been taken to keep intact the administrative boundaries of a district. After disposal of objections/representations filed by interested persons, the delimitation of 272 constituencies of National Assembly and 577 Provincial Assemblies' constituencies was finalized.

#### **RE-DESCRIPTION OF CONSTITUENCIES FOR GENERAL ELECTIONS, 2007-2008.**

As stated above, for the conduct of General Elections, 2002, the Election Commission of Pakistan undertook fresh delimitation of constituencies of 272 general seats in the National Assembly and 577 general seats in the Provincial Assemblies on the basis of last preceding population census held in 1998. During the last five years, 15 new districts and 55 Tehsils/Talukas were created in all the four provinces and as a result thereof, 68 National Assembly and 129 Provincial Assemblies' constituencies were required to be re-described in order to reflect the on-ground position under Section 10A of the Act, according to which the Election Commission may, at any time, of its motion make such amendments, alterations or modifications in the final list of constituencies or in the areas included in a constituency, as it thinks necessary.

Accordingly, in a meeting of the Election Commission dated 7<sup>th</sup> May 2007, the proposal for re-describing the National and Provincial Assemblies'

Constituencies in all such cases where changes in the administrative boundaries had taken place, were approved making it clear that the actual areas of constituencies on the ground will be maintained and that the extent of all relevant constituencies where changes in the administrative boundaries have taken place are simply re-described/re-named as per new names of areas/administrative units etc. Now, all these constituencies have been re-described/re-named according to the Constitution and the Delimitation of Constituencies Act, 1974 after properly inviting claims, receiving and considering representations, holding enquiries, summoning witnesses and recording evidences and have been notified and published in the official gazette.

## **LEGAL FRAMEWORK FOR GENERAL ELECTIONS, 2007-08**

For the purpose of General Elections, 2007 the following Legal Framework is available:

1. **The Constitution of the Islamic Republic of Pakistan, 1973\***  
*\*Full text of relevant part of Constitution of Islamic Republic of Pakistan, 1973, Part-VIII (Elections) is available at **Annexure-A***
2. **The Election Commission Order,2002(Chief Executive's Order No.1/2002)\***  
*\*Full text of the Election Commission Order, 2002 is available at **Annexure-B***
3. **The Representation of the People Act, 1976\***
4. **The Representation of People (Conduct of Election) Rules, 1977.**  
*\*Full text of The Representation of the People Act, 1976 and the Rules is available at **Annexure-C**.*
5. **The Conduct of General Elections Order, 2002 (Chief Executive's Order No. 7 of 2000)** *\*Full text is available at **Annexure-D***
6. **The Political Parties Order, 2002 (Chief Executive Order No.18/2002)\***
7. **The Political Parties Rules, 2002.**  
*\*Full text of The Political Parties Order 2002 and the Rules is available at **Annexure-E**.*
8. **The Allocation of Symbols Order, 2002\***  
*\*Full text of the Allocation of Symbols Order, 2002 is available at **Annexure-F**.*
9. **The Code of Conduct for Political Parties and Contesting Candidates for General Elections, 2007-08.**  
*\*Full text is available at **Annexure-G**.*
10. **Directives issued by the Election Commission of Pakistan. \*Annexure-H.**
11. **Schedule for General Elections, 2007-08. \*Annexure-I**

### **ALLOCATION OF SYMBOLS:**

In every constituency where election is contested, a symbol is required to be allotted to a contesting candidate in accordance with the provision of the Allocation symbols Order, 2002 and different symbols are allocated to different candidates at an election in the same constituency. Following is the \*List of Symbols to be allotted to the Political Parties and Contesting Candidates for General Elections, 2007:

1	Ar.row	2	Axe
3	Bat	4	Ball
5	Bicycle	6	Boat
7	Bottle	8	Bowl
9	Bridge	10	Book
11	Brush	12	Bucket
13	Bulb	14	Bunch of Grapes
15	Bus	16	Butterfly
17	Candle	18	Car
19	Cap	20	Chiragh (Lamp)
21	Chair	22	Charpai
23	Clock	24	Coat
25	Comb	26	Cow
27	Cup & Saucer	28	Dove
29	Elephant	30	Fan
31	Fist	32	Fish
33	Flower vase	34	Foot ball
35	Fountain	36	Garland
37	Ghulail	38	Gun
39	Hand pump	40	Hammer
41	Helicopter	42	Horse
43	Hukkah	44	Inkpot with pen
45	Iron	46	Jug
47	Kite	48	Knife
49	Trowel (Krandi)	50	Ladder
51	Lantern	52	Letter box
53	Lock	54	Lota
55	Loudspeaker	56	Mountain
57	Persian wheel	58	Peshawari chappal
59	Pitcher	60	Planner
61	Racket	62	Railway engine
63	Rickshaw	64	Ring
65	Roller of wood	66	Rose
67	Scissors	68	Scooter
69	Sweing machine	69-A	Sickle
70	Spade	71	Saw
72	Spectacles	73	Spinning wheel
74	Suitcase	75	Stage
76	Tumbler	77	Table
78	Table lamp	79	Takhti
80	Tap	81	Teapot
82	Telephone	83	Television
84	Tiger	85	Tonga
86	Tongs	87	Tractor
88	Tree	89	Truck

90	Turban	91	Umbrella
92	Well	93	Wheel
94	Whistle	95	Wrist watch
96	Waist coat	97	Aero plane
98	Almirah	99	Apple
100	Banana	101	Basket
102	Bed	103	Blackboard
104	Buck	105	Bullock cart
106	Camel	107	Cat
108	Corn	109	Crescent
110	Crown	111	Door
112	Drum	113	Duck
114	Eagle	115	Egg
116	Flower pot	117	Goat
118	Gramophone	119	Hanger
120	Hen	121	Hockey
122	House	123	Key
124	Lady finger	125	Leaf
126	Mango	127	Map
128	Match stick	129	Oil stove
130	Ostrich	131	Parrot
132	Peacock	133	Pen
134	Pomegranate	135	Rabbit
136	Radio	137	Revolver
138	Screw	139	Slate
140	Sparrow	141	Star
142	Torch	143	Tower
144	Typewriter	145	Water cooler
146	Wrench		

*\*Photos of Symbols listed above are available at **Annexure-G**.*





## **CHAPTER # IV**

### **THE ELECTORAL PROCESS**

For the conduct of General Elections, the Election Commission of Pakistan regulates its procedure subject to the provisions of Section 3 of the Representation of the People Act, 1976. If, upon any matter requiring a decision of the Commission, there is difference of opinion among its members, the opinion of the majority prevails and the decision of the Commission is expressed in terms of the opinion of the majority. The Commission exercises its powers and performs its functions notwithstanding that there is a vacancy in the office of any one of its members or that any one of its members is, for any reason, unable to attend its proceedings and the decision of the other members shall have the effect of the decision of the Commission. The Commissioner may subject to such conditions as he may deem fit, require any member of the Commission to exercise and perform all or any of the powers and functions of the Commissioner. The Commission may require the Commissioner or any of its members to exercise and perform all or any of its powers and functions. Anything required to be done for which no provision or no sufficient provision exists is done by such authority and in such manner as the Commission may direct.

### **CONDUCT OF ELECTIONS**

The process as to conduct of General Elections starts with the issuance of Schedule for Elections. Under Section 11 of the Representation of the People Act, 1976 after the President makes an announcement of the date or dates on which the polls are to be taken, the Election Commission is required to issue a Schedule for Elections within thirty days of such announcement by the President, by notification in the official Gazette, calling upon a constituency to elect a representative or representatives and appointing in relation thereto dates for filing of nominations, scrutiny of nomination papers, filing of appeals against acceptance or rejection of nominations, decision of appeals, withdrawal of candidature, publication of the revised list of candidates and the polls.

**Appointment of Judicial Officers as District Returning Officers, Returning Officers and Assistant Returning Officers for conduct of Elections:**

Simultaneously, the Election Commission makes appointments of District Returning Officers, Returning Officers and Assistant Returning Officers for conduct of Elections. The District Returning Officers, Returning Officers and Assistant Returning Officers are drawn from the subordinate judiciary i.e. District & Sessions Judges are appointed as District Returning Officers and Additional District & Sessions Judges, Senior Civil Judges/Civil Judges are appointed as Returning Officers and Assistant Returning Officers. However, in case of FATAs, where judicial officers are not available, the executive officers are appointed as Returning Officers.

For the conduct of General Elections, 2007-08, the Election Commission has appointed 125 District Returning Officers, 484 Returning Officers and 1027 Assistant Returning Officers for National and Provincial Assemblies Constituencies throughout the country. The detail is as under:

**GENERAL ELECTIONS, 2007-08**  
**NUMBER OF DISTRICT RETURNING OFFICERS/ RETURNING OFFICERS/ASSISTANT RETURNING OFFICERS**

Province/Area	DROs	Returning Officers			Assistant Returning Officers		
		National Constituencies	Provincial Constituencies	Total	National Constituencies	Provincial Constituencies	Total
<b>Federal Capital</b>	<b>1</b>	<b>2</b>	<b>--</b>	<b>2</b>	<b>2</b>	<b>--</b>	<b>2</b>
<b>Punjab</b>	<b>35</b>	<b>148</b>	<b>--</b>	<b>148</b>	<b>148</b>	<b>297</b>	<b>445</b>
<b>Sindh</b>	<b>27</b>	<b>61</b>	<b>69</b>	<b>130</b>	<b>114</b>	<b>130</b>	<b>244</b>
<b>NWFP</b>	<b>24</b>	<b>35</b>	<b>99</b>	<b>134</b>	<b>39</b>	<b>99</b>	<b>138</b>
<b>FATAs</b>	<b>8</b>	<b>12</b>	<b>--</b>	<b>12</b>	<b>--</b>	<b>--</b>	<b>0</b>
<b>Balochistan</b>	<b>30</b>	<b>14</b>	<b>44</b>	<b>58</b>	<b>99</b>	<b>99</b>	<b>198</b>
<b>Total :</b>	<b>125</b>	<b>272</b>	<b>212</b>	<b>484</b>	<b>402</b>	<b>625</b>	<b>1027</b>

Normally, under the law, one Returning Officer is appointed for a constituency. Where no other judicial officer is available or where the boundaries

of a National Assembly constituency are coextensive with the boundaries of one or two Provincial Assembly constituencies, one Returning Officer may be assigned more than one constituency. It is the duty of a Returning Officer to do all such acts and things as may be necessary for effectively conducting an election in accordance with the provisions of the Act or the rules framed thereunder.

**Duties & Functions of District Returning Officer:**

A District Returning Officer is appointed by the Election Commission to coordinate and supervise the election work of the constituencies falling in a district and to maintain liaison between the Returning Officers (ROs) in his district and the Election Commission. He performs the following functions under the superintendence, direction and control of the Election Commission:

- a. To maintain liaison with the Returning Officers and the Election Commission.
- b. To coordinate and supervise the work of Returning Officers in the district.
- c. To approve and notify the final list of Polling Stations prepared by the Returning Officers.
- d. To approve the appointment of Presiding Officers (Pos), Assistant Presiding Officers (APOs) and Polling Officers, proposed by the Returning Officers.
- e. To arrange proper and timely training of polling personnel.
- f. To arrange bulk-breaking and distribution of election material, ballot boxes and ballot papers etc, to the Presiding Officers through the Returning Officers.
- g. To arrange prompt dispatch of list of contesting candidates, duly checked, to the Provincial Election Commissioner concerned for printing of ballot papers.
- h. To collect election result from the Returning Officers for onward communication to the Election Commission.

- i. To investigate complaints of electoral irregularities and malpractices referred to him by the Election Commission or directly received by him.
- j. To perform such other functions and duties as the Commission may assign to him.

### **Duties & Functions Of Returning Officer.**

A Returning Officer is appointed for each constituency. The successful conduct of polls is primarily the responsibility of Returning Officer. The main functions to be performed by him under the law are summed up below:

- a. To receive nomination papers from the candidates within the period specified by the Election Commission in its notification.
- b. To scrutinize the nomination papers in accordance with the provisions of law and the rules on the dates appointed for this purpose by the Commission.
- c. To prepare list of polling stations for his constituency and to verify suitability of public buildings selected to house polling stations.
- d. Enlistment of polling personnel to man polling stations.
- e. Proper training of polling staff.
- f. Supply of election material and equipment to the Polling Officers for use at polling stations.
- g. Allocation of symbols to contesting candidates.
- h. To draw list of contesting candidates, with symbols, for printing of ballot papers.
- i. Collection of results of the count from polling stations of his constituency and communication of result to the DRO.
- j. Consolidation of result received from the Presiding Officers and submission of the consolidated statements of results of the count and the return of election of a constituency to the Election Commission and the Provincial Election Commissioner concerned.
- k. Refund/forfeiture of security deposits.

**Duties of Assistant Returning Officer:**

An Assistant Returning Officer is generally required to assist the Returning Officer in the performance of his functions. He is also to perform such specific administrative duties as are assigned to him by the Returning Officer. An Assistant Returning Officer is, in no case, authorized to assume any of the legal functions of the Returning Officer on his own accord.

**POLLING SCHEME**

Preparation of polling scheme has always been one of the important pre-requisites for conduct of General Elections. The main ingredients of a Polling Scheme are: (a) establishment of polling stations; (b) appointment of Polling Personnel and their training; and (c) supply of electoral rolls to the Presiding Officers.

**Establishment of Polling Stations:**

Under the law, it is duty of the Returning Officer to submit to the District Returning Officer a list of polling stations he proposes to provide in a constituency for the purpose of election of a member for that constituency before such time as the Commission may fix. Subject to the direction of the Commission, the District Returning Officer may make such alterations in the list of polling stations submitted to him as he deems necessary and shall, at least fifteen days before the polling day, publish in the official Gazette the final list of polling stations specifying the electoral area the electors whereof will be entitled to vote at each polling station. The Returning Officer shall establish in each constituency polling stations according to the final list and for this purpose he is required to inspect the polling sites personally for ensuring the suitability/availability of polling station buildings. A polling station can only be established in a Government building for the constituency and, where no Government building is available for the purpose, an improvised polling station can be set up on a public property. No polling station shall be located in any premises which belong to, or are under the direct or indirect control of, any candidate.

**Appointment of Polling Personnel:**

The next step is the appointment of Polling Staff by the Returning Officer in accordance with law for the conduct of Polls. Under the law, the Returning Officer appoints a Presiding Officer for each polling station and such number of Assistant Presiding Officers and Polling Officers as he may consider necessary from amongst the officers of the Federal Government, Provincial Governments, local governments and corporations established or controlled by such Governments. He then submits a List of such Presiding Officers and polling officers to the District Returning Officer at least fifteen days before the polling day for its approval and no change in the personnel is made except with the approval of the Commission. The detail of duties of these officials has been given hereinafter:

The Commission also provides the Returning Officer for each constituency with copies of electoral rolls for all the electoral areas within the constituency. In turn, the Returning Officer shall provide the Presiding Officer of each polling station with copies of electoral rolls containing the names of the electors entitled to vote at that polling station.

**Training of Polling Personnel**

A Hand Book for training of polling personnel is printed and supplied to all Presiding Officers, Assistant Presiding Officers and Polling Officers to acquaint them with duties and functions to be performed by them on polling day. The District Returning Officers and Returning officers are given specific instructions to arrange training of polling personnel. A video film is also produced by the Election Commission of Pakistan for facility of training of the polling staff. The video film shows the procedure of casting vote and also elaborates the functions of polling staff. A brief course of instructions extending over two to three days is arranged by the District Returning Officers/Returning officers so as to see that the Presiding Officers, Assistant Presiding Officers and the Polling Officers have carefully studied and understood the provisions of the law, the rules and procedure for the conduct of free, fair, impartial and transparent elections. Any

difficulty in understanding the instructions is clarified by the Returning Officers. For the polling staff of FATAs a separate leaflet of '*Instructions*' is printed in Urdu and supplied to all concerned for their guidance.

**Duties of the Presiding Officer.**

The Presiding Officer of a polling station is required to perform the following duties:

- a. To set up polling station before the poll.
- b. To receive election material, ballot boxes and ballot papers from the Returning Officer.
- c. To show empty ballot box to the candidates and their election or polling agents, if present, before the commencement of poll, record their statements to this effect and obtain their signatures on them.
- d. To supervise the polling and maintain discipline and law and order at polling stations.
- e. To allow admission of the candidates, their election agents and polling agents to polling stations during the poll.
- f. To ensure secrecy of ballot.
- g. To conduct summary inquiry to establish the identity of a challenged voter.
- h. To exercise powers of a Magistrate First Class for summary trial under section 86A of the Representation of the People Act, 1976.
- i. To adjourn the poll due to interruption, obstruction by riot, open violence or any natural calamity, if so warranted by the circumstances.
- j. To count the votes after the close of the poll in the presence of candidates, their election agents or polling agents and obtain their signatures on the statement of the count.
- k. To issue certified copies of the statement of the count and ballot papers account to the polling agents and to place on display a copy of the statement of count at the polling station for general information.

- l. To communicate, through pre-arranged means, the result of count to the Returning Officer immediately after the count.
- m. To return the polling bags, duly sealed containing election material and result of count to the RO under proper security arrangements.

**Assistant Presiding Officer.**

Two Assistant Presiding Officers are engaged at each polling booth. An Assistant Presiding Officer of a polling booth is responsible to perform the following duties:

- a. Senior Assistant Presiding Officer, duly nominated by the Returning Officer, to take over functions of Presiding Officer in case of his absence, illness etc.
- b. To verify identity of a voter from his national identity card (NIC) before issuing a ballot paper to him.
- c. To record the number of NIC of a voter on the counterfoil of ballot paper.
- d. To have the thumb impression of a voter affixed on counterfoil of ballot paper.
- e. To affix official stamp with code mark on the back of the ballot paper and to sign it.
- f. To issue ballot paper to a voter.
- g. To supervise the ballot box placed within his view for casting vote by the voters and to ensure that the ballot paper being cast is the same as is issued to the voter and that the ballot paper is not being taken away by the voter.
- h. To ensure return of the marking-aid stamp by the voter after casting his vote.
- i. To maintain record of tendered, challenged and spoilt ballot papers.
- j. To assist the Presiding Officer in counting the votes after close of the poll.



**Duties of the Polling Officers.**

One Polling Officer is engaged at each polling booth. He is required to assist the Assistant Presiding Officer in the following manner:

- (1) To verify the name and serial number of voter from electoral roll available with him.
- (2) To call out the name and serial number of voter as entered in the electoral roll.
- (3) To verify identity of the voter from his National Identity Card.
- (4) To apply indelible ink to prescribed thumb or finger of the voter.
- (5) To score out the serial number and name of voter from the electoral roll before a ballot paper is issued to him by the APO.

**PUBLIC AWARENESS CAMPAIGN**

Simultaneously with the issuance of Schedule for General Elections, 2007-08, the Election Commission intends to launch an awareness campaign to inform the electors about their rights and responsibilities and the importance of general elections. This time a fairly extensive education programme will be followed and no effort will be spared in this regard. The Election Commission will try its best to make full use of electronic and print media so that the awareness raising programmes could reach every nook and corner of the country, that is, from Karachi to Chitral and to the far flung area of Ketch (Mekran) in Balochistan and remote areas of tribal agencies in Federally Administered Tribal Areas.

The Political Parties will also be persuaded to carry out a comprehensive plan for education of voters with regard to the manner of marking of ballot papers and casting of votes so as to help the Election Commission in creating an environment conducive for holding free, fair and transparent elections.

The Election Commission also intends to undertake many innovative steps to bring about amelioration in the electoral processes in the country; enhance working efficiency of the staff of the Election Commission as also allay the apprehensions of the general public about fairness and transparency of the elections. The Commission continuously keeps the voters and general public informed, through electronic and print media, of all the electoral process.

### **MONITORING ELECTIONS BY POLLING AGENTS**

In order to make electoral process transparent and fair at polling stations, law provides for appointment of polling agents by the candidates. The role of polling agents is very important on the polling day. They are supposed to sit in the polling station and monitor the polling process. The presence of polling agents helps the electoral process to proceed in a free and fair manner and the results of the elections are considered as transparent. The Election Commission has published a Manual of Suggestions for the Polling Agents. Copies of this 'Manual of Suggestions' has been provided to all political parties free of cost so that they could train their polling agents for the monitoring purposes.

**CODE OF CONDUCT FOR POLITICAL PARTIES**  
**AND CONTESTING CANDIDATES FOR**  
**GENERAL ELECTIONS, 2007-08**

For the attainment of the basic objective of holding a free, fair, transparent and impartial election in the country, the Election Commission of Pakistan also issues a Code of Conduct for the political parties and contesting candidates for their guidance while running their political campaigns, during polling process and post election activities. For General Elections, 2007-08, as usual, Draft Code of Conduct was circulated to the Political Parties who had submitted their annual statements of accounts for the year 2006-2007, for their comments/suggestions so as to reach the Election Commission's Secretariat at Islamabad by the 3<sup>rd</sup> November, 2007, which date later extended to the 6<sup>th</sup> November, 2007.

The comments/suggestions received from the above said Political Parties were placed before the Election Commission for consideration in a Meeting with the Representatives of the Political Parties held on 19<sup>th</sup> November, 2007. After due consideration the Code of Conduct for General Elections, 2007 has been issued on the (date to be mentioned) November, 2007, which lays down comprehensive guidelines for carrying out political campaigns/activities by the political parties and contesting candidates in a peaceful and orderly manner and to avoid scrupulously all factors that may create obstruction in the political activities organized by the rival parties. One of the provisions of the Code of Conduct is that the political parties and candidates will inform local administration of the time and venue of their proposed meeting well in time so as to enable the police to make arrangements for control of traffic and maintaining of peace and order.

*\*Full text of the Code of Conduct for General Elections-2007-08 is available at **Annexure-H***

## **CODE OF CONDUCT FOR ELECTRONIC MEDIA**

In General Elections, 2002 with a view to ensure that the coverage of campaigns by the political parties and contesting candidates through electronic media should be free and fair and not biased in favour of any particular party or a candidate, a Code of Conduct for Electronic Media was issued by the Election Commission of Pakistan. Since 2002, the electronic media has developed tremendously in Pakistan. In view of proliferation of Private TV Channels, the Election Commission has, on similar pattern, issued a Code of Conduct for Electronic Media for General Elections, 2007 as well. This will not only help check coverage of any election speeches or other material that incites violence, etc. but also ensure giving balanced coverage to each political party or a contesting candidate

*\*Full text of Code of Conduct for Electronic Media for General Elections-2007 is available at **Annexure-H***

## **USE OF IMPROVED ELECTORAL COMMODITIES**

For the conduct of General Elections, 2007, the Election Commission of Pakistan will use improved electoral commodities, which will revolutionize the electoral process and enhance the credibility of the Election Commission for holding free, fair and transparent elections. The detail of these improved electoral commodities is as under:

### ➤ **Use of Transparent Ballot Boxes**

The Election Commission of Pakistan, through the courtesy of USAID, has arranged *Transparent Ballot Boxes* with plastic seals having specific numbers of Election Commission of Pakistan *logo*, instead of previously used Steel Ballot Boxes. Four hundred thirty thousands (430,000) Ballot Boxes have been made available for the forthcoming General elections 2007-08. The new Transparent Ballot Boxes will, of course, be helpful in increasing public confidence as the proceedings of casting of votes will be transparent.

➤ **Compartmental Screens for casting the Ballots**

It is crystal clear that the secrecy of votes is of prime importance for free and fair conduct of elections. To ensure it, the Election Commission, will use Cardboard Voting Screens of about 6 Feet Height for General Elections, 2007. For this purpose, (0.3 million) Three Hundred Thousands (300,000) Voting Screens have been made available for the forthcoming General Elections. The importance of these Voting Screens can be gauged from the fact that previously the Election Commission used *cloth curtains* and *school tables* for making screened-off compartments in the polling booths, which looked very odd and outdated.

Furthermore, the Election Commission of Pakistan is of the firm view that for strengthening the democratic electoral system in the country, it is necessary to bring about sustainable reforms/changes by introducing modern devices/knowledge, i.e., the use of computers and Information Technology for the improvement of electoral processes (at the Federal & Provincial level) in Pakistan and enhancement of the efficiency and capability of the officers and staff of the Commission.

**POLLING DAY ACTIVITIES**

The Election Commission of Pakistan makes effective arrangements at the polling stations, which include deployment of law enforcing agencies, the observance of the statutory stoppage of campaign within specified period before the close of the poll, state of readiness and preparedness of the election machinery including provision of copies of electoral rolls to be used for poll, ballot boxes, polling material, etc. On the day of poll, the observers as well as the polling agents check the commencement of poll at the polling stations, as scheduled. The Commission ensures that all prescribed procedures about the identification of voters, use of indelible ink, sealing of statutory and non-statutory papers into separate packets, preparation of ballot paper account, etc., has been

duly followed by the polling personnel. The entire machinery of the Government is mobilized to its fullest capacity to ensure that elections are held in a peaceful and orderly manner.

### **PROCEDURE REGARDING COUNTING OF VOTES:**

After the close of poll, *inter alia* following procedure for counting of votes, consolidation of results and declaration of such results will be adopted:

- That the Presiding Officer, after observing due formalities, shall prepare the Statement of Count in the prescribed form and shall provide a carbon copy of the statement to the polling agents present at the polling station. He shall obtain signatures of polling agents, as may be present, on the statement of count before issuing it. A duly signed copy of the statement of count shall be affixed at a prominent place outside the polling station immediately after its preparation for information of general public. A copy of the statement of count shall be sealed in an envelope which shall be put in the polling bag required to be sent to the Returning Officer. The Presiding Officer shall arrange to deliver the copy of the statement of count to the concerned Returning Officer by the quickest possible means.
  
- That, the Returning Officer of the constituency on receipt of the statements of the count from all polling stations shall sum up the total votes cast in favour of each candidate in the presence of candidates and/or their election agents as may be present in his office. He shall prepare a statement containing preliminary result in the prescribed format and get signatures thereupon of candidates and/or their election agents as may be present. He shall then announce the preliminary result of election of his constituency locally and a copy thereof shall be affixed outside his office for information of the general public. He shall also convey result of election over telephone to Election Commission Secretariat, Islamabad and send the result sheet through telefax.

Appropriate arrangements have been made in the Election Commission Secretariat, Islamabad for receiving preliminary results from the Returning Officers for National Assembly and Provincial Assemblies' constituencies. Designated officers will receive preliminary results over telephone and telefax from the Returning Officers and will enter the same in a result sheet under their signatures. The preliminary result of election of a constituency will then be released immediately to the print and electronic media by the Election Commission from its Control Room at Islamabad.

### **CONSOLIDATION & ANNOUNCEMENT OF RESULTS:**

The consolidation of results of all National Assembly and Provincial Assemblies' constituencies will commence on the day following the poll and on receipt of the polling bags of all polling stations by the Returning Officer concerned. Notices are duly served on the contesting candidates and their election agents informing them of the time and place for consolidation of the results by the Returning Officers. After consolidation of results, the Returning Officers immediately dispatch the final results to the Election Commission through special messengers/telefax. A copy of the consolidated results is affixed outside their offices for information of general public. Duly signed copies are also provided to the candidates or their election agents whosoever is present there.

### **IMPORTANT STEPS TO IMPROVE ELECTORAL PROCESS**

The Election Commission of Pakistan takes a number of other important steps to improve the electoral process, which are briefly enumerated as under:

- For maintaining transparency and fairness in the electoral process and to ensure impartiality of Government functionaries, the Election Commission has issued a Directive banning 'bulk transfers of civil servants' till completion of elections.

- Ban has been imposed regarding use of State resources by the executive authorities for unfair advantage of any candidate or a party.
- Directive has been issued to the Returning Officers that Nomination Forms of the sitting Governors and Federal or Provincial Ministers should not be accepted for election unless and until they relinquish their offices.
- Directive has been issued prohibiting misuse of official position to influence the results of elections by any person in the service of Pakistan including Zila Nazims, Naib Zila Nazims, etc.
- International observers are welcomed to observe elections. They are provided un-restricted access to the whole electoral process.
- Effective security arrangements are made for the observers to enable them to visit the constituencies as per their convenience.
- A fully equipped Website of the Election Commission – [www.ecp.gov.pk](http://www.ecp.gov.pk) is being regularly updated for enabling the interested persons/political parties to have access to necessary information;
- A Grievance Cell has been established in the office of the Election Commission Secretariat at Islamabad for dealing with the public grievances and complaints relating to the Election Commission.
- Control Rooms will be also established for supervising election arrangements all over the country.



## **POLITICAL PARTIES OF PAKISTAN**

The law defines a “Political Party” to mean an association of citizens or a combination or group of such associations formed with a view to propagating or influencing political opinion and participating in elections for any elective public office or for membership of a legislative body. According to Article 3 of the Political Parties Order, 2002, it is lawful for any body of individuals or association of *citizens* to form, organize, and continue or set-up a political party under a distinct name. A political party shall have a distinct identity of its structures at the national, provincial and local levels, wherever applicable. It may be clarified here that under the Political Parties Order, 2002 political parties are not registered with the Election Commission of Pakistan. However, each political party or a coalition of political parties is required to submit certain documents including their respective Constitutions to the Election Commission to qualify for allotment of symbol. Following is the list of political parties enrolled with the Election Commission of Pakistan:

<b><u>Sl.No.</u></b>	<b><u>Name of Party</u></b>
1	National Peoples Party
2	Tehrik-e-Istaqlal
3	Jamat Ahl-e- Hadith Pakistan (Sheikhupuri)
4	Tameer-e-Pakistan Party
5	Labour Party Pakistan
6	<a href="#">Seraiki Sooba Movement Pakistan</a>
7	Jamiat –e-Mushaikh Pakistan
8	Islami Tehreek Pakistan
9	Muttahida Qaumi Movement
10	Pakistan Tehreek-e-Insaf
11	Pakistan Democratic Party
12	<a href="#">Istiqlal Party (Saeed Manzoor Ali Gillani)</a>
13	Jamaat-e-Islami Pakistan
14	Muttahidda Majlis-e-Amal Pakistan
15	Pakistan Muslim League (Qayum Group)
16	Pakistan Jumhoori Aman Party

- 17 Tehreek-e-Wafaq Pakistan
- 18 Awami Qiadat Party
- 19 Jamiat Ulama-e-Islam (F)
- 20 Mohib-e-Wattan Nowjawan Inqilabion Ki Anjuman (MNAKA)
- 21 Sunni Tehreek
- 22 Balochistan National Congress
- 23 Pakistan Peoples Party (Shaheed Bhutto)
- 24 Pakistan Muslim League (F)
- 25 Pakistan Humwattan Party
- 26 Pakistan Ittehad Tehreek
- 27 Pakistan Gharib Party
- 28 Mohajar Qaumi Movement Pakistan
- 29 Azmat-e-Islam Movement
- 30 Balochistan National Democratic Party
- 31 Balochistan National Movement
- 32 Balochistan National Party
- 33 Islami Siasi Tehreek
- 34 Ittehad Milli Hazara
- 35 Jamhoori Wattan Party
- 36 Jamiat Ulema-e-Pakistan (Niazi)
- 37 Jamiat Ulema-e-Pakistan (Nifaz-e-Shariat)
- 38 Jamote Qaumi Movement
- 39 Kakar Jamhoori Party Pakistan
- 40 Markazi Jamaat Ahle Hadieth (Zubair)
- 41 Markazi Jamiat Ahle Hadith (Lakhwi Group)
- 42 Mohajir Ittehad Tehrik
- 43 National Alliance
- 44 Nizam-e-Mustafa Party
- 45 Pakhtoonkhwa Qaumi Party
- 46 Pakistan Workers Party
- 47 Pakistan Maqsad Himayat Tehrik
- 48 National Workers Party
- 49 Pakistan Awami Tehreek
- 50 Pakistan Muslim League (N)
- 51 Jamiat Ulama-e-Pakistan (N)
- 52 Pakistan Peoples Party Parliamentarians

- 53 Pakistan Awami Tehrik-e-Inqilab
- 54 Sindh National Front
- 55 Pakistan Muslim League
- 56 Hazara Qaumi Mahaz
- 57 Pakistan Mazdoor Kissan Party
- 58 Markazi Jamiat Ulema-e-Pakistan (FK)
- 59 Qaumi Tahaffuz Party Pakistan
- 60 Pakistan Peoples Party
- 61 Pak. Muslim Alliance
- 62 Pakistan Awami Party
- 63 Mohajir Kashmir Movement
- 64 Markazi Jamiat Al- Hadith (Sajid Mir)
- 65 Jamiat Ulama-e-Islam (S)
- 66 National Peoples Party Workers Group
- 67 Pak Wattan Party
- 68 Awami National Party
- 69 Pashtoonkhawa Milli Awami Party Pakistan
- 70 Pakistan Saraiki Party
- 71 Pakistan Social Democratic Party
- 72 Pakistan Muslim League (Qasim)
- 73 Pakistan Awami Quwat Party
- 74 Pakistan Brohi Party
- 75 Pakistan Freedom Party
- 76 Pakistan Progressive Party
- 77 Pakistan Progressive Party (Suraya Farman Group)
- 78 Pakistan Shia Political Party
- 79 Punjab National Front
- 80 Punjab National Party
- 81 Qaumi Inqilab Party
- 82 Qaumi Jamhoori Party
- 83 Shan-e-Pakistan Party
- 84 Sindh Urban-Rural Alliance
- 85 Tehreek Hussainia Pakistan
- 86 Tehreek Jamhoriyat Pakistan
- 87 Tehrik-e-Masawaat
- 88 National Awami Party Pakistan

89	Balochistan National Party (Awami)
90	Millat Party
91	Swabi Qaumi Mahaz
92	Awamii Himayat Tehreek
93	Progressive Democratic Party
94	Pakistan Fatima Jinnah Muslim League
95	Ghareeb Awam Party
96	National Party
97	Afghan National
98	Pashtoon Quomi Tehreek
99	Tehreek-e-Istiqlal Pakistan (Muhammad Ikram Nagra)
100	Pakistan Aman Party
101	Pakistan Peoples Movement
102	General Pervez Musharaf Himayat Tehreek
103	Markazi Jamiat Mushaikh Pakistan
105	Pakistan Citizen Movement
104	Jamait Ahle —Hadith Pakistan (Elahe Zaheer)
106	Pakistan Tehrek -e-Inqalab

Under the Political Parties Order, 2002, each Political Party is required to submit its annual statement of accounts duly audited by a Chartered Accountant. Any deviation may disentitle a political party from allotment of symbol at the time of elections. Following is the list of political parties, which have submitted their statements of accounts and are eligible for allotment of symbols in the General Elections: 2007.

<b><u>S. No.</u></b>	<b><u>Name of Party</u></b>
1	Tameer-e-Pakistan Party
2	Pashtoonkhawa Milli Awami Party Pakistan
3	Pakistan Muslim League (F)
4	Pakistan Fatima Jinnah Muslim League
5	Awami National Party
6	Seraiki Sooba Movement Pakistan
7	Pakistan Brohi Party
8	Islami Tehreek Pakistan
9	Sindh National Front

- 10 Pakistan Awami Quwat Party
- 11 Jamiat-e-Mushaikh Pakistan
- 12 Jamaat-e-Islami Pakistan
- 13 Muttahidda Majlis-e-Amal Pakistan
- 14 Pakistan Muslim League
- 15 Tehreek-e-Istiqlal (Rehmat Khan Wardag)
- 16 Muttahida Quami Movement
- 17 Istiqlal Party
- 18 Mohib-e-Wattan Nowjawan Inqilabion Ki Anjuman (MNAKA)
- 19 Jamhoori Wattan Party
- 20 Labour Party Pakistan
- 21 Pakistan Tehreek-e-Insaf
- 22 Pakistan Democratic Party
- 23 Pakistan Aman Party
- 24 Pakistan People's Party (Sherpao)
- 25 Awami Qiadat Party
- 26 Pakistan Ittehad Tehreek
- 27 Qaumi Inqilab Party
- 28 Hazara Qaumi Mahaz
- 29 National Peoples Party
- 30 Balochistan National Congress
- 31 Pakistan Peoples Party (Shaheed Bhutto)
- 32 Pakistan Peoples Party Parliamentarians
- 33 Pak. Muslim Alliance
- 34 Pakistan Gharib Party
- 35 Pakistan Freedom Party
- 36 Pakistan Awami Tehreek
- 37 Pakistan Muslim League (Qayum Group)
- 38 Pakistan Awami Party
- 39 Pakistan Awami Tehrik-e-Inqilab
- 40 National Workers Party
- 41 Pakistan Mazdoor Kissan Party
- 42 Balochistan National Party
- 43 Sunni Tehreek
- 44 Pakistan Humwattan Party
- 45 Tehreek-e- Wafaq Pakistan
- 46 Pakistan Tehrek —e-Inqalab
- 47 Pakistan Muslim League (N)
- 48 Pakistan Jumhuri Aman Party
- 49 Pakistan Social Democratic Party
- 50 Swabi Qaumi Mahaz

51	Jamiat Ulama-e-Pakistan (N)
52	Tehreek-e-Istiqlal Pakistan (Muhammad Ikram Nagra)
53	Markazi Jamiat Al- Hadith (Sajid Mir)
54	Pakistan Shia Political Party
55	Jamiat Ulama-e-Islam (S)
56	Balochistan National Party (Awami)
57	Mohajir Kashmir Movement
58	Punjab National Party
59	National Party
60	Jamiat Ulema-e-Pakistan (Nifaz-e-Shariat)
61	Pakistan Peoples Movement
62	Jamait Ahle —Hadith Pakistan (Elahe Zaheer)
63	Markazi Jamiat Ulema-e-Pakistan (FK)
64	Jamiat Ulama-e-Islam (F)
65	Pakistan Muslim League (Qasim)
66	Qaumi Tahaffuz Party Pakistan
67	Tehreek Hussainia Pakistan
68	Jamat Ahl-e-Hadith Pakistan
69	Jamiat Ulema-e-Pakistan (Niazi)
71	Pakistan Saraiki Party

It may be of some interest to know the names of those political parties which enjoyed *representation* in the outgoing national and provincial assemblies. Following is the list of such political parties:

1. Pakistan Muslim League (Quaid-e-Azam)
2. Muttahida Majlis-e-Amal,
3. Pakistan Muslim League (N ),
4. Muttahidda Qaumi Movement,
5. Pakistan Muslim League (Zia-ul-Haq Shaheed)
6. Pakistan Muslim League (Functional)
7. National Alliance
8. Pakistan Tehreek-e-Insaf,
9. Pakistan Pukhtoonkhwa Milli Awami Party,
10. Balochistan National Party,
11. Jamhoori Wattan Party,

12. Pakistan Awami Tehreek,
13. Pakistan Muslim League ( J)
14. Pakistan Peoples Party (Sherpao)
15. Pakistan Peoples Party Parliamentarians,
16. Pakistan Peoples Party Parliamentarians (Patriots).

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**CHAPTER-V****Guidelines for National / International Observers  
(For Observation Purposes)****Legal provision for the Election Observers:**

Election Commission of Pakistan is constitutionally responsible for the conduct of elections in a free and fair manner. To enhance the credibility of such elections, transparency is required at all stages of election process. One of the methods through which transparency can be sought to be achieved is by allowing impartial/neutral/reputed Observer groups and Journalists to observe the process of election. The Election Commission, therefore, allows the national/international observers' groups not only to observe the pre-election activities but also visit the polling stations on the polling day to observe the polling process as well as the post-poll activities throughout the country as per their convenience.

**Guidelines to be followed by the Election Observers:**

The following guidelines are to be followed by the Journalists and Election Observers:

**A: Role of the Observers:****(i) Polling day activities**

The Observers and Journalists may watch all aspects of the management and conduct of the election including actual polling on Election Day without any interference in proceedings. They may also watch vote counting and result consolidation. It may be noted that:

- (a) Observers may observe and view the proceedings of activities like campaign, voting, counting etc but they shall not participate in such activities;



- (b) They will not interfere with any of the election activities going on at polling station;
- (c) They will not advise the Polling Staff of any procedural irregularities;
- (d) They will not directly question voters while in the Polling Station;
- (e) Announcement of any result of voting of a center or constituency must not be done by the Observers/Observer groups; exit polling and projection of results should not be attempted;
- (f) The Observers do not have any supervisory or executive role in the conduct of election.

**(ii) Post poll activities**

- (a) It is expected that a copy of the Observers report or any statement by the observers/Observer Groups will be given to the Election Commission as soon as possible after the release of their Statement.
- (b) The Observers/Journalists groups shall not make any public statement before declaration of the unofficial result by the Election Commission of Pakistan.

**B: Logistical arrangements:**

1. The Foreign Observers willing to observe polling in Pakistan may get in touch with the concerned Pakistan Mission abroad for briefings on weather, places to stay, visa requirements etc.
2. After arrival in the country the observers will have to enlist their names in the Observer Cell of Ministry of Foreign Affairs, Islamabad for necessary assistance.

3. The Election Observers must recognize and respect the sovereignty of the host Country.
4. During their stay in Pakistan, observers will remain fully responsible for their own accommodation and transportation.
5. Election Commission will arrange a briefing for the foreign observers.
6. The Foreign Observers may have co-operation arrangements with local Observers. However, the local Observers are to follow the guidelines prescribed for them separately.

**C: Requirements:**

The Observers shall not be supporters of any political party in Pakistan and shall not indulge in any activity which may affect the conduct of elections.

**D: Accreditation:**

The Observers will be given information kits and appropriate accreditation cards by the Election Commission of Pakistan. The Election Commission shall issue accreditation cards after getting information from the Observer's Cell of Ministry of Foreign Affairs.

**E: Interpreter:**

The observers/observer groups may hire interpreters. The interpreter must not be a member of any political party in Pakistan. It is expected that they should remain non-partisan and neutral.

**F: Observation Area:**

Observation areas for the International Observers and Journalists will be selected by them in a coordinated balanced way and being mindful of the need to avoid excessive concentrations in any particular constituency or area. The Ministry of Information and the Election Commission of Pakistan will have to be kept informed of broad areas of observer's movement for security reasons.

**G: In the Polling Station**

- (i) Observer shall display accreditation card issued by the Election Commission of Pakistan.
- (ii) Only one foreign observer team and interpreter or Journalist may enter a polling station at a time.
- (iii) It is suggested that Observers and Journalists do not remain inside the polling station for long periods so that others who may be waiting outside may enter.
- (iv) Observer shall not enter in the place reserved for marking ballot papers. During their visit of the polling stations, the Observers are expected to abide by all the legal and administrative requirements of the Presiding Officer/Assistant Presiding Officer.
- (v) A Presiding Officer or Assistant Presiding Officer may ask any of the Observers to withdraw from the Polling Station at any time, if he thinks that the Observers presence in any way may be prejudicial to conduct of election.

**H: Violation of Law/Guidelines**

Election Commission of Pakistan reserves the right to cancel the observer's/Journalist's accreditation, if he/she violates observations rules.

**I: Journalists:**

Foreign Journalists willing to observe the polling will also be covered by these guidelines. The foreign Journalists shall get related facilities like telephone, fax, computer, internet, e-mail, photocopy etc from the Media Cell of Press Information Department of Information Ministry. They will be provided related information and necessary briefing from the Media Cell.

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# **ANNEXURES**

**THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN****PART VIII****ELECTIONS****CHIEF ELECTION COMMISSIONER AND  
ELECTION COMMISSION.**

**213. Chief Election Commissioner.**-(1) There shall be a Chief Election Commissioner (in this Part referred to as the Commissioner), who shall be appointed by the President **in his discretion.**

(2) No person shall be appointed to be Commissioner unless he is, or has been, a Judge of the Supreme Court or is, or has been, a Judge of a High Court and is qualified under paragraph (a) of clause (2) of Article 177 to be appointed a Judge of the Supreme Court.

(3) The Commissioner shall have such powers and functions as are conferred on him by the Constitution and law.

**214. Commissioner's oath of office.**-Before entering upon office, the Commissioner shall make before the Chief Justice of Pakistan oath in the form set out in the Third Schedule.

**215. Term of office of Commissioner.**-(1) The Commissioner shall, subject to this Article, hold office for a term of three years from the day he enters upon his office: Provided that the National Assembly may by resolution extend the term of the Commissioner by a period not exceeding one year.

(2) The Commissioner shall not be removed from office except in the manner prescribed in Article 209 for the removal from office of a Judge and, in the application of the Article for the purposes of this clause, any reference in that Article to a Judge shall be construed as a reference to the Commissioner.

(3) The Commissioner may, by writing under his hand addressed to the President, resign his office.

**216. Commissioner not to hold office of profit.**-(1) The Commissioner shall not,-

(a) hold any other office of profit in the service of Pakistan; or

(b) occupy any other position carrying the right to remuneration for the rendering of services.

(2) A person who has held office as Commissioner shall not hold any office of profit in the service of Pakistan before the expiration of two years after he has ceased to hold that office:

Provided that-

(a) this clause shall not be construed as preventing a person who was a Judge of the Supreme Court or of a High Court immediately before his appointment as Commissioner from resuming his duties as such Judge on the expiration of his term as Commissioner; and

(b) a person who has held office as Commissioner may, with the concurrence of both Houses, be reappointed to that office before the expiration of two years after he has ceased to hold that office.

**Article: 217: Acting Commissioner:**

At any time when, -

(a) the office of Commissioner is vacant, or

(b) the Commissioner is absent or is unable to perform the functions of his office due to any other cause,

I a Judge of the Supreme Court nominated by the Chief Justice of Pakistan shall act as Commissioner.

**Article: 218: Election Commission**

[(1) For the purpose of election to both Houses of Majlis-e-Shoora (Parliament), Provincial Assemblies and for election of such other public offices as may be specified by law or until such law is made by the Majlis-e-Shoora (Parliament) by Order of the President, a permanent Election Commission shall be constituted in accordance with this Article.]

(2) The Election Commission shall consist of,--

(a) the Commissioner who shall be Chairman of the Commission; and

(b) **[four]** members, each of whom shall be a Judge of a High Court, **[from each Province]** appointed by the President after consultation with the Chief Justice of the High Court concerned and with the Commissioner.

(3) It shall be the duty of the Election Commission constituted in relation to an election to organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against.

**219. Duties of Commissioner.**-The Commissioner shall be charged with the duty of,-

(a) preparing electoral rolls for election to the National Assembly and the Provincial Assemblies, and revising such rolls annually;

(b) organizing and conducting election to the Senate or to fill casual vacancies in a House or a Provincial Assembly; and

I appointing Election Tribunals.

**220. Executive authorities to assist Commission, etc.**-It shall be the duty of all executive authorities in the Federation and in the provinces to assist the Commissioner and the Election Commission in the discharge of his or their functions.

**221. Officers and servants.**-Until **[Majlis-e-Shoora (Parliament)]** by law otherwise provides, the Commissioner may, with the approval of the President, make rules providing for the appointment by the Commissioner of officers and servants to be employed in connection with the functions of the Commissioner or an Election Commission and for their terms and conditions of employment.

## ELECTORAL LAWS AND CONDUCT OF ELECTIONS

### Article: 222 Electoral laws

**222. Electoral Laws.-** Subject to the Constitution, **[Majlis-e-Shoora (Parliament)]** may by law provide for-

(a) the allocation of seats in the National Assembly as required by clauses (3) and (4) of Article 51;

(b) the delimitation of constituencies by the Election Commission;

(c) the preparation of electoral rolls, the requirements as to residence in a constituency, the determination of objections pertaining to and the Commencement of electoral rolls;

(d) the conduct of elections and election petitions; the decision of doubts and disputes arising in connection with elections;

(e) matters relating to corrupt practices and other offences in connection with elections; and

(f) all other matters necessary for the due constitution of the two Houses and the Provincial Assemblies;

but no such law shall have the effect of taking away or abridging any of the powers of the Commissioner or an Election Commission under this Part.

**223. Bar against double membership.-**(1) No person shall, at the same time, be a member of,-

(a) both Houses; or

(b) a House and a Provincial Assembly; or

(c) the Assemblies of two or more Provinces; or

(d) a House or a Provincial Assembly in respect of more than one seat.

(2) Nothing in clause (1) shall prevent a person from being a candidate for two or more seats at the same time, whether in the same body or in different bodies, but if he is elected to more than one seat he shall, within a period of thirty days after the declaration of the result for the last such seat, resign all but one of his seats, and if he does not so resign, all the seats to which he has been elected shall become vacant at the expiration of the said period of thirty days except the seat to which he has been elected last or, if



he has been elected to more than one seat on the same day, the seat for election to which his nomination was filed last.

**Explanation.**-In this clause, "body" means either House or a Provincial Assembly.

(3) A person to whom clause (2), applies shall not take a seat in either House or the Provincial Assembly to which he has been elected until he has resigned all but one of his seats.

(4) Subject to clause (2), if a member of either House or of a Provincial Assembly becomes a candidate for a second seat which, in accordance with clause (1), he may not hold concurrently with his first seat, then his first seat shall become vacant as soon as he is elected to the second seat.

**224. Time of election and bye-election.**-(1) A general election to the National Assembly or a Provincial Assembly shall be held within a period of sixty days immediately following the day on which the term of the Assembly is due to expire, unless the Assembly has been sooner dissolved, and the results of the election shall be declared not later than fourteen days before that day [:]

[Provided that on dissolution of an Assembly on completion of its term, the President, in his discretion, or, as the case may be, the Governor, in his discretion but with the previous approval of the President, shall appoint a care-taker Cabinet.]

(2) When the National Assembly or a Provincial Assembly is dissolved, a general election to the Assembly shall be held within a period of ninety days after the dissolution, and the results of the election shall be declared not later than fourteen days after the conclusion of the polls.

(3) An election to fill the seats in the Senate which are to become vacant on the expiration of the term of the members of the Senate shall be held not earlier than thirty days immediately preceding the day on which the vacancies are due to occur.

(4) When, except by dissolution of the National Assembly or a Provincial Assembly, a **general** seat in any such Assembly has become vacant not later than one hundred and twenty days before the term of that Assembly is due to expire, an election to fill the seat shall be held within sixty days from the occurrence of the vacancy.

(5) When a seat in the Senate has become vacant, an election to fill the seat shall be held within thirty days from the occurrence of the vacancy.

4[(6) When a seat reserved for women or non-Muslims in the National Assembly or a Provincial Assembly falls vacant, for death, resignation or disqualification of a member, it shall be filled by the next person in order of precedence from the party list of the candidates submitted to the Election Commission for the last general election by the political party whose member has vacated such seat.

(7) When a care-taker Cabinet is appointed, on dissolution of the National Assembly under Article 58 or a Provincial Assembly under Article 112, or on dissolution of any such Assembly on completion of its term, the Prime Minister or, as the case may be, the Chief Minister of the care-taker Cabinet shall not be eligible to contest the immediately following election of such Assembly.]

**225. Election dispute.**-No election to a House or a Provincial Assembly shall be called in question except by an election petition presented to such tribunal and in such manner as may be determined by Act of **[Majlis-e-Shoora (Parliament)]**.

**226. Elections to be by secret ballot.**-All elections under the Constitution **[\*\*\*\*]** shall be by secret ballot.

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**THE ELECTION COMMISSION ORDER, 2002**

(Chief Executive's Order No.1 of 2002)

In pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, read with the Provisional Constitution Order No. 1 of 1999, and in exercise of all powers enabling him in that behalf, the Chief Executive of the Islamic Republic of Pakistan is pleased to make and promulgate the following Order :—

**1. Short title and commencement:** (1) This Order may be called the Election Commission Order, 2002.

(2) It shall come into force at once.

**2. Chief Election Commissioner:** (1) There shall be a Chief Election Commissioner, hereinafter referred to as the Commissioner, who shall be appointed by the President, in his discretion, for a term of three years.

(2) As provided in clause (2) of Article 213 of the Constitution of the Islamic Republic of Pakistan, 1973, no person shall be appointed to be Commissioner unless he is, or has been, a Judge of the Supreme Court or is, or has been, a Judge of High Court and is qualified under paragraph (a) of clause (2) of Article 177 of the Constitution to be appointed a Judge of the Supreme Court.

(3) The Commissioner shall have such powers and functions as are conferred on him by this Order and the law.

(4) The Commissioner may, by writing under his hand addressed to the President, resign his office.

**3. Commissioner's oath of office:** Before entering upon office, the Commissioner shall make before the Chief Justice of Pakistan oath in the form set-out in the Schedule.

**4. Acting Commissioner:** At any time when:

(a) the office of Commissioner is vacant, or

(b) the Commissioner is absent or is unable to perform the functions of his office due to any other cause, a Judge of the Supreme Court nominated by the Chief Justice of Pakistan shall act as Commissioner.

**5. Election Commission:** (1) For the purpose of the general election to the National Assembly and to a Provincial Assembly, and for the purpose of election to the Senate, an Election Commission shall be constituted in accordance with this Article.

(2) The Election Commission shall consist of:

(a) The Commissioner, who shall be Chairman of the Commission; and

(b) four members, each of whom shall be a Judge of the High Court of each Province, appointed by the President after consultation with the Chief Justice of the High Court concerned and with the Commissioner.

(3) It shall be the duty of the Election Commission constituted in relation to an election to organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against.

**6. Powers of Election Commission:** (1) The Election Commission shall have power to issue such directions or orders as may be necessary for the performance of its functions and duties, including an order doing complete justice in any matter pending before it and an order for the purpose of securing the attendance of any person or the discovery or production of any document.

(2) Any such direction or order shall be enforceable throughout Pakistan and shall be executed as if it had been issued by the High Court.

**7. Duties of Commissioner:** The Commissioner shall be charged with the duty of:

(a) organizing and conducting election to fill casual vacancies in the National Assembly, the Senate or a Provincial Assembly ; and

(b) appointing Election Tribunals.

(1) Subject to this Order and any Order, from time to time, made by the Chief Executive, the provisions of Part VIII of the Constitution of the Islamic Republic of Pakistan and all electoral laws, Orders, Acts, Ordinances and regulations, rules, notifications and instructions made or issued thereunder for the time being in force and amended from time to time shall form part of this Order.

(2) All electoral laws, Orders, Acts, Ordinances and regulations, rules, notifications and instructions made or issued thereunder for the time being in force and amended from time to time shall apply to the preparation and revision of electoral rolls and delimitation of constituencies and all other matters which may be necessary for the purpose of conducting elections to both Houses of Parliament and to the Provincial Assemblies.

(3) The reference to the Commissioner or the Election Commission in Part VIII and other Articles of the Constitution of the Islamic Republic of Pakistan and all electoral laws, orders, Acts, Ordinances and regulations, rules, notifications and instructions made or issued thereunder for the time being in force shall be construed as reference to the Commissioner or the Election Commission appointed or constituted under this Order, as the case may be.

**7B. Officers and servants:** The officers and servants employed in connection with the functions of the Commissioner or the Election Commission immediately before the commencement of this Order shall be deemed to be the officers and servants employed in connection with the functions of the Commissioner or the Election Commission appointed or constituted under this order on the same terms and conditions and subject to the same rules as were applicable to them until altered, modified or amended by the Commissioner.]

8. **Decisions of Commission, etc.:** (1) All decisions of the Election Commission shall be expressed in terms of the opinion of the majority of its members, including the Chairman.

(2) No election conducted, or other action taken or thing done, by the Election Commission shall be invalid or called in question only on the ground of the existence of a vacancy therein or of the absence of any member from any meeting thereof.

9. **Executive authorities to assist Commission etc.:** It shall be the duty of all executive authorities in the Federation and in the Provinces to assist the Commissioner and the Election Commission in the discharge of his or their functions.

9A. **Delegation of powers and functions:** (1) The Commissioner may, subject to such conditions as he may deem fit, require any member of the Election Commission to exercise and perform all or any of the powers and functions of the Commissioner under this Order.

(2) The Election Commission may require the Commissioner or any of its members to exercise and perform all or any of its powers and functions under this Order.

9B. ***Directions of Commission in certain matters:*** Anything required to be done for carrying out the purposes of this Order, for which no provision or no sufficient provision exists shall be done by such authority and in such manner as the Election Commission may direct.

9C. ***Bar of Jurisdiction:*** No Court shall question the legality of any action taken in good faith by or under the authority of the Commission, the Commissioner, a Returning Officer, Presiding Officer or an Assistant Presiding Officer or any decision given by any of them or any other officer or authority appointed under this order or the rules.

9D. ***Protection of actions taken in good faith:*** No suit, prosecution or other legal proceeding shall lie against the Election Commission, the Commissioner or any officer or other person in respect of anything which is in good faith done or intended to be done under or in pursuance of this Order or of any rule or Order made or any direction given thereunder.

9E. ***Power to make rules:*** The Commissioner may, with the approval of the President, make rules for carrying out the purposes of this Order.

9F. ***Removal of difficulties:*** If any difficulty arises in giving effect to any of the provisions of this Order, the President may make such provision for the removal of the difficulty as he may deem fit.]

10. **Repeal:** The Extension in the term of Chief Election Commissioner Order, 2000 (Chief Executive's Order No. 9 of 2000), is hereby repealed.

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**THE REPRESENTATION OF THE PEOPLE ACT, 1976**

(ACT NO.LXXXV OF 1976)

January 4, 1977

An Act to provide for the conduct of elections to the National Assembly and the Provincial Assemblies.

WHEREAS It is expedient to provide for the conduct of elections to the National Assembly and the Provincial Assemblies and to guard against corrupt and illegal practices and other offences at or in connection with such elections and for the determination of doubts and disputes arising out of or in connection with such elections, and other matters arising out of or connected therewith :-

It is hereby enacted as follows.

**CHAPTER I****PRELIMINARY**

**1. Short title, extent, application and commencement.**-(1)This Act may be called the Representation of the People Act,1976.

(2) It extends to the whole of Pakistan.

(3) It shall apply to the general elections to the National Assembly and the Provincial Assemblies to be held under the Constitution and to the bye-elections to be held to the seats in those Assemblies falling vacant after the general elections.

(4) It shall come into force at once.

**2. Definitions.**- In this Act unless there is anything repugnant in the subject or context,-

(i) "Article" means Article of the Constitution;

(ii) "Assembly " means the National Assembly or a Provincial Assembly for a province ;

(iii) "ballot paper account" means ballot paper account prepared under sub-section (10)of section 38;

(iv) "candidate" means a person proposed as a candidate for, or seeking election as a member;

(v) "Commission" means the Election Commission constituted under Article 218;

(vi) "Commissioner" means the Chief Election Commissioner appointed under the Constitution and includes the person continuing in the office of Chief Election Commissioner by virtue of Article 275; and

(vi) a Judge of the Supreme Court nominated under Article 217 to act as Chief Election Commissioner;

(vii) "constituency" means a constituency delimited under the Delimitation of Constituencies Act, 1974 (XXXIV of 1974);

(viii) "contesting candidate" means a validly nominated candidate who has not withdrawn his candidature;

(ix) "election" means election to a seat of a member held under this Act;

(x) "election agent" means an election agent appointed by a candidate under section 22 and, where no such appointment is made, the candidate acting as his own election agent;

(xi) "election petition" means an election petition made under section 52:

(xii) "elector", in relation to a constituency, means a person who is enrolled on the electoral roll for any electoral area in that constituency;

(xiii) "electoral roll" means an electoral roll prepared, revised or corrected under the Electoral Rolls Act, 1974 (XXI of 1974);

(xiv) "member" means member of an Assembly;

(xv) "nomination day" means the day appointed under section 11 for the nomination of candidates;

(xvi) "polling agent" means a polling agent appointed under section 23;

(xvii) "polling day" means the day on which poll is taken for an election;

(xviii) "polling officer" means a polling officer appointed under section 9 for a polling station;

(xix) "prescribed" means prescribed by rules made under this Act;

(xx) "Presiding Officer" means a Presiding Officer appointed under section 9 for a polling station and includes an Assistant Presiding Officer; exercising the powers and performing the functions of Presiding Officer;

(xxi) "returned candidate" means a candidate who has been declared elected as a member under this Act;

(xxii) "Returning Officer" means a Returning Officer appointed under section 7 and includes an Assistant Returning Officer exercising the powers and performing the functions of Returning Officer;

(xxiii) "scrutiny day" means the day appointed under section 11 for the scrutiny of nomination papers ;

(xxiv) "spoilt ballot paper" means a ballot paper which has been spoiled and is returned to the Presiding Officer under section 36;

(xxv) "Tribunal" means an Election Tribunal appointed under section 57 for the trial of election petitions;

(xxvi) "validly nominated candidate" means a candidate whose nomination has been accepted; and

(xxvii) "withdrawal day" means a day appointed under section 11 on or before which candidature may be withdrawn.

## CHAPTER II

### ELECTION COMMISSION

**3. Procedure of the Commission.**—(1) Subject to the provisions of this section, the Commission shall regulate its procedure.

(2) If, upon any matter requiring a decision of the Commission, there is difference of opinion among its members, the opinion of the majority shall prevail and the decision of the Commission shall be expressed in terms of the opinion of the majority.

(3) The Commission may exercise its powers and perform its functions notwithstanding that there is a vacancy in the office of any one of its members or that any one of its members is, for any reason, unable to attend its proceedings and the decision of the other two members shall have the effect of the decision of the Commission:

Provided that, in the event of a difference of opinion between the two members attending the proceedings of the Commission, the matter shall be placed for decision before the Commission.

**4. Delegation of powers, etc.**—The Commission may hereofore its Chairman or any of its members or any of the officers of the Commission to exercise and perform all or any of its powers and functions under this Act.

**5. Assistance to the Commission.**—(1) All executive authorities in the Federation and in the Provinces shall render such assistance to the Commissioner and the Commission in the discharge of his or their functions as may be required of them by the Commissioner or the Commission.



(2) The Commissioner or the Commission may require any person or authority to perform such functions or render such assistance for the purposes of this Act as he or it may direct.

**6. Power to requisition property.**—(1)The Provincial Government or an officer authorized by it in this behalf may, upon a request made in this behalf by the Commission, by order in writing, requisition any such vehicle, vessel or animal as is needed or is likely to be needed for the purpose of transporting to and from any polling station ballot boxes or other election material or any officer or other person engaged for the performance of any duties in connection with the election

Provided that no vehicle, vessel or animal which is being used by a candidate or his election agent for any purpose connected with the election of such candidate shall be so requisitioned.

(2) Any person authorized in this behalf by the Provincial Government may take possession of any vehicle, vessel or animal requisitioned under sub-section (1) and may for that purpose use such force, including police force, as may be reasonably necessary.

(3) Where any vehicle, vessel or animal is requisitioned under sub-section (1), there shall be paid to the owner thereof compensation the amount of which shall be determined by the Provincial Government or the officer requisitioning the vehicle, vessel or animal on the basis of the fares and rates prevailing in the locality for its hire:

Provided that, where the owner of the vehicle, vessel or animal, being aggrieved by the amount of compensation so determined makes an application to the Provincial Government within a period of thirty days from the date the amount has been determined for the matter being referred to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Provincial Government may determine.

### CHAPTER III

#### APPOINTMENT OF RETURNING OFFICER, ETC.

**7. Appointment of District Returning Officer and Returning Officer, etc.**—(1) The Commission shall appoint, from amongst the officers of the Federal Government, Provincial Governments, corporations controlled by any such Government and local authorities, a District Returning Officer for each District and a Returning Officer for each constituency

Provided that a person may be appointed as Returning Officer for two or more constituencies.

(2) The Commission may appoint, from amongst the Officers of the Federal Government, Provincial Governments, corporations controlled by such Government and local authorities as many Assistant Returning Officers as may be necessary.

(3) An Assistant Returning Officer shall assist the Returning Officer in the performance of his functions under this Act and may, subject to any condition imposed by the Commission, exercise and perform, under the control of the Returning Officer, the powers and functions of the Returning Officer.

(4) It shall be the duty of a Returning Officer to do all such acts and things as may be necessary for effectively conducting an election in accordance with the provisions of this Act and the rules.

(5) Subject to the superintendence, direction and control of the Commission, the District Returning Officer shall coordinate and supervise all work in the district in connection with the conduct of elections and shall also perform such other duties and functions as may be entrusted to him by the Commission.

(6) The Commission or the Commissioner may, at any time, for reasons to be recorded in writing, suspend any officer performing any duty in connection with an election, or any other public functionary, or any member of the police force or any other law-enforcing agency who obstructs or prevents or attempts to obstruct or prevent the conduct of fair and impartial poll or interferes or attempts to interfere with an elector when he records his vote, or influences in any manner the polling staff or an elector or does any other act calculated to influence the result of election, and make such arrangements as it or he may consider necessary for the performance of the functions of the officer so suspended.

(7) Where the Commission or the Commissioner suspends any officer under sub-section (6), the Commission or the Commissioner shall refer the matter to the appropriate authority for taking disciplinary action against such officer.

**8. Polling stations.**—(1) The Returning Officer shall, before such time as the Commission may fix, submit to the District Returning Officer a list of polling stations he proposes to provide in a constituency for the purpose of election of a member, for that constituency.

(2) Subject to the direction of the Commission, the District Returning Officer may make such alterations in the list of polling stations submitted under subsection (1) as he deems necessary and shall, at least fifteen days before the polling day, publish in the official Gazette the final list of polling stations specifying the electoral area the electors whereof will be entitled to vote at each polling station.

(3) The Returning Officer shall establish in each constituency polling stations according to the final list published under sub-section (2).

1[(4) A polling station shall be situated in a Government building for the constituency and, where no Government building is available for the purpose, an improvised polling station shall be set up on a public property.

Provided that no polling station shall be located in any premises which belong to, or are under the direct or indirect control of, any candidate.]

**9. Presiding Officers and Polling Officer.**—(1) A Returning Officer shall appoint for each polling station a Presiding Officer and such number of Assistant Presiding Officers and polling officers [from amongst the officers of the Federal Government, Provincial Governments, local governments and corporations established or controlled by such Governments] to assist the Presiding Officer as the Returning Officer may consider necessary :

Provided that a person who is, or has at any time been, in the employment of any candidate shall not be appointed as a Presiding Officer, Assistant Presiding Officer or polling officer.

(2) A list of such Presiding Officers and polling officers shall be submitted to the District Returning Officer at least fifteen days before the polling day for its approval and no change in the personnel shall be made except with the approval of the Commission.

(3) A Presiding Officer shall conduct the poll in accordance with the provisions of this Act and the rules, shall be responsible for maintaining order at the polling station and shall report to the Returning Officer any fact or incident which may, in his opinion, affect the fairness of the poll

Provided that, during the course of the poll, the Presiding Officer may entrust such of his functions as may be specified by him to any Assistant Presiding officer and it shall be the duty of such Assistant Presiding Officer to perform the functions so entrusted.

(4) The Returning Officer shall authorise one of the Assistant Presiding Officers to act in place of the Presiding Officer if the Presiding Officer is, at any time during the poll, by reason, of illness or other cause, not present at the polling station, or is unable to perform his functions; and any absence of the Presiding Officer, and the reason therefore, shall, as soon as possible after the close of the poll, be reported to the Returning Officer.

(5) The Returning Officer may, at any time during the poll, for reasons to be recorded in writing, suspend any Presiding Officer, Assistant Presiding Officer or polling officer and make such arrangements as he may consider necessary for the performance of the functions of the officer so suspended.

**10. Supply of electoral rolls.**—(1) The Commission shall provide the Returning Officer for each constituency with copies of electoral rolls for all the electoral areas within the constituency.

(2) The Returning Officer shall provide the Presiding Officer of each polling station with copies of electoral rolls containing the names of the electors entitled to vote at that polling station.

## CHAPTER IV

## CONDUCT OF ELECTIONS

**11. Notification for election.**—(1) As soon as [may be necessary and practicable] the President makes an announcement of the date or dates on which the polls shall be taken, the Election Commission [not later than thirty days of such announcement] shall, by notification in the official Gazette, call upon a constituency to elect a representative or representatives, and appoint-

(a) the last date for making nominations, which shall be the sixth day after the date of publication of the notification or, if that day is a public holiday, the next succeeding day which is not public holiday;

(b) the dates for the scrutiny of nominations, which shall be the seven days immediately following the last date for making nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday.

I [\*\*\*\*] Omitted.

(d) the last date for filing of appeals against acceptance or rejection of nominations, which shall be the fourth day following the last date for the scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday ;

(e) the last date for decision of appeals, which shall be the [seventh] day following the last date for filing of appeals or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(ee) the last date for the withdrawal of candidature, which shall be the day following the last date for decision of appeals or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(f) the last date for publication of the revised list of candidates, which shall be the second day following the last date for decision of appeals; and

(g) the date or dates on which a poll shall, if necessary be taken, which or the first of which shall be a date not earlier than the twenty-second day after the publication of the revised list of candidates.

(3) A Returning Officer shall, as soon as may be after the publication of a notification under sub-section (1), give public notice of the dates specified by the Commission in respect of the constituency or constituencies of which he is the Returning Officer; and the public notice shall be published at some prominent place or places within the constituency to which it relates.

(4) A Returning Officer shall, by the public notice given under sub-section (3) invite nominations specifying the time by which and the place at which nomination papers shall be received by him.

**11A. Alteration in election programme.**—Notwithstanding anything contained in section 11, the Commission may at any time after the issue of a notification under sub-section (1) of that section, make such alterations in the programme announced in that notification for the different stages of the election as may, in its opinion, be necessary.

**12. Nomination for election.**—(1) Any elector of a constituency may propose or second the name of any duly qualified person to be a member for that constituency.

[(2) Every nomination shall be made by a separate nomination paper in the prescribed form which shall be signed both by the proposer and the seconder and shall, on solemn affirmation made and signed by the candidate, accompany

(a) a declaration that he has consented to the nomination and that he fulfils the qualifications specified in Article 62 and is not subject to any of the disqualifications specified in Article 63 or any other law for the time being in force for being elected as a member;

**(b) [\*\*\*\*] Omitted.**

(c) a declaration that no loan for an amount of two million rupees or more, obtained from any bank, financial institution, cooperative society or corporate body in his own name or in the name of his spouse or any of his dependents, or any business concern mainly owned by him or the aforesaid, stands unpaid for more than one year from the due date, or has got such loan written off;

(d) a declaration that he, his spouse or any of his dependents or a business concern mainly owned by him or the aforesaid, is not in default in payment of government dues or utility charges, including telephone, electricity, gas and water charges of an amount in excess of ten thousand rupees, for over six months, at the time of filing of nomination papers;

(e) a statement specifying his educational qualifications, occupation, National Identity Card number and National Tax Number, if any, alongwith attested copies thereof; and

(f) a statement of his assets and liabilities and those of his spouse and dependents on the prescribed form as on the preceding thirtieth day of June;

Explanation.—For the purpose of this section, the expression (i) “loan “ shall mean any loan, advance, credit or finance obtained or written off on or after the 31<sup>st</sup> day of December, 1985, but shall not include the loan the recovery of which has been stayed or suspended by any order of a court or tribunal, including the High Court and the Supreme Court ;

(ii) “mainly owned “ shall mean holding or controlling a majority interest in a business concern ;

(iii) “taxes “ include all taxes levied by Federal Government, Provincial Government or a local government, but shall not include taxes the recovery of which has been stayed or suspended by any order of a court or tribunal;

(iv) "government dues and utility charges " shall, inter alia, include rent, charges of rest houses or lodges owned by the Federal Government, Provincial Governments, local governments or corporations established or controlled by such governments, but shall not include the government dues and utilities charges the recovery of which has been stayed or suspended by any order of a court or tribunal.]

(3) Every nomination paper shall be delivered to the Returning Officer by candidate in person and the Returning Officer shall acknowledge receipt of the nomination paper specifying the date and time of receipt.

(4) A person may be nominated in the same constituency by not more than five nomination papers.

**(5) [\*\*\*\*] Omitted.**

(6) The Returning Officer shall assign a serial number to every nomination paper and endorse thereon the name of the person presenting it, and the date and time of its receipt, and inform such person of the time and place at which he shall hold scrutiny.

(7) The Returning Officer shall cause to be affixed at a conspicuous place in his office a notice of every nomination paper received by him containing the particulars of the candidate as shown in the nomination paper.

[(8)The nomination form and accompanying declarations and statements shall be open to inspection by the public, and copies thereof may be made available by the Commission in such manner and on payment of such fee as may be prescribed.]

**13. Deposits.**—(1) Subject to the provisions of sub-section (2),no nomination paper delivered under section 12 shall be accepted unless

(a) a sum of rupees

(i) four thousand for election to a seat in the National Assembly; and

(ii) a two thousand for election to a seat in the Provincial Assembly, is deposited in cash by the candidate or by any person on his behalf at the time of its delivery ;or

(b) it is accompanied by a bank draft for a sum as aforesaid drawn in favour of the Returning Officer or a receipt showing that a sum as aforesaid has been deposited by the candidate or by any person on his behalf at any branch of the National Bank of Pakistan or at a Government Treasury or Sub-Treasury.

(2) Not more than one deposit under sub-section (1)shall be required in the case of a person who has been nominated as a candidate for the same seat by more than one nomination paper.

**14. Scrutiny.**—(1)The candidates, their election agents, the proposers and seconders and one other person authorized in this behalf by each candidate [and an elector who has filed an objection to the nomination of a candidate] may attend the scrutiny of

nomination papers, and the Returning Officer shall give them reasonable opportunity for examining all nomination papers delivered to him under section 12:

[Provided that an elector who has filed an objection to the nomination of a candidate shall only attend the scrutiny of the nomination paper of that candidate.]

(2) The Returning Officer shall, in the presence of the persons attending the scrutiny under sub-section (1), examine the nomination papers and decide any objection raised by any such person to any nomination.

(3) The Returning Officer may, either of his own motion or upon any objection, [either by an elector or] by any person referred to in sub—section (1), conduct such summary enquiry as he may think fit and may reject nomination paper if he is satisfied that

(a) the candidate is not qualified to be elected as a member;

(b) the proposer or the seconder is not qualified to subscribe to the nomination paper;

© any provision of section 12 or section 13 has not been complied with 13 [or submits any false or incorrect declaration or statement in any material particular];or

(d) the signature of the proposer or the seconder is not genuine:

Provided that:

(i) the rejection of a nomination paper shall not invalidate the nomination of a candidate by any other valid nomination paper;

[(ia) the Returning Officer may, for the purpose of scrutiny, require any agency or authority to produce any document or record;]

(ii) the Returning Officer shall not reject a nomination paper on the ground of any defect which is not of a substantial nature and may allow any such defect to be remedied forthwith, including an error in regard to the name, serial number in the electoral roll or other particulars of the candidate or his proposer or seconder so as to bring them in conformity with the corresponding entries in the electoral roll; and

(iii) the Returning Officer shall not enquire into the correctness or validity of any entry in the electoral roll.

[(3A) Notwithstanding anything contained in sub-section (3), where a candidate deposits any amount of loan, tax or utility charges payable by him before rejection of his nomination paper on the ground of default in payment of such loan, taxes or utility charges, such nomination paper shall not be rejected for default thereof.]

(4)The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting it and shall, in the case of rejection, record brief reasons therefor.

(5) A candidate, may prefer an appeal against the decision of the Returning Officer rejecting or, as the case may be, accepting the nomination paper of the candidate to the

Tribunal constituted for the constituency to which the nomination relates and consisting of not less than two nor more than three Judges of the High Court nominated by the Commissioner, with the approval of the President; and such appeal shall be summarily decided within such time as may be notified by the Commission and any order passed thereon shall be final.

[(5A) If, on the basis of any information or material brought to its knowledge by any source, a Tribunal constituted under sub-section (5) is of the opinion that a candidate whose nomination papers have been accepted is a defaulter of loan, taxes government dues or utility charges or has had any loan written off or suffers from any other disqualification from being elected as a member of an Assembly, it may, on its own motion, call upon such candidate to show cause why his nomination papers may not be rejected, and if the Tribunal is satisfied that the candidate is actually a defaulter as aforesaid or has had a loan written off or suffers from any disqualification, it may reject the nomination papers.]

(6) An appeal not disposed of within the period specified in sub-section (5) shall be deemed to have been rejected.

(7) Announcement of the day and time appointed for the hearing of an appeal under sub-section (5) over the radio or television or by publication in the press shall be deemed to be sufficient notice of the day and time so appointed.

**14A. [\*\*\*\*] Omitted.**

**15. Publication of list of candidates.**—(1)The Returning Officer shall, after the scrutiny of nomination papers, prepare and publish in the prescribed manner a list of validly nominated candidates.

(2) In case an appeal against the decision of the Returning Officer is accepted by the Tribunal referred to in sub-section (5) of section 14 the Returning Officer shall revise the list of validly nominated candidates accordingly.

(3) The Returning Officer shall, on the second day following the last date for decision of appeal under sub-section (5) of section 14, prepare and publish in the prescribed manner the revised list of validly nominated candidates.

**16. Withdrawal.**—(1)Any validly nominated candidate may, by notice in writing signed by him and delivered to the Returning Officer on or before the withdrawal date either by the candidate himself or through an advocate duly authorized in writing by him, withdraw his candidature.

Explanation.- Authorisation in favour of an advocate shall be attested by a competent authority, such as, Oath Commissioner or a Notary appointed under the Notaries Ordinance 1961 (XIX of 1961).

(2) A notice of withdrawal under sub-section (1) shall, in no circumstances, be open to recall or cancellation.



(3) On receiving a notice of withdrawal under sub-section (1) the Returning Officer shall if he is satisfied that the signature on the notice is that of the candidate, cause a copy of the notice to be affixed at a conspicuous place in his office.

(4) The Returning Officer shall, on the withdrawal day, prepare and publish in the prescribed manner a list of contesting candidates which shall, if there are more than one contesting candidates, indicate their respective symbols and supply a copy of the list to each of them.

**17. Retirement from election, etc.**—(1) A contesting candidate may retire from the contest by a notice in writing signed by him and delivered to the Returning Officer on any day not later than four days before the polling day either by such candidate in person or by an agent authorized in this behalf in writing by such candidate.

(2) No person who has given a notice of retirement under sub-section (1) shall be allowed to cancel the notice.

(3) The Returning Officer shall upon receiving a notice of retirement under sub-section (1) cause a copy thereof to be affixed at some conspicuous place in his office and also to be published in such manner as he may think fit.

(4) A person in respect of whom a notice of retirement has been published under sub-section (3), shall be deemed to have withdrawn his candidature under section 16.

**18. Death of a candidate after nomination.**—(1) If a contesting candidate dies before the day for taking of the poll, the Returning Officer shall, by public notice, terminate the proceedings relating to that election.

(2) Where the proceedings relating to an election have been terminated under sub-section (1), fresh proceedings shall be commenced in accordance with the provisions of this Act, as if for a new election:

Provided that it shall not be necessary for the other contesting candidates to file fresh nomination papers or make a further deposit under section 13.

**19. Postponement, etc., under certain circumstances.**—(1) Where the proceedings relating to nomination, scrutiny or withdrawal cannot, for reasons beyond the control of the Returning Officer, to be recorded in writing, take place on the day appointed therefor he may postpone such proceedings.

(2) When the proceedings are postponed by the Returning Officer under sub-section (1), he shall inform the Commission of his having done so and the Commission shall, by notification in official Gazette, fix another day for the proceedings so postponed and if necessary, also the day or days for any subsequent proceedings.

**20. Uncontested election.**—(1) Where, after scrutiny under section 14, there remains only one validly nominated candidate or where, after withdrawal under section 16 or retirement under section 17, there remains only one contesting candidate, the Returning Officer shall, by public notice, declare such candidate to be elected to the seat:

Provided that, if after scrutiny any candidate indicates that he intends to file an appeal under sub-section (5) of section 14 against the rejection of his nomination paper, no person shall be declared elected until the period appointed for filing such appeal has expired and no such appeal has been filed or, where an appeal is filed, until the disposal of such appeal.

(2) The Returning officer shall submit to the Commission a return of the election in respect of which he has made a declaration under sub-section (1).

(3) The Commission shall, after such inquiry as it may deem necessary in any case, publish in the official Gazette the name of the candidate declared elected under sub-section (2).

[20A. Candidate to file certificate of party affiliation.—Each contesting candidate, before seeking allotment of prescribed symbol, shall file a declaration before the Returning Officer about his party affiliation, if any, along with a certificate from the political party showing that he is a party candidate from the constituency.]

**21. Contested election and allocation of symbols.**—(1) If there are more contesting candidates than one in respect of any constituency, the Returning Officer shall (a) allocate, subject to any direction of the Commission, one of the prescribed symbols to each contesting candidate; and in so doing shall, so far as possible, have regard for any preference indicated by the candidate at the time of filing his nomination papers;

(b) publish in such manner as the Commission may direct the names of the contesting candidates arranged in the Urdu alphabetical order specifying against each the symbol allocated to him; and

I give public notice of the poll:

Provided that the Commission may, on an application made to it in this behalf, allot one of the prescribed symbols to any political party or a combination of two or more political parties who have agreed to put up joint candidates for election.

(2) The Returning Officer shall arrange to exhibit prominently at each polling station the name of and symbol of each contesting candidate.

(3) [\*\*\*\*] Omitted.

(4) [\*\*\*\*] Omitted.

**22. Election Agent.**—(1) A candidate may appoint a person qualified to be elected as a member to be his election agent.

(2) The appointment of an election agent may, at any time, be revoked in writing by the candidate and, when it is so revoked or the election agent dies, another person may be appointed by the candidate to be his election agent.

(3) When an election agent is appointed, the candidate shall send to the Returning Officer a notice in writing of the appointment containing the name, father's name and address of the election agent.

(4) Where no appointment of an election agent is made under this section, a candidate shall be deemed to be his own election agent and shall, so far as the circumstances permit, be subject to the provisions of this Act both as a candidate and as an election agent.

**23. Polling agent.**—(1)The contesting candidate or his election agent may, before the commencement of the poll, appoint for each polling station as many polling agents as may be prescribed and shall give notice thereof in writing to the Presiding Officer.

**Proviso [\*\*\*\*\*] Omitted.**

(2) The appointment of a polling agent under sub-section (1) may at any time be revoked by the candidate or his election agent and, when it is so revoked or the polling agent dies, another person may be appointed by the candidate or the election agent to be a polling agent; and a notice of such appointment shall be given to the Presiding Officer.

**24. Absence of candidates etc., not to invalidate acts, etc.**—Where any act or thing is authorized by this Act to be done in the presence of the candidate, an election agent or a polling agent, the failure of such person to attend at the time and place appointed for the purpose shall not invalidate any act or thing otherwise validly done.

**25. One day poll.**—Polls for a general election for an Assembly shall be held on the same day and the polls for National Assembly seats and the Provincial Assembly seats may be held simultaneously:

Provided that, if the Commission is satisfied that polls cannot take place in a constituency on account of a natural calamity or for any other reason beyond its control, the Commission may fix another day for holding the poll in that constituency.

**26. Hours of the poll.**—The Commission shall fix the hours, which shall not be less than eight, during which the poll shall be held and the Returning Officer shall give public notice of the hours so fixed and hold the poll accordingly.

**27. Stopping of the poll.**— (1)The Presiding Officer of a polling station shall stop the poll and inform the Returning Officer that he has done so if —

(a) the poll at the polling station is, at any time, so interrupted or obstructed for reasons beyond the control of the Presiding Officer that it cannot be resumed during the polling hours fixed under section 26; and

(b) any ballot box used at the polling station is unlawfully taken out of the custody of the Presiding Officer, or is accidentally or intentionally destroyed, or is lost or is damaged or tampered with to such an extent that the result of the poll at the polling station cannot be ascertained.

(2) Where a poll has been stopped under sub-section (1) the Returning Officer shall immediately report the circumstances to the Commission and the Commission shall direct a fresh poll at that polling station, unless it is satisfied that the result of the election has been determined by the polling that has already taken place at that polling station, taken with the result of the polling at other polling stations, in the same constituency.

(3) Where the Commission orders a fresh poll under sub-section (2), it shall, by notification in the official Gazette,

(a) appoint a day for a fresh poll and fix the place at which and the hours during which such fresh poll shall be taken; and

(b) the Returning Officer shall give public notice of the day so appointed and the place and hours so fixed.

(4) At a fresh poll taken under sub-section (3) at a polling station all electors entitled to vote there at shall be allowed to vote and no vote cast at the poll stopped under sub-section (1) shall be counted; and the provisions of this Act and the rules and orders made thereunder shall apply to such fresh poll.

**28. Election by secret ballot.**—An election under this Act shall be decided by secret ballot and, subject to the provisions of section 29 every elector shall cast his vote by inserting in accordance with the provisions of this Act, in the ballot box, a ballot paper in the prescribed form.

**29. Postal ballot.**—(1) The following persons may cast their votes by postal ballot in such manner as may be prescribed, namely:

(a) a person referred to in sub-section (3) or sub-section (4) or subsection (5) of section 7 of the Electoral Rolls Act, 1974 (XXI of 1974); and

(b) a person appointed by the Returning Officer, including police personnel, for the performance of any duty in connection with an election at polling station other than the one at which he is entitled to cast his vote.

(2) An elector who, being entitled to do so, intends to cast his vote by postal ballot shall,

(a) in the case of a person referred to in clause (a) of sub-section (1), within such time as may be specified by the Commission soon after the issue of the notification under section 11; and

(b) in the case of a person referred to in clause (b) of sub-section (1), as soon as may be after his appointment, apply to the Returning Officer of the constituency in which he is an elector for a ballot paper for voting by postal ballot; and every such application shall specify the name of the elector, his address and his serial number in the electoral roll.

(3) The Returning Officer shall immediately upon the receipt of an application by an elector under sub-section (2) send by post to such elector a ballot paper and an envelope bearing on its face a form of certificate of posting, showing the date thereof, to be filled in by the proper official of the Post Office at the time of posting by the elector.

(4) An elector on receiving his ballot paper for voting by postal ballot shall record his vote in the prescribed manner and, after so recording, post the ballot paper to the Returning Officer in the envelope sent to him under sub-section (3), so as to reach the Returning Officer before the consolidation of results by him.

**30. Ballot Boxes.**—(1) The Returning Officer shall provide each Presiding Officer with such number of ballot boxes as may be necessary.

(2) The ballot boxes shall be of such material and design as may be approved by the Commission.

(3) Not more than one ballot box shall be used at a time for the purpose of the poll at any polling station, or at any polling booth, where there are more than one polling booths at a polling station.

(4) Before the time fixed for the commencement of the poll, the Presiding Officer shall—  
(a) ensure that every ballot box to be used is empty;

(b) show the empty ballot box to the contesting candidates and their election agents or polling agents whoever may be present, and record their statements in this behalf in the prescribed form and obtain their signatures on them;

(c) after the ballot box has been shown to be empty, close and seal it with his own seal and with the seal of such of the candidates, or their election agents or polling agents as may be present and may desire to put their own seals on it; and

(d) place the ballot box so as to be conveniently accessible to the electors, and at the same time within his view and within the view of such candidates or their election agents or polling agents as may be present.

(5) If one ballot box is full or cannot further be used for receiving ballot papers, the Presiding Officer shall seal that ballot box with his own seal and with the seals of the candidates or their polling agents who may wish to seal it and keep it in a secure place in the polling station and use another ballot box in the manner laid down in sub-section(4).

(6) A Presiding Officer shall make such arrangements at the polling station that every elector may be able to secretly mark his ballot paper before folding and inserting it in the ballot box.

**31. Admission to the polling station.**—The Presiding Officer shall, subject to such instructions as the Commission may give in this behalf, regulate the number of electors to be admitted to the polling station at a time and shall exclude from the polling station all other persons except—

(a) any person on duty in connection with the election;

(b) the contesting candidates, their election agents and polling agents; and

(c) such other persons as may be specifically permitted by the Returning Officer.

**32. Maintenance of order at the polling station.**—(1)The Presiding Officer shall keep order at the polling station and may remove or cause to be removed any person who misconducts himself at a polling station or fails to obey any lawful orders of the Presiding Officer.

(2) Any person removed under sub-section (1)from a polling station shall not, without the permission of the Presiding Officer, again enter the polling station during the poll and shall, if he is accused of an offence in polling station, be liable to be arrested without warrant by a Police Officer.

(3) The powers under this section shall be so exercised not to deprive an elector of an opportunity to cast his vote at the polling station at which he is entitled to vote.

**33. Voting procedure.**—(1)Where an elector presents himself at the polling station to vote, the Presiding Officer shall issue a ballot paper to the elector after satisfying himself about the identity of the elector and shall, for that purpose, require the elector to produce his identity card provided for in the National Registration Act,1973 (LVI of 1973) [**or issued under the National Database and Registration Authority Ordinance, 2000 (VIII of 2000)**].

(2) Before a ballot paper is issued to an elector—

(a) [\*\*\*\*] Omitted.

(b) the number and name of the elector as entered in the electoral roll shall be called out;

(c) the entry relating to the elector on the electoral roll shall be struck off to indicate that a ballot paper has been issued to him;

(cc) he shall be required to receive a personal mark, made with indelible ink, on any finger of either hand as indicated by the Commission;

(d) the ballot paper shall be stamped on its back with the official mark and signed by the Presiding Officer; and

(e) the Presiding Officer shall record on the counterfoil of the ballot paper the number of the elector on the electoral roll the number of National Identity Card of the elector, stamp it with the official mark, sign it and obtain on it the thumb impression of the elector.

(3) A ballot paper shall not be issued to a person who-

(a) fails or refuses to produce his identity card provided for in the National Registration Act,1973 (LVI of 1973) [**or issued under the National Database and Registration Authority Ordinance,2000 (VIII of 2000)**];-

(b) [\*\*\*\*] Omitted.

(c) refuses to put his thumb impression on the counterfoil or whose thumb bears traces of its having already been used for putting an impression; or

(d) refuses to receive the personal mark with indelible ink or who already bears such a mark or traces of such a mark.

(4) If a contesting candidate or his election agent or polling agent alleges that an elector to whom a ballot paper is about to be issued already has one or more ballot papers in his possession, the Presiding Officer may require the elector to satisfy him that he does not have any other ballot paper in his possession and may also take such measures as he thinks fit to ensure that such elector does not insert more than one ballot paper in the ballot box.

(5) On receiving the ballot paper, the elector shall—

(a) forthwith proceed to the place reserved for marking the ballot paper;

(b) put the prescribed mark on the ballot paper at any place within the space containing the name and symbol of the contesting candidate for whom he wishes to vote; and

(c) after he has so marked the ballot paper, fold and insert it in the ballot box.

(6) The elector shall vote without undue delay and shall leave the polling station immediately after he has inserted his ballot paper in the ballot box.

(7) Where an elector is blind or is otherwise so incapacitated that he cannot vote without the assistance of a companion, the Presiding Officer shall allow him such assistance and thereupon such elector may do with such assistance anything which an elector is required or permitted to do under this Act.

**34. Tendered ballot papers.**—(1) if a person representing himself to be an elector applies for a ballot paper when another person has already represented himself to be that elector and has voted under the name of the person so applying, he shall be entitled, subject to the provisions of the section to receive a ballot paper (hereinafter referred to as “tendered ballot paper “ in the same manner as any other elector.

(2) A ballot paper issued under sub-section (1) shall, after it has been marked and folded by the elector, be placed in the same condition in separate packet bearing the label “Tendered Ballot Paper “ instead of being placed in the ballot box and shall not be included in the count by the Presiding Officer or the Returning Officer.

(3) The name of the person applying for a ballot paper under sub-section (1) and his number on the electoral roll shall be entered in a list (hereinafter referred to as “the tendered votes list “) to be prepared by the Presiding Officer.

**35. Challenge of electors.**—(1) If, at the time a person applies for ballot paper for the purpose of voting, a candidate or his polling agent declares to the Presiding Officer that he has reasonable cause to believe that person has already voted at the election, at the same or another polling station, or is not the person against whose name entered in the electoral roll he is seeking to vote, and undertakes to prove the charge in a court of law and deposits with the Presiding Officer in cash a sum of two rupees, the Presiding Officer may, after warning the person of the consequences and obtaining on the

counterfoil, his thumb impression and if he is literate also his signature issue a ballot paper (hereinafter referred to as "challenged ballot paper ")to that person.

(2) If the Presiding Officer issues a ballot paper under sub-section (1)to such person he shall enter the name and address of that person in a list to be prepared by him (hereinafter referred to as "the challenged votes list ")and obtain thereon the thumb impression and, if he is literate, also the signature of that person.

(3) A ballot paper issued under sub-section (1) shall, after it has been marked and folded by the elector, be placed in the same condition in a separate packet bearing the label "Challenged Ballot Papers ",instead of being placed in the ballot box.

**36. Spoilt ballot paper.**—(1)An elector who has inadvertently so spoilt his ballot paper that it cannot be used as a —valid ballot paper may, upon proving the fact of inadvertence to the satisfaction of the Presiding Officer and returning the ballot paper to him, obtain another ballot paper and cast his vote by such other ballot paper.

(2) The Presiding Officer shall forthwith cancel the ballot paper returned to him under sub-section (1),make a note to that effect on the counterfoil over his own signatures and sign the cancelled ballot paper, and place it in a separate packet bearing the label "Spoilt Ballot Papers ".

**37. Voting after close of poll.**—No person shall be given any ballot paper or be permitted to vote after the hour fixed for the close of the poll, except the persons who at that hour are present within the building, room, tent or enclosure in which the polling station is situated and have not voted but are waiting to vote.

**38. Proceedings at the close of poll.**—(1)The Presiding Officer shall count the votes immediately after the close of the poll in the presence of such of the contesting candidates, election agents and polling agents as may be present.

(2) The Presiding Officer shall give such of the contesting candidates, election agents and polling agents as may be present reasonable facility of observing the count and give them such information with respect thereto as can be given consistent with the orderly conduct of the count and the discharge of his duties in connection therewith.

(3) No person other than the Presiding Officer, the Polling Officer, any other person on duty in connection with the poll, the contesting candidates, their election agents and polling agents shall be present at the count.

(4)The Presiding Officer shall

(a) open the used ballot box or ballot boxes and count the entire lot of ballot papers taken out therefrom;

(b) open the packet bearing the label "Challenged Ballot Papers "and count them;

(c) count, in such manner as may be prescribed, the-votes cast in favour of each contesting candidate excluding from the count the ballot papers which bear



- (i) no official mark and signature of the Presiding Officer ;
- (ii) any writing or any mark other than the official mark, the signature of the Presiding Officer and the prescribed mark or to which a piece of paper or any other object of any kind has been attached ;
- (iii) no prescribed mark to indicate the contesting candidate for whom the elector has voted; or
- (iv) any mark from which it is not clear for whom the elector has voted:

Provided that a ballot paper shall be deemed to have been marked in favour of a candidate if the whole or more than half of the area of the prescribed mark appears clearly within the space containing the name and symbol of that candidate and, where the prescribed mark is divided equally between two such spaces, the ballot paper shall be deemed invalid.

(5) The Presiding Officer may recount the votes

- (a) of his own motion if he considers it necessary; or
- (b) upon the request of a contesting candidate or an election agent present if, in his opinion, the request is not unreasonable.

(6) The valid ballot papers cast in favour of each contesting candidate shall be put in separate packets and each such packet shall be sealed and shall contain a certificate as to the number, both in letters and figures, of the ballot papers put in it and shall also indicate the nature of the contents thereof, specifying the name and symbol of the contesting candidate to whom the packet relates.

(7) The ballot papers excluded from the count shall be put in a separate packet indicating thereon the total number both in letters and figures of the ballot papers, contained therein.

(8) The packets mentioned in sub-sections (6) and (7) shall be put in a principal packet which shall be sealed by the Presiding Officer.

(9) The Presiding Officer shall, immediately after the count, prepare a statement of the count in such form as may be prescribed showing therein the number of valid votes polled by each contesting candidate and the ballot papers excluded from the count.

(10) The Presiding Officer shall also prepare in the prescribed form a ballot paper account showing separately

- (a) the number of ballot papers entrusted to him;
- (b) the number of un-issued ballot papers;
- (c) the number of ballot papers taken out of the ballot box or boxes and counted;

- (d) the number of tendered ballot papers;
- (e) the number of challenged ballot papers; and
- (f) the number of spoilt ballot papers.

(11) The Presiding Officer shall give a certified copy of the statement of the count and the ballot paper account to such of the candidates, their election agents or polling agents as may be present and obtain a receipt for such copy.

(12) The Presiding Officer shall seal in separate packets—

- (a) the un-issued ballot papers;
- (b) the spoilt ballot papers;
- (c) the tendered ballot papers;
- (d) the challenged ballot papers;
- (e) the marked copies of the electoral rolls;
- (f) the counterfoils of used ballot papers;
- (g) the tendered votes list;
- (h) the challenged votes list; and
- (i) such other papers as the Returning Officer may direct.

(13) The Presiding Officer shall obtain on each statement and packet prepared under this section the signature of such of the contesting candidates or their election agents or polling agents as may be present and, if any such person refuses to sign, the Presiding Officer shall record that fact.

(14) A person required to sign a packet or statement under sub-section (13) may, if he so desires, also affix his seal to it.

(15) After the close of the proceedings under the foregoing subsections, the Presiding Officer shall, in compliance with such instructions as may be given by the Commission in this behalf cause the packets, the statement of the count and the ballot paper account prepared by him to be sent to the Returning Officer together with such other records as the Commission may direct.

**39. Consolidation of results.**—(1) The Returning Officer shall give the contesting candidates and their election agents a notice in writing of the day, time and place fixed for the consolidation of the results, and, in the presence of such of the contesting candidates and election agents as may be present consolidate in the prescribed manner the results of the count furnished by the Presiding Officers, including therein the postal ballots received by him before the time aforesaid.

(2) The consolidation proceedings shall be held without any avoidable delay as soon as possible after the polling day.

(3) Before consolidating the results of the count, the Returning Officer shall examine the ballot papers excluded from the count by the Presiding Officer and, if he finds that any such ballot paper should not have been so excluded, count it as a ballot paper cast in favour of the contesting candidate for whom the vote has been cast thereby.

(4) The Returning Officer shall also count the ballot papers received by him by post in such manner as may be prescribed and include the votes cast in favour of each contesting candidate in the consolidated statement except those which he may reject on any of the grounds mentioned in sub-section (4) of section 38.

(5) The ballot papers rejected by the Returning Officer under sub-section (4) shall be shown separately in the consolidated statement.

(6) The Returning Officer may recount the ballot papers-

(a) upon the request of, or challenge in writing made by, a contesting candidate or his election agent, if the Returning Officer is satisfied that the request or the challenge is reasonable; or

(b) if so directed by the Commission, in which case the recount shall be held in such manner and at such place as may be directed by the Commission.

**40. Resealing of packets and supply of copies.**—The Returning Officer shall-

(a) immediately after preparing the consolidated statement and the return of election, reseal in the prescribed manner the packets and statements opened by him for the purpose of consolidation, permitting such of the candidates and their election agents as may be present to sign the packets and affix their seals to such packets; and

(b) supply duly attested copies of the consolidated statement and the return of election to such of the candidates and their election agents as may be present.

**41. Equality of votes.**—(1) Where, after consolidation of the results of the count under section 39, it appears that there is equality of votes between two or more contesting candidates and the addition of one vote for one such candidate would entitle him to be declared elected, the Returning Officer or the Commission, as the case may be, shall forthwith draw a lot in respect of such candidates and the candidate on whom the lot falls shall be deemed to have received the highest number of votes entitling him to be declared elected.

(2) The lot shall be drawn in the presence of such of the contesting candidates and their election agents as may be present.

(3) The Returning Officer or the Commission, as the case may be, shall keep, record of the proceedings and obtain thereon the signature of such of the candidates and election agents as have been witness to the proceedings, and if any such person refuses to sign, such fact shall be recorded.

**42. Declaration of results.**—(1) The Returning Officer shall, after obtaining the result of the count under section 39 or of the drawal of the lots under section 41, intimate the results of the count to the Commission which shall declare by public notice the contesting candidate who has or is deemed to have received the highest number of votes to be elected.

(2) The public notice shall contain the name of, and the total number of votes received by, each contesting candidate as a result of consolidation under section 39 or as a result of drawal of lots under section 41.

(3) The Returning Officer shall, immediately after the count, submit to the Commission a copy of the consolidated statement in the prescribed form.

**[(3A) Every returned candidate shall, within ten days from the poll of an election, submit a return of election expenses in accordance with the provisions of section 50.]**

(4) The Commission shall publish in the official Gazette the name of the returned candidate.

[Provided that the result of a returned candidate shall not be published who fails to submit the return of expenses specified in subsection (3A)].

**[42A. Yearly submission of statements of assets and liabilities.]**(1) Every member shall, on a form prescribed under clause (f) of sub-section (2) of section 12, submit a statement of assets and liabilities of his own, his spouse and dependents annually to the Commission by the thirtieth day of September each year.

(2) The statements of assets and liabilities submitted under sub-section (1) shall be published in the official Gazette and copies thereof may be obtained on payment of prescribed fee.

(3) The Commissioner shall, by the fifteenth day of October each year; notify the names of the members who fail to file statements of assets and liabilities within the period specified in sub-section (1) and by an order, direct that such member shall cease to function till such statement is submitted.

(4) Where a member submits the statement of assets and liabilities under sub-section (1) which is found to be false in material particulars, he may be proceeded against under section 82 for committing the offence of corrupt practice.]

**43. Return or forfeiture of deposit.**—(1) After the termination of the proceedings relating to an election under section 18 where the proceedings have been so terminated and the contesting candidate does not want to utilize his security deposit for a subsequent election, or after the declaration of the result of an election under section 20 or section 42 the deposit made under section 13, in respect of any candidate shall be returned to the person making it or to his legal representative, except the deposit in respect of a candidate who has received less than one-eighth of the total number of votes cast at the election.

Provided that a deposit shall not be required to be returned after six months of the termination of the proceedings or, as the case may be, the declaration of the result of the election, as aforesaid.

(2) A deposit which is not required to be returned under sub-section (1) shall be forfeited to the Federal Government.

**44. Documents to be sent to, and retained by, the Commission.**—The Returning Officer shall forward to the Commission

(a) the packets containing the ballot papers each of which shall be sealed with the seal of the Presiding Officer, or, if opened by the Returning Officer, with the seal of the Returning Officer;

(b) the packets containing the counterfoils of issued ballot papers;

(c) the packets containing the marked copies of the electoral rolls;

(d) the packets containing the ballot paper account;

(e) the packets containing the tendered ballot papers, the challenged ballot papers, the tendered votes list and the challenged votes list; and

(f) such other papers as the Commission may direct.

(2) The Returning Officer shall endorse in each packet forwarded under sub-section (1) the description of its contents, the date of the election to which the contents relate and the name and number of the constituency for which the election was held.

(3) The Commission shall retain the documents contained in the packets received under subsection (1) for a period of one year from the date of their receipt and thereafter shall, unless otherwise directed by a Tribunal, cause them to be destroyed.

**45. Public inspection of documents.**—The documents retained by the Commission under section 44, except the ballot papers, shall be open to public inspection at such time and subject to such conditions as may be prescribed, and the Commission shall, upon an application made in this behalf and on payment of such fee and subject to such conditions as may be prescribed, furnish copies of, or extracts from, those documents.

**46. Order for production of documents.**—(1) A Tribunal may order the opening of packets of counterfoils and certificates or the inspection of any counted ballot papers.

(2) An order under sub-section (1) may be made subject to such conditions as to persons, time, place and mode of inspection, production of documents and opening of packets as the Tribunal making the order may think expedient Provided that in making and carrying into effect an order for the inspection of counted ballot papers, care shall be taken that no vote shall be disclosed until it has been held by the Tribunal to be invalid.

(3) Where an order is made under sub-section (1), the production by the Commission of any document in such manner as may be directed by the order shall be conclusive

evidence that the document relates to the election specified in the order and any endorsement on any ballot papers or packet of ballot papers or documents so produced shall be prima facie evidence that the ballot papers or documents are what the endorsement states them to be.

(4) The production from proper custody of a ballot paper purporting to have been used at an election and of a numbered counterfoil bearing the signature or thumb impression of the elector shall be prima facie evidence that the elector whose vote was given by that ballot paper was the elector who had on the electoral rolls the same number as was written on the counterfoil.

(5) Save as is provided in this section no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the Commission.

## CHAPTER V-A

### ELECTION TO RESERVED SEATS

**47A. Party lists for reserved seats, etc.**—(1) For the purpose of election to seats reserved for women and non-Muslims in the National Assembly and Provincial Assemblies, the political parties contesting election for such seats shall, within the period fixed by the Election Commission for submission of nomination papers, file separate lists of their candidates in order of priority for seats reserved for women and non-Muslims with the Chief Election Commissioner or, as he may direct, with the Provincial Election Commissioner, who shall forthwith cause such lists to be published for information of the public at large.

(2) The parties' lists referred to in clause (1) may contain as many names of additional candidates as a political party may deem necessary for contesting seats reserved for women and non-Muslims to provide for any disqualification of candidates during scrutiny of nomination papers or for filling of any vacant seat during the terms of National Assembly and Provincial Assemblies, as the case may be.

(3) Where a seat reserved for women or non-Muslims in the National Assembly or a Provincial Assembly falls vacant for death, resignation or disqualification of a member, it shall be filled in by the next person in order of precedent from the party's list of the candidates submitted to the Election Commission under clause (1).

(4) Every candidate contesting election on a seat reserved for women or non-Muslims shall, alongwith the nomination papers and other relevant documents, submit to the Returning Officer appointed by the Election Commission in this behalf

(a) a copy of the party list of the candidate 's political party for such seats;

(b) declarations and statements as required by law or rules in support of the nomination;  
and

(c) the fee required under any law for the time being in force for filing nomination papers.]

**CHAPTER VI****ELECTION EXPENSES**

[48. Definitions.-For the purpose of this Act, "election expenses " means any expenditure incurred before, during and after an election or payment made, whether by way of gift, loan, advance, deposit or otherwise, for the arrangement, conduct or benefit of, or in connection with or incidental to the election of a candidate, including the expenditure on account of issuing circulars or publications, but does not include the deposit made under section 13.

49. Restriction on election expenses.—(1)No person other than the candidate shall incur any election expenses of such candidate:

Provided that where any person incurs any election expenses on behalf of such candidate, whether for stationery, postage, telegrams, advertisement, transport or for any other item whatsoever, such expenses shall be deemed to be the election expenses incurred by the candidate himself.

(2) The election expenses of a contesting candidate shall not exceed, in the case of an election to a seat in the National Assembly, one million and five hundred thousand rupees and, in the case of an election to a seat in a Provincial Assembly, one million rupees.

(3) A candidate shall, through bills, receipts and other documents, vouch for every payment made in respect of election expenses, except where the amount is less than five hundred rupees.

50. Return of election expenses.—(1)Every contesting candidate, other than the returned candidate, shall submit the return of his election expenses within thirty days of the publication of the name of the returned candidate.,

(2) The return of election expenses of the returned candidate referred to in sub-section (3A) of section 42 and of every contesting candidate referred to in sub-section (1) shall be submitted to the Returning Officer in the prescribed form containing –

(a) a statement of all payments made by him together with all bills and receipts;

(b) a statement of all disputed claims;

(c) a statement of all unpaid claims, if any; and

(d) a statement of all moneys, securities or equivalent of money received from, or spent, by any person for the benefit of the candidate, specifying the name of every such person.

(3) The returns submitted under sub-section (2) shall be accompanied by an affidavit of the candidate in the prescribed form.

51. Inspection of returns, etc.—(1)The returns and documents submitted under section 50 shall be kept by the Returning Officer in his office or at such other convenient place as he may think fit and shall, during one year from the date of their receipt by him, be open to inspection by any person on payment of the prescribed fee.

(2) The Returning Officer shall, on an application made in this behalf and payment of the prescribed fee, give any person copies of any return or document kept under sub-section (1)].

## **CHAPTER VII**

### **ELECTION DISPUTES**

52. Election petition.—No election shall be called in question except by an election petition made by a candidate for that election (hereafter in this Chapter referred to as the petitioner).

(2) An election petition shall be presented to the Commissioner within forty-five days of the publication in the official gazette of the name of the returned candidate and shall be accompanied by a receipt showing that the petitioner has deposited at any branch of the National Bank of Pakistan or at a Government Treasury or sub-Treasury in favour of the Commissioner, under the prescribed head of account, as security for the costs of the petition, a sum of one thousand rupees:

53. Presentation of petition.—(1)An election petition shall be presented by a petitioner and shall be deemed to have been presented

(a) when it is delivered in person to the Secretary to the Commission or to such other officer as may be appointed by the Commission in that behalf —

(i) by the petitioner; or

(ii) by a person authorized in writing in this behalf by the petitioner; or

(b) when delivered by registered post to the Secretary to the Commission or to such other officer as aforesaid.

(2) An election petition, if sent by registered post, shall be deemed to have been presented in time if it is posted within the period specified in sub-section (2)of section 52.

54. Parties to the petition.—The petitioner shall join as respondents to his election petition—

(a) all contesting candidates; and

(b) any other candidate against whom any allegation of any corrupt or illegal practice is made and shall serve personally or by registered post on each such respondent a copy of the petition.



Explanation.-In this section and in the following provisions of this chapter, "corrupt or illegal practice" means a "corrupt practice" or an "illegal practice" within the meaning of Chapter VIII.

55. Contents of petition.—(1) Every election petition shall contain

- (a) A precise statement of the material facts on which the petitioner relies;
- (b) full particulars of any corrupt or illegal practice or other illegal act alleged to have been committed, including as full a statement as possible of the names of the parties alleged to have committed such corrupt or illegal practice or illegal act and the date and place of the commission of such practice or act; and
- (c) the relief claimed by the petitioner.

(2) A petitioner may claim as relief any of the following declarations, namely:

- (a) that the election of the returned candidate is void;
- (b) that the election of the returned candidate is void and that the petitioner or some other person has been duly elected; or,
- (c) that the election as a whole is void.

(3) Every election petition and every schedule or annex to that petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Act V of 1908), for the verification of pleadings.

56. Procedure on receipt of petition by the Commissioner.—(1) If the Commissioner finds that any provision of section 52, section 53 or section 54 has not been complied with, the petition shall be dismissed forthwith.

(2) If an election petition is not dismissed under sub-section (1), the Commissioner shall refer it for trial to a Tribunal.

57. Appointment of Tribunal.—(1) For the trial of election petitions under this Act, the Commissioner shall appoint as many Election Tribunals as may be necessary.

(2) An Election Tribunal shall consist of a person who has been, or is, or, at the time of his retirement as a District and Sessions Judge, was qualified to be, a Judge of a High Court.

58. Power to transfer petition.—The Commissioner, either of his own motion or on an application made in this behalf by any of the parties, may, at any stage, transfer an election petition from one Tribunal to another Tribunal and the Tribunal to which the election petition is so transferred

(a) shall proceed with the trial of the petition from the stage from which it is transferred; and

(b) may, if it thinks fit, recall and examine any of the witnesses already examined.

**59. Place of trial.**—The trial of an election petition shall be held at such place or places as the Tribunal may think fit.

**60. Advocate-General to assist the Tribunal.**—The Advocate-General for a Province shall, if a Tribunal so requires, assist the Tribunal at the hearing of an election petition in such manner as it may require.

**61. Appearance before Tribunal.**—Any appearance, application or act before a Tribunal may be made or done by a party in person or by an advocate or any other person entitled or allowed to plead in any civil court and duly appointed to act on his behalf:

Provided that the Tribunal may, where it considers it necessary, direct any party to appear in person.

**62. Procedure before Tribunal.**—(1) Subject to the provisions of this Act and the rules, every election petition shall be tried in accordance with the procedure laid down by the Election Commission.

(2) Subject to the provisions of this Act, the Evidence Act, 1872 (I of 1872), shall apply for the trial of an election petition.

(3) The Tribunal may, at any time, upon such terms and on payment of such fee as it may direct, allow a petition to be amended in such manner as may, in its opinion, be necessary for ensuring a fair and effective trial and for determining the real questions at issue, so however that no new ground of challenge to the election is permitted to be raised.

(4) At any time during the trial of an election petition, the Tribunal may call upon the petitioner to deposit such further sum by way of security, in addition to the sum deposited under section 52, as it may think fit.

**63. Dismissal of petition during trial.**—The Tribunal shall dismiss an election petition, if

(a) the provisions of section 54 or section 55 have not been complied with; or

(b) if the petitioner fails to make the further deposit required under subsection (4) of section 62.

**64. Power of the Tribunal.**—The Tribunal shall have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908, (Act V of 1908), and shall be deemed to be a civil court within the meaning of sections 476, 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

**65. Further provision relating to evidence and witnesses.**—(1) Notwithstanding anything to the contrary contained in any other law for the time being in force, no document shall be inadmissible in evidence at the trial of an election petition only on the ground that it is not duly stamped or registered.

(2) No witness shall be excused from answering any question as to any matter in issue, or relevant to a matter in issue, in the trial of an election petition upon the ground that the answer to such question may incriminate or tend to incriminate him or that it may expose or tend to expose him to any penalty or forfeiture; but no witness shall be required or permitted to state for whom he has voted at an election.

(3) A witness who answers truly all questions which he is required to answer shall be entitled to receive a certificate of indemnity from the Tribunal and an answer given by him to a question put by or before the Tribunal shall not, except in the case of any criminal proceeding for perjury in respect of his evidence, be admissible in evidence against him in any civil or criminal proceedings.

(4) A certificate of indemnity granted to any witness under sub-section (3) may be pleaded by him in any court and shall be a full and complete defence to or upon any charge under Chapter IXA of the Pakistan Penal Code (Act LXV of 1860), or under this Act, arising out of the matters to which such certificate relates, but it shall not be deemed to relieve him from any disqualification in connection with an election imposed by any law for the time being in force.

(5) The reasonable expenses incurred by any person in attending to give evidence may be allowed to him by the Tribunal and shall, unless the Tribunal otherwise directs, be deemed to be part of the costs.

**66. Recrimination where seat is claimed.**—(1) Where in an election petition a declaration is claimed that a candidate other than the returned candidate has been duly elected, the returned candidate or any other party may produce evidence to prove that the election of such other candidate would have been declared void had he been the returned candidate and had a petition been presented calling his election in question:

Provided that the returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he or it has, within the fourteen days next following the commencement of the trial, given notice to the tribunal of his intention so to do and has also deposited the security referred to in section 52.

(2) Every notice referred to in sub-section (1) shall be accompanied by a statement of the case, and all the provisions relating to the contents, verification, trial and procedure of an election petition, or to the security deposit in respect of an election petition, shall apply to such a statement as if it were an election petition.

**67. Decision of the Tribunal.**—(1) The Tribunal may, upon the conclusion of the trial of an election petition, make an order

(a) dismissing the petition;

(b) declaring the election of the returned candidate to be void;

(c) declaring the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been duly elected; or

(d) declaring the election as a whole to be void.

[(IA)The Election Tribunal shall proceed with the trial of the election petition on day to day basis and the decision thereof shall be taken within four months from its receipt:

Provided that where the delay in the proceedings is occasioned by any act or omission of a returned candidate or any other person acting on his behalf, the Tribunal shall refer to the Commissioner that such candidate may be declared by the Commission to have ceased to perform the functions of his office either till the conclusion of the proceedings or for such period as the Commission may direct.]

(2) Save as provided in sub-section (3), the decision of a Tribunal on an election petition shall be final.

[(3) Any person aggrieved by a decision of the Tribunal may, within thirty days of the announcement of the decision, appeal to the Supreme Court and the decision of the Supreme Court on such appeal shall be final.

Explanation.-In this sub-section, "decision of the Tribunal " shall not be deemed to include an order made by the Commission in the exercise of its powers under section [103AA.]

68. Ground for declaring election of returned candidate void.—(1)The Tribunal shall declare the election of the returned candidate to be void if it is satisfied that

- (a) the nomination of the returned candidate was invalid; or
- (b) the returned candidate was not, on the nomination day, qualified for, or was disqualified from, being elected as a member; or
- (c) the election of the returned candidate has been procured or induced by any corrupt or illegal practice; or
- (d) a corrupt or illegal practice has been committed by the returned candidate or his election agent or by any other person with the connivance of the candidate or his election agent.

(2) The election of a returned candidate shall not be declared void on the ground

- (a) that any corrupt or illegal practice has been committed, if the Tribunal is satisfied that it was not committed by, or with the consent or connivance of that candidate or his election agent and that the candidate and the election agent took all reasonable precaution to prevent its commission; or
- (b) that any of the other contesting candidates was, on the nomination day not qualified for or was disqualified from, being elected as a member.

69. Ground for declaring a person other than a returned candidate elected.-The Tribunal shall declare the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been duly elected, if it is so claimed by the petitioner or any of the respondents and the Tribunal is satisfied that the petitioner or such other contesting candidate was entitled to be declared elected.

70. Ground for declaring election as a whole void.—The Tribunal shall declare the election as a whole to be void if it is satisfied that the result of the election has been materially affected by reason of

- (a) the failure of any person to comply with the provisions of the Act or the rules; or
- (b) the prevalence of extensive corrupt or illegal practice at the election.

71. Decision in case of equality of votes.—(1) Where, after the conclusion of the trial, it appears that there is an equality of votes between two or more contesting candidates and the addition of one vote for one such candidate would entitle him to be declared elected, the Tribunal shall draw a lot in respect of such candidates and the candidate on whom the lot falls shall be deemed to have received the highest number of votes entitling him to be declared elected.

(2) Before proceeding to draw a lot under sub-section (1), the Tribunal shall give notice to the contesting candidates between whom there is an equality of votes and shall proceed to draw a lot on the day and at the time and place stated in the notice:

Provided that, if the contesting candidates are present when it appears that there is an equality of votes between them, the Tribunal may proceed forthwith to draw a lot without giving notice as aforesaid.

72. Other provisions relating to Tribunal.—(1) An order of the Tribunal under section 67 shall take effect on the date on which it is made and shall be communicated to the Commissioner who shall publish it in the official Gazette.

(2) The Tribunal shall after an election petition has been disposed of, forward the record thereof to the Commissioner who shall retain it for a period of five years from the date of its receipt and shall thereafter cause it to be destroyed.

73. Withdrawal of petition.—(1) An election petition may be withdrawn-

- (a) before the Tribunal has been appointed, by leave of the Commissioner; and
- (b) after a Tribunal has been appointed, by leave by the Tribunal.

(2) Where leave is granted by the Tribunal, the petitioner shall be ordered to pay the costs incurred by the respondents to the election petition or such portion thereof as the Tribunal may direct.

74. Abatement on death of petitioner.—(1) An election petition shall abate on the death of a sole petitioner or of the sole survivor of several petitioners.

(2) Where a petition abates under sub-section (1) after a Tribunal has been appointed, notice of the abatement shall be given by the Tribunal to the Commissioner.

75. Death or withdrawal of respondent.—If, before the conclusion of the trial of an election petition, a respondent dies or gives notice in the prescribed form that he does not intend to contest the petition, and no respondent remains to contest the petition, the

Tribunal shall, without any further hearing, or after giving such person as it may think fit an opportunity of being heard, decide the case ex-parte.

76. Failure of petitioner to appear.—Where, at any stage of the trial of an election petition, no petitioner makes an appearance, the Tribunal may dismiss the petition for default, and make such order as to costs as it may think fit.

32[76A. Additional powers of Election Tribunal.—(1)If an Election Tribunal, on the basis of any material coming to its knowledge from any source or information laid before it, is of the opinion that a returned candidate was a defaulter of loan, taxes, government dues or utility charges, or has submitted a false or incorrect declaration regarding payment of loans, taxes, government dues or utility charges, or has submitted a false or incorrect statement of assets and liabilities of his own, his spouse or his dependents under section 12, it may, on its own motion or otherwise, call upon such candidate to show cause why his election should not be declared void and, if it is satisfied that such candidate is a defaulter or has submitted false or incorrect declaration or statement, as aforesaid, it may, without prejudice to any order that may be, or has been made on an election petition, or any other punishment, penalty or liability which such candidate may have incurred under this Act or under any other law for the time being in force, make an order—

(a) declaring the election of the returned candidate to be void ;and

(b) declaring any other contesting candidate to have been duly elected.

(2) If on examining the material or information referred to in sub-section (1),an Election Tribunal finds that there appear reasonable grounds for believing that a returned candidate is a defaulter or has submitted a false or incorrect declaration referred to in sub-section (1) it may, pending decision of the motion under subsection (1),direct that the result of the returned candidate shall not be published in the official Gazette.

(3) No order under sub-section (1) or sub-section (2)shall be made unless the returned candidate is provided an opportunity of, being heard.

77. Order as to costs.—(1)The Tribunal shall when making an order under section 67,also make an order determining in its discretion the costs and specifying the persons by and to whom such costs are to be paid.

(2) If, in any order as to costs under sub-section (1)there is a direction for the payment of costs by any party to any person, such costs shall, if they have not already, been paid, be payable in full and shall, upon application in writing in that behalf made to the Tribunal within six months of the order by the person to whom costs have been awarded, be paid, as far as possible, out of the security for costs deposited by such party.

(3) Where no costs have been awarded against a party who has deposited security for costs, or where no application for payment of costs has been made within the aforesaid six months, or where a residue remains after costs have been paid out of the security, such security or the residue thereof, as the case may be, shall, upon application in writing authorized by the person who made the deposit or by his ‘ legal representative, be returned by the Tribunal to the person making the application.

(4) Any order for costs maybe enforced upon application in writing made to the principal civil court of original jurisdiction of the district in which the person from whom the costs arc to be recovered resides or owns property, or of the district in which the constituency, or any part of the constituency, to which the disputed election relates is situate., as if such order were a decree passed by that court:

Provided that no proceeding shall be brought under this sub-section except in respect of costs which have not been recovered by an application under subsection (2).

## CHAPTER VIII

### OFFENCE, PENALTY AND PROCEDURE

**78. Corrupt practice.**—A person is guilty of corrupt practice if he

[(1). Contravenes the provisions of section 49;]

(2) is guilty of bribery, personation or undue influence;

(3) makes or publishes a false statement

[or submits false or incorrect declaration in any particular material ]

(a) concerning the personal character of a candidate or any of his relation calculated to adversely affect the election of such candidate or for the purpose of promoting or procuring the election of another candidate, unless he proves that he had reasonable grounds for believing, and did believe, the statement to be true;

(b) relating to the symbol of a candidate whether or not such symbol has been allocated to such candidate; 35[\*\*]

(c) regarding the withdrawal of a candidate; 34[or ]

[(d) in respect of his educational qualifications, assets and liabilities, or any liability with regard to payment of loans or adherence to party affiliation specified in sub-section (2) of section 12.].

(4) calls upon or persuades any person to vote, or to refrain from voting, for any candidate on the ground that he belongs to a particular religion, province, community, race, caste, bradari, sect or tribe;

(5) knowingly, in order to support or oppose a candidate, lends, employs, hires, borrows or uses any vehicle or vessel for the purposes of conveying to or from the polling station any elector except himself and members of his immediate family; or

(6) causes or attempts to cause any person present and waiting to vote at the polling station to depart without voting.

79. Bribery.—A person is guilty of bribery, if he, directly or indirectly, by himself or by any other person on his behalf—

(1) receives or agrees to receive or contracts for any gratification for voting or refraining from voting, or for being or refraining from being a candidate at, or for withdrawing from, an election;

(2), gives, offers or promises any gratification to any person—

(a) for the purpose of inducing—

(i) a person to be, or to refrain from being, a candidate at an election;

(ii) an elector to vote, or refrain from voting, at an election; or

(iii) a candidate to withdraw from an election; or

(b) for the purpose of rewarding—

(i) a person for having been, or for having refrained from being, a candidate at an election;

(ii) an elector for having voted or refrained from voting at an election; or

(iii) a candidate for having withdrawn from an election.

Explanation.—In this section, “gratification “ includes a gratification in money or estimable in money and all forms of entertainment or employment.

80. Personation.—A person is guilty of personation, if he votes, or applies for a ballot paper for voting, as some other person whether that other person is living or dead or fictitious.

80A. Penalty for adversely affecting the interests of candidate.—Whoever, as a proposer, or in a fictitious name as a proposer, willfully does any act which he is prohibited by law from doing, or omits to do any act which he is required by law to do, or makes any entry in a nomination form which is not correct, or subscribes to a nomination form a signature which is not genuine, and thereby adversely affects the interests of any person as a candidate, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both.

81. Undue influence.—A person is guilty of undue influence, if he-

(1) in order to induce or compel any person to vote or refrain from voting, or to offer himself as a candidate, or to withdraw his candidature, at an election, directly or indirectly, by himself or by any other person on his behalf

(a) makes or threatens to make use of any force, violence or restraint;



- (b) inflicts or threatens to inflict any injury, damage, harm or loss;
- (c) calls down or threatens to call down divine displeasure or the displeasure or disapprobation of any saint or pir;
- (d) gives or threatens to give any religious sentence;
- (e) uses any official influence or governmental patronage; or
- (f) maligns the Armed Forces of Pakistan.

(2) on account of any person having voted or refrained from voting, or having offered himself as candidate or having withdrawn his candidature, does any of the acts specified in clause (1);or

(3) directly or indirectly, by himself or by any other person on his behalf,

(a) uses any place of religious worship, or any place reserved for the performance of religious rites, for the purpose of canvassing for votes or for persuading electors to vote, or not to vote, at an election or for a particular candidate; or

(b) for any of the purposes specified in sub-clause (a),by words, spoken or written, or by signs or visible representation, publishes anything or does any act prejudicial to the glory of Islam or the integrity, security or defence of Pakistan or any part thereof; or

(4) by abduction, duress or any fraudulent device or contrivance—

(a) impedes or prevents the free exercise of the franchise by an elector; or

(b) compels, induces or prevails upon any elector to vote or refrain from voting.

Explanation.-In this section, “harm” includes social ostracism or excommunication or expulsion from any caste or community.

82. Penalty for corrupt practice.—Any person guilty of corrupt practice shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both.

[82A.Capturing of polling station and polling booth, etc:-Whoever-

(a) seizes of polling station or a place fixed for the poll or makes polling authorities surrender the ballot papers or ballot box or both and doing of any other act which affects the orderly conduct of elections;

(b) takes possession of a polling station or a place for the poll and allows his supporters to exercise their right to vote and prevent others from free exercise of their right to vote;

(c) coerces, intimidates or threatens directly or indirectly any elector and prevents him from going to the polling station or a place fixed for the cast of his vote; or

(d) being in the service of Government or corporations or institutions controlled by the Government of all or any of the aforesaid activities or aids or connives at, any such activity in the furtherance of the prospects of the election of a candidate,

shall be guilty of any offence punishable with imprisonment for a term which shall not be less than three years and may extend to five years and with fine which shall not be less than fifty thousand rupees and may extend to one hundred thousand rupees or with both.]

83. Illegal practice.—(1) A person is guilty of illegal practice if he—

[(a) fails to comply with the provisions of section 50;]

(b) obtains or procures or attempts to obtain or procure, the assistance of any person in the service of Pakistan to further or hinder the election of a candidate;

(c) votes or applies for a ballot paper for voting at an election knowing that he is not qualified for, or is disqualified from, voting;

(d) votes or applies for a ballot paper for voting more than once in the same polling station;

(e) votes or applies for a ballot paper for voting in more than one polling station for the same election;

(f) removes a ballot paper from a polling station during the poll; or

(g) knowingly induces or procures any person to do any of the aforesaid acts.

(2) Any person guilty of illegal practice shall be punishable with 38[imprisonment for a term which may extend to six months and fine which may extend to five] thousand rupees..

[83 A. Prohibition of affixing hoardings, etc.—(1) No person or apolitical party shall affix posters, hoardings or banners larger than the sizes prescribed by the Election Commission-

Provided that such posters, hoardings or banners shall not be affixed nor parties flags shall be hoisted on any public property or at any public place, except with the permission in writing from, and on payment of such fee or charges as may be chargeable by, the concerned local government or authorities.

(2) Wall-chalking as part of an election campaign is prohibited in all forms.

(3) Loudspeakers shall not be used for election campaign except at the election meetings.

(4) The Zila Nazim and the Returning Officer shall be responsible for the effective implementation of the provisions of this section.

(5) The contravention of the provisions of sub-sections (1),(2)and (3)shall be punishable with imprisonment of a term not exceeding one year, or with fine, or with both.]

84. Prohibition of public meetings, etc., during certain period.—(1)No person shall convene, hold or attend any public meeting, and no person shall promote or join in any procession, within the area of any constituency during a period of forty-eight hours ending at midnight following the conclusion of the poll for any election in that constituency.

(2) Any person who contravenes the provisions of sub-section (1)shall be punishable with rigorous imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

85. Prohibition of canvassing in or near polling station.—A person is guilty of an offence punishable with fine which may extend to one thousand rupees if he, within a radius of four hundred yards of the polling station, on the polling day-

(1) canvasses for votes;

(2) solicits the vote of any elector;

(3) persuades any elector not to vote at the election or for a particular candidate; or

(4) exhibits, except with the permission of the Returning Officer and at a place reserved for the candidate or his election agent beyond the radius of one hundred yards of the polling station, any notice, sign, banner or flag designed to encourage the electors to vote or discourage the electors from voting, for any contesting candidate.

**86. Disorderly conduct near polling station.**—A person is guilty of an offence punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both, if he, on the polling day-

(1) uses, in such manner as to be audible within the polling station, any gramophone, magaphone, loudspeaker or other apparatus for reproducing or amplifying sounds;

(2) persistently shouts in such manner as to be audible within the polling station;

(3) does any act which

(a) disturbs or causes annoyance to any elector visiting a polling station for the purpose of voting; or

(b) interferes with the performance of the duty of a Presiding Officer, Assistant Presiding Officer, Polling Officer or any person performing any duty at a polling station; or.

(4) abets the doing of any of the aforesaid acts.

86A. Certain offences triable by officers authorised by the Commission.—Notwithstanding anything contained in the Code of Criminal Procedure,1898 (Act V of

1898), an officer for the time being exercising the powers of a civil or criminal court, or an officer of the Armed Forces, or an officer performing a duty in connection with an election, who is authorized by the Commission in this behalf may

(a) exercise the powers of a Magistrate of the first class under the said Code in respect of the offences punishable under section 80 [Section 82A] [Section 83,] section 84,,section 85,section 86 and section 87;and

(b) take cognizance of any such offence under any of the clauses of subsection (1) of section 190 of the said Code;

and shall try any such offence in a summary way in accordance with the provisions of the said Code relating to summary trials.

87. Tampering with papers.—(1)Except as provided in subsection (2).a person is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, if he

(a) intentionally defaces or destroys any nomination paper, ballot paper or official mark on a ballot paper;

(b) intentionally takes out of the polling station any ballot paper or puts into any ballot box any ballot paper other than the ballot paper he is authorized by law to put in;

(c) without due authority,-

(i) supplies any ballot paper to any person;

(ii) destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers in use for the purpose of election; or

(iii) breaks any seal affixed in accordance with the provisions of this Act;

(d) forges any ballot paper or official mark; or

(e) causes any delay or interruption in the beginning, conduct or completion of the procedure required to be immediately carried out on the close of the poll.

(2) A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer or any other officer or clerk on duty in connection with the election who is guilty of an offence under sub-section (1);shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

88. Interference with the secrecy of voting.—A person is guilty of an offence punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees, or with both if he—

(a) interferes or attempts to interfere with an elector when he records his vote;

(b) in any manner obtains or attempts to obtain in a polling station information as to the candidate for whom an elector is about to vote or has voted; or

(c) communicates at any time any information obtained in a polling station as to the candidate for whom an elector is about to vote or has voted.

**89. Failure to maintain secrecy.**—A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, or polling officer,

or any candidate, election agent or polling agent attending a polling station or any person attending at the counting of votes is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, if he—

(a) fails to maintain or aid in maintaining the secrecy of voting;

(b) communicates, except for any purpose authorized by any law to any person before the poll is closed any information as to the official marks; or

(C) communicates any information obtained at the counting of votes as to the candidate for whom any vote is given by any particular ballot paper.

**90. Officials not to influence voters.**—A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, Polling Officer or any other officer or clerk performing a duty in connection with an election, or any member of a police force, is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, if he, in the conduct or management of an election or maintenance of order at a polling station,-

(a) persuades any person to give his vote;

(b) dissuades any person from giving his vote;

(c) influences in any manner the voting of any person; or

(d) does any other act calculated to influence the result of the election.

**91. Breaches of official duty in connection with election.**—A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer or any other person employed by any such officer in connection with his official duties imposed by or under this Act, is guilty of an offence punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees or with both, if he, willfully and without reasonable cause, commits breach of any such official duty, by act or omission.

**92. Assistance by Government servant.**—A person in the service of Pakistan is guilty of an offence punishable with imprisonment for a term which may extend to two year, or with fine which may extend to two thousand rupees, or with both, if he misuses his official position in a manner calculated to influence the results of the election.

93. Certain Powers of a Police Officer.—A Police Officer may

(a) arrest without warrant, notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), any person-

(i) who, commits personation or an offence under section 86 if the Presiding Officer directs him to so arrest such person;

(ii) who, being removed from the polling station by the Presiding Officer under section 32 commits any offence at the polling station.

(b) remove any notice, sign, banner or flag used in contravention of section 85; and

(c) seize any instrument or apparatus used in contravention of section 86 and take such steps, including use of force, as may be reasonable necessary for preventing such contravention.

94. Certain offences cognizable.—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under 42[section 80A ] or section 82 or section 85 or subsection (1) of section 87 shall be a cognizable offence.

43[(2) Notwithstanding anything contained in this Act or any other law for the time being in force, the offences of corrupt practice shall be tried by the Sessions Judge and an appeal against his order shall lie before a Division Bench of the High Court.

(3) Where proceedings against a person for being involved in corrupt practice are initiated on a complaint made by a private individual, and such person is convicted by the court and his conviction is maintained in final appeal, the complainant may be entitled to such reward payable out of the amount of fine as may be imposed by the court.

Provided that where such complaint proves to be false, malafide or is made for any ulterior motive to provide benefit to another person, the complainant shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.]

95. Prosecution of offences by public officers.—(1) No Court shall take cognizance of an offence punishable under sub-section (2) of section 87, section 89, section 90, section 91 or section 92 except upon a complaint in writing made by order of or under authority from, the Commission or the Commissioner.

(2) The Commission or the Commissioner shall, if it or he has reason to believe that any offence specified in sub-section (1) has been committed, cause such enquiries to be made or prosecution to be instituted as it or he may think fit.

(3) An offence specified in sub-section (1) shall be exclusively triable by the Court of Session within the Jurisdiction of which the offence is committed.

(4) In respect of an offence specified in sub-section (1), section 494 of the Code of Criminal Procedure, 1898 (Act V of 1898), shall have effect as if, after the word and comma "may," therein, the words "if so directed by the Chief Election Commissioner and " were inserted.

96. Court proceedings relating to election expenses.—The Commission shall direct the Returning Officer to launch proceedings in the appropriate court against persons who contravene the provisions of section 49 or fails to comply with the provisions of section 50.

97. Court to report convictions to the Commission.—A Court convicting any person for an offence punishable under this Chapter, other than corrupt practice, shall send a report to the Commission of such conviction together with its recommendations, if any, considering the special circumstances of any case, for the mitigation or remission of any disqualification incurred by such person under this Act.

98. Punishment under this Chapter not in derogation of any other liability.—Any punishment imposed on any person for an offence punishable under this Chapter shall be in addition to, and not in derogation of, any liability incurred by such person under any other provision of this Act.

## CHAPTER IX

### DISQUALIFICATIONS

99. Qualifications and disqualifications.—(1)A person shall not be qualified to be elected or chosen as a member of an Assembly unless

(a) he is a citizen of Pakistan;

[(b) he is, in the case of National Assembly, not less than twenty-five years of age and is enrolled as a voter in any electoral roll:

(i) in any part of Pakistan, for election to a general seat and minority seat; and

(ii) in a Province, from where such person seeks membership for election to a seat reserved for women];

(c) he is, in the case of Provincial Assembly, not less than twenty-five years of age and is enrolled as a voter in any electoral roll [as a voter in any area in a Province from where he seeks membership for ] that Assembly;

[(cc) he is at least a graduate, possesses a bachelor 's degree in any discipline or any degree recognized as equivalent thereto by the University Grants Commission under the University Grants Commission Act,1974 (XXIII of 1974),or any other law for the time being in force;]

(d) he is of good character and is not commonly known as one who violates Islamic Injunctions ;

(e) he has adequate knowledge of Islamic teachings and practices obligatory duties prescribed by Islam as well as abstains from major sins ;

(f) he is sagacious, righteous and non-profligate and honest and her ;

(g) he has not been convicted for a crime involving moral turpitude or for giving false evidence; and

(h) he has not, after the establishment of Pakistan, worked against the integrity of the country or opposed the ideology of Pakistan:

Provided that the disqualifications specified in clauses (d) and (e) shall not apply to a person who is a non-Muslim, but such a person shall have good moral reputation.

(IA) A person shall be disqualified from being elected as, and from being, a member of an Assembly, if

(a) he is of unsound mind and has been so declared by a competent court; or

(b) he is an un-discharged insolvent; or

(c) he ceases to be a citizen of Pakistan, or acquires the citizenship of a foreign State; or

(d) he holds an office of profit in the service of Pakistan other than an office declared by law not to disqualify its holder; or

(e) he is in the service of any statutory body or any body which is owned or controlled by the Government or in which the Government has a controlling share or interest; or

(f) being a citizen of Pakistan by virtue of section 14B of the Pakistan Citizenship Act, 1951 (11 of 1951), he is for the time being disqualified under any law in force in Azad Jammu and Kashmir from being elected as a member of the Legislative Assembly of Azad Jammu and Kashmir; or

(g) he is propagating any opinion, or acting in any manner, prejudicial to the Ideology of Pakistan, or the sovereignty, integrity or security of Pakistan, or morality, or the maintenance of public order, or the integrity or independence of the judiciary of Pakistan, or which defames or brings into ridicule the judiciary or the Armed Forces of Pakistan, or

[(h) has been convicted by a court of competent jurisdiction on a charge of corrupt practice, moral turpitude or misuse of power or authority under any law for the time being in force; or

(i) has been dismissed from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a local government on grounds of misconduct or moral turpitude; or

(j) has been removed or compulsorily retired from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a local government on grounds of misconduct or moral turpitude; or ]

(k) he has been in the service of Pakistan or of any statutory body or any body which is owned or controlled by the Government or in which the Government has a controlling share or interest, unless a period of two years has elapsed since he ceased to be in such service; or



(l) he is found guilty of a corrupt or illegal practice under any law for the time being in force, unless a period of five years has elapsed from the date on which that order takes effect; or

(m) he, whether by himself or by any person or body of persons in trust for him or for his benefit or on his account or as a member of a Hindu undivided family has any share or interest in a contract, not being a contract between a cooperative society and Government, for the supply of goods to, or for the execution of any contract or for the performance of any service undertaken by, Government Provided that the disqualification under this clause shall not apply to a person

(i) where the share or interest in the contract devolves on him by inheritance or succession or as a legatee, executor or administrator, until the expiration of six months after it has so devolved on him;

(ii) where the contract has been entered into by or on behalf of a public company as defined in the Companies Ordinance, 1984 (XLV II of 1984), of which he is a shareholder but is not a director holding an office of profit under the company; or

(iii) where he is a member of a Hindu undivided family and the contract has been entered into by any other member of that family in the course of carrying on a separate business in which he has no share or interest; or

Explanation.-In this section "goods " does not include agricultural produce or commodity grown or produced by him or such goods as he is, under any directive of Government or any law for the time being in force, under a duty or obligation to supply;

(o) he holds any office of profit in the service of Pakistan other than the following offices, namely:

(i) an office which is not whole time office remunerated either by salary or by fee;

(ii) the office of Lumbardar, whether called by this or any other title;.

(iii) the Qaumi Razakars;

(iv) any office the holder whereof, by virtue of such office, is liable to be called up for military training or military service under any law providing for the constitution or raising of a Force; or

(p) having, whether by himself or by any person in trust for him or for his benefit or on his account, any share or interest in a contract for

(i) the supply of goods to, or

(ii) the execution of any work, or the performance of any service, undertaken by, the Government, or a local authority or an autonomous body in which the Government has a controlling share or interest, he does not, after his election as a member but within thirty days of his making oath as such make a declaration in writing to the Commission that he

has such share or interest, unless a period of five years has elapsed since his failure to do so; or

(q) being a managing agent, manager or secretary of, or holding any other office carrying the right to remuneration in, any company or corporation (other than a cooperative society) in the capital of which the Government has not less than twenty-five per cent share or which is managed by the Government, he does not, after his election as a member but within thirty days of his making oath as such, make a declaration in writing to the Commissioner that he is such managing agent, manager or secretary, or holds such office, unless a period of five years has elapsed since his failure to do so; or

(r) has been convicted and sentenced to imprisonment for having absconded by a competent court under any law for the time being in force ;or

(s) has obtained a loan for an amount of two million rupees or more, from any bank, financial institution, cooperative society or cooperative body in his own name or in the name of his spouse or any of his dependents, which remains unpaid for more than one year from the due date, or has had such loan written off; or

(t) he or his spouse or any of his dependents is in default in payment of government dues or utility expenses, including telephone, electricity, gas and water charges of an amount in excess of ten thousand rupees, for over six months, at the time of filing of nomination papers of such person.]

Explanation I.-In this sub-section, service of Pakistan has the same meaning as in Article 260.

(2) If a person, having been elected to an Assembly as a candidate or nominee of a political party, withdraws himself from that party, he shall, from the date of such withdrawal, be disqualified from being a member of the Assembly for the unexpired period of his term unless he has been re-elected at a bye election held after his disqualification.

100. Disqualification on account of certain offences.—(1) where a person has been convicted for having exceeded the limit of election expenses laid down by section 49 or having failed to file the return of election expenses in accordance with section 50 or for any other offence under this Act, or has been found guilty of any corrupt or illegal practice by a Tribunal, he shall, if the Commissioner makes an order to that effect, be disqualified, for such period not exceeding five years as may be specified in the order from being or being elected as, a member of an Assembly.

(2) Where a person has been convicted for an offence punishable under section 171 J of the Pakistan Penal Code (Act XLV of 1860), he shall be disqualified for a period of seven years from being, or being elected as, a member of an Assembly.

101. Disqualifications for being election agent.—Any person who is for any period disqualified under section 100 for being, or being elected as, a member of an Assembly shall also stand disqualified for that period for being appointed as an election agent.

102. [\*\*\*\*] Omitted.

**CHAPTER X****MISCELLANEOUS**

103. Commission to ensure fair election, etc.—Save as otherwise provided, the Commission may

(a) stop the polls at any stage of the election if it is convinced that it shall not be able to ensure the conduct of the election justly, fairly and in accordance with law due to large scale malpractices, including coercion, intimidation and pressures, prevailing at the election:

(b) review an order passed by an officer under this Act or the rules, including rejection of a ballot paper; and

(c) issue such instructions and exercise such powers, and make such consequential orders, as may in its opinion, be necessary for ensuring that an election is conducted honestly, justly and fairly, and in accordance with the provisions of this Act and the rules.

103A. Power of Commission to punish for contempt.—The Commission shall have the same power as the High Court has to punish any person for contempt of court and the Contempt of Court Act, 1976 (XLIV of 1976), shall have effect accordingly as if reference therein to a “court “ and to a “judge “ were a reference, respectively, to the “Commission” and the Commissioner or, as the case may be, a member of the Commission.

103AA. Power of Commission to declare a poll void.—(1) Notwithstanding anything contained in this Act, if, from facts apparent on the face of the record and after such summary inquiry as it may deem necessary, the Commission is satisfied that, by reason of grave illegalities or violation of the provisions of this Act or the rules, the poll in any constituency ought to be declared void, the Commission may make a declaration accordingly and, by notification in the official Gazette, call upon that constituency to elect a member in the manner provided for in section 108.

(2) Notwithstanding the publication of the name of a returned candidate under sub-section (4) of section 42, the Commission may exercise the powers conferred on it by sub-section (1) before the expiration of sixty days after such publication; and, where the Commission does not finally dispose of a case within the said period, the election of the returned candidate shall be deemed to have become final, subject to a decision of a Tribunal.

(3) While exercising the powers conferred on it by sub-section (1), the Commission shall be deemed to be a Tribunal to which an election petition has been presented and shall, notwithstanding anything contained in Chapter VII, regulate its own procedure.

103B. [\*\*\*\*] Omitted.

104. Directions of Commission in certain matters.—Anything required to be done for carrying out the purpose of this Act, for which no provision or no sufficient provision exists shall be done by such authority and in such manner as the Commission may direct.

105. Jurisdiction of courts barred.—No court shall question the legality of any action taken in good faith by or under the authority of the Commission, the Commissioner, a Returning Officer, Presiding Officer or an Assistant Presiding Officer or any decision given by any of them or any other officer or authority appointed under this Act or the rules.

106. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Commission, the Commissioner or any officer or other person in respect of anything which is in good faith done or intended to be done under or in pursuance of this Act or of any rule or order made or any direction given there under.

107. Power to make rules.—The Commission may with the approval of the President, make rules for carrying out the purposes of this Act.

108. Bye-elections, etc.—(1)When the seat of a member becomes vacant, the Commissioner shall, by notification in the official Gazette, call upon the constituency concerned to elect a person to fill the seat for such constituency before such date as may be specified in the notification, and thereupon the provisions of this Act and the rules shall apply, as far as may be to the election to fill such seat:

Provided that, notwithstanding anything contained in subsection '(1)of section 11,the days for the several stages of an election shall be such as may be specified in the aforesaid notification.

(2) For the purpose of holding an election to fill a casual vacancy in an Assembly, and, during the period when a Commission does not stand constituted for the purpose of section 107,reference in this Act to the Commission shall be construed as reference to the Commissioner.

109. Repeal.—The National and Provincial Assemblies (Election)Ordinance,1970 (XIII of 1970)and the National and Provincial Assemblies (Elections to Reserved Seats) Act,1976 (XVIII of 1976),are hereby repealed in their application to the elections to which this Act applies.

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**THE REPRESENTATION OF THE PEOPLE  
(CONDUCT OF ELECTION) RULES, 1977**

**CHAPTER 1**

**PRELIMINARY**

1. **Short title and commencement:-** These rules may be called the Representation of the People (Conduct of Election) Rules, 1977.

(2) They shall come into force at once.

2. **Definitions.-** In these rules, unless there is anything repugnant in the subject or context,-

- (a) "Act" means the Representation of the People Act, 1976 (LXXXV of 1976);
- (b) "Article" means Article of the Constitution;
- (c) "Form" means a form appended to these rules and includes a translation thereof into any language as may be approved by the Commission.
- (d) "Publish", with its grammatical variations, includes exhibition at a place accessible to the public;
- (e) "Section" means section of the Act; and
- (f) <sup>1</sup>[Voter", in relation to a seat reserved for women-
  - i. in the Nation Assembly, means a member elected to a seat in that Assembly from the Province to which the seat relates;
  - ii. in a Provincial Assembly, means a member elected to a seat in that Assembly;

and, for the purpose of an election to fill a casual vacancy in a seat reserved for women in an Assembly, includes, in the case of the National Assembly a member elected to a seat reserved as aforesaid from the Province to which the seat the vacancy in which is to be filled relates and, in the case of a Provincial Assembly, a member elected to a seat reserved in that Assembly for women.]

**CHAPTER II**

**CONDUCT OF ELECTIONS TO THE MUSLIM SEATS**

3. **Nomination Paper.-** (1) A nomination paper by which the proposal is made under section 12 shall be in Form 1 for general seats, in Form 1A for the seats reserved for non-Muslims and in Form 1B for the seats reserved for women.

4. **Security deposits for nomination.-** (1) The Returning Officer shall maintain a register in Form II in which he shall enter the particulars of every cash deposit made to him under section 13 or of the bank draft accompanying a nomination paper.

(2) Receipt of a cash deposit or of a bank draft, as the case may be by the Returning Officer shall be acknowledged in form III and the amount received in cash or through bank draft shall be deposited by him at a Government Treasury or Sub-Treasury.

(3) The Head of account for the purpose of deposit at a branch of the State Bank of Pakistan or the National Bank of Pakistan or at a Government Treasury or Sub-Treasury shall <sup>1</sup>[3000000-Deposits and Reserves-B-Not Bearing Interest-3500000-Departmental and Judicial Deposits-3501000-Civil Deposits-3501010-Deposits in connection with elections.]

(4) The return of a deposit which is required to be refunded under sub-section (1) of section 43 shall be authorized under the seal and signature of the Returning Officer.

5. **Appeal against <sup>1</sup>[acceptance or] rejection of nomination by the Returning Officer.-** (1) An appeal under sub-section (5) of section 14 may be <sup>2</sup>[presented] by the candidate himself or by an elector who has filed an objection to the nomination of a candidate or by person authorized in this behalf in writing by the candidate or, as the case may be, such elector.

(2) The appeal shall be addressed to the Tribunal constituted for the constituency to which the nomination relates.

(3) An appeal shall be in the form of a memorandum which shall state the date of <sup>1</sup>[acceptance or] rejection of the nomination and the grounds of appeal and <sup>3</sup>[\*\*\*] shall be accompanied by a certified copy of the order <sup>3</sup>[accepting or] rejecting the nomination.

(4) The memorandum of appeal shall be submitted in <sup>4</sup>[quadruplicate].

(5) <sup>3</sup>[\*\*\*]

<sup>4</sup>[(6) If the appeal is allowed, the Returning Officer shall revise the list of validly nominated candidates accordingly.]

6. **List of validly nominated candidates.-** (1) The list of validly nominated candidates prepared under section 15 shall be drawn up in Form IV soon after the scrutiny of the nomination papers.

(2) The Returning Officer shall publish a copy of the list of validly nominated candidates at some conspicuous place in his office.

(3) In the case of acceptance of an appeal filed under sub-section (5) of section 14, the Returning Officer shall revise the list of validly nominated candidates in accordance

with the decision <sup>5</sup>[in the appeal] and shall publish the list so revised at some conspicuous place in his office.

(4) A copy of the list referred to in sub-rule (1) and also a copy of the list as revised, if any, under sub-rule (3) shall be furnished by the Returning Officer to the Provincial Election Commissioner of the Province concerned and to the Commission.

7. **List of contesting candidates.-** (1) The list of contesting candidates prepared under sub-section (4) of section 16 shall be drawn up in form V.

(2) The names on the list shall be entered in Urdu, in the alphabetical order <sup>1</sup>[xxxx] indicating against the name of each contesting candidate the symbol allocated to him.

(3) The Returning Officer shall publish the list of contesting candidates at some conspicuous place in his office and furnish a copy thereof to the Provincial Election Commissioner of the Province concerned and the Commission and also to each of the contesting candidates.

8. **Declaration of results after scrutiny.-** The result of an uncontested election shall not be declared under sub-section (1) of section 20 unless the Returning Officer has ascertained in writing from the Commission that no appeal has been filed against the rejection of any nomination paper or that, if an appeal has been filed, no nomination rejected by the Returning Officer has been accepted on such appeal.

9. **Symbol.-** <sup>2</sup>(1) A candidate may be allocated under subsection (1) of section 21 any one of the following symbols, namely;

- |                    |                     |
|--------------------|---------------------|
| 1. Arrow           | 2. Axe              |
| 3. Bat             | 4. Bell             |
| 5. Bicycle         | 6. Boat             |
| 7. Bottle          | 8. Bowl             |
| 9. Bridge          | 10. Book            |
| 11. Brush          | 12. Bucket          |
| 13. Bulb           | 14. Bunch of Grapes |
| 15. Bus            | 16. Butterfly       |
| 17. Candle         | 18. Car             |
| 19. Cap            | 20. Chiragh (Lamp)  |
| 21. Chair          | 22. Charpai         |
| 23. Clock          | 24. Coat            |
| 25. Comb           | 26. Cow             |
| 27. Cup and Saucer | 28. Dove            |
| 29. Elephant       | 30. Fan             |
| 31. Fist           | 32. Fish            |
| 33. Flower Vase    | 34. Foot Ball       |
| 35. Fountain       | 36. Garland         |
| 37. Ghulail        | 38. Gun             |
| 39. Hand Pump      | 40. Hammer          |
| 41. Helicopter     | 42. Horse           |
| 43. Hukkah         | 44. Inkpot with pen |
| 45. Iron           | 46. Jug             |
| 47. Kite           | 48. Knife           |

- |                     |                            |
|---------------------|----------------------------|
| 49. Trowel (Krandi) | 50. Ladder                 |
| 51. Lantern         | 52. Letter Box             |
| 53. Lock            | 54. Lota                   |
| 55. Loudspeaker     | 56. Mountain               |
| 57. Persian Wheel   | 58. Peshawari Chappal      |
| 59. Pitcher         | 60. Planner                |
| 61. Racket          | 62. Railway Engine         |
| 63. Ricksha         | 64. Ring                   |
| 65. Roller of Wood  | 66. Rose                   |
| 67. Scissors        | 68. Scooter                |
| 69. Sewing Machine  | <sup>1</sup> [69A.] Sickle |
| 70. Spade           | 71. Saw                    |
| 72. Spectacles      | 73. Spinning Wheel         |
| 74. Suitcase        | 75. Stage                  |
| 76. Tumbler         | 77. Table                  |
| 78. Table Lamp      | 79. Takhti                 |
| 80. Tap             | 81. Teapot                 |
| 82. Telephone       | 83. Television             |
| 84. Tiger           | 85. Tonga                  |
| 86. Tongs           | 87. Tractor                |
| 88. Tree            | 89. Truck                  |
| 90. Turban          | 91. Umbrella               |
| 92. Well            | 93. Wheel                  |
| 94. Whistle         | 95. Wrist Watch            |
| 96. Waist Coat      | 97. Aeroplane              |
| 98. Alumah          | 99. Apple                  |
| 100. Banana         | 101. Basket                |
| 102. Bed            | 103. Black Board           |
| 104. Buck           | 105. Bullock Cart          |
| 106. Camel          | 107. Cat                   |
| 108. Corn           | 109. Crescent              |
| 110. Crown          | 111. Door                  |
| 112. Drum           | 113. Duck                  |
| 114. Eagle          | 115. Egg                   |
| 116. Flower Pet     | 117. Goat                  |
| 118. Gramophone     | 119. Hanger                |
| 120. Hen            | 121. Hockey                |
| 122. House          | 123. Key                   |
| 124. Lady Finger    | 125. Leaf                  |
| 126. Mango          | 127. Map                   |
| 128. Match Box      | 129. Oil Stove             |
| 130. Ostrich        | 131. Parrot                |
| 132. Peacock        | 133. Pen                   |
| 134. Pomegranate    | 135. Rabbit                |
| 136. Radio          | 137. Revolver              |
| 138. Screw          | 139. Slate                 |
| 140. Sparrow        | 141. Star                  |
| 142. Torch          | 143. Tower                 |
| 144. Typewrite      | 145. Water Cooler          |
| 146. Wrench         |                            |



(2) The Commission may allot any one of the symbols specified in sub-rule (1) to any political party <sup>1</sup>[or a combination of two or more political parties who have agreed to put up joint candidates for election] on an application made by it in this behalf.

<sup>2</sup>[(3) The Commission may allot a multiple symbol specified in sub-rule (1) to the candidate in the manner specified in sub-rule (2)].

10. **Appointment of Polling Agents.-** The number of polling agents appointed at a polling station by each contesting candidate under section 23 shall not exceed the number of booths set up at that polling station.

11. **Form of ballot paper.-** (1) Every ballot paper shall be in Form VI and every postal ballot paper in Form VII.

(2) Every ballot paper shall contain the number and name of the constituency to which the ballot paper relates.

(3) The names of the contesting candidates shall be arranged on the ballot paper in the same order as shown on the list of contesting candidates prepared under rule 7.

12. **Issue of postal ballot papers.-** (1) The Returning Officer shall, as soon as practicable, send a postal ballot paper by post to each elector who is entitled to vote by postal ballot under section 29 and who has applied in accordance with sub-section (2) of that section and shall at the same time-

- (a) Enter on the counterfoil of the ballot paper the name of the elector to whom the ballot paper is sent and his serial number on the electoral roll together with the name of the electoral area; and
- (b) Take necessary steps to ensure that the elector is not allowed to vote at a polling station.

(2) Alongwith the ballot paper, the Returning Officer shall send to the elector-

- (a) A declaration in Form VIII;
- (b) A cover in Form IX;
- (c) A large cover addressed to himself in Form X; and
- (d) Instructions for the guidance of the elector in form XI.

(3) Every Officer under whose care or through whom a postal ballot paper is sent shall ensure that the same is delivered to the addressee without delay.

(4) After the ballot papers have been issued to all the electors referred to in sub-rule (1), the Returning Officer shall seal up in a packet the counter-foils of all such ballot papers and record on the packet a brief description of its contents, the name of the constituency and the date on which he seals it.

13. **Recording of votes on postal ballot paper.-** (1) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper by

<sup>1</sup>[writing the name of the candidate of his choice within the blank space provided on the ballot paper.]

(2) In recording the vote, such an elector shall, after complying with the instructions contained in Form XI sent to him under clause (d) of sub-rule (2) of rule 12, put the ballot paper in the cover in Form IX.

(3) The elector shall sign the declaration in form VIII in the presence of Gazetted Officer or a Commissioned Officer to whom he is personally known or to whose satisfaction he has been identified and he shall have his signature attested by such Officer.

**14. Assistance to illiterate or infirm electors casting vote by postal ballot.-** (1) If an elector is illiterate or is unable through physical infirmity to record his vote on a postal ballot paper and sign the declaration in form VIII, he shall be entitled to have his vote recorded and his declaration signed by any Gazetted Officer or Commissioned Officer.

(2) Any such elector may take the ballot paper together with the declaration and the covers received by him to any Gazetted Officer or Commissioned Officer and request such officer to record his vote and sign his declaration on his behalf.

(3) Such Gazetted Officer or Commissioned Officer shall thereupon mark the ballot paper in accordance with the wishes of the elector in his presence and sign the declaration on behalf of the elector and complete the appropriate certificate contained in Form VIII.

**15. Re-issue of postal ballot paper.-** (1) When a postal ballot paper and other papers sent under rule 12 are for any reason returned undelivered the Returning Officer may re-issue them by post or deliver them or cause them to be delivered to the elector personally on a request being made by him.

(2) If any elector has inadvertently dealt with his ballot paper or any of the other papers sent to him under rule 12 in such a manner that they cannot conveniently be used, another ballot paper and such other papers shall be issued to him after he has returned the ballot paper and other papers and satisfied the Returning Officer of the inadvertence.

(3) The Returning Officer shall cancel the ballot papers and other papers so returned and keep them in a separate packet and also note the serial numbers of all such cancelled ballot papers on the packet.

**16. Return of postal ballot paper.-** (1) After an elector has recorded his vote and made his declaration under rule 13, or has his vote recorded and his declaration signed under rule 14, he shall return the ballot paper and his declaration to the Returning Officer in accordance with the instructions communicated to him in form XI.

(2) If any cover containing a postal ballot paper is received by the Returning Officer after the expiry of the time fixed under sub-section (1) of section 39, he shall note thereon the date of its receipt and shall keep all such covers together in a separate packet.

<sup>1</sup>[16A. Statement to be signed by the contesting candidates, etc.- The statement referred to in clause (b) of sub-section (4) of section 30 shall be in Form XI-A.]

17. **Manner of marking the ballot paper.** - (1) The mark to be put under clause (b) of sub-section (5) of section 33 on the ballot paper, at any place within the space containing the name and symbol of the contesting candidate for whom the elector wishes to vote, shall be mark containing squares on a rubber-stamp provided for the purpose by the Presiding Officer at the polling station and no other mark.

(2) No other marking aid or rubber-stamp except the rubber-stamp supplied for the purpose by the Presiding Officer under sub-rule (1) shall be used by the elector for marking his ballot paper.

18. **Manner of marking ballot paper if elector is incapacitated.**- (1) If an elector is totally blind or physically otherwise so incapacitated as to require the help of a companion, the Presiding Officer may allow him to be accompanied by a companion of not less than twenty-one years of age; and, in case the disability is such that the elector cannot mark the ballot paper himself, the person accompanying the elector may mark the ballot paper as indicated by the elector:

Provided that the person allowed to accompany the elector shall not himself be a candidate or an agent of a candidate.

(2) If the ballot paper is to be marked by the companion, the Presiding Officer shall make it clear to him that he must mark the ballot paper for the candidate of the elector's choice and that he must maintain the secrecy of voting by not divulging to any one the elector's choice of candidate.

(3) The Presiding Officer shall maintain a list of electors on whose behalf the ballot papers have been marked by their companions.

19. **Manner of inserting a ballot paper.** – After the ballot paper has been marked by the elector or by the person allowed to mark a ballot paper under rule 18, the elector or such person shall fold the ballot paper, in the screened off compartment so as to conceal his vote and insert it in the ballot box within the view of the Presiding Officer.

20. **Tendered votes.** – (1) The tendered votes list referred to in sub-section (3) of section 34 shall be in Form XII.

(2) The Presiding Officer shall, before issuing a ballot paper to a person referred to in sub-section (1) of section 34, obtain his signature or thumb impression on the form referred to in sub-rule (1).

21. **Challenged votes.**--(1) The challenged votes list referred to in subsection (2) of section 35 shall be in Form XIII.

(2) The Presiding Officer shall soon after the close of the poll hand over against proper receipt such sum as has been deposited with him under sub-section (1) of section 35 to the Returning Officer, who shall deposit the same with the Government Treasury or Sub-Treasury against the head of account <sup>2</sup>[1300000-Miscellaneous

Receipts-1390000- Others-1391000-Other Reccipls-1391800 Other Receipts-(NES)-1391880-Other Receipts-Others (Election Receipts).]

22. **Stray ballot papers.**-If any ballot paper which has been issued to an elector has not been inserted by him into the ballot box but is found anywhere else in or near the polling station, it shall be cancelled and accounted for as "spoilt ballot paper"

23. **Count on close of poll.**-The Presiding Officer shall after taking out the ballot papers from the used ballot box or ballot boxes -

- (a) Separate the ballot papers which are unambiguously marked in favour of a contesting candidate from those which bear –
  - (i) no Official mark and <sup>1</sup>[signature] of the Presiding Officer; or
  - (ii) any writing or any mark other than the official mark, <sup>1</sup>[signature] of the Presiding Officer and the prescribed mark made with the rubber-stamp supplied for the purpose or to which a piece of paper or any other object of any kind has been attached; or
  - (iii) no prescribed mark indicating the contesting candidate for whom the elector has voted; or
  - (iv) any mark from which it is not clear for whom the elector has voted, provided that a ballot paper shall be deemed to have been marked in favour of a candidate if the whole or more than half of the area of the prescribed mark appears clearly within the space containing the name and symbol of that candidate; and where the prescribed mark is divided equally between two such spaces, the ballot paper shall be deemed not to show clearly for whom the elector has voted;
- (b) count separately in respect of each contesting candidate, in the alphabetical order of their names as appearing on the ballot paper, the ballot papers which are unambiguously marked in favour of that candidate and put each lot in a separate packet bearing the name and symbol of the contesting candidate to which it relates;
- (c) count and put in a separate packet the ballot papers mentioned in sub-clauses (i) to (iv) of clause (a);
- (d) open the packet labelled "challenged ballot papers" and count the ballot papers unambiguously marked in favour of each candidate, excluding from the count the ballot papers suffering from any of the defects mentioned in sub-clauses (i) to (iv) of clause (a);
- (e) after the challenged ballot papers have been so counted, the Presiding Officer shall put all such ballot papers as were taken out of the packet labelled "challenged ballot papers" into a separate packet;
- (f) place in each packet a certificate stating the number of ballot papers put therein, and sign and seal each packet;
- (g) obtain on each packet the signature and seal of such of the contesting candidates or their election or polling agents as may desire to sign and seal it; and

- (h) enclose all such packets in a principal packet with a certificate specifying the number of packets enclosed in the principal packet.

24. **Statement of the count by the Presiding Officer.**-The statement of the count under sub-section (9) of section 38 shall be prepared in Form XIV.

25. **Ballot paper account by the Presiding Officer.**-The ballot paper account referred to in sub-section (10) of section 38 shall be prepared in Form XV.

26. **Consolidation of results.**-(1) The Returning Officer shall consolidate in Form XVI the results of the count furnished by the Presiding Officer.

(2) Before consolidating the results, the Returning Officer shall open the packet containing the ballot papers excluded from the count by Presiding Officer as also the packet containing the challenged ballot papers and scrutinise each such ballot papers as was excluded from the count by the Presiding Officer.

(3) If the Returning Officer finds that any ballot paper excluded from the count by the Presiding Officer should not have been so excluded, he shall count it as a valid ballot paper cast in favour of the contesting candidate for whom it was cast:

(4) The Returning Officer shall reject a ballot paper, hereinafter referred to as "rejected ballot paper", recording thereon the fact of such rejection if it suffers from any of the defects mentioned in sub-section (4) of section 38.

(5) If any contesting candidate or election agent objects to the rejection of a ballot paper, the Returning Officer shall add to his endorsement the words "rejection objected to"

(6) In consolidating the results of the count, the Returning Officer shall record the number of valid ballot papers cast in favour of each contesting candidate as shown by the Presiding Officer in the statement of the count, unless the figures thereof have undergone a change as a result of recount under sub-section (6) of section 39, in which case he shall record the figures as arrived at after the recount.

(7) Before recording the number of valid votes in the consolidated statement against the name of each contesting candidate, the number of ballot papers, if any, which were treated by him as valid but had been excluded from the count by the Presiding Officer shall be taken into account, including those treated as valid from the challenged votes.

(8) The ballot papers rejected by the Returning Officer under sub-rule (4) shall be shown separately in the consolidated statement.

(9) The consolidated statement shall be so completed that the figures in respect of one polling station are completed before the incorporation of the figures in respect of any other.

(10) The Returning Officer shall deal with the postal ballot papers in the following manner namely;

- (i) no cover in Form X containing a postal ballot paper received by the Returning Officer after the expiry of the time fixed in that ballot paper shall be counted;
- (ii) the Returning Officer shall close and seal in a separate packet all the packets referred to in sub-rule (2) of rule 16;
- (iii) all other covers in Form X containing postal ballot papers shall then be opened one after another;
- (iv) as each cover is opened, the Returning Officer shall scrutinise the declaration in Form VIII contained therein and shall reject the ballot paper and make an appropriate endorsement on the cover in Form IX without opening the same-
  - (a) if the said declaration is not found in the cover Form X or
  - (b) if the said declaration is substantially defective; or
  - (c) if the serial number of the ballot paper entered in the said declaration differs from 'such number endorsed on the cover in Form IX;
- (v) each cover so endorsed and the declaration received with shall be replaced in the cover in Form X; and all such covers in Form X shall be kept in a separate packet which shall be sealed and on which the following particulars shall be recorded namely:
  - (a) the name of the constituency;
  - (b) the date of counting; and
  - (c) a brief description of its contents;
- (vi) the Returning Officer shall then place all the declarations in Form VIII which he has found to be in order in a separate packet which shall be sealed before any cover in Form IX is opened and on which shall be recorded the particulars referred to in clause (v);
- (vii) all covers in Form IX containing postal ballot papers which have not already been dealt with under the foregoing provisions of this rule shall then be opened one after another and the Returning Officer shall scrutinise each ballot paper and decide the validity of the vote recorded thereby;
- (viii) a postal ballot paper shall be liable to rejection on the grounds mentioned in sub-section (4) of section 38, reference in that sub-section to prescribed mark being construed as reference to cross mark mentioned in sub-rule (1) of rule 13;
- (ix) the Returning Officer shall count all the valid votes given by postal ballot in favour of each contesting candidate and record the total thereof as well as the number polled by each such candidate in the consolidated statement in Form XVI; and

- (x) all valid postal ballot papers shall, after they have been counted, be placed in a separate packet which shall be sealed and on which shall be recorded
  - (a) the name of the constituency;
  - (b) the date of counting; and
  - (c) a brief description of its contents.

**27. Resealing of packets and statements by the Returning Officer.**-(1) The packets and the statements opened by the Returning Officer for the purpose of consolidation under section 39 shall be resealed, as required by section 40, immediately after the consolidation proceedings are over.

(2) All the packets received from the Presiding Officers and not opened, together with those opened and resealed by the Returning Officer, shall be sealed in a bag for each polling station and the bag shall be duly sealed with the seal of the Returning Officer.

(3) The Returning Officer shall allow such of the contesting candidates or their election agents as may be present to sign and affix their seals to each of the packets resealed by the Returning Officer, as also the bag containing those packets.

**28. Result of the count.** (1) The result of the count required to be submitted to the Commission by the Returning Officer under sub-section (1) of section 42 shall be in Form XVII.

(2) The consolidated statement prepared under sub-rule (1) of rule 26 by the Returning Officer together with the result of count referred to in sub-rule (1) shall be sent to the Commission immediately after the count for declaration of the result and publication of the name of the returned candidate in the official Gazette.

**28A. Submission of statement of assets and liabilities.**-The statement of assets and liabilities referred to in section 42A shall be submitted in Form XXI.

**29. Public inspection of documents.**-(1) The documents retained by the Commission under section 44, except the ballot papers, shall be open to public inspection during office hours on payment of a fee at the rate of one rupee for each document.

(2) Copies of, or extracts from the documents mentioned in sub-rule (1) shall be furnished upon an application made by any person on payment of fee at the rate of one rupee for the first two hundred words or a fraction thereof.

(3) Every application for inspection of documents or supply of copies shall be accompanied by court-fee stamps of the requisite value.

**29A. Inspection of documents, etc.**-(1) The Nomination Form, accompanying declaration and statements, including the statement of assets and liabilities submitted under sub-section (2) of section 12 and/or section 42A shall be open to inspection by

the public, during office hours on payment of fee of rupees ten per page in the shape of court fee stamps.

(2) The copies of documents referred to in sub-rule (1) may be supplied to a person, making application in that behalf, on payment of fee of ten rupees per page in the shape of court fee stamps.

**30. Account of election expenses.-**(1) A contesting candidate shall maintain or cause to be maintained a register of receipts and expenditure in Form Will.

(2) The contesting candidate shall, after the publication under section 20 or section 42 of the name of the returned candidate, submit to the Returning Officer an account of election expenses as required by section 50 in Form XVIII.

(3) All vouchers shall accompany the account of election expenses duly arranged according to the date of payment and serially numbered and such serial number shall be entered in the appropriate column of the relevant account.

(4) It shall not be necessary, while rendering account to the Returning Officer to give particulars of the payees in regard to the items of expenditure for which receipts are not required to be obtained under sub-section (5) of section 49.

**31. Affidavit.-**The affidavit referred to in sub-section (2) of section 50 shall be sworn by a candidate in Form XIX.

**32. Fees for inspection of election expenses return, etc.-**(1) The return and documents submitted by a contesting candidate under section 50 shall be open to public inspection at the office of the Returning Officer during office hours on payment of a fee at the rate of one rupee for each document.

(2) Copies of or extract of return or of the documents mentioned in sub-rule (1) shall be furnished upon an application made by any person on payment of a fee at the rate of one rupee for the first two hundred words or a fraction thereof and fifty paise for every additional hundred words or a fraction thereof.

(3) Every application for inspection of the return or of the documents or supply of copies thereof shall be accompanied by court-fee stamps of the requisite value.

**33. Security deposit for presentation of an election petition.-**The head of account for purposes of deposit as security for the costs of an election petition as required to be paid under sub-section (2) of section 52 shall be <sup>1</sup>[3000000 Deposits and Reserves-B-Not Bearing Interest-3500000-Departmental and Judicial Depooints-3501000-Civil Deposits-3501010-Deposits in connection with Elections.]

**34. Withdrawal of respondents.-**A notice under section 75 by a respondent in an election petition shall be in Form XX.

**35. Supply of copies of decisions on petitions <sup>2</sup>[and other documents.]- <sup>3</sup>[(1)** Copies of documents forming part of an election petition presented to the Commissioner and of any interim order or of any order passed under section 56 and of any interim or final order passed by a Tribunal on any election petition may be



furnished to any person by the Commissioner or the Tribunal, as the case may be, on an application in writing.]

(2) The fees for the supply of copies mentioned in sub-rule (1) shall be two rupee for the first two hundred words or a fraction thereof and one rupee for every additional hundred words or a fraction thereof.

(3) Every application for the supply of copies under sub-rule (1) shall be accompanied by court-fee stamps of the requisite value.

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**THE CONDUCT OF GENERAL ELECTIONS ORDER, 2002**

(CHIEF EXECUTIVE'S ORDER NO. 7 OF 2002)

WHEREAS pursuant to the announcement for restoration of democracy by the President on the fourteenth day of August, 2001, it is expedient to provide for the holding of general elections in the country for the election of the members of the National Assembly and the Provincial Assemblies and the matters connected therewith and ancillary thereto;

AND WHEREAS updated electoral rolls are to be prepared and delimitation of constituencies is to be carried out in view of the increase in the number of seats in the Assemblies;

Now, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, and in exercise of all other powers enabling him in that behalf, the Chief Executive of the Islamic Republic of Pakistan is pleased to make and promulgate the following Order:

**1. Short title, extent and commencement.-**

- (1) This Order may be called the Conduct of General Elections Order, 2002.
- (2) It extends to the whole of Pakistan .  
It shall come into force at once.

**2. Definitions.-**

In this Order, unless there is anything repugnant in the subject or context,

- (a) "Chief Election Commissioner,, means the Chief Election Commissioner appointed under the Election Commission (Chief Executive's Order 1 of 2002);
- (b) "Constitution" means the Constitution of the Islamic Republic Pakistan , 1973, which is in abeyance by virtue of the Emergency of the fourteenth day of October, 1999; ["\*]
- (c) "prescribed" means prescribed by rules made under this
- (d) "technocrat" means a person who is the holder of a degree conclusion of at least sixteen years of education, recognized by the University Grants Commission or a recognized statutory body; as well as at least twenty years of experience, including a record of achievement at the national or international level.]

### 3. Order to override other laws:--

The provisions of this Order shall have effect notwithstanding anything contained in the Constitution or in any other law for the time being in force relating to the forthcoming elections to the '[Senate] National Assembly and the Provincial Assemblies.

### 4. Conduct of General Elections.-

Subject to the Election Commission Order, 2002 (C.E.'s Order No. I of 2002) and notwithstanding anything to the contrary contained in the Constitution, the Electoral Rolls Act, 1974 (XXI of 1974), the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), '[die Senate (Election) Act, 1975 (LI of 1975], the Representation of the People Act, 1976 (LXXXV of 1976) and the Houses of Parliament and Provincial Assemblies (Elections) Order, 1977 (PPO No. 5 of 1977), or any other law for the time being in force, the Chief Election Commissioner or, as the case may be, the Election Commission shall take such steps and measures, including preparation of electoral rolls and delimitation of the constituencies, and adopt such procedure, do such acts, pass such orders, issue such directions and take all such ancillary, incidental and consequential steps as may be deemed necessary for effectively carrying out the elections for the members of the '[Senate] National Assembly and Provincial Assemblies in October, 2002.

### 5. Number of seats in the National Assembly.-

(1) There shall be three hundred and forty-two seats of the members in the National Assembly, including seats reserved for women and non-Muslims.

(2) The seats in the National Assembly referred to in clause (1), except as provided in clause (3), are allocated to each Province, the Federally Administered Tribal Areas and the Federal Capital as under:

	<b>General Seats</b>	<b>Women</b>	<b>Total</b>
Baluchistan	14	3	17
Federally Administered			
Tribal Areas	12	-	12
Federal Capital	2	-	2
The North-West .			
Frontier Province	35		43
Punjab	148	35	183
Sindh	61	14	75
<b>Total:</b>	<b>272</b>	<b>60</b>	<b>332</b>

(3) In, addition to, the number of seats, referred to, in clause (2), there shall be in the National Assembly ten seats reserved for non-Muslims as defined in Article 260 of the Constitution.

(4) For the purpose of election to the National Assembly,-

- (a) the constituencies for the election on general seats shall be single member territorial constituencies;
- (b) the members to fill the general seats in the National Assembly shall, be elected by direct and free vote;
- (c) each Province shall be a single 'constituency for all seats reserved for women which are allocated to the respective Provinces under clause (2);
- (d) Provided that for the purpose of this sub-clause the total number of general seats won by a political party shall include the independent returned candidate or candidates who may duly join such political party within three days of the publications in the official Gazette of the names of the returned candidates]
- (e) the members to fill seats reserved for women which are allocated to a Province under clause; (2) shall be elected through proportional representation; system of political parties' lists of candidates specified in Article, 8F on the basis of total number of general seats won by each political party [from the province concerned] in the National Assembly.
- (f) the members to fill seats reserved for non-Muslims under clause (3) shall be elected through proportional representation system of political parties' lists of candidates specified in Article 8F on the basis of total number of general seats won by each political, party
- (g) Provided that for the purpose of this sub-clause the total number of general seats won by a political party shall include the independent returned candidate or candidates who may duly join such political party within three days of the publications in the official Gazette of the names of the returned candidates]

#### 6. **Number of seats in the Provincial Assemblies.-**

(1) Each Provincial Assembly shall consist of general seats and seats reserved for women and non-Muslims as herein below specified:

	<u>General Seats</u>	<u>Women</u>	<u>Non-Muslims</u>	<u>Total</u>
Baluchistan	51	11	3	65
North-West Frontier Province	99	22	3	124
The Punjab	297	66	8	371
Sind	130	29	9	168
Total	577	128	23	728

- (2) For the purpose of election to a Provincial Assembly,-
- (a) the constituencies for the general seats shall be single member territorial constituencies;
  - (b) members to fill the general seats shall be elected by direct and free vote;
  - (c) each Province shall be a single constituency for all seats reserved for women and non-Muslims which are allocated to the respective Provinces under clause (1);
  - (d) the members to fill seats reserved for women and non-Muslims allocated to a Province under clause (1) shall be elected through proportional representation system of political parties' lists of candidates specified in Article 8F on the basis of total number of general seats won by each political party in the Provincial Assembly.

<sup>5</sup>[Provided that for the purpose of this sub-clause the total number of general seats won by a political party shall include the independent returned candidate or candidates who may duly join such political party within three days of the publications in the official Gazette of the names of the returned candidates]

<sup>1</sup>[ 7A. **Age of voters.**

Notwithstanding anything contained in the Constitution or any other law for the time being in force including the Electoral Rolls Act, 1974 (XXI of 1974), for the election of members of the <sup>2</sup>[Senate,] National Assembly and Provincial Assemblies, a citizen who has attained the age of eighteen years on the first day of January, 2002, shall be eligible to vote and the Chief Election Commissioner shall cause the electoral rolls to be prepared accordingly under the provisions of the Electoral Rolls Act, 1974:

Provided that any claim for inclusion of any name or objection against any entry in the electoral roll shall be made to the Revising Authority within 15 days of the publication of the draft electoral roll.]

<sup>3</sup>[7B. **Status of Ahmadis etc. to remain unchanged.**-

Notwithstanding anything contained in the Electoral Rolls Act, 1974 (XXI of 1974), the Electoral Rolls, Rules, 1974, or any other law for the time being in force, including the Forms prescribed for preparation of electoral rolls on joint electorate basis in pursuance of Article 7 of the Conduct of General Elections Order, 2002 (Chief Executive's Order

No. 7 of 2002), the status of Qadiani Group or the Lahori *Group* (who call themselves "Ahmadis" or by any other name) or a person who does not believe in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him), the last of the prophets or claimed or claims to be a Prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon him) or recognizes such a claimant as a Prophet or religious; reformer shall remain the same as provided in the Constitution of the Islamic Republic of Pakistan, 1973.

7C.--If a person has got himself enrolled as voter and objection is filed 'before the Revising Authority notified under the Electoral Rolls, Act, 1974, within ten days from

issuance of the Conduct of General Elections (Second Amendment) Order, 2002, that such a voter is not a Muslim, the Revising Authority shall issue a notice to him to appear before it within fifteen days and require him to sign a declaration regarding his belief about the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him) in Form-IV prescribed under the Electoral Rolls Rules, 1974. In case he refuses to sign the declaration, as aforesaid, he shall be deemed to be a non-Muslim and his name shall be deleted from the joint electoral rolls and added to a supplementary list of voters in the same electoral area as non-Muslim. In case the voter does not turn up in spite of service of notice, an *ex-parte* order may be passed against him.]

حلف نامہ و اقرار نامہ

میں حلفیہ اقرار کرتا / کرتی ہوں کہ خاتم النبیین حضرت محمد صلی اللہ علیہ وسلم کی ختم نبوت پر مکمل اور غیر مشروط طور پر ایمان رکھتا / رکھتی ہوں۔ اور یہ کہ کسی ایسے شخص کا / کی پیروکار نہیں ہوں جو حضرت محمد صلی اللہ علیہ وسلم کے بعد اس لفظ کے کسی بھی مفہوم یا کسی بھی تشریح کے لحاظ سے پیغمبر ہونے کا دعویدار ہو۔ اور نہ ہی میں ایسے دعویدار کو پیغمبر یا مذہبی مصلح مانتا / مانتی ہوں۔ نہ ہی میں قادیانی گروپ یا لالہ ہوری گروپ سے تعلق رکھتا / رکھتی ہوں یا خود کو احمدی کہتا / کہتی ہوں۔

**[The English translation of the above Oath/Undertaking is as follows:**

I believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace be upon him), the last of the prophets and that I am not the follower of any one who claims to be a Prophet in any sense of the word or of any description whatsoever after Prophet Muhammad (Peace be upon him), and that I do not recognize such a claimant to be Prophet or a religious reformer, nor do I belong to the Qadiani group or the Lahori group or call myself an Ahmadi.

**8. [Laws relating to election etc. to apply.](#)**

Notwithstanding anything contained in the Constitution, the Electoral Rolls Act, 1974 (XXI of 1974), the Delimitation of Constituencies Act, 1974 (XXXIV of 1974) <sup>1</sup>[the Senate (Election) Act, 1975 (LI of 1975);] and the Representation of the People Act, 1976 (LXXXV of 1976) and any rules made thereunder, for the time being in force, shall, in so far as they are not inconsistent with any provision of this Order, apply to the preparation and revision of electoral rolls, the delimitation of constituencies, the choosing of a member from the Federal Capital, the appointment of election tribunals and the conduct of elections to the National Assembly and the Provincial Assemblies.

<sup>1</sup>[8A. **Educational qualification for a member of Majlis-e-Shoora (Parliament) and a Provincial Assembly.--**

Notwithstanding anything contained in the Constitution of the Islamic Republic of Pakistan, 1973, the Senate (Election) Act, 1975 (LI of 1975), the Representation of the People Act, 1976 (LXXXV of 1976), or any other law for the time being in force, a person shall not be qualified to be elected or chosen as a member of Majlis-e-Shoora (Parliament) or a Provincial Assembly unless he is at least a graduate possessing a bachelor degree in any discipline or any degree recognized as equivalent by the University Grants Commission under the University Grants Commission Act, 1974 (XXIII of 1974)] 2[or any other law for the time being in force.]

<sup>2</sup>[8B. **Number of seats in Senate.-**

(1) The Senate shall consist of one hundred members of whom-

- (a) fourteen shall be elected by the members of each Provincial Assembly;
- <sup>3</sup>[(b) Eight shall be elected from the Federally Administered tribal Areas, in such manner as the President may, by order, prescribed.
- (c) two on general seats, one woman and one technocrat or aalim shall be elected from the Federal Capital in the manner specified in the Senate (Election of Members from the Federal Capital) Order, 1988 (PO. No. 3 of 1988);
- (d) four women shall be elected by the members of each Provincial Assembly; and
- (e) four shall be elected by the members of each Provincial Assembly to represent technocrats and ulema.  
Explanation.-For the purpose of this Article, the term "technocrats" defined in clause (d)' of Article 2 shall include ulema.

(2) Election to fill seats in the Senate allocated to each Province shall be held in accordance with the system of proportional representation by means of the single transferable vote.

(3) The Senate shall not be subject to dissolution but the term of its members, who shall retire as follows, shall be six years

- (a) of the members referred to in paragraph (a) of clause (1), seven shall retire after the expiration of the first three years and seven shall retire after the expiration of the next three years;
- (b) of the members referred to in paragraph (b) of the aforesaid clause, four shall retire after the expiration of the first three years and four shall retire after the expiration of the next three years;
- (c) of the members referred to in paragraph (c) of the aforesaid clause,

- (i) one elected on general seat shall retire after the expiration of the first three years and the other one shall retire after the expiration of the next three years, and
  - (ii) one elected on the seat reserved for technocrat or, as the case may be, aalim shall retire after first three years and the one elected on the seat reserved for woman shall retire after the expiration of next three years; and
- (d) of the members referred to in paragraph (d) of the aforesaid clause, two shall retire after the expiration of the first three years and two shall retire after the expiration of the next three years; and
- (e) of the members referred to in paragraph (e) of the aforesaid clause, two shall retire after the expiration of the first three years and two shall retire after the expiration of the next three years:

Provided that the term of office' of a person elected to fill a casual vacancy shall be the unexpired term of the member whose vacancy he has filled.

**8D. Qualifications and disqualifications of members of Majlise-Shoora (Parliament) and Provincial Assemblies.-**

(1) In addition to the educational qualification specified in Article 8A, a person shall not be qualified to be elected or chosen as a member of a House of the Majlis-e-Shoora (Parliament) or Provincial Assembly unless -

- (a) he is a citizen of Pakistan;
- (b) he is, in the case of National Assembly, not less than twenty-five years and is enrolled as a voter in
  - (i) any electoral roll for election to a general seat; or a seat reserved for non-Muslims; and
  - (ii) any area in a Province from where he seeks membership for election to a seat reserved for women;
- (c) he is, in the case of Senate, not less than thirty years of age and is enrolled as a voter in any area in a Province or, as the case may be, the Federal Capital or the Federally Administered Tribal Areas, from where he seeks membership;
- (d) he is, in the case of a Provincial Assembly, not less than twenty-five years of age and is enrolled as voter in any area in a Province from where he seeks membership for that Assembly;
- (e) he is of good character and is not commonly known as one who violates Islamic Injunctions;
- (f) he has adequate knowledge of Islamic teachings and practices obligatory duties prescribed by Islam as well as abstains from major sins;
- (g) he is sagacious, righteous and non-profligate and honest and *ameen*;
- (h) he has not been convicted for a crime involving moral turpitude or for giving false evidence;
- (i) he has not, after the establishment of Pakistan , worked against the integrity of the country or opposed the ideology of Pakistan :



Provided that the disqualifications specified in paragraphs (f) and (g) shall not apply to a person who is a non-Muslim, but such a person shall have good moral reputation; and

(j) he possesses such other qualifications as may be prescribed by an Act of Majlis-e-Shoora (Parliament).

**(2) A person shall be disqualified from being elected or chosen as, and from being, a member of Majlis-e-Shoora (Parliament) or a Provincial Assembly, if**

- (a) he is of unsound mind and has been so declared by a competent court; or
  - (b) he is an undischarged insolvent; or
  - (c) he ceases to be a citizen of Pakistan, or acquires the citizenship of a foreign State; or
  - (d) he holds an office of profit in the service of Pakistan other than an office declared by law not to disqualify its holder; or
  - (e) he is in the service of any statutory body or anybody which is owned or controlled by the Government or in which the Government has a controlling share or interests; or
  - (f) he being a citizen of Pakistan by virtue of section 14B of the Pakistan Citizenship Act, 1951 (II of 1951), he is for the time being disqualified under any law in force in Azad Jammu and Kashmir from being elected as a member of the Legislative Assembly of Azad Jammu and Kashmir; or
  - (g) he is propagating any opinion, or acting in any manner, prejudicial to the Ideology of Pakistan, or the sovereignty, integrity or security of Pakistan, or morality, or the maintenance of public order, or the integrity or independence of the Judiciary of Pakistan, or which defames or brings into ridicule the judiciary or the Armed Forces of Pakistan; or
  - (h) he has been convicted by a court of competent jurisdiction on a charge of corrupt practice, moral turpitude or misuse of power or authority under any law for the time being in force; or
  - (i) he has been dismissed from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a local government on the grounds of misconduct involving moral turpitude; or he has been removed or compulsorily retired from the service of Pakistan or service of a corporation or office setup or controlled by the Federal Government, Provincial Government or a local government on the grounds of misconduct <sup>1</sup>[or] moral turpitude; or
  - (j) he has been in the service of Pakistan or of any statutory body or any body which is owned or controlled by the Government or in which the Government has a controlling share or interest, unless a period of two years has elapsed since he ceased to be in such service; or
- (1) he, whether by himself, or by any person or body of persons in trust for, him or for his benefit or on his account or as a member of a Hindu undivided family, has any share or interest in a contract, not being a contract between a cooperative society and Government, for the supply of goods to, or for the execution of any contract or for the performance of any service undertaken by Government:

Provided that the disqualification under this paragraph shall not apply to a person-

- (i) where the share or Interest in the contract devolves on him by inheritance or succession or as a legatee, executor or administrator, until the expiration of six months after it has so devolved on him;
- (ii) where the contract has been entered into by or on behalf of a public company as defined in the Companies Ordinance, 1984 (XLVII of 1984), of which he is a shareholder but is not a director holding an office of profit under the company; or
- (iii) where he is a member of a Hindu undivided family and the contract has been entered into by any other member of that family in *the* course of carrying on a separate business in which he has no share or interests; or

*Explanation.*-In this Article, "goods" does not include agricultural produce or commodity grown or produced by him or such goods as he is, under any directive of Government or any law for the time being in force; under a duty or obligation to supply.

- (m) he holds any office of profit in the service of Pakistan other than the following offices namely:
  - (i) an office which is not whole time office remunerated either by salary or by fee;
  - (ii) the office of Lumbardar, whether called by this or any other title;
  - (iii) the Qaumi Razakars;
  - (iv) any office the holder whereof, by virtue of such office, is liable to be called up for military training or military service under any law providing for the constitution or raising of a Force; or
- (n) he has been convicted and sentenced to imprisonment for having absconded by a competent court under any law for the time being in force, or
- (o) he has obtained a loan for an amount of two million rupees or more, from any bank financial institution, cooperative society or cooperative body in his own name or in the name of his spouse or any of his dependents, which stands unpaid for more than one year from the due date, or has had such loan written off, or
- (p) he or his spouse or any of his dependents has defaulted in payment of government dues and utility charges, including telephone electricity, gas and water charges of an amount in excess of ten thousand rupees, for over six months, or
- (q) he is for the time being disqualified from being elected or chosen as a member of the Majlis-e-Shoora (Parliament) or of a Provincial Assembly under any law for the time being in force.

**8E. Objection against candidature:**

Notwithstanding anything contained to the contrary in any law for the time being in force, any person or authority may object to the candidature of a person who has submitted nomination papers or whose name has been included in the party list submitted by a political party for election to a seat in the Majlis-e-Shoora (Parliament) or a Provincial Assembly, before the Returning Officer within the period specified by the Election Commission for the scrutiny of nomination papers of candidates contesting elections for membership of Majlis-e-Shoora (Parliament) and Provincial Assemblies.

**<sup>1</sup>[8EE. Nomination papers for election.]**

Notwithstanding anything contained in any other law for the time being in force, every nomination paper for the membership of Majlis-e-Shoora (Parliament) and a Provincial Assembly, shall be delivered by candidate in person to the Returning Officer who shall acknowledge receipt of the nomination papers specifying the date and time of receipt.

(2) The parties' lists referred to in clause (1) may contain as many names of additional candidates as a political party may deem necessary for contesting seats reserved for women and non-Muslims to provide for any disqualification of candidates during scrutiny of nomination papers or for filling of any vacant seat during the terms of National Assembly and Provincial Assemblies, as the case may be.

(3) Where a seat reserved for women or non-Muslims in the National Assembly or a Provincial Assembly falls vacant for death, resignation or disqualification of a member, it shall be filled in by the next person in order of precedent from the party's list of the candidate submitted to the Election Commission under clause (1).

(4) Every candidate contesting election on a seat reserved for women or non-Muslims shall, alongwith the nomination papers and other relevant documents, submit to the Returning Officer appointed by the Election Commission in this behalf

- (a) a copy of the party list of the candidate's political party for such seats;
- (b) declarations and statements as required by law or rules in support of the nomination; and
- (c) the fee required under any law for the time being in force for filing nomination papers.

**8G. Elections deemed to be held under the Constitution.-**

The election held under this Order shall be deemed to have been held under this Constitution and shall have effect accordingly.]

9. **Power to make rules.-**

- (1) The President may make rules for carrying out the purposes of this Order.
- (2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for the procedure of election on the seats reserved for women and technocrats.

10. **Removal of difficulties.-**

(1) If any difficulty arises in giving effect to any of the provisions of this Order, the President may make such provisions for the removal of the difficulty as he may deem fit.

(2) For the purpose of bringing the provisions of the Constitution and of any of the laws relating to elections to the [Senate,] National Assembly and the Provincial Assemblies into accord with the provisions of this Order, the President may by Order make such adaptations, modifications, additions or omissions as he may deem necessary or expedient.

(3) Any court, tribunal or authority empowered to enforce any of the laws referred to in clause (2) shall, notwithstanding that no adaptations have been made in such law by an Order made under that clause, construe the law with all such adaptations as are necessary to bring it into accord with the provisions of this Order.

<sup>2</sup>[11. **Repeal.-**

The Houses of Parliament and Provincial Assemblies (Elections) Order, 1977 (PPO No. 5 of 1977), is hereby repealed.]

**The POLITICAL PARTIES ORDER, 2002**

(Chief Executive's Order No.18 of 2002)

**WHEREAS** it is intended to create a political environment conducive to the promotion of a federal [ ] democratic system as enshrined in the Constitution;

**AND WHEREAS** political parties play a pivotal role in fostering a constitutional, federal democratic political culture;

**AND WHEREAS** the practice of democracy within the political parties will promote democratic governance in the country for sustaining democracy;

**AND WHEREAS** it is expedient to provide for the formation and regulation of political parties;

**AND WHEREAS** it is essential to revise, consolidate and re-enact the law relating to political parties and matters connected therewith and incidental thereto;

**AND WHEREAS** the Chief Executive is satisfied that circumstances exist which render it necessary to take immediate action;

**NOW, THEREFORE**, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, and in exercise of all other powers enabling him in that behalf, the Chief Executive of the Islamic Republic of Pakistan is pleased to make and promulgate the following Order :—

**CHAPTER-I****PRELIMINARY**

**1. Short title, extent and commencement:** (1) This Order may be called the Political Parties Order, 2002.

(2) It extends to the whole of Pakistan. [except the Federally Administered Tribal Areas].

(3) It shall come into force at once.

**2. Definitions:** In this Order, unless there is anything repugnant in the subject or context:

(a) "Chief Election Commissioner" means the Chief Election Commissioner of Pakistan;

(b) "Election Commission" means the Election Commission of Pakistan;

(c) "foreign-aided political party" means a political party which:

- (i) has been formed or organized at the instance of any government or political party of a foreign country; or
  - (ii) is affiliated to or associated with any government or political party of a foreign country; or
  - (iii) receives any aid, financial or otherwise, from any government or political party of a foreign country, or any portion of its funds from foreign nationals;
- (d) "political party" means an association of citizens or a combination or groups of such associations formed with a view to propagating or influencing political opinion and participating in elections for any elective public office or for membership of a legislative body; and
- (e) "prescribed" means prescribed by rules made under this Order.

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## CHAPTER-II

### FORMATION OF POLITICAL PARTIES

**3. Formation of political parties, etc:** (1) Subject to the provisions of this Order, it shall be lawful for any body of individuals or association of citizens to form, organize, continue or set-up a political party.

(2) A political party shall have a distinct identity of its structures at the national, provincial and local levels, wherever applicable.

(3) Every political party shall have a distinct name.

(4) Notwithstanding anything contained in sub-section (1), a political party shall not:

(a) propagate any opinion, or act in a manner prejudicial to the fundamental principles enshrined in the Constitution of the Islamic Republic of Pakistan; or

(b) undermine the sovereignty or integrity of Pakistan, public order or public morality or indulge in terrorism; or

(c) promote sectarian, regional or provincial hatred or, animosity; or

(d) bear a name as a militant group or section or assign appointment titles to its leaders or office-bearers which connote leadership of armed groups; or

(e) impart any military or para-military training to its members or other persons; or

(f) be formed, organized, set-up or convened as a foreign-aided political party.

**4. Constitution of political parties:** (1) Every political party, including a political party already in existence, shall formulate its constitution, with whatever name it may be referred, including, *inter alia*:

- (a) the aims and objectives of the party;
- (b) organizational structure of the party at the Federal, Provincial and local levels, whichever applicable;
- (c) criteria of membership of the party;
- (d) membership fee, to be paid by the members;
- (e) qualifications and tenure of the party leader and other office-bearers of the party;
- (f) criteria for receipt and collection of funds for the party; and
- (g) procedure for:
  - (i) election of party leader and other office-bearers at the Federal, Provincial and local levels, wherever applicable;
  - (ii) selection or nomination of party candidates for election to public offices and legislative bodies;
  - (iii) resolution of disputes between members and party, including issues relating to suspension and expulsion applicable;
  - (iv) method and manner of amendments in the constitution of the party.

(2) Every political party shall provide a copy of its constitution to the Election Commission.

(3) Any change in the constitution of a political party shall forthwith be communicated to the Election Commission which shall maintain updated record of the constitutions of all the political parties.

**5. Membership of political parties:**(1) Every citizen, not being in the service of Pakistan, shall have the right to form or be a member of a political party or be otherwise associated with a political party or take part in political activities or be elected as an office-bearer of a political party, provided that a person shall not be appointed or serve as an office-bearer of a political party if he is not qualified to be, or is disqualified from being, elected or chosen as a member of the Majlis-e-Shoora (Parliament) under Article 63 of the Constitution of the Islamic Republic of Pakistan or under any other law for the time being in force:

[Provided further that the condition of educational qualification being a graduate possessing a bachelor degree or equivalent laid down for a member of Majlis-e-Shoora

(Parliament) or a Provincial Assembly shall not be applicable to an office-bearer of a political party.]

(2) Where a person joins a political party, his name shall be duly entered in the record of the political party as a member and shall be issued a membership card, or any other document showing his membership of such political party.

(3) A person shall not be a member of more than one political party at a time.

(4) A member of a political party shall have the right of access to the records of the political party.

**6. Membership fee and contributions:**(1) A member of a political party shall be required to pay a membership fee as provided in the party's constitution and may, in addition, make voluntary contributions towards the party's funds.

(2) The contribution made by members or supporters of any party shall be duly recorded by the political parties.

(3) Any contribution made, directly or indirectly, by any foreign government, multinational or domestically incorporated public or private company, firm, trade or professional association shall be prohibited and the parties may accept contributions and donations only from individuals.

(4) Any contribution or donation which is prohibited under this Order shall be confiscated in favour of the State in the manner as may be prescribed.

**Explanation:** For the purpose of this section, a "contribution or donation" includes a contribution or donation made in cash, kind, stocks, hospitality, accommodation, transport, fuel and provision of other such facilities.

**7. Suspension or expulsion of a member:** A member of a political party may be suspended or expelled from the party's membership in accordance with the procedure provided in the party's constitution.

Provided that before making an order for suspension or expulsion of a member from the party, such member shall be provided with a reasonable opportunity to show cause against the action proposed and of hearing.

**8. Selection for elective offices:** The political parties shall make the selection of candidates for elective offices, including the membership of the Majlis-e-Shoora (Parliament) and Provincial Assemblies, through a transparent democratic procedure.

9. "Omitted"

**10. Functioning of political parties:** (1) Every political party shall have an elected general council at the Federal, Provincial and local levels, wherever applicable, and by whatever names these may be referred.



(2) Every political party shall, at least once in a year, convene a general meeting at the Federal, Provincial and local levels of the party, wherever applicable, to which the party members or their delegates shall be invited to participate.

(3) A member or group of members of the political party may nominate in writing any other member of the party as a delegate to represent him or them and cast his or their votes in a party meeting.

**11. Elections within a political party:**(1) The party leader and other office-bearers of every political party at the Federal, Provincial and local levels, wherever applicable, shall be elected periodically in accordance with party's constitution through secret ballot based on a democratic and transparent system, Provided that a period, not exceeding four years, shall intervene between any two elections.

(2) Every member of the political party shall, subject to the provisions of the party's constitution, be provided with an equal opportunity of contesting election for any party office, including that of the party leader.

(3) All members of the political party at the Federal, Provincial and local levels shall constitute the electoral college for election of the party general council at the respective levels.

**12. Certification by the political party:**(1) The party leader of each political party shall, within seven days from completion of the intra-party elections submit a certificate under his signatures to the Election Commission to the effect that the elections were held in accordance with the constitution of the party and this Order to elect the party leader and other office-bearers at the Federal, Provincial and local levels, wherever applicable.

(2) The certificate referred to in clause (1) shall contain information in respect of:

(a) the date of the last intra-party elections;

(b) the names, designations and addresses of the party leader and all other office-bearers elected at the Federal, Provincial and local levels, wherever applicable;

(c) the election results, including the total number of votes cast of votes cast and the number of votes secured by each contestant for all of its party offices; and

(d) copy of the party's notifications declaring the results of the election.

(3) The Election Commission shall publish for public information the certificate including details of elections referred to in clause (2).

**13. Information about the sources of party's fund:** (1) Every political party shall, in such manner and in such form as may be prescribed or specified by the Chief Election Commissioner, submit to the Election Commission, within sixty days from the close of each financial year, a consolidated statement of accounts of the party audited by a Chartered Accountant containing:

- (a) annual income and expenses;
- (b) sources of its funds; and
- (c) assets and liabilities.

(2) The statement referred to in clause (1), shall be accompanied by a certificate signed by the party leader stating that:

- (a) no funds from any source prohibited under this Order were received by the party; and
- (b) the statement contains an accurate financial position of the party.

**14. Eligibility of party to obtain election symbol:**(1) Notwithstanding anything contained in any other law for the time being in force, a political party shall be eligible to obtain an election symbol for contesting elections for Majlis-e-Shoora (Parliament) and Provincial Assemblies on submission of certificates and statement referred to in Articles 12 and 13, provided that a combination of political parties shall be entitled to obtain a common election symbol for such election only if, each party constituting such combination, submits the certificates and statement referred to in Articles 12 and 13.

(2) Where any political party or a combination of political parties, severally or collectively, contravenes the provisions of Article 12 or 13, it shall not be entitled to obtain an election symbol for election to the Majlis-e-Shoora (Parliament) or the Provincial Assemblies, and the Election Commission shall not allocate an election symbol to such party or, as the case may be, the combination of political parties for such election.

### CHAPTER-III

#### DISSOLUTION OF POLITICAL PARTIES

**15. Dissolution of a political party:**(1) Where the Federal Government is satisfied that a political party is a foreign-aided party or has been formed or is operating in a manner prejudicial to the sovereignty or integrity of Pakistan or is indulging in terrorism, it shall make such declaration by a notification in the official Gazette.

(2) Within fifteen days of making a declaration under clause (1), the Federal Government shall refer the matter to the Supreme Court whose decision on such reference shall be final.

(3) Where the Supreme Court upholds the declaration made against a political party under clause (1), such party shall stand dissolved forthwith.

**16. Effects of Dissolution of political party:**(1) Where a political party is dissolved under Article 15, any member of such political party, if he is a member of the Majlis-e-Shoora (Parliament) or a Provincial Assembly, shall be disqualified for the remaining term to be a member of the Majlis-e-Shoora (Parliament) or as the case may be, the Provincial Assembly, unless before the final decision of the Supreme Court, he resigns from the membership of the party and publicly announces his disassociation with such political party.

(2) A person becoming disqualified from being a member of the Majlis-e-Shoora (Parliament) of Provincial Assembly under clause (1) shall not participate in election for any elective office or any legislative body till the expiry of four years from the date of his disqualification from being a member of the Majlis-e-Shoora (Parliament) or, as the case may be, the Provincial Assembly.

(3) The order of members of a political party becoming disqualified from being members of Majlis-e-Shoora (Parliament) of the Provincial Assembly on its dissolution shall be notified in the official Gazette.

## CHAPTER-IV

### MISCELLANEOUS

**17. Intra-party elections for general elections, 2002:**(1) Every political party desiring to take part in general elections, 2002, shall be required to complete its intra-party elections referred to in Article 11 in accordance with the party constitution and this Order by the fifth day of August, 2002, and submit the certificate referred to in Article 12 accordingly.

(2) A political party which has already completed intra-party elections, as far as possible, according to the requirements of Article 11, before the commencement of this Order shall submit a certificate to the Election Commission in accordance with Article 12.

(3) A party not complying with the provisions of clause (1) and (2) shall not be allotted election symbol for the general elections, 2002.

**18. Code of conduct of political parties:**The Election Commission shall in consultation with the political parties, prepare and publish a code of conduct for the political parties.

**19. Rules:** The Election Commission may, with approval of the [\[President\]](#), make rules for carrying out the purposes of this Order.

**20. Repeal:** The Political Parties Act, 1962 (III of 1962), is hereby repealed.

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**The POLITICAL PARTIES RULES, 2002**

**NOTIFICATION**

Islamabad, the 23rd July, 2002

**S.R.O. 456(I)/2002.**— In exercise of the powers conferred by Article 19 of the Political Parties Order, 2002 (Chief Executive's Order No.18 of 2002), the Election Commission, with the approval of the President, is pleased to make the following rules:

**1. Short title and commencement:** (1) These rules may be called the Political Parties Rules, 2002.

(2) They shall come into force at once.

**2. Definitions:**

(1) In these rules, unless there is anything repugnant in the subject or context:

(a) "Article" means an article of the Order;

(b) "Form" means a form appended to these rules;

(c) "Order" means the Political Parties Order, 2002 (Chief Executive's Order No. 18 of 2002); and

(d) "Party Leader" means the head of a political party duly elected in accordance with the constitution of the political party and the provisions of the Order by whatever name designated.

(2) The words and expressions used but not defined herein shall have the meanings as assigned to them in the Order.

**3. Political parties to provide printed copy of constitution:**

Every political party:

(a) within ten days of its formation; or

(b) which is already in existence, within ten days of the publication of these rules in the official Gazette, shall provide to the Election Commission a printed copy of its constitution along with a certificate duly attested by the Party Leader that its constitution is in conformity with the requirements of the Order.

**4. Submission of statement of accounts:** Every political party shall maintain its accounts in the manner set-out in Form-I indicating its income and expenditure, sources of funds, assets and liabilities and shall, within sixty days from the close of each financial year (July—June), submit to the Election Commission a consolidated statement of accounts of the party audited by a Chartered Accountant, accompanied by a certificate, duly signed by the Party Leader to the effect that no funds from any source prohibited under the Order were received by the party and that the statement contains an accurate financial position of the party.

**5. Financial transactions within a party:** All financial transactions within a party shall be entered in the statement of accounts submitted under rule 4.

**6. Confiscation of prohibited funds:** Where the Election Commission decides that the contributions or donations, as the case may be, accepted by the political parties are prohibited under clause (3) of Article 6, it shall, subject to notice to the political party concerned and after giving an opportunity of being heard, direct the same to be confiscated in favour of the State to be deposited in Government Treasury or sub-Treasury in the following head of the account: "3000000-Deposits and Reserves-B-Not Bearing interest, 3500000-Departmental and Judicial Deposits, 3501000-Civil Deposits, 3501010-Deposits in connection with Elections".

**7. Submission of certificate to the Election Commission regarding intra-party elections:** (1) The Party Leader of each political party under his signatures shall, within seven days of the completion of intra-party elections, submit a certificate to the Election Commission in Form-II specifying that the intra-party elections have been held in accordance with the constitution of the party and the provisions of the Order.

(2) The Election Commission shall, after satisfying itself that the certificate fulfils the requirements of Articles 11 and 12 of the Order, publish the certificate including the details of election in the official Gazette.

**8. Intra-party elections for the forthcoming general elections 2002:** Every political party, desirous of taking part in general elections 2002, shall complete its intra-party elections by the 5th August, 2002 and submit within seven days of intra-party elections, a certificate set-out in Form-III that the aforesaid elections have been held in accordance with constitution of such party and the Order.

**9. Intra-party elections held before commencement of the Order:** Where a political party has, before the commencement of the Order, completed intra-party elections, it shall, within seven days of the publication of these rules in the official Gazette, submit to the Election Commission a certificate specified in Form-IV to the effect that the intra-party elections were held, as far as possible, in accordance with the requirements of Article 11.

**10. Scrutiny of political parties' constitution and information, etc:** Where the Election Commission is of the opinion that the constitution, other documents and information submitted by a political party is not in conformity with the Order, it shall return the same to the concerned political party for re-submission in accordance with the provisions of the Order.

**11. Mode of submission of documents:** The constitution, certificates, documents, etc., to be submitted to the Election Commission, as required under the Order shall be delivered through an office bearer of the party, duly authorised by the Party Leader and shall not be entertained through post, fax, courier service or any other mode.

**12. General:** The Election Commission may, from time to time, prescribe such proformae as it may deem necessary for carrying out the purposes of the Order.

**13. Repeal:** The Political Parties Rules, 1986 are hereby repealed.

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**ANNEXURE-F****THE ALLOCATION OF SYMBOLS ORDER, 2002****NOTIFICATION**

Islamabad, August 5, 2002

**WHEREAS**, clause (a) of sub-section (1) of section 21 of the Representation of the People Act, 1976 provides that the Returning Officer shall allocate one of the prescribed symbols to each contesting candidate, subject to any direction of the Election Commission;

**AND WHEREAS**, Articles 14 and 17 of the 'Political Parties Order, 2002 (Chief Executive's Order No. 18 of 2002) provide for allocation of symbols to political parties by the Election Commission subject to the conditions laid therein;

**AND WHEREAS**, it is the duty of Election Commission to organize and conduct the forthcoming elections and to make such arrangements as are necessary to ensure that the elections are conducted honestly, justly, fairly and in accordance with law and the corrupt practices are guarded against.

**AND WHEREAS**, it is expedient, in the interest of fairness of elections, to provide for the allotment of symbols;

**NOW, THEREFORE**, in exercise of the powers conferred under Article 218 of the Constitution of the Islamic Republic of Pakistan, Article 7A of the Election Commission Order, 2002 section 21 of the Representation of the People Act, 1976 and all other powers enabling it in that behalf, the Election Commission is pleased to make the following Order for the forthcoming general elections.

**1. Short title, extent and commencement.**-(1) This Order may be called the Allocation of Symbols Order, 2002.

(2) It shall come into force at once and applies for the forthcoming general elections.

(3) It extends to the whole of Pakistan.

**2. Definitions.**-(a) "political party" means an association of citizens or a combination or groups of such association formed with a view to propagating or influencing political opinion and participating in elections for any elective public office or for membership of a legislative body.

(b) The other definitions appearing in the Representation of the People Act, 1976, the rules framed there under, the Political Parties Order, 2002, the rules framed there under and the Election Commission Order, 2002 shall be applicable for the purpose of this Order.

**3. Allotment of symbols.**-(1) In every constituency where election is contested, a symbol shall be allotted to a contesting candidate in accordance with the provisions of

this Order and different symbols shall be allocated to different candidates at an election in the same constituency.

(2) No symbol shall be allocated to any candidate outside the list of symbols prescribed under sub-rule (1) of rule 9 of the Representation of the People (Conduct of Election) Rules, 1977.

**4. Classification of symbols.**-For the purpose of this Order, symbols are classified as under:-

(a) Symbols reserved for political parties; and

(b) Symbols other than the reserved symbols

**5. Application for symbol**-Subject to fulfillment of the provisions of Political Parties Order, 2002 and the rules framed there under, a political party shall make an application to the Election Commission for allocation of a symbol of its choice within the period specified by the Commission in its press release, and it shall contain,-

(a) the list of symbols applied for in order of preference;

(b) symbol or symbols if any allocated to the political party during the previous general elections;

(c) every such application shall be signed by the Party Leader, by whatever name designated;

(d) address of the head office of the political party;

(e) the name of its President, Secretary-General and other office-bearers of the Central Executive committee;

(f) the numerical strength of its members;

(g) copy of election Manifesto/copy of the Constitution of the Political Party (to be attached);

(h) whether the party was represented by a member or members in the National Assembly or a Provincial Assembly in the past, if so, the name and other particulars of such member;

(i) whether the political party has conducted the intra-party elections as required under Article 12 of the Political Parties Order, 2002; and

(j) such other particulars or information from the party as the Commission may deem necessary.

**6. Principles of allocation of symbols.**-(a) A symbol shall be allocated to a political party if it complies with the provisions of this Order and clauses (1) and (2) of Article 17 of the Political Parties Order, 2002 for the General Elections, 2002;



(b) a candidate set-up by a political party at an election in any constituency shall be allotted the symbol reserved for that political party and no other symbol; and

(c) symbol reserved for a political party by the Commission shall not be allocated to any candidate in any constituency other than the candidate nominated by that political party.

**7. Symbol disputed by parties or group of parties.**-(1) If a political party, satisfies the requirements under para 5, it may be allotted a symbol for all its candidates if it sends their list to the Election Commission in time provided in the press release :

Provided that a political party shall have preference for allocation of a symbol if such a symbol was allocated to it before entering into an alliance with other parties in an earlier election.

(2) In case the same symbol was allotted to a combination of political parties at the last election and component parties apply for the same symbol for forthcoming elections, the allotment of that symbol to any one political party will be decided by drawing of lots.

**8. Allocation of symbol to an independent candidate.**-A candidate not nominated by any political party (hereinafter called "Independent" candidate) shall choose and shall be allotted one of the symbols not reserved for a political party in the following manner:-

(a) where a symbol has been chosen by only one candidate, the Returning Officer shall allot that symbol to that candidate and to no one else;

(b) if a symbol is chosen by two candidates and one of them has previously been a member of Parliament or a Provincial Assembly, such symbol shall be allotted by the Returning Officer to the former member of the Parliament or the Provincial Assembly;

(c) if more than one independent candidates has chosen the same symbol, the Returning Officer shall allot the symbol to such candidate according to his preference indicated herefore at the time of scrutiny of nomination papers.






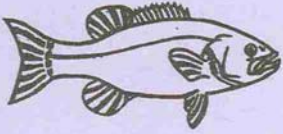








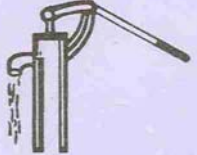

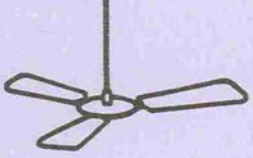


(d) if more than one candidates has given preference for the same symbol, the Returning Officer shall allot symbol by drawing of lots.

**9. Repeal.**-The Allocation of Symbols Order, 1993 is hereby repealed.

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**ANNEXURE-G**

 <p>تیر</p> <p>1. ARROW</p>	 <p>کشتی</p> <p>6. BOAT</p>	 <p>برش</p> <p>11. BRUSH</p>	 <p>تنتلی</p> <p>16. BUTTERFLY</p>
 <p>کلہاڑا</p> <p>2. AXE</p>	 <p>بوتل</p> <p>7. BOTTLE</p>	 <p>بالٹی</p> <p>12. BUCKET</p>	 <p>موم بتی</p> <p>17. CANDLE</p>
 <p>بٹا</p> <p>3. BAT</p>	 <p>پیالہ</p> <p>8. BOWL</p>	 <p>بلب</p> <p>13. BULB</p>	 <p>کار</p> <p>18. CAR</p>
 <p>گھنٹی</p> <p>4. BELL</p>	 <p>پل</p> <p>9. BRIDGE</p>	 <p>انگور کا خوشہ</p> <p>14. BUNCH OF GRAPES</p>	 <p>ٹوپی</p> <p>19. CAP</p>
 <p>سائیکل</p> <p>5. BICYCLE</p>	 <p>کتاب</p> <p>10. BOOK</p>	 <p>بس</p> <p>15. BUS</p>	 <p>چراغ</p> <p>20. CHIRAGH (LAMP)</p>

	<p>گائے</p>  <p>26. COW</p>	<p>مٹکا</p>  <p>31. FIST</p>	<p>ہار</p>  <p>36. GARLAND</p>
<p>چارپائی</p>  <p>22. CHARPAI</p>	<p>پرچ پیالی</p>  <p>27. CUP &amp; SAUCER</p>	<p>مچھلی</p>  <p>32. FISH</p>	<p>غلیں</p>  <p>37. GHULAIL</p>
<p>گھڑیال</p>  <p>23. CLOCK</p>	<p>فاختہ</p>  <p>28. DOVE</p>	<p>گلدان</p>  <p>33. FLOWER VASE</p>	<p>بندوق</p>  <p>38. GUN</p>
<p>کوٹ</p>  <p>24. COAT</p>	<p>ہاتھی</p>  <p>29. ELEPHANT</p>	<p>فٹ بال</p>  <p>34. FOOT BALL</p>	<p>ہینڈ پمپ</p>  <p>39. HAND PUMP</p>
<p>کنگھا</p>  <p>25. COMB</p>	<p>پنگھا</p>  <p>30. FAN</p>	<p>فوارہ</p>  <p>35. FOUNTAIN</p>	<p>ہتھوڑا</p>  <p>40. HAMMER</p>



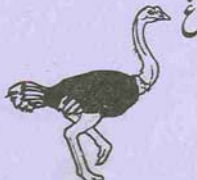




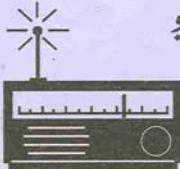


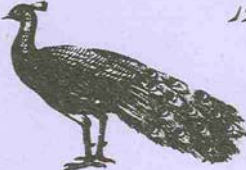




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<p>ہیلی کاپٹر</p>  <p>41. HELICOPTER</p>	<p>جگ</p>  <p>46. JUG</p>	<p>لاٹین</p>  <p>51. LANTERN</p>	<p>پہاڑ</p>  <p>56. MOUNTAIN</p>
<p>گھوڑا</p>  <p>42. HORSE</p>	<p>چیتا</p>  <p>47. KITE</p>	<p>لیٹر بکس</p>  <p>52. LETTER BOX</p>	<p>رہٹ</p>  <p>57. PERSIAN WHEEL</p>
<p>حقہ</p>  <p>43. HUKKAH</p>	<p>چاقو</p>  <p>48. KNIFE</p>	<p>تالا</p>  <p>53. LOCK</p>	<p>پشاورى چپل</p>  <p>58. PESHAWARI CHAPPAL</p>
<p>قلم دوات</p>  <p>44. INKPOT WITH PEN</p>	<p>کرنڈی</p>  <p>49. TROWEL (KRANDI)</p>	<p>لوٹا</p>  <p>54. LOTA</p>	<p>مٹکا</p>  <p>59. PITCHER</p>
<p>استری</p>  <p>45. IRON</p>	<p>سیڑھی</p>  <p>50. LADDER</p>	<p>لاؤڈ اسپیکر</p>  <p>55. LOUDSPEAKER</p>	<p>رندہ</p>  <p>60. PLANNER</p>








 <p>ریکٹ</p> <p>61. RACKET</p>	 <p>گلاب</p> <p>66. ROSE</p>	 <p>ہیچل</p> <p>70. SPADE</p>	 <p>بارہ سنگھارو</p> <p>75. STAG</p>
 <p>ریلوے انجن</p> <p>62. RAILWAY ENGINE</p>	 <p>قینچی</p> <p>67. SCISSORS</p>	 <p>آری</p> <p>71. SAW</p>	 <p>گلاس</p> <p>76. TUMBLER</p>
 <p>رکشہ</p> <p>63. RICKSHA</p>	 <p>اسکوٹر</p> <p>68. SCOOTER</p>	 <p>عینک</p> <p>72. SPECTACLES</p>	 <p>میز</p> <p>77. TABLE</p>
 <p>انگوٹھی</p> <p>64. RING</p>	 <p>سلائی مشین</p> <p>69. SEWING MACHINE</p>	 <p>چرخہ</p> <p>73. SPINNING WHEEL</p>	 <p>ٹیبل لیپ</p> <p>78. TABLE LAMP</p>
 <p>ہیلن</p> <p>65. ROLLER OF WOOD</p>	 <p>دراغتی</p> <p>69-A. SICKLE</p>	 <p>سوٹ کیس</p> <p>74. SUITCASE</p>	 <p>تختی</p> <p>اب پت ٹٹ ٹج چج دڈڈ رز زٹر کسش من ظظ رخ ف ق ل م ن وہ ع می سے</p> <p>79. TAKHTI</p>

 <p>ٺاڪا</p> <p>80. TAP</p>	 <p>ٽانگه</p> <p>85. TONGA</p>	 <p>ڀڳڙي</p> <p>90. TURBAN</p>	 <p>دستي گھڙي</p> <p>95. WRIST WATCH</p>
 <p>چائے داني</p> <p>81. TEAPOT</p>	 <p>چمٽا</p> <p>86. TONGS</p>	 <p>ڇھڙي</p> <p>91. UMBRELLA</p>	 <p>واسڪٽ</p> <p>96. WAIST COAT</p>
 <p>ٽيلي فون</p> <p>82. TELEPHONE</p>	 <p>ٽريڪٽر</p> <p>87. TRACTOR</p>	 <p>ڪنواں</p> <p>92. WELL</p>	 <p>هوائي جهاز</p> <p>97. AEROPLANE</p>
 <p>ٽيلي ويزن</p> <p>83. TELEVISION</p>	 <p>درخت</p> <p>88. TREE</p>	 <p>ڇاهيڇو</p> <p>93. WHEEL</p>	 <p>الماري</p> <p>98. ALMIRAH</p>
 <p>شير</p> <p>84. TIGER</p>	 <p>ٽرڪ</p> <p>89. TRUCK</p>	 <p>سيٽي</p> <p>94. WHISTLE</p>	 <p>سيب</p> <p>99. APPLE</p>

 <p>کیلا</p> <p>100. BANANA</p>	 <p>بیل گاڑی</p> <p>105. BULLOCK CART</p>	 <p>تاج</p> <p>110. CROWN</p>	 <p>انڈہ</p> <p>115. EGG</p>
 <p>ٹوکری</p> <p>101. BASKET</p>	 <p>اونٹ</p> <p>106. CAMEL</p>	 <p>دروازہ</p> <p>111. DOOR</p>	 <p>گملا</p> <p>116. FLOWER POT</p>
 <p>پلنگ</p> <p>102. BED</p>	 <p>بلی</p> <p>107. CAT</p>	 <p>ڈھول</p> <p>112. DRUM</p>	 <p>بکری</p> <p>117. GOAT</p>
 <p>تختہ سیاہ</p> <p>A good book is a good friend</p> <p>103. BLACK BOARD</p>	 <p>بھٹہ</p> <p>108. CORN</p>	 <p>بطخ</p> <p>113. DUCK</p>	 <p>گراموفون</p> <p>118. GRAMOPHONE</p>
 <p>اینٹ</p> <p>BRICK</p> <p>104. BRICK</p>	 <p>چاند</p> <p>109. CRESCENT</p>	 <p>عقاب</p> <p>114. EAGLE</p>	 <p>ہینگر</p> <p>119. HANGER</p>

 <p>مرغی</p> <p>120. HEN</p>	 <p>پتہ</p> <p>125. LEAF</p>	 <p>شتر مرغ</p> <p>130. OSTRICH</p>	 <p>خرگوش</p> <p>135. RABBIT</p>
 <p>ہاکی</p> <p>121. HOCKEY</p>	 <p>آم</p> <p>126. MANGO</p>	 <p>طوطا</p> <p>131. PARROT</p>	 <p>ریڈیو</p> <p>136. RADIO</p>
 <p>مکان</p> <p>122. HOUSE</p>	 <p>نقشہ</p> <p>127. MAP</p>	 <p>مور</p> <p>132. PEACOCK</p>	 <p>پستول</p> <p>137. REVOLVER</p>
 <p>چابی</p> <p>123. KEY</p>	 <p>ماچس</p> <p>128. MATCH BOX</p>	 <p>قلم</p> <p>133. PEN</p>	 <p>پیچ</p> <p>138. SCREW</p>
 <p>بھنڈی</p> <p>124. LADY FINGER</p>	 <p>تیل کا چولہا</p> <p>129. OIL STOVE</p>	 <p>انار</p> <p>134. POMEGRANATE</p>	 <p>سلیٹ</p> <p>139. SLATE</p>



 <p>چڑیا</p> <p>140. SPARROW</p>	 <p>واٹر کولر</p> <p>145. WATER COOLER</p>		
 <p>ستاره</p> <p>141. STAR</p>	 <p>ریچ</p> <p>146. WRENCH</p>		
 <p>بیٹری</p> <p>142. TORCH</p>			
 <p>مینار</p> <p>143. TOWER</p>			
 <p>ٹائپ رائٹر</p> <p>144. TYPEWRITER</p>			

ELECTION COMMISSION OF PAKISTANIslamabad, the 20<sup>th</sup> November, 2007NOTIFICATION

**No.F.2(1)/2007-Cord.- WHEREAS**, for the purpose of effective and meaningful consultation with the political parties, the Draft Code of Conduct for the Political Parties and Contesting Candidates for General Elections, 2007-08 was published in newspapers, giving it extensive publicity through electronic and print media in October, 2007 and was also circulated to the political parties, who submitted their annual statements of accounts as required under the provisions of the Political Parties Order, 2002 for eliciting their valuable comments/ suggestions by the 6<sup>th</sup> November, 2007 as to whether the provisions of aforementioned Code of Conduct may be retained in its present form or any of its provisions may be modified or amended or some new provisions may be added to the Code of Conduct for General Elections, 2007-08.

**AND WHEREAS**, the provisions of the Draft Code of Conduct as well as the comments/suggestions received from various political parties were discussed threadbare in a Meeting of the Election Commission with the representatives of the political parties held on the 19<sup>th</sup> November, 2007 and the Draft Code of Conduct has been amended/modified in the light of the decisions taken therein;

**NOW THEREFORE**, in pursuance of Article 218 (3) of Constitution of Islamic Republic of Pakistan, read with Articles 5(3) and 6 of the Election Commission Order, 2002 (Chief Executive's Order No.1 of 2002), and Article 18 of Political Parties Order, 2002 (Chief Executive's Order No. 18 of 2002), and all other powers enabling in that behalf, the Election Commission is pleased to issue the following Code of Conduct for Political Parties and Contesting Candidates for the forthcoming General Elections, 2007-08.

**1. General Conduct:**

- (1) The political parties shall not propagate any opinion, or act in any manner prejudicial to the ideology of Pakistan, or the sovereignty, integrity or security of Pakistan, or morality, or the maintenance of public order, or the integrity or independence of the judiciary of Pakistan, or which defames or brings into ridicule the judiciary or the armed forces of Pakistan, as provided under Article 63 of the Constitution.
- (2) Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism based on unverified allegations or distortion shall be avoided.
- (3) Concerned political parties and contesting candidates may announce their overall development programme. But after the announcement of the election schedule till the day of polling, no candidate or any person on his behalf shall, openly or in

secret, give any subscription or donation, or make promise for giving such subscription or donation, to any institution of their respective constituency or to any other institution, nor shall commit to undertake any development project in the respective constituency.

- (4) All contesting candidates shall avoid scrupulously all activities which are “*corrupt practices*” and offences under the election laws such as the bribing of voters, intimidation and personation of voters, canvassing within 400 yards of a polling station, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll by the Election Commission of Pakistan.
- (5) The right of every individual for peaceful and undisturbed domestic life shall be respected, irrespective of any resentment that a political party or a candidate may have against such individual for his political opinion or activities. Organizing demonstrations or picketing before the house of such individual with a view to protest against his political opinion or activities shall be prohibited under any circumstances.
- (6) No political party or candidate shall permit his followers to make use of any individual’s land, building, compound wall etc. without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc.
- (7) Political parties and candidates shall ensure that their supporters do not create obstructions in or disturb meetings and processions organized by the other parties. Workers or sympathizers of one political party shall not create disturbance at public meetings organized by another political party.
- (8) Political parties and contesting candidates shall firmly restrain their workers from exerting undue pressure against the print and electronic media, including newspaper offices and printing presses, or resorting to violence of any kind against the media.
- (9) The political parties, contesting candidates and workers shall refrain from deliberate dissemination of false and malicious information. The workers of political parties shall not indulge in forgeries and disinformation to defame other political parties/leaders. The use of abusive language against the leaders and candidates of other political parties shall be avoided at all costs.
- (10) The political parties shall refrain from speeches calculated to arouse parochial and sectarian feelings and controversy of conflicts between genders, sects, communities and linguistic groups. [Section 78 of the Representation of the People Act, 1976].
- (11) Appeals to violence or resort to violence during meetings, processions, or during polling hours shall be strictly avoided. [Section 81 of the Representation of the People Act, 1976].
- (12) No person shall in any manner cause injury to any person or damage to any property. [Section 81 of the Representation of the People Act, 1976].
- (13) Carriage and display of all kinds of *lethal* weapons and fire arms shall not be allowed in public meetings and processions and official regulations in respect thereof shall be strictly observed. Aerial firing, use of crackers and other explosives at public meetings shall not be allowed.

- (14) The political parties, contesting candidates, agents or workers shall not indulge in offering gifts or gratifications or inducement to any person to stand or not to stand as a candidate, or to withdraw or not to withdraw his candidature. [Section 79 of the Representation of the People Act, 1976].
- (15) The political parties, contesting candidates and their workers shall not propagate against the participation of any person in the elections on the basis of *gender, ethnicity, religion or caste*. *Political Parties' officials, candidates or others shall not encourage or enter into agreements debarring women from becoming candidates or exercising their right of vote in an election.*
- (16) Ministers shall not combine their official visits with election campaign.
- (17) The political parties and contesting candidates shall not procure the support or assistance of any civil servant to promote or hinder the election of a candidate. [Section 83 of the Representation of the People Act, 1976].
- (18) The political parties and their candidates shall dissuade their workers or sympathizers from destroying any ballot paper or any official mark on the ballot paper. [Section 87 of the Representation of the People Act, 1976].
- (19) No person or a political party or a candidate shall hoist or fix party flags on any public property or at any public place, except with the permission in writing from, and on payment of such fee or charges as may be chargeable by, the concerned local government or authorities. Wall chalking as part of an election campaign shall be prohibited in all forms. [Section 83A of the Representation of the People Act, 1976].
- (20) Section 83A of the Representation of the People Act, 1976 lays down that no person or a political party shall affix posters, hoardings, banners or leaflets/handbills larger than the sizes prescribed by the Election Commission. The Commission has prescribed the sizes as under:
- |     |                           |                     |
|-----|---------------------------|---------------------|
| (a) | <u>Posters</u>            | 2-feet x 3-feet     |
| (b) | <u>Hoardings</u>          | 3-feet x 5-feet     |
| (c) | <u>Banners</u>            | 3-feet x 9-feet     |
| (d) | <u>Leaflets/Handbills</u> | 9-inches x 6 inches |

The local authority and the Returning Officer shall be responsible for the effective implementation of the provisions of this section.

- (21) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity shall be scrupulously avoided.

## **2. Meetings:**

- (1) The party or candidates shall inform the local administration of the venue and time of any proposed meeting at least 24 hours in advance so as to enable the police to make necessary arrangements for controlling traffic and maintaining law and order.
- (2) A party or candidate shall ascertain in advance if there are any restrictive or prohibitory orders in force in the place proposed for the meeting. If such orders

exist, they shall be followed strictly. If any exception is required from such orders it shall be applied for and permission obtained well in time.

- (3) Organisers of a meeting shall invariably seek the assistance of the police on duty for dealing with persons disturbing a meeting or otherwise attempting to create a disorder.
- (4) The political parties and their candidates shall not hold public meetings or rallies on main streets, roads and chowks to avoid traffic jams and public inconvenience.

### **3. Processions:**

- (1) Processions shall not be taken out by one party along places at which meetings are being held by another party. Posters affixed by one party shall neither be removed nor distribution of handbills and leaflets prevented by workers of another party.
- (2) A party or candidate organizing a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinarily be no deviation from the programme. The organizers shall give advance intimation *of at least 2 days* to the local police authorities of the programmes so as to enable them to make necessary arrangements.
- (3) The organizers shall ascertain if any restrictive orders are in force in the localities through which the procession has to pass, and shall comply with the restrictions unless exempted specially by competent authority. Traffic regulations or restrictions shall also be carefully adhered to.
- (4) The organizers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organized in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held up traffic could be allowed by stages thus avoiding heavy traffic congestion.
- (5) If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same time, the organizers shall establish contact well in advance and decide upon the measures to be taken to ensure that the processions do not clash or cause hindrance to traffic. The assistance of the local administration shall be availed of for arriving at a satisfactory arrangement. For this purpose, the parties shall contact the local administration at the earliest opportunity *but not later than 3 clear days before the date of the procession.*
- (6) The political parties or candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles, which may be put to misuse by undesirable elements, especially in moments of excitement.

4. **Polling Day:**

- (1) All political parties and candidates shall-
- (i) co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstructions; [Section 86 of the Representation of the People Act, 1976];
  - (ii) supply to their authorized polling agents badges or identity cards;
- (3) Political parties shall carry out a comprehensive plan for education of voters in the manner of marking the ballot paper and casting votes.
- (4) Excepting the voters, candidates or duly authorized election agents, no one without a valid pass from the Election Commission or Provincial Election Commissioner concerned or District Returning Officers shall enter the polling booths. However, foreign/domestic observers and representatives of recognized bodies will be provided free access to witness the election process on production of the identification cards/passes issued to them by the aforesaid Election Commission authorities.

By Order of the Election Commission,

**(Kanwar Muhammad Dilshad)**  
**Secretary**

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**No.F.2(19)/2007-Cord.**  
**ELECTION COMMISSION OF PAKISTAN**

**Islamabad, the 19<sup>th</sup> November, 2007**

**DIRECTIVE**

**WHEREAS**, under Article 218(3) of the Constitution of the Islamic Republic of Pakistan, 1973 read with Article 5(3) of the Election Commission Order, 2002, as amended, it is the duty of the Election Commission to organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against;

**AND WHEREAS**, under Article 220 of the Constitution it shall be the duty of all executive authorities in the Federation and in the Provinces to assist the Chief Election Commissioner and the Election Commission in the discharge of his or their functions;

**AND WHEREAS**, it is expedient to ensure that the coverage on television relating to election related activities is fair, unbiased and balanced in respect of any particular political party, candidate or a leader to enable the Election Commission to ensure that the election is conducted honestly, justly, fairly and in accordance with law and that discrimination against any political party, leader or a candidate is guarded against;

**AND WHEREAS**, Article 6 of the Election Commission Order, 2002 empowers the Election Commission to issue such directions or orders as may be necessary for the performance of its functions and duties, including an order doing complete justice in any matter pending before it and an order for the purpose of securing the attendance of any person or the discovery or production of any document and that any such direction or order shall be enforceable throughout Pakistan and shall be executed as if it had been issued by the High Court;

**NOW, THEREFORE**, in pursuance of the provisions of Article 218(3), Article 220 of the Constitution of the Islamic Republic of Pakistan, 1973 read with Article 5(3) and Article 6 of the Election Commission Order, 2002, and in exercise of all other powers enabling it in that behalf, the Election Commission of Pakistan is pleased to direct that the Pakistan Electronic Media Regulatory Authority (PEMRA) will monitor the operations of all TV Channels including State-owned TV (PTV) and ensure that coverage as to electoral activities of the Political Parties till Polling Day of the upcoming General Elections is fair, unbiased and balanced.

**(Justice (R) Qazi Muhammad Farooq)**  
**Chief Election Commissioner**

**(Justice Nasim Sikandar)**  
**Judge, Lahore High Court/  
Member Election Commission**

**(Justice Ahmed Khan Lashari)**  
**Judge, High Court of Balochistan/  
Member Election Commission**

**LECTION COMMISSION OF PAKISTAN**Islamabad, the 20<sup>th</sup> November, 2007**NOTIFICATION**

**No.F.2(19)/2007-Cord.-WHEREAS**, under Article 218(3) of the Constitution of the Islamic Republic of Pakistan, 1973 read with Article 5(3) of the Election Commission Order, 2002, as amended, it is the duty of the Election Commission to organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against;

**AND WHEREAS**, under Article 220 of the Constitution it shall be the duty of all executive authorities in the Federation and in the Provinces to assist the Chief Election Commissioner and the Election Commission in the discharge of his or their functions;

**AND WHEREAS**, it is expedient to ensure that the coverage on television relating to election related activities is fair, unbiased and balanced in respect of any particular political party, candidate or a leader to enable the Election Commission to ensure that the election is conducted honestly, justly, fairly and in accordance with law and that discrimination against any political party, leader or a candidate is guarded against;

**AND WHEREAS**, Article 6 of the Election Commission Order, 2002 empowers the Election Commission to issue such directions or orders as may be necessary for the performance of its functions and duties, including an order doing complete justice in any matter pending before it and an order for the purpose of securing the attendance of any person or the discovery or production of any document and that any such direction or order shall be enforceable throughout Pakistan and shall be executed as if it had been issued by the High Court;

**NOW, THEREFORE**, in pursuance of the provisions of Article 218(3), Article 220 of the Constitution of the Islamic Republic of Pakistan, 1973 read with Article 5(3) and Article 6 of the Election Commission Order, 2002, and in exercise of all other powers enabling it in that behalf, the Election Commission of Pakistan is pleased to direct that the Pakistan Electronic Media Regulatory Authority (PEMRA) will monitor the operations of all TV Channels including State-owned TV (PTV) and ensure that coverage as to electoral activities of the Political Parties till Polling Day of the upcoming General Elections is fair, unbiased and balanced.

**By Order of the Election Commission,**

**(Kanwar Muhammad Dilshad)**  
Secretary

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**ELECTION COMMISSION OF PAKISTAN**Islamabad, the 20<sup>th</sup> November, 2007**NOTIFICATION**

**No.F.2(12)/2007-Cord.- WHEREAS**, Article 218(3) of the Constitution of the Islamic Republic of Pakistan, 1973 envisages that it shall be the duty of the Election Commission constituted in relation to an election to organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against;

**AND WHEREAS**, Article 220 of the Constitution provides that it shall be the duty of all executive authorities in the Federation and in the Provinces to assist the Chief Election Commissioner and the Election Commission in the discharge of his or their functions;

**NOW THEREFORE**, in exercise of powers conferred under Articles 218(3) and 220 of the Constitution of the Islamic Republic of Pakistan, 1973 and all other powers enabling it in that behalf, the Election Commission of Pakistan has resolved as follows:

- a) Bulk transfers of the civil servants shall not be made with immediate effect till the completion of the forthcoming elections.
  - b) Individual transfers of civil servants shall also not be made with immediate effect except under exceptional circumstances, in the exigencies of service and in public interest. The Election Commission shall be informed accordingly.
2. A copy of this Order shall be transmitted to all executive authorities in the Federation through Secretary, Establishment Division, Government of Pakistan and in the Provinces through their respective Chief Secretaries for compliance.

By Order of the Election Commission,

**(Kanwar Muhammad Dilshad)**  
**Secretary**

**ELECTION COMMISSION OF PAKISTAN**Islamabad, the 20<sup>th</sup> November, 2007**NOTIFICATION**

**No.F.2(14)/2007-Cord.- WHEREAS**, Article 218(3) of the Constitution of the Islamic Republic of Pakistan, 1973 provides that it shall be the duty of the Election Commission, constituted in relation to an election to organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that the corrupt practices are guarded against;

**WHEREAS**, Article 220 of the Constitution envisages that it shall be the duty of all executive authorities in the Federation and in the Provinces to assist the Chief Election Commissioner and the Election Commission in the discharge of his or their functions;

**WHEREAS**, Article 6 of the Election Commission Order, 2002 empowers the Election Commission to issue such directions or orders as may be necessary for the performance of its functions and duties including an order doing complete justice in any matter pending before it and an order for the purpose of securing the attendance of any person or the discovery or production of any document and that any such directions or order shall be enforceable throughout Pakistan and shall be executed as if it had been issued by the High Court.

**NOW THEREFORE**, in exercise of the powers conferred upon it under Articles 218(3) and 220 of the Constitution read with Article 6 of the Election Commission Order, 2002 and all other powers enabling it in that behalf, the Election Commission of Pakistan has been pleased to direct that:

(i) The executive authorities in the Federation and in the Provinces shall not use the State resources anywhere in Pakistan for unfair advantage and further that they shall not exercise undue influence, affecting the interest of any person intending to contest election, a contesting candidate or a political party for participating in the forthcoming General Elections, 2007.

(ii) If any person in the service of Pakistan misuses his official position in any manner calculated to influence the results of the elections may be tried by a Court of Sessions as contemplated under Section 95 of the Representation of the People Act, 1976, and, if found guilty of the offence may be punished with imprisonment for a term which may extend to two year or with fine which may extend to two thousand rupees, or with both under Section 92 of the Act.

(iii) Till the day of polls no person in the service of Pakistan including Zila Nazims, Naib Zila Nazims, Tehsil Nazims, Naib Tehsil Nazims, Town Nazims, and Naib Town Nazims or any person on his behalf shall openly or in secret give any subscription or donation, or make promise for giving such subscription or donation, to any institution of his respective area or to any other institution, nor shall commit to undertake any development project in his respective area for the advancement of the campaign of a candidate of his choice and thereby influence the results of the forthcoming elections.

(iv) If any of the Zila Nazims, Naib Zila Nazims, Tehsil Nazims, Naib Tehsil Nazims, Town Nazims and Naib Town Nazims misuses his official position to influence the result of the forthcoming elections in any manner whatsoever appropriate proceedings shall be initiated against such delinquent Nazim, or as the case may be, the Naib Nazim, for his disqualification to hold his respective office.

By Order of the Election Commission,

**(Kanwar Muhammad Dilshad)**  
Secretary

**LIST OF DISTRICT RETURNING OFFICERS**  
**FOR GENERAL ELECTIONS - 2007-08**

<b>Sl.No.</b>	<b>District Returning Officers</b>	<b>Jurisdiction</b>	
<b>1</b>	<b>2</b>	<b>3</b>	

**N-W.F.PROVINCE**

1	District & Sessions Judge, Peshawar.	Peshawar
2	District & Sessions Judge, Nowshera.	Nowshera
3	District & Sessions Judge, Charsadda.	Charsadda
4	District & Sessions Judge, Mardan.	Mardan
5	District & Sessions Judge, Swabi.	Swabi
6	District & Sessions Judge, Kohat.	Kohat
7	District & Sessions Judge, Karak.	Karak
8	Add: District & Sessions Judge, Hangu.	Hangu
9	District & Sessions Judge, Bannu.	Bannu
10	District & Sessions Judge, Lakki Marwat.	Lakki Marwat
11	District & Sessions Judge, D.I.Khan.	D.I.Khan
12	District & Sessions Judge, Tank.	Tank
13	District & Sessions Judge, Abbottabad.	Abbottabad
14	District & Sessions Judge, Haripur.	Haripur
15	District & Sessions Judge, Mansehra.	Mansehra
16	District & Sessions Judge, Battagram.	Battagram
17	District & Sessions Judge, Kohistan.	Kohistan
18	District & Sessions Judge, Swat.	Swat
19	District & Sessions Judge, Buner.	Buner
20	District & Sessions Judge, Shangla.	Shangla
21	District & Sessions Judge, Lower Dir.	Lower Dir
22	District & Sessions Judge, Upper Dir.	Upper Dir
23	District & Sessions Judge, Chitral.	Chitral
24	District & Sessions Judge, M.P.A.	M.P.A

**FATAs/FRs**

1	Political Agent, Mohamand Agency.	Mohamand Agency
2	Political Agent, Kurrum Agency.	Kurrum Agency
3	Political Agent, Orakzai Agency.	Orakzai Agency
4	Political Agent, N.W.Agency.	N.W.Agency
5	Political Agent, S.W.Agency.	S.W.Agency
6	Political Agent, Bajour Agency.	Bajour Agency
7	Political Agent, Khyber Agency.	Khyber Agency
8	District Officer Revenue & Estate, Kohat.	F.R, Peshawar, Kohat, Bannu, Lakki Marwat, D.I.Khan & Tank

**FEDERAL CAPITAL, ISLAMABAD**

1 District & Sessions Judge, Islamabad Islamabad (ICT)

**PUNJAB PROVINCE**

1	District & Sessions Judge, Rawalpindi.	Rawalpindi District
2	District & Sessions Judge, Attock.	Attock District
3	District & Sessions Judge, Chakwal	Chakwal District
4	District & Sessions Judge, Jhelum.	Jhelum District
5	District & Sessions Judge, Sargodha.	Sargodha. District
6	District & Sessions Judge, Khushab.	Khushab District
7	District & Sessions Judge, Mianwali.	Mianwali. District
8	District & Sessions Judge, Bhakkar.	Bhakkar District
9	District & Sessions Judge, Faisalabad.	Faisalabad. District
10	District & Sessions Judge, Jhang.	Jhang District
11	District & Sessions Judge, Toba Tek Singh.	Toba Tek Singh
12	District & Sessions Judge, Gujranwala.	Gujranwala District
13	District & Sessions Judge, Hafizabad.	Hafizabad District
14	District & Sessions Judge, Gujrat.	Gujrat District
15	District & Sessions Judge, M B Din.	M B Din District
16	District & Sessions Judge, Sialkot.	Sialkot District
17	District & Sessions Judge, Narowal.	Narowal District
18	District & Sessions Judge, Lahore.	Lahore District
19	District & Sessions Judge, Sheikhpura.	Sheikhpura District
20	District & Sessions Judge, Nankana Sahib.	Nankana Sahib District
21	District & Sessions Judge, Kasur.	Kasur District
22	District & Sessions Judge, Okara.	Okara District
23	District & Sessions Judge. Multan.	Multan District
24	District & Sessions Judge, Lodhran.	Lodhran District
25	District & Sessions Judge, Khanewal.	Khanewal District
26	District & Sessions Judge, Sahiwal.	Sahiwal District
27	District & Sessions Judge, Pakpattan.	Pakpattan District
28	District & Sessions Judge, Vehari.	Vehari District
29	District & Sessions Judge, Dera Ghazi Khan.	Dera Ghazi Khan District
30	District & Sessions Judge, Rajanpur.	Rajanpur District
31	District & Sessions Judge, Muzaffargarh.	Muzaffargarh District
32	District & Sessions Judge, Layyah.	Layyah District
33	District & Sessions Judge, Bahawalpur.	Bahawalpur District
34	District & Sessions Judge, Bahawalnagar.	Bahawalnagar District
35	District & Sessions Judge, Rahim Yar Khan.	Rahim Yar Khan District

### **SINDH PROVINCE**

1	District and Sessions Judge, Sukkur	Sukkur
2	District and Sessions Judge, Ghotki	Ghotki
3	District and Sessions Judge, Khairpur	Khairpur
4	District and Sessions Judge, Naushero Feroze	Naushero Feroze
5	District and Sessions Judge, Nawabshah	Nawabshah
6	District and Sessions Judge, Larkana	Larkana
7	District and Sessions Judge, Shahdadkot at Kamber	Shahdadkot at Kamber
8	District and Sessions Judge, Shikarpur	Shikarpur
9	District and Sessions Judge, Kashmore	Kashmore
10	District and Sessions Judge, Jacobabad	Jacobabad
11	District and Sessions Judge, MirpurKhas	MirpurKhas
12	District and Sessions Judge, Tharparkar at Mithi	Tharparkar
13	District and Sessions Judge, Sanghar	Sanghar
14	District and Sessions Judge, Umerkot	Umerkot
15	District and Sessions Judge, Hyderabad	Hyderabad
16	District and Sessions Judge, Hyderabad	Tando Allahyar
17	District and Sessions Judge, Hyderabad	Tando Muhammad Khan
18	District and Sessions Judge, Dadu	Dadu
19	District and Sessions Judge, Badin	Badin
20	District and Sessions Judge, Jamshoro	Jamshoro
21	District and Sessions Judge, Hyderabad	Matiari
22	District and Sessions Judge, Thatta	Thatta
23	District and Sessions Judge, Karachi West	Karachi West
24	District and Sessions Judge, Karachi Central	Karachi Central
25	District and Sessions Judge, Karachi East	Karachi East
26	District and Sessions Judge, Karachi South	Karachi South
27	District and Sessions Judge, Malir	Malir.

### **BALUCHISTAN PROVINCE**

1	District & Sessions Judge, Quetta	Quetta district.
2	District Coordination Officer, Pishin	Pishin district
3	District Coordination Officer, Killa Abdullah.	Killa Abdullah district
4	District & Sessions Judge, Noshki.	Noshki district
5	District Coordination Officer, Chagai.	Chagai district.
6	District Coordination Officer, Sherani	Sherani
7	District & Sessions Judge, Zhob.	Zhob
8	District Coordination Officer, Killa Saifullah.	Killa Saifullah district

9	District & Sessions Judge, Loralai.	Loralai district.
10	Additional District & Sessions Judge, Barkhan at Rakhni.	Barkhan district
11	District Coordination Officer, Musakhel	Musakhel district
12	District & Sessions Judge, Sibi.	Sibi district
13	District Coordination Officer, Harnai.	Harnai district
14	District Coordination Officer, Ziarat.	Ziarat district
15	District Coordination Officer, Kohlu.	Kohlu district
16	District Coordination Officer, Dera Bugti.	Dera Bugti district.
17	District & Sessions Judge, Dera Murad Jamali	Nasirabad district.
18	District & Sessions Judge, Dera Allah Yar.	Jaffarabad district.
19	District Coordination Officer, Bolan.	Bolan district.
20	District Coordination Officer, Jhal Magsi.	Jhal Magsi district.
21	District Coordination Officer, Kalat.	Kalat district.
22	District & Sessions Judge, Mastung.	Mastung district.
23	District & Sessions Judge, Khuzdar.	Khuzdar district.
24	District Coordination Officer, Awaran.	Awaran district.
25	District Coordination Officer, Kharan.	Kharan district.
26	District Coordination Officer, Washuk.	Washuk district.
27	District & Sessions Judge, Lasbela at Hub.	Lasbela district.
28	District & Sessions Judge, Mekran at Turbat.	Kech district.
29	Additional District & Sessions Judge, Panjgur.	Panjgur district.
30	Additional District & Sessions Judge, Gwadar.	Gwadar district.

By Order of the Election Commission of Pakistan,

(Kanwar Muhammad Dilshad)

Secretary

**ELECTION COMMISSION OF PAKISTAN**

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**NOTIFICATION****Islamabad the 20<sup>th</sup> November, 2007**

No.F.2(11)/2007-Cord. In pursuance of the Order of the President of the Islamic Republic of Pakistan, dated the 19<sup>th</sup> November, 2007 making announcement regarding holding of General Elections to the National Assembly and the Provincial Assemblies of the Punjab, Sindh, NWFP & Balochistan on the 8<sup>th</sup> January, 2008 read with Section 11 of the Representation of the People Act, 1976 (LXXXV of 1976) and all other powers enabling him in that behalf, the Election Commission hereby calls upon the electors of each of the National Assembly Constituencies and the constituencies of the Provincial Assemblies of the Punjab, Sindh, NWFP and Balochistan to elect their representatives from each of these constituencies to the general seats and in connection therewith appoints the following dates for election to the aforesaid Assemblies:

<b>Sl. No.</b>	<b>Events</b>	<b>Dates</b>
1.	Dates for filing of nomination papers with the Returning Officers by the candidates	21-11-2007 to 26-11-2007
2.	Dates for <b>Scrutiny</b> of nomination papers by the Returning Officers	27-11-2007 to 03-12-2007
3.	Last date for <b>filing of appeals</b> against decisions of the Returning Officers rejecting/accepting nomination papers	07-12-2007
4.	Last date for <b>deciding appeals</b> by the Tribunals	14-12-2007
5.	Last date for <b>withdrawal</b> of candidature	15-12-2007
6.	Publication of <b>revised list</b> of candidates	16-12-2007
7.	<b>Polling Day</b>	08-01-2008

2. The above mentioned Programme shall also apply to the seats reserved for Women and non-Muslims in the National Assembly and Provincial Assemblies of the Punjab, Sindh, NWFP and Balochistan.

By Order of the Election Commission,

**(Kanwar Muhammad Dilshad)**  
Secretary