



Election of Nazim / Naib Nazim of District Tehsil / Town / Neighborhood/Village Councils

KPK LGE, 2015

After completion of elections to general seats and seats reserved for women, peasant/worker, youth and non-Muslims in Tehsil/Town Councils and District Councils as well as Nazim and Naib Nazim of those Neighbourhood/Village Councils of **Khyber Pakhtunkhwa**, (where the candidates on general seats have been elected as uncontested), the next stage is to elect a Nazim and a Naib Nazim for each of these Local Councils.

As a first step, the Election Commission, on the recommendations of District Returning Officers (DRO), has already appointed Returning Officers (ROs), who will conduct election of Nazims and Naib Nazims of respective Council.¹

The Returning Officer will proceed to conduct election of Nazims first, in their respective Councils in the following manner:

First Meeting of the Council²:

- RO to convene and preside over the first meeting of District /Tehsil/Town/Neighbourhood/Village Council. RO should send a notice in writing to all members of the Council indicating therein the date, time and venue of the first meeting of the Council.
- In the first meeting no other business will be transacted by the Council until election of Nazim and Naib Nazim is completed.

Nominations³:

- Any member of Tehsil/Town Council or a District Council may propose or second name of any member of that Council for the office of Nazim. Any member whether elected on a general seat or a reserve seat of that Council, may contest for the office of Nazim or Naib Nazim.
- A separate nomination paper (Form XXXI) for Tehsil/Town Council or a District Council shall be filed for each proposal. The nomination shall have signatures of the proposer and seconder as well as that of the candidate nominated.
- A separate nomination paper (Specimen is attached) for Village/Neighbourhood Council shall be filed for each proposal. The nomination shall have signatures of the proposer and seconder as well as that of the candidate nominated.
- A candidate may be proposed by more than one nomination papers but a member cannot propose or second more than one candidate.
- Every nomination paper shall be filed with /RO of the relevant Local Council by 1:00 PM on the day fixed for the first meeting of the Council.

Scrutiny⁴:

- RO should scrutinize nomination papers received by him/her in the presence of candidates and their proposers and seconders as may be present.
- RO may reject a nomination paper if he/she is satisfied that:

¹ Rule 66 of the Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules, 2014

² Rule 67 *ibid*

³ Rule 67 of the Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules, 2014

⁴ Rule 68 *ibid*

- a) The candidate is not a member of that Local Council;
 - b) The signature of the candidate or proposer or seconder is not genuine; or
 - c) A proposer or seconder has subscribed to nomination of more than one candidate. However rejection of a nomination paper of a candidate shall not invalidate other nomination papers filed by the same candidate.
- RO should endorse his/her decision on every nomination paper.
 - The decision of RO shall be final.

Withdrawal of candidature⁵:

A candidate may withdraw his/her candidature at any time before the election takes place.

Election of Nazim⁶:

- The RO shall read out to the Local Council, the names of contesting candidates in the order in which nomination papers are received and proceed to effect the election by an **open division** in the following manner -
 - The RO will ask the members to proceed to a door in a file where an officer will be deputed to ascertain the support of each member for the candidate of his/her choice in a Register to be supplied by the ECP. (Specimen of Register is given at the end).
 - Each member will enter name of the candidate of his/her choice in the relevant column in the Register, sign it and put his/her thumb impression before leaving the meeting room / hall.
 - A member who is unable to enter name of candidate of his/her choice, due to any reason, may seek assistance of the officer maintaining the Register.
 - No member who has recorded his/her support will be allowed to re-enter the meeting room / hall, unless all members present have recorded their support.
- **A Tehsil/Town or District Nazim has to secure support of majority of the total membership of the Council.**
- If there is only one contesting candidate who secures support of majority of the total membership of the Council, the RO shall declare him/her to be elected as Nazim of the Council.
- If there is only one candidate and he/she is not able to secure support of the majority of the total membership of the Council, all proceedings shall commence again for the election.
- If there are two or more contesting candidates, the candidate who secures support of the majority of the total membership of the Council shall be declared as Nazim of the Council -
 - If no candidate secures majority of the total membership of the council in first round, second round shall be held between two candidates having support of highest number of members in the first round;
 - The candidate who is then supported by majority of the total membership of the Council shall be declared as elected.
- If the number of votes secured by two or more members securing the highest number of votes is equal, further two sittings with interval of one week in between, shall be held and if no one of them secures a majority of votes of the total membership of the concerned District Council or Tehsil or Town Council, as the case may be, the Council shall stand dissolved and matter shall be referred to the Election Commission for holding fresh elections. The RO shall declare name of the member commanding

⁵ Rule 69 *ibid*

⁶ Rule 70 *ibid*

the confidence of the majority of the total membership of the council having been elected as Nazim of the Local Council and administer him /her Oath of Office in the manner prescribed in schedule-II of the Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules, 2014.

- On the conclusion of the election of Nazim and Naib Nazim of District/Tehsil/Town/Village/Neighbourhood Council (only those Village/Neighbourhood Councils where the candidates in the category of General Seats have returned un-oppose/un-contested), as the case may be, the DC/DRO of the district shall prepare the list of the returned candidates to the above said seats in consolidated form for all councils where the said election involved, on the pattern used as per previous practice and furnish the same duly signed by him, to the Provincial Election Commissioner, Khyber Pakhtunkhwa along with attested copy of the relevant pages of the Register provided for maintaining record of the proceeding of recording support of the candidates in each council in support of the contesting candidates for the seat of Nazim and Naib Nazim, for the purpose of issuing necessary notification by the Election Commission of Pakistan.

Election of Naib-Nazim⁷:

After election of Nazim, a Naib Nazim for each Tehsil Council or Town Council or District Council or Village/Neighbourhood Council, shall be elected in the same manner as given above for election of Nazim of the Council.

⁷ Rule 71 *ibid*

REGISTER FOR MAINTAINING OF RECORD OF SUPPORT EXTENDED (OPEN DIVISION) BY THE MEMBERS IN FAVOR THEIR CANDIDATE IN ELECTIONS OF NAZIM/ NAIB NAZIM.

Name of Council..... (District/Town / Tehsil)..... (Name of District).....

Total No. of Elected Members/Electoral College of Council

No. of Members present in the Election (Open Division) of *Nazim/Naib Nazim

S. No.	Names of Returned Members/Voters	CNIC No.	Support Extended in favor of (Name of Candidate)	Voter`s Signature	Voter`s Thumb impression
1					
2					
3					
4					
5					
6					

I declare hereby that following candidates have duly been elected Nazim/Naib Nazim:

S#	Name	Name of Father	Nazim/Naib Nazim	Party Affiliation	Address
1.					
2.					

Returning Officer
(Name & Designation)

Place.....

Date.....

NOMINATION PAPER

Election of Nazim/ Naib Nazim of Neighbourhood /Village Council

To be filled in by the Proposer.

I, _____ Member of Neighbourhood/
Village Council _____ District _____ do hereby propose
the name of Mr. _____ a member of this council for election as a
candidate for the office of Nazim /Naib Nazim of Neighbourhood/ Village
Council _____

I hereby declare that I have not subscribed to any other proposal as proposer or
seconded

SIGNATURE OF PROPOSER

MEMBER
COUNCIL.....

Declaration by a Secunder:

I, _____ Member of Neighbourhood/
Village Council _____ District _____ do hereby second
the name of Mr. _____ a member of this council for election as a
candidate for the office of Nazim /Naib Nazim of Neighbourhood/ Village
Council _____

SIGNATURE OF SECONDER

MEMBER
COUNCIL.....

Declaration by the Candidate:

I, _____ do hereby declare that I have
consented to the above proposal and that I am qualified to be the Nazim of Neighbourhood/
Village Council _____ District _____.

SIGNATURE OF CANDIDATE

MEMBER
COUNCIL.....

(Decision of Returning Officer accepting or rejecting the nomination paper on the day fixed for scrutiny)

I have examined this nomination paper in accordance with the provisions of the Khyber Pakhtunkhwa Local Government (Elections) Rules, 2014 and decide as follows :—

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(In case of rejection, state brief reasons)

Date.....

RETURNING OFFICER