

F.1 (8)/2024-LGE-ICT

**ELECTION COMMISSION OF PAKISTAN**

Subject: **CONDUCT OF LOCAL GOVERNMENT ELECTIONS IN ICT**

**ORDER**

**20-08-2024**

**WHEREAS**, Article 218(3) of the Constitution of Islamic Republic of Pakistan mandates the Election Commission of Pakistan 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**, the Election Commission of Pakistan is under obligation in terms of Articles 140-A(2), 219(d) of the Constitution, read with Section 219 of the Elections Act, 2017 and Islamabad Capital Territory Local Government Act, 2015 to hold the Local Governments Election in Islamabad Capital territory;

**AND WHEREAS**, the Commission in exercise of powers conferred upon it under Article 140(A) and 219(d) of the Constitution, Section 219 of the Elections Act, 2017 and Section 17 of the Islamabad Capital Territory Act, 2015 readwith Rule.11 of Islamabad Capital Territory, Local Government (Conduct of Elections) Rules, 2015 notified the Election Programme on 08-08-2024 for various activities of Local Government Elections in ICT with filing of nomination papers from 16-08-2024 to 20-08-2024 and the poll date as 29.09.2024.

**AND WHEREAS**, various applications from individuals, Candidates and political parties have been received with the prayer to postpone the election or to extend the dates of certain activities on different grounds inter alia upcoming monsoon rains, fresh registration and transfer of votes, exemption from submission of vote extracts by candidates and extension of time for filing of nomination papers.

**AND WHEREAS**, the Commission discussed the applications one by one in its meeting held on 20-08-2024 in detail and took stock of the issues highlighted in it.

**AND WHEREAS**, the Commission observed that the poll date of 29-09-2024 for the conduct of ICT Local Government Elections was submitted before the Honorable Islamabad High Court in W.P No 1508-2024 titled Air Commodore (R) Akhter Nawaz Khan versus Metropolitan Corporation of Islamabad etc. on 10-07-2024.

**AND WHEREAS**, Mr. Nasrullah Randhawa Amir Jammat-e-Islami Islamabad, Mr. Muhammad Umer Mughal President PMLN-NA-48 and Raja Muhammad Wahid Kiyani President PMLN have submitted applications for extension of time for submission of nomination papers in the ensuing ICT Local Government Elections to facilitate the political parties and their candidates to complete their panel of candidates and also requested for exemption from attachment of voter extract with nomination papers. The Commission considered the requests of the applicants. The Commission is of the view that the right to contest election is a fundamental right in terms of Article 17 of the Constitution. The extension of time will not adversely affect the right of any candidate or political party, rather it will facilitate the candidates, political parties and voters to participate in the Election. The Commission has also the powers to make alteration in Election program in public interest after its issuance to ensure maximum participation of the candidates and the political parties in terms of section 58(1) of the Elections Act, 2017. Similarly, Rule 6 of the ICT Local Government (Conduct of Election) Rules, 2015 provides that the candidates shall not be required to provide voter extract with the nomination papers.



**AND WHEREAS**, twenty-seven (27) applications for extension of time for 'fresh registration and transfer of vote were also discussed threadbare. It is pertinent to mention here in that the Commission in the first instance issued delimitation programme which was published and notified on 23-07-2024 after completion of all activities in accordance with law. The political parties, voters and prospective candidates had advance knowledge that the process of LG election in Islamabad has begun. The registration and transfer of votes is an ongoing activity except when schedule of election is issued/notified in terms of Section 39 of the Elections Act, 2017. The candidates and political parties had ample time to register and transfer their votes. At this stage, the new registration and transfer of votes would be a violation of Section 39 ibid. Moreover, the request for fresh registration and transfer of votes is not possible without withdrawal of Election Programme at this stage.

**AND WHEREAS**, one Adnan Amin petitioner candidate of UC-61 has requested for postponement of election on grounds of recent heavy rains and forecast of further heavy monsoon rain in ICT. Conduct of Local Government Election is a constitutional requirement and the Commission is obligated to perform its duty cast upon it under Article 140(A) (2) and 219 (c) of the Constitution. The application is devoid of force as the ground of expected heavy rains alone is not deemed sufficient reason to warrant postponement of the upcoming ICT Local Government Elections.

**NOW THEREFORE**, in view of the above discussion, the Commission under the command of Article 218(3) of the Constitution and in exercise of powers under Sections 4, 8 and 58 of the Elections Act, 2017 hereby accepts the request of the applicants Mr. Nasrallah Randhawa Amir Jammat-e-Islami, Mr Muhammad Umer Mughal president PMLN-NA-48 and Raja Muhammad Wahid Kiyani President PMLN, and hereby extends the time for filing of Nomination papers and other different stages. The request for exemption from voter extracts is also allowed and office is directed to take follow-up action. However, the requests of 27 applicants and Mr. Adnan Amin for postponement of Local Government Elections in ICT are rejected being devoid of force.

Office is directed to issue revised election programme with poll date of 09-10-2024 accordingly.

*sd*  
**MR. SIKANDAR SULTAN RAJA**  
Chairman

*sd*  
**NISAR AHMED DURRANI**  
Member

*sd*  
**SHAH MUHAMMAD JATOI**  
Member

*sd*  
**BABAR HASSAN BHARWANA**  
Member

*sd*  
**JUSTICE (R) IKRAMULLAH KHAN**  
Member

