

# ELECTION COMMISSION OF PAKISTAN

## NOTIFICATION

Islamabad the 20<sup>th</sup> April, 2016

No.F.8(4)/2013-Cord (1).- In pursuance of Article 218(3) of the Constitution of the Islamic Republic of Pakistan read with Article 220 of the Constitution, Article 18 of the Political Parties Order, 2002 (Chief Executive's Order No.18 of 2002), Workers Party of Pakistan Case (PLD 2012 SC 681) and all other powers enabling it in that behalf, the Election Commission is pleased to issue the following Code of Conduct for political parties and candidates for bye-elections in constituencies No. **PS-106 Karachi-XVIII and PS-117 Karachi-XXIX**.

2. The contents of this Code of Conduct shall be considered as directives of ECP and violation of any of its clauses thereof shall be proceeded against under Article 204 of the Constitution read with Section 103A of the Representation of the People Act, 1976.

### CODE OF CONDUCT

- (i) The executive authorities in the Federation and in the Provinces shall not use State Resources in said constituency where bye-election is being held for unfair advantage of a particular candidate or political party nor exercise undue influence affecting the interest of a candidate or party for participating in any bye-election to be held hereinafter;
- (ii) If any person in the service of Pakistan misuses his official position in any manner calculated to influence the result of the election, he 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 years or with fine which may extend to two thousand rupees, or with both under Section 92 of the Act;

Contd.....

AND WHEREAS the bye-elections in the Constituencies No. **PS-106 Karachi-XVIII** and **PS-117 Karachi-XXIX** are scheduled to be held on **02.06.2016** and it is expedient to issue the following Directive to ensure free, fair and transparent election and to guard against corrupt practices.

NOW, THEREFORE, in exercise of the powers conferred upon it under Articles 218(3) and 220 of the Constitution read with Section 104 of the Act and pursuant to the directions of the Hon'ble Supreme Court in the judgment supra and all other powers enabling it in that behalf, the Election Commission is pleased to direct that:

**ELECTION EXPENSES**

- i) None of the contesting candidates shall exceed the limit of election expenses of **Rs. 10,00,000/- (rupees one million) for Provincial Assembly Constituency**, in terms of sub-section (2) of Section 49 of the Representation of the People Act 1976;
- ii) Each contesting candidate shall open an account with a scheduled bank **on or before the scrutiny of nomination papers** and deposit therein the amount of Rs. 10,00,000/- (rupees one million) for Provincial Assembly Constituency, to meet the election expenses;
- iii) All election expenditures shall be made out of the amount deposited in the aforesaid account;
- iv) No transaction towards the election expenses shall be made through an account other than the account opened for the purpose;
- v) All transactions relating to the election expenses shall be entered with GST registered firms;
- vi) Every contesting candidate shall maintain his account of election expenditure on day-to-day basis;
- vii) Each contesting candidate shall submit to the District Returning Officer on every Thursday of the campaign period, a statement of election expenses made by him during the preceding week in terms of Section 50 of the said Act;

Contd....



### ELECTION CAMPAIGN

- i) Car rallies are not allowed to travel long distances except if they have pre-arranged corner meetings at specific designated places. These meetings shall be notified to the ordinary public by the local administration. The local administration must also ensure that all candidates are accommodated indiscriminately.
- ii) No person or a political party shall affix posters, hoardings or banners larger than the sizes prescribed below:
  - (a) Posters 2-feet x 3-feet
  - (b) Hoardings 3-feet x 5-feet
  - (c) Banners 3-feet x 9-feet
  - (d) Leaflets/Handbills 9-inches x 6 inches
- iii) No person or a political party 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.
- iv) Wall chalking as part of an election campaign shall be prohibited in all forms.
- v) Loudspeakers shall not be used for election campaign except at the election meetings.
- vi) The political parties and candidates shall convey their schedule of meeting at least one week in advance to the local administration;
- vii) Local Administration shall be responsible for making appropriate security arrangements and regulating such meetings in such a manner that equal opportunities are provided to the contesting candidates interested in holding rallies and meetings;
- viii) The contesting candidates shall follow the Code of Conduct for the political parties and contesting candidates issued for General Elections, 2013 except in so far as it is inconsistent with this Directive and the aforesaid judgment of the Hon'ble Supreme Court of Pakistan.
- ix) The Election Commission shall review all election activities including Jalsas, Jaloos and use of Loudspeakers etc. in order to ensure the fairness, justness and the honesty of the election process.

### CAMPS NEAR POLLING STATIONS

- i) Establishment of camps near the polling stations on the polling day in the aforesaid constituencies by the political parties, the contesting candidates or their supporters is hereby banned in terms of Section 84 of the Act and the aforesaid judgment of the Hon'ble Supreme Court of Pakistan.

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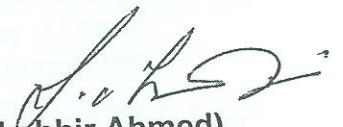
- ii) Canvassing for votes, soliciting of votes, persuading any elector not to vote at the election or for a particular candidate, or exhibiting any notice, sign, banner or flag designed to encourage the electors to vote or discourage the electors from voting for any contesting candidate is prohibited within a radius of 400 yards of the polling station in terms of Section 85 of the Act and the aforesaid judgment of the Hon'ble Supreme Court of Pakistan.
- iii) No political party or a contesting candidate or their supporters are allowed to distribute *Perchis* containing voters' details i.e. name, parentage, gharana number, serial number etc or any *Perchis* containing symbol of a political party or contesting candidate near or in the vicinity of polling station on the polling day i.e. within the radius of 400 yards of the polling station.

#### PROVISION OF TRANSPORT TO THE VOTERS

- i) No political party or a contesting candidate or an election agent or their supporters shall use any vehicle to convey to or from the polling station any elector except himself and members of his immediate family in terms of Section 78 (5) of the Representation of the People Act, 1976;
- ii) Any violation of the above directive is a corrupt practice under Section 78 of the said Act and 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 within the meaning of Section 82 of the said Act.

All concerned are required to follow the aforesaid Directive in letter and spirit and any violation thereof shall be dealt with in accordance with the relevant provisions of the Constitution, the law and the aforesaid judgment of the Hon'ble Supreme Court of Pakistan.

By order of the Election Commission of Pakistan.

  
(Shabbir Ahmed)  
Deputy Director (Cord)

To:

The Manager,  
Printing Corporation of Pakistan Press,  
Islamabad.

[For publication in the Gazette of Pakistan,  
Extraordinary (Part-III) of today's date.]

Copy forwarded for information to the:

- (1) Secretary to the President, Aiwan-e-Sadr, Islamabad.
- (2) Secretary to the Prime Minister, Prime Minister's Secretariat, Islamabad.
- (3) Secretary, Ministry of Interior, Government of Pakistan, Islamabad.
- (4) Secretary, Senate Secretariat, Islamabad.
- (5) Secretary, National Assembly, Islamabad.
- (6) Chief Secretary, Government of Sindh, Karachi.
- (7) Secretary, Provincial Assembly of Sindh, Karachi.

II. Copy forwarded for information and necessary action to the:

- (1) Provincial Election Commissioner, Sindh, Karachi.
- (2) Regional Election Commissioner/DRO, Karachi.
- (3) District Election Commissioner/RO, Karachi Central.
- (4) District Election Commissioner/RO, Karachi West.

III. Copy also forwarded to the:

- (1) Director General (Elections)
- (2) Director General (IT)
- (3) Director General (Law)
- (4) Additional Director General (PR)
- (5) Director (Law)
- (6) Director (MIS)
- (7) Deputy Director (Budget)
- (8) Deputy Director (Elec-II)
- (9) Deputy Director (PR & Lib)
- (10) Director Protocol to Hon'ble CEC
- (11) PS to Hon'ble Members.
- (12) SPS to Secretary
- (13) PS to Additional Secretary (TRE)
- (14) PS to Additional Secretary (Admn.)

ECP Secretariat, Islamabad.

  
(Shabbir Ahmed)  
Deputy Director (Cord)