

BEFORE THE ELECTION COMMISSION OF PAKISTAN

PRESENT:

MR. NISAR AHMED DURRANI, MEMBER
SHAH MUHAMMAD JATOI, MEMBER
MR. BABAR HASSAN BHARWANA, MEMBER
MR. JUSTICE (R) IKRAM ULLAH KHAN, MEMBER

Case No. 2 (40)/2012-Confid

In Ref: **NON CONDUCT OF INTRA PARTY ELECTION BY "AWAMI WORKERS PARTY"**

ON NOTICE:

Awami Workers Party, , E-16/1, Roshan Pakistan Housing Society, Islamabad

... Respondent (s)

For Bakhshal Thalho : Mr. Bebag Sattar Baloch, AHC
For Akhtar Hussain : Mr. Zahid Pervaiz, AHC
For ECP : Mr. Zafar Masood ADG (FP) a/w Mr. Musaddaq Anwar, DD (Confid.) and AD (Confid.)
For Law Branch : Mr. Yasir Ali Raja, Director (Law) & Ms. Saima Tariq Janjuha, DD (Law)
Date of Hearing : 22.07.2025

ORDER

Mr. Nisar Ahmed Durrani, MEC.- Brief facts of titled case are that last intra party election (IPE) of party under consideration was held on 12th and 13th March, 2022 for a term of three years as provided in clause 3.1 of the constitution of the party. After completion of three years term, next intra party election of the party was due on 13.03.2025. It reveals that a soft reminder in this regard was issued by the office vide letter dated 16.12.2024 to the party. On failure to hold intra party election within given time line, a Show Cause Notice dated 07.04.2025 was served upon the party. On application made by the party, time was extended up to 15th May, 2025 for holding of intra party election. It reveals from the record that Akhtar Hussain, ex-president of the party, vide letter dated 02.05.2025 furnished all requisite documents regarding



holding of intra party election within extended time. The said documents were checked by the concerned branch and were duly approved by the Commission for publication of Form-65 on website. In the meanwhile, Bakhshal Thalo, ex-General Secretary of the party vide his letter dated 12.05.2025 approached to submit documents regarding conduct of intra party election, however it was informed by the office that documents regarding conduct of intra party election have already been received. On 19.06.2025, Mr. Bakhshal Thaho made an application for rejection of Intra Party Election results of the party submitted by Mr. Akhtar Hussain.

2. With this background, notices were issued. Leaned counsel for Bakhshal Thaho contended that majority of the party constituted Federal Committee met on 7th and 8th February, 2025 and amended the party constitution. That in the same meeting, Federal Executive Committee was dissolved. He further contended that after amendment in the Constitution of the party, Intra Party election conducted by Mr. Akhtar Hussain is unconstitutional as well as contrary to Federal Committee's decision. He further added that all actions taken by the minority group including intra party election are invalid and based on misinformation. He prayed that intra party election conducted by Mr. Akhtar Hussain may be declared as void.

3. On the other hand, learned counsel appearing for Mr. Akhter Hussain contended that a meeting of the party was held under the Chairmanship of Akhtar Hussain on 26th and 27th February, 2025 wherein it was unanimously decided to hold a



party congress on 27th April, 2025 and to conduct intra party election on same date. That as per decision of Federal Committee, intra party election was conducted on 27th April, 2025. He contended that Mr. Bakhshal has left the party and thereafter he held a separate meeting without calling a meeting of the Congress as they were not in a majority. He added that amendments made in the constitution of the party are also unconstitutional. He prayed that intra party election has been conducted in accordance with the party constitution, therefore, Form-65 may be published on website.

4. We have heard the arguments and perused the record. It was contended by learned counsel for Bakhshal Thalo that meeting of Congress was held on 7th and 8th February, 2025. It was further vehemently emphasized that in the same meeting, party's constitution was amended. However, noting in this regard has been placed on record that alleged amendments made in the constitution of the party have been communicated to the Commission within timeline given in sub section 3 of section 201 of the Elections Act, 2017. Moreover, it has been provided in Chapter-III, clause 3 (iv) of the constitution of the party that 60% majority is required to amend the constitution. But there is also nothing available on record to believe that alleged amendment was made having 60% majority of Congress of the party.

5. In view of above, we are convinced that documents regarding conduct of intra party election submitted by Akhtar Hussain were rightly considered, scrutinized by the office and finally approved for publication. Hence, the application of



Bakhshal Thalho for rejection of intra party election results, submitted by Akhtar Hussain is rejected having no force. Office is directed that Form-65 furnished by Akhtar Hussain be published on website in terms of section 209 (3) of the Elections Act, 2017 with observation that aggrieved party may approach the appropriate forum, if so advised.

sd-
(Nisar Ahmed Durrani)
Member

sd-
(Shah Muhammad Jatoi)
Member

sd-
(Babar Hassan Bharwana)
Member

sd-
(Justice (R) Ikram Ullah Khan)
Member

Islamabad
The 28th July, 2025

