

BEFORE THE ELECTION COMMISSION OF PAKISTAN

PRESENT:

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

Case No. 6 (1)/2023-Cord.

In Ref: **ALLOCATION OF ELECTIONS SYMBOLS TO THE POLITICAL PARTIES
WHO APPLIED FOR ALLOCATION IN CONNECTION WITH
FORTHCOMING GENERAL ELECTIONS OF NATIONAL ASSEMBLY
AND ALL PROVINCIAL ASSEMBLIES UNDER SECTION 216 OF THE
ELECTIONS ACT, 2017**

Sr. No	Party Name	Attendance / Name of Representative of Party
1	Rabita Jamiat Ulma-e-Islam (RUJI)	Mr. Ghulam Muhammad Khan, AHC
2	Jamiat Ulma-e-Islam (JUI)	Mr. Shahzeb Jaffar, AHC a/w Hassan Kamran
3	Peoples Muslim League	Nemo
4	Kissan Ittehad	Mian Umair
5	Pakistan Awami Jamhur Ittehad	Mr. Nasir Mehmood, Adv.
6	Hazara Democratic Party	Mr. Mujtaba Ali
7	Pak League	Nemo
8	Nizam-e-Mustafa party	Nemo
9	Pakistan Muslim Party	Nemo
10	All Pakistan Muttahida League	Mr. Furqan Ahmed, Fazli Qadir
11	All Pakistan Muslim League	Mr. Raza, Sahibzada Riaz Khan, Syed Bilal Ahmed, Jehan Zareen
12	Istehkam-e-Pakistan Party	Mr. Hamza Siddique
13	Pakistan Awami League	Mr. Arsalan
14	Pakistan Tehreek-e-Insaniyat	Nemo
15	Pakistan Aman Tehreek	Mr. Muhamamd Farooq
16	Tehreek-eTahafuz Pakistan	In person a/w Mr. Umer Ahmed Khan, Advocate
17	Pakistan People Party (PPP)	Syed Nayyer Hussain Bukhari
18	Pakistan Peoples Party Workers) GDA	Ibne Rizvi
19	Pakistan Peoples Party (Shaheed Bhutto)	Nemo
20	Jamiat Ulma-e-Islam Nazriayati	Nemo
21	Tehreek-e-Darveshan Pakistan	Nemo
22	Tehreek-e-Awam Pakistan	Nemo
23	Jadeed Awami Party	In person a/w counsel
24	Pakistan Falahi Tehreek	Mr. Fazal ullah
25	Allah-o-Akbar Tehreek	Nemo



...Applicants (s)

Date of Hearing : 03.08.2023

ORDER

Mr. Nisar Ahmed Durrani, Member.— Above titled parties have applied for allocation of symbols under the law in connection with forthcoming General Elections. However, dispute arose due to the reason; firstly when some political parties given their choice for allocation of symbol, which was previously the symbol of other political parties and secondly, applied for allocation of same symbols. For resolution and proper appreciation of controversy, section 218 of the Elections Act, 2017, governing the matter in hand is as under:

“218. Symbol disputed by a political party.—(1)

If a political party fulfils the requirement of sections 208, 209 and 210 and a symbol is allocated to it by the Commission, the Returning Officer shall allocate such symbol to the candidate nominated by that political party.

(2) A political party shall have the right to claim the allocation of the same symbol as allocated to it in any previous election.

(3) A political party shall also be given preference for allocation of a particular symbol if such symbol was allocated to it in a previous election before entering into an alliance with other political parties.

(4) In case the same symbol was allocated to a combination of political parties at the last election and two or more component political parties apply for the same symbol for the next election, the allocation of that symbol to any one political party shall be decided by drawing of lots.”



2. We called the applicants to assist us to resolve the dispute of allocation of symbols. Parties were duly represented and were heard extensively. Above provision of law is explicit, that a party shall have the right to claim for allocation of same symbol as it was allotted to it in any previous election. Similarly, a party shall be given preference for allocation of particular symbol if it was allotted to it in previous election before entering in to an alliance with other political parties.

3. It reveals that Rabita Jamiat Ulema-e-Islam (RUJI) has given two choices for allocation of symbol: (a) Book & (b) Ring. Representative of Rabita Jamiat Ulema-e-Islam pressed for allocation of symbol of "Book". A representative of Jamiat Ulema-e-Islam Pakistan while opposing the allocation of symbol of Book stated that it is already the symbol of their party, therefore, same may be allotted again. Hence following symbols are allotted under the law:

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| i) | Rabita Jamiat Ulema-e-Islam (RUJI) | Ring |
| ii) | Jamiat Ulema-e-Islam Pakistan | Book |

4. People Muslim League Pakistan has given three choices for allocation of symbol: a) Bucket; b) Cup & Saucer; c) Truck, however representative has pressed for allocation of Bucket as their symbol; Kissan Ittehad has given only one choice i.e. Bucket & Pakistan Awami Jamhuri Ittehad given three choices i.e. a) Cup & Saucer; b) Leaf; c) Wrist Watch but representative of party has asked for allocation of Cup & Saucer as party symbol. It reveals from record that "Kissan Ittehad" has contested the previous election on the symbol of Bucket, therefore, it would not be fair to allocate the Bucket to any other political party under the law. It



further reveals that Cup & Saucer is the second option of People Muslim League Pakistan which was also the symbol of the party in previous election. Pakistan Awami Jamhoori Ittehad has also preferred their first option for Cup & Saucer which was the symbol of People Muslim League Pakistan, therefore, it cannot be allotted to it. Hence following symbols are allocated, mentioned against party name:

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|------|---------------------------------|--------------|
| i) | People Muslim League Pakistan | Cup & Saucer |
| ii) | Kissan Ittihad | Bucket |
| iii) | Pakistan Awami Jamhoori Ittehad | Leaf |

5. "Pak League" through its application has preferred "Crescent with five stars" as first option for allocation of symbol; "Crescent" as second choice, however previous symbol of party was mentioned as "Apple". It reveals that Crescent with five stars is not available in the chart of symbol, while Crescent was the symbol of Hazara Democratic Party in previous election; and said party has also applied now for allocation of its previous symbol i.e "Crescent". In such view of the matter Crescent cannot be allotted to Pak League. Office has informed that now party has furnished another application for allocation of "Apple" as election symbol. The office has further informed that application has been put up for consideration and approval of the Commission. Nizam-e-Mustafa Party has preferred three options i.e. a) Crescent b) Eagle & C) Two Swords. Office has informed that Nizam-e-Mustafa Party is not eligible to obtain the symbol due to reason that party has neither furnished Intra Party Election and nor Party accounts from 2018 onward. Hence following symbols are allocated:



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|------|-------------------------|---|
| i) | Pak League | Apple (subject to approval of above said application by Commission) |
| ii) | Hazara Democratic Party | Crescent |
| iii) | Nizam-e-Mustafa Party | [not eligible as discussed above] |

6. "Pakistan Muslim Party" through application has preferred three choices i.e. a) Eagle, b) Swallow, c) Sparrow. It reveals that Eagle was previous symbol of All Pakistan Muslim League which was withheld but reserved for party by ECP vide order dated 18.05.2023, while Swallow was the symbol of National Peace Council. The opted option which left behind is Sparrow. All Pakistan Muttahida League has given three option for allocation of party symbol i.e. a) Eagle, b) Kangaroo, c) Crocodile. Eagle cannot be allotted to party for the reasons discussed above, however 2nd given option is available. Office has informed that All Pakistan Muslim League has not furnished the detail party election and also the party accounts of 2019 and onward. Istikham-e-Pakistan party has also opted for Eagle. It reveals that said party is not registered with ECP as yet. Pakistan Falahi Tehreek has also made request for allocation of "Eagle" as party symbol. However, during the course of arguments, the representative of the party contended that he would be quite satisfied if previous symbol of party "Thermos" is allocated. Hence following symbols are allotted, mentioned against the name of each party:

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|------|------------------------------|---------------------------------------|
| i) | Pakistan Muslim Party | Sparrow |
| ii) | All Pakistan Mutahida League | Kangaroo |
| iii) | All Pakistan Muslim League | [Not eligible as discussed above] |
| iv) | Istakham-e-Pakistan | [Not eligible, as not registered yet] |



v) Pakistan Falahi Tehreek Thermos

7. Pakistan Awami League through its application has requested for allocation of "Hockey" as party symbol which was also the previous symbol of the party. Though Pakistan Tehreek-e-Insaniyat though application has requested for allocation of "Hockey" as party symbol but during the course of arguments representative of party contended that he would be fully satisfied if "Scissor" is allocated to the party. Thus following symbols are allocated, mentioned against the name of each party:

i)	Pakistan Awami League	Hockey
ii)	Pakistan Tehreek-e- Insaniyat	Scissor

8. Pakistan Aman Tehreek has applied for allocation of "Missile" as a party symbol. It was contended by the representative that it was the symbol of the party in previous election. On the other hand, representative of Tehreek-e- Tahafuz- Pakistan also pressed for allocation of "Missile" as party symbol on the ground that Missile was the symbol of party in 2013 but due to some misunderstanding or miscommunication, party did not apply for allocation of symbol in 2018. Records reveals that second preference of the party for allocation of symbol is "Revolver". In such view of the matter, we are of the view that Pakistan Aman Tehreek which has contested the immediate previous election of 2018, deserves for symbol of "Missile". Law is much clear that a party shall make an application for allocation of symbol of its choice for each election, therefore, arguments of representative qua miscommunication or misunderstanding is devoid of force.



Thus following symbols are allotted to the parties, mentioned against the name of party:

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| i) | Pakistan Aman Tehreek | Missile |
| ii) | Tehreek-e- Tahafuz Pakistan | Revolver |

9. Pakistan People Party (PPP) has made an application, for allocation of symbol of "Sword". Syed Nayyer Hussain Bukhari, representative of the party appeared and requested that it was the symbol of the party during previous election, therefore, same may be allocated to party for forthcoming election. A representative of Pakistan People Party (Workers) and Pakistan People Party (Shaheed Bhutto) have also given their first preference for allocation of "Sword" however, second preference of the parties are "Victory Sign" and "Fist", respectively. As the "Sword" was already the symbol of Pakistan People party in previous election, therefore, it cannot be allocated to any other party as requested. Hence symbols are allocated in the following manner:

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| i) | Pakistan People Party | Sword |
| ii) | Pakistan People Party (Worker) | Victory Sign |
| iii) | Pakistan People Party (Shaheed Bhutto) | Fist |

10. Jamiat Ulema-e-Islam Nazryati Pakistan through application has given three choices i.e. a) Takhti, b) Pen, c) Date tree; Tehreek Darwaishan Pakistan has preferred three choices i.e. a) Takhti, b) Wrist Watch, c) Waist Coat. Office has informed that Takhti was previous symbol of Jamiat Ulema-e-Islam Nazryati Pakistan while Wrist Watch, 2nd choice of Tehreek Darwaishahn was previously the symbol of Tehreek-e-Inqilab Political Movement. In such view of the matter, symbols are allocated as under:



- i) Jamiat Ulema-e-Islam Nazryati Pakistan Takhti
- ii) Tehreek Darwaishan Pakistan Waist Coat

11. There was dispute for allocation of symbol between two newly enlisted parties namely Tehreek-e- Awam Pakistan and Jadeed Awami Party for allocation of "Telephone" which was their first preference respectively. However, representative of Jadeed Awami Party stated that he would be satisfied if "Safety Helmet" is allocated. Hence the dispute stand resolved, therefore, following symbols are allocated:

- i) Tehreek-e- Awam Pakistan Telephone
- ii) Jadeed Awami Party Safety Hemlet

12. Allah-o-Akbar Tehreek has given three choices for allocation of symbol which are: a) Thermos, b) Jug; c) Lock. It reveals that "Thermos" is the symbol of "Pakistan Falahi Tehreek", therefore, it cannot be allocated to Allah-o-Akbar Tehreek. Thus "Jug" is allocated to Allah-o-Akbar Tehreek, being 2nd choice of the party.

- Sd -

(Nisar Ahmed Durrani)

Member

- Sd -

(Shah Muhammad Jatoi)

Member

- Sd -

(Babar Hassan Bharwana)

Member

- Sd -

(Justice (R) Ikram Ullah Khan)

Member

Islamabad

The 3rd August, 2023

