

ELECTION COMMISSION OF PAKISTAN

NOTIFICATION

Islamabad, the 23rd January, 2023

Subject: - **MAGISTERIAL POWERS TO RETURNING OFFICERS APPOINTED FOR THE CONDUCT OF ELECTION OF PRESIDING OFFICERS IN CITY/TEHSIL COUNCILS KHYBER PAKHTUNKHWA.**

No.F.7(2)/2022-LGE-KP:— In pursuance of the provisions of Articles 140A(2) and 218(3) of the Constitution of the Islamic Republic of Pakistan, Section-6 & 193(a) of the Elections Act, 2017 and Section-101 of the Khyber Pakhtunkhwa Local Government Act, 2013 read with Rule-2 & 8(c) of the Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules, 2021 the Election Commission of Pakistan hereby authorizes the Returning Officers appointed for the conduct of Election of Presiding Officers of City/Tehsil Councils Khyber Pakhtunkhwa whereby poll will be held on 25.01.2023, to exercise the Powers of Magistrate First Class under the Code of Criminal Procedure, 1898 (Act No. V of 1898) with immediate effect till the announcement of official results.

2. The aforesaid officers shall exercise the powers of Magistrate First Class in respect of all offences under Section-193 of the Elections Act, 2017 Chapter-XIV of the Khyber Pakhtunkhwa Local Government Act, 2013 except the offence of Corrupt Practice provided in Section-88 of the Khyber Pakhtunkhwa Local Government Act, 2013. These offences shall be tried summarily under the provisions of the Code of Criminal Procedure, 1898 (Act No. V of 1898).

By the order of the Election Commission of Pakistan


(NAVEED-UR-REHMAN)
Deputy Director (LGE-KP)

To,

The Manager,
Printing Corporation of Pakistan Press,
Islamabad.

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

I. Copy forwarded for information to the:-

- i. Secretary to the President, Aiwan-e-Sadar, Islamabad.
- ii. Secretary to the Prime Minister's Office, Islamabad.
- iii. Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
- iv. Secretary, Establishment Department, Government of Khyber Pakhtunkhwa, Peshawar.
- v. Secretary, Local Government Department, Government of Khyber Pakhtunkhwa, Peshawar.


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

- i. Provincial Election Commissioner, Khyber Pakhtunkhwa, Peshawar
 - ii. All Regional Election Commissioners.
 - iii. All District Election Commissioners.
 - iv. All Returning Officers, appointed for the subject Election.
- } **Through PEC, KP**

III. Copy forwarded to the:

- i. Director General (Law)
- ii. Director General (LGE)
- iii. Director General (IT)
- iv. Additional Director General (Election-I & II)
- v. PSO to Hon'ble CEC
- vi. Director to Hon'ble CEC
- vii. Director (LGE)
- viii. Director (MCO)
- ix. Deputy Directors (LGE-Wing)
- x. Deputy Director (Training)
- xi. Deputy Director (Web) for uploading the same on ECP Website.
- xii. PSs to Hon'ble MEC-I,II,III & IV
- xiii. Staff Officer to the Secretary
- xiv. PS to Additional Secretary (Admn)
- xv. JPA to Special Secretary

ECP's Secretariat Islamabad


(NAVEED-UR-REHMAN)
Deputy Director (LGE-KP)