

EXTRAORDINARY
GOVERNMENT



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KHYBER PAKHTUNKHWA

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**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LOCAL GOVERNMENT, ELECTIONS AND
RURAL DEVELOPMENT DEPARTMENT**

NOTIFICATION

Dated Peshawar, the 02nd April, 2021.

No.PDA/(LGE&RDD)/ERS/5-10/2021. In exercise of the powers conferred by sub-section (1) of section 112 of the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No. XXVIII of 2013), read with Seventh Schedule thereof, the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA LOCAL COUNCILS (CONDUCT OF ELECTIONS) RULES, 2021

CHAPTER – I PRELIMINARY

1. **Short title, application and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Local Government (Conduct of Elections) Rules, 2021.
 - (2) These rules shall apply to the local council elections and by-elections to be held under the Act.
 - (3) These rules shall come into force at once.
2. **Application of Elections Act, 2017.**--- In these rules, if no specific provision or procedure is provided for election to local government under the Act, it shall be dealt in the same manner as provided in the Elections Act and the rules made there under.

3. **Definitions.**---(1) In these rules, unless there is anything repugnant in the subject or context,-

- (a) "Act" means the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No.XXVIII of 2013);
- (b) "Appellate Tribunal" means an Appellate Tribunal, constituted under rule 19 of these rules;
- (c) "ballot paper" means a ballot paper to be determined by the Commission;
- (d) "ballot paper account" means a ballot paper account prepared under these rules;
- (e) "candidate" means a person nominated for election as Chairman, Tehsil Local Government or a member to a village council or a neighbourhood council;
- (f) "Chairman" means the Chairman of Tehsil Local Government;
- (g) "Commission" means the Election Commission of Pakistan constituted under Article 218 of the Constitution of Islamic Republic of Pakistan;
- (h) "Commissioner" means the Chief Election Commissioner of Pakistan, appointed under Article 213, and includes an Acting Commissioner, appointed under Article 217 of the Constitution of Islamic Republic of Pakistan;
- (i) "contesting candidate" means a validly nominated candidate who has not withdrawn his candidature;
- (j) "election" means election to Chairman, Tehsil Local Government or to a seat of member of a village council or neighbourhood council held under these rules;
- (k) "Elections Act" means the Elections Act, 2017 (Act No. XXXIII of 2017);
- (l) "election agent" means a person appointed by a candidate as his election agent and where no such nomination is made, the candidate acting as his own election agent;
- (m) "election official" includes an officer or official of the Commission, a District Returning Officer, a Returning Officer, an Assistant Returning Officer, a Presiding Officer, an Assistant

- Presiding Officer, a Polling Officer or any officer or official of law enforcing agency or other agencies or any other official appointed or deputed to perform duties in connection with an election;
- (n) “electoral rolls” means electoral rolls prepared, corrected, revised or adopted by the Commission under the Elections Act;
- (o) “election petition” means a petition under the Act or these rules calling an election in question;
- (p) “Election Tribunal” means an election tribunal appointed by the Commission under these rules for trial of election petitions;
- (q) “Form” means a Form appended to these rules;
- (r) “material irregularity” means non-compliance of the provisions of the Act and these rules which materially affect the result of an election;
- (s) “Mayor” means a Mayor of City Local Government.
- (t) “member” means a member of a local council;
- (u) “neighbourhood council” means a neighbourhood council constituted under the Act;
- (v) “non-muslim” means a person who is not a Muslim and includes a person belonging to the Christian, Hindu, Sikh, Buddhist or Parsi community, a person of the Quadiani group or the Lahori group (who call themselves ‘Ahmadis’ or by any other name), or a Bahai, and a person belonging to any of the scheduled castes;
- (w) “polling agent” means a registered voter in the electoral roll of the electoral area assigned to a polling station and nominated by a candidate or his election agent as his polling agent and, where no such nomination is made, the candidate acting as his own polling agent;
- (x) “polling day” means the day on which poll is taken for election to the seat of Chairman, Tehsil Local Government or for the seat of member village council or neighbourhood council;
- (y) “Polling Officer” means a Polling Officer appointed under these rules for a polling station;
- (z) “polling station” means a premises where arrangements are made for a poll;

- (aa) "Presiding Officer" means a presiding officer appointed under these rules for a polling station and includes an Assistant Presiding Officer exercising powers and performing the functions of a presiding officer;
- (ab) "Provincial Election Commissioner" means the Provincial Election Commissioner, Khyber Pakhtunkhwa;
- (ac) "publish" includes exhibition at a prominent place accessible to the public;
- (ad) "returned candidate" means a candidate who has been declared elected as Chairman, Tehsil Local Government or a member of village or neighbourhood councils or indirectly elected on reserved seats of tehsil councils as the case may be;
- (ae) "Returning Officer" means a Returning Officer appointed under these rules and includes an Assistant Returning Officer exercising the powers and performing the functions of a Returning Officer;
- (af) "Schedule" means a Schedule appended to these rules;
- (ag) "spoilt ballot paper" means a ballot paper which has been spoiled and is returned to the presiding officer;
- (ah) "validly nominated candidate" means a candidate whose nomination has been accepted under these rules;
- (ai) "village council" a village council constituted under the Act;
- (aj) "withdrawal day" means a day fixed under these rules on or before which candidature may be withdrawn.

(2) Any reference in these rules to Tehsil Local Government shall include City Local Government and any reference to Chairman, Tehsil Local Government shall include Mayor, City Local Government.

(3) All words and expressions, used but not defined in these rules, shall have the same meanings as are given to them in the Act, Elections Act and rules made thereunder.

CHAPTER – II
POWERS OF THE COMMISSION AND
THE COMMISSIONER

4. Procedure of the Commission.---The Commission shall regulate its business and procedure in all matters relating to and connected with the election in accordance with Elections Act, the Act and the rules made thereunder.

5. Assistance to the Commission and the Commissioner.---(1) All executive authorities in the Province of Khyber Pakhtunkhwa shall render such assistance to the Commission, the Commissioner and any officer appointed or authorized under these rules in the discharge of their functions as may be required.

(2) The Commission, the Commissioner and any officer, appointed or authorized in this regard, may require any person or authority to perform such functions or render such assistance in connection with an election as it or he may direct.

(3) A person, who willfully disobeys any order, instruction or direction of the Commission shall be liable to be proceeded in terms of section 10 of the Elections Act and the rules made thereunder.

6. Specification of local areas.---While authorizing any officer or officers to exercise any powers and to perform any functions, the Commission or the Commissioner, as the case may be, may specify the areas wherein the officers so authorized shall exercise such powers and perform such functions.

7. Power to requisition property.---(1) Government or an officer, authorized by it, may, upon a request, made in this behalf by the Commission, the Commissioner or an officer, appointed or authorized under the Act or these rules, by an order in writing, requisition any vehicle, vessel or animal as is needed or is likely to be needed for the purpose of transporting to and from any polling station, ballot boxes, election material, ballot papers or any officer or a person engaged for the performance of any duties in connection with the election:

Provided that no vehicle, vessel or animal, which is being used by a candidate or his election agent for any purpose connected with the election of such candidate, shall be so requisitioned.

(2) Where any vehicle, vessel or animal is requisitioned under sub-rule (1), there shall be paid to the owner thereof compensation, the amount of which shall be determined by the authorized officer to requisition the vehicle, vessel or animal on the basis of fares and rates prevailing in the locality for its hire.

8. Power of the Commission to ensure fair election.—Save as otherwise provided, the Commission may

- (a) stop the polls at one or more polling stations at any stage of the election if it is convinced that it shall not be able to ensure the conduct of the election justly, fairly and in accordance with law due to large scale malpractices, including coercion, intimidation and pressures, prevailing at the election;
- (b) review an order passed by an officer under the Act or these rules, including rejection of a ballot paper; and
- (c) issue such instructions, exercise such powers and make such consequential orders as may in its opinion, be necessary for ensuring that an election is conducted honestly, justly, fairly and in accordance with the provisions of the Act, Elections Act and these rules.

9. Power of the Commission to declare a poll void.—(1) Notwithstanding anything contained in the Act, Elections Act and these rules if, from facts apparent on the face of the record and after such enquiry as it may deem necessary, the Commission is satisfied that by reason of grave illegalities or such violations of the provisions of the Act, Elections Act and these rules, as have materially affected the result of the poll at one or more polling stations or in the whole constituency or council including implementation of an agreement restraining women from casting their votes, it shall make a declaration accordingly and call upon the voters in the concerned polling station or stations or in the whole constituency as the case may be, to recast their votes in the manner provided for bye-elections.

(2) Notwithstanding the powers conferred by sub-rule (1), the Commission may order filing of complaint under these rules before a court of competent jurisdiction against persons who entered into the agreement referred to in sub-rule (1).

(3) Notwithstanding the publication of the name of a returned candidate under rule 50, the Commission may exercise the powers conferred by sub-rule (1) before the expiration of sixty days after such publication, and, where the Commission does not finally dispose of a case within the said period, the election of the returned candidate shall be deemed to have become final, subject to the decision of an Election Tribunal on an election petition, if any.

(4) While exercising the powers conferred by sub-rule (1), the Commission shall be deemed to be an Election Tribunal to which an election petition has been presented and shall, notwithstanding anything contained in Chapter VII, regulate its own procedure.

(5) Any person aggrieved by a declaration of the Commission under this rule may, within thirty days of the declaration, prefer an appeal to the Supreme Court.

CHAPTER – III
APPOINTMENT OF DISTRICT RETURNING OFFICER
AND RETURNING OFFICERS

10. Appointment of District Returning Officers and Returning Officers.---(1) For the purpose of an election, the Commission shall appoint from amongst its own officers, the officers of the Federal Government, Government, corporations controlled by any such Government, a District Returning Officer for each district or a specified area and a Returning Officer for each tehsil, city and village council or for group of village councils, as deemed appropriate.

(2) Subject to the superintendence, direction and control of the Commission, the District Returning Officer shall coordinate and supervise all work in the district or a specified area in connection with the election and shall also perform such other duties and functions as may be entrusted to him by the Commission or the Commissioner.

(3) It shall be the duty of a Returning Officer to do all such acts and things as may be necessary for the efficient conduct of an election in accordance with the provisions of the Act and these rules and the instructions issued by the Commission from time to time.

(4) The Commission may appoint, from amongst the officers of the Federal Government, Government, corporations controlled by any such Governments as many Assistant Returning Officers as may be necessary.

(5) An Assistant Returning Officer shall assist the Returning Officer in the performance of his functions under these rules and may, subject to such conditions as may be imposed by the Commission, exercise and perform, under the control of the Returning Officer, the powers and functions of the Returning Officer.

11. Appointment of Presiding Officers and Polling Officers.---(1) A Returning Officer shall, appoint for each polling station a Presiding Officer and such number of Assistant Presiding Officers and Polling Officers from amongst the officers of any Government or corporations, autonomous or semi-autonomous bodies controlled by the Governments to assist the Presiding Officer as the Returning Officer may consider necessary.

(2) The Returning Officer shall not appoint a person as Presiding Officer, Assistant Presiding Officer or Polling Officer who is or has, at any time, been in the employment of a candidate.

(3) The Returning Officer shall, at least fifteen days before the polling day, submit to the District Returning Officer for approval a list of such Presiding Officers, Assistant Presiding Officers and Polling Officers including reserved staff on **Form-I** and no change in the list shall be made thereafter save in exceptional circumstances, for reasons to be recorded, and with the approval of the District Returning Officer.

(4) After approval of the District Returning Officer under sub-rule (3), the Returning Officer shall issue appointment orders of the Presiding Officers, Assistant Presiding Officers and Polling Officers in respect of each polling station on **Form-II**.

(5) In case of non-availability of any member of polling staff, the Returning Officer shall appoint a substitute from amongst the reserved staff as approved by the District Returning Officer.

(6) A Presiding Officer shall conduct the poll in accordance with the provisions of the Act and these rules and shall be responsible for maintaining order at the polling station and shall report to the Returning Officer any fact or incident which may affect the conduct or fairness of the poll.

(7) During the course of the poll, the Presiding Officer may entrust any of his functions to an Assistant Presiding Officer and the Assistant Presiding Officer shall perform the functions so entrusted to him.

(8) The Returning Officer shall authorize one of the Assistant Presiding Officers to act in place of the Presiding Officer if the Presiding Officer is, at anytime during the poll, by reason of illness or other cause, not present at the polling station, or is unable to perform his functions.

(9) The Returning Officer may, at any time during the poll, for reasons to be recorded, suspend any Presiding Officer, Assistant Presiding Officer or Polling Officer, and make such alternate arrangements as he may consider necessary for the performance of the functions of the officer so suspended, whose matter shall be referred to the Commission for initiation of disciplinary proceedings.

12. Disciplinary proceedings.---(1) An election official appointed or deputed to perform duties in connection with an election shall deem to be under the control, superintendence and discipline of the Commission for the period commencing on and from the date of appointment or deputation till publication of the name of the returned candidate in the official Gazette.

(2) Notwithstanding anything to the contrary contained in any other law, the Commission may initiate and finalize disciplinary action and impose any penalty against any election official for any act of misconduct provided in the efficiency and discipline rules as applicable to such election official or under any provision of misconduct under the Elections Act and for this purpose, the Commission shall deem to be the Competent Authority under the said efficiency and discipline rules or the Act or the Elections Act.

(3) The Commission may, at any time, for reasons to be recorded in writing, suspend or withdraw any election official, a public servant or any other person in the service of Pakistan who-

(a) obstructs, prevents or attempts to obstruct or prevent the conduct of a fair and impartial poll; or

- (b) interferes or attempts to interfere with a voter when he casts his vote; or
- (c) influences or attempts to influence, in any manner, the polling staff or a voter; or
- (d) does any other act calculated to influence the result of the election; or
- (e) disobeys any order or avoids to carry out any instruction issued by the Commission or any officer authorized to issue such order or instruction or violates any provision of the Elections Act, the Act or these rules.

(4) The Commission may appoint an officer to act as an enquiry officer or authorized officer to initiate and finalize proceedings under the efficiency and discipline rules applicable to the election official concerned against whom action has been taken by the Commission under sub-rule (3) or other provisions of the Elections Act or the Act or by the Returning Officer under sub-rule (9) of rule 11.

(5) The enquiry officer or authorized officer shall complete enquiry proceedings under the efficiency and discipline rules as applicable to the election official concerned or under the Elections Act and these rules, within thirty days of the reference to him and shall submit the enquiry report to the Commission within seven days of the completion of the enquiry.

(6) The Commission may impose any penalty provided in the efficiency and discipline rules as applicable to the election official concerned or any penalty provided under the Elections Act and these rules.

(7) Where the Commission suspends or withdraws any election official, it may appoint any other election official to perform the duty of the election official suspended or withdrawn.

13. Polling stations.—(1) The Returning Officer shall, before such time as the Commission may fix, prepare on **Form-III** and submit to the District Returning Officer, a list of proposed polling stations for the purpose of election of local government.

(2) The District Returning Officer may make alterations in the list of polling stations submitted under sub-rule (1) and shall, at least fifteen days before the polling day, notify the final list of polling stations:

Provided that no change shall be made in the list of polling station, notified under sub-rule (2), except with prior approval of the Commission.

(3) The Returning Officer shall establish a polling station according to the final list notified under sub-rule (2).

14. Supply of electoral rolls to the Returning Officer.---(1) The Commission shall, immediately after the announcement of the election programme, provide authenticated final electoral rolls without photograph of all the electoral areas to the Returning Officer concerned for the purpose of scrutiny of nomination papers of the candidates.

(2) The Commission shall also provide the electoral rolls with photographs to the Returning Officer for onward supply to the Presiding Officer of each polling station for use at the polling station.

(3) The Presiding Officer shall split up the electoral rolls for use at the polling booths, if any, in the polling station.

(4) A candidate or an election agent may obtain a hard copy of the final electoral rolls making an application to that effect at the rate of two rupees per page of the printed electoral rolls in addition to bearing the expenditure to be incurred on the photocopies of the electoral rolls.

(5) The amount of sale proceed under sub-rule (4) shall be deposited at a branch of the National Bank of Pakistan under the head of account "C03 Miscellaneous Receipts, C038-Others, C03870-Others (Election Receipts)".

CHAPTER – IV CONDUCT OF ELECTIONS

15. Notification of election.---(1) The Commission, in consultation with Government, shall by notification in the official Gazette, call upon the voters to elect their representatives to the seat of Mayor or Chairman and members of village council and neighbourhood council.

(2) A Returning Officer shall, after the publication of a notification under sub-rule (1), give public notice of the dates specified by the Commission in respect of election of which he is the Returning Officer and the notice shall be affixed at some conspicuous place in his office.

(3) A Returning Officer shall, by public notice given under sub-rule (2), invite nominations specifying the date and time by which and the place at which nomination papers shall be received by him.

(4) The Commission may, by notification at any time, before the date of poll, alter or rescind the schedule for different stages of the election as may, in its opinion, be necessary.

(5) If a candidate has already submitted his nomination papers before the notification under sub-rule (4), he shall not be required to again submit his nomination papers under the fresh election programme.

16. Nomination for elections.---(1) Any voter of a Tehsil Local Council, City Local Council or village council or neighbourhood council, may propose or second the name of any duly qualified person to be a candidate for becoming a Mayor, Chairman or member of village council or neighbourhood council, as the case may be.

(2) Every nomination of a candidate for election to a Chairman, Tehsil, City Councilor member village or neighbourhood council shall be made by nomination paper provided on **Form-IV** which shall be signed by both the proposer and the seconder and shall, on solemn affirmation made and signed by the candidate, be accompanied by-

- (a) a declaration that he has consented to the nomination and that he fulfills the qualifications specified in the Act and is not subject to any disqualifications specified in the Act;
- (b) attested copy of National Identity Card; and
- (c) a statement of his assets and liabilities and of his spouse and dependent children as on the preceding thirtieth day of June on **Form-V**.

(3) Every nomination paper shall be delivered to the Returning Officer by the candidate or his proposer or seconder or if so authorized in writing by the candidate, by his nominee and the Returning Officer shall acknowledge receipt of the nomination paper specifying the date and time of receipt.

Explanation.—Authorization shall be attested by a Notary Public appointed under the Notaries Ordinance, 1961 (Ord. No. XIX of 1961) or an Oath Commissioner, appointed under the Oaths Act, 1873 (Act No. X of 1873).

(4) A person may not be nominated by more than two nomination papers in the same constituency:

Provided that if any person subscribes as a proposer or a seconder to more than one nomination paper in a category, all such nomination papers, shall be void except the one received first by the Returning Officer.

(5) The Returning Officer shall assign a serial number to every nomination paper and endorse thereon the name of the person presenting it, and the date and time of its receipt, and inform such person of the date, time and place at which he shall hold scrutiny.

(6) The nomination **Form-IV**, accompanying declarations including declaration of assets and liabilities on **Form-V** shall be open to inspection by public and the copies thereof may be made available by the Returning Officer in such manner as determined by the Commission and on payment of ten rupees per page in shape of court fee stamp.

17. **Nomination fee.**---(1) Subject to the provisions of sub-rule (2), no nomination paper delivered to the Returning Officer shall be accepted unless a non-refundable sum of rupees fifty thousand for election to a seat of Chairman, Tehsil Local Government and a non-refundable sum of rupees five thousand for election to a seat in the village council or neighbourhood council is deposited in cash by the candidate or by any person on his behalf at the time of its delivery or it is accompanied by a bank draft for the sum as aforesaid drawn in favour of the Returning Officer or a receipt showing that a sum as aforesaid has been deposited by the candidate or by any person on his behalf at any branch of National Bank of Pakistan or Government Treasury or sub-Treasury. The head of account for the purpose of deposit at a branch of the National Bank of Pakistan shall be "C03- Miscellaneous Receipts, C038-Others, C03870-Others (Election Receipts)".

(2) The Returning Officer shall maintain a register on **Form-VI** in which he shall enter the particulars of every cash deposit made to him or of the bank draft or deposit receipt of the National Bank of Pakistan accompanying a nomination paper.

(3) Receipt of a cash deposit or of a bank draft, as the case may be, by the Returning Officer shall be acknowledged on **Form-VII** and the amount received in cash or through bank draft shall be deposited by him at a branch of the National Bank of Pakistan in the head of account mentioned in sub-rule (1), immediately after the process of filing of nomination paper is over.

(4) Not more than one deposit under sub-rule (1) shall be required in the case of a person who has been nominated as a candidate for the same seat by more than one nomination paper.

(5) The Returning Officer shall cause to be affixed at some conspicuous place in his office a notice of every nomination paper received by him containing the particulars of each candidate prepared on **Form-IV**.

18. **Scrutiny.**---(1) The candidates, their election agents, proposers, seconders, one other person authorized by each candidate in this behalf and a voter who has filed an objection to the nomination of a candidate may attend the scrutiny of nomination papers and the Returning Officer shall give all those present reasonable opportunity for examining nomination papers of a candidate against whom objection has been filed by the aforementioned persons.

(2) The Returning Officer shall, in the presence of the persons attending the scrutiny, examine the nomination papers and decide any objection raised by any such person to any nomination.

(3) The Returning Officer, may, either of his own motion or upon any objection, conduct such summary enquiry as he may think fit and reject a nomination paper if he is satisfied that-

- (a) the candidate is not qualified to be elected to the seat for which he is contesting election;
- (b) the proposer or the seconder is not qualified to subscribe to the nomination paper;
- (c) any provision of rule 16 or rule 17 has not been complied with; or
- (d) the signature or thumb impression of the proposer or the seconder is not genuine:

Provided that-

- (i) the rejection of a nomination paper shall not invalidate the nomination of a candidate by any other valid nomination paper;
- (ii) the Returning Officer may, for the purpose of scrutiny, require any agency or authority to produce any document or record;
- (iii) the Returning Officer shall not reject a nomination paper on the ground of any defect which is not of a substantial nature and may allow any such defect to be remedied forthwith, including an error in regard to the name, serial number in the electoral roll or other particulars of the candidate or his proposer or seconder so as to bring them in conformity with the corresponding entries in the electoral roll; and
- (iv) the Returning Officer shall not enquire into the correctness or validity of any entry in the electoral roll.

(4) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting it and shall, in case of rejection, record brief reasons therefor.

19. Appeal against scrutiny order.—(1) A candidate or the objector may, within the time specified by the Commission, file an appeal against the decision of the Returning Officer rejecting or accepting a nomination paper to an Appellate Tribunal, constituted for the constituency consisting of a District and Sessions Judge or Additional District and Sessions Judge, appointed by the Commission in consultation with the Chief Justice of the Peshawar High Court Peshawar.

(2) An Appellate Tribunal shall summarily decide an appeal, filed under sub-rule (1), within such time as may be notified by the Commission and any order of the Appellate Tribunal in appeal shall be final.

(3) If the Appellate Tribunal is not able to decide the appeal within the time fixed by the Commission under sub-rule (2), the appeal shall abate and decision of the Returning Officer shall be final.

(4) If, on the basis of information or material coming to its knowledge by any source, an Appellate Tribunal is of the opinion that a candidate whose nomination paper has been accepted is a defaulter of loans, taxes, Government dues and utility expenses or has had any loan written off or has will fully concealed such fact or suffers from any other disqualification from being elected as a Chairman, Mayor or member of a council, it may, on its own motion, call upon such candidate to show cause why his nomination papers may not be rejected, and if the Appellate Tribunal is satisfied that the candidate is actually a defaulter or has had a loan written off or suffers from any disqualification, it may reject the nomination paper.

20. Publication of list of candidates.---(1) The Returning Officer shall, after the scrutiny of nomination papers, prepare and publish on the prescribed **Form-IX** a list of validly nominated candidates.

(2) In case an appeal against the decision of the Returning Officer is accepted by the Appellate Tribunal, the Returning Officer shall revise the list of validly nominated candidates accordingly.

(3) The Returning Officer shall, on the second day following the last date for decision of appeals against acceptance or rejection of nomination papers, prepare and publish the revised list of validly nominated candidates.

21. Withdrawal.---(1) Any validly nominated candidate may withdraw his candidature, by notice in writing signed by him and delivered on or before the withdrawal date to the Returning Officer, either by the candidate in person or through an agent duly authorized in this behalf in writing by him and attested by a Notary Public, appointed under the Notaries Ordinance, 1961 (Ord. No. XIX of 1961) or Oath Commissioner, appointed under the Oaths Act, 1873 (Act No. X of 1873).

(2) A notice of withdrawal shall, in no circumstances, be subject to recall or cancellation.

(3) On receiving a notice of withdrawal, the Returning Officer shall, if he is satisfied that the signature on the notice is that of the candidate, cause a copy of the notice to be affixed at some conspicuous place in his office.

(4) The Returning Officer shall, on the day next following the withdrawal day, prepare a list of contesting candidates on **Form-X** and affix the same at some conspicuous place in his office.

22. Candidate to file certificate of party affiliation.--- A contesting candidate for the seat of Mayor or Chairman before seeking allotment of a symbol, as the Commission

about his affiliation with a particular political party, if any, along with a certificate from the political party showing that he is that party's candidate from the constituency.

23. Contested election and allocation of symbols.---(1) A candidate, nominated by a political party for the seat of Mayor or Chairman shall be allotted the symbol allocated by the Commission to that political party under the provisions of Chapter XII of the Elections Act.

(2) A candidate, for the seat of Mayor or Chairman, not nominated by any political party (herein after called as an independent candidate) shall choose and shall be allotted one of the symbols not allocated to any political party, in the following manner-

- (a) where a symbol has been chosen by only one independent candidate, that symbol shall be allotted to that candidate; and
- (b) if more than one independent candidates have given preference for the same symbol, that symbol shall be allotted by drawing of lots.

(3) If there are more contesting candidates than the number of seats in respect of any category of seats in a village council or neighbourhood council, the respective Returning Officer shall allocate, subject to any direction of the Commission, to each contesting candidate a symbol contained in the list provided by the Commission, and in so doing shall, so far as possible have regard for any preference indicated by the candidate:

Provided that in case it comes into the notice of a Returning Officer that the number of contesting candidates has exceeded the number of symbols, so prescribed by the Commission, in a particular category of seats in a village council or neighbourhood council, the election symbols for that category may be allowed in double shape of that symbol i.e. two bottles, two hats, etc., by the Returning Officer.

24. List of contesting candidates.---(1) The Returning Officer, after allotment of symbols to contesting candidates under rule 23 shall-

- (a) publish the names of the contesting candidates for the seat of Mayor or Chairman in Urdu whereas the names of contesting candidates of village council or neighbourhood council in English alphabetical order specifying against each the symbol allotted to him; and
- (b) give public notice of the day and hours of the polls.

(2) The Returning Officer shall supply a copy of list of contesting candidates to each candidate and shall exhibit the list at a prominent place in each polling station on the day of poll.

25. Retirement from election.---(1) A contesting candidate may retire from the election by notice in writing signed by him and delivered to the Returning Officer on any day not later than four days before the polling day by the candidate himself or by an advocate authorized in writing by the candidate.

Explanation.---Authorization in favour of an advocate shall be attested by a Notary Public, appointed under the Notaries Ordinance, 1961 (XIX of 1961) or an Oath Commissioner, appointed under the Oaths Act, 1873 (X of 1873).

(2) If a contesting candidate retires from the election under sub-rule(1), he shall not be allowed to subsequently cancel the retirement.

(3) On receiving a notice of retirement under sub-rule (1), the Returning Officer shall, if he is satisfied that the signature on the notice is that of the candidate, cause a copy of the notice to be affixed at a conspicuous place in his office.

(4) A person in respect of whom a notice of retirement has been published under sub-rule (3) shall be deemed to have withdrawn his candidature under rule 21.

26. Death of candidate after nomination.---(1) If a contesting candidate dies before commencement of the poll or during the polling hours, the Returning Officer shall, by public notice, terminate the election proceedings relating to the respective category of seat.

(2) Where proceedings relating to an election have been terminated under sub-rule (1), fresh proceedings shall be commenced in accordance with the provisions of these rules as if for a new election but it shall not be necessary for the other contesting candidates to file fresh nomination papers or make further deposits.

27. Postponement under certain circumstances.---Where the proceedings relating to nomination, scrutiny or withdrawal cannot, for reasons to be recorded in writing, beyond the control of the Returning Officer, take place on the day appointed for the proceedings, he may postpone or adjourn such proceedings and shall, inform the Commission of his having done so whereupon the Commission shall fix another day for the proceedings so postponed or adjourned and, if necessary, also the day or days for any subsequent proceedings.

28. Uncontested election.---(1) Where, after scrutiny only such number of person(s) remain as validly nominated candidate(s) as are equal to the number of member(s) to be elected or where after withdrawal under rule 21 or retirement under rule 25 only such number of contesting candidates are left as are equal to the number of member(s) to be elected, the Returning Officer shall, by public notice, declare such candidate(s) to be elected uncontested to such council:

Provided that if after scrutiny any candidate indicates that he intends to file an appeal against the rejection of his nomination paper, no person shall be declared elected until the period for filing such appeal has expired and no such appeal has been filed or

(2) The Returning Officer shall submit to the District Returning Officer, a return of uncontested election on **Form-XI** in respect of which he has made a declaration under sub-rule (1) and the District Returning Officer, after such inquiry as he may deem necessary and send the same to the Commission for publication in the official Gazette the names of the returned candidates.

29. Election agent.---(1) A candidate may appoint a person to be his election agent and shall send the Returning Officer a notice in writing of the appointment containing his name, father's name and address of the election agent.

(2) The appointment of an election agent may, at any time, be revoked in writing by the candidate and, when it is so revoked or the election agent dies, another person may be appointed by the candidate to be his election agent.

(3) Where no appointment of an election agent is made under this rule, a candidate shall be deemed to be his own election agent and shall so far as the circumstances permit, be subject to the provisions of these rules both as a candidate and an election agent.

30. Polling agent.---(1) The contesting candidate or his election agent, may, before the commencement for during the poll, appoint under intimation to the Presiding Officer, polling agents for each polling station and their number shall not exceed the number of polling booths in a polling station.

(2) The appointment of a polling agent may at any time be revoked by the candidate or his election agent and when it is so revoked or the polling agent dies, another person may be appointed by the candidate or the election agent as a polling agent, and a notice of such appointment shall be given to the Presiding Officer.

31. Absence of candidate not to invalidate acts etc.---Where any act or thing is authorized by these rules to be done in the presence of the candidate, an election agent or a polling agent, the failure of such person to attend at the time and place appointed for the purpose shall not invalidate any act or thing otherwise validly done.

32. Polling.---Polls for election in the Province may be held separately for the seat of Mayor, Chairman and member village council or neighbourhood council on the same day or in the phased manner for a district or group of districts, as may be decided by the Commission in consultation with Government:

Provided that if the Commission is satisfied that polls cannot take place in a tehsil, village council or neighbourhood council, on account of a natural calamity or for any other reason beyond its control, the Commission may fix another day for holding the polls in that tehsil, village council or neighbourhood council, as the case may be.

33. Hours of the poll.--- The Commission shall fix the hours, which shall not be less than eight, during which the poll shall be held and the Returning Officer shall give public notice of the hours so fixed and hold the polls accordingly:

Provided that the Commission may extend polling hours already fixed at one or more polling stations in exceptional circumstances to be recorded in writing but such decision shall be taken at least three hours before the closing of the poll enabling the Returning Officer to convey the decision of the Commission to all Presiding Officers under his jurisdiction well before the time already fixed for closing of the poll.

34. Election by secret ballot.---(1) Save as otherwise provided in the Act, an election under these rules shall be decided by secret ballot and voter shall cast his vote by inserting in accordance with these rules, in the ballot box, a ballot paper on the prescribed **Form XII, XII(A), XII(B), XII(C), XII(D) and XII(E).**

(2) At the time of distribution of ballot papers, the Returning Officer shall ensure that the packing invoice is prepared on **Form-XIII** in respect of each polling station indicating therein the quantity and number inscribed on official code mark stamps and brass seal and details of ballot papers assigned to that polling station.

(3) The packing invoice, referred to in sub-rule (2), shall be prepared in quadruplicate and a copy thereof shall be-

- (a) placed in the bag meant for ballot papers;
- (b) given to the Presiding Officer by hand against proper receipt;
- (c) sent to the respective District Election Commissioner; and
- d) retained by the Returning Officer for office record.

35. Ballot boxes.---(1) The Returning Officer shall provide each Presiding Officer with such number of ballot boxes as may be necessary.

(2) In the elections of City Local Council, Tehsil Local Council and village council or neighbourhood council shall be one or more ballot boxes at each booth for casting of votes as may be determined by the Commission.

(3) The Returning Officer shall further provide each Presiding Officer with such additional number of ballot boxes as may be necessary.

(4) At least half an hour before the time fixed for the commencement of the poll, the Presiding Officer shall-

- (a) ensure that every ballot box to be used is empty;
- (b) show the empty ballot box to the contesting candidates and their election agents and polling agents, whoever may be present and obtain their signatures on the prescribed **Form-XIV**;

- (c) after the ballot box has been shown to be empty, close and seal it with his own seal and with the seals of such of the candidates, or their election agents or polling agents as may be present and may desire to put their own seals on it; and
- (d) place the ballot box so as to be conveniently accessible to the voter, and at the same time within his view and within the view of such candidates or their election or polling agents as may be present.

(5) If one ballot box is full or cannot further be used for receiving ballot papers, the Presiding Officer shall seal that ballot box and keep it in a secure place and use another ballot box in the manner laid down in sub-rule (4).

(6) A Presiding Officer shall make such arrangements at the polling station that every voter may be able to mark his ballot paper in secret before the same is folded and inserted in the ballot box.

36. Admission to polling station.---The Presiding Officer shall, subject to such instructions as the Commission may give in this behalf, regulate the number of voters to be admitted to the polling station at a time and exclude from the polling station all other persons except-

- (a) any person on duty in connection with the election;
- (b) the contesting candidates, their election agents and polling agents; and
- (c) such other persons as may be specifically permitted by the Commission or any Authority empowered by the Commission.

37. Maintenance of order at the polling station.---(1) The Presiding Officer shall keep order at the polling station and may remove or cause to be removed any person who commits misconduct at the polling station or fails to obey his lawful orders.

(2) Any person removed from a polling station shall not, without the permission of the Presiding Officer, again enter the polling station during the poll and shall if he is accused of an offence in a polling station, be liable to be arrested without warrant by a police officer.

(3) The powers under this rule shall be so exercised not to deprive a voter of an opportunity to cast his vote at the polling station at which he is entitled to vote.

38. Format of packets to be used at polling station. ---The format of the packets to be used by the Presiding Officer and the Returning Officer, at the polling station, shall be in accordance with **Schedule-I**.

39. Voting procedure.---(1) Where a voter presents himself at the polling station to vote, the Presiding Officer shall issue a ballot paper to the voter after satisfying himself about his identity and shall, for that purpose, require him to produce his original National Identity Card issued by the National Database and Registration Authority.

(2) For the purpose of verification of the identity of a voter, the Commission may adopt such other technology as in its opinion may prove effective, including bio-metric verification system, in addition to the National Identity Card mentioned in sub-rule (1).

(3) Failure of a voter to prove his identity through the new technology shall not disentitle him to cast his vote if he is otherwise entitled so to do under this rule.

(4) Before a ballot paper is issued to a voter-

- (a) the number and name of the voter as entered in the electoral roll shall be called out;
- (b) the entry relating to the voter on the elector roll shall be struck off to indicate that a ballot paper has been issued to him;
- (c) he shall be required to receive a personal mark, made with indelible ink, on any finger of his hand as indicated by the Commission;
- (d) the ballot paper shall on its back be stamped with the official mark and signed by the Presiding Officer;
- (e) the number of the voter on the electoral roll and the number of his National Identity Card shall be written on the counterfoil by the Presiding Officer who shall also stamp the counterfoil with the official mark, sign it and also obtain the thumb impression of the voter on the counterfoil; and
- (f) the Polling Officer shall obtain the thumb impression of the voter on the space provided on the electoral roll for the purpose against the photograph of the voter.

(5) A ballot paper shall not be issued to a person who-

- (a) fails or refuses to produce his original National Identity Card issued by the National Database and Registration Authority;
- (b) refuses to put his thumb impression on the counterfoil or, as the case may be, on the space provided for the purpose on the electoral roll against his photograph or whose thumb bears traces of its having already been used for putting an impression; or

- (c) refuses to receive the personal mark with indelible ink or who already bears such a mark or traces of such a mark.

(6) If a contesting candidate or his election agent or polling agent alleges that a voter to whom a ballot paper or ballot papers are about to be issued, already has one or more ballot papers in his possession, the Presiding Officer may require the voter to satisfy him that he does not have any other ballot paper in his possession and may also take such measures as he thinks fit to ensure that such voter does not insert more ballot papers than issued to him, in the ballot box.

- (7) (a) If a voter is totally blind or physically otherwise so incapacitated as to require the help of a companion, the Presiding Officer may allow him to be accompanied by a companion of his choice who is not less than eighteen years of age and in case the disability is such that the voter cannot mark the ballot paper himself, the person accompanying the voter may mark the ballot paper indicated by the voter:

Provided that the person allowed to accompany the voter shall not himself be a candidate or an agent of a candidate.

- (b) If the ballot paper is to be marked by the companion, the Presiding Officer shall make it clear to him that he must mark the ballot paper for the candidate of the voter's choice and that he must maintain the secrecy of voting by not divulging to any one the voter's choice of candidate.
 - (c) The Presiding Officer shall maintain a list of voters on whose behalf the ballot papers have been marked by their companions.
 - (d) In case a disabled voter is having no finger at all to receive a personal mark of indelible ink under clause (c) of sub-rule (4), the personal mark shall be applied on the backside of lobe of his right ear.
- (8) On receiving the ballot paper or ballot papers, the voter shall-
- (a) forthwith proceed to the place reserved for marking the ballot paper;
 - (b) put the marking aid rubber stamp on the ballot paper at place within the space containing the name or symbol, as the case may be, of contesting candidates of his choice; and
 - (c) after he has so marked the ballot paper fold and insert it in the ballot box.

(9) The voter shall vote without undue delay and shall leave the polling station immediately after he has inserted his ballot paper or ballot papers in the ballot box.

40. Tendered ballot paper.---(1) If a person representing himself to be a voter, applies for a ballot paper when another person has already represented himself to be that voter and has voted under the name of the person so applying, he shall be entitled, subject to the requirements of identity verification laid down in these rules, to receive a ballot paper (hereinafter referred to as "Tendered Ballot Paper") in the same manner as any other voter.

(2) If the applicant fails to prove his claimed identity, the Presiding Officer may proceed against him for personation as provided in Chapter XIV of the Act.

(3) A tendered ballot paper shall, after it has been marked and folded by the voter, be placed in the same condition in separate **Packet-4** bearing label "Tendered Ballot Paper" instead of being put into the ballot box and shall be included in the count by the Presiding Officer or the Returning Officer.

(4) The name of the person applying for the ballot paper under sub-rule (1) and his number on the electoral roll shall be entered in the tendered votes list to be prepared by the Presiding Officer on **Form-XV** and after closing of poll shall be placed in **Packet-14** labeled "Tendered Votes List".

(5) The Presiding Officer shall send the Tendered Votes List along with copies of the National Identity Cards and other documents, if any, produced by the voters to the Returning Officer, and the Returning Officer shall send the same along with the electoral roll and counterfoils bearing the thumb impression of the voter to the Commission.

(6) The Commission shall send the Tendered Votes List and other documents mentioned in sub-rule (5) to the National Database and Registration Authority for forensic enquiry to identify both the voters who voted against one entry in the electoral roll and the National Database and Registration Authority shall submit a report confirming the personation or otherwise to the Commission, which shall initiate legal action against the person who personated or attempted to personate and the election officials responsible for committing negligence in issuing a ballot paper to the personator.

41. Challenge of voters.---(1) If, at the time a person applies for a ballot paper for the purpose of voting, a candidate or his polling agent declares to the Presiding Officer that he has reasonable cause to believe that, the said person has already voted at the election, at the same or another polling station, or is not the person whose name is entered in the electoral roll against which he is seeking to vote, and undertakes to prove the charge in a court of law and deposits with the Presiding Officer in cash a sum of Rs. 100/- for each such challenge, the Presiding Officer may, after warning the person of the consequences and obtaining his thumb impression and, if he is

literate, also his signature on the counterfoil, issue a ballot paper (hereinafter referred to as "Challenged Ballot Paper") to that person.

(2) If the Presiding Officer issues a ballot paper under sub-rule (1) to such person, he shall enter the name and address of that person in a list to be prepared by him hereinafter referred to as the challenged votes list on **Form-XVI**, and obtain thereon the thumb impression and, if he is literate, also the signature of that person and put the same in the **Packet-15** labeled "Challenged Votes List".

(3) A ballot paper issued under sub-rule (1), shall, after it has been marked and folded by the voter, be placed in the same condition in a separate **Packet-7** bearing the label "Challenged Ballot Paper", instead of being placed in the ballot box and shall include it in the count by him in the manner provided in rule 45.

42. Spoilt ballot papers.---(1) A voter who has inadvertently so spoilt his ballot paper that it cannot be used as a valid ballot paper may, upon proving the fact of inadvertence to the satisfaction of the Presiding Officer and returning the ballot paper to him, obtain another ballot paper and cast his vote by such other ballot paper.

(2) The Presiding Officer shall forthwith cancel the ballot paper returned to him, make a note to that effect on the counterfoil over his own signature and sign the cancelled ballot paper and place it in a separate **Packet-10** labeled "spoilt ballot papers".

(3) If a ballot paper issued to a voter has not been inserted by him into the ballot box and is found anywhere in or near the polling station, it shall be cancelled and also accounted for as "spoilt ballot paper" and place it in **Packet-10**.

43. Stopping of poll.---(1) The Presiding Officer of a polling station shall stop the poll and inform the Returning Officer that he has done so if-

- (a) the poll at the polling station is, at any time so interrupted or obstructed for reasons beyond the control of the Presiding Officer that it cannot be resumed during the polling hours fixed under rule 33; or
- (b) any ballot box used at the polling station is unlawfully taken out of the custody of the Presiding Officer, or is accidentally or intentionally destroyed or lost, or is damaged or tampered with, to such an extent that the results of the poll at the polling station cannot be ascertained.

(2) Where a poll has been stopped under sub-rule (1), the Returning Officer shall immediately report the circumstances to the Commission, who shall direct a fresh poll at that polling station and fix a date for such polls, unless it is satisfied that the result of the election has been determined by the polling that has already taken place at that polling station taken along with the results of the polling at other polling stations in the same council.

(3) Where an order under sub-rule (2) has been made, the Commission shall notify the day for a fresh poll and fix the place at which and the hours during which such fresh poll shall be taken.

(4) At a fresh poll, taken under sub-rule (3) at a polling station, all voters, entitled to vote thereto, shall be allowed to vote and no vote, cast at the poll stopped under sub-rule (1), shall be counted and the provisions of the Act and these rules shall apply to such fresh poll.

44. Voting after close of poll.---No person shall be given any ballot paper or be permitted to vote after the hour fixed for the close of the poll, except the persons who at that hour are present within the building, room, tent or enclosure in which the polling station is situated and have not voted but are waiting to vote.

45. Proceedings at the close of the poll.---(1) The Presiding Officer shall count the votes immediately after the close of the poll, in the presence of such of the contesting candidates, election agents, polling agents and authorized observers, as may be present.

(2) The Presiding Officer shall give such of the contesting candidates, election agents, polling agents and authorized observers, as may be present, reasonable facility of observing the count and give them such information with respect thereto as can be given, consistent with the orderly conduct of the count and the discharge of his duties in connection therewith.

(3) No person other than the Presiding Officer, Polling Officers and persons on duty in connection with the poll, the contesting candidates, their election agents, polling agents, authorized observers and any other persons authorized by the Commission shall be present at the count.

(4) The Presiding Officer shall-

- (a) open the used and sealed ballot box or ballot boxes and count the entire lot of ballot papers taken out there from;
- (b) open the packet labeled "Tendered Ballot Papers" and "Challenged Ballot Papers" and include the ballot papers therein in the count;
- (c) count the votes cast in favour of each contesting candidate excluding from the count the spoilt ballot papers and the ballot papers which bear-
 - (i) no official mark and signature of the Presiding Officer;
 - (ii) any writing or any mark other than the official mark, the signature of the Presiding Officer and the mark of "marking

aid rubber stamp” or to which a piece of paper or any other object of any kind has been attached;

- (iii) no mark of “marking aid rubber stamp” indicating the contesting candidate for whom the voter has voted; or
- (iv) any mark from which it is not clear for whom the voter has voted:

Provided that a ballot paper shall be deemed to have been marked in favour of a candidate if the whole or more than half of the area of the mark of “marking aid rubber stamp” appears clearly within the space containing the name or symbol, as the case may be, of that candidate; and

- (v) where the mark of “marking aid rubber stamp” is divided equally between two such spaces, the ballot paper shall be deemed to be invalid.

(5) The Presiding Officer may recount the votes-

- (a) of his own motion if he considers it necessary; or
- (b) upon the request of a contesting candidate or an election agent present, if, in his opinion, the request is not unreasonable:

Provided that the recount shall be done by the presiding officer only once.

(6) The valid ballot papers cast in favour of each contesting candidate shall be put in separate **Packet-1** labeled “Valid Ballot Papers” and each such packet shall be sealed and shall contain a certificate as to the number, both in letter and figures, of the ballot papers put in it and shall also indicate the nature of the contents thereof, specifying the name or symbol, of the contesting candidate to whom the packet relates.

(7) The ballot papers excluded from the count shall be put in a separate **Packet-2** labeled “Ballot Papers Excluded from the Count” indicating thereon the total number of ballot papers contained therein.

(8) The packets mentioned in sub-rules (6) and (7) shall be put in a principal **Packet-3** which shall be sealed by the Presiding Officer who shall also specify the number of packets enclosed in the principal packet.

The Presiding Officer, after the close of poll, shall-

- (a) put the unissued ballot papers in **Packet-11** labeled 'Unissued Ballot Papers';
- (b) put the counterfoils of used ballot papers in **Packet-12** labeled 'Counterfoils of Used Ballot Papers'; and
- (c) put marked copies of the electoral rolls in **Packet-13** labeled 'Marked Copies of the Electoral Rolls'.
- (d) open the **Packet-4** labeled 'Tendered Ballot Papers' and count the ballot papers unambiguously marked in favour of each candidate, excluding from the count the ballot papers suffering from any of the defects mentioned in sub-clauses (i) to (v) of clause (c) of sub-rule (4) of this rule;
- (e) after the Tendered Ballot Papers have been so counted, the Presiding Officer shall put all such ballot papers as were taken out of the **Packet-4** labeled 'Tendered Ballot Papers' into-
 - (i) **Packet-5** labeled 'Valid Tendered Ballot Papers Included in the Count' the Tendered Ballot Papers held to be valid and counted by the Presiding Officer;
 - (ii) **Packet-6** labeled 'Tendered Ballot Papers Excluded from the Count' the Tendered Ballot Papers excluded from the count by the Presiding Officer.
- (f) open **Packet-7** labeled 'Challenged Ballot Papers' and count the ballot papers unambiguously marked in favour of each candidate, excluding from the count the ballot papers suffering from any of the defects mentioned in sub clauses (i) to (v) of clause (c) of sub-rule (4) of this rule;
- (g) after the Challenged Ballot Papers have been so counted, the Presiding Officer shall put all such valid challenged ballot papers as were taken out of the **Packet-7** labeled 'Challenged Ballot Papers' into-
 - (i) **Packet-8** labeled 'Valid Challenged Ballot Papers Included In The Count' the Challenged Ballot Papers held to be valid and counted by the Presiding Officer; and
 - (ii) **Packet-9** labeled 'Challenged Ballot Papers Excluded from the Count' the Challenged Ballot Papers excluded from the count by the Presiding Officer.
- (h) write on each packet the number of ballot papers put therein and sign and seal each packet.

- (i) before start of proceedings at the close of poll under this rule, the Presiding Officer shall require the polling agents belonging to same candidate who performed their duties at the polling booths of the polling station to nominate one polling agent from amongst them to witness the counting process:

Provided that only the polling agent, so nominated in respect of each candidate, shall be allowed to observe the counting process and he shall put his signature on the statements and the packets as and when asked by the Presiding Officer to do so.

(9) The Presiding Officer shall, immediately after the count, prepare a 'Result of the Count' on **Form-XVII** showing therein the number of valid votes polled in favour of each contesting candidate and the ballot papers excluded from the count.

(10) The Presiding Officer shall also prepare on **Form-XVIII** a 'Ballot Paper Account' showing separately-

- (a) the number of ballot papers entrusted to him;
- (b) the number of ballot papers taken out of the ballot box or boxes and counted;
- (c) the number of tendered ballot papers;
- (d) the number of challenged ballot papers;
- (e) the number of spoilt ballot papers; and
- (f) the number of un-issued ballot papers.

(11) The Presiding Officer, after preparation of the result of the count and the ballot paper account, shall sign them and obtain thereon the signatures of the senior-most Assistant Presiding Officer and an accredited observer, a candidate or his election agent or polling agents as may be present in token of the said documents having been prepared in their presence and if any such person refuses to sign it, the Presiding Officer shall record a note on the result of the count and the ballot paper account to that effect.

(12) The Presiding Officer shall give a copy each of the result of the count and the ballot paper account signed, stamped and thumb marked by him and the senior most Assistant Presiding Officer to such of the candidates, their election agents or polling agents as may be present and obtain a receipt for such copy and if any such person refuses to sign it, the Presiding Officer shall record a note to that effect.

(13) The Presiding Officer shall publish the result of the count and ballot paper account, signed by him and others, by affixing copies at a conspicuous place at the polling station for public inspection.

(14) The Presiding Officer shall seal in separate packets-

- (a) the un-issued ballot papers;
- (b) the spoilt ballot papers;
- (c) the Tendered Ballot Papers;
- (d) the Challenged Ballot Papers held to be valid and counted by the Presiding Officer;
- (e) the Challenged Votes List;
- (f) the marked copies of the electoral rolls;
- (g) the counterfoils of the used ballot papers;
- (h) the Tendered Votes List;
- (i) the Challenged Ballot Papers considered doubtful and excluded from the count by Presiding Officer; and
- (j) such other papers as the Commission or Returning Officer may direct.

(15) The Presiding Officer shall obtain on each statement and packet prepared under this rule the signatures of such of the contesting candidates or their election agents or polling agents as may be present and, if any such person refuses to sign, the Presiding Officer shall record that fact on each statement or packet.

(16) After the close of the proceedings, the Presiding Officer shall, in compliance with such instructions as may be given by the Commission in this behalf, cause the **Packets-16** and **17** labeled as 'result of the count' and the 'ballot paper account' prepared by him to be sent to the Returning Officer and to such other officer as may be authorized by the Commission together with such other records as the Commission may direct.

46. Announcement of provisional results.— (1) The Returning Officer shall prepare the provisional consolidated statement of results of the count of the constituency on **Form-XIX** on the basis of the results of the count received by him from Presiding Officers in the presence of such contesting candidates, their election agents or authorized observers as may be present, affix a copy of the provisional consolidated statement of results signed by him, at a conspicuous place in his office and send a copy thereof to the

(2) The Returning Officer shall make sure that result of the count furnished by Presiding Officer is arithmetically error-free before accepting the same.

47. Consolidation of result.---(1) Immediately, after announcement of provisional results the Returning Officer shall give the contesting candidates and their election agents a notice in writing of the day, time and place for consolidation of the results and in the presence of such contesting candidates and agents as may be present, consolidate in the prescribed manner on **Form-XX** the 'Result Of The Count' furnished by the Presiding Officers' and 'Final Consolidated Result' on **Form-XXI**.

(2) Before consolidating the results of the count, the Returning Officer shall examine the ballot papers excluded from the count by the Presiding Officers and if he finds that any such ballot paper should not have been so excluded, count it as a ballot paper cast in favour of the contesting candidate for whom the vote has been cast.

(3) The Returning Officer shall include the votes cast in favour of each contesting candidate in the consolidated statement except those, which he may reject on any of the grounds mentioned in sub-clauses (i), (ii), (iii), (iv) and (v) of clause (c) of sub-rule (4) of rule 45 of these rules.

(4) The ballot papers, rejected by the Returning Officer under sub-rule (3), shall be shown separately in the consolidated statement.

(5) The Returning Officer shall not recount the valid ballot papers in respect of any polling station unless -

(a) the count by the Presiding Officer is challenged before the commencement of proceedings in writing by a contesting candidate or his election agent and the Returning Officer is satisfied about the reasonableness of the challenge; or

(b) he is directed to do so by the Commission:

Provided that the recount shall be made by the Returning Officer only once.

(6) The Returning Officer shall furnish original copies of 'consolidated statement of the results of the count furnished by the Presiding Officers' on **Form-XX** and 'final consolidated result' on **Form-XXI** to the Commission.

48. Equality of votes.---(1) Where, after consolidation of the results of the count under rule 47, it is found that there is equality of votes between two or more contesting candidates and the addition of one vote for one such candidate would entitle him to be declared elected, the Returning Officer shall forthwith draw a lot in respect of such candidates, and the candidate on whom the lot falls shall be deemed to have received the highest number of votes, entitling him to be declared elected.

(2) The lot shall be drawn in the presence of such contesting candidates and their election agents as may be present.

(3) The Returning Officer shall keep a record of the proceedings in writing, and obtain thereon the signatures of such candidates and election agents as have been witnesses to the proceedings, and if any such person refuses to sign, such fact shall be recorded.

49. Resealing of packets and supply of copies.--- The Returning Officer shall-

- (a) immediately after preparing the 'consolidated statement of the results of the count furnished by the Presiding Officers on **Form-XX** and the final consolidated result on **Form-XXI**, reseal the packets and statements opened by him for the purpose of consolidation, permitting such of the candidates and their election agents as may be present to sign the packets and affix their seal to such packets, if they desire so; and
- (b) supply attested copies of the consolidated statements of the result of the count furnished by the Presiding Officers and final consolidated result to such candidates and their election agents as may be present.

50. Declaration of results.--- (1) On receipt of the final consolidated result from the Returning Officer, the Commission shall, , publish in the official Gazette the names of the contesting candidates who have received the highest number of votes and stand elected.

(2) Every returned candidate, within ten days from the date of poll of an election, shall submit a return of election expenses to the Returning Officer who shall inform the Commission and the Commission shall not notify in the official Gazette the result of a returned candidate who fails to submit his return of election expenses.

51. Documents to be retained by the Commission.--- (1) The Commission shall retain the record deposited by the Returning Officer in the Treasury or Sub-Treasury with Inventory on **Form-XXII** for a period of one year from the date of their deposit and shall thereafter subject to any order of the Election Tribunal or other Court cause them to be destroyed:

Provided that documents for a local council shall be retained where election petition has been filed by a candidate, till final disposal of the election petition.

CHAPTER – V ELECTION TO RESERVED SEATS

52. Election to reserved seats.---(1) Seats, reserved for women, peasants, workers, youths and non-muslims in the Tehsil Local Councilor City Local Council, shall be filled indirectly from amongst the categories of women, peasant /worker, youth, and non-
in the Tehsil Local Council and neighbourhood council in the Tehsil Local

Council or City Local Council who have obtained highest number of votes in terms of percentage in the respective category of reserved seats:

Provided that where a member in a respective category of reserved seats is elected unopposed in a village council or a neighbourhood council, he shall be deemed as a highest vote taker in terms of percentage in their respective category of reserved seats from the village councils or neighbourhood councils:

Provided further that in case the number of unopposed members in the respective category of reserved seats from the village council or neighbourhood council in the Tehsil Local Council or City Local Council, is more than the number of the reserved seats to be filled in the respective category of reserved seats in the Tehsil Local Council or City Local Council, the Returning Officer shall draw a lot in respect of such members, and the member(s) on whom the lot falls shall be deemed to have declared member of City Local Council or Tehsil Local Council.

(2) The lot shall be drawn in the presence of such members and election agents as may be present.

(3) The Returning Officer shall keep a record of the proceedings in writing, and obtain thereon the signatures of such members and election agents as have been witnesses to the proceedings, and if any such person refuses to sign, such fact shall be recorded.

(4) The Returning Officer appointed for a Village or Neighbourhood council shall forward an authenticated copy of Final Consolidated Result on **Form-XXI** of each category of reserved seats to the Returning Officer appointed for reserved seats in a City Local Council or Tehsil Local Council, who shall determine council-wise, percentage of votes obtained by each contesting candidate on **Form-XXIII** and thereafter, prepare a priority list in order of merit in respect of each category of reserved seats in descending order and declare such number of returned candidates who have scored highest number of votes in terms of percentage, equal to the number of seats to be filled in the category on **Form-XXIV** and send it in original to the Commission through District Returning Officer for notification.

(5) If for any reason there falls a vacancy in any category of reserved seats in Tehsil Local Council or City Local Council, the next person in priority list or list in order of merit in the respective category of seats, under sub rule (4), shall be stood elected and notified accordingly.

(6) If for any reason there falls a vacancy of the chairman village council or neighbourhood council, such chairman shall be elected by the said council itself through open division.

CHAPTER – VI ELECTION EXPENSES

53. **Restriction on election expenses.**---(1) The election expenses of a candidate shall include the expenses incurred by the candidate, or any person or in case of election to the

seat of Mayor or Chairman by a political party on behalf of the candidate or incurred by a political party specifically for the candidate.

(2) Where any person incurs any election expenses on behalf of a candidate, whether for stationery, postage, advertisement, transport or for any other item, such expenses shall be deemed to be the election expenses incurred by the candidate himself.

(3) The election expenses of a contesting candidate shall not exceed,-

(a) in case of an election to a seat in the village council, rupees fifty thousand; and

(b) in case of election to a seat of Mayor or Chairman, rupees three million.

(4) A candidate shall, through bills, receipts and other documents vouch for every payment made in respect of election expenses, except where the amount is less than one thousand rupees.

(5) The return of election expenses of the returned candidates and contesting candidates of village councils or neighbourhood councils and contesting candidates other than returned candidates to the seat of Mayor or Chairman shall be submitted to the Returning Officer on **Form-XXV**, within thirty days of the publication of the name of the returned candidates.

(6) The returns shall be accompanied by an affidavit of the candidate.

CHAPTER – VII ELECTION DISPUTE

54. Election Petition.---(1) No election shall be called in question except by an election petition made by a candidate for that election hereinafter referred to as the petitioner.

(2) An election petition shall be presented to the Election Tribunal appointed by the Commission within forty-five (45) days of the publication in the official Gazette of the name of the returned candidates and shall be accompanied by a receipt showing that the petitioner has deposited in a scheduled bank in favour of the Commission, as security for the costs of the petition, a sum of thirty thousand rupees for the seat of Mayor or Chairman and five thousand rupees for the seat of councilor in village council or neighbourhood council in the head of Account “C03-Micellaneous Receipts, C038-others, C03870-others (Election Receipts)”.

(3) An election petition shall be presented by a petitioner and shall be deemed to have been presented, when it is delivered in person by the petitioner, or by a person authorized in this behalf by him, to the Election Tribunal.

55. Appointment of Election Tribunals.—(1) For the trial of election petitions under these rules, the Commission shall appoint as many Election Tribunals as may be necessary for swift disposal of election petitions.

(2) An Election Tribunal shall comprise of a District and Sessions Judge or an Additional District and Sessions Judge, who shall be appointed by the Commission in consultation with Chief Justice of Peshawar High Court Peshawar.

56. Parties to the petition.--- (1) The petitioner shall join as respondents to his election petition all other contesting candidates.

(2) The petitioner shall serve a copy of the election petition with all annexures on each respondent, personally or by registered post or courier service, before or at the time of filing the election petition.

57. Contents of petition.---(1) Every election petition shall contain-

- (a) a precise statement of the material facts on which the petitioner relies;
 - (b) full particulars of any corrupt or illegal practice or other illegal act alleged to have been committed, including as far as possible a statement of the names of the parties alleged to have committed such corrupt or illegal practice or illegal act and the date and place of the commission of such practice or act; and
 - (c) the relief claimed by the petitioner.
- (2) A petitioner may claim as relief any of the following declarations, namely:
- (a) that the election of the returned candidate is void and petitioner or some other candidate has been elected; or
 - (b) that the election of the returned candidate is partially void and that fresh poll be ordered in one or more polling stations; or
 - (c) that the election as a whole is void and fresh poll be conducted in the entire constituency.
- (3) The following documents shall be attached with the petition:
- (a) complete list of witnesses and their statements on affidavits;
 - (b) documentary evidence relied upon by the petitioner in support of allegations referred to in clause (b) of sub-rule (1); and
 - (c) affidavit of service to the effect that a copy of the petition alongwith

documentary evidence, have been sent to all the respondents by registered post or courier service.

(4) Every election petition and every annexure to that petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Act V of 1908), for the verification of pleadings.

58. Place of trial.---The trial of an election petition shall be held at such place or places as the Election Tribunal may deem fit.

59. Appearance before Election Tribunal.---Any appearance, application or act before an Election Tribunal may be made or done by a party in person or through an advocate:

Provided that the Election Tribunal may, where it considers necessary, direct any party to appear in person.

60. Procedure before Election Tribunal.---(1) Subject to the provisions of the Act and these rules, every election petition shall be tried, as nearly as may be, in accordance with the procedure for the trial of suits under the Code of Civil Procedure, 1908 (Act V of 1908).

(2) The Election Tribunal may permit the evidence of any witness to be given by means of an affidavit.

(3) Subject to the provisions of the Act and these rules, the Qanoon-e-Shahadat Order, 1984, shall apply for the trial of an election petition.

(4) The Election Tribunal may, at any time, upon such terms and on payment of such costs as it may direct, allow a petition to be amended in such a manner as may, in its opinion, be necessary for ensuring a fair and effective trial and for determining the real questions in controversy, but no new ground of challenge to the election is permitted to be raised.

(5) On filing of reply by the respondent, the Election Tribunal may, with the consent of parties, fix specific dates for trial and disposal of the petition, providing for continuous hearing without adjournment.

(6) If the parties do not consent to specific dates under sub-rule (5), the Election Tribunal shall proceed with the trial of the election petition on day-to-day basis and no adjournment shall be granted to any party for more than seven days and that too on payment of such costs as the Election Tribunal may determine and the election petition shall be decided within one hundred and twenty days of its filing.

61. Dismissal of petition during trial.---The Election Tribunal may dismiss an election petition if -

- (a) the provisions of rule 53 have not been complied with; or
- (b) the allegations contained therein are vague or do not disclose the commission of any corrupt practice, material irregularity, or other illegal act.

62. Power of Election Tribunal.---The Election Tribunal shall have all the powers of Civil Court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908) and shall be deemed to be Civil Court within the meaning of sections 476, 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

63. Recrimination where seat is claimed.---(1) Wherein an election petition, a declaration is claimed that a candidate other than the returned candidate has been duly elected, the returned candidate or any other party may produce evidence to prove that the election of such other candidate would have been declared void had he been the returned candidate and had a petition been presented calling his election in question:

Provided that returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he or it has within fourteen days next following the commencement of the trial, given notice to the Election Tribunal of his intention to produce such evidence and has also deposited the amount under rule 54.

(2) Every notice, referred to in sub-rule (1), shall be accompanied by statement of the case, and all the provisions relating to the contents, verification, trial, procedure of an election petition or to the security deposit in respect of an election petition shall apply to such a statement as if it were an election petition.

64. Decision of the Election Tribunal.---(1) The Election Tribunal may, upon the conclusion of the trial of an election petition, make an order-

- (a) dismissing the petition;
- (b) declaring-
 - (i) the election of the returned candidate to be void and directing that fresh poll be held in one or more polling stations;
 - (ii) the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been elected; or
 - (iii) the election as a whole to be void and directing that fresh election be held in the entire constituency.

(2) Save as provided in rule 65, the decision of an Election Tribunal, on an election petition, shall be final.

65. Appeal against decision of Election Tribunal.---Any person aggrieved by the final decision of the Election Tribunal in respect of an election petition challenging election to a local government, may, within thirty days of the date of the decision, appeal to the High Court having jurisdiction and the decision of the High Court on such appeal shall be final.

66. Grounds for declaring election of returned candidate void.---(1) The Election Tribunal shall declare the election of the returned candidate to be void if-

- (a) the nomination of the returned candidate was invalid; or
- (b) the returned candidate was not, on the nomination day, qualified for, or was disqualified from, being elected as a Chairman or Mayor or member; or
- (c) the election of the returned candidate has been procured or induced by any corrupt or illegal practice; or
- (d) a corrupt or illegal practice has been committed by the returned candidate or his election agent or by any other person with the connivance of the candidate or his authorized agent.

(2) If the commission of corrupt or illegal practice is proved at a polling station, the Election Tribunal may, while declaring election of the returned candidate void, direct re-poll at the polling station.

(3) The election of a returned candidate shall not be declared void on the ground-

- (a) that any corrupt or illegal practice has been committed, if the Election Tribunal is satisfied that it was not committed by or with the consent or connivance of that candidate or his election agent and that the candidate and the election agent took all reasonable precautions to prevent its commission; or
- (b) that any of the other contesting candidates was, on the nomination day, not qualified for or was disqualified from, being elected as a Chairman or Mayor or member.

67. Ground for declaring a person other than a returned candidate elected.---The Election Tribunal shall declare the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been elected, if it is claimed by the petitioner or any of the respondents, and the Tribunal is satisfied that-

- (a) the petitioner or other contesting candidate obtained more votes than the returned candidate; or

- (b) the voters deliberately threw away their votes in favour of the returned candidate fully knowing that the returned candidate was not, on the nomination day, qualified for, or was disqualified from, being elected as a member.

Explanation: The Election Tribunal shall presume, unless the contrary is proved, that the voters have not deliberately thrown away their votes and were not aware of lack of qualification or disqualification of the returned candidate.

68. Ground for declaring election as a whole void.---(1) The Election Tribunal shall declare the election as a whole to be void if it is satisfied that the result of the election has been materially affected by reason of-

- (a) the failure of any person to comply with the provisions of the Act, Elections Act or these rules; or
- (b) the prevalence of extensive corrupt or illegal practice at the election.

69. Decision in case of equality of votes.--- The procedure provided in rule 48 of these rules shall *mutatis mutandis* apply for decision in case of equality of votes by the Election Tribunal.

70. Abatement on death of petitioner.---(1) An election petition shall abate on the death of a sole petitioner or of the sole survivor of several petitioners.

(2) Where an election petition abates under sub-rule(1), the Election Tribunal shall serve notice of the abatement on the Commission.

71. Death or withdrawal of respondent.---If, before the conclusion of trial of an election petition, a respondent dies or gives notice in writing that he does not intend to contest the petition, and no respondent remains to contest the petition, the Election Tribunal shall without any further hearing or after giving such person as it may think fit an opportunity of being heard, decide the case *ex-parte*.

72. Failure of petitioner to appear.---Where, at any stage of the trial of an election petition, no petitioner makes an appearance, the Election Tribunal may dismiss the petition in default and make such order as to costs as it may think fit.

73. Order as to costs.---(1) The Election Tribunal shall, when making an order under rule 63 also make an order determining the costs and specifying the persons by and to whom such costs are to be paid.

(2) If, in any order as to costs under sub-rule (1), there is a direction for the payment of costs by any party to any person, such costs shall, if they have not already been paid, be payable in full and shall, upon application in writing in that behalf made to the Election Tribunal within ninety days of the order by the person to whom costs have

been awarded, be paid, as far as possible, out of the security for costs deposited by such party.

(3) Any order for costs may be enforced upon an application in writing made to the Civil Court of original jurisdiction of the concerned district.

74. Withdrawal of petition.---(1) The petitioner may, with the leave of the Election Tribunal, withdraw the election petition.

(2) Where leave to withdraw is granted under sub-section (1), the Election Tribunal shall order the petitioner to pay the costs or a portion of the costs incurred by the respondents.

75. Supply of copies of decision on petition.---(1) Copies of any interim or final orders passed by the Election Tribunal on any election petition may be furnished to the parties to the petition by the Tribunal on application in writing.

(2) The fee for supply of copies shall be ten rupees for each page and every application for the supply of copies shall be accompanied by court fee stamps of the requisite value.

76. Retention of the record.---The Election Tribunal shall, after an election petition has been disposed of, forward the record thereof to the Provincial Election Commissioner who shall retain such record for a period of three years from the date of its receipt and shall thereafter subject to any order of Commission, cause it to be destroyed.

77. Offences, penalties and procedure.--- The provisions of Chapter-X of the Elections Act and Chapter-X of the Elections Rules, made thereunder, shall *mutatis mutandis* be applicable to the offences, penalties and procedures in respect of the elections to Tehsil Council, Village Council and Neighbourhood Council.

CHAPTER – VIII OATH

78. Oath of office.---(1) Subject to the provisions of the Act and the directions, as may be given by the Commission, the District Returning Officer shall notify a schedule for administration of oath in **Schedule II** to the Mayor or Chairman and members of the village council and neighbourhood council and make arrangements in this regard.

(2) List of Mayor or Chairman and members of the village council and neighbourhood council taking the oath shall be forwarded to the District Election Commissioner concerned and all the forms of the oath of office shall be kept in record of the respective council.

CHAPTER -IX
ELECTION REPORTS

79. Report by Returning Officer.---(1) Within two months of the holding of the election, the District Returning Officer shall submit to the Provincial Election Commissioner a report about the conduct of the election specifying:

- (a) the arrangements made for the election;
- (b) the percentage of turn out for the election;
- (c) any incident which affected or could have affected smooth polling;
and
- (d) such other information as he may deem necessary.

(2) The Provincial Election Commissioner shall draw up a consolidated report on the elections held in the Province for submission to the Commission.

80. Repeal.---The Khyber Pakhtunkhwa Local Councils (Conduct of Elections) Rules, 2014, are hereby repealed.

FORM-I
[see rule 11(3)]

LIST OF POLLING STAFF

Election to the Local Government

No. and name of Local Council

District..... Tehsil.....

S. No.	No. and name of polling station	No. of booths provided at each polling station		Name, designation & office address of Presiding Officer	Name, designation & office address of Assistant Presiding Officer	Name, designation & office address of Polling Officer	Name and designation of senior Assistant Presiding Officer
		Male	Female				
1	2	3	4	5	6	7	8

	1						
				1. _____	2. _____		
					3. _____		
					4. _____		
					etc.		
	2				1. _____		
					2. _____		
					3. _____		
					4. _____		
					etc.		
	3				1. _____		
					2. _____		
					3. _____		
					4. _____		
					etc.		
	4				1. _____		
					2. _____		
					3. _____		
					4. _____		
					etc.		
	etc.				1. _____		
					2. _____		
					3. _____		
					4. _____		
					etc.		
	5% reserved staff				1. _____		
					2. _____		
					3. _____		
					4. _____		
					etc.		

Returning Officer

Dated:

FORM-II
[see rule 11(4)]

**APPOINTMENT ORDERS OF POLLING STAFF FOR
ELECTION**

Election to the Local Government

No. and name of Local Council.....
 No. and name of polling station.....
 No. of booths at the polling station: Male..... Female.....
 Total.....
 Name of District Tehsil.....

Name, designation & office address of Presiding Officer	Name, designation & office address of Assistant Presiding Officer	Name, designation & office address of Polling Officer	Name and designation of senior Assistant Presiding Officer
1	2	3	4

1.	1.	1.	1.
	2.	2.	
	3.	3.	
	4.	4.	
	etc.	etc.	

Signature and seal of
the Returning Officer

Dated:.....

FORM-III
[see rule 13(1)]

LIST OF POLLING STATIONS FOR LOCAL COUNCIL

Election to the Local Government

No. and name of Local Council.....

District..... Tehsil.....

S. No.	No. and name of polling station	In case of rural areas		In case of urban areas		S.No. of voters on the electoral roll in case electoral area is bifurcated	Number of voters assigned to polling station			Number of polling booths		
		Name of electoral area	Census block code	Name of electoral area	Census block code		Male	Female	Total	Male	Female	Total
1	2	3	4	5	6	7	8	9	10	11	12	13

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- etc.

Dated:

**Returning Officer/
District Returning Officer**

District _____ do hereby second the name of
Mr./Mrs./Ms. _____ whois register as voter at serial number _____ in the
electoral roll of electoral area _____ of VC /NC _____ of Tehsil
_____ District _____ as a candidate for election to
the seat of _____

(2) I hereby certify that I have not subscribed to any other nomination paper in this election
either as proposer or seconder.

Date _____

Signature of Seconder _____

DECLARATION BY THE CANDIDATE

1. I _____ (nominated candidate), hereby declare that-

(i) I have consented to the nomination and that I fulfill the qualifications specified in
the Local Government Act, 2013, and I am not subject to any of the
disqualifications specified in the said Act, for being elected as Chairman Tehsil
Council /Mayor City Council, Member of the Village Council/Neighbourhood
Council;

(ii) I belong to _____ and a certificate
(*Name of political party)

from that political party showing that I am a party candidate from the above said
Tehsil/ City Local Council, is attached or will be provided at the time of
allocation of election symbol; or

I do not belong to any political party;

[Note: Strike off the words not applicable.]

2.

(i) I believe in the absolute and unqualified finality of the Prophet-hood of
Muhammad (Peace Be Upon Him), the last of the Prophets and that I am not the
follower of anyone who claims to be prophet in any sense of the word or of any
description whatsoever after Prophet Muhammad (Peace Be Upon Him), and that
I do not recognize such a claimant to be prophet or a religious reformer, nor do I
belong to the Qadiani group or the Lahori group or call myself an Ahmadi; and

[Note: This paragraph is for Muslim candidates only and is not applicable to non-Muslim candidates]

(ii) I will be faithful to the declaration made by the Founder of Pakistan Quaid-e-
Azam Muhammad Ali Jinnah, that Pakistan would be a democratic state based on
Islamic principles of social justice. I will bear true faith and allegiance to Pakistan

4. My Contact No. is _____
5. My Email Address is _____
6. My statement of assets and liabilities including assets and liabilities of my spouse(s) and dependent children as on preceding 30th day of June on Form B is attached.

Date _____ Signature of Candidate _____

* In case of election to the seat of Chairman Tehsil Council / Mayor City Council.

SOLEMN AFFIRMATION

I _____ S/o, W/o, D/o _____ do hereby solemnly affirm that all the entries in the Form filled by me are correct and complete to the best of my knowledge and belief, and nothing has been concealed.

Signature of the candidate _____

FORM-V

[see rule 16 (2) (c) & (6)]

STATEMENT OF ASSETS AND LIABILITIES

I _____ candidateto seat* _____ hereby declare that no movable and immovable property, including bonds, shares, certificates, securities, insurance policies and jewelry, other than specified herein below, is held by me, my spouse(s) and dependent children on 30th day of June _____

ASSETS

ASSET.	COST OF ASSET.	REMARKS.
1.	2.	3.
<p>1. IMMOVABLE PROPERTY: Open plots, houses, apartments, commercial buildings, under construction properties, agricultural property etc.</p> <p>(a) Held within Pakistan* (i) _____ (ii) _____ (iii) _____</p> <p>(b) Held outside Pakistan* (i) _____ (ii) _____</p>		
<p>2. MOVABLE ASSETS:</p> <p>(a) <u>Business capital within Pakistan</u> (i) Name of business (ii) Capital amount</p> <p>(b) <u>Business capital outside Pakistan</u> (i) Name of business (ii) Capital amount</p> <p>(c) <u>Assets brought or remitted from outside Pakistan</u> (i) Bank drafts/Remittances (ii) Machinery (iii) Other.</p> <p>(d) <u>Assets brought out of remittance from abroad.</u></p>		

* Chairman Tehsil Council / Mayor City Council and for General seat, Peasant/ Worker seat, Woman seat, Youth seat and Non-Muslim seat in a Village Council or Neighbourhood Council.

ASSET	COST OF ASSET	REMARKS.
1.	2.	3.
<p>(e) Investments (i) Stock and Shares (ii) Debentures (iii) National Investment (Unit) Trust (iv) ICP Certificates (v) National Savings Schemes -- Defence Savings Certificate -- Special Savings Certificate -- Regular Income Certificate (vi) Unsecured loans (vii) Mortgages (viii) Any other (f) Motor Vehicles* Make Model Reg. No. (i) _____ (ii) _____ (g) Jewelry etc. (i) Weight _____ (ii) Description _____ (h) Cash and Bank Accounts* (i) Cash in hand (ii) Cash at Bank Account No. Bank & Branch Current _____ Deposit _____ Saving _____ Other Deposit _____ (i) Furniture, Fittings & articles of personal use-- (j) Assets transferred to any person-- (i) Without adequate consideration, or (ii) by revocable transfer (k) Any other assets. (i) Mortgages secured on Property or land (ii) Unsecured Loans owing (iii) Bank Overdraft (iv) Bank Loans (v) Amounts due under Hire Purchase Agreement (vi) House Building Loans (vii) Advances from Provident Funds etc. (viii) Other debts due* (ix) Liabilities in the names of dependent children (in respect of assets standing in their names) Total</p>		

LIABILITIES

LIABILITY	AMOUNT	REMARKS
1	2	3
(i) Mortgages secured on Property or land		
(ii) Unsecured Loans owing		
(iii) Bank Overdraft		
(iv) Bank Loans		
(v) Amounts due under Hire Purchase Agreement		
(vi) House Building Loans		
(vii) Advances from Provident Funds etc.		
(viii) Other debts due*		
(ix) Liabilities in the names of dependent children (in respect of assets standing in their names)		
Total		

*Details to be annexed.

VERIFICATION

I,.....S/o,W/o,D/o.....do hereby declare that, to the best of my knowledge and belief, the above statement of the assets and liabilities of myself, my spouse(s), dependent children is correct and complete as on preceding 30th June..... and nothing has been concealed therefrom.

Date.....

Signature of the Candidate

Decision of Returning Officer

Date.....

Returning Officer

[Note: Candidate to write his /her name in Urdu as per his/ her CNIC]

RECEIPT

(To be filled by the Returning Officer)

[Note: Strike off the words not applicable.]

Serial Number of nomination paper _____

The nomination paper of Mr./Miss/Mrs. _____ a candidate for election to the seat *of _____ was delivered to me at my office at _____ (hours) on _____ (date) by _____ (person).

Date _____

Returning Officer

* Chairman Tehsil Council / Mayor City Council and for General seat, Peasant/ Worker seat, Woman seat, Youth seat and Non-Muslim seat in a Village Council or Neighbourhood Council,

FORM-VI
[see rule 17(2)]

DEPOSIT REGISTER

Election to the Local Government

Name of Council..... Category of seat.....

District..... Tehsil.....

Sr. No.	Candidate's name	No. of nomination papers filed	Amount deposited	Particulars of Bank Challan or bank draft or if received in cash, of the receipt issued in ¹ [Form-VI]	Signature of Returning Officer	Disposal of the cash deposit/Bank draft (and remarks, if any)
1	2	3	4	5	6	7

FORM-VII
[see rule 17(3)]

RECEIPT OF DEPOSIT

COUNTERFOIL

RECEIPT

Sl.No.....
Serial No. of nomination paper in the
deposit register
Sum of Rs.....received in cash/
bank draft.....deposited
by.....(name of
candidate)

Sl.No.....Received a sum of
Rs.....
(Rupees..... in cash/ bank
draft from a candidate for
election to
..... (Local Council) and
entered in the Deposit Register under Sl.No..... dated
.....

Name of Council..... Category of seat.....
District..... Tehsil.....

Signature of the Returning
Officer.....

Date.....

Signature and seal of the Returning Officer.

Date.....

FORM-VIII
[see rule 17(5)]

NOTICE OF NOMINATED CANDIDATES

Election to the Local Government

No. and name of Local Council

Category of seat.....District.....Tehsil.....

Serial No.	Name of Candidate	Father's/ husband's name	National Identity Card No	Address of candidate
1	2	3	4	5

1

2

3

4

5

6

7

8

9

10

etc.

Place.....

Date.....

Signature of Returning Officer

FORM-IX

[see rule 20(1)]

LIST OF VALIDLY NOMINATED CANDIDATES

Election to the Local Government

No. and name of Local Council

Category of seat.....District.....Tehsil.....

Serial No.	Name of candidate	Father's/Husband's name	Address of candidate
1	2	3	4

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- etc.

Place

Date.....
Officer

Signature of Returning

FORM-X

[see rule 21(4)]

LIST OF CONTESTING CANDIDATES

Election to the Local Government

No. and name of Local Council

Category of seat.....District.....Tehsil.....

Serial No.	Name of the contesting candidate in the Urdu alphabetical order	Address of the contesting candidate	Symbol allocated	*Party affiliation, if any
1	2	3	4	5

1

2

3

4

5

6

7

8

9

10 etc.

Notice is hereby given that the poll shall be taken between the

hours of..... to.....

on(date).....

Place

Date.....

Signature of Returning Officer

*In case of election to the seat of Chairman Tehsil Council/ Mayor City Council.

FORM-XI

[see rule 28(2)]

RETURN OF UNCONTESTED ELECTION

Election to the Local Government

No. and name of Local Council Category
of seat.....District..... Tehsil.....

I, Returning Officer, do hereby declare under rule 28
(2) Khyber Pakhtunkhwa Local Government (Conduct of Elections) Rules, 2021 that the
following candidate(s) have been duly elected un-contested:

Sr. No.	Name of contesting candidate	Father's / Husband's name	*Party affiliation, if any / **Election Symbol	Address
1	2	3	4	5

Date.....

Place.....

Signature of Returning Officer

*In case of election to the seat of Chairman Tehsil Council/ Mayor City Council.

** In case of election to the seat in Village / Neighbourhood Council.

FORM-XII(B)

[see rule 34(1)]

BALLOT PAPER

(Woman Seat Village / Neighbourhood Council)

(Number and name of Council)

(Number and name of Council)

.....

.....

Serial No.....

Symbol

Symbol



National Identity Card No. of the voter

Symbol

Symbol

Serial no. of voter on electoral roll

Symbol

Symbol

Part of electoral roll.....

Symbol

Symbol

Male

Female

Name of electoral area.....

Symbol

Symbol

Census Block Code.....

Thumb impression of the voter.....

Signature of Presiding

Officer.....

Official stamp.....

FORM-XII(C)
[see rule 34(1)]

BALLOT PAPER
(Peasant / Worker Seat Village Council/ Neighbourhood Council)

(Number and name of Council)
.....

(Number and name of Council)
.....

Serial No.....

Symbol

Symbol



National Identity Card No. of the voter

Symbol

Symbol

Serial no. of voter on electoral roll

Symbol

Symbol

Part of electoral roll.....

Symbol

Symbol

Male	Female
------	--------

Name of electoral area.....

Symbol

Symbol

Census Block Code.....

Thumb impression of the voter.....

Signature of Presiding
Officer.....

Official stamp.....

Light Green

FORM-XII(D)
[see rule 34(1)]

BALLOT PAPER
(Youth Seat in Village Council / Neighbourhood Council)

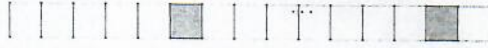
(Number and name of Council)
.....

(Number and name of Council)
.....

Serial No.....

Symbol

Symbol



Symbol

Symbol

National Identity Card No. of the voter
- -

Serial no. of voter on electoral roll

Symbol

Symbol

Part of electoral roll.....

Male

Female

Symbol

Symbol

Name of electoral area.....

Symbol

Symbol

Census Block Code.....

Thumb impression of the voter.....

Signature of Presiding

Officer.....

Official stamp.....

Yellow

FORM-XII (E)

[see rule 34(1)]

BALLOT PAPER

(Minority Seat Village Council / Neighbourhood Council)

(Number and name of Council)

.....

(Number and name of Council)

.....

Serial No.....

Symbol

Symbol



Symbol

Symbol

National Identity Card No. of the voter

Serial no. of voter on electoral roll

Symbol

Symbol

Part of electoral roll.....

Symbol

Symbol

Male	Female
------	--------

Name of electoral area.....

Symbol

Symbol

Census Block Code.....

Thumb impression of the voter.....

Signature of Presiding
Officer.....

Official stamp.....

FORM-XIII
[See rule 34 (2)]
PACKING INVOICE

Election to the Local Government

1. No. and name of Local Council.....
2. District..... Tehsil.....
3. No. and name of polling station
4. No. of voters assigned to the polling station Male Female Total.....
5. No. of booths Male Female Total.....
6. Details of ballot papers:

Description (City / Tehsil / Village / Neighbourhood Council)	Quantity of ballot papers	No. of books	Sr. No. of books		Sr. No. of ballot papers	
			From	To	From	To

7. Official code mark stamps
 - (a) Quantity
 - (b) Code(s): (i)..... (vi).....
 - (ii)..... (vii).....
 - (iii)..... (viii).....
 - (iv)..... (ix).....
 - (v)..... (x).....

7. Rubber stamps for marking ballot papers	
8. Serial number of brass seal (one per polling station)	
9. Indelible ink vials (one per booth plus two per polling station)	
10. Plastic seals for ballot boxes (five per ballot box) plus extra	
11. Standardized stamp pads (two per booth + one per polling station)	
12. Standard stationery pack (one per polling station)	

Received above articles in sealed bag

Signature of the Presiding Officer..... Signature of the Returning Officer.....

Date:

FORM- XIV

[see rule 35(4)(b)]

**STATEMENT REGARDING INSPECTION OF BALLOT
BOXES BEFORE START OF POLL**

It is certified that we have personally inspected the ballot box(es) provided by

Election Commission at polling station No.& Name
 for election to
 No & Name of Local
 Council.....District.....

Tehsil.....before start of poll and have found it /them empty.

S. No	Name of election / polling agent	National Identity Card No.	Name of the candidate	Address	Signature	Thumb Impression
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

Signature of the Presiding
 Officer.....
 Designation.....

Name.....

Date

FORM- XV
[see rule 40(4)]

TENDERED VOTES LIST

Election to the Local Government

No. and name of Local Council.....

Category of seat..... District..... Tehsil.....

No. and name of polling station.....

S.No.	Name of the electoral area	Census Block Code	Description in respect of person tendering vote and the tendered ballot paper							**Description of the person to whom the ballot paper was issued earlier		
			Name of the person tendering vote	National Identity Card No.	Serial number of the Voter in the electoral roll	Serial number of tendered ballot paper	Signature of the person tendering vote	Thumb impression of the person tendering vote	*Detail of document provided by the person tendering vote in support of his claim	Name of the person voted earlier	National Identity Card No. of the person voted earlier	Serial number of the ballot paper issued earlier against the same entry of the electoral roll mentioned in column(6)
1	2	3	4	5	6	7	8	9	10	11	1 2	1 3
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												

Place

Signature of the Presiding Officer.....

Date

Name.....

Designation.....

* The Presiding Officer shall provide to the Returning Officer copy of national identity card of the person tendering vote together with any other document, if any, provided by such voter.

**This information will be taken from the relevant counterfoil of the ballot paper. The counterfoil will be traced keeping in view the name and national identity card number appearing in the entry of the electoral rolls stricken off

Form-XVI
[see rule 41(2)]

CHALLENGED VOTES LIST
Election to the Local Government

No. and name of Local Council.....

Category of seat.....

District..... Tehsil.....

No. and name of polling station.....

Serial No.	Name of the voter challenged	Serial No. of the voter on the electoral roll	Name of the electoral area in which voter is enrolled	Census block code	Signature of the person challenged	Thumb impression of the person challenged	Address of the person challenged	Name of the identifier, if any	Name and address of the challenger	Order of the Presiding Officer
1	2	3	4	5	6	7	8	9	10	11
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										

Certified that a sum of Rs..... (in figures) (in words) has been received on account of challenged votes and the amount in question has been deposited with the Returning Officer.

Signature of the Presiding Officer.....

Place

Name.....

Date

Designation.....

FORM- XVII
[see rule 45(9)]
RESULT OF THE COUNT
Election to the Local Government

No. and name of /Local Council.....

Category of seat.....

District.....Tehsil.....

No. of votes assigned to the polling station:

Male.....Female.....Total.....

Sr. No.	Names of the contesting Candidates	Symbol of the contesting candidates	Number of valid votes polled in favour of each contesting candidate	Number of valid Tended votes polled in favour of each contesting candidate	Number of valid Challenged votes polled in favour of each contesting candidate	Total valid votes polled in favour of each contesting candidate. [(4)+(5)+(6)]
1	2	3	4	5	6	7
1						
2						
3						
4						
5						
6						
7						
8						
Total						

(i)	Total valid votes (column 6)	
-----	------------------------------	--

(ii) Number of votes excluded from the count in accordance with Rule 45(4)(c) of the Rules:

Votes taken out from the ballot boxes which have been excluded from the count:	
Tended votes which have been excluded from the count:	
Challenged votes which have been excluded from the count:	
Total	

(iii)	Grand total [sum of (i) and (ii)]	
-------	-----------------------------------	--

(iv)	Number of votes polled	Male	Female	Total

[Signature of Senior-most Assistant Presiding Officer.....

Name

Designation

Signature of the Presiding Officer.....

Name

Designation

Thumb impression



Thumb impression



¹[NIC No.] [Grid]

²[NIC No.] [Grid]

FORM-XVIII
 [see rule 45(10)]
BALLOT PAPER ACCOUNT
Election to the Local Government

No. and name of Local Council.....
 Category of seat..... District.....
 Tehsil.....
 No. and name of polling station.....

1. Ballot papers received for use at the polling station:

Quantity of ballot papers	No. of books	Sr.No. of books		Sr.No. of ballot papers	
		From	To	From	To

2. Total number of ballot papers taken out from the ballot box or boxes	
3. Total number of Tendered Ballot Papers	
4. Total number of Challenged Ballot Papers	
5. Total number of stray, spoiled and cancelled ballot papers	
6. Total number of ballot papers under Item Nos. (2), (3), (4) and (5)	

7. Number of unissued ballot papers:

Serial No.		Total
From	To	
Total		

8. Total number of ballot papers under Item Nos. (6) and (7)

Note: Total of Item No. (8) should be equal to the total of Item No. (1)

[Signature of Senior-most Assistant Presiding Officer.....
 Name
 Designation

Signature of the Presiding Officer.....
 Name
 Designation

Thumb impression



Thumb impression



²[NIC No.]



²[NIC No.]



FORM- XIX

[see rule 46(1)]

PROVISIONAL CONSOLIDATED STATEMENT OF RESULTS OF THE COUNT

Election to the Local Government

1. No. and name of Local council
2. Category of seat..... District..... Tehsil.....
3. Total number of polling stations:
4. Number of registered votes in the constituency: MaleFemaleTotal.....
5. Total number of votes polled: MaleFemaleTotal.....
6. Number of valid votes polled:
7. Number of votes excluded from the count:
8. Percentage of votes polled:

S. No.	Name of contesting candidate	*Party affiliation / **Election Symbol	Number of votes obtained
1	2	3	4

1
2
3
4
5
6
7
8
etc.

Signature and seal of the Returning
Officer

Place.....

Date

* in case of election to the seat of Chairman Tehsil Council / Mayor City Council.

** in case of election to the seat in Village / Neighbourhood Council.

FORM-XX

[see rules 47(1), (6) and 49(a)]

**CONSOLIDATED STATEMENT OF THE RESULTS OF THE COUNT FURNISHED
BY THE PRESIDING OFFICERS**

Election of the Local Government

and name of council: Tehsil:
 gory of seat: District:
 of registered voters: Male Female Total
 number of Polling Stations: Male Female Combined Total

Polling Station	Number of valid votes (including Tenders & Challenged votes) cast in favor of *						Total votes per polling station		
	'A'	'B'	'C'	'D'	'E'	'F'	Valid	Invalid	Total
2	3	4	5	6	7	8	9	10	11

otes recorded at the polling stations. Total votes recorded on postal ballots for the
 ency.

AL

.....Signature of the Returning Officer

es of the candidates in the columns having heading of alphabets

FORM-XXI

[see rules 47(1), (6), 49(a) and 52(4)]

FINAL CONSOLIDATED RESULT

Election to the Local Government

No. and name of Local Council
Category of seat..... District..... Tehsil.....

No. of registered voters: Male Female Total.....

Sr. No.	Name of contesting Candidate	*Party Affiliation, if any / **Election Symbol	Number of valid votes polled
1	2	3	4

1

2

3

4

5

6

7

8

etc.

Total number of valid votes polled

Total number of invalid votes

Date.....

Place.....

Signature of Returning Officer

* in case of election to the seat of Chairman Tehsil Council / Mayor City Council.

** in case of election to the seat in Village / Neighbourhood Council.

FORM-XXIII

[See rule 52 (4)]

RESULT OF THE COUNT (IN PERCENTAGE)

Election to the Local Government

Name of Tehsil / City Council _____

Category of Reserved Seats _____

Tehsil _____ District _____

S.No.	No. & Name of Village/ Neighbourhood Council	Name of the Returned Candidate in Village/ Neighbourhood Council	Number of Valid Votes Polled	*Percentage (%)
1	2	3	4	5
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
Etc.				

Date _____

Place _____

RETURNING OFFICER

*determine percentage Village/Neighbourhood Council-wise in terms of total votes polled in the council.

FORM-XXIV

[See rule 52 (4)]

PRIORITY LIST (IN DESCENDING ORDER)

Election to the Local Government

Name of Tehsil / City Council _____
Category of Reserved Seats _____

Tehsil _____ District _____

S.No.	Names of the Candidates returned in Village/ Neighbourhood Council	Name of Village/ Neighbourhood Council	Order of merit in terms of Percentage (%)
1.			
2.			
3.			
4.			
Etc.			

I declare that the following candidates have duly been returned to the tehsil / city council:-

S.No.	Name	Name of Father/Husband	Address
1.			
2.			
3.			

Date _____
Place _____

RETURNING OFFICER

FORM-XXV
[see rule 53 (5)]

RETURN OF ELECTION EXPENSES

Election to the seat of _____

No. and Name of Tehsil/ City Local Government/ Village/ Neighbourhood
Council _____

Name of the candidate _____

Address of the candidate _____

Part A----Account of Election Expenses

Date on which expenditure was incurred or authorized.	Name of expenditure.	Amount of expenditure.		
		The amount paid (i).	The amount outstanding (ii)	Total (i) and (ii)
(a)	(b)	(c)		

Part B----Account of unpaid claim/Outstanding amount

Nature of claim/outstanding amount.	Date of claim/ Outstanding amount.	Amount of claim/ Outstanding amount.
(a)	(b)	(c)

Part C----Attach bank statement of the account showing all transactions made by the candidate from the account.

Place _____

Date _____

Signature of Candidate _____

SCHEDULE-I

(see rule 38)

The format of the packets to be used at the polling station by the Presiding Officer and the Returning Officer in connection with conduct of election to the Local Councils of Khyber Pakhtunkhwa shall be as under:

PACKET-1

[see rule 45(6)]

VALID BALLOT PAPERS

DISTRICT.....TEHSIL.....CATEGORY OF SEAT

.....

NUMBER AND NAME OF COUNCIL.....

NO. AND NAME OF POLLING STATION.....

DATE OF ELECTION

VALID BALLOT PAPERS OF MR..... SYMBOL.....

CANDIDATE FOR LOCAL COUNCIL OF

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURE

NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET- 2

[see rule 45(7)]

**BALLOT PAPERS EXCLUDED FROM THE
COUNT**

DISTRICT.....TEHSIL.....CATEGORY OF
SEAT.....

NUMBER AND NAME OF COUNCIL

NO. AND NAME OF POLLING STATION.....

DATE OF ELECTION

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES

NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-3
[see rule 45(8)]

PRINCIPAL PACKET

DISTRICT TEHSIL..... CATEGORY OF SEAT.....
NUMBER AND NAME OF COUNCIL.....
NO. AND NAME OF POLLING STATION
DATE OF ELECTION

PRINCIPAL PACKET CONTAINING:

- (I) PACKETS OF VALID BALLOT PAPERS OF INDIVIDUAL CANDIDATES(PACKET-I)
- (II) PACKET OF BALLOT PAPERS EXCLUDED FROM THE COUNT(PACKET-II)

TOTAL NUMBER OF PACKETS CONTAINED IN THIS PACKET

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-4
[see rule 40(3)]

TENDERED BALLOT PAPERS

DISTRICT..... TEHSIL..... CATEGORY OF SEAT.....
NUMBER AND NAME OF COUNCIL
NO. AND NAME OF POLLING STATION
DATE OF ELECTION

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES.....

NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-5
[see rule 45(8)(e)(i)]

VALID TENDERED BALLOT PAPERS INCLUDED IN THE COUNT

DISTRICT.....TEHSIL..... CATEGORY OF SEAT.....
NUMBER AND NAME OF COUNCIL
NO. AND NAME OF POLLING STATION
DATE OF ELECTION.

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES.....
NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-6
[see rule 45(8)(e)(ii)]

**TENDERED BALLOT PAPERS EXCLUDED FROM THE
COUNT**

DISTRICT.....TEHSIL..... CATEGORY OF SEAT.....
NUMBER AND NAME OF COUNCIL.....
NO. AND NAME OF POLLING STATION.....
DATE OF ELECTION.....

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES.....
NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-7
[see rule 41(3)]

CHALLENGED BALLOT PAPERS

DISTRICT TEHSILCATEGORY OF SEAT.....

NUMBER AND NAME OF COUNCIL

NO. AND NAME OF POLLING STATION

DATE OF ELECTION

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES.....

NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-8
[see rule 45(8)(g)(i)]

VALID CHALLENGED BALLOT PAPERS INCLUDED IN THE COUNT

DISTRICT TEHSILCATEGORY OF SEAT.....

NUMBER AND NAME OF COUNCIL

NO. AND NAME OF POLLING STATION

DATE OF ELECTION.....

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES.....

NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-9
[see rule 45(8)(g)(ii)]

CHALLENGED BALLOT PAPERS EXCLUDED FROM THE COUNT

DISTRICT TEHSILCATEGORY OF SEAT.....

NUMBER AND NAME OF COUNCIL

NO. AND NAME OF POLLING STATION

DATE OF ELECTION

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES.....

NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-10
[see rule 42 (2)]

SPOILT BALLOT PAPERS

DISTRICT TEHSILCATEGORY OF SEAT.....

NUMBER AND NAME OF COUNCIL

NO. AND NAME OF POLLING STATION

DATE OF ELECTION

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES.....

NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-11
[see rule 45(8)(a)]

UNISSUED BALLOT PAPERS

DISTRICT TEHSILCATEGORY OF SEAT.....

NUMBER AND NAME OF COUNCIL

NO. AND NAME OF POLLING STATION

DATE OF ELECTION

NUMBER OF BALLOT PAPERS IN THE PACKET IN FIGURES.....

NUMBER OF BALLOT PAPERS IN THE PACKET IN WORDS

FROM SERIAL NO..... TO

FROM SERIAL NO..... TO

FROM SERIAL NO..... TO

FROM SERIAL NO..... TO

FROM SERIAL NO..... TO

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-12
[see rule 45(8)(b)]

COUNTERFOILS OF USED BALLOT PAPERS

DISTRICT TEHSILCATEGORY OF SEAT.....

NUMBER AND NAME OF COUNCIL

NO. AND NAME OF POLLING STATION

DATE OF ELECTION

THIS PACKET CONTAINS THE COUNTERFOILS OF USED BALLOT PAPERS

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-13

[see rule 45(8)(c)]

MARKED COPIES OF ELECTORAL ROLLS

DISTRICT..... TEHSIL..... CATEGORY OF
SEAT.....NUMBER AND NAME OF COUNCIL.....
NO. AND NAME OF POLLING STATION.
DATE OF ELECTION.

THIS PACKET CONTAINS THE MARKED COPIES OF THE ELECTORAL ROLLS
USED AT THE POLLING STATION

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-14

[see rule 40 (4)]

TENDERED VOTES LIST

DISTRICT..... TEHSIL..... CATEGORY OF
SEAT.....NUMBER AND NAME OF COUNCIL.....
NO. AND NAME OF POLLING STATION.
DATE OF ELECTION.....

THIS PACKET CONTAINS THE TENDERED VOTES LIST

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-15
[see rule 41 (2)]

CHALLENGED VOTES LIST

DISTRICT.....TEHSIL.....CATEGORY OF
SEAT.....NUMBER AND NAME OF COUNCIL
NO. AND NAME OF POLLING STATION.....
DATE OF ELECTION

THIS PACKET CONTAINS THE CHALLENGED VOTES LIST

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-16
[see rule 45(16)]
RESULT OF THE COUNT

DISTRICT.....TEHSIL.....CATEGORY OF
SEAT.....NUMBER AND NAME OF COUNCIL
NO. AND NAME OF POLLING STATION.....
DATE OF ELECTION

THIS PACKET CONTAINS THE RESULT OF THE COUNT

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-17
[sec rule 45(16)]
BALLOT PAPER ACCOUNT

DISTRICT..... TEHSIL..... CATEGORY OF SEAT.....
NUMBER AND NAME OF COUNCIL.....
NO. AND NAME OF POLLING STATION.....
DATE OF ELECTION.....

THIS PACKET CONTAINS THE BALLOT PAPER ACCOUNT

SIGNATURES OF CANDIDATES/
ELECTION AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

PACKET-18
PACKET CONTAINING BRASS SEAL

DISTRICT..... TEHSIL..... CATEGORY OF SEAT.....
NUMBER AND NAME OF COUNCIL.....
NO. AND NAME OF POLLING STATION.....
DATE OF ELECTION.....

IMPORTANT: AFTER PUTTING THE BRASS SEAL IN THE PACKET, IT SHOULD BE SECURELY CLOSED WITH THE HELP OF PASTING GUM. THE ELECTION AGENTS / POLLING AGENTS AND THE PRESIDING OFFICERS SHOULD THEN SIGN THE FLAP OF THE PACKET ON ITS BACK.

SIGNATURES OF CANDIDATES/ ELECTION
AGENTS/POLLING AGENTS

SIGNATURE OF
THE PRESIDING OFFICER

SCHEDULE II
[see rule 77(1)]

PART-A
OATH OF OFFICE

CHAIRMAN, TEHSIL LOCAL GOVERNMENT/MAYOR, CITY LOCAL GOVERNMENT

I _____ elected as Chairman of Tehsil Local Government/Mayor, City Local Government (_____) hereby solemnly (in case of Muslims) swear, or (in case of Non-Muslims) affirm;

That I shall bear true faith and allegiance to Pakistan and shall strengthen its ideology, integrity, solidarity and prosperity through good governance, effective delivery of services, participatory and transparent decision making in my Tehsil or City Council.

That I shall discharge my duties and functions under the Khyber Pakhtunkhwa Local Government Act, 2013, and the rules, bye-laws and regulations made there under honestly, efficaciously and efficiently to the best of my ability.

That I shall act in accordance with law and rules, and that as Head of the Tehsil Local Government/City Local Government I shall ensure that the business of the local government and the Council within the scope of my responsibility is carried out lawfully, diligently and in consonance with the policy goals of the government of Khyber Pakhtunkhwa and the development plan approved by the Tehsil/City Council.

That I shall observe faithfully the federal and provincial laws and obey all lawful directions given to me by the government.

That I shall not allow my personal interest to influence my official conduct and or my official decisions.

That I shall promote fiscal discipline and, to the best of my ability, prevent misuse, misappropriation and pilferage of public money.

That I shall protect the interest of people of my local government and avail every opportunity to advance their collective welfare and well-being.

That in all circumstances I shall do right to all people according to law, without fear or favor, ill will, or discrimination.

**SIGNATURE OF THE
OFFICER ADMINISTERING THE OATH**

SIGNATURE OF DECLARANT

PART-B

OATH OF OFFICE

CHAIRMAN VILLAGE/ NEIGHBOURHOOD COUNCIL

I _____ elected as Chairman of Village/ Neighbourhood Council (_____) Village/ Neighbourhood hereby solemnly (in case of Muslims) swear, or (in case of Non-Muslims) affirm; that I shall bear true faith and allegiance to Pakistan and shall strengthen its ideology, integrity, solidarity and prosperity through good governance, effective delivery of services, participatory and transparent decision making in my Village/ Neighbourhood.

That I as Chairman Village Council or Neighbourhood Council and whenever act as member of Tehsil council shall discharge my duties and functions under the Khyber Pakhtunkhwa Local Government Act, 2013, and the rules, bye-laws and regulations made there under honestly, efficaciously and efficiently to the best of my ability.

That I shall act in accordance with law and rules, and that as Head of the Local Government for the Village/Neighborhood I shall ensure that the business of the local government and the Council within the scope of my responsibility is carried out lawfully, diligently and in consonance with the policy goals of the government of Khyber Pakhtunkhwa and the development plan approved by the Village/ Neighbourhood Council.

That I shall observe faithfully the federal and provincial laws and obey all lawful directions given to me by the government.

That I shall not allow my personal interest to influence my official conduct and or my official decisions.

That I shall promote fiscal discipline and, to the best of my ability, prevent misuse, misappropriation and pilferage of public money.

That I shall protect the interest of people of my local government and avail every opportunity to advance their collective welfare and well being.

That in all circumstances I shall do right to all people according to law, without fear or favor, ill will, or discrimination.

**SIGNATURE OF THE
OFFICER ADMINISTERING THE OATH**

SIGNATURE OF DECLARANT

PART-C

OATH OF OFFICE

MEMBERS OF COUNCILS

I _____ elected as member ofCouncildo hereby solemnly (in case of Muslim) swear, or (in case of Non-Muslims) affirm:

That I shall bear true faith and allegiance to Pakistan and shall strengthen its ideology, integrity, solidarity, prosperity through discharge of my duties and perform functions in accordance with the Khyber Pakhtunkhwa Local Government Act, 2013, and the rules, bye-laws and regulations made thereunder honestly, efficaciously and efficiently to the best of my ability.

That I shall always work in the interest of the people.

That I shall promote fiscal discipline and to the best of my ability prevent misuse, misappropriation and pilferage of public money.

That in all circumstances I shall do right to all people according to law, without fear or favor, ill-will, or discrimination.

**SIGNATURE OF THE
OFFICER ADMINISTERING THE OATH**

SIGNATURE OF DECLARANT

**SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
LOCAL GOVERNMENT, ELECTIONS AND RURAL DEVELOPMENT
DEPARTMENT**

100