



Dated Quetta, the 18th January, 2013

NOTIFICATION

No.5-1/2010-12(BLCEC)/74-88. In exercise of the powers conferred by Section 141 of the Balochistan Local Government Act, 2010 (Act No.V of 2010), the Government of Balochistan is pleased to make the following rules, namely:-

CHAPTER-I
PRELIMINARY

1. Short title and commencement.- (1) These rules may be called the Balochistan Local Government (Election) Rules, 2013

(2) They shall come into force at once.

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

- (a) “Act” means the Balochistan Local Government Act, 2010 (Act No.V of 2010);
- (b) “Appellate Authority” means an Appellate Authority appointed by Election Commission under rule 17 of these rules;
- (c) “Appointed date” means the date specified in the election programme;
- (d) “ballot paper account” means a ballot paper account prepared under these rules;
- (e) “Candidate” means a person nominated for election as a member of a Local Council from a ward;
- (f) “contesting Candidate” in relation to a ward means a candidate who has been validly nominated for election from that ward and has not, on or before the withdrawal day, withdrawn his candidature;
- (g) “election” means an election to a Local Council.
- (h) “election agent” means an election agent appointed by a candidate under rule 24 and where no such appointment is made, the candidate himself;
- (i) “Election Petition” means a petition made under the Act and these rules calling an election into question;

- (j) “electoral roll” means an electoral roll prepared or adopted for the purpose of local council election by the Election Commission under Section 23, 127 of the Act;
- (k) “Election Tribunal” means an Election Tribunal appointed under the Act and these rules for the hearing of election petitions;
- (l) “Form” means a form appended to these rules and includes a translation thereof into Urdu;
- (m) “material irregularity” means the committing of some error of procedure which is material and which may affect the result of an election;
- (n) “Nomination day” means a day on which the Returning Officer may received the nomination papers from the candidate as per election programme notified under rule 9;
- (o) “Polling agent” means a polling agent appointed under rule 25;
- (p) “Polling day” means a day on which polling is taken for election;
- (q) “Polling Officer” means a polling officer appointed under rule 12 for a polling station;
- (r) “Polling Station” means the premises where arrangements are made for poll;
- (s) “Presiding Officer” means a Presiding Officer appointed under rule 12 and includes an Assistant Presiding Officer exercising the powers and performing the functions of Presiding Officer;
- (t) “Publish” with its grammatical variations, includes exhibition at a place accessible to the public;
- (u) “Returned Candidate” means a candidate who has been declared elected as a member of a Local Council;
- (v) “Returning Officer” means a Returning Officer appointed under these rules;
- (w) “Rules” means the Balochistan Local Government (Election) Rules, 2013;
- (x) “Scrutiny day” means the day appointed under rule 16 for the scrutiny of nomination paper;
- (y) “spoilt ballot paper” means a ballot paper which has been spoilt and is returned to the Presiding Officer under rule 37;

- (z) “validly nominated candidate” means a candidate whose nomination has been accepted under rule 16;
- (aa) “Ward” means an area of a Local Council delimited under the Act and the rules;
- (bb) “withdrawal day” means a day appointed under rule 19 on or before which candidature may be withdrawn.

(2) Words and expressions used but not defined in these rules shall have the same meanings as are respectively assigned to them in the Act.

CHAPTER-II **ELECTION COMMISSION**

3. Assistance to the Chief Election Commissioner.- The Election Commission or the Chief Election Commissioner or any Officer authorized by it or him may require any person or authority under Section 17 of the Act, 2010 to perform such functions or render such assistance in connection with the Local Government election in the councils or the areas as it or he may direct.

4. Directions of Election Commission in certain matters-

Anything required to be done for assistance of the Election Commission as provided in Section 17 of the Act, for which no provision exists in these rules shall be done by such authority and in such manner as the Election Commission may direct.

5. Powers to requisition property.-

(1) The Chief Election Commissioner or the Election Commission or any officer appointed or authorized by it or him under the Act or these rules, may 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 duty in connection with the elections:

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

(2) Where any vehicle, vessel or animal is requisitioned under sub-rule (1), the owner thereof shall be paid a compensation the amount of which shall be determined by the officer authorized by the Election Commission to requisition the vehicle, vessel or animal, on the basis of prevailing fare rates.

CHAPTER-III

ELECTORAL ROLLS

6. Supply of Electoral Rolls to the Returning Officer.- (1) The Provincial Election Commissioner shall provide, to the Returning Officer for each local area, copies of electoral rolls for all the electoral wards within that local area.

(2) The Returning Officer shall provide, to the Presiding Officer of each polling station, copies of electoral rolls containing the names of the electors entitled to vote at that polling station.

(3) The Returning Officer shall consolidate the electoral rolls according to the electoral wards of each local area for which he is the Returning Officer, and display such rolls at his office for public inspection at least three days before the date fixed for receipt of nominations.

(4) The Presiding Officer shall split up the electoral rolls for use at the polling booths within a polling station.

7. Supply of electoral rolls to the contesting candidates.- The contesting candidates may obtain attested photo copies of the electoral rolls of a local area or a ward from the concerned Returning Officer at their own expense.

8. Inspection of electoral rolls.- Every person shall have the right to inspect during office hours the electoral rolls of a local area or a ward by making an application in this behalf to the Returning Officer concerned.

CHAPTER-IV

CONDUCT OF ELECTION

9. Election Programme.- (1) The Election Commission shall make programme for an election in **Form I**, hereinafter referred to as the election programme.

(2) The election programme made under sub-rule (1) shall be notified and published in the Official Gazette; and shall also be posted at the Offices of the Returning Officers, Council concerned and such other places as the Election Commission may direct.

(3) The Election Commission may at any time before the date of poll rescind the election programme as notified under sub-rule (2) and issue a revised programme of election in the official gazette.

10. Appointment of Returning Officers and Assistant Returning Officers.- (1) For the purpose of an election, the Election Commission shall appoint any Officer from amongst the officers performing functions in relation to the affairs of the Federal

Government, the Provincial Government or Corporation controlled by any such government a Returning Officer for a ward or a group of wards in one or more local areas.

(2) The Election Commission may appoint, from amongst Officers performing functions in relation to the affairs of the Federal Government, the Provincial Government and a Corporation controlled by such Governments, as many Assistant Returning Officers as may be necessary.

(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 Election Commission from time to time.

(4) The Assistant Returning Officer shall assist the Returning Officer in the performance of his functions and may subject to such conditions as the Election Commission may decide, exercise and perform under the control of the Returning Officer, the powers and functions of the Returning Officer.

11. Polling Stations.- (1) The Returning Officer shall before such time as may be fixed by the Election Commission, submit to the Provincial Election Commissioner and to the Officer Incharge of District Administration a list of polling stations which he proposes to provide in an electoral ward for the purpose of election of a member or members for that ward in **Form -II**

(2) The Provincial Election Commissioner may, after giving justification in writing, make such alterations in the list of polling stations submitted under sub rule (1) as he may deem necessary and shall intimate the alterations if any, to the Returning Officer, who shall incorporate them in the revised polling scheme and publish the final list of the polling stations together with the full particulars of voters assigned to every polling station at least fifteen days before the polling day.

(3) The Returning Officer shall provide each ward with polling station(s) or polling booth (s) according to the final list published under sub-rule (2):

Provided that ward or voters thereof shall be assigned to a polling station established within the limits of the Local Council to which the ward or voters belong unless specially allowed by the Election Commission.

(4) No polling station shall be located in any premises which belongs to or is under the control of any candidate.

(5) After publication of the final list of polling stations, no alteration shall be made therein by the Returning Officer without prior approval of the Provincial Election Commissioner.

12. Presiding Officer and Polling Officer.- (1) A Returning Officer shall appoint for each polling station a Presiding Officer and such number of Assistant Presiding

Officers and Polling Officers to assist the Presiding Officer as the Returning Officer may consider necessary:

Provided that a person who is, or has at any time been, in the employment of or related to or had any interest in any candidate shall not be appointed as a Presiding Officer, Assistant Presiding Officer or Polling Officer.

(2) A list of the Presiding Officers and Assistant Presiding Officers appointed under sub-rule (1) shall be submitted to the Provincial Election Commissioner and no change therein shall be made by the Returning officer thereafter except with the prior approval of the Provincial Election Commissioner.

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

Provided that, during the course of the poll, the Presiding Officer may entrust such of his functions as may be specified by him to any Assistant Presiding Officer and it shall be the duty of the Assistant Presiding Officer to perform the functions so entrusted.

(4) The Returning Officer shall authorize any of the Polling Staff to act in place of the Presiding Officer, if the Presiding Officer is, at anytime during the poll, by reason of illness or any other cause, not present at the polling station, or is unable to perform his functions and any absence of the Presiding Officer, the reasons therefor, as soon as possible after the close of the poll, shall be reported to the Returning Officer.

(5) The Returning Officer may, at any time during the poll, for reasons to be recorded in writing, suspend any Presiding Officer, Assistant Presiding Officer or Polling Officer and make such arrangements as he may consider necessary for performance of the functions of the officer so suspended.

13. Nomination for election.- (1) The Returning Officer shall, as soon as may be, after the publication of election programme under rule 9, give a public notice in **Form III** inviting nominations and specifying the time before which and the place at which nomination papers shall be received by the Returning Officer.

(2) Any voter of a ward who is in possession of Computerized National Identity Card (CNIC) may propose or second the name of any duly qualified person who is also in possession of Computerized National Identity Card (CNIC) to be a candidate from that ward.

(3) Every proposal shall be made by a separate nomination paper in **Form-IV** or **Form-XXVII**, as the case may be which shall be signed by the proposer

and the seconder and shall contain -

- (a) a declaration signed by the person nominated that he has consented to the nomination and that he is not subject to any disqualification for being, or being elected as a member;
- (b) a declaration signed by the proposer and seconder that neither of them has subscribed to any other nomination paper either as proposer or seconder;
- (c) an oath by the person nominated; and
- (d) personal data of the candidate as required in column questionnaire attached with the nomination form.

Provided that any omission in furnishing the data shall not invalidate the nomination of candidate.

(4) Every nomination paper shall be delivered by the candidate, or his proposer or seconder, to the Returning Officer who shall acknowledge the receipt of the nomination paper specifying the date and time of receipt.

(5) A person may be nominated in the same ward by more than one nomination paper.

(6) If any person subscribes as proposer, or seconder to more than one nomination paper, all such nomination papers, except the one received first by the Returning Officer shall be void.

(7) 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 time and place at which the Returning Officer shall hold scrutiny.

(8) The Returning Officer shall cause to be affixed, in **Form V**, at some conspicuous place in his office a statement of every nomination paper received by him containing the particulars of the candidate and the names of the proposer and seconder as shown in the nomination paper.

14. Objection against candidature: Any person or authority may object to the candidature of a person who has submitted nomination papers for election to a seat in the local council before the Returning Officer within the period as notified by the Election Commission in the election programme.

15. Candidature fee.- (1) The nomination papers received under rule 13 shall not be accepted unless the amount prescribed in **Schedule-I** appended to these rules is paid in cash or in the form of a bank draft in favour of the Election Commission by or on behalf of the candidate.

(2) The cash deposit or a bank draft, as the case may be, received by the Returning Officer shall be deposited by him at a government treasury or sub-treasury under the head of account as may be communicated to him by the Election Commission.

(3) A receipt for the payment of candidature fee shall be issued in **Form-VI** and the particulars entered in Deposit Register in **Form-VII**.

(4) For election of Chairman and Vice Chairman of each Local Council the amount given below shall be deposited with the Returning Officer by the candidate or by any person on his behalf before the election:-

S.No	Name of Local Council	Mayor/Chairman	Deputy Mayor / Vice Chairman
1	Metropolitan Corporation	Rs.10,000/-	Rs.10,000/-
2	Municipal Corporation	Rs.8,000/-	Rs.8,000/-
3.	Municipal Committee	Rs.5,000/-	Rs.5,000/-
4	District Council	Rs.6,000/-	Rs.6,000/-
5	Union Council	Rs.3,000/-	Rs.3,000/-

(5) The fee paid by or on behalf of the candidate under sub-rule (1) shall be non-refundable and be paid only once.

16. Scrutiny.- (1) The scrutiny of nomination papers shall be open to the candidates, their election agents, proposers and seconders, or the persons who made objections against the nomination papers, and any voter of the local area concerned who obtains permission from the Returning Officer, before the commencement of the scrutiny.

(2) The Returning Officer shall give all those present a reasonable opportunity for examining all nominations delivered to him under rule 13.

(3) The Returning Officer shall, in presence of the persons attending the scrutiny under sub-rule (1), examine the nomination papers and decide any objection raised by any such person to any nomination.

(4) The Returning Officer may, either on 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 under the Act to be elected as a member;

- (b) the proposer or the seconder is not qualified to subscribe to the nomination paper;
- (c) any provision of rule 13 or rule 15 has not been complied with; and
- (d) the signature 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 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; and
- (iii) the Returning Officer shall not enquire into the correctness or validity of any entry in the electoral roll.

(5) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting it, and shall, in the case of rejection, record a brief statement of the reasons thereof.

(6) Where the solitary nomination of a candidate or where all the nomination papers of a candidate have been rejected, the Returning Officer shall, on request, supply to the candidate, on the same day, certified copies of such orders free of cost.

(7) The Returning Officer shall keep in his custody, the rejected nomination paper or papers alongwith his orders thereon.

17. Appeal.- (1) An appeal against the decision of the Returning Officer rejecting or, as the case may be accepting the nomination papers of the candidate may be filed by any person, attending the scrutiny under sub-rule (1) of rule 16, to the Appellate Authority appointed by the Election Commission and the decision of such Authority on the appeal shall be final.

(2) An appeal shall be in the form of a memorandum which shall state the date of acceptance or rejection of the nomination, as the case may be, the grounds of appeal and shall be accompanied by a certified copy of the order accepting or rejecting the nomination and shall be addressed to the Appellate Authority.

(3) An appeal shall be disposed of either summarily or after such summary enquiry as may be necessary.

(4) There shall be a fee of rupees five hundred for filing appeal against the acceptance or the rejection of nomination papers, which shall be deposited with the Appellate Authority at the time of filing of appeal and shall be non-refundable.

(5) The fee so collected shall be deposited in favour of the Election

Commission in the Head of account as may be communicated by the Election Commission.

18. Publication of list of validly nominated candidates.- (1) The Returning Officer shall, soon after the scrutiny of nomination papers, prepare in **Form VIII**, a list of candidates who have been validly nominated and affix it at some conspicuous place in his office.

(2) If an appeal against acceptance or rejection of a nomination paper has been accepted under rule 17, the Returning Officer shall revise the list of validly nominated candidates in accordance with the decision of Appellate Authority and shall publish the same at some conspicuous place in his office.

(3) A copy of the list referred to in sub rule (1) as also a copy of the list as revised, if any, under sub -rule (2) shall be furnished by the Returning Officer to the Provincial Election Commissioner or to such other officer as may be nominated by him for the purpose.

19. Withdrawal and Retirement.- (1) Any validly nominated candidate may, by notice in writing signed by him and delivered on or before the withdrawal day to the Returning Officer, either by the candidate in person or by an agent authorized in this behalf in writing by such candidate, withdraw his candidature.

(2) On receiving a notice of withdrawal 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 some conspicuous place in his office.

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

(4) Notwithstanding the publication of the list of contesting candidates under sub-rule(3), a contesting candidate may, in the manner prescribed in sub- rule(1) retire from the contest on any day not later than 72 hours ending the midnight before the day of Poll.

(5) The Returning Officer shall delete the name of the candidate who has retired from contest under sub-rule (4) from the list of contesting candidates already prepared in **Form IX** and shall proceed to prepare a revised list in the manner prescribed in sub-rule (3).

(6) The provisions of sub-rule (2) shall apply mutatis mutandis to the retirement from contest under sub-rule (4).

20. Death of a candidate after Nomination.- (1) If a validly nominated candidate who has not withdrawn his candidature, dies before taking of the poll, the Returning

Officer shall, by public notice, terminate the proceedings relating to that election and inform the Provincial Election Commissioner.

(2) Where proceedings relating to an election have been terminated under sub-rule (1) fresh proceedings shall commence in accordance with the provisions of the Act and these rules as if for a new election:

Provided that it shall not be necessary for the other validly nominated candidates to file fresh nomination papers under rule 13, or make a further deposit, under rule 15.

21. Postponement under certain circumstances.- Where the proceedings relating to nomination, scrutiny or withdrawal cannot, for reasons beyond the control of the Returning Officer, take place on the day appointed thereof, he may postpone or adjourn such proceeding and shall, with the approval of the Provincial Election Commissioner, by public notice fix another day for the proceedings so postponed or adjourned and, if necessary, also the day or days for any subsequent proceedings in accordance with the directions of the Provincial Election Commissioner.

22. Uncontested election.- (1) Where, after scrutiny under rule 16, only such number of persons remain as validly nominated candidates as are equal to the number of members to be elected from a Ward or where after withdrawal or retirement under rule 23 only such number of persons is left as contesting candidates as are equal to the number of members to be elected from that Ward, the Returning Officer shall, by public notice, declare such candidate or candidates as elected to the seats:

Provided that if after scrutiny any candidate indicates that he intends to file an appeal under rule 17 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 where an appeal is filed, until the disposal of such appeal.

(2) The Returning Officer shall submit to the Provincial Election Commissioner a return of uncontested election in **Form X** in respect of which he has made a declaration under sub rule (1).

(3) The Provincial Election Commissioner shall publish in the official Gazette the name of such uncontested candidate.

23. Contested Election.- (1) If there are more contesting candidates than the number of seats from such ward, the Returning Officer shall—

- (a) call upon the contesting candidates to indicate their preference for the symbol, out of the symbols specified in sub-rule (2) ;
- (b) allot the symbols to the contesting candidates if there is mutual agreement amongst them on the symbols;
- (c) in case of disagreement, allot one of the symbols specified in

sub-rule (2) to each contesting candidate of a ward by drawing lots in the presence of such contesting candidates or their agents as happen to be present on the date and at the time fixed by the Returning Officer for the finalization of the list of contesting candidates;

- (d) publish at a conspicuous place in his office a list of the names of the contesting candidates in **Form IX** arranged in alphabetical order indicating against each the symbol allotted to him; and
- (e) give public notice of the poll in **Form XI**

(2) The symbol under sub-rule (1) shall be allotted from the following symbols namely :-

- | | |
|-----------------------------|---------------------|
| (1) Almirah | (29) Kite |
| (2) Apple | (30) Ladder |
| (3) Axe | (31) Lamp Hurricane |
| (4) Bicycle | (32) Lock |
| (5) Bow and Arrow | (33) Mango |
| (6) Boat | (34) Motor Car |
| (7) Bucket | (35) Peacock |
| (8) Bullock Cart | (36) Pitcher |
| (9) Bus | (37) Radio |
| (10) Camel | (38) Railway Engine |
| (11) Candle | (39) Rose |
| (12) Cap | (40) Scissors. |
| (13) Charpoy | (41) Ship |
| (14) Chair | (42) Spade |
| (15) Clock | (43) Spectacles |
| (16) Cow | (44) Spinning Wheel |
| (17) Cup and Saucer | (45) Table |
| (18) Deer | (46) Telephone |
| (19) Fan | (47) Tent |
| (20) Fish | (48) Tennis Racket |
| (21) Flaming Torch (Mashal) | (49) Tiger |
| (22) Hammer | (50) Tonga |
| (23) Hat | (51) Tractor |
| (24) Hockey Stick | (52) Tree |
| (25) Horse | (53) Turban |
| (26) Hukka | (54) Umbrella |
| (27) Hut | (55) Walking Stick |
| (28) Inkpot with pen | (56) Wheel |

- (3) If, in any ward, the number of contesting candidates exceeds the number

of symbols given in sub rule (2), the Returning Officer may introduce additional symbols before fixing the date for allotment of symbols under sub rule (1).

(4) The Returning Officer shall arrange to exhibit prominently at each polling station the name and symbol of each contesting candidate.

24. Election Agent.- (1) A candidate may appoint a person qualified to be elected as a member to be his 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) When an election agent is appointed, the candidate shall send to the Returning Officer a notice in writing of the appointment containing the name, father's name, CNIC No, address and specimen signatures of the election agent.

(4) 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 as an election agent.

25. Polling Agent.- (1) The contesting candidate or his election agent may, before the day of the poll, appoint in each polling station a person qualified to be elected as a member as polling agent for each booth and shall give notice thereof in writing to the Presiding Officer:

Provided that the Polling Agents shall be the elector of that area and their number shall not exceed the number of polling booths.

(2) The appointment of a polling agent under sub rule (1) 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 to be a polling agent; and a notice of such appointment shall be given to the Presiding Officer.

(3) A candidate may act as his own polling agent.

26. Challenge to appointment of Election Agent and Polling Agent.- (1) Any contesting candidate may, by a representation in writing to the Returning Officer or an officer authorized by him specifically in this behalf, challenge the appointment of any person as Election Agent or Polling Agent whereupon the Returning Officer or the Officer authorized by him shall, after summary enquiry, make an order as to the validity or otherwise of the person as Election Agent or Polling Agent as the case may be and cancel his such appointment forthwith.

(2) Upon cancellation of the appointment of any person as Election Agent or

Polling Agent, the Returning Officer or the Officer authorized by him shall in the same order require the concerned candidate to appoint, before the day of election, a person who can validly be appointed as Election Agent or Polling Agent as the case may be to represent such person and intimate his name and other necessary particulars to the Returning Officer or the Officer authorized by him.

27. Absence of Candidate not to invalidate acts.- Where any act, or thing is authorized by these rules to be done in the presence of a 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.

28. Hours of the poll.- Subject to any direction of the Election Commission, the Returning Officer shall fix the hours during which the poll shall be taken and give a public notice in **Form XI** of the hours so fixed.

29. Stopping of the 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 control of the Presiding Officer that it cannot be resumed during the polling hours fixed under rule 28; 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 result 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 Provincial Election Commissioner and the Election Commission shall direct a fresh poll at that polling station, 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 with the result of the polling at other polling stations in the same ward.

(3) Where an order under sub-rule (2) has been made, the Returning Officer 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 shall be allowed to vote, and no vote cast at the poll stopped under sub rule (1) shall be counted and the provisions of these rules and orders made there under shall apply to such fresh poll.

30. Ballot Box.- (1) The Returning Officer shall provide each Presiding Officer with such number of ballot boxes as may be necessary which shall be of such material and design as specified by the Election Commission.

(2) 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 boxes to the contesting candidates, or their election agents or polling agents whoever may be present and record their statement in this behalf and obtain their signatures thereon;
- (c) after the ballot box has been shown as empty, close and seal it with his own seal and with the seals of such of the candidates, or their election agent 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 voters 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.

(3) If one ballot box is full and cannot further be used for receiving ballot papers, the Presiding Officer shall seal that ballot box in the presence of Election Agents / Polling Agents and keep it in a secure place, and use another ballot box in the manner laid down in sub-rule (2).

(4) The Presiding Officer shall make such arrangements at the polling station as may enable every voter to cast his vote secretly.

31. Admission to the Polling Station.- The Presiding Officer, subject to such instructions as the Provincial Election Commissioner or the Returning Officer may give in this behalf, shall regulate the number of voters to be admitted to the polling station at a time and exclude from the polling station all persons except,—

- (a) any person on duty in connection with the election;
- (b) the contesting candidates, their election agents and polling agents;
- (c) such other persons as may be specifically permitted by the Returning Officer; and
- (d) a companion of blind or otherwise incapacitated voter.

32. 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 misconducts himself at a polling station or fails to obey lawful orders of the Presiding Officer.

(2) Any person removed under sub rule (1) from a polling station shall not, without the permission of the Presiding Officer, re-enter the polling station during the day and shall, if he is accused of an offence at polling station, be liable to be arrested without warrant by a police officer or a member of the levies force.

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

33. Election by Secret Ballot.- An election under these rule shall be decided by secret ballot and every voter shall cast his vote by inserting a ballot paper in **Form XII** in the ballot box in accordance with the provisions of these rules.

34. Voting Procedure. (1) Where a voter presents himself at the polling station to vote, the Presiding Officer shall, after satisfying himself about the identity of the voter, issue him ballot paper.

(2) Before a ballot paper is issued to a voter –

- (a) he shall be required to produce his Computerized National Identity Card (CNIC);
- (b) he shall be required to receive a personal mark made with indelible ink on the thumb or any other finger of either hand;
- (c) the number and name of the voter as entered in the electoral roll shall be called out;
- (d) a mark shall be placed on the electoral roll against the number and name of the voter to indicate that a ballot paper has been issued to him;
- (e) the ballot paper shall, on its back be signed by the Presiding Officer or the Assistant Presiding Officer; and
- (f) the number of the voter on the electoral roll shall be endorsed on the counterfoil by the Presiding Officer who shall sign it and also obtain thereon the thumb impression of the voter.

(3) A ballot paper shall not be issued to a person who refuses or is unable to produce his National Identity Card, or refuses to receive the personal mark with indelible ink or if he already bears such a mark or the remnants thereof.

(4) If a contesting candidate or his election or polling agent alleges that an elector to whom a ballot paper is about to be issued, has already 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 paper than issued to him, in the ballot box.

(5) On receiving the ballot paper, the elector shall,-

- (a) forthwith proceed to the place reserved for marking the ballot paper;
- (b) put the prescribed mark on the ballot paper at any place within the space containing the name and symbol of the contesting candidate for whom he wishes to vote; and
- (c) after he has so marked the ballot paper, fold and insert it in the ballot box.

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

(7) Where a voter is blind or is otherwise so incapacitated that he cannot vote without the assistance of a companion, the Presiding Officer shall allow him to be accompanied by a companion, not being a candidate or agent of a candidate, and thereupon such voter may do, with the assistance of such companion, anything which a voter is required or permitted to do under these rules.

35. Tendered Ballot Papers.- (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 provisions of this rule, to receive a ballot paper hereinafter referred to as “tendered ballot paper” in the same manner as any other voter.

(2) A tendered ballot paper shall, instead of being put into the ballot box, be given to the Presiding Officer who shall endorse thereon the name and number in the electoral roll of the person applying for it and place it in a separate packet bearing the label “tendered ballot papers” and the name of the candidate for whom the person wishes to vote, shall be endorsed thereon.

(3) The name of the person applying for a ballot paper under sub-rule (1) and his serial number in the electoral roll shall be entered in a list, in **Form XIII** (hereinafter referred to as “the tendered votes list) to be prepared by the Presiding Officer.

(4) The Presiding Officer shall, before issuing a ballot paper to a person referred to in sub rule (1) obtain his thumb impression and, if literate also his signature on the Form referred to in sub rule (3).

36. Challenge of Voters.- (1) If, at the time a person applies for a ballot paper for the purpose of voting, a candidate, his election agent or his polling agent declares to the Presiding Officer that he has reasonable cause to believe that such person has already voted at the election, at the same or another polling station, or is not the person against whose name entered in the electoral roll, 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 twenty rupees 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 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 in **Form XIV** (hereinafter referred to as the “challenged votes list”), and obtain thereon the thumb impression and if he is literate, also the signature of that person.

(3) A ballot paper issued under sub rule (1) shall, after it has been marked and folded by the elector, be placed in the same condition in a separate packet bearing the label “challenged ballot paper” instead of being placed in the ballot box.

(4) The Presiding Officer shall soon after the close of poll, hand over against receipt in **Form XV** such sum as has been deposited with him under sub rule (1) to the Returning Officer who shall after making necessary entries in the deposit register in **Form VII** deposit the amount in favour of the Election Commission in the Head of account as may be communicated to him.

37. Spoilt Ballot Paper.- (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 under sub rule (1), 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 labeled “Spoilt Ballot Papers”.

38. Stray Ballot Papers.- If any ballot paper which has been issued to a voter has not been inserted by him into the ballot box but is found anywhere else in or near the polling station, it shall be cancelled and accounted for as “Stray Ballot Paper”.

39. 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 are, waiting to vote.

40. 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 and polling agents as may be present.

(2) The Presiding Officer shall give such of the contesting candidates, election agents and polling agents 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 and Polling Officer, any other person on duty in connection with the poll, the contesting candidates, their election agents and polling agents shall be present at the count.

(4) The Presiding Officer shall –

- (a) open the used ballot box or ballot boxes and count the entire lot of ballot papers taken out therefrom;
- (b) open the packet labeled “challenged ballot paper” 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 ballot papers which bear –
 - (i) no official mark;
 - (ii) any writing or any mark other than the official mark 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 elector has voted; or
 - (iv) any mark from which it is not clear for whom the elector 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 symbol 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.

(6) The valid ballot papers cast in favour of each contesting candidate shall be put in separate packets and each such packet shall be sealed and shall contain a certificate as to the number of ballot paper put in it and shall also indicate the nature of the contents thereof, specifying the name and 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 indicating thereon the total number of ballot papers contained therein.

(8) The packets mentioned in sub rule (6) and (7) shall be put in a principal packet which shall be sealed by the Presiding Officer.

(9) The Presiding Officer shall, immediately after the count, prepare a statement of count in **Form XVI** showing therein the number of valid votes polled by each contesting candidate and the ballot papers excluded from the count.

(10) The Presiding Officer shall also prepare in **Form XVII** 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 shall if so requested by any candidate or election agent or polling agent present, give to him a certified copy of the statement of the count and the ballot paper account.

(12) 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;
- (e) the marked copies of the electoral rolls;
- (f) the counterfoils of the used ballot papers;
- (g) the tendered votes list;
- (h) the challenged votes list; and
- (i) such other papers as the Returning Officer may direct.

(13) 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 desire to sign it.

(14) A person entitled to sign a packet or statement under sub-rule (13), if he so desires, may also affix his seal on it.

(15) After the close of the proceedings under the foregoing sub-rules, the Presiding Officer shall in compliance with such instructions as may be given by the Returning Officer in this behalf, cause the packets, the statement of the count and ballot paper account prepared by him, to be sent to the Returning Officer together with such other records as the Returning Officer may direct.

41. Consolidation of Results.- (1) The Returning Officer, shall consolidate in **Form XVIII** the statement of counts furnished by the Presiding Officer.

(2) The Returning Officer shall give the contesting candidates and their election agents a notice in writing of the day, time and place for the consolidation of the results.

(3) Before consolidating the result of the count, the Returning Officer shall open the packet containing the ballot papers excluded from the count by the Presiding Officer and scrutinize each such ballot paper as was excluded from the count by the Presiding Officer.

(4) If the Returning Officer finds that any ballot paper excluded from the count by the Presiding Officer should not have been so excluded, he shall count it as a valid ballot paper cast in favour of the contesting candidate for whom it was cast.

(5) The Returning Officer shall reject a ballot paper hereinafter referred to as 'rejected ballot papers' recording thereon the fact of such rejection if it suffers from any of the defects mentioned in sub rule (4) of rule 40.

(6) In consolidating the results of the count, the Returning Officer shall record the number of valid ballot papers cast in favour of each contesting candidate as shown by the Presiding Officer in the statement of the count unless the figures thereof have undergone a change as a result of re-count under sub-rule (10) in which case he shall record the figures as arrived at after the recount.

(7) Before recording the number of valid votes in the consolidated statement against the name of each contesting candidate, the number of ballot papers, if any, which were treated by him as valid but had been excluded from the count by the Presiding Officer shall be taken into account including those treated as valid from the challenged votes.

(8) The consolidated statement shall be so completed that the figures in respect of one polling station are completed before the incorporation of the figures in respect of the other.

(9) The ballot papers rejected by the Returning Officer under sub rule (5) shall be shown separately in the consolidated statement.

(10) 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 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 Provincial Election Commissioner.

42. Equality of votes.- (1) Where, after consolidation of the results of the count under rule 41, 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 of the 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 witnesses to the proceedings.

43. Declaration of results.- (1) The Returning Officer shall, immediately after consolidation of the result under rule 41 and 42 submit to the Provincial Election Commissioner a return of the election in **Form XIX** together with a copy of the consolidated statement.

(2) The Provincial Election Commissioner shall by a notification to be published in the official gazette, declared the names of the returned candidates of each local council. In case of multi member ward the corresponding number of candidates shall be declared as returned candidates from the respective ward.

CHAPTER-V

RESPONSIBILITIES OF RETURNING OFFICERS AFTER THE POLL

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

- (a) immediately after preparing the consolidated statement and the return of elections, reseal 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 seals to such packets if they so desire;
- (b) supply duly attested copies of the consolidated statement and the return of elections to such of the candidates and their agents as may desire to have them; and
- (c) cause to be affixed duly attested copy of the consolidated statement at a conspicuous place of the premises where such consolidation has taken place.

45. Documents to be sent and to be retained by the Officer authorized by the Election Commission.— (1) The Returning Officer shall under intimation to the Provincial Election Commissioner forward to the officer authorized by the Election Commission.

- (a) packets containing the ballot papers each of which shall be sealed with the seal of the Presiding Officer, or, if opened by the Returning Officer, with the seal of the Returning Officer;
- (b) packets containing the counterfoils of ballot papers;
- (c) the packets containing the marked copies of the electoral rolls,
- (d) the packets containing the ballot paper account;
- (e) the packet containing the tendered ballot papers, the challenged ballot papers, the tendered votes list and the challenged votes list; and
- (f) such other papers as the Election Commission may direct.

(2) The Returning Officer shall endorse on each packet forwarded under sub-rule (1) the description of its contents, the date of the election to which the contents relate, the name of the electoral unit or ward for which the election was held.

(3) The Officer authorized by the Election Commission shall retain the documents contained in the packets received under sub-rule (1), for a period of one year from the date of their receipt, and thereafter shall, unless otherwise directed by the Provincial Election Commissioner or a Tribunal, cause these to be destroyed.

(4) The documents received under sub rule (1) and retained under sub-rule (3) shall be kept in the safe custody in a treasury or such place as is directed by the Election

Commission.

46. Public inspection of documents.-The documents retained under rule 45(3) except the ballot papers, shall be open to public inspection at such time and subject to such conditions as may be specified by the Provincial Election Commissioner, upon an application made in this behalf and on payment of such fee as may be fixed by the Provincial Election Commissioner. Copies of or extracts from those documents may be obtained by any voter of the local area, on written application and payment of fees determined by the Provincial Election Commissioner.

47. Order for production of documents.- (1) A Tribunal may order the opening of packets of counterfoils and certificates or the inspection of any accounted ballot papers.

(2) An order under sub-rule (1) may be made subject to such conditions as to persons, time, place and mode of inspection, production of documents and opening of packets as the Tribunal making the order may think expedient:

Provided that in making and carrying into effect an order for the inspection of counted ballot papers, care shall be taken that no vote shall be disclosed until it has been held by the Tribunal to be invalid.

(3) Where an order is made under sub-rule (1) the production by the Returning Officer of any documents in such manner as may be directed by the order shall be conclusive evidence that the document relates to the election specified in the order, and any endorsement or any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what the endorsement states them to be.

(4) The production from proper custody of a ballot paper purporting to have been used at an election, and of a counterfoil having a number, shall be prima facie evidence that the elector whose vote was given by that ballot paper was the elector whose Identity Card number was written on the counterfoil.

(5) Save as provided in this rule, no person shall be allowed to inspect any rejected or counted ballot paper.

CHAPTER VI

ELECTION OF MEMBER AGAINST SEATS RESERVED FOR PEASANTS, WORKERS, WOMEN AND MINORITIES

48. Calling upon the members of local councils to elect members.- Soon after the issue of notification of the names of members of Local Council, the Election Commission shall by notification –

- (a) call upon the members of Local Council to elect members to represent special interest viz peasant/workers, women and minorities in that local

council; and

(b) specify the date or dates for the various stages of such election.

49. Supply of list of members.- (1) The Provincial Election Commissioner shall furnish to the Returning Officer an authenticated list of the members mentioned in rule 48.

(2) The list referred to in sub rule (1) shall be kept at the office of the Returning Officer and shall be open for public inspection during office hours.

Explanation.- The Returning Officer appointed under rule 10 shall also be the Returning Officer for election on the seats reserved for special interests in the respective Local Council.

50. Nominations.- (1) The Returning Officer shall give a public notice inviting nomination for a seat or seats of the special interests in a Local Council indicating in the notice the time and date by which and the place where the nomination papers shall be delivered to him and the date, time and place when and where the nomination papers shall be scrutinized.

(2) Any member of the Local Council mentioned in rule 48 may, on the date fixed by the Returning Officer, propose the name of any person belonging to the special interest group, who is duly qualified to be elected as a member, to represent the respective special interest group in the Local Council:

Provided that a person who belongs to any religion other than Islam and who is otherwise qualified to be elected as a member of a Local Council shall be eligible to contest election to the seat reserved for minority communities.

(3) Every nomination shall be made by a separate nomination paper in **Form XX** and signed by the proposer, and shall also be signed by the candidate declaring that “he has consented to his nomination, belongs to or represents such special interest and is not subject to any disqualification for being elected as a member of that Local Council.”

(4) Every nomination paper shall be delivered by the candidate or his proposer to the Returning Officer on or before the date and time and at the place fixed for the receipt of nomination paper, and the receipt thereof shall be acknowledged by the Returning Officer.

(5) No person shall subscribe to more than one nomination paper as a proposer, and if any person subscribes to more than one nomination paper, all such nomination papers except the first one received by the Returning Officer shall be void.

51. Deposits. The provisions of rule 15 regarding deposits shall apply to nomination made under rule 50.

52. Scrutiny of nomination papers, appeals, publication of list of validly nominated candidates, withdrawal, death of candidates, postponement and un-contested election.— The provisions of rules 16, 17, 18, 19, 20, 21 and 22 relating to scrutiny of nomination papers, appeals against acceptance or rejection of nominations, publication of lists of validly nominated candidates, withdrawal and retirement, death of a candidate, postponement, and un-contested elections etc. contained in Chapter IV shall apply, to election to seats reserved for special interests.

53. Contested elections.- If the number of contesting candidates is more than the number of seats to be filled to represent the appropriate special interest, the Returning Officer shall adhere to provisions of clause (a) to (e) of sub rule (1) and sub-rule-(2) of rule 23.

54. Meeting for election.- The Returning Officer, shall preside over the meeting of the members of the Local Council called for the purpose of electing the members of local council to represent special interests.

55. The poll.- (1) Separate poll shall be taken for each type of special interest.

(2) The ballot paper shall be in **Form XXI**.

(3) The provisions of Chapter IV in regard to the polls shall, mutatis mutandis as far as may be, apply to the polls under this chapter, except that the result of count shall be prepared in **Form XXII**.

CHAPTER VII

OATH OF OFFICE

56. Making of oath before assumption of office.- Every member elected to a local council shall, before assuming office, make and subscribe an oath in **Form XXIII**.

57. Manner of making oath.- (1) The Returning Officer appointed for election of a Local Council shall, as soon as may be, but before the expiry of thirty days after the issue of notification of the result of election of a local council call a meeting of the local council by issuing a notice thereof, for the purpose of administering oath.

(2) A notice of the meeting referred to in sub rule (1) shall be sent to each member of a local council by post and a copy thereof affixed at the office of the local council.

(3) The Returning Officer shall, at the meeting called under sub rule (1), administer the oath to each member of the local council.

(4) The oath shall be administered to each member of the local council. The Returning Officer shall distribute the forms of oath in quadruplicate to the members present and shall read out the oath which each member shall repeat. While taking the

oath each member will speak out his own name.

(5) If a member of a local council is unable to attend the meeting convened under sub-rule (1), the chairman of the Local Council shall, at any subsequent meeting, administer oath of office to such member, whereupon such member shall be deemed to have taken his seat in the local council.

(6) Each member shall sign or affix his thumb impression to the oath form given to him, after he has been administered oath. One copy each shall be,—

(a) retained by the Returning Officer in the manner prescribed under sub-rule(3) and (4) of rule 46;

(b) sent to the Provincial Election Commissioner;

(c) Retained in the local council concerned to form its record.

CHAPTER VIII

ELECTION OF CHAIRMAN, VICE CHAIRMAN, MAYOR AND DEPUTY MAYOR

58. Interpretation.- In this chapter, unless the context otherwise requires, the Presiding Officer shall mean the Returning Officer of the electoral area appointed under rule 10 of these Rule or any other officer appointed by the Election Commission to preside over the meeting called for the election of Chairman.

59. Notice for the election of Chairman.- Alongwith the notice for the oath taking, or first meeting (before or after assumption of office) of the Local Councils, referred to in rule 58, the Presiding Officer of the concerned Local Council on his own accord or as directed by the Election Commission/Provincial Election Commissioner, shall also issue a notice that, at such meeting, Chairman and Vice Chairman of the District Council, Metropolitan Corporation, Municipal Corporation, Municipal Committee, or the Union Council, as the case may be, shall be elected.

60. Election of Chairman and Vice Chairman.- (1) After the oath has been administered to all the members of the Local Council, present at the meeting mentioned in rule 58, the Presiding Officer shall call upon the members, present at the meeting, to elect a Chairman and Vice Chairman.

(2) Only a member of the Local Council concerned who has taken oath of the office, shall be eligible for election as Chairman or Vice Chairman, as the case may be.

(3) Any member present at the meeting who has taken the oath may propose the name of any other member as the Chairman or Vice Chairman and if another member who has also taken oath seconds the proposal, the person proposed shall be

deemed to be a candidate for the office of the chairman or Vice Chairman, as the case may be (hereinafter referred to as a “candidate”).

61. Withdrawal of candidature.- A candidate may withdraw his candidature before the Presiding Officer proceeds to conduct the poll or declare the result as the case may be, and thereupon such person shall cease to be a candidate.

62. Un-opposed returned candidate.- If there is only one candidate, that candidate, shall be declared by the Presiding Officer to have been duly elected as the Chairman or Vice Chairman as the case may be.

63. Poll.- If there are more candidates than one, the Presiding Officer shall cause a poll, to be conducted for election of Chairman or Vice Chairman as the case may be, provided that at least 2/3rd of the members elected for the Local Council concerned are present at the meeting.

(1) Votes for the office of the Chairman and Vice Chairman shall be cast by secret ballot.

(2) The Presiding Officer shall provide a ballot box which shall be shown empty to the members, and thereafter nailed, sealed and locked, and placed in a separate compartment.

(3) The Presiding Officer shall issue to each member of the Local Council a ballot paper in the **Form XXIV** appended to these rules.

(4) Each member shall after taking the ballot proceed to the compartment where the ballot box is kept, make a cross on the ballot paper against the name of the candidate for whom he wishes to vote and thereafter drop the ballot paper in the ballot box, and if a member can not read or write, he may request the Presiding Officer to assist him in the marking of the ballot paper.

(5) When the ballot papers have been cast, the Presiding Officer shall open the ballot box in presence of the members and count the votes cast in favour of each candidate, and if there is any doubt or dispute about the marking of a ballot paper, the Presiding Officer may decide the issue, after holding such summary inquiry, on the spot, as may be necessary.

(6) The candidate obtaining the highest number of votes shall be declared by the Presiding Officer to have been elected as Chairman or Vice Chairman, as the case may be, and if for the purposes of declaration of result there is a tie between two or more candidates who have obtained an equal number of votes, the result shall be

declared by the Presiding Officer by drawing lot.

64. Adjournment.- If, for any reason, the election of a Chairman or Vice Chairman is not held in the first meeting on the date fixed under rule 59, a fresh date shall be fixed for election and at the meeting thus held the procedure prescribed in rule 68 shall be followed.

CHAPTER IX

IDENTITY CARDS

65. Identity Cards.- (1) As soon as may be, after election of the Chairman of a local council, the Assistant Election Commissioner or the Secretary of the Local Council concerned as directed by the Provincial Election Commissioner shall issue to every member of the local council in that district an identity card containing –

- (a) The name of the person elected as a member;
 - (b) Name of the ward;
 - (c) Name of the Local Council;
 - (d) Address of the member;
 - (e) Name of Police Station;
 - (f) Name of Tehsil/Taluka and District/Agency;
 - (g) Identification mark;
 - (h) A passport size photograph of the member;
 - (i) the signatures or thumb impression of the member;
 - (j) the signatures of the Chairman.
- (2) The identity card shall be issued for the term of the office of the Local Council.

CHAPTER X

ELECTION EXPENSES

66. Definition of election expenses.- In this Chapter, "election expenses" means any expenditure incurred or payment made, whether by way of gift, loan, advance, deposit or otherwise, for the arrangement, conduct or benefit of, or in connection with, or incidental to the election of a candidate including the expenditure on account of issuing circulars or publications or otherwise presenting to the electors, the candidate or his views, aims or objectives, but does not include the deposit made under rule 15.

67. Restriction on election expenses. Save as provided in sub-rule (6) of rule 15, no candidate shall incur expenses on his election exceeding the amount prescribed in

Schedule-II appended to these rules.

68. Statement of election expenses.- (1) Every contesting candidate shall, within thirty-five days after the publication of the name of the returned candidates submit to the Returning Officer a statement of election expenses in **Form XXV** containing:-

- (a) an account of all payments made by the contesting candidate together with all the bills and receipts;
- (b) an account of all disputed claims of which the contesting candidate is aware;
- (c) an account of all unpaid claims, if any, which the election agent or contesting candidate is aware; and
- (d) an account of all moneys, securities or equivalent of money received from any person for the purpose of election expenses specifying the name of every such person.

(2) The statement submitted under sub-rule (1), shall be accompanied by an affidavit in **Form XXVI** sworn by the contesting candidate.

69. Inspection of statements.- (1) The statement and documents .submitted under rule 68 shall be kept by the Returning Officer in his office or at such other convenient place as he may think fit and shall, during one year from the date of their receipt by him, keep open to inspection by any person on payment of fee as may from time to time be fixed by the Chief Election Commissioner.

(2) The Returning officer shall, on an application made in this behalf and on payment of fee as may from time to time be fixed by the Chief Election Commissioner, give any person copies of any statement or document kept under sub-rule (1) or of any part thereof.

CHAPTER XI **ELECTION REPORTS**

70. Report by Returning Officer.- Within a month of the holding of election, the Returning Officer shall submit to the Provincial Election Commissioner a detailed report about the conduct of the election specifically stating:

- (a) all the arrangements made for the election;
- (b) total number of the voters and the actual number of votes cast;
- (c) any incident of which affected or could have affected smooth polling;
- (d) such other information as may be required by the Provincial Election Commissioner.

71. Report by the Provincial Election Commissioner.- The Provincial Election Commissioner shall draw up a report on the elections held in his Province and such report may be published.

CHAPTER XII **ELECTION DISPUTES**

72. 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 Tribunal appointed by the Chief Election Commissioner within thirty days of the publication in the official Gazette the names 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 Chief Election Commissioner, a sum of one thousand rupees (Rs.1000/-), as fee for the petition.

(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 tribunal appointed by the Chief Election Commissioner for the purpose.

73. Parties to the petition.- The petitioner shall join all contesting candidates as respondents to his election petition and shall serve a copy of his petition personally or by registered post (AD) on each respondent.

74. 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 full 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 that the petitioner or some other person has been duly elected, or
- (b) that the election as a whole is void.

(3) Every election petition and every document annex to that petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908, for the verification of the pleadings and documents.

75. Appointment of Tribunal.-(1) For the trial of election petitions under these rules, the Chief Election Commissioner may appoint as many Election Tribunals as may be necessary, by notification published in the official gazette.

(2) A Tribunal shall consist of a person who is or has been a District and Sessions Judge or Additional District and Sessions Judge or a Senior Civil Judge.

76. Place of disposal.- The trial of an election petition shall be held at such place or

places as the Tribunal may think fit.

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

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

78. Procedure before Tribunal.-(1) Subject to the provisions of the Balochistan Local Government Act, 2010, 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 No.V of 1908);

Provided that the Tribunal may,-

- (a) where the election petition claims as relief a declaration that the election of the returned candidate is void on the ground that the returned candidate was not, on the nomination day, qualified for, or was disqualified from, being elected as a member, decide the question of such qualification or disqualification as preliminary issue;
- (b) require the parties to file within fifteen days of the date on which the case is fixed for evidence, a list of witnesses whom they proposed to produce to give evidence or to produce documents, mentioning against the name of each witness a precis of the evidence that each witness is expected to give;
- (c) make a memorandum of the substance of the evidence of each witness as his examination proceeds unless it considers that there is a special reason for taking down the evidence of any witness in full;
- (d) refuse to examine a witness if it considers that his evidence is not material or that he has been called on a frivolous or vexatious ground, for the purpose of delaying the proceedings or defeating the ends of justice: and
- (e) refuse to issue any summon for the appearance of any witness unless, within three days following the date on which the parties are called upon to produce their evidence; any party intimates the Tribunal that it desires a witness to be summoned through the Tribunal and the Tribunal is satisfied that it is not possible or practicable for such party to produce the evidence.

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

Provided that if the Tribunal deems fit, it may call such witness for the purpose of examination before it.

(3) Subject to the provisions of the Balochistan Local Government Act, 2010, and these rules, the Qanoon- e-Shahadat, 1984 shall apply to the trial of an election petition.

(4) The 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, so however that no new ground of challenge to the election is permitted to be raised.

79. Dismissal of petition during trial.- The Tribunal may dismiss an election petition if,-

- (a) the provisions of rules 75, 76 and 77 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.

80. Power of Tribunal.- The 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 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

81. Recrimination where seat is claimed.- (1) Where in 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 the 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 Tribunal of his intention so to do and has also deposited the amount referred to in rule 72.

(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 amount deposit in respect of an election petition shall apply to such a statement as if it were in election petition.

82. Decision of the Tribunal.- The Tribunal may upon the conclusion of the trial of an election petition make an order;-

- (a) dismissing the petition;
- (b) declaring the election of the returned candidate to be void;
- (c) declaring the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been duly elected.
- (d) declaring the election as a whole to be void.

83. Grounds of declaring election of returned candidate void.- (1) The Tribunal

shall declare the election of the returned candidate to be void if it is satisfied that-

- (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 member or Chairman or a Vice Chairman , as the case may be; 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) 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 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 precaution 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 member.

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

85. Ground for declaring election as a whole void.- The 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 or the Election Rules; or
- (b) the prevalence of extensive corrupt or illegal practice at the election.

86. Decision in case of equality of votes.-(1) Where, after the conclusion of the trial, it appears that there is an 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 Tribunal shall 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) Before proceeding to draw a lot under sub-rule (1), the Tribunal shall give notice to the contesting candidates between whom there is an equality of votes and shall proceed to draw a lot on the day and the time and place stated in the notice;

Provided that, if the contesting candidates are present when it appears that there is an equality of votes between them, the Tribunal may proceed forthwith to draw a lot without giving notice as aforesaid.

87. Other provisions relating to Tribunal.- An order of the Tribunal under rule 86 shall take effect on the date on which it is made and shall be communicated to the Chief Election Commissioner and the Government.

88. Abatement on death of petitioner.- An election petition shall abate on the death of a sole petitioner or of the sole survivor of several petitioners.

89. Death or withdrawal of respondent.- If, before the 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 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.

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

91. Order as to costs.-(1) The Tribunal shall, when making an order under rule 90 also make an order determining in its discretion 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 Tribunal within sixty 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 principle Civil Court of original jurisdiction of the district in which the ward to which the disputed election relates is situated, as if such order was a decree passed by that Court:

Provided that no proceeding shall be brought under this sub-rule except in respect of costs which have been recovered by an application under sub-rule(2).

92. Withdrawal of petition.- (1) An election petition may be withdrawn by leave of the Tribunal.

(2) Where leave is granted by the Tribunal, the petitioner shall be ordered to pay the costs incurred by respondents to the election petition or such portion thereof as the Tribunal may direct.

93. Supply of copies of decision on petition.-(1) Copies of any interim or final orders passed by the 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 under sub-rule (1), shall be ten rupees for each page.

(3) Every application for the supply of copies under sub-rule (1) shall be accompanied by court fee stamps of the requisite value.

94. Retention of the record.- The 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 five years from the date of its receipt and shall thereafter cause it to be destroyed.

95. Repeal. The Balochistan Local Government Conduct of (Election) Rules, 2004 are hereby repealed.

**BY ORDER OF
Governor Balochistan**

**(MEHMOOD-UL-HASAN)
Secretary
Local Government Department**

The Controller,
Government Printing and Stationery Department, Balochistan, Quetta, for publication and provision of 100 copies of the Gazette Notification.

No. Even Dated Even

A copy is forwarded for information to:

1. The Chief Election Commissioner of Pakistan, Islamabad.
2. The Additional Chief Secretary (Dev:) P&D Department Government of Balochistan Quetta.
3. The Chairman, Chief Minister's Inspection Team, Balochistan, Quetta.
4. The Principal Secretary to Governor Balochistan, Quetta.
5. The Principal Secretary to Chief Minister Balochistan, Quetta.
6. All the Administrative Secretaries to Government of Balochistan, Quetta.
7. The Provincial Election Commissioner, Balochistan, Quetta.
8. All the Divisional Commissioners in Balochistan.
9. All the Deputy Commissioners in Balochistan.
10. The Deputy Secretary (Staff) to Chief Secretary, Balochistan Quetta.
11. The Under Secretary (Legis:) Law Department, with reference to his letter No.Legis:1-122/Law/2000/XVI/230 dated 5th October 2012.
12. The Private Secretary to Chief Secretary Balochistan, Quetta.
13. The Private Secretary to Minister for Local Government Department, Quetta.
14. The Private Secretary to Secretary Local Government Department, Quetta.
15. Master file.

**(Secretary)
Balochistan Local Councils Election Cell**

SCHEDULE-I
{See rule 15(1)}

Candidature fee to be paid with Nomination Form by Members

1.	Members Metropolitan Corporation :	6,000/-
2.	Members Municipal Corporation :	5,000/-
3.	Members District Council :	4,000/-
4.	Members Municipal Committee :	2,000/-
5.	Members Union Council :	2,000/-

SCHEDULE-II
(See rule 67)

Election Expenses

1.	Chairman/Vice Chairman of Council:	2,00,000/-
2.	Members Metropolitan Corporation :	1,50,000/-
3.	Members Municipal Corporation :	1,00,000/-
4.	Members District Council :	70,000/-
5.	Members Municipal Committee :	50,000/-
6.	Members Union Council :	30,000/-

FORM I

{See Rule 9(1)}

ELECTION PROGRAMME

In pursuance of sub-rule (1) of Rule 9 of the Balochistan Local Government (Election) Rules 2011, the Election Commission is pleased to notify the following programme for elections of _____ in _____

(Category of seat)

(Name of Council)

S.No.	Activity	Date
1	Notice inviting nomination papers to be issued by the Returning Officer on	
2	Nomination papers shall be received on	
3	Publication of notice of all the nomination papers received on	
4	Objection to the nomination papers by _____.	
5	Scrutiny of nomination papers and publication of names of validly nominated candidates on	
6	Appeal against acceptance/rejection of nomination papers to be filed on	
7	Disposal of appeals on	
8	Withdrawal of candidature on	
9	Publication of list of contesting candidates with symbols allotted to them on	
10	Polling day on	
11	Declaration of result by the Returning Officer on	

Place: _____

Date: _____

FORM III

{See rule 13 (1)}

PUBLIC NOTICE

Whereas the voters of _____

(No. and Name of Ward)

of _____ have been called upon by the Election Commission

(Name of Local Council)

to elect a person or persons from the said ward I, _____

Returning Officer in pursuance of the provisions of sub-rule (1) of rule 13 of the Balochistan Local Government (Election) Rules, 2011, do hereby give public notice that the following, dates have been appointed by the Election Commission for election _____ from the aforesaid ward..

(Name of Local Council)

Nomination _____

Scrutiny _____

Withdrawal _____

Day for the taking of poll _____

2. Notice is also hereby given that the nomination papers shall be received by me in my office at _____ between the hours of 9' 0 clock in the morning

(Place)

and 2' 0 clock in the afternoon on or before _____.

(date)

Returning Officer

Place _____

Date _____

FORM IV

{See rule 13(3)}

NOMINATION FORM

Election to the _____ (Name of Local Council)

(To be filled in by the proposer)

I _____ (Name of the proposer), CNIC No. _____

_____, registered as a voter at Serial No. _____ in the
electoral roll for _____ ward in _____ Tehsil in
_____ District do hereby propose the name of
_____ whose address is _____ as a
candidate for election from _____
_____ ward.

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

Signature of proposer

(To be filled in by the seconder)

I _____ (Name of the seconder), CNIC No. _____

_____, registered as a voter at Serial No. _____ in the
electoral roll for _____ ward in _____ Tehsil in
_____ District do hereby second the nomination of
_____ whose address is _____
_____ as a candidate for election from
_____ ward.

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

Dated _____

Signature of Seconder

(Declaration and oath by the person nominated)

(1) I, _____ son/daughter/wife of _____,
CNIC No. _____, registered as a voter at Serial No.
_____ in the electoral roll for _____ ward in
_____ Tehsil in _____ District do hereby _____ declare
and solemnly swear that _____.

(i) I have consented to the above nomination and that I am not subject to
any disqualification for being elected as a member of _____
(Name of Local Council)

(ii) I believe in the absolute and unqualified finality of the Prophet-hood of
Muhammad (Peace be upon him), the last of the Prophets, that I am not
a follower of any one who claims to be a Prophet in any sense of the
word or of any description whatsoever after Muhammad (Peace be upon
him), that I do not recognize such a claimant to be a Prophet or a
religious reformer, not do I belong to the Qadiani Group or the Lahori
Group or call myself an Ahmadi;

(iii) I bear true faith and allegiance to Pakistan and uphold the sovereignty
and integrity of Pakistan; and

(iv) I will strive to preserve the Islamic Ideology which is the basis for the
creation of Pakistan.

Dated _____

Signature or Thumb Impression
of the person nominated

Preference for
allocation of symbol

(To be filled in by the Returning Officer)

Serial number of nomination paper _____ .

This nomination paper was delivered to me at my office at _____ (hour)
on _____ (date) by _____ being the
candidate/proposer/seconded.

Returning Officer

(Decision of Returning Officer accepting or rejecting
the nomination paper at the day fixed for scrutiny)

I have examined this nomination paper and decide as follows

(In case of rejection state brief reasons)

Dated _____ Returning Officer

RECEIPT

(To be filled in by the Returning Officer)

Serial number of nomination paper _____

The nomination paper of _____ a candidate for
election from _____ of _____ was
(No. and name of Ward) (Name of Local Council)
delivered to me at my office at _____ on _____ by the
candidate/proposer/seconded.

This nomination paper will be taken up for scrutiny at _____ on
_____ at _____
(Date) (Place)

Returning Officer

Dated _____

FORM V
{See rule 13 (8)}

STATEMENT OF NOMINATIONS

Election to the Local Council _____ from
 _____ electoral unit NOTICE is hereby given that the following
 nominations in respect of the above election have been received up-to
 _____ o' clock in the afternoon today: -

S.No. of nomination paper	Name of candidate	Name of father/ husband of candidate	Age of candidate	Address	S.No. of the candidate on the electoral roll	Name of proposer	S.No. of proposer on the electoral roll	Name of seconder	S.No. of seconder on the electoral roll
1	2	3	4	5	6	7	8	9	10

Returning Officer

Place _____

Dated _____

FORM VI
{See rule 15(3)}

PAYMENT RECEIPT OF CANDIDATURE FEE

S.No _____

Sum received _____

Deposited by _____

S.No in the Deposit
Register _____

Candidate's name _____

(Name of Local Council)

Date _____ Signature of the
Returning Officer

S.No _____

Received a sum of Rs. _____

(figure) _____(in words)

in cash from _____
(Name)

a candidate for election as member of

(Name of Local Council)

and entered in the Deposit Register under

S. No. _____

Date _____

Date _____ Signature and seal of the
Returning Officer

FORM VII
 { See rule 15(3)
 and rule 36(4) }

Fee Deposit Register of election in _____
 (Name of Local Council) with District

S.No	Name of candidate /Name of Presiding Officer	S.No. of nominations filed	Amount deposited		Received in cash S.No of receipt issued in Form VI or XV	Signature of the Retuning Officer	Disposal of the cash Deposit and remarks (if any)
			For nomination	For challenged votes			
1	2	3	4	5	6	7	8

FORM VIII

{ See rule 18(1) }

LIST OF VALIDLY NOMINATED CANDIDATES

Election to the _____
(Name of Local Council with District)

S.No	Name of candidate	Name of Father/Husband	Number and name of ward	Address of candidate
1	2	3	4	5

Place _____

Returning Officer

Date _____

FORM IX

{ See rule 19(3) (5) and 23(1)(d) }

LIST O F CONTESTING CANNDIDATES

Election to the _____
(Name of Local Council with District)

S.No	Name of ward	Name of the contesting candidates in alphabetical order	Address of the contesting candidates	Symbol allocated
1	2	3	4	5
1.				
2.				
3.				
4.				
etc.				

Notice is hereby given that the poll shall be taken between the hours of _____ on (date) _____.

Place _____
Date _____

Returning Officer

FORM X
{ See rule 22(2) }

RETURN OF UNCONTESTED ELECTION

Election to the _____
(Name of Local Council with District)

In pursuance of sub-rule (2) of rule 22, I _____
Returning Officer declare that * after scrutiny of nominations
after withdrawal of candidature
following have returned un-contested from wards noted against each: -

S.No.	Name	Name of Father/ Husband	Address	Name of ward
1	2	3	4	5

Place _____
Date _____

Signature of Returning Officer

* Strike of inappropriate alternative

FORM XI
{See rule 23 (1) (e) and 28}

NOTICE OF HOURS OF POLL

Name of council _____

Category of seat _____

Notice is hereby given that the poll shall be taken between _____ to
_____ hours on _____
(date)

Place _____

Date _____

Returning Officer

FORM-XII
(See rule 33)

BALLOT PAPER

COUNTER FOIL	BALLOT PAPER
Name of Local Council _____	Name of Local Council
No. and Name of Ward _____	Symbols of Candidates
Serial No. of voter in electoral roll _____	
Thumb impression of voter	
Signature of Presiding Officer.	

FORM-XIII
{ See rule 35(3) }

TENDERED VOTES LIST

Election to the _____
(Name of Local Council with District)

From _____ (No. and Name of Ward)

Polling Station _____

S.No. of tendered ballot paper	Name of voter	S.No. of the voter in the electoral roll	Name of the ward	Address of the voter	Signature or thumb impression of the person tendering vote
1	2	3	4	5	6

Place _____
Date _____

Presiding Officer

FORM -XIV
{ See rule 36(2) }

CHALLENGED VOTES LIST

Election to the _____
(Name of Local Council with District)

From _____ (No. and Name of Ward)

Polling Station _____

S.No of entry	Name of the voter	Name of the ward in which the voter is enrolled	S.No of voter on the electoral roll	Signature of thumb impression of the person challenged	Address of the person challenged	Name of the identifier if any	Name & Address of the challenger	Order of the Presiding Officer
1	2	3	4	5	6	7	8	9

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

Place _____

Date _____

Signature of Presiding Officer

FORM-XV
{ See rule 36(4) }

DEPOSIT UNDER CHALLENGED VOTES

COUNTERFOIL	RECEIPTS
Serial No. _____	Serial No. _____
Received Rs. _____	Received Rs. _____ (in figures)
Deposited by _____ _____	_____ (in words)
Nature of deposit	in cash from _____
(a) for nomination	on behalf of _____
(b) relating to challenged votes	on account of _____
Deposited by	deposit for nomination / challenged votes
(a) Candidate	and entered in the Deposit register under
(b) Presiding Officer	Serial No _____ date _____
Serial No. in the Deposit Register _____	
Date _____ Signature of Returning Officer	
	Date _____ Signature of Returning Officer

FORM-XVI
{ See rule 40(9) }

STATEMENT OF COUNT

Election to the _____
(Name of Local Council with District)

From _____
(No. and Name of Ward)

S.No.	Name of the contesting candidates	No. of votes cast for each contesting candidate	No. of rejected ballot papers	No. of valid ballot papers
1	2	3	4	5

Place _____

Date _____

Signature of
Presiding Officer

FORM-XVII
{ See rule 40(10) }

BALLOT PAPER ACCOUNT

Election to the _____

(Name of Local Council with District)

From _____

(No. and Name of Ward)

RECEIPT	CONSUMPTION
Number of Ballot paper receiving for use at the Polling Station from S.No. _____ to _____	1. Total Ballot paper used: - (i) number of valid ballot papers _____ (ii) number of tendered ballot Papers _____ (iii) number of spoiled ballot Paper _____ (iv) number of stray ballot paper _____ (v) number of challenged ballot Paper _____ Total: _____ 2. Number of un-issued ballot papers from Serial No. _____ to _____
G. Total :	G. Total: 1 +2

Place _____

Date _____

Signature of
Presiding Officer

FORM-XVIII
{See rule 41(1)}

Consolidated statement of the results of the count furnished by the
Presiding Officers and declaration of result in respect of election to
_____ From _____
(Name of Local Council with District) (No. and Name of Ward)

S.No.	Polling Station	No. of valid ballot papers cast in favour of						Total per Polling Station		Total
		A	B	C	D	E	F	Valid ballot papers	Rejected ballot papers	
1	2	3	4	5	6	7	8	9	10	11
1.										
2.										
3.										
4.										
5.										
6.										
7.										
8.										
Total										

The following candidate who has secured the highest number of valid votes is hereby declared elected:-

S.No.	Name of Candidate
1.	

Place _____

Date _____

Signature of
Presiding Officer

FORM-XIX
{ See rule 43(1) }

RETURN OF CONTESTED ELECTION

Election to the _____
(Name of Local Council with District)

From _____
(No. and Name of Ward)

S.No.	Name of the contesting candidates	No. of valid votes polled
1	2	3
1.		
2.		
3.		
4.		
5.		
etc.		

Total number of valid votes polled _____

Total number of rejected votes _____

Total number of tendered votes _____

I declare that –

Mr./Mrs./Miss _____ son/wife/ daughter of
_____ of _____ (address) has been
duly elected.

Place _____

Date _____

Returning Officer

FORM-XX

{ See rule 50(3) }

NOMINATION FORM

(For Reserve Seats)

Election to seats reserved for persons representing special interests *
(Minorities/Peasants/Worker/Women)the _____
(Name of Local Council)_____

(To be filled in by the proposer)

(1) I, _____(Name of the proposer), member of
_____ (Name of Local Council) do hereby propose the name of
Mr./Mrs./Miss _____ son/daughter /wife of _____whose
address is _____ as a candidate for election as a member to
represent _____(Name of special interest) in _____ (Name of
Local Council).

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

Dated _____

Signature or thumb
impression of Proposer

(Oath and declaration by the person nominated)

(1) I, _____son/daughter/wife of _____registered as a voter
at Serial No. _____ in the electoral roll for _____ (No. and Name of Ward) do
hereby declare and solemnly swear that –

(i) I have consented to the above nomination;

- (ii) I am qualified to represent the special interest namely _____ and that I am not subject to any disqualification for being elected as a member of the Local Council.

Dated _____

Signature or Thumb Impression
of the person nominated

~~*Strike off the words not applicable~~

(To be filled in by the Returning Officer)

Serial number of nomination paper _____ .

This nomination paper was delivered to me at my office at _____(hour)
on _____(date) by _____being the candidate /proposer.

Returning Officer

FORM -XXI
{ See rule 55(2) }

BALLOT PAPER
(For Reserve Seats)

COUNTER FOIL	BALLOT PAPER
Serial No. _____ (Counter foil)	Ballot Paper
Name of Local Council _____	Name of Local Council _____
Type of special interest. Women / Worker/ Peasant _____	Type of special interest. Women/Worker/ Peasant/Minority _____
Name of voter i.e. member _____ _____	
Signature or Thumb impression of voter	
Signature of Presiding Officer	Signature of Presiding Officer

FORM -XXII
 {See rule 55(3)}
STATEMENT OF COUNT AND DECLARATION OF RESULT
 (For Reserve Seats)

1. Name of Local Council _____
2. Type of special interest *(Peasants/ Workers/ Women/ Minorities) _____
3. Result of count _____

S.No.	Name of the contesting candidates	Total No. of ballot papers taken out of the boxes	Invalid ballot papers	Valid ballot papers
1	2	3	4	5
1.				
2.				
3.				
4.				
5.				
6.				
7.				

**The following person / persons who / have received the highest number of votes is / are hereby declared elected: -

1. _____
2. _____
3. _____

Signature of Presiding Officer

*Strike off the words not applicable

**In case more than one seat is allocated to persons representing a special interest, such number of candidates as have received the highest number of votes as the number of seats to be filled in shall be declared elected and their names and address given here.

FORM-XXIII

(See rule 56)

OATH OF OFFICE AS MEMBER OF A LOCAL COUNCIL

I, _____ having been elected as a
*Member of _____ (Name of Local Council)
in accordance with the Balochistan Local Government Act, 2010 and the rules made
thereunder, do solemnly swear that I will bear true faith and allegiance to Pakistan and
uphold the sovereignty and of integrity of Pakistan.

That as a Member of _____ (Name of Local Council), I
will be faithful to the declaration of the Founder of Pakistan, Quaid-e-Azam Muhammad
Ali Jinnah, that Pakistan would be a democratic State based on Islamic principles of
social justice.

And that I will strive to preserve the Islamic ideology which is the basis for
creation of Pakistan.

Place _____

Date _____

Signature or thumb
Impression of Member

Place _____

Date _____

Signature of the officer / person/
administering oath

*Strike off inappropriate alternative.

FORM XXV
{See rule 68(1)}

STATEMENT OF ELECTION EXPENSES

1. Election to the _____
(Name of Local Council with District)
2. From _____
(No. and Name of Ward)
3. Name of Candidate _____
4. Address of candidate _____

PART-A
Account of Election Expenses

The date on which expenditure was incurred or authorized	The nature of expenditure		Total	The date of payment	The name and address of the payee	The serial number of voucher in the case of amount paid	The serial number of bills if any in the case of amount outstanding	The name & address if the person whom the amount outstanding is payable
	The amount paid	The amount outstanding						
1	2	3	4	5	6	7	8	9

PART-B
Disputed Account of claims

The date on which the claim is alleged to have arisen	The name and address of the claimant	The nature of the claim	The amount of the claim	Grounds of which the claim is disputed
1	2	3	4	5

PART-C
Account of unpaid claims

The date on which the claim arose	The name and address of the claimant	The nature of the unpaid claim	The amount of the unpaid claim	The reasons for nonpayment of the claim
1	2	3	4	5

PART-D
Account of Money etc received by the candidate

The date on which the money, securities or equivalent of money was received	The name and address of the person from whom money etc was received	The amount of money or value of securities etc	For which specific purpose was the money etc received
1	2	3	4

Signature of candidate

FORM XXVI
{ See rule 68(2) }

AFFIDAVIT TO BE SWORN BY A CANDIDATE

I, _____ (name) , having been a candidate
for election from seat _____ of _____
(Category of seat) (Name of Council)

make oath and declare on solemn affirmation that;

1. In the afore-mentioned elections, all expenses incurred, all moneys, securities or things of value received, all payments made, all claims settled and all accounts maintained in the course of or in connection with the election, were incurred, received, made, settled and maintained by me or within my knowledge and under my control and direction.

2. All information given and all entries made in the return of election expenses and all vouchers, bills and other documents lodged by me with that return are, within my knowledge and belief, true and genuine.

Signature of Candidate

Sworn/ declared on solemn affirmation before me this _____ day of
(month) _____ (year) _____ by _____ who is personally
known to me/who has been identified by _____ who is personally known to me.

Signature
Oath Commissioner

FORM XXIV
{See rule 63(3)}

BALLOT PAPER

COUNTERFOIL	S.No	Name of Candidate	Cross mark
Serial No.	1		
Election of Chairman/ Vice Chairman	2		
Local Council	3		
Name of the Member	4		
Signature or thumb impression of the member	Initial of the Presiding Officer		

FORM-XXVII
{See rule 13(3)}

NOMINATION FORM
(For non-Muslim seats)

Election to the _____

(Name of Local Council with District)

From _____

(No. and Name of Ward)

(To be filled in by the proposer)

(1) I, _____ (Name of the proposer), CNIC No. _____, registered as a voter at Serial No. _____ in the electoral roll for _____ (No. and Name of Ward) of _____ (Name of Local Council) in _____ Tehsil in _____ District do hereby propose the name of _____ son/daughter /wife of _____ whose address is _____ as a candidate for election from _____ (Name of Local Council).

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

Dated _____

Signature or thumb
impression of Proposer

(To be filled in by the seconder)

(1) I, _____ (Name of the Seconder), CNIC No. _____, registered as a voter at Serial No. _____ in the electoral roll for _____ (No. and Name of Ward) of _____ (Name of Local

Council) in _____ Tehsil /Taluka in _____ District do hereby propose the name of _____ son/daughter /wife of _____ whose address is _____ as a candidate for election from _____ (No. and Name of Ward) of _____ (Name of Local Council).

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

Dated _____

Signature or thumb
impression of Seconder

(Oath and declaration by the person nominated)

(1) I, _____ son/daughter/wife of _____, CNIC No. _____, registered as a voter at Serial No. _____ in the electoral roll for _____ (No. and Name of Ward) of _____ (Name of Local Council) in _____ Tehsil in _____ District do hereby declare and solemnly swear that –

- (i) I have consented to the above nomination and that I am not subject to any disqualification for being elected as a member of _____ (Name of Local Council)
- (ii) I bear true faith and allegiance to Pakistan and uphold the sovereignty and integrity of Pakistan; and
- (iii) I will strive to preserve the Islamic Ideology which is the basis for the creation of Pakistan.

Dated _____

Signature or Thumb Impression
of the person nominated

(To be filled in by the Returning Officer)

Serial number of nomination paper _____ .

This nomination paper was delivered to me at my office at _____(hour)
on _____(date) by _____ being the candidate/proposer/seconded.

Returning Officer

(Decision of Returning Officer accepting or rejecting
the nomination paper at the day fixed for scrutiny)

I have examined this nomination paper and decide as follows –

(In case of rejection state brief reasons)

Dated _____

Returning Officer

RECEIPT

(To be filled in by the Returning Officer)

Serial number of nomination paper _____

The nomination paper of _____ a candidate for election
from _____ of _____ was delivered
(No. and name of Ward) (Name of Local Council)
to me at my office at _____ on _____ by the candidate/ proposer/
seconded.

All nomination paper will be taken up for scrutiny at _____ on _____
at _____ (hour)
(Date) (Place)

Dated _____

Returning Officer

BALUCHISTAN LOCAL COUNCIL (ELECTION) RULES.2013

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