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**PROCEDURE FOR TRIAL OF ELECTION PETITIONS  
RELATING TO GENERAL ELECTIONS**

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**ELECTION COMMISSION OF PAKISTAN**

NOTIFICATION

*Islamabad, the 16th March, 1985*

**No. F. 1 (7)/85-Coord.**—In pursuance of the powers conferred by subsection

(1) of section 62 of the Representation of the People Act, 1976, the Election Commission is pleased to lay down the following procedure for trial of election petition:—

(1) Every election petition shall be filed with the Secretary, Election Commission of Pakistan, Islamabad, in triplicate and shall be accompanied by all such documents and affidavits of the witnesses as are desired to be produced by the petitioner along with the receipt indicating that the copies of the petition and the attached documents and the affidavits annexed to the petition have been supplied to the respondent.

(2) Every election petition shall be processed by the Secretary, Election Commission. In case the petition is not in accordance with the procedure laid down herein it shall not be entertained and the petitioner shall be informed accordingly. <sup>1</sup>[\* \* \*].

Notice of the date published through the press, radio and television shall be deemed to be a valid notice and no personal notice shall be necessary unless the tribunal feels necessary to do so.

(3) The respondent shall upon the receipt of notice of the petition from the petitioner within seven days file his written statement together with all documents relied upon by him and the affidavits of the witnesses as are desired to be produced in defense.

(4) The petitioner shall make available for cross-examination all witnesses whose affidavits are filed with the petition for cross-examination on the first date of hearing before the tribunal <sup>2</sup>[and the trial of election petitions shall precede on day to day basis.]

(5) Where any party desires to summon any official witness he shall file with the petition a list of such witnesses justifying his production and also mention the documents, if any, which are required to be proved through such witness.

(6) No witness whose name is not mentioned in the petition shall be summoned or examined unless required by the tribunal.

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<sup>1</sup> Omitted *vide* Notification No. F. 1 (7)/85-Cord. dated 29-4-1989.

<sup>2</sup> Added *vide* Notification of even number dated 18-10-1992.

(7) 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, the tribunal may decide the question of such qualification or disqualification as a preliminary issue.

(8) The tribunal may make a memorandum of the evidence of each witness as his examination proceeds unless it considers that there is special reason for taking down the evidence of any witness in full.

(9) The tribunal may refuse to examine a witness if it considers that his evidence is not material or that he has been claed on a frivolous or vexatious ground for the purpose of delaying the proceedings or defeating the ends of justice.

(10) The tribunal may, pending the final disposal of the petition, grant such interim relief as it may deem fit.

By Order of the Election Commission.

Sd/-

M. M. KAZIM,

*Secretary.*

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