

Islamabad, the 9<sup>th</sup> April, 2021

**DIRECTIVE**

**No. F.3(6)/2021-E/Rolls.—WHEREAS** under clause (a) of Article 219 of the Constitution, the Election Commission is charged with the duty of preparing electoral rolls for election to the National Assembly, Provincial Assemblies, Local Governments and revising such rolls periodically to keep them up-to-date.

**AND WHEREAS**, sub-section (1) of the Section 23 of the Elections Act, 2017 provides that the Commission shall prepare the electoral rolls for election to the National Assembly, Provincial Assemblies and Local Governments and shall revise such rolls periodically in the prescribed manner.

**AND WHEREAS**, sub-section (1) of the Section 39 of the Elections Act, 2017 restricts any change in the electoral rolls after the “cut-off date”, which read as under:

**39. No revision, correction or transfer after constituency called upon to elect.—(1)** No revision of or correction in an electoral roll of an electoral area or inclusion or transfer of a vote from the electoral roll of an electoral area to the electoral roll of another electoral area shall be made nor shall any order under section 38 be made in respect of any electoral roll during the period beginning thirty days before the day on which the term of an Assembly or a local government is due to expire (hereinafter referred to as “the cut-off date”) till announcement of the results of the general election to the Assembly or the local government but it shall not apply to an election to fill a casual vacancy in an Assembly or a local government.

**AND WHEREAS**, the term of local government of Islamabad Capital Territory (ICT) has been expired on 14.02.2021 and the cut-off date according to Section 39 *ibid* is 14.01.2021.

**AND WHEREAS**, delimitation of councils and wards is also due before the local government elections in ICT.

**AND WHEREAS**, in case the cut-off date as mentioned in Section 39 *ibid* is applied for local government in ICT and accordingly the electoral rolls shall be made frozen w.e.f. 14<sup>th</sup> January, 2021, the general public, voters and prospective candidates may not be able to enroll, transfer or adjust their votes according to new delimited constituencies i.e. councils / wards before elections. Similarly, all new NIC holders may not be enrolled as voters after the cut-off date. However, Section 49 *ibid* empowers the Election Commission for deviation from the laid down procedure in exceptional circumstances for revision and preparation of electoral rolls in respect of any electoral area, which read as under:

**49. Departure from normal procedure in exceptional circumstances.—**

(1) Where the Commission is satisfied that it is not possible to follow the procedure laid down for the preparation or revision of an electoral roll in respect of any electoral area, the Commission may, after recording the exceptional circumstances necessitating deviation from the laid down procedure, direct that an electoral roll for such electoral area shall be prepared in such manner as it deems fit.

(2) The Commission shall immediately publish the direction issued under sub-section (1) on its website.

**NOW THEREFORE**, in exercise of powers conferred upon it under Article 219 and 220 of the Constitution read with Sections 23 and 49 of the Elections Act, 2017 and all other powers enabling it in that behalf, the Election Commission of Pakistan is pleased to direct as under:

- a. Keeping in view the exceptional circumstances mentioned above and to avoid disenfranchisement of eligible voters to use their right of vote, the cut-off date i.e. 14<sup>th</sup> January 2021 for the preparation of electoral rolls required for Local Government Elections in ICT is dispensed with.
- b. To facilitate the general public, the last date for filling of form-21 (enrolment/transfer of vote), form-22 (deletion/objection of vote) and form-23 (correction of particulars) under Section 37 of the Elections Act, 2017 read with Rule 41 of the Election Rules, 2017 is hereby extended upto the date of issuance of schedule of local government election in ICT.
- c. Wide publicity of the above decision of the Election Commission shall be made for the awareness of general public, voters and prospective candidates as well as the same shall be published on ECP's website.
- d. The above directions shall be complied with by all concerned in letter and spirit.

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