
CJP Isa questions legal ambiguity of term 'Form-47'

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ISLAMABAD:

Chief Justice of Pakistan (CJP) Qazi Faez Isa raised a query regarding the definition and legal term used for "Form-47" during a hearing on an electoral dispute involving Pakistan Muslim League (PML-N) leader Azhar Qayyum Nagra in the NA-81 constituency. At the outset of the hearing, Ahsan Bhoon, the counsel for Nara, argued that his client was declared successful after a recount and had approached the Election Commission Pakistan (ECP) to challenge the administrative officer's ruling. On April 4, Justice Shahid Karim of the LHC suspended the notification declaring PML-N leader Azhar Qayyum victorious from Constituency NA-81, Gujranwala. The ruling occurred during a hearing on a petition filed by Bilal Ijaz Chaudhry of the Sunni Ittehad Council (SIC), who raised concerns over the election results. Today at the hearing, Advocate Bhoon

informed the court that the returning officer issued Form 47 on February 9. To which CJP queried, “What is Form-47, and what term is used in the law for it?” “Form-47 is the preliminary result, and the final result is issued on Form 48. Legally, Form-47 is termed the provisional result,” Advocate Bhoon replied. He added that the returning officer issued Form-48 for the constituency on February 11. Form-48 is crucial in the preparation of election results as it includes the total number of votes cast for each candidate in a specific constituency. “Can the Election Commission declare someone a winner and then change its decision? Indeed, the returning officer should have conducted a recount based on your request,” Justice Aqeel Abbasi remarked. On April 26, ECP restored victory notification of PTI’s Chaudhry Bilal Ejaz as MNA from NA-81, Gujranwala. Bilal Ejaz won the general elections with a clear margin of 8,000 votes but lost in a controversial recount. The ECP issued the victory notification pursuant to orders passed by the LHC. On April 4, LHC nullified the victory notification of PML-N leader Azhar Qayyum Nagra from NA-81 and reinstated Bilal Ejaz as a Member of the National Assembly (MNA). The petitioner contested the Election Commission of Pakistan’s (ECP) decision, which declared Azhar Qayyum the successful candidate from NA-81. Bilal Ejaz stated that he was originally declared the winner by a margin of 8,000 votes, but the ECP’s recount illegally favoured Azhar Qayyum. He claimed that the returning officer had reduced his vote count by 2,500 in the recount. Bilal Ejaz argued that the ECP had no

authority to order a recount after the formation of the election tribunal and requested the court to annul Azhar Qayyum's victory notification. According to the original results, Bilal Ejaz was declared the winner with 117,717 votes, while the PML-N candidate, Azhar Qayyum, finished as the runner-up with 109,926 votes.