



**ASSEMBLY CHAMBER  
PESHAWAR**

No.PA/Khyber Pakhtunkhwa/SPKR/2024/7120  
Dated Peshawar, the 20<sup>th</sup> September, 2024

✓/to

The Chief Election Commissioner  
Election Commission of Pakistan  
Election House, Constitution Avenue  
Islamabad

Subject: - **CONSTITUTIONALITY AND RULE OF LAW**

Early in time, the Provincial Assembly of Khyber Pakhtunkhwa, had to witness, postponement, in terms of conduct of Senate Elections, 2024, as ordered by the Election Commission of Pakistan, at the last minute.

2. The reason, prevailed by that time, revolved around “Reserved Seats”, which, subject-matter, ultimately, had to see, the Supreme Court of Pakistan.

3. The office of the Speaker, by that time, was associated with the proceedings, since, challenge was made, to the findings rendered by the Peshawar High Court, Peshawar, involving my person as custodian of the House.

4. The Supreme Court of Pakistan, as final arbiter, set at-rest the findings/judgment of Peshawar High Court, Peshawar, with clear-cut directions, as to allocation of reserved seats; not involving political parties, who were party to the proceedings, as contesting respondents and declared as such by the Election Commission of Pakistan.

5. That the Judgment, though passed; had to wait upon, the CMA 7540/2024 in CAs. 333 & 334 of 2024 etc., leading to, directions, in respect of returned candidates, posited with Pakistan Tehreek-e-Insaf, to be members of the Parliamentary Party of PTI in the National Assembly and Provincial Assemblies concerned, for all constitutional and legal purposes.



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6. Further course of action has been declared, to be a ministerial act, to be given effect to, at your end "The Election Commission of Pakistan" and the continued failure of or refusal to abide, may prove to be a testament, distilling, constitutionality, and rule of law.

7. As custodian of the House "The Provincial Assembly of Khyber Pakhtunkhwa", I must speak and emphasize, to side with, the will and command of the Constitution of Islamic Republic of Pakistan, 1973; as the constitution prevails over all other instruments, read-out, by the Supreme Court of Pakistan.

Profound regards

  
(BABAR SALEEM SWATI)

Copy of the above is forwarded to: -

1. All Members, Election Commission of Pakistan, Islamabad
2. The Secretary Election Commission of Pakistan, Islamabad