**Following the leader**

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The letter written by the President to the Prime Minister regarding the postponement of the election in Punjab in which he almost blamed the federal government for the decision taken by the ECP which he thinks is a violation of the constitution and SC orders and has also talked about the violation of human rights concerning the arrest of PTI workers has been rightly likened to a press release of the PTI by Prime Minister Shahbaz Sharif in his rejoinder to it. It is a befitting and comprehensive response to the points raised by the President including aspects related to the constitution and I will not go into details in this regard as it has already been reported by the media. In my considered view the contents of the President’s letter and its tone and tenor were unbecoming of the stature of his office, to say the least.

In the first place, it was an ill-conceived move on his part to blame the government for the postponement of elections in Punjab. The decision was not taken by it but by the Election Commission of Pakistan in light of the permeating security situation and non-availability of security personnel for election duty after long interaction with the concerned agencies. Security during the election is the foremost consideration particularly in the current situation when the country is in the grip of the resurgence of terrorist attacks. The ECP in its notification has given references to the Election Act 2017, constitutional clauses, and the decision of the SC to justify the postponement of the election. The fact is that the President has blamed the wrong party. The PTI has filed a petition in the Supreme Court against the postponement of elections in Punjab contending that the action was a violation of the constitution and the SC orders in this regard that warranted contempt of court proceedings. The apex court has noticed the ECP, federal government and KP governor seeking their take on the petition filed by PTI has already started hearing the case. Now the ball is in the court of SC and its verdict.

[CJP Bandial meets judges to end division](https://www.nation.com.pk/09-Apr-2023/cjp-bandial-meets-judges-to-end-division)

However, I can humbly point out that according to my understanding, the ECP acted strictly to the verdict of the court. In paragraph 14 of the verdict, the apex court said “The Election Commission is therefore directed to use its utmost efforts to immediately propose, keeping in mind sections 57 and 58 of the 2017 Act, a date to the President that is compliant with the aforesaid deadline. If such a course is not available, then the Election Commission shall in like manner propose a date for the holding of the poll that deviates to the barest minimum from the aforesaid deadline.” Perhaps it would be advisable to have a look at sections 57 and 58 of the Elections Act 2017 according to which the ECP had been directed to proceed, to make matters more clear. Section 57 says” The President shall announce the date or dates of the general elections after consultation with the Commission.” Section 58 of the Election Act 2017 says “Notwithstanding anything contained in section 57, the Commission may, at any time after the issue of the notification under sub-section (1) of that section, make such alterations in the Election Programme announced in that notification for the different stages of the election or may issue a fresh Election Programme as may, in its opinion to be recorded in writing, be necessary for the purposes of this Act:”

[Ahsan Iqbal says elections to be held in country in October](https://www.nation.com.pk/09-Apr-2023/ahsan-iqbal-says-elections-to-be-held-in-country-in-october)

The ECP in compliance with section 57 held consultations with the President after which he announced the date. Section 58 clearly authorizes the ECP to change the date at any time which it did in the present case keeping in view the ground realities and security situation. If one looks carefully at the last lines of paragraph 14 of the SC verdict it also hints at the possibility of a change of date. Article 224(2) of the constitution indeed requires elections to be held within ninety days. But if they cannot be held within that period for any valid and pressing reasons it does not constitute a breach of the constitution. Such circumstances are covered by Article 254 of the constitution which reiterates “When any act or thing is required by the Constitution to be done within a particular period and it is not done within that period, the doing of the act or thing shall not be invalid or otherwise ineffective by reason only that it was not done within that period” I have taken the option to narrate all these facts for the information of the readers who might not be aware of the intricacies involved.

[Sanaullah claims establishment imposed incompetent Imran on Pakistan](https://www.nation.com.pk/09-Apr-2023/sanaullah-claims-establishment-imposed-incompetent-imran-on-pakistan)

If the President thought that arresting the PTI workers by the law enforcement agencies for attacking the state was a breach of their fundamental rights then the question arises why did he not write a similar letter to Prime Minister Imran for arresting hundreds of TLP workers and killing four of them in two incidents on 13 April 2021 and 27 October 2021 respectively? I am not endorsing what the TLP did. It indeed challenged the writ of the state and the government surely had no option but to establish its writ. One may also ask the President where was his conscience when the opposition leaders were framed in fake cases and sent to jail including a drug case against Rana Sanaullah. The PTI spokesperson Fawad Chaudhry is on record to have admitted that Rana was falsely involved in the drug case.