IN THE HIGH COURT FOR ZAMBIA **2026/HP/EP/031**
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)

IN THE MATTER OF:	**AN ELECTION PETITION OF ELIAS DAKA**
AND	
IN THE MATTER OF:	**ARTICLE 73 [1] OF THE CONSTITUTION OF THE REPUBLIC OF ZAMBIA**
IN THE MATTER OF:	**MSANZALA CONSTITUENCY ELECTION HELD ON THE 13TH AUGUST 2026.**
IN THE MATTER OF:	**RULE 9 OF THE HIGH COURT [ELECTION PETITION] RULES SI 31 OF 2026.**

BETWEEN:

ELIAS DAKA **PETITIONER**

AND

AMON MUMBA **1ST RESPONDENT**

ELECTORAL COMMISSION OF ZAMBIA **2ND RESPONDENT**

2nd RESPONDENT'S AFFIDAVIT IN OPPOSITION TO ELECTION PETITION

I, **CHILOLO MANDA** of Lusangazi Town Council, Village 18 Ukwimi, in the Lusangazi District in the Eastern Province of the Republic of Zambia, **DO HEREBY** make oath and **SAY**:

1. **THAT** my particulars are as stated above.

2. **THAT** I was the Returning Officer for Msanzara Constituency on behalf of the 2nd Respondent in the 2026 parliamentary elections held on 13th August 2026, and I am duly authorised to depose to this my Affidavit from facts within my personal knowledge, information and belief.

3. **THAT** I have read the Election Petition and the Affidavit Verifying Facts sworn by the said Elias Daka, the Petitioner and wish to respond as hereunder.

4. **THAT** the 2nd Respondent admits conducted the parliamentary election for Msanzala Constituency on 13th August 2026 and I, as the Returning Officer, subsequently declared Mr. Amon Mumba as the duly elected member of parliament.

5. **THAT** the allegations of mathematical discrepancies at Muzenje, Kathangwira, Nyamphande 02, Nyamphande 04 and Matonga 01 Polling Stations are denied as there was no arithmetic discrepancy as alleged.

6. **THAT** I am advised by Counsel and believe the same to be true that the allegations concerning GEN 20 forms, including the alleged inconsistency between figures and words, the alleged defect at Malenga and the alleged absence of certain particulars, do not establish that the election was conducted in a manner warranting nullification.

7. **THAT** no ballot papers were unlawfully moved into or out of the totaling centre or that there was a breach of chain of custody which compromised the integrity of the election as the Petitioner does not identify any ballot paper that was substituted, altered, lost or unlawfully counted as a consequence of the alleged movement.

8. **THAT** it is not true that officers of the 2nd Respondent at Ray Polling Station or elsewhere failed to count ballots and instead apportioned votes in favour of the 1st Respondent or that any officer was bribed or promised employment for that purpose.

9. **FURTHER THAT** the 2nd Respondent did not at any point connive with the 1st Respondent or his agents.

10. **THAT I** believe that the above is true to the best of my knowledge, information and belief.

SWORN by the said CHILOLO MANDA)
at **LUSAKA** this 8 day)
of SEPTEMBER, 2026.)

_____
DEPONENT'S

BEFORE ME: _____
COMMISSIONER FOR OATHS

GERALD CHOMBO Esq
LLB, AHCZ, ASCZ
08 SEP 2026
LEGAL PRACTITIONER
COMMISSIONER FOR OATHS