

**ELECTION COMMISSION OF PAKISTAN**

**PRESENT:**

Mr. Sikandar Sultan Raja, Chairman  
Mr. Nisar Ahmed Durrani, Member  
Mr. Shah Mohammad Jatoi, Member

**Case No. 3(5)/2022-LGE-S**

In Ref: **INCIDENTS OF ELECTORAL VIOLENCE AND STOPPAGE OF  
POLL IN UC-119, TMC SHAH LATIFABAD, DISTRICT  
HYDERABAD.**

**On Commission's Notice**

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|---|--|
| 1. Amjad Ahmed Sheikh SSP-<br>Hyderabad.  | 2. Saeed-ud-Din candidate for<br>chairman              |
| 3. Muhammad Yousuf Majeed<br>DEC/DRO  | 4. Muhammad Anas Khan candidate<br>for chairman        |
| 5. Rai Asad Hussain Adv. on behalf<br>of Resp. NO. 3                                  | 6. Syed Amir Afzal candidate for<br>chairman           |
| 7. Muhammad Junaid Presiding<br>Officer PS-1  | 8. Imran Ahmed Candidate                               |
| 9. Islamil Leghari Presiding Officer<br>PS-6 Shah Latif abad NO. 10 UC-<br>119        | 10. Muhammad Hayat Khan<br>candidate for vice chairman |
| 11. Abdul Jabbar Pr. Officer PS 5<br>UC-119 Latifabad Fatima Zehran<br>Health Center. | 12. Faisal Ali Khan candidate for<br>vice chairman     |

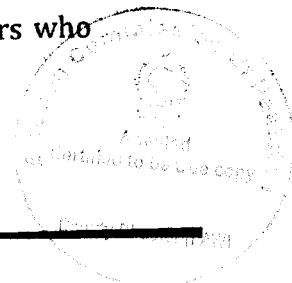
Date of hearing : **16.05.2023**

**ORDER**

**Sikandar Sultan Raja, Chairman.**— The present matter before us was brought into the notice of the Commission by the District Returning Officer-Hyderabad (DRO-Hyderabad) through a detailed report dated 7<sup>th</sup> May, 2023, on which day, bye-election to UC-119, TMC Shah Latifabad, among other constituencies, was held. It was reported by the DRO that he was on visit on different polling stations of the district and when he reached at polling stations of UC-58 Ward No. 4 of TMC Tando Jam, he got the news about some miscreants regarding ascertaining law and order situation in UC-119 TMC-Shah Latifabad by information through telephone from ARO. He immediately



moved to the polling station GBPS Shaheed Millat Latifabad No. 10 (Female) and recorded the statements of Presiding Officer, where he added that the RO/ADC-II, Hyderabad arrived at the Polling Station after few minutes. The Pr. Officer of the polling station informed him about the situation and also produced some evidences i.e damaged ballot boxes, furniture, electoral rolls etc. The female staff was also asked about the happenings and they complaint about the violence created by the miscreants which was in the shape of mob and also informed that the police was unable to control them either intentionally or unintentionally as according to them neither the lathi was charged nor the tear gas was fired in order to control the situation. The Presiding Officers also nominated the main culprit Mr. Saeed-ud-Din contesting candidate for Chairman. The DRO highlighted the fact that Ballot Papers were snatched by the culprits and were taken outside the Polling Station. The DRO also mentioned in the report that he contacted the Deputy Commissioner and Commissioner Hyderabad who also reached the Polling Station and also witnessed the incident. He also pointed out that after completing the legal formalities he along with the Returning Officer went to the Polling Station NO. 6, GBPS Shah Latifabad NO. 10 (Male) where the Presiding Officer stated the incident and also gave his statement in writing. After that he visited Polling Station NO. 5, Government Fatima Zehra Health center Latifabad NO. 10 (Male) and recorded the statement of Presiding Officer who has nominated Mr. Saeed-ud-Din a contesting candidate of chairman. The said Presiding Officer also provided the mobile recording of his cell phone as a proof of incident. The DRO also added that ballot papers, stamps and other polling material were snatched from above mentioned Polling Stations. He also added that they approached the Police Station B-Section, Latifabad for lodging FIR, however the concerned SHO was not present in the Polling Station and after contacting him he was reluctant to lodge the FIR for which the DRO contacted Provincial Election Commissioner-Sindh (PEC-Sindh) and DIG-Hyderabad who ordered the SHO to lodge the FIR. He also added that the behavior of Police was not co-operative and after issuing the directions from SSP-Hyderabad an in complete FIR was drafted lacking the legal points and by concealing the two statements of Presiding Officers of the two polling stations who identified and nominated the culprit (Saeed-ud-Din) and the FIR was lodged on the statements of Presiding Officers who



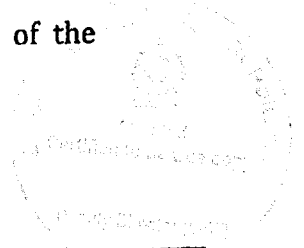
could not identify the culprit (Saeed-ud-Din). He added that the behavior of the Police shows some linkage of Police with the culprit and incidents occurred on three Polling Stations. He also submitted that the Police could not take the measures in time. He prayed for necessary action and guidance in the matter.

2. The Provincial Election Commissioner-Sindh forwarded the report of DRO along with one pager report of the Returning Officer namely Qaim Akber Nimal/Additional Deputy Commissioner dated 7<sup>th</sup> May, 2023 Statements of three Presiding Officers i.e. Ismail Laghari, (PS-6), Abdul Jabbar (PS-5) and Muhammad Junaid, (PS-1) of UC-119, pertaining to the incidents happened. A copy of FIR bearing number 57/2023, lodged at PS Latifabad in respect of incident happened at PS-6 was also part of the report.

3. The matter was fixed for hearing today alongwith notice to the respective DRO, RO, Presiding Officers, Mr. Amjad Ahmed Sheikh SSP-Hyderabad and all the contesting candidates.

4. In response to notices, the DRO, RO and SSP-Hyderabad namely Mr. Amjad Ahmed Sheikh are present. Counsel for Mr. Saeed-ud-Din candidate for chairman has submitted his vakalatnama on his behalf, except Mr. Syed Aamir Afzal, Candidate for Chairman, Mr. Imran Bashir candidate for chairman, Mr. Muhammad Anas Khan candidate for chairman, Mr. Muhammad Hayat Khan candidate for vice chairman, Mr. Faisal Ali Khan Afridi candidate for vice chairman, no other contesting candidate is present despite service of notice.

5. The learned DRO has brought entire facts of incidents of the snatching of material which according to him could not be retrieved at the last moment. Due to which polling process was stopped. He also highlighted that incidents occurred at 3 polling stations however, FIR was registered wherein real culprits have not been nominated therein. Mr. Saeed-ud-Din, a contesting candidate is the main culprit in the case who attacked the polling stations alongwith mob and was required to be implicated in the FIR by name on the basis of statements of two Presiding Officers namely Abdul Jabbar and Muhamamd Junaid as well as the CCTV footages of the



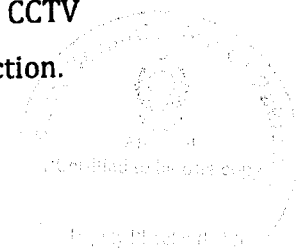
Polling station (played in the Court) wherein he can be seen entering the polling station and snatching the material.

6. The RO was asked about the action on his part to which he had no answer except to refer his one pager report on which he placed reliance. The RO is the main authority who has to ensure free, fair and transparent election and has to take immediate action under the law when such incidents happen. A RO also possesses powers of a Magistrate of first class and can take legal course of action against culprit at the spot in a summary manner. However, in the instant matter requisite action has not been taken and authority has not been exercised by the RO.

7. The Presiding Officers also narrated the facts in details which are based on their statements already available on record. They also showed displeasure and dissatisfaction on the role of the SHO namely Muhammad Ali Dhamra who was reluctant to take any action despite bringing the matter in his notice and his higher authorities. We appreciate the conduct of the DRO and the Presiding Officers who performed their duties diligently and efficiently. Office is directed to issue certificate of appreciation to them as well as to those women officials deputed on election duty who could be seen in CCTV footages.

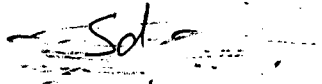
8. Mr. Amjad Ahmed Sheikh SSP-Hyderabad is also present who has submitted a report regarding the incidents, investigation and action so far taken in the matter. He was asked about one FIR lodged in the matter rather registration of 3 different FIRs of separate incidents. He responded that mainly responsibility rests with the SHO concerned who had to maintain law and order at the PSs. There is no delay or inaction on his part. The main culprit Saeed-ud-din and five other accused have been implicated on subsequent stage of investigation and raids have been made but they are still out of their reach.

9. We have perused the record particularly copy of FIR so registered in the matter which lacks what has happened at the Polling stations and main culprits have also not been implicated as per the statements of the Presiding Officers and the CCTV footages. Such an attitude clearly shows that main accused are being given protection.



10. Therefore, we constitute a Special Committee comprising of Mr. Ali Asghar Sial, JPEC Sindh and Mr. Nazar Abbas, REC Karachi, in the matter which shall, inter alia, ascertain the facts, analyze the role and responsibility of the RO, SHO concerned as well as other Police Officers in the hierarchy and Mr. Ismail Laghari Presiding Officer Polling Station-6 of UC-119. The committee shall submit its report within 7 days. The Special Secretary shall also take up the matter with the Chief Secretary, Sindh and the IGP Sindh for requisite action on their part in the matter. SHO concerned and the RO should be suspended immediately. Office is also directed to issue appreciation letters for DRO and female APO's who were trying to protect the ballot papers shown in the CCTV footage.

11. The matter shall be relisted soon after submission of report by the Committee.

  
(Sikandar Sultan Raja)  
Chairman

  
(Nisar Ahmed Durrani)  
Member

  
(Shah Muhammad Jatol)  
Member

