

ELECTION COMMISSION OF PAKISTAN**ORDER**
09-02-2024

Subject: **INCIDENT OF DESTRUCTION/ SNATCHING OF SENSITIVE MATERIAL AT POLLING STATION OF CONSTITUENCIES NA-35 KOHAT-I, PK-90 KOHAT-I AND PK-92 KOHAT-II.**

WHEREAS, the Election Commission of Pakistan (hereinafter referred as the "Commission") is a Constitutional body constituted under Article 218(2) of the Constitution of Pakistan, 1973 (hereinafter referred as the "Constitution"). The Election Commission of Pakistan is mandated under Article 218(3) of the Constitution to organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against.

AND WHEREAS, in pursuance of the notification dated 15.12.2023 under Section 57(2) of the Elections Act, 2017 the poll has been conducted on 08.02.2024 on all the National and Provincial Constituencies.

AND WHEREAS, Provincial Election Commissioner, KPK vide his letter dated 09.02.2024 along with the letters of Returning Officer NA-35 Kohat-I has informed that the election material of 25 Polling Stations of NA-35 Kohat-I was destroyed by the militants of Tor Jhanday Tehreek (TJT). He further informed that the result of under-mentioned Polling Stations could not be added in the provisional result due to reason mentioned above.

AND WHEREAS, the name and details of 25 Polling Stations are given below:-

Sr. No.	No. and Name of Polling Stations.
1.	62. Govt. Primary School Behram Khel (Combined)-I.
2.	71 Govt. Girls Middle School Landiwal No. 1 Saman Khan Kalley (Combine)-I
3.	74 Govt. High School Bosti Khel (Combined)-I
4.	76 Govt. Middle School Sra Mela (Combined)-I
5.	77 Govt. Girls Primary School Amal Khel Bala, Sherakai (Combined)-I
6.	80 Govt. High School Sherakai (PS-2) Combined.
7.	81 Govt. Primary School Sherakai Combined-III
8.	82 Govt. Primary School Mazeed Khel Combined-I
9.	83 Govt. Girls Middle School Bazi Khel (Combined)-I
10.	84 Govt. Primary School Sarwar Mela Male-II
11.	85 Govt. Primary School Mula Khel Female-I
12.	87 Civil Dispensary, Dara Bazar Combined-I
13.	88 Govt. High School Dara Adam Khel Combined-I
14.	89 Govt. Primary School Ferozi Mela Combined-I
15.	90 Animal Husbandry Hospital Darra (Male)
16.	91 Govt. Girls Primary School Mulan (Female)
17.	93 Govt. High School Shapalkiwal (Male)
18.	94 Govt. Girls Primary School Shapalkiwal (Female)
19.	95 Govt. Girls Primary School Zor Kalley (Combined)



20.	98 Govt. Girls Primary School Mir Akbar Guli Khel (Combined)
21.	101 Govt. Primary School Azadi Mela (Combined)
22.	102. Govt High School Akhurwal (Combined)
23.	104 Govt Primary School Dalil Khel Akhrwal (Combined)
24.	106 Govt. Primary School Akhurwal (Combined)
25.	107 Govt. Girls Middle School Atariwal (Combined)

AND WHEREAS, the matter has been discussed in the meeting of the Commission. Perusal of reports submitted by the PEC-KPK and Returning Officer and number of votes cast in favour of leading and runner up candidates has been perused.

AND WHEREAS, in the constituency NA-35 Kohat-I the leading candidate has a lead of 71,307/- votes as against the runner up candidate. The total votes obtained by the leading candidate in the constituency are 128,491/- while 57,184/- votes have been obtained by the runner up candidate.

AND WHEREAS, in the Provincial Assembly constituency PK-90 Kohat-I the leading candidate has obtained 41,043/- votes whereas the runner up candidate has obtained 33,785/- votes. The margin of victory is 7,258/-.

AND WHEREAS, the total number of registered voters at the above mentioned 25 Polling Stations are 43,027/-. If all the votes of the 25 Polling Stations in National Assembly seat of NA-35 Kohat-I, are treated as cast in favour of losing candidate even then the runner up candidate cannot get the lead as the margin of victory is very high between the leading and runner up candidate.

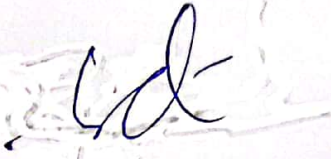
AND WHEREAS, the conduct of poll in the above mentioned 25 Polling Stations at National Assembly Constituency of NA-35 Kohat-I will be a futile exercise as it will not materially affect the result of the candidates.

AND WHEREAS, in case of Provincial Assembly seats of PK-90 Kohat-I out of total 169 Polling Stations in the Constituency the Returning Officer has compiled result of 144 Polling Stations whereby the difference of votes between the leading and runner up candidate is 7,258 /- which is less than the total registered voters i.e. 43,027/- at the 25 Polling Stations.

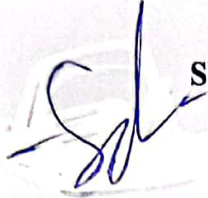
NOW THEREFORE, the Commission in exercise of powers under Article 218(3) of the Constitution read with Section 4, 5, 8(c) and 9 of the Elections Act, 2017 and all other powers enabling it in this behalf decides and directed the Returning Officer to issue Form-47 and announce the result of constituency i.e. NA-35 Kohat-I due to higher margin of victory and having no affect on the result of elections in the constituency even if all the remaining votes are treated as cast in favour of runner up candidate. However, due to less margin of victory at the constituency PK-90 Kohat-I, the result of the Election shall be subject to re-poll at 25 Polling Stations mentioned above. The re-poll in the 25 Polling Stations shall be conducted on 15th February, 2024.



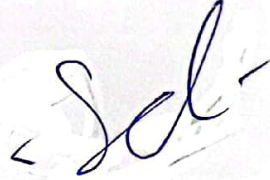
The District Returning Officer and Returning Officer are directed to ensure appropriate arrangements for peaceful conduct of re-poll in above mentioned 25 Polling Stations. Office to take follow up action accordingly.



SIKANDAR SULTAN RAJA
Chairman



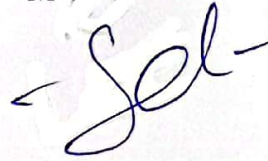
NISAR AHMED DURRANI
Member



SHAH MUHAMMAD JATOI
Member



BABAR HASSAN BHARWANA
Member



JUSTICE (R) IKRAMULLAH KHAN
Member

