

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

Subject: **INCIDENT OF SNATCHING OF SENSITIVE MATERIAL AT POLLING STATION OF CONSTITUENCIES NA-198 GHOTKI-I, PS-18 GHOTKI-I AND PS-19 GHOTKI-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, Sindh vide his letter dated 08.02.2024 along with the letters of District Election Commissioner Ghotki and District Returning Officer (DRO) Ghotki, statements of three Presiding Officers and combined report of Returning Officers PS-18 Ghotki-I and PS-19 Ghotki-II, has informed that incidents of snatching of sensitive election material by unknown perpetrators at the polling stations No. 161 and 162 of the constituencies i.e. NA-198 Ghotki-I, PS-18 Ghotki-I and PS-19 Ghotki-II during poll.

AND WHEREAS, Provincial Election Commissioner, Sindh has also informed that FIR has been lodged against the miscreants.

AND WHEREAS, the matter has been discussed in the meeting of the Commission. Perusal of report and Form-47 of NA-198, PS-18 and PS-19 revealed that the total number of votes polled in favour of the leading candidate of NA-198 Ghotki are 120259 and the votes cast in favour of runner up candidate are 90,629.

AND WHEREAS, in the constituency NA-198 Ghotki-I the winner candidate has a lead of 30,000/- votes as discerned from Form-47, (un-official result) as against the runner up candidate.

AND WHEREAS, perusal of Form-47 (un-official result) of PS-19 Ghotki-II reveals that the winner candidate has a lead of 11,497/- votes against the runner up candidate.

AND WHEREAS, it is observed by the Commission that in the situation of NA-198 Ghotki-I and PS-19 Ghotki-II, if all the votes at the polling stations, destroyed by the culprits



the said constituencies are treated as cast in favour of the loosing candidate even then the runner up candidates cannot get the lead as the margin of victory is very high between the leading and runner up candidate.

AND WHEREAS, in PS-18 Ghotki-I at Polling Station Nos. 161 and 162 total number of votes assigned to these polling stations were 3309/- whereas, the margin of votes between the leading and runner up candidates is 1580.

AND WHEREAS, snatching, destruction and damaging the polling material is an offence of illegal practices which is punishable under Section 183 with imprisonment of two years or with fine of one hundred thousand rupees or with both.

NOW THEREFORE, the Commission in exercise of powers under Article 218(3) and 220 of the Constitution read with Section 4, 5 and 8(c) of the Elections Act, 2017 and all other powers enabling in this behalf decides that the result on the constituencies i.e. NA-198, PS-19 may be announced due to higher margin of victory and having no effect on the result of elections in the constituencies even if all the remaining votes are treated as cast in favour of runner up candidates, however, due to less margin of victory at polling Station 161 and 162 PS-18 Ghotki-I, the result of the Election shall be subject to re-poll at polling station No. 161 and 162 of PS-18 Ghotki-I. The re-poll in the constituency shall be conducted on 15th February, 2024. Furthermore, DPO Ghotki is directed to identify the culprits and action may be taken against them strictly in accordance with law under intimation to the Commission.

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

