

## ELECTION COMMISSION OF PAKISTAN

Subject: FACT FINDING INQUIRY IN RESPECT OF BYE-ELECTION TO NA-75, SILAKOT-IV (DASKTA) HELD ON 19.02.2021

### ORDER 24-11-2021

**WHEREAS**, Article 218(3) of the Constitution of Islamic Republic of Pakistan mandates the Election Commission of Pakistan 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**, bye-election to NA-75, Sialkot-IV was held on 19<sup>th</sup> February, 2021 and it was found by the Election Commission that said election was not free, fair and transparent as there were major violations of the Election laws. Thus, in exercise of powers under Article 218(3) of the Constitution read with section 9(1) & (4) of the Elections Act, 2017, the said election was declared as void and fresh poll/re-poll in the entire constituency to be held on 18<sup>th</sup> March, 2021, was ordered by this Commission vide judgment dated 25<sup>th</sup> February, 2021; AND

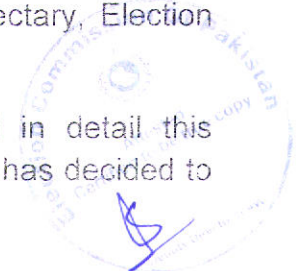
**WHEREAS**, to probe the facts and circumstances which lead to major violations of election laws and rules on polling day, this Commission constituted two inquiry committees one out of which comprising Mr. Saeed Gul, JPEC, Mr. Majid Sharif Dogar, REC Gujranwala and Mr. Mujahid Sher Dil, Special Secretary, Finance Department, Government of Punjab was tasked to probe the negligence, declining law and order situation, retrieving of election material, inter alia, alongwith other charges on part of the District Administration. Other Committee under the supervision of Mr. Saeed Gul, JPEC, was assigned to probe the disappearance of 20 Presiding Officers and their existence during disappearance; AND

**WHEREAS**, the Committees conducted their fact finding inquiries and submitted reports to this Commission highlighting the role of the accused involved in the corrupt/illegal practices as well as recommendations for initiation of disciplinary proceedings against them; AND


**WHEREAS**, in light of report of the inquiry committees, the concerned DRO and the RO of the constituency were made Officers on Special Duty (OSD) for initiation of further proceedings against them by this Commission; AND

**WHEREAS**, in light of recommendations of the fact finding inquiry committees, this Commission constituted another committee comprising Special Secretary, Election Commission, Director General (Law), Director HR and Deputy Director (Law), for its assistance in respect of initiation of proceedings against the accused which committee had to work under the supervision of the Sectary, Election Commission; AND

**WHEREAS**, the abovementioned committee has briefed in detail this Commission and after perusal of all record and reports, this Commission has decided to proceed further in the matter; AND



**NOW THEREFORE**, in light of all available record and reports, this Commission directs initiation of both disciplinary and criminal proceedings against the officers/officials found involved in corrupt and illegal practices under the applicable law/rules. The concerned offices/wings of this Commission shall submit proposals for constitution of regular inquiry committees, submit draft criminal complaints to be lodged before the competent forums and draft orders of inquiry, within seven days for approval of the Election Commission. The concerned offices/wings dealing with the assignment of elections duties shall ensure that the officers/officials found involved in corrupt and illegal practices in the fact finding inquiry are not deputed for any election duty in future.

  
**SIKANDAR SULTAN RAJA**  
Chairman

  
**SHAH MUHAMMAD JATOI**  
Member

  
**NISAR AHMED DURRANI**  
Member

