



FAFEN REPORT

BY-ELECTION OBSERVATION

--- APRIL 23, 2024 ---



Low voter turnout, procedural irregularities and restrictions on independent observation in two provincial constituencies in Punjab overshadowed the improved results management and lower numbers of ballots excluded from the count during April 21 elections in 22 national and provincial assembly constituencies.

Polling station establishment, voter identification, and counting at polling stations were observed to have been largely compliant with law and procedures. However, instances of omissions in ballot issuance requirements by Assistant Presiding Officers (APOs) were reported from around 14 percent of the observed polling stations. While polling agents and accredited observers generally had access to voting and counting process, security officials or Presiding Officers barred FAFEN observers from observing the election process at 19 polling stations in PP-36 Wazirabad and PP-22 Chakwal-cum-Talagang. In PP-22, the accreditation process of FAFEN observers was also delayed until the midday on the polling day causing last-minute changes in the observation scope.

Nearly 36 percent of registered voters cast their votes on polling day – nine percent less than the turnout in 18 of these constituencies on February 8, 2024. Votes polled by women decreased by 12 percent, while votes polled by men declined by nine percent, despite an increase of 75,640 registered voters, including 37,684 men and 37,956 women compared to the general elections. Lahore's five constituencies recorded the sharpest decline in the voter turnout with PP-147 reporting a mere 14 percent as against 35 percent on February 8. Similarly, NA-119 Lahore registered a 19 percent turnout against 39 percent on February 8. However, the voter turnout in Gujrat and Khuzdar constituencies recorded an increase compared to general elections.

The declining turnout was accompanied by a reduction in the number of ballots excluded from the count during the by-elections, almost halved (35,574) as compared to the number of invalid ballots (72,472) during the general elections. In addition, there were no constituencies where the rejected ballots exceeded the Margin of Victory as against four in the general election.

ECP issued provisional results for all the constituencies by the legal deadline of 10 a.m. of following day of the poll day despite suspension of cellular data services in the constituencies in Balochistan, Punjab and Sindh. However, KP constituencies did not report any such disruption.

The parties that won during the general elections retained their seats in the by-elections, except in PP-36 Wazirabad and PP-93 Bhakkar. In these constituencies, PTI-backed candidate and an independent candidate had won during the general elections, but PML-N candidates emerged successful in the by-elections. These two were among the four constituencies where the margin of victory has decreased as compared to the general elections unlike the rest where the margin of victory has increased.

The by-elections were necessitated due to the death of candidates in four constituencies and vacation of seats by wining candidates in 19. PB-50 Killa Abdullah, however, went to the re-poll after a Supreme Court verdict. Of these 24, ECP notified uncontested returned candidates in NA-207 Shaheed Benazirabad-I and PS-80 Dadu-I. A PTI-backed





independent candidate for NA-207 moved the Sindh High Court (SHC) praying nullification of the uncontested elections claiming that his nomination was wrongly rejected by the Returning Officer.

According to the Lists of Contesting Candidates (Form-33), a total of 264 candidates including 256 men and eight women contested for the 22 constituencies. Of these 264, 88 candidates represented 21 political parties, while the remaining 176 contested independently. The ECP had setup 4,238 polling stations – 935 male, 899 female and 2,404 combined – comprising 13,811 polling booths – 6,778 male and 7,033 female – to cater to more than 6.3 million registered voters.

FAFEN deployed 259 Election-Day observers, including 187 men and 72 women, to observe the voting and counting processes at 1,036 polling stations in five National Assembly and 17 Provincial Assembly constituencies (12 in Punjab, three in Balochistan and two in Khyber Pakhtunkhwa). This report is based on the observations received on Election Day from 532 polling stations through FAFEN Election Day Observation mobile application. The following are FAFEN's major observations of the by-elections:

1 Decline in Turnout with Exception of Gujrat and Khuzdar

According to Provisional Consolidated Statement of the Results of Count (Form-47), as many as 2,247,322 (36 percent) registered voters in 22 constituencies cast their ballots on April 21, showing a considerable decline as compared to 50 percent turnout recorded in 18 of these constituencies where polling was held during General Elections on February 8, 2024. The male turnout dropped from 52 percent to 37 percent and the female turnout from 42 percent to 29 percent.

The turnout drop occurred despite an increase of more than 75,640 registered voters in these constituencies including 37,684 men and 37,956 women. The highest surge in the registered voters was recorded in NA-119 Lahore-III, where Form-28 issued for by-election had 9,338 additional voters. On the other hand, PK-22 Bajaur-IV registered a decrease of one voter. There was no new voter added in the PP-290 Dera Ghazi Khan-IV and PB-50 Killa Abdullah.

Comparing the turnout in these 18 constituencies shows a turnout drop in 15 constituencies and an increase in three constituencies. The constituencies recording a turnout increase included two Balochistan Assembly constituencies in Lasbela and Khuzdar and a Punjab Assembly constituency in Gujrat. The highest turnout was 80 percent, recorded in PB-50 Killa Abdullah. The lowest turnout was 14 percent, recorded in PP-147 Lahore-III. As many as 11 constituencies had a turnout between 40 percent and 50 percent, six constituencies between 20 percent and 30 percent, three constituencies above 50 percent, and two constituencies below 20 percent.

The following table shows the constituency-wise voter turnout and registered voters:

Sr. No.	Constituency	Registered Voters - By-Election	Change in Registered Voters since GE-2024	Turnout - By-Election	Turnout - GE-2024
1	NA-8 Bajaur	664,711	3272	28%	Postponed
2	NA-44 Dera Ismail Khan-I	396,661	4731	24%	55%
3	NA-119 Lahore-III	530,167	9338	19%	39%
4	NA-132 Kasur-II	526,156	6431	46%	58%
5	NA-196 Kamber Shahdadkot-I	423,781	6041	23%	35%
6	PK-22 Bajaur-IV	175,838	-1	28%	Postponed
7	PK-91 Kohat-II	224,377	3043	25%	Postponed
8	PP-22 Chakwal-Cum-Talagang	290,122	2559	43%	56%
9	PP-32 Gujrat-VI	254,903	2455	44%	42%
10	PP-36 Wazirabad-II	318,544	3168	44%	51%
11	PP-54 Narowal-I	239,442	3415	46%	56%
12	PP-93 Bhakkar-V	216,832	2887	65%	68%
13	PP-139 Sheikhpura-IV	189,205	2918	44%	50%



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14	PP-147 Lahore-III	374,847	5849	14%	35%
15	PP-149 Lahore-V	345,448	5632	24%	40%
16	PP-158 Lahore-XIV	185,616	4462	40%	48%
17	PP-164 Lahore-XX	143,395	3071	42%	50%
18	PP-266 Rahimyar Khan-XII	224,103	2804	46%	Postponed
19	PP-290 Dera Ghazi Khan-V	195,855	0	46%	57%
20	PB-20 Khuzdar-III	94,448	1026	56%	51%
21	PB-22 Lasbela	139,068	2539	41%	60%
22	PB-50 Killa Abdullah	163,753	0	80%	82%

2 Persisting Campaigning and Canvassing on Election Day

Canvassing in or near a polling station is an illegal practice as per Section 177 of the Elections Act, 2017. The Presiding Officers are duty bound to remove campaign materials of any candidate inside and around the polling stations. FAFEN observers reported from 48 percent polling stations the presence of candidates' flags or banners in close proximity to the polling stations. In 21 percent of the polling stations, these flags or banners were affixed on the walls of the polling stations. The observers also noted the candidates' or party-supported vehicles providing transport to the voters outside 36 percent of the observed polling stations. In nearly five percent of the observed polling stations, the observers noted the presence of campaign materials inside the polling premises. Around 59 percent of the polling stations had party camps in their surroundings. The ECP's Code of Conduct restricts setting up of such camps within a radius of 400 meters of the polling stations.

3 Largely Compliant Voting Process with Lapses in Ballot Issuance Requirements

The setting up of polling stations before the start of the polling largely complied with the due process. The Presiding Officers were present at the time of observation at all of the polling stations observed before 8:00am. The polling agents were provided opportunity to inspect the empty ballot boxes before the polling officials sealed them. However, the Presiding Officers skipped to obtain signatures of the polling agents on the Statement regarding Inspection of Ballot Boxes before the Start of Poll (Form-42) at six percent of the polling stations observed in the morning. At two percent polling stations, at least one polling agent refused to sign Form-42. All polling stations except seven percent were ready for the polling process before 08:00am.

The polling officials had not displayed a chart describing the serial numbers of voters allocated to a booth outside 19 percent of the observed booths. Nearly seven percent of the observed booths did not have polling officers at the time of observation. The polling agents were present at 91 percent of the observed booths. The security staff was present inside the polling booths at 78 percent of the polling stations. The secrecy screens were missing at nine percent of the observed polling booths while CCTV cameras were installed at 12 percent of the polling booths.

Nearly two percent of the observed polling booths had a crowded environment at the time of observation. The seating arrangements for the polling agents at 97 percent of the observed polling stations allowed them to keep an eye on the voting process while such an enabling environment was missing in the remaining three percent of the polling stations that they could not see the voting. The polling officers were observed to be checking the National Identity Cards (NIC), marking the thumbs of the eligible voters with indelible ink, obtaining their thumb impressions on electoral rolls and striking off their names on the electoral rolls. However, they were noted omitting the mandatory requirement of announcing aloud the name and serial number of voters at 18 percent of the observed polling booths. FAFEN observers documented at least one instance of a potential voter being sent away at 11 percent of the observed booths. Most of them were returned for not carrying their original NICs but one percent were sent away due to expired NICs despite



clear legal provision against it. Additionally, the voters were returned from one percent of the booths as their names were not on the electoral rolls assigned to the booth.

The APOs were seen complying with the due process of ballot issuance to the voters at around 87 percent of the observed polling booths. At 13 percent of the observed polling stations, FAFEN observers documented instances of APOs omitting to document the voters NIC number on the counterfoil of the ballot paper, obtaining their thumb impression on the counterfoil, marking official stamp on the counterfoil and signing the counterfoil. Moreover, they were observed to be skipping the official stamp and signature on the back of the ballot paper at 14 percent of the observed booths. Lack of official stamp and signature on back of ballot paper renders a ballot paper to be excluded from the count. The observers reported that APOs had signed the counterfoils in advance at 25 percent of the observed booths. Similarly, APOs stamped the back of ballot papers in advance at 22 percent of the observed booths.

4 Counting Process Orderly but Transparency Lacking

The counting of the ballots took place in generally conducive environment across all the polling stations where counting was observed. At 67 percent of the polling stations, the security staff was observed to be present at the counting place. The candidates, their election agents or polling agents were present at 72 percent of the observed polling stations. The counting process was visible to the candidates or their agents in 93 percent of the observed polling stations. However, the observers at nine percent of the polling stations were seated at a place where they could not closely observe the counting process.

The Presiding Officer did not provide the copy of the Result of the Count (Form-45) to the candidates or their agents at 18 percent of the polling stations and to the observers at 34 percent of the polling stations. Moreover, the copy of Form-45 was not affixed outside the polling station building at 35 percent of the observed polling stations. Similarly, the Presiding Officers did not provide the Ballot Paper Account (Form-46) to the candidates or their agents at 39 percent of the observed polling stations and to the observers at 50 percent of the observed polling stations. No Form-46 was pasted outside 47 percent of the observed polling stations. None of the polling agents that FAFEN observers talked to raise any objection on signing Form-45, rather they expressed satisfaction with the counting process.

5 Women and Voter with Special Needs Facilitated

Slightly more than two thirds (69 percent) of the observed polling stations had ramps available at their entry points to enable wheel-chair bound voters to enter the building. A majority (53%) of combined polling stations had a single-entry point for both male and female voters despite ECP's emphasis on separate path in its training handbook for Presiding Officers. The security officials were observed to be affording a preferential treatment to the persons with disabilities in 88 percent of the instances. Similarly, the elderly were given preferential treatment in 96 percent instances, pregnant women in 85 percent, transgender in 42 percent and women with minor children in 90 percent instances.

6 Peaceful Polling Day with Isolated Incidents of Violence in Punjab

The political polarization particularly in Punjab led to polling day violence at isolated places in Lahore, Narowal, Rahim Yar Khan and Sheikhpura causing at least one death and multiple injuries. FAFEN observers reported six incidents of minor scuffles from as many polling stations among voters, political workers and polling agents. The Presiding Officers at one percent of the observed polling stations also reported such instance at the polling premises during interview with FAFEN observers.

FAFEN observers noted a crowded and unorganized atmosphere outside two percent of the observed polling stations while a tense and fearful environment prevailed outside almost one percent of the observed polling stations. The prevalence of crowded and unorganized environment inside the polling stations was slightly higher (three percent).



The observers reported almost universal presence of the security officials outside the polling station buildings except at two percent of the observed polling stations. The security officials at two percent of the polling stations were observed to be barring the potential voters from entering the polling stations for a variety of reasons.

More than three quarters of the Presiding Officers reported they had direct phone numbers of the Returning Officers to reach out to them when required. Nearly a quarter (23 percent) had office phone numbers and 16 percent had phone numbers of a person among the staff of Returning Officer. Nearly four percent of the voters expressed dissatisfaction with the voting process and the treatment at the polling stations.

7 Restrictions on Independent Observation

Section 238 of the Elections Act, 2017 permits duly accredited election observers to observe the proceedings including the voting and counting processes. The ECP provided accreditation cards to FAFEN observers timely in all constituencies except PP-22 Chakwal-cum-Talagang where the election officials provided the accreditation cards at 11:00am on the polling day. The security officials deployed at the polling stations barred FAFEN observers to enter the polling premises for observation of voting and counting processes at 21 polling stations despite presenting the ECP's accreditation cards. More than half of these polling stations (12) were in PP-22 Chakwal-cum-Talagang and seven in PP-36 Wazirabad.