

IMPERSONATION AND ADMINISTRATIVE MISCONDUCT AT THE ELECTION COMMISSION OF PAKISTAN

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ABSTRACT

This study investigates the abuse of power and institutional vulnerability within Pakistan's electoral system by analyzing the case of Mr. Karan Kumar, a private citizen summoned by the Election Commission of Pakistan (ECP) despite not being a registered candidate. After complying with the summons, Mr. Kumar faced misconduct by ECP officials, including verbal abuse and procedural manipulation by a Deputy Director, with no meaningful inquiry conducted despite tribunal direction. Although a legal petition was filed, the summons remained unrevoked, and harassment reportedly escalated through informal and extrajudicial means.

Methodologically, the paper draws on document analysis, comparative reviews of election oversight mechanisms in the UK and India, interviews with legal experts and civil society members, and prior academic literature. The findings expose a troubling pattern of bureaucratic impunity, overreach, and institutional failure within the ECP, consistent with earlier critiques of Pakistan's administrative bodies raised in Siddiqui's publications, including "Public Funds, Private Gains" (2022) [<https://doi.org/10.61841/2s3kmv78>], "Who Judges the Judges?" (2019) [<https://doi.org/10.61841/txq2w096>], and "Unlicensed Medical Practice and Institutional Silence" (2024) [<https://cibgp.com/au/index.php/1323-6903/article/view/2876>]. These works collectively reflect a broader scholarly trend in Siddiqui's research, which critiques systemic weaknesses in public sector accountability and regulatory enforcement.

By extending the analytical scope to Pakistan's electoral machinery, this paper identifies urgent accountability gaps, including lack of internal oversight, politicized appointments, and procedural opacity. Drawing on civic engagement theory and administrative law frameworks, the research recommends seven core reforms: nullification of the unconstitutional summons; an independent inquiry against the responsible officer; standardized conduct and grievance procedures for ECP officials; integration of public complaint systems; mandatory training in ethics and electoral integrity; digital grievance tracking; and amendment of the Elections Act of Pakistan to restrain unchecked administrative discretion.

This paper builds on the author's prior publications such as "Liberalism in South Asia" [<https://cibgp.com/au/index.php/1323-6903/article/view/2870>], and the cross-jurisdictional critiques in "Surveillance Overreach and Judicial Apathy in Global Drone Policy" [Russian Law Journal, <https://doi.org/10.52783/rlj.v9i2.4997>], and "Constitutional Vulnerability in the Age of



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Digital Surveillance” [CRLSJ, <https://doi.org/10.52783/crlsj.449>], which address the fragility of state institutions in safeguarding citizens’ rights.

Ultimately, this research asserts that without transparency, rule-based enforcement, and civic accountability, democratic institutions in Pakistan risk functioning as instruments of coercion rather than justice. The paper calls for structural reforms that realign the ECP with constitutional principles and democratic norms.

Keywords: Election Commission of Pakistan, impersonation, administrative misconduct, procedural irregularity, democratic institutions, accountability, summons abuse, bureaucratic overreach, electoral governance in Pakistan

Introduction

It is the ECP that plays a key part in the political structure of the nation. Since it is tasked by the constitution, the ECP must organize and guarantee that elections at every level are held in a free and fair manner. It is in charge of keeping the voter list, managing political parties, resolving any election issues, and applying the rules in the Elections Act, 2017. To sum up, the ECP upholds democratic norms and is vital for maintaining people’s confidence in the results of elections.

Even though it has some of the most important duties, the ECP has dealt with controversy. Through the years, people have pointed out that it has problems with how it operates, the way it makes decisions, and how its officials behave. There have been a number of elections where it was alleged that votes were rigged and that certain influences were put on the adjudication process. International Crisis Group reported (in 2019) that there are gaps in Pakistan’s institutions and accountability, causing the ECP to deal with political interference and become susceptible to corruption, which concerns the credibility of elections in Pakistan.

Using its system for personal or political gain is one of the main reasons many people are concerned with the ECP’s current work. Sometimes, it has been found that people not involved in electoral activities are the targets of its processes: issuing summons, arranging the voter list, and holding hearings to decide exclusions. Doing this has the effect of lowering the standing of the Commission and breaching core rights such as due process, dignity, and being treated equally by the law.

This trend is clearly seen in the situation of Mr. Karan Kumar. Mr. Before Kumar ever applied to be a candidate or contested an election, the ECP told him he had to attend a recalculation of votes. When he introduced himself, a Deputy Director launched aggressive behavior, humiliated him, and made threats, because she could not accept the supreme court’s summons. The unusual and inappropriate actions by the ECP worry people and make them question if the ECP’s rules for control, laws, and accountability are sufficient.

The study looks carefully at the reasons why there were problems in the process Mr. Kumar faced. It strives to reveal that democratic institutions can be distorted if no one is monitoring them. By putting this case in the context of electoral systems and government accountability in Pakistan, the

paper points out that urgent changes, more openness, and effective controls over bureaucrats are needed.

Statement of the problem

Transparency, accountability, and rule of law are the main ideas behind democratic institutions. If these institutions misuse their role or break their laws, they can affect people's rights and cause people's trust in democracy to drop. The instance of Mr. Karan Kumar proves that there has been a major flaw in the way the Election Commission of Pakistan handles its duties. Because the senior official mishandled the matter and the ECP did not take any action, it proves that the administrative accountability, the law, and ways to address complaints are not properly set up within the ECP. It makes people wonder if issues like this can be managed more smoothly if bureaucrats and institutions are open. The main issue here is that government officials bypass the law by using it for elections, there is little punishment for them, and internal measures to prevent this are missing. It is important to solve this problem to ensure people's rights and also to maintain the integrity of Pakistan's democracy and elections.

Objective

Here, I look at how institutional breakdown happened at the ECP by focusing on Mr. Kumar's situation. It studies situations where mishandling in the bureaucracy, ignoring mistakes, and excessive authority can lead to targeting a person. The main objective is to suggest measures to prevent this action and restore people's trust in the institution.

Significance of the study

This study underlines the need for reforms in the Election Commission of Pakistan (ECP) because it is a key part of how the country's democracy is run. This research highlights how Mr. Karan Kumar's plight caused by impersonation and government incompetence proves that wrongdoings in the system not only endanger individuals but also harm official organizations' reputation. The research makes clear that, even if required by the constitution, bodies can be misused if no accountability is put in place. The conclusions it reaches play a part in discussing transparency in elections, rules of law, and citizens' safety, and they include helpful ideas that can inspire updates to policies, laws, and reforms within institutions. Besides this, this case encourages others to examine whether similar overreaching and misuse of power exist in other branches of the government. The study tries to improve democratic governance and increase the public's trust in election procedures in Pakistan by sharing information, setting standards, and providing oversight.

Methodology

This study looked into issues related to Mr. Karan Kumar's case by applying various methods and examining related documents. To look at and examine the failure of institutional checks, the goal was to find strong evidence stretching from official records, own observations, contrasting situations in different institutions, and the comments of legal professionals.

Document Review

The first approach involved checking all the important documents linked to the case. It comprised Mr. Kumar's original summons, letters from the ECP tribunal, and parts of the 2017 Elections Act

that focused on the procedure for issuing legal notices and the guarantees offered to people in such matters. In addition, the review measured the ECP's internal rules of behavior (ECP, 2018) for officers, describing what they should and should not do. Looking at the documents allowed for measuring the amount of deviation and misconduct in this matter.

Interviews

The next step was to carry out in-depth interviews with people. Most of the interviews featured Mr. Karan Kumar, the main subject, and the author, who gave legal advice to Mr. Karan Kumar. Mr. From Kumar's own words, it was clear that aggressive action taken by the Deputy Director of the ECP, unfair legal treatment, and continuing harassment were part of his experience. By bringing in his legal experience, the author showed how the ECP failed to follow the rules set out in the law. The personal accounts reduced Mr. Kumar's suffering and helped explain the harm the abuse caused him.

Comparative Analysis

To compare the ECP's actions with those of electoral authorities in other countries, the study did a comparative analysis of similar institutions worldwide. It looked at the organizations and the ways of resolving complaints in both the UK Electoral Commission and the Indian Election Commission. Central banks were picked because they have clear procedures for being transparent, are accountable to the public, and work without political control. From the analysis, it was clear that when it comes to elections and administrative problems, each is dealt with differently, which shows how important strong institutions and independent checks are (Kumar & Sharma, 2020; House of Commons, 2019). Using this comparative approach allowed researchers to point out the ECP's problems and provide helpful suggestions for change.

Stakeholder Consultation

In the end, consultations were arranged with important stakeholders to learn about the main issues within the ECP. Stakeholders in the meeting were election law specialists, people from civil society, human rights defenders, and retired ECP officials. Overall, their insights made it apparent that bureaucratic immunity, ineffective enforcement of rules, and political control over administrative tasks are major issues in the institution as a whole. After consulting with staff members, it was established that Mr. Kumar's complaint was a sign of bigger organizational and cultural problems in the Commission. By using these dialogues, both problems in the policies and the measures required to resolve them were brought to attention (Ahmed & Hussain, 2021).

Case Description

Issuance of Erroneous Summons

The beginning of this case happened when Mr. Karan Kumar was solemnly given a summons to the Election Commission of Pakistan (ECP) in Islamabad for a vote recalculation at its headquarters. The whole situation became legally meaningless since Mr. Kumar was never on any list of candidates or for voters. To that point, he had done none of the things needed to be a candidate, like submitting nomination papers or being shown acceptance. According to Elections Act 2017, Section 93, only registration candidates or election agents can be questioned or brought forward for adjudication on polling discrepancies. Because the summons didn't follow these legal

rules, Mr. Kumar was put under unwarranted investigation and suffered from an illegal administrative standpoint. This event points to a notable blunder in the process, which might mean either carelessness or deceit from someone with an official role.

Confrontation with Deputy Director

Mr. Kumar attended the ECP offices as asked by the notice provided, but a female Deputy Director treated him badly despite this. Instead of treating him with respect due to her job, the Deputy Director decided the summons did not matter and ordered Mr. Kumar to leave. According to people who viewed the interaction and Mr. Kumar, her speech and movements were aggressive and reached a point that could scare others. This conduct breaks the Election Commission's Code of Conduct (ECP, 2018), which says that all staff should be respectful to the public. This also raises doubts about how the court could summon a witness, while a senior officer could just deny it, with no investigation or clear steps followed inside the court?

Tribunal Proceedings

As a result of the confrontation, Mr. Kumar also got a second summons, this time called to meet in the ECP tribunal. At this time, members of the tribunal seemed to verbally agree that an error might have happened. They promised Mr. Kumar that an in-house investigation would take place and the issue would be fixed soon. Still, the promise has been shown to be empty so far. Presently, nothing has been added to the case, including a written response, status update, or a retraction of the summons. The fact that the tribunal fails to deal with unfinished cases worries people about transparent processes, inactivity, and no urgency from institutions when citizens are accused wrongfully. According to Khan (2021), having informal or optional types of accountability systems leads to serious losses in the public's trust in the organization.

Continued Harassment

One of the most disturbing things about this situation is how much Mr. Kumar has been harassed since having a conversation with the Deputy Director. Although she doesn't admit that her summons was legitimate, she still impacts Mr. Kumar unofficially, alleged to have threatened him and urged him not to use the courts. Her staying in the same position for so long means that internal systems for checking officials do not work well. It means that some cultures give the idea that wrong actions may even go unnoticed or be shielded by official silence. According to Sattar (2019), when officials are not properly held accountable, this damages democracy and allows some officials to manipulate public systems for their own satisfaction.

Discussion

Procedural Irregularities

A democratic process is only credible when it strictly follows established legal steps and has all the evidence supported by documents. Mr. Kumar's summons were not supported by valid laws passed by the Election Commission of Pakistan. Court records showed no vote-candidate affiliation for him, no proof of him submitting the paperwork, and also no complaint was made that led to his participation. This situation goes against the established procedures. Under the Elections Act, 2017, only certain requirements should be met for someone to be summoned, and none of them were applied here. According to Transparency International Pakistan (2020), a lack of proper procedures encourages unlawful choices and bullying of particular members. If a

summons is given without thorough verification or because of unclear communication within the organization, it reveals a problem that may affect people's rights as well as the faith the public has in its officials.

Abuse of Authority

The Deputy Director acts in a way that reveals the high level of bureaucratic power without control. Lawful conduct was not maintained by her; instead, she acted rude and disobeyed legitimate procedures. By refusing to receive a summons and trying to drive Mr. Kumar out of her office, she not only broke the ECP's code but also revealed that it is common for some officials to intimidate regular people. Mehboob (2020) explains that due to missing internal disciplinary structures and external checks, abuse of authority exists in many South Asian bureaucracies. Not punishing misconduct encourages a climate where others in upper levels can do the same thing as well.

Institutional Manipulation

We can see from this case how institutions created to defend democracy can be misused by people involved for their own benefits. Instead of promoting election security as required by the constitution, the ECP became involved in Mr. Kumar's victimization. The case represents examples of institutional capture, since these mechanisms are applied to influence decisions or discourage divergent opinions rather than represent the people. Ahmed (2021) states that when independent checks and good complaint resolution systems are not present, democratic institutions can be tampered with by those who run them. This problem does not only affect how the institution works but also weakens people's belief in democracy.

Accountability Gaps

What worries many is that the ECP tribunal has done nothing at all since its formation. Even though grand jury members pointed out the mistake in proceedings and promised to investigate further, no investigation has started, nobody has been disciplined or held accountable, and the original call for Robert Kraft has not been canceled. Doing nothing in these situations means there are clear flaws in the institution's accountability. According to Niazi and Farooq (2018) delayed actions and missing formal accountability channels are quite common in many government departments in Pakistan. Such issues give officials permission to act freely and harm the people's trust in government. Addressing Mr. Kumar's problem has taken long and is part of a bigger trend of paying minimal attention to such matters that needs to be sorted out soon.

Conclusion

Mr. Karan Kumar's case clearly reveals the bigger problems with Pakistan's electoral structure. Although the incident can be explained as a single mistake in the system, further investigation points to major issues: instead of helping a person in democracy, the institution intimidated him and caused ongoing discomfort. This happened, not just because of poor judgment, but because democracy and human rights were not followed. Not requiring people to register for elections, providing an incorrect summons to someone, and an ECP official acting improperly show how small details and carelessness by the institution can lead to injustice.

Essentially, this case shows a serious weakening of democratic safeguards. In democracies, it is important for commissions related to elections to uphold the greatest standards of fairness, transparency, and organized rules. Yet, when those organizations behave without reason, for instance inviting uninvolved people and not penalizing officials who commit mistakes, they turn into tools of compulsion instead of upholders of democracy. Mr. It is seen in his personal story that his growth closely follows this change. Nothing was done to punish him, and he was still threatened, proving that normal people have no protection if the system fails to enforce justice. Besides, the ECP's lack of response to its tribunal's statements raises major issues about its own action. When there is no formal outcome of wrongdoing, it shows that something is seriously wrong inside the organization. Because they do not reprimand those responsible for violations, the country's highest electoral body risks losing people's respect and looks the other way when due process is ignored. Because of this, people's trust in public institutions is reduced and so is the involvement of citizens, which corrodes the essence of democracy.

Recommendations

The following recommendations are proposed to address the administrative lapses and safeguard institutional integrity in the context of the misconduct involving the Election Commission of Pakistan (ECP):

1. Rescind the Summons

The Election Commission of Pakistan ought to remove the summons issued to Mr. Karan Kumar that are against the law. Besides revoking the notice, the Commission ought to send a formal written apology to express that it is still committed to making procedures fair and respecting due process. Enacting these measures plays an important role in rebuilding the public's trust and the reputation of the organization.

2. Independent Investigation

For fairness and responsibility, a judicial commission or a neutral ombudsman should look into how the situation allowing the false summons to be issued. It is important for this body to look into the role of the Deputy Director and find out what shortcomings in the system made this kind of misconduct possible. An independent authority watching over the Commission is important so that rights abuses are stopped and people can regain trust in the Commissions officers.

3. Standardize Protocols

Issuing summons should immediately be regulated by creating and enforcing standard processes for it. All protocols have to include standard templates that accurately reference the legal sources and the relevant laws on elections. Regularly holding audits and reviews guarantees that all

departments stick to the established ways, reduces decisions at the administrative level, and ensures similar results.

4. Training and Accountability

It is important for all employees of ECP to take part in regular training on administrative law, ethics, and resolving conflicts. This training is necessary and should be used during staff performance assessments. At the same time, a clear system for handling internal discipline must be put in place, along with clearly set consequences and deadlines for solving such situations. Every member of staff should be held accountable as part of the organization's culture.

5. Public Grievance Portal

For greater openness and active public participation, the ECP ought to introduce a tool that lets citizens register their complaints, follow them, and get fast answers. To be accessible to many users, the portal should come with features in multiple languages and support accessibility. It will ensure that electoral institutions can respond and interact well with the people.

6. Legislative Safeguards

It is very important to improve regulations to avoid additional use of administrative tools such as summons. For parliament to prevent unfair and political interference by officials during elections, it should include clear support for citizens in the Elections Act. The use of such legal checks will strengthen categories of government institutions and guarantee democratic accountability.

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