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**BEFORE THE HON'BLE SECRETARY ELECTION COMMISSION OF
PAKISTAN ISLAMABAD**

Niamat Ali, son of Rehmat Ali resident of Raiwand Road Jia Bagga Post office Khas Tehsil Lahore city.

Appellant

VERSUS

Delimitation Committee Punjab, NA-136 Lahore XIV.

Respondent

REPRESENTATION/APPEAL UNDER SECTION 21 RULE 12 READ WITH ALL ENABLING PROVISIONS OF THE ELECTION ACT, 2017 AGAINST THE DELIMITATION BY THE RESPONDENT

Respectfully Sheweth:

1. That correct addresses of the parties are incorporated in the caption of the instant appeal for service of process and issuance of any notice / summons by this Hon'ble Authority.
2. That the brief facts leading to filing of instant appeal are that the appellant is a registered voter of NA-136 Lahore-XIV in Electoral Area / Census Block No. 261040408. Respondent has illegally and unlawfully included the Charge number 4, Circle numbers 3, 4 and 5 namely Janjaty, Jia Baga and Khana Nipal Rakh Ray similarly Charge number 5, Circle numbers 1, 4, 7, and 8 namely Ghang Sharif Chak Boota, Ladhy ki Uchy, Rakh Ladhy Ki Uchy Chak Vheghal and Ladhy Ki Nivaien and Watnaan from NA-134 XII and included in NA-136 Lahore XIV it is pertinent to mention here the respondent illegally included the charge number 3, Circle number 8 namely Sadhoki into the NA-134 against the instructions issued for delimitation of constituencies of Provincial Assembly and National Assembly under The Election Act, 2017 and the rules made there-under. (Copies of voter certificate (**Annex-A**), Map issued by the ECP (**Annex-B**), Marked Map issued by Revenue Department, Proposed Marked Map (**Annex-C & C1**) Population Description Chart Original and proposed of Constituencies NA-136 Lahore XIV & NA-134 Lahore XII (**Annex-D & D1**), are attached herewith).

3. That the appellant prepared a proposed map and detail of equal distribution of population, compactness and public convenience of the adjacent constituencies' i.e. NA-136 Lahore XIV & NA-134 Lahore XII as per law and rules. Copies of purposed Map and detail of population adjustment are attached as above.
4. That the impugned delimitation dated 05-02-2018 is illegal, unlawful and the same is liable to be set aside, inter alia, on the following:-

GROUNDS

- a) That the impugned delimitation is against the recognized principles of delimitation, including but not limited to the principles of equal distribution of population, geographical compactness, existing boundaries of administrative units, facility of communication and public convenience, even marking is wrong by the Authority and it is therefore, liable to be declared illegal, unlawful and against the law and rules applicable thereto.
- b) That the respondent has illegally, unlawfully included the area of Raiwand Tehsil i.e. Charge number 4, Circle numbers 3, 4 and 5 namely Janjaty, Jia Baga and Khana Nipal Rakh Ray similarly Charge number 5, Circle numbers 1, 4, 7, and 8 namely Ghang Sharif Chak Boota, Ladhy ki Uchy, Rakh Ladhy Ki Uchy Chak Vheghal and Ladhy Ki Nivaien and Watnaan into the NA-136 Lahore XIV from the NA-134 Lahore XII it is pertinent to mention here the respondent illegally excluded charge number 3, Circle number 8 namely Sadhoki from the NA-136 XIV and included into the NA-134 Lahore XII against the instructions issued for delimitation of constituencies of Provincial Assembly and National Assembly under The Election Act, 2017 and the rules made there-under and has thereby caused permanent inconvenience and confusion for the residents of the NA-136 Lahore XIV.
- c) That above said proposed circles of Charge numbers 4, 5 are connected with NA-134 Lahore XII and according to the 'Extent of Constituency' published by the respondent, it is not connected with the NA-136 Lahore. Therefore, it is more appropriate if the said Area is made part of NA-134 Lahore XII in order to achieve the ends of geographical compactness and public convenience.
- d) That the impugned delimitation is a result of mala fide and political interference which has overlooked the principles of geographical compactness and public convenience, it is worth mentioning here the old map is also ignored and not considered at the time of delimitation. It is

worth mentioning here the respondent against law the Old NA-129 divided into three constituencies namely NA-132, NA-134 & NA-136.

- e) That under the law, rules and instructions the respondent has no power to delimit the constituencies anti Clock wise.
- f) That the respondent was duly bound to comply with the instructions for the delimitation of constituencies of Provincial Assemblies and National Assemblies and the same were not followed by him.
- g) That provisions / instructions for delimitation of constituencies of Provincial Assemblies and National Assemblies under The Election Act, 2017 and Rules made there-under have been flagrantly violated by the respondent.
- h) That the respondent wrongly mention the Kanungoi Halqa in the NA-136 Lahore XIV which is contradictory of notification issued by Additional Collector Lahore of new patwar circle dated 07-09-2012.(copy of the notification is attached as Annexure-E
- i) That the faulty, illegal and unlawful delimitation conducted by the respondent has disturbed the uniformity and compactness of the Provincial Assemblies and National Assemblies.
- j) That the respondent has illegally split more than 10% of Electoral Area / Census Blocks.
- k) That the respondent has no authority to detach the said electoral area from the NA-136 Lahore XIV, therefore, he has assumed the jurisdiction not vested in him.

PRAYER:

In view of the above submissions, it is most respectfully prayed that instant appeal / representation / objection petition may kindly be accepted and impugned delimitation may kindly be set-aside.

It is further prayed that Area of Raiwand Tehsil i.e. Charge number 4, Circle numbers 3, 4 and 5 namely Janjaty, Jia Baga and Khana Nipal Rakh Ray similarly Charge number 5, Circle numbers 1, 4, 7, and 8 namely Ghang Sharif Chak Boota, Ladhy ki Uchy, Rakh Ladhy Ki Uchy Chak Vheghal and Ladhy Ki Nivaien and Watnaan be excluded from NA-136 Lahore XIV and be included to the appropriate NA-134 Lahore XII similarly the area i.e. Charge number 3 Circle number 8 namely Sadhoki be excluded from NA-134 Lahore and be included in NA-136 in the supreme interest of justice, equity and fair

Any other relief which this Hon'ble Authority deems fit and appropriate under the circumstances may also be awarded to appellant.

Appellant

Through

Counsel

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7-Turner Road,
Lahore.

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Dated:03-04-2018