

BEFORE THE DELIMITATION AUTHORITY OF THE ELECTION COMMISSION OF PAKISTAN

MUHAMMAD AKRAM AZIZ son of Abdul Aziz, resident of Khudian Khas, Tehsil & District Kasur.

Petitioner

VERSUS

The Delimitation Committee, District Kasur.

Respondent

OBJECTION UNDER RULE 21 OF ELECTION RULES, 2017 FOR THE NATIONAL ASSEMBLY SEATS OF DISTRICT KASUR.

Respectfully Shweth:

1. The petitioner is a resident of District Kasur and seeks to rectify the delimitation of the National Assembly seats of District Kasur carried out by the Delimitation Committee of the Election Commission.
2. That the website of the Election Commission of Pakistan released the population under form 5 of Rule 10(7) of Election Rules, 2017 of the four National Assembly Constituencies of the District Kasur as follows:

			Population
i.	NA-137	Kasur-I	8,65,491
ii.	NA-138	Kasur-II	8,29,492
iii.	NA-139	Kasur-III	8,61,992
iv.	NA-140	Kasur-IV	8,98,021

3. That the Patwar Circle of Lakhnake comprising a population of 24,028 and Patwar Circle of Khara comprising of 17,072 population both PCs of Raja Jung Qanoungoi Halqa (Q.H.) and the two altogether comprising a population of 41,100, which have been shown in the proposed Delimitation map provided by the Delimitation Committee of Election Commission of Pakistan as part of NA-137 Kasur-I; whereas the population of 41,100 comprising of these two Patwar Circles namely, Lakhnake and Khara of Raja Jung Q.H. have been counted in NA-138. This anomaly of showing this area in one constituency and counting it in another is a grave error on the part of this Delimitation Committee acting on behalf of the Election Commission of Pakistan.

In fact, these Patwar Circles are not even geographically contiguous to NA-138 since the two are geographically part and parcel of NA-137 as shown in the proposed maps prepared by the Committee.

4. That, if the population of these two Patwar Circles namely Khara and Lakhaneke are excluded from the population count of NA-138 and included in NA-137 as it must be the case since they are not contiguous to NA-138 then the difference between the population of NA-138 and NA-140 will be 1,09,629, which is unsustainable under the principle of equality of votes in different constituencies as contemplated by the Supreme Court in the case of Province of Sindh vs MQM etc. (Civil Appeal No. 38 to 45 2014).

5. That, it would be appropriate and in the fitness of things to rectify these grave errors of delimitation through the following proposals:

5.1. That the Patwar Circles of Khara and Lakhanke together comprising a population of 41,100 may kindly be counted as part of NA-137 as it is in fact it is shown in the delimitation map provided by the Committee. Hence the population of NA-137 will be enhanced to 8,57,566 with the addition of 41,100. This, however, will create a huge imbalance of population between the respective constituencies because the removal of a population of 41,100 from NA-138 will result in the reduction of its population and bring it down to the tune of 7,88,392. It is, thereof, proposed that the Patwar Circle of Q.H. Kasur-II namely Bahadurpura and the Patwar circle of Q.H. Bheela Hithar P.C. comprising populations of 23,775 and 24,250 respectively may kindly be included in NA-138 as the two are contiguous to each other and also to NA-138. Furthermore, patwar circles of Daoke Khaniana and Garay Wala both patwar circles of Q.H Talwandi comprising populations of 16,742 and 7,571 respectively may also be included in the population of NA-138. Hence, the subtraction of a population of 41,100 of Patwar Circles Khara and Lakhanke and the addition of a population of 73,338 of P.Cs Bahadurpura, Bheela, Daokay and Garay Wala will bring into equilibrium the populations of NA-137 and NA-138.

Therefore, with this proposal NA-137 Kasur-I with its new population of 8,57,566 and NA-138 with its new population of 8,61,730 will become pretty much equal to one another in terms of population even after the removal of Patwar Circles of Khara and Lakhanke from NA-137.

5.2. That the aforementioned reduction of a population of Patwar Circles of Daoke Khaniana and Garay Wala of Q.H. Talwandi (which are included by the Committee in NA-139 Kasur-III) comprising a population of 24,323, will reduce the population of NA-139 which presently comprises of a population of 8,61,992. This can be compensated accordingly by including into NA-139 the populations of Patwar Circles of Bhoel Asal comprising 13,461, Gandhi Utar

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comprising 11,551 and Phuliani-II comprising 7,940 (all Patwar Circles of NA-140 of Q.H. Jamber Kalan). Hence by subtracting a population of 32,952 of NA-140 and adding it to NA-139 Kasur-III, the population of NA-139 shall be enhanced to 8,70,631.

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5.3. That by reducing the population of NA-140 by 32,952 through the removal of its Patwar Circles of Bhoel Asal (13,461), Gandhi Utar (11,551) and Phuliani-II (7,940) and including them in NA-139 the population of NA-140 shall become 8,65,069 instead of a disproportionately high population of nearly 9 hundred thousand and will become nearly equal to the population of all other constituencies which is presently not the case as proposed by the Delimitation Committee.

6. That a population of 8,63,749 is the ideal benchmark figure of each NA constituency of District Kasur since the total population of the District Kasur is 34,54,996. The aforementioned proposals will result into the following positive changes in the respective NA constituencies of District Kasur.

6.1. NA-137 Kasur-I presently 9,06,591 (8,65,491 + 41,100) shall comprise of a population of 8,57,566. The population of 41,100 of PC Khara and PC Lakhanke was erroneously excluded from the count for reasons stated earlier.

6.2. NA-138 Kasur-II presently 7,88,392 (8,29,492 + 41,100) shall now comprise of a population of 8,61,730. The population of PC Khara and PC Lakhanke was wrongly included in NA-138 for reasons stated earlier.

6.3. NA-139 Kasur-III presently comprising a population of 8,61,992 will now change to a population of 8,70,671.

6.4. NA-140 Kasur-IV presently comprising a disproportionately high population of 8,98,021 changes to a population of 8,65,069; a figure more in tune with the ideal benchmark figure of 8,63,749

Thus, these proposals will result in bringing into equilibrium all the four constituencies of National Assembly with each other. Each constituency will have a population which is very close to the mathematically accurate figure of 8,63,749. The difference of population in each constituency shall be within the margin of error of one percent or less when compared to the accurate benchmark figure of 8,33,749. Unlike the proposal of the Delimitation Committee, the present proposals will insure that each constituency will have its Patwar Circles contiguous to each other. In doing so, due care has been taken not to breakup any Patwar Circle of any constituency in the District and the principle of starting the delimitation process from the northern end of a district while proceedings in a clock-wise manner has also been followed. Due care has also been taken not to disregard the effect of any variation of population in any one constituency without its concomitant effect on any other constituency.

Hence, each of the NA constituencies will become completely balanced and in complete harmony and equilibrium with the other and the principle of equality of votes in each constituency as contemplated in the aforementioned Supreme Court judgment will also be observed.

Therefore, it is most respectfully submitted that the aforementioned proposals may kindly be accepted in the light of embracing the principle of "one man, one vote" with each vote having approximately the same weight in determining the outcome of elections as contemplated in (PLD 1993 SC 373),

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