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BEFORE THE HONOURABLE SECRETARY ELECTION COMMISSION OF PAKISTAN,
ISLAMABAD.

Representation No. _____/2018

In the matter of delimitation of constituencies:-

Shakeel Akhtar S/o Muhammad Yaqoob
(CNIC No.36302-3791959-1)
Mouza Bootay-wala Post Office Khas Tehsil and district Multan
Cell No. 0300-9631479

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**REPRESENTATION UNDER SECTION 21(3) OF
THE ELECTION ACT 2017 READ-WITH THE
PROVISION OF CHAPTER III, PART A OF
ELECTION RULES, 2017 ON BEHALF OF
PETITIONERS FOR MAKING APPROPRIATE
AMENDMENT ALTERATIONS OR
MODIFICATION IN THE PRELIMINARY LIST OF
PROPOSED CONSTITUENCIES OF DISTRICT
MULTAN (PUNJAB) INTER ALIA PROPOSED NA
158 AND NA 157**

The petitioners respectfully submits as follows:-

That the instant representation is being filed by the petitioner Shakeel Akhtar S/o Yaqoob (here is referred to as the "applicant") voter member of National Assembly Constituency NA 158 (proposed). So the applicant duly competent to file the instant representation under the law. Attested voter number slip of Applicant as Annexure-A

2. Through this representation, the applicant seeks to challenge the preliminary proposal published by the Election Commission of Pakistan pertaining to the delimitation of the National Assembly Constituency NA 158 AND NA 157 of district Multan (hereinafter referred as "The preliminary proposal"). The map of the preliminary proposal which was provided by Provincial Election commission, as per mandate of law is attached as annexure "B".

3. It is pertinent to mention here that in the preliminary proposal district Multan is now left with 14 Provincial Assembly constituencies numbering 154 to 159 which previously were in number 148 to 154.

4. The preliminary proposal is in sheer violation of the statutory principles of delimitation as enshrined in section 20 of the Act. It is mandatory provision of law because as per section-20 of the Act 2017 as well as section 10 of the Election Commission Rules 2017 following draft proposal of delimitation of the constituencies would be the appropriate, so far the kind perusal of section 20 of the election Commission Act and section 10 of the Election Commission rules- 2017 are reproduced as under:-

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Section-20 (1). All the constituencies for general section shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact Areas. Physical features, existing boundaries of administrative units, facilities of communication and public convenience in the creation of constituencies.

(2). For the purpose of delimiting constituencies for the general seats of the Provincial Assembly for the tribal Areas two or more separate areas may be grouped into the constituency.

(3). As far as possible, variation in population of the constituencies of an assembly or a local government shall not ordinarily exceed ten percent.

(4). If the limit of ten percent under sub-section (3) is exceeded in a exceptional cases, the commission shall record reasons thereof in the delimitation order.

Section-10 of the Election Commission rules is also reproduced as under:-

Draft proposal of delimitation of the constituencies---

(1) A Delimitation committee constituted under rule 9 shall, immediately after its constitution, proceed to obtain from Pakistan Bureau of Statistics, population data of last census officially published along with the relevant maps showing therein census charges, census circles and census blocks along with description, relating to a province, and agency, or any other administrative or revenue units as it may require.

(2) The delimitation Committee shall also obtain district maps along with description, duly authenticated by Pakistan Bureau of Statistics, or as the case may be, the district head of Revenue Department, prepared on a uniform scale as may be determined by the commission indicating therein details of all administrative and revenue units in the district to the level of a Patwar circle or as the case may be, a Tapedar Circle, as well as prominent geographical and physical features, such as rivers and mountains and any other information as may be determined by the commission or required by the Committee.

(3) In preparing draft proposals for delimitation of constituencies, the delimitation committee shall follow the principles of delimitation as laid down in section 20 procedure given in this chapter and guidelines provided by the Commission from time to time.

4. The constituency for an Assembly shall not ordinarily be extended to more than one district except in exceptional circumstances for reasons to be recorded by the Delimitation Committee.

Provided that a Patwar circle or, as the case may be, a Tapedar Circle shall be the basis unit for delimitation and it shall not be broken under any circumstances.

Provided further that in case of urban areas census circle shall not be broken under any circumstances.

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(5). As far as possible, the delimitation of constituencies of an Assembly shall start from the Northern end of the district, or as the case may be, the agency and then proceed clock-wise in zigzag manner keeping in view that population among the constituencies of an assembly shall remain as close as may be practicable to the quota; provided that the quota under this sub-rule shall be determined by dividing total population of the district or the agency with number of seats allocated to that district or agency.

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Provided further that the variation in population between two or more constituencies shall not ordinarily exceed ten percent and the delimitation Committee shall record reasons, if in exceptional circumstances, the variation has to exceed the limit.

(6). For the purpose of preparation or draft proposals for delimitation, the delimitation committee may require assistance from any Federal, Provincial or, as the case may be, a local government authority.

(7). After the draft proposals for delimitation of constituencies are finalized on form-5, the delimitation committee shall send the same to the commission, within the time specified and in the manner as may be determined by the committee.

So, keeping in view above-mentioned election Commission Act and election commission rules, it is deemed necessary to amend/alter/change the preliminary proposal as follows:-

Suggested Amendments in the preliminary Proposal.

Suggestion No.1.

- (i) Patwar circle RID (Chak No.10-MR, 11-MR, 19-MR, RID) Patwar Circle 15-MR, (Chak No.15-MR, 16-MR, 17-MR) "PC-RID & 15-MR" herein after referred as "PC-RID and 15-MR" be taken out of NA-157 and inserted into NA-158 (Highlighted on the map).

- (ii) Patwar circle Bootaywala herein after referred as "PC-B" be taken out of NA-158 and inserted into NA-157 (Highlighted on the map).

(Highlighted on the map an Annexure-C.

Through table

Sr. No.	NA	Chaks	Population	Total	Remarks
1	PC-RID	10-MR. 11-MR. 19-MR RID	9975	17541	The said area may be taken out of NA-157 and same be inserted in NA-158
	PC-15-MR	15-MR. 16-MR. 17MR	7566		
2	PC-B	Bootawala,	12326	12326	The population may be taken out of NA-158 and same be inserted in NA-157

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Suggestion No.2.

- (i) Makhdoom Rsaheed town Committee (hereinafter referred as "MR-TC" taken out of NA-157 and inserted into NA-158 (Highlighted on map).
- (ii) PC-B and PC Bazdarwala herein as referred "PC B &B" be taken out of NA-158 and inserted into NA-157. (Highlighted on map).

(Highlighted on the map an Annexure-D.

Through table

Sr. No.	NA	Chaks	Population	Total	Remarks
1	MR-TC	Town committee Makhdoom Rasheed	14833	14833	The said area may be taken out of NA-157 and same be inserted in NA-158
2	PC-B&B	Bootawala. Bazdarwala	19366	19366	The population may be taken out of NA-158 and same be inserted in NA-157

Suggestion No.3.

- (i) PC-B&B be taken out from NA-158 and inserted into NA-157 (Highlighted on map).
- (ii) PC-RID and 15-MR be taken out from NA-157 and be inserted in NA-158 (Highlighted on map).

(Highlighted on the map

Through table

Sr. No.	NA	Chaks	Population	Total	Remarks
1	PC-RID and 15-MR	10-MR, 11-MR, 19-MR, RID	9975	17541	The said area may be taken out of NA-157 and same be inserted in NA-158
		15-MR, 16-MR, 17MR	7566		
2	PC-B&B	Bootawala, Bazdarwala	19366	19366	The population may be taken out of NA-158 and same be inserted in NA-157

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GROUND SUPPORTING THE SUGGESTED AMENDMENTS.

PHYSICAL/GEOGRAPHICAL

(i). According to suggestion No.1 Area PC-RID & 15-MR is inserted into NA-158 due to political influence. Said Area is the last boundary of NA-158. Whereas the area of "PC-B" is in the centre of NA-157, but due to the partition of Qanoongoi and in order to provide political benefit to a specific persons of the area, this area is included in NA-158 whereas through East to West the area of "PC-B", there is constituency of NA-157 up to 10 Kilometer. While the area of "PC-B" is situated at Vehari road this population relates to the Multan City. In NA-157 total Area is Tehsil Saddar, Multan while in NA-158 mostly Area of Tehsil Shujabad. So people of Area "PC-B" have deep physical and geographical impacts with NA-157. Area "PC-B" is historical cultural back ground.

Historical/cultural Back ground

(ii) Traditionally, historically, socially, culturally and geographically. Area "PC-B" has always the part of NA-157. So it is not justified that an area which is heart of Tehsil Saddar, Multan is attached with the area of Tehsil Shujabad.

Service/Communication

(iii) Keeping in mind all five factors narrated in (ii) ibid the layout of service, road, network, revenue, policing, education, and health etc: were accordingly aligned and developed by Tehsil Saddar, Multan. Area suggested by the applicant be taken out from NA-158 and inserted into NA-157 always the part of Tehsil Saddar Multan so the geographical compact area suggested by applicant is alignment of NA-157. Whereas Area "PC-RID and 15-MR" are near to Tehsil Shujabad so Area PC-RID & 15-Mr geographically compact Area of NA-158.

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(iv). It may be pertinent to mention here that if the suggestions No.1 or 2 or 3 is accepted then the same shall be in compliance with section 20 of the Election Act 2017

Other cognate Factors

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(v). That the suggestions made by the applicant approximately equal population, area, radius distance, notable revenue boundary, roads, police stations, width and length of the area of the constituency as well as the suitable approach to the central place of the constituency.

(vi). That while preparing the NA-157 constituency, said committee violated the principle as laid down under section 20 of the election commission act 2017 as well as section 10 of the election Commission Rules 2017. As per the said rules and regulations while preparing both the delimitation of the constituency NA-157, & NA-158 violated the basic principle of dock-wise from north end to south.

5. That insertion of Area "PC-RID& 15-MR" in NA-158 and insertion of Area "PC-B" in NA-157 will not change the administrative boundary of the constituency and also balance population also remain according to law. Comparative table is attached herewith as Annexure-E.

6. The above mentioned grounds are suggested strictly keeping in mind the principles and welfare of the people of Multan city and it is stated that no selection of personal liking/disliking and or bias is shown while making the suggestion.

**IN VIEW OF THE AFOREMENTIONED
GROUNDS IT IS SUGGESTED THAT THE
PRELIMINARY PROPOSAL MAY KINDLY
BE AMENDED AS PER THE SUGGESTED
AMENDMENTS NARRATED ABOVE IN THE
BEST INTEREST AND WELFARE OF THE
PEOPLE OF MULTAN DISTRICT.**

Humble petitioner.

Shakeel Akhtar

Shakeel Akhtar Sindhu
Advocate High Court.
Multan