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THE HONORABLE SECRETARY, ELECTION COMMISSION
OF PAKISTAN

Representation No. _____/2018

On behalf of:

Shafqat Ali Shah S/o Shoukat Ali Shah, resident of Outside Rasheed Shah Gate, Mohallah Talianwala, Shuja Abad, Distt. Multan.

Subject: OBJECTIONS / REPRESENTATION UNDER SECTION 21(3) OF THE ELECTION ACT, 2017 READ WITH RULE-11 (4) OF THE ELECTION RULES, 2017 FOR THE DELIMITATION WITH REGARD TO CONSTITUENCY NOS. 158 OLD 152 MULTAN (V) AND NA 159 OLD 153 MULTAN(VI) BEING IMPROPER CONTRARY TO THE REAL POSITION AT SPOT AND FOR AMENDMENT AND MODIFYING THE SAME.

Respectfully Sheweth, *The voter certificate will be provided at the time of hearing.*

1. That the representative is the resident of Municipal Committee Shuja Abad and registered as voter Silsila No. 155, Shamaryati Code No. 215060601, Intekhabi Illaqa Mohallah Noor ul Islam Shuja Abad, Municipal Committee Shuja Abad, Distt. Multan, NA-158 Old NA-152.
2. That as per different paras of the above notification being annexed as R/1, the Honorable Election Commission of Pakistan has really performed its responsibility wisely, honestly, justly, fairly in order to conduct to near future general elections of Provincial Assemblies and National Assembly of Parliament of Pakistan.
3. That while issuing the aforesaid notification, inadvertently some illegalities and irregularities have been made which are required to be removed through amendments on the following grounds:



GROUND:

- A. That the petitioner is enrolled as a voter in the constituency NA 158 Multan.
- B. That every authority is required to act as per law and to facilitate the public instead of creating hurdles, difficulties and problems, as such, the required amendments and modifications are liable to be made in the aforesaid Notification.
- C. That luckily the representative being the candidate of Member of National Assembly or Provincial Assembly is the voter of Constituency No. 158 old No. 152 whereas, as per the questioned delimitation notification, Constituency No. 159 old No. 153 which is improper and impracticable, as such, the QH Raja Raam, which has already been broken, the following PCs Wahi Bakhar, Wahi Sawaya may kindly be remained intact in Constituency No. 158 old No.152, of which the undersigned is representative and voter and the whole QH Gunwan may kindly be remained intact in constituency No. 159 old No. 153.
- D. That as per challenged Notification, old QH Gunwan has been broken which law does not permit, as provided in rule-10 of Election Rules, 2017, the broken of GH is only permitted in circumstances, where the question of population cross the limits of voters determined for a constituency, which question is not involved in case in hand, as such, said notification is liable to be amended and modified reasonably.

- E. That the patwai circle of QH Raja Ram, PC Wahi Bakhar and Wahi Sawaia has been shifted from constituency No. 158 old 152 to constituency No. 159 old No. 153, which is unjust and improper for the voter members of these areas, as the whole theme of delimitation is to facilitate them. Therefore, it is proposed that the mentioned PCs i.e. PC Wahi Sawaya and PC Wahi Bakhar may be included in Constituency No. 158 old No. 152, being part of already broken QH Raja Ram, which being permitted by law and previously PC Wahi Sawaya and Wahi Bakhar was also within the NA-158 old NA-152 from last two decade.
- F. That by modifications and amendment of questioned delimitation Notification total number of voters do not exceed as per law and particularly voters of QH Raja Raam PC Wahi Sawayia and Wahi Bakhar be facilitated and also the voters of QH Gunwa (Jala Pur Khaki).
- G. That the electricity grid station of the area in NA-158 WAPDA office, SNGPL offices, the complaint offices are in NA-158.
- H. That since last two decade these areas i.e. PC Jala Pur Khaki remain in NA-159 and the area PC Wahi Bakhar, Wahi Sawayia of QH Raja Raam remain in NA-158.
- I. That the clock wise movement of the Constituency for delimitation is also being violated as in accordance to the ECP Rules and Laws said people of charge / areas merit to be included / excluded in the proposed in the proposed NA-158.

J. That as proposed and suggested above through this representation, all the requirements and principles of delimitation as provided under section 09 of Delimitation of Constituties Act, 1974 No. XXXIV of 1974 and section 20 of Elections Act, 2017, like distribution of population in geographically compact area, physical feature, existing boundaries of administrative unit, facilities communication and public convenience and other factors to ensure homogeneity in the creation of constituency are met with, as such, necessary modifications are liable to be made.

K. That the draft proposal made by the representative is purely based upon law and in consonance with the scheme, theme and wisdom of Election Commission of Pakistan as categorically expressly enshrined in the ab-initio of challenged delimitation notification as mentioned above.

L. That the netshell of the above grounds and proposals are culminated as follows:

PROPOSALS

i. NA 158 old 152

Total population 756003

If substracted 17860 (PC Jalal Pur Khaki QH Gunwan

Total remaining Population will be 738,143

And when added the population of mention PCs of QH

Raja Raam i.e. Wahi Sawaya, 8539 and Wahi Bakhar

8750 = 17,289/-

Then Total Population will be 755,432/-

ii. **NA 159 old 153**

Total Population 771,838

If subtracted 17,289

Total remaining population 754,549

And as proposed amendment by adding population of Jalal Pur Khaki PC i.e. 17860 then the total population of NA 158 then the total population of NA 159 will be 772,409


So as per above, no violation of any law is made as prayed for the amendment, as the limit of population is not exceeded.

NA No.	Proposed Distribution by Commission of Pakistan (ECP) for 2018 election	Population by election of Pakistan	Proposed / suggested by the Applicants
158	756,003		755,432
159	771,838		772,409

M. That as per requirements of the representation, prepared maps and marked maps are annexed herewith as Annexure-R/3.

PRAYER:

In view of the above, it is prayed that by accepting this representation, proposed draft may be accepted and modification and amendment may accordingly be ordered to be made in terms that the PCs Wahi Bakhar, Wahi Sawaya, of QH Raja Raam may kindly be included in NA 158 old 152 and the PC Jala Pur Khaki of QH Gunwa may kindly be intact in NA 159 old 153, which is in the interest of justice. Alternate remedy is also prayed for.


Representative
Shafqat Ali Shah

Through:
Counsel

Malik Javed Iqbal Wains
Advocate Supreme Court of Pakistan