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BEFORE ELECTION COMMISSION OF PAKISTAN
ISLAMABAD.

Hameed-ud-Din son of Hafiz Ahmad-ud-Din, Resident of 53,
Wahdat Colony, Gujranwala.

.....Petitioner

VERSUS

The Election Commission of Pakistan, Islamabad.

.....Respondent

REPRESENTATION UNDER SECTION 21 OF THE
ELECTION ACT, 2017 READ WITH RULE 12 OF ELECTION
RUES 2017, CHALLENGING THE PRELIMINARY
PROPOSAL, REGARDING DELIMITATION OF THE
CONSTITUENCY NA-81 (GUJRANWALA-III).

That the Petitioner most respectfully submitting as under:

1. That the Petitioner is law abiding citizen and believes in political process and is very much concerned, regarding the free, fair and transparent elections, to be held in 2018 in the country.
2. That the instant representation is being filed by Mr. Hameed ud Din Son of Hafiz Ahmed ud Din, resident of 53, Wahdat Colony, Gujranwala. (Copy of NIC is attached herewith as Annexure-A).
3. That the Petitioner is a registered voter under Block Code bearing No.16460104 Serial No. 156 Polling area Wahdat Colony, Gujranwala and falling in the constituency NA-81. (Copy of Vote details are attached as Annexure-B).

Provisions of Article 222 (b) of the Constitution of Islamic Republic of Pakistan, 1973, and Section 21 of the Election Act, 2017, and Rules framed thereunder. It was clearly resolved that quota per seat in respect of each Province/ Area/ Agency in the National Assembly has been determined as under:-

"15..... Quota per seat in respect of each Province/Area/Agency in the National Assembly has been determined as under:-

<i>Province /Area /Agency</i>	<i>Population</i>	<i>No. of Seats</i>	<i>Quota per Seat</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>Punjab</i>	<i>110,017,465</i>	<i>141</i>	<i>110017465/141=7 80,266</i>

- c. That the NA-81 & 82 (Gujranwala-III & IV), have not been delimited according to the principle of delimitation as prescribed in Section 20 of the Election Act, 2017, and Rules framed thereunder. The basic logic for the delimitation of constituencies has not been properly followed by the concerned authorities, in this regard.
- d. That 95% of the population falling in old NA-96 (New NA-81, Gujranwala-III), has been transferred to NA-82 (as pre preliminary delimitation) but 05 UCs i.e. 39, 40, 55, 56 & 57, have not been transferred into NA-82, Gujranwala-IV, and still intact with NA-81, Gujranwala-III, against which the plausible reasons

4. That the Election Commission of Pakistan has delimited the Constituency No. NA-81 (Gujranwala-III), vide its Notification dated 5th March 2018. That while delimiting the constituencies for general seats in District Gujranwala, principles of delimitations is not followed in letter and spirit.
5. That in consequences of fresh census, it is a fact that population ratio has been miserably imbalanced. The realization has resulted into the introduction of the new constituencies with new limits. As it is an admitted fact that creation of constituencies is directly linked with the population of a specific area. Therefore, this basic doctrine which is the route of creation of constituencies also linked with delimitation process and therefore the same has been adopted by the Election Act, 2017 and Election Rules, 2017 for the purposes of delimitation.
6. That the Petitioner is objecting the Delimitation of NA-81 on the following

GROUNDS

- a. That for the purpose of delimitation constituency for general seats, distribution of population in geographically compact areas, existing boundaries of administrative units, facilities of communication and public convenience are not followed.
- b. That in paragraph No.15 of the Notification No. F.8(3)/2018-Elec-I dated 5th March, 2018, published by the Election Commission of Pakistan in pursuant to the

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have not been advanced by the Delimitation Committee. The population of the above said 05 UCs is at situ on the Western side of Railway Line and remaining whole constituency is on the Eastern side of Railway Line. As such act on part of the Delimitation Committee is a blatant violation of Section 24-A of General Clauses Act, 195, which is being reproduced as under:-

"1..... Where, by or under any enactment, a power to make any order or give any direction is conferred on any authority, office or person such power shall be exercised, reasonably, fairly, justly and for the advancement of the proposes of the enactment.

2..... The Authority, Office or Person, making any order or issuing any direction, under the power conferred by or under any enactment shall, so far as necessary or appropriate, give reasons for making the order or, as the case may be for issuing the direction and shall provide a copy of the order or as the case may be, direction to the person affected prejudicially."

- e. That the previous status of NA-81, Gujranwala-III, shall not have any illegal implication towards the fresh delimitation process and even the previous status of NA-81, Gujranwala-III, is not prejudicing any provision of Election Act, 2017, and Rules framed thereunder.

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PROPOSALS:-

1. That 05 UCs i.e. 39, 40, 55, 56 & 57, which have not been transferred in NA-82, Gujranwala-IV, should be included therein.
2. Union Council Nos. 36, 69, 70, should be included into NA-81, Gujranwala-III.

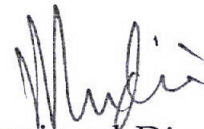
PRAYER:-

In view of abovementioned submissions, it is most respectfully prayed that the instant Representation may kindly be allowed and proposed changes hereinabove may kindly be accepted in the interest of justice and to make in conformity with the legal provisions and rules.



Petitioner
Hameed-ud-Din Awan

Through:-



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Dated: 03.04.2018