

① ✓

Before the Worthy Secretary to the Honourable Election Commission of Pakistan

Representation under section 21 of the Elections Act, 2017, read with rule 12 of the Election Rules, 2017 in respect of the delimitation of constituencies of Provincial Assembly of Punjab in District Sheikhpura particularly concerning proposed constituencies PP – 136 and PP – 142

Respectfully *Sheweth*:-

1. That the Petitioner is a permanent resident and voter of Mandiala, Patwar Circle Qila Amir Singh, Tehsil and District Sheikhpura. He is a social worker, politician and an elected councillor (General Member) from Ward No. 4, Union Council No. 46 namely Mandiala Virkan, Tehsil and District Sheikhpura. Welfare and betterment of people of his local area are paramount considerations for the Petitioner and he has been struggling for the same for a long time.
2. That the Preliminary Delimitation Report, 2018 proposes the delimitation of nine (09) constituencies of Provincial Assembly of Punjab in District Sheikhpura and the same have been published by this Honourable Commission. Relevant pages of the Form 5 pertaining to Provincial Assembly of Punjab are appended with this Representation. Since this Representation pertains to only two constituencies of Provincial Assembly from District Sheikhpura namely PP-136 and PP-142 therefore it is expedient to incorporate their details in this petition for ease of reference

Sr. No.	No. and name of Constituency	Extent of Constituency	Total Population
1.	PP – 136 Sheikhpura – II	(a) Muridke MC; (b) Muridke QH excluding the following PCs of Tehsil Muridke i. Lambhray ii. Tapiala Dost Mohammad iii. Chaurah Rajputan iv. Nangal Ksuwala v. Qila Sattar Shah vi. Wandala Nasir vii. Chuhiwali Khurd	379495

		(c) The following PCs of QH Sheikhpura of Teh. Sheikhpura i. Malian Kalan ii. Kheropur Malian iii. Mauje ki Malian; and iv. Qila Amir Singh of Sheikhpura District	
2.	PP – 142 Sheikhpura – VIII	(a) The following QH of Tehsil Sheikhpura i. Ajnianwala ii. Jandiala Sher Khan (b) Jandiala Sher Khan TC (Old) (c) QH Sheikhpura excluding following PCs i. Malian Kalan ii. Khairo Pur Malian iii. Maujo Ki Malian iv. Qila Amir Singh (d) The following PCs of QH Farooqabad of Tehsil Sheikhpura i. Hardo Bandeke Of Sheikhpura District	364258

3. That through the instant representation, the petitioner craves the gracious indulgence of this Honourable Commission to delimit the constituencies no. PP – 136 and PP - 142 in the following manner:

Sr. No.	No. and name of constituency	Proposed amendments, alterations or modifications	Extent of constituency after including the proposal	Total population after acceptance of the proposal
1.	PP – 136 Sheikhpura – II	Exclude • The following PC of QH Sheikhpura of Teh. Sheikhpura (i) Qila Amir Singh (Population 12507)	(a) Muridke MC; (b) Muridke QH excluding the following PCs of Tehsil Muridke i. Lambhray ii. Tapiala Dost Mohammad iii. Chaurah Rajputan iv. Nangal Ksuwala v. Qila Sattar Shah vi. Wandala Nasir vii. Chuhiwali Khurd (c) The following PCs of QH Sheikhpura of Teh. Sheikhpura i. Malian Kalan ii. Kheropur Malian iii. Mauje ki Malian of Sheikhpura District	366988
2.	PP – 142 Sheikhpura – VIII	Include • The following PC of QH Sheikhpura of Teh. Sheikhpura	(a) The following QH of Tehsil Sheikhpura i. Ajnianwala ii. Jandiala Sher Khan (b) Jandiala Sher Khan TC	376765

	(i) Qila Amir Singh (Population 12507)	(Old) (c) QH Sheikhpura excluding following PCs i. Malian Kalan ii. Khairo Pur Malian iii. Maujo Ki Malian (d) The following PCs of QH Farooqabad of Tehsil Sheikhpura i. Hardo Bandeke Of Sheikhpura District	
--	---	--	--

4. That being aggrieved by and dissatisfied with the part of list of constituencies, published in the Preliminary Delimitation Report, 2018, particularly specifying the areas proposed to be included in / excluded from proposed Provincial Assembly constituencies PP – 136 and PP – 142 of District Sheikhpura and in the best interest of the population of the district as a whole, the Petitioner craves the kind indulgence of this Honourable Commission for making amendments, alterations or modifications as suggested / proposed by the Petitioner in paragraph 3 above, *inter alia*, on the following

Grounds

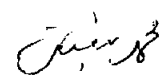
- (a) That a combined reading of section 20 of the Elections Act, 2017 and rule 10 of the Election Rules, 2017 reveals that the following principles and procedures are to be kept in mind at the time of making the delimitation of the constituencies:
- (i) Distribution of population in geographically compact areas
 - (ii) Physical features
 - (iii) Existing boundaries of administrative units
 - (iv) Facilities of communication
 - (v) Public convenience
 - (vi) Other cognate factors to ensure homogeneity
 - (vii) The delimitation of constituencies of an Assembly shall start from the Northern end of the district; and
 - (viii) Then it will 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
 - (ix) The variation in population between two or more constituencies shall not ordinarily exceed ten percent

- (b) That while preparing the Preliminary Delimitation Report, 2018 comprising of proposals for fresh delimitation of constituencies for Provincial Assembly in Sheikhpura District especially proposed PP – 136 and PP – 142, it is respectfully submitted, the relevant Delimitation Committee failed to adhere to the above stated mandatory principles and procedures in letter and spirit therefore there is a need to revisit the said delimitation proposal by this Honourable Commission.
- (c) That while preparing delimitation report for proposed constituency PP – 142, the Delimitation Committee excluded the Patwar Circle of QH Sheikhpura of Tehsil Sheikhpura namely Qila Amir Singh and included the same in proposed constituency PP – 136. It is to be noted here that the said areas excluded from proposed PP – 142 and included in proposed PP – 136 had throughout remained a part of such constituencies of the Provincial Assembly forming major parts of Sheikhpura Tehsil since 1985 delimitation because of the guiding factors such as geographical compactness, facilities of communication and public convenience.
- (d) Similarly, Patwar Circle of QH Sheikhpura of Tehsil Sheikhpura namely Qila Amir Singh has wrongly been included in proposed PP – 136 and as a result of, it is respectfully submitted, non-application of mind by the relevant Delimitation Committee because the inclusion of this Patwar Circle in proposed PP – 136 is a blatant violation of principles of delimitation as mandated by section 20 of the Elections Act, 2017.
- (i) This Patwar Circle does not form a geographically compact part of proposed PP – 136 and such inclusion has created a pocket in the proposed constituency, hence violation of principle of distribution of population in geographically compact areas.
- (ii) This Patwar Circle is like a chicken neck of the proposed PP – 136 and there is no direct access for the population of this Patwar circle towards main PP – 136, hence violation of principle of facilities of communication.
- (iii) Since this Patwar Circles do not form a geographically compact area of the proposed PP – 136 and badly suffer from lack of facilities of communication, the population of this Patwar Circles would have to travel *firstly* in PP – 140 and then PP – 142 to catch Main Muridke Road in order to reach main PP – 136, hence violation of principle of public convenience.

- (e) That if the proposal for delimitation of PP – 136 and PP - 142 made by the Delimitation Committee in its Preliminary Delimitation Report, 2018 is finalised without incorporating a amendments, alterations or modifications proposed / suggested by the Petitioner in paragraph 3 above, the entire population of above mentioned Patwar Circle would suffer irreparable loss and hardships and their miseries would increase manifold.
- (f) That the amendments, alterations or modifications proposed / suggested by the Petitioner in paragraph 3 above are for the sole purpose of providing facilities and ease to the inhabitants of the said areas.

In view of the foregoing, it is most respectfully prayed that the instant representation may kindly be accepted and the amendments, alterations or modifications proposed / suggested by the Petitioner in paragraph 3 of this representation may graciously be incorporated in the final report and list of constituencies showing the areas included in each constituency.

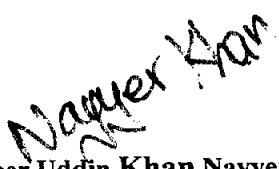
Any other relief which this Honourable Commission may deem just and appropriate may also be granted to the Petitioner in the interest of law, justice and equity.




Petitioner

Muhammad Suffian s/o Manzoor Hussain
R/o Mandiala Virkan, Post Office Manupur
Tehsil & District Sheikhpura

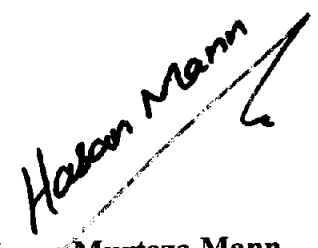
Through



Naseer Uddin Khan Nayer
Advocate Supreme Court



Sajeel Sheryar Swati
LLM (Bristol)
Barrister (Lincoln's Inn)
& Advocate High Court



Ch. Hasan Murtaza Mann
LLM (King's College London)
Advocate High Court