

BEFORE THE ELECTION COMMISSION OF PAKISTAN.

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Representation No. _____/2018

Ali Imran, Son of Waqar Sarwar, Resident of House No.1, Street No.2, Samanabad,
Bastami Road, Lahore

..... PETITIONER

REPRESENTATION UNDER SECTION 21(3) OF ELECTION ACT 2017, READ
WITH RULE 12 OF ELECTION RULES 2017 ALONG
WITH ALL OTHER ENABLING PROVISIONS OF LAW
FOR MODIFICATION OF PRELIMINARY
DELIMITATION OF PP-151 OF DISTRICT LAHORE

Respectfully Sheweth:-

1. That the Petitioner is resident of above said address which falls in PP-151 and is aggrieved by the Delimitation of Constituencies PP-147, PP-149, PP-151 and PP-160 whereby a number of guidelines as enshrined in Election Act, 2017 ("Law") are narrowly focused and important guiding principles have been neglected. In pursuance of the law on the subject preliminary delimitation of constituencies has been completed whereupon objections have been invited. The Petitioner's previous constituency PP-148 has been divided into above said three (03) parts and now significant share is forming PP-151. While drawing the constituencies, the Delimitation authority did not take into

account cohesive communities, defined by such factors as administrative boundaries, geographic features, and communities of interest.

Copy of the Map after delimitation is appended herewith as Annex-A.

2. That through present Petition the Petitioner very humbly seeks the following modifications in preliminary delimitation:

I. Detachment of Charge 35 from PP-160 for its inclusion in PP-151

Charge 34 and 35 are forming vicinity of Mohallah Rasul Park and New Mozang which have been divided into constituency PP-151 and PP-160 respectively without adhering to the basic principles of delimitation as provided in Section 20 of Election Act, 2017, like geographically compact areas, facilities of communication and public convenience. As per preliminary delimitation population of PP-160 is 412,082 against which the population of PP-151 is 381,303. Inclusion of compact area i.e. Charge 35 having population 24,204 in PP-151 will not disturb the population distribution formula as well. The said modification of constituency will minimize the 10% variation in parity of vote.

II Detachment of Charge 67 from PP-147 for its inclusion in PP-151 against which detachment of Charge 51 from PP-151 for attachment with PP-149 and detachment of Charge 40 from PP-149 for its inclusion in PP-147

Charge 67 has been included in PP-147 by the preliminary delimitation authority whereas naturally it's a compact area of PP-151 with same facilities of communication and public convenience and against which Charge 40 from PP-149 may be included in PP-147 as the same is compact area of the said constituency and the Charge 51 from PP-151 may be included in PP-149 as the same is appropriate for public convenience and share the same communication

facilities. The modification will not bring any variations in boundaries of District, Tehsils and National Assembly constituencies. After the adjustment the amended constituencies i.e. PP-147, PP-149, PP-151 and PP-160 will consist of following charges:

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As per Preliminary

Delimitation of PP-147

Population

Charge #	29		24652
Charge #	67		37202
Charge #	68		43890
Charge #	69		18187
Charge #	70		31546
The Following Cenus Charges of Shalimar Tehsil			
Charge #	4		40162
Charge #	13		19550
Charge #	15		27104
Charge #	37		45525
Charge #	38		25726
Charge #	39		20033
Charge #	40		29784
Total Population			363361

Population

Proposed Delimitation of PP-147

Charge #	29		24652
Charge #	40		31848
Charge #	67		
Charge #	68		43890
Charge #	69		18187
Charge #	70		31546
The Following Cenus Charges of Shalimar Tehsil			
Charge #	4		40162
Charge #	13		19550
Charge #	15		27104
Charge #	37		45525
Charge #	38		25726
Charge #	39		20033
Charge #	40		29784
Total Population			358007

Receive from PP 149
Removed from 147 & Shifted
to 151

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As per Preliminary

Delimitation of PP-149

	No.	Population
Charge #	40	31848
Charge #	41	28963
Charge #	42	18001
Charge #	43	28632
Charge #	44	42325
Charge #	46	50948
Charge #	48	74030
Charge #	49	40067
Charge #	65	42202
Total Population		357016

Proposed Delimitation of PP-149

Charges of Lahore City Tehsil

	No.	Population
Charge #	40	
Charge #	41	28963
Charge #	42	18001
Charge #	43	28632
Charge #	44	42325
Charge #	46	50948
Charge #	48	74030
Charge #	49	40067
Charge #	65	42202
Charge #	51	37769
Total Population		362937

Removed and Shfited to
147

Received from PP 151

As per Preliminary

Delimitation PP-160

	No.	Population
Charge #	26	26634
Charge #	27	36528
Charge #	28	26795
Charge #	29	31714
Charge #	30	34576
Charge #	31	39300
Charge #	32	39509
Charge #	33	62444
Charge #	35	24204
Charge #	36	61239
Charge #	37	29139
Total Population		412082

**As per proposed Delimitation
of PP-160**

Model Town Tehsil	No.	Population
Charge #	26	26634
Charge #	27	36528
Charge #	28	26795
Charge #	29	31714
Charge #	30	34576
Charge #	31	39300
Charge #	32	39509
Charge #	33	62444
Charge #	35	Shifted to PP151
Charge #	36	61239
Charge #	37	29139
Total Population		387878

**As per preliminary
Delimitation PP-151**

Description	No.	Population
Charge #	37	16581
Charge #	38	44659
Charge #	39	39415
Charge #	51	37769
Charge #	52	40856
Charge #	53	44533
Charge #	54	87465
Charge #	66	44477
Charge for Model Town Tehsil		
Charge #	34	25548
Total Population		381303

**As per proposed
delimitation PP-151**

Description	No.	Population
Charge #	37	16581
Charge #	38	44659
Charge #	39	39415
Charge #	51	Shifted to PP-149
Charge #	52	40856
Charge #	53	44533
Charge #	54	87465
Charge #	66	44477
Charge #	67	37202
Charge for Model Town Tehsil		
Charge #	34	25548
Charge #	35	24204 attached from PP- 160
Total Population		404940

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Copies of proposed Map of Constituencies and calculation details of population existing and as per proposal are appended herewith as Annexes-B to B/4

3. That above said delimitation is not only illogical but against the clear guidelines provided in the law on the subject, thus the Petitioner seeks its modification in accordance with law inter alia in the following:

GROUNDS

- A. That beside 10% variation in parity of vote, administrative boundaries, physical features, facilities of communication and public convenience and other cognate factors must be ensured for creating homogeneity in constituencies. Strangely, the law doesn't provide how many factors from the above should have been followed if two or more parameters wildly contradict each other.
- B. The delimitation authority should have acted as nonpartisan, independent, and professional body and the populations of constituencies should have been as equal as possible to provide voters with equality of voting strength.
- C. That above said inclusion of Compact Areas with their respective constituencies as formulated above is essential for the convenience of public. The Authority has not considered the hardship which the residents of the electoral areas may have to face due to said delimitation.
- D. The impugned delimitation of Constituencies is discriminatory and confiscatory in nature as the Petitioner and the other residents of Charge

51, 35, 40 and 67 have been forcibly attached/detached to far furlong areas without any justification. The delimiting authority has not followed the guidelines issued for delimitation of constituencies. In fact the impugned delimitation is against the provisions of the constitution and scheme of law on the subject.

- E. The impugned delimitation of Constituencies is against the law, due process and the same is ex-facie the mandate, thus liable to be strike down in constitutional jurisdiction.
- F. It is trite principle of law that delimiting authority being public functionaries, are to act fairly and justly under constitutional mandate. The delimitation of constituencies on the wishes of political players is indeed in complete negation thereto is liable to be set aside.
- G. That in view of the parameters laid down by the superior courts of Pakistan every citizen should have been treated in accordance with law, whereas case of the Petitioner is highly discriminating.
- H. That the contiguous blocks have been separated without adhering to the law on the subject.
- I. The Petitioner very humbly craves for permission to raise additional grounds at the time of hearing of these objections.

PRAYER

In view of the foregoing facts, circumstances and reasons, it is most respectfully prayed that this learned forum may graciously be pleased to accept the representation by setting aside impugned preliminary delimitation and be further pleased to direct the delimitation authority to modify the constituencies as per proposals contained in paragraph 2 of the Petition.

Any other relief to which the Petitioner is found entitled may also be granted

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Respectfully presented by:

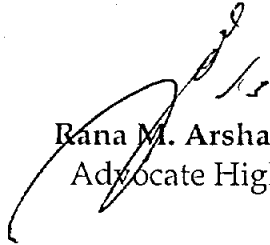


PETITIONER

Through:



Muhammad Ahsan Bhoon
Advocate Supreme Court of Pakistan



Rana M. Arshad Khan
Advocate High Court