



BEFORE THE HON'BLE ELECTION COMMISSION OF PAKISTAN, ISLAMABAD

Representation No. \_\_\_\_\_/2018

In the matter of de-limitation of constituencies:

- **Muhammad Nasir Cheema**  
S/o Khushi Muhammad Cheema  
(CNIC.34101-2427310-3)  
Chack Baig, Tehsil Gujranwala  
District Gujranwala, Punjab
  
- **Muhammad Arqam Khan** s/o Muhammad Asim Khan  
(CNIC.34101-5818109-7)  
Kolowala, Tehsil Gujranwala  
Gujranwala, Punjab

-----Petitioners

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**Representation under § 21(3) of the Election Act, 2017 r/w the Provisions of Chapter-III, Part.A of Election Rules, 2017 on behalf of Petitioners for making appropriate amendments, alterations or modification in the Preliminary List of Proposed Constituencies of Distt Gujranwala, *inter alia*, Proposed PP-53 (Gujranwala-III)**

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The Petitioners respectfully submit as follows:

1. The Petitioner namely Muhammad Nasir Cheema is the former member of the Provincial Assembly from Gujranwala while Petitioner No.2 is also former Member of the Provincial Assembly Punjab. They are known for their long-standing political stature. They are registered voter of the proposed constituencies of Gujranwala and relevant voters extracts are attached herewith.
  
2. As far as relevant and material to the titled presentations, it is submitted that **Article 51** of the Constitution provides that there shall be **342** of the National Assembly, including seats reserved for women and non-Muslims. According to this **Art.51**, **141 General Seats** and **33 reserved seats for Women** have been allocated to the Province of Punjab for **National Assembly**. According to **Art.106** of the Constitution, **297 General Seats**, **66 Reserved Seats for Women** and **8 Seats Reserved for Minority** have been allocated to the **Province of Punjab for Provincial Assembly**.
  
3. As far as District Gujranwala Punjab is concerned, since 2002, it had seven (07) National Assemblies Constituencies - **NA.95 (Gujranwala-I)** to **NA.101 (Gujranwala-VII)**. While for the Provincial Assemblies it had been allocated fourteen (14) Provincial Constituencies - from **PP.91 (Gujranwala-I)** to **PP 104 (Gujranwala-XIV)**.

4. Now according to the Preliminary Report on Proposed Constituencies issued by this Hon'ble Commission after the publication of the Census Report for 2017, Province of Punjab has been divided into 297 territorial constituencies for Provincial Assembly on the Census of 2017. The so-called *quota* per seat in respect of each Provincial Assembly seat has been determined in relation to Punjab as under:

Total Population of Punjab: 110,017,465

Total Seats for National Assembly of Punjab: 297


Quota Per Seat:  $110,017,465/297 = 370,429$

5. Based on the aforesaid population and seat quota with a variation of about 10% as provided in § 20 of the Election Act, 2017, fourteen (14) seats/constituencies have been proposed for District Gujranwala out of 297 seats allocated to the entire Province of Punjab. There is no reduction in the Provincial Assemblies seats (earlier fourteen seats and now proposed fourteen seats as PP.51, Gujranwala-I to PP.64 (Gujranwala-XIV). As far as relevant here to the Provincial Assembly Seats, the proposed constituencies (PP.51 to PP.64) have been drawn up, accordingly to Form.5 as under:

1) PP.51, Gujranwala-I	- (Population, 353,778)
2) PP.52, Gujranwala-II	- (Population, 359,170)
3) PP.53, Gujranwala-III	- (Population, 376,323)
4) PP.54, Gujranwala-IV	- (Population, 365,401)
5) PP.55, Gujranwala-V	- (Population, 346,706)
6) PP.56, Gujranwala-VI	- (Population, 377,090)
7) PP.57, Gujranwala-VII	- (Population, 372,574)
8) PP.58, Gujranwala-VIII	- (Population, 372,675)
9) PP.59, Gujranwala-IX	- (Population, 342,265)
10) PP.60, Gujranwala-X	- (Population, 346,424)
11) PP.61, Gujranwala-XI	- (Population, 349,159)
12) PP.62, Gujranwala-XII	- (Population, 343,640)
13) PP.63, Gujranwala-XIII	- (Population, 358,306)
14) PP.64, Gujranwala-XIV	- (Population, 350,685)

6. The entire population of Gujranwala is 5,014,196 and based on this population fourteen seats have been allocated to Gujranwala. The way the constituencies have been proposed, if finalized by this Hon'ble Commission, would adversely affect the rights and interests of the general public of the area for several reasons as, *inter alia*, summarized hereinafter. Hence, this representation for appropriate adjustment and modification in the Proposed Constituencies of Gujranwala including but not limited to PP.53, Gujranwala-III.


7. Art.222 of the Constitution provides that 'Parliament may by law provide for, (a) the allocation of seats in the National Assembly as required under Art.51 (3) and (4) of the Constitution, and (b) the delimitation of constituencies by the Election Commission of Pakistan. It is thus, constitutional obligation of this Hon'ble Commission to delimit the constituencies in accordance with law. Now, Section 17 of the Election Act, 2017 provides that '*Election Commission shall delimit the constituencies after every census officially published*'.
8. To de-limit a constituency, the broader principles have been summarized in § 20 of the Election Act, 2017 that as far as practicable, be delimited having regard to the (i) distribution of population in geographically compact areas, (ii) physical features, (iii) existing boundaries of administrative units, (iv) facilities of communication and public convenience and (v) other cognate factors to ensure homogeneity in the creation of constituencies. It has also been provided that '*as far as possible, variation in population of constituencies of Assembly shall not ordinarily exceed ten percent*'.
9. In this view especially in view of proportionate population for each constituency, compactness of the area and general convenience of the people, suggestions on behalf of the Petitioners are appended herewith and marked as 'Annexure-A'. It is submitted that **Annexure-A** here may kindly be read as an integral part of this presentation.
10. It is submitted that it is settled law and international practice in delimitation of the constituencies that 'totality of circumstances' to be taken into account also known or called as 'redistricting standard'. Accordingly, in view of the 'totality of circumstances' standard, the best presentation is what has been suggested hereinabove. It may be added that, *inter alia*, it is the constitutional right of the general public of the area under Article.17 to have "real representatives". In case, the 'proposed constituencies' are not reviewed, altered and modified as suggested, the rights and interests of the people of the area would be adversely affected and prejudiced. This would not be warranted in law.
11. Hence, the titled presentation before this Hon'ble Commission for directions as suggested hereinabove. The Petitioners crave leave of the Hon'ble Commission to take additional grounds or make further suggestions during oral arguments of the titled presentation including but not limited to the presentation of detailed



suggested maps emphasizing the need for modifications in the 'proposed' constituencies in light of the Petitioners' suggestions.


It is therefore most respectfully prayed that the Hon'ble Commission may kindly be pleased to consider and allow the titled presentation and finalized the constituencies for Gujranwala as suggested hereinabove by the Petitioners and may further be pleased to make all appropriate adjustment, amendment, alteration and modification to the Proposed Constituencies in the interest of justice.

NAME



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Petitioners

Through

  
\_\_\_\_\_  
Barrister Gohar Ali Khan, ASC

Dated: 01-04-2018