

BEFORE THE ELECTION COMMISSION OF PAKISTAN, ISLAMABAD

①

03/09/2018

Representation/Petition No.

/2018

Before:

The Secretary (ECP) Secretariat, Election House, Constitution Avenue, G-5/2, Islamabad

ON BEHALF OF:

Ali Asghar Son of Shabbir Ahmed Khan CNIC No. 35200-6702794-1
R/O Teshil & District, Kasur (Cell No. 0321-6224700)

Applicant/Petitioner

REPRESENTATION UNDER SECTION 21(3) OF THE ELECTION ACT, 2017 READ WITH RULE 12(4) OF THE ELECTION RULES, 2017 AND ALL OTHER ENABLING PROVISIONS OF LAW FOR THE DELIMITATION OF THE PROPOSED CONSTITUENCY NO. 174-182 IN THE PRELIMINARY REPORT.

Respectfully Sheweth;

Abstract

District Kasur of Punjab has been clock wise divided into 9 provincial constituencies bearing No. PP 174-182 accordance to the election rules 2017 but previously it was divided into 10 provincial constituencies.

The constituencies of District Kasur have been prodigiously change while delimiting the constituencies.

The delimitation process adopted by the authority while delimiting the constituencies of District Kasur was without following the settled principles enunciated in the Delimitation and Election Laws, therefore is liable be set aside forthwith *inter alia* on the followings;

Grounds

A. The impugned delimitation is against the recognized principles of delimitation, including but not limited to the principles of equal

2

HA/03/09/2018

distribution of population, geographical compactness, existing boundaries of administrative units, facility of communication and public convenience, and it is therefore, liable to be declared illegal, unlawful and against the law and rules applicable thereto. **Proposed Map 2018 is annexed as Annexure-A.**

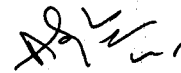
- B. The delimitation conducted by the Authority is against the principle as laid down in the Section 9 & 10 of the Delimitation Act, 1974 & Election Rules, 2017 and as per these rules the Commission is under the obligation to follow clock wise direction and start from the Northern end of the District as per Rule 10 (5) of the Election Rules, 2017 but the proposed Map and delimitation is surplus to the population of District Kasur which would definitely cause inconvenience for voters.
- C. There is no interlink/compactness between proposed scheme and proposed Map direction as per geographical division and inhabitation.
- D. The *Lekhnyke Khara* included in the proposed scheme of PP-182 whereas in Proposed Map the same *Patwar* circle is included in PP-175 which is against the instructions issued for delimitation of constituencies of Provincial Assembly, under The Election Act, 2017 and the rules made there-under and has caused permanent inconvenience and confusion for the residents of the PP-175 Kasur II.
- E. The *Bhala patwar* circle included in proposed scheme in PP-176 and actually in proposed Map issued by the ECP it is included in PP-175.
- F. The *Chak Bhaliana* included in proposed scheme in PP-174 whereas, actually it is part of PP-175 according the Map.
- G. The Infrastructure of population is varied as the physical feature of each circle finds no homogeneity and compactness between the constituencies of District Kasur. **Proposed Map prepared by the Applicant/Petitioner is annexed as Annexure-B.**
- H. According to the proviso of Section 10 of the Election Rule, 2017 it is provided that the variation in population between two or more constituencies shall not ordinarily exceed 10% and the Delimitation Committee/Authority shall record reasons if, in exceptional circumstances, the variation has to exceed the limit. But in this case the constituency of District Kasur crossed/varied the limit of 10% while totally ignoring the provisions of law. **Population Table of ECP & Proposed Table prepared by the Petitioner is annexed as Annexure-C.**

- (3)
103/04/218
- I. The provisions / instructions for delimitation of constituencies of Provincial Assemblies under The Election Act, 2017 and Rules made there-under have been flagrantly violated by the Authority.
 - J. The faulty, illegal and unlawful delimitation proceedings have been conducted by the Authority which has disturbed the uniformity and compactness of the Provincial Constituency of the District Kasur.
 - K. If the Representation/objection petition is allowed and the delimitation of the constituencies as per proposed Map prepared by the Applicant/Petitioner is considered the delimitation would be more effective, compact with each other and there will be no isolation of the areas of compact scheme the constituencies. The modification is justifiable to meet the ends of justice. The petitioner will suffer an irreparable loss and inconvenience if the proposed alterations, modification and objections in the

PRAYER:

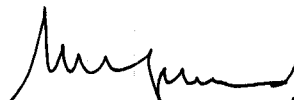
In view of the above submissions, it is most respectfully prayed that instant representation / objection petition may kindly be accepted and the impugned delimitation of District Kasur provincial Constituency may kindly be set-aside while directing the Authority to make delimitation again strictly in accordance with law.

Any other relief which this Honorable Authority deems fit and appropriate under the circumstances may also be awarded in the interest of justice, law and equity.

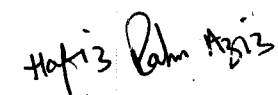


Applicant/Petitioner

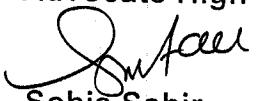
Through



Malik Riaz Ahmed Khan
Advocate High Court



Hafiz Rahman Aziz
Advocate High Court



Sobia Sabir
Advocate High Court