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BEFORE THE ELECTION COMMISSION OF PAKISTAN, ISLAMABAD.

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01/04/2019

**Rana Muhammad Faraz S/O Rana Ijaz Ahmad Noon, R/O Mauza
Nouqabil Wah, Tehsil Kehror Pacca, District Lodhran.**

**REPRESENTATION UNDER SECTION 21 (3)
ELECTIONS ACT 2017 READ WITH RULE 12 OF
ELECTION RULES 2017 REGARDING
ALTERCATIONS OF MODIFICATIONS IN THE
PRELIMINARY LIST OF CONSTITUENCY PP 224
LODHRAN-I OLD PP-209.**

Respectfully sheweth,

1. That the petitioner is the candidate of Provincial Assembly of Punjab PP224-I, Lahoran. As per Notification No.F8(3)/2018-Elc-I dated 5th March, 2018 new constituency has been changed in preliminary report of the list of constituencies of Provincial and National Assembly.
2. That the undersigned is aggrieved by the New delimitation and seeks proposed delimitation in PP-224 and in all the constituencies of Tehsil Kehror Pacca, District Lodhran under the amongst other:

GROUND

- I. That the new delimitation as published in preliminary report and preliminary list is against the provisions of section 20 of the Election Act, 2017 read with rule 10 and 12 of the Election Rules 2017 and other enabling provisions of law Election Act, 2017.
- II. That ECP under its constitution duty to sanction through Article 222 and Article 218 (3) initiated the process of delimitation of constituencies, to organize and conduct the Election and to make such arrangement as per necessary to ensure that the Election is conducted honestly, justly, fairly

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and in accordance with law as enacted by the parliament in the form of Election Act, 2017, wherein, section 20 of the Election Act, 2017 define the principle of delimitation as under:

- a. Distribution of population in geographically compact areas.
- b. Physical features.
- c. Existing boundaries of administrative units.
- d. Facilities of communication and public convenience.
- e. Any other cognate factor.
- f. Ensure homogeneity

III. That the Delimitation means the demarcation of the boundaries of an electorate constituency in order to ensure fair, just and proportional representation of the people in the election. The basic object of Delimitation as enshrined in the constitution of Pakistan and Election Act, 2017 is to secure, so far as practicable, equal representation for the equal segments of the population in a legislative body. According to the principle of delimitation, the delimitation committee/authority/constituted by the ECP is responsible to consider stated constraints of the administrative convenience, contiguity, geographical and communication factors and unstated influences of party political advantages. However the process of delimitation had to ensure that voting equality was not disturbed and vote of one citizen must in no manner be less the vote of another citizen. The population party geographical compactness, homogeneity of the interest of the community may also be considered in delimitation process.

IV. That subordinate legislation in the form of Election Rules, 2017 has been devised as well as the guidelines of delimitation have also been received vide notification No.F.8(3)/2018-Elec-I dated 05.03.2018, wherein the population of the province was divided by total number of allocated seats in the provincial assembly to determine the quota per seat of the province for the provincial assembly and



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population of the District was divided by the total number of allocated seats in the Provincial Assembly to determine the quota of the PP seat in the District in pursuance to Rule 8 of the Election Rules 2017. It is pertinent to mention here that the National Assembly seats of the District Lodhran were 2 and Provincial Assembly seats of the District were 5 as per delimitation of 2002 and present delimitation of 2018 neither number of national Assembly nor stated number of Provincial seats have been changed, therefore, the delimitation committee should have considered to delimit only the excessive population in every constituency rather than to redistricting every constituency without considering the principle sanction under the law.

- V. That the petitioner brings this representation before Hon'ble Commission and assails the delimitation of constituency in respect of PP-224 District Lodhran (Old PP-109) of Lodhran District under section 12 of the Election Rules 2017. Before parting with the ground for the representation and summary of the constituency.
- VI. That as per new delimitation suggested by the petitioner PP-224 Lodhran-I Old PP-209 including Map are **Annexed-A & B.**
- VII. That as per delimitation of the constituencies suggested 2002 PP-209 and new PP-224 Lodhran including Map are **Annexed-C & D.**
- VIII. That Preliminary Delimitation 2018 including Map are **Annexed-D & E.**
- IX. That the part of Qaoongoi Ameer Pur Sadaat patwar circle Chowki Rango Khan and Rind Jada have been ended and are made part of the constituency 224 which were never been part of the same since the last delimitation done 2002, even it was never been part of the former Provincial Constituency earlier to last delimitation. Further it is in violation of the principles that old constituencies must not be disturbed much.



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That the delimitation of the constituency No.224 Lodhran has not been done as mentioned in Elections Rules and Election Act 2017 according to which the delimitation of constituencies shall remain as close as may be practicable to the quota and population among the constituencies the requirement of law has been overlooked by the commission.

- XI. That as per amended delimitation PP-224 former 209 have been exclude and include without any justification and totally ignoring the principles that whole constituency shall be less disturb. The following Patwar Circle have wrongly been added.
- a. Patwar Chowki Rongo Khan
 - b. Patwari Circle Rind Jada
 - c. Mohammad Sae
- XII. That the constituency of PP-224 of District Lodhran consist on Qanoongoi Kehror , in which the delimitation authority excluded the Jamrani Wah Patwari circle which is illegal and against the Rule of Act, 2017 and also included the other Patwar Circle like Lal Bhagali, Rind Jada, Chowk Sobah, Chowki Rango Khan and Muhammad Sae except Mohammad Sae all other above mentioned Patwar Circle cannot make part of PP-224 District Lodhran. It is pertinent to mention here that Patwari Circle Burhan Pur which is the part of Qanoongoi Ameer Pur Sadaat is not part of PP-224 Lodhran because Patwar Circle Burhan Pur is attached with the PP-224. It is very interesting that the Burhan Pur Patwar Circle included with PP-228 Lodhran but boundaries of the same are not attached with Burhan Pur Circle.
- XIII. That as per delimitation structure, the distribution of population has been geographically compact area facilitating communication and road approached with the object for public convenience, whereas the same has been overlooked in the proposal is forwarded for the delimitation of PP-224. The propose PP-224.



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Prayer

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In view of the above it is humbly prayed that the proposed areas Patwar Circle Jamrani Wah, Patwar Circle Burhan Pur be include in PP-224 old PP-209 and Patwar Circle Chowki Rongo Khan, Patwar Circle Rind Jada, Patwari Circle Sobay Khan and Patwar Circle Mohammad Saeed be exclude from PP-224 old PP-209 District Lodhran.

Any other relief which this which deems appropriate may also be granted to the petitioner in the interest of justice.

[Signature]
PETITIONER

Through:

[Signature]
RANA MUHAMMAD ARIF KAMAL NOON,
Advocate Supreme Court
Multan.
C.C. No. 2602

[Signature]
RANA MUHAMMAD IQBAL NOON,
Advocate High Court
C.C.No.1459

[Signature]
Aftab Hayat Khan
Advocate HC

