

w 21

**BEFORE THE HONOURABLE ELECTION COMMISSION OF PAKISTAN,
ISLAMABAD**

REPRESENTATION NO. /2018

In the matter of delimitation of constituencies

Irfan ahmed s/o Muhammad Yar

(CNIC No. 34402-1633699-1)

v.&p.o. sahna, Tehsil and district Mandi Bahauddin

REPRESENTATION UNDER SECTION 21(3) OF THE ELECTION COMMISSION ACT, 2017 READ WITH THE PROVISIONS OF CHAPTER III, PART.A OF ELECTION RULES 2017 ON BEHALF OF PETITIONER FOR MAKING APPROPRIATE AMENDMENTS, ALTERATION, OR MODIFICATION IN THE PRELIMINARY LIST OF PROPOSED CONSTITUENCIES OF DISTRICT MANDI BHAUDDIN (PP-67 IN PARTICULAR)

The Petitioner respectfully submits as follows:

1. The petitioner is a registered voter member of the proposed provincial Assembly constituency PP-67 and intends to contest election to be held in 2018. The petitioner possesses voter No. 400 in the Block code No. 175020601 of Village Sahna, tehsil and district M.B.Din.
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 seats, including seats reserved for women and non Muslims. According to Article 51, 141 General seats and 33 reserved seats for women have been allocated to the Province of Punjab for National Assembly. According to Article 106 of the Constitution, 297 general seats, 66 reserved seats for women and 8

CW

2

seats reserved for Minority have been allocated to the Province of Punjab for Provincial Assembly.

3. As far as district Mandi Bahauddin is concerned, since 2002 it had three provincial assembly constituencies - PP-116 to PP 120. While for National assembly it had been allocated two National assembly constituencies - NA- 108 and NA-109.

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 allocated 297 general seats for Provincial Assembly on the basis of census of 2017.

5. Based on aforesaid population and seat quota with a variation of 10% as provided in Section 20 of the Election Act, 2017, four seats for provincial Assembly have been proposed for District Mandi Bahauddin out of total 297 seats allocated to the entire province of Punjab. Thus there is a reduction of one provincial Assembly seat in District Mandi Bahauddin. However, there is no reduction of National Assembly seats. As far as relevant here to the Provincial Assembly seats, the four proposed constituencies (PP-65, PP-66, PP-67, and PP- 68) have been drawn up, according to Form 5 as under:

- 1) pp-65, Mandi Bahauddin-I - (Population 407502)
- 2) PP-66, Mandi Bahauddin-II - (Population 396510)
- 3) PP-67, Mandi Bahauddin-III - (Population 394480)
- 4) PP-68, Mandi Bahauddin-IV - (Population 394800)

6. To delimit a constituency, the broader principles have been summarized in Section 20 of the Election Act, 2017 that as far as practicable, the delimitation 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.

7. In this view, it is submitted that the proposed constituencies if finalized by this Hon'ble Commission, would adversely affect the rights and interests of general public of the area for several reasons as, *inter alia*, summarized hereinafter. Hence, this representation for appropriate adjustment and modification in the Proposed Provincial Assembly constituency, Particularly in PP-67 and consequently in all other Provincial Assembly seats of Mandi Bahauddin; it is suggested as under:

I) Provincial Assembly seat PP-67 shall be drawn up including 'PC' 'Sohawa Bolani' having Population of 17615 and PC 'Sohawa Jamlani' having Population of 17122. While excluding 'PC' 'Chak No. 20' having Population of 12697, PC 'Mona' having Population of 8977 and PC 'Pind Mako' having Population of 10421. Thus the total population of two PC which are proposed to be included are 34737 and the population of the three PCs which are proposed to be excluded are 32095. Total Population of PP-67 as proposed in the preliminary Report is 394480 and the amended/proposed population of the pp-67 would be 397122. The map of PP-67 is color coated in green as per proposed and the same is attached herewith for ready reference. The Dark Green color depicts the addition of PCs and Dark Pink depicts subtraction.

II) Provincial Assembly seat PP-68 shall be drawn up including 'PC' 'Chak No.20' having Population of 12697 and PC 'Mona'

having Population of 8977 and PC 'Pind Mako' having Population of 10421. While excluding 'PC' 'Jago Kalan' having Population of 4015, PC 'Kala Shadian' having Population of 5080, PC 'Saida' having Population of 10563 and PC 'Seere' having Population of 10523. Thus the total population of three PCs which are proposed to be included are 32095 and the population of the four PCs which are proposed to be excluded are 30181. Total Population of PP-68 as proposed in the preliminary Report is 394800 and the amended/proposed population of the pp-68 would be 396714. The map of PP-68 is color coated in pink as per proposed provincial and the same is attached herewith for ready reference. The Dark Pink color depicts the addition of PCs and Dark Yellow depicts subtraction.

III) Provincial Assembly seat PP-66 shall be drawn up including 'PC' 'Jago Kalan' having Population of 4015, PC 'Kala Shadian' having Population of 5080, PC 'Saida' having Population of 10563 and PC 'Seere' having population 10523. While excluding 'PC' 'Dhok Kasib' having Population of 5963, PC 'Dhok Nawan Lok' having Population of 6986, PC 'Rakh Meenar Garh' having Population of 11318 and PC 'Siwia' having Population of 7859. Thus the total population of Four PCs which are proposed to be included are 30181 and the population of the four PCs which are proposed to be excluded are 321126. Total Population of PP-66 as proposed in the preliminary Report is 396510 and the amended/proposed population of the pp-66 would be 394565. The map is color coated in Yellow and the same is attached herewith for ready reference. The Dark Yellow color depicts the addition of PCs and Dark Blue depicts subtraction.

IV)) Provincial Assembly seat PP-65 shall be drawn up including 'PC' 'Dhok Kasib' having Population of 5963, PC 'Dhok Nawan Lok' having Population of 6986, PC 'Rakh Meenar Garh' having population of 11318, and PC 'Siwia' having population of 7859. While excluding 'PC' 'Sohawa Bolani' having Population of 17615, and PC 'Sohawa Jamlani' having Population of 17122. Thus

W 85

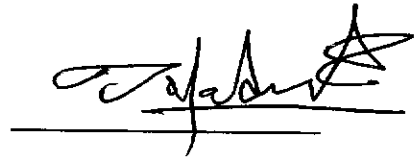
the total population of four PCs which are proposed to be included are 32126 and the population of the two PCs which are proposed to be excluded are 34737. Total Population of PP-65 as proposed in the preliminary Report is 407502 and the amended/proposed population of the pp-65 would be 404891. The map is color coated in Blue and the same is attached herewith for ready reference. The Dark Blue color depicts the addition of PCs and Dark Green depicts subtraction.

8. 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 herein above. It may be added that, *inetr alia*, it is the constitutional right of the general public of the area under Article 17 of the Constitution 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.

9. Hence, this presentation before the Hon'ble Commission of Pakistan for direction as suggested herein above. The petitioner craves leave of this Hon'ble Commission to take up additional pleas and make further submissions and suggestions, if need be, during oral hearing of the titled presentation in the interest of justice.

It is therefore most respectfully prayed that the Hon'ble Commission may kindly be pleased to consider and allow the titled presentation and finalized PP-67 (Mandi Bahauddin-III), and consequently other provincial Assembly constituencies of district Mandi Bahauddin, as suggested herein above and may further be pleased to make all appropriate adjustments,

amendments, alteration and modification to the proposed constituencies in the interest of justice.



Irfan Ahmed

Through



**Ahmed Sheraz
Advocate High Court**

Dated: 03-04-2018