

**Order of Two Member Bench of the
Hon'ble Election Commission Dated 26-11-
2023 in respect of District Hafizabad and
Gujranwala before Remand**

ELECTION COMMISSION OF PAKISTAN

SIKANDAR SULTAN RAJA, CHAIRMAN
JUSTICE (R) IKRAMULLAH KHAN, MEMBER

In ref: REPRESENTATIONS/OBJECTIONS UNDER SECTION 21 (3) OF THE ELECTIONS ACT, 2017, R/W RULE 12 OF THE ELECTIONS RULES, 2017, IN RESPECT OF NATIONAL ASSEMBLY CONSTITUENCIES OF DISTRICTS GUJARANWALA AND HAFIZABAD, PROVINCE OF PUNJAB

Petitioners

1. Case No.F.1(67)/2023-Law-II, filed by Muhammad Arif Shahid in respect of NA-77	2. Case No.F.1(252)/2023-Law-II, filed by Ghulam Sabir, in respect of NA-77 & 80	3. Case No.F.1(437)/2023-Law-II, filed by Rana Maqsool in respect of NA-77
4. Case No.F.1(438)/2023-Law-II, filed by Muhammad Hanif in respect of NA-78	5. Case No.F.1(450)/2023-Law-II, filed by Muhammad Iftikhar in respect of NA-75-81	6. Case No.F.1(599)/2023-Law-II, filed by Muhammad Asghar in respect of NA-77, 79 & 81

For the Petitioners.

1. Mr. Kamran Asif Adv for petitioner No.1
2. Mr. Khurram Sadiq Adv for petitioner No. 2
3. Mr. Irfan Muzaffar Cheema Adv for petitioner No.3
4. Ch. Shahid Malik Advocate for the petitioner No.4
5. Ch. Gulfam Riaz Gujjar for petitioner No.5
6. Muhammad Waseem Abro, Adv for petitioner No.6

For the Delimitation Committee

1. Mr. Saeed Gul, PEC Punjab/ Convener.
2. Mr. Shakeel Ahmed, REC D. G Khan/ Member
3. Mr. Ibrar Jatui, Director (Elections)/Member.
4. Mr. Shahbar Abbas Bukhari, REC/ Member.
5. Mr. Roy Sultan Bhatti, REC/ Member
6. Mr. Tanveer-Ul-Hassan, Dy. Director LGE/ Member.
7. Mr. Abdul Wadood DEC/ Member.
8. Mr. Atif Rahim, Dy. Director (Admin)/ Member.

Date of Hearing 14.11.2023



ORDER

Sikandar Sultan Raja, Chairman—In pursuance of Section 21 of the Elections Act, 2017 read with Rule 11 of the Elections Rule, 2017, the Election Commission of Pakistan (herein after referred as to ECP) published preliminary report and the list of the constituencies in respect of National Assembly and Provincial Assemblies of the provinces of Khyber Pakhtunkhwa, Punjab, Sindh, Balochistan and Islamabad Capital Territory. Preliminary report and list of constituencies of the National Assembly and Provincial Assemblies of all the four provinces was published to invite representations and suggestions thereupon. The ECP is under obligation and duty bound under Article 218 (3) of the Constitution of the Islamic Republic of Pakistan, 1973, to conduct the elections honestly, fairly, justly and in accordance with law and is committed to make process accessible so that so that the political parties and general public be given fair chances to participate in the electoral process.

2. The Pakistan Bureau of Statistics officially published the final results of the 07th Digital Populations and Housing Scheme Census-2023 on 07th August, 2023, and the ECP in pursuance of the provisions of Section 17 of the Elections Act, 2017 read with Rule 7 of the Elections Rule, 2017, initiated the exercise of delimitation. Accordingly, five (05) delimitation committees were constituted for the preparation of draft proposals of delimitation of constituencies of the National Assembly and Provincial Assemblies vide Office Order No.1/2023 dated 17th August, 2023. The share of seats in the National Assembly and in the Provincial Assemblies in respect of each district has been worked out on the basis of final results of the 7th Digital Population and Housing Scheme Census-2023. The population of province/area has been divided by the total numbers of general seats and the average population or quota per National Assembly seat was obtained. Similarly, the same process was



adopted for the seats of Provincial Assemblies. In calculating total number of seats, a fraction of 0.5 and above was generally taken as one seat and fraction below 0.5 was ignored. The share of district was determined by dividing the population of that district with the quota per seat of the National Assembly, or as the case may be, of the Provincial Assemblies. As envisaged in Section 20 of the Elections Act, 2017, the principles of the delimitations have been followed in true spirit. The constituencies, as far as practicable, have been delimited having regard to the distribution of population in geographically compact areas, existing boundaries of administrative units, facilities of communications and public convenience and other cognate factors to ensure homogeneity in the creation of the constituencies.

3. Now, we advert to the contentions of the parties and their proposals contained in their petitions and verbally argued before us in order to support their contentions.

4. The counsel for the petitioner namely Muhammad Arif Shahid Ansari has alleged that the preliminary delimitation and list of constituencies is full of errors and omissions and also stated that the provisions laid down in Section 20 of the Elections Act, 2017 and Rule 10 of the Elections Rules, 2017 have grossly been violated. The petitioner has presented the following proposal in respect of NA-77:-

SUGGESTION/ PROPOSAL:
Charge No.33 having population 122690 be excluded from NA-77 Gujranwal-I and included it NA-78 Gujranwala-II and to include population from Butranwali (from NA-78), Khwasara (from NA-80), Maraliwala (from NA-80), Qila Nouhad Singh Adhuraye (from Na-80), Hardo Dhiyori (NA-81) then total population of NA-77 Gujranwala-I would be 1028658.
Areas proposed to be included i.e. charge No.33 from NA-77 Gujranwala-I to NA-78 Gujranwala-II by also excluding by adding population from Butranwali (from NA-78) Khwasara (from NA-80), Maraliwala (from NA-80), Qila Nouhad Singh Adhuraye (from NA-80), Hardoo Dhiyori (NA-81) in Charge NA-77 Gujranwala-I.



5. The learned Counsel for petitioner namely Ghulam Sabir has contended that the Delimitation Committee has violated the provision of delimitation laid down in the Elections Act and Rules. He further prays inclusion and exclusion of areas as under:-

- i. Charge No.26, 27 & 32 of the Metropolitan Corporation Gujranwala be excluded from proposed NA-80 and be included in the NA-77;
- ii. Census Circle # 1,2,3,4,5 & 6 of the Census Charge #35 of the Metropolitan Corporation Gujranwala be excluded from NA-77 and included in NA-80;
- iii. The remaining delimitation of district Gujranwala be kept intact as suggested by the Delimitation Committee;

6. The learned counsel for the petitioners namely Rana Maqsood and Muhammad Hanif in their petitions have maintained common proposals and have contended that the preliminary delimitation conducted by the Delimitation Committee/ Respondents is in sheer violation of Section 20 of the Elections Act, 2017 and Rules made thereunder. They commonly suggest following alteration in the constituencies of NA-66, 77, 78

	NA Gujranwala/Wazirabad-Hafizabad-2023	Population- 2023
NA-66-Wazirabad	Wazirabad District	993412
	Total	993412
	1. Following areas of Gujranwala Sadar Tehsil:	
	a. Talwandi Rahwali Qanungo Halqa	18067
	2. Municipal Committee Qila Dedar Singh	74523
	3. Municipal Committee Ladhaywala Warrich	100331
	4. Qila Dedar Sing Qanungo Halqa of excluding the following Patwar Circle.	125884
	i. Chaahal Kohna;	
	ii. Chak Jaid	
	iii. Hardo Deothi;	
	iv. Khabeke;	
	5. Gujranwala Cantoment	156929
	6. The following Census Charges of Metropolitan Corporation Gujranwala	



	i. Charge No.34 Syed Park Dhullay Muhammad Abad	68570
	ii. Charge No.35 Dhullay, Rajkot, Samanabad, Mandila, Warrich.	191962
	iii. Charge No.6 Sharifpura Gulshan Iqbal Park A,B Block Shaneenabad.	57814
	7. Following Census Circle of Charge No.09 of Metropolitan Corporation Gujranwala.	
	i. Circle No.05	27443
	ii. Circle No.06	12117
	iii. Circle No.07	68447
	Total	1064698
NA-78 Gujranwala-II	The following Census charges of Metropolitan Corporation Gujranwala	
	1. Charge No.3 Talab Devi wala, said nagri bazar, Sialkot Gate.	30653
	2. Charge No.4 New civil lines, moh Faisalabad	15786
	3. Charge No.7 DC road, Amir Park, Mughal Chowk, link Sui Gas road, faiz alam road, Fatto Mund.	170572
	4. Charge No.5. Model Town	20487
	5. Charge No. 8 Moh Noor Pura, Beahko pura, Katcha Fattomand.	42097
	6. Charge No.9 Aroop, Wainawala, jandalia bagh wala jagna.	111873
	7. Charge No.10 Kokharke, Delta road, Abid Colony, Gulzar Colony, Popular Nursery Ratta road.	84389
	8. Charge No.11 Farid Town Qasim Town.	71618
	9. Charge No.12 Usman Park, Faqeer pura Kashmir road.	64127
	10. Charge No.13 Whadat Colony Setllite Town.	37421
	11. Charge No. 14 Chaman Shah Chamra Mandi	40954
	12. Charge No.15 Arfat Colony Hadri road Mujahid pura Paroo camp	41439
	13. Charge No. 16 Peoples colony, Nasir colony, Hussain Town.	103787
	14. Charge No.17 Rana Colony, Asghar colony, Allah Baksh Colony, Saddique Colony.	79660
	i. Charge No.20 Moh Bukhtay wala, Islam pura.	22392
	ii. Charge No.28, Farooq Ghung	19274
	iii. Charge No.29 Garjaki Gte, Lakar Wal pull, Nika Chowk	11849
	iv. Charge No. 30 Nimina road, Muhammad Pura	18527
	v. Charge No. 31 Gobind Ghar College road.	26618
	vi. Charge No.32 Islampura, Crown Cinema	23700
	vii. Charge No.37 Rakhkikranwali	49654
	Total	1086874
NA-79	a. Kamoke Tehsil1	



Gujranwala-III		
	b. Following areas of Gujranwala saddar tehsil	
	i. Town Committee Aminabad	
	ii. Talwandi Musa Khan Qanungo Halqa	
	iii. Gujranwala Saddar Qanungo Halqa excluding following Patwar Circles; - Mandiala Mir Shikran - Addl. Kohlu Wala - Eminabad Qanungo Halqa excluding following Patwar Circles i. Kot Shera ii. Qalia Mian Sing iii. Dhariwal iv. Maraliwala v. Khawasra vi. Ado Rai (Qila Nohu Sing)	
	Total:	1039703
NA-80 Gujranwala-IV	a. Following Census Charges of Metropolitan Corporation Gujranwala	
	i. Charge No.36 Kot Khaliq, Kot Mir ji, Afaqabad	41867
	ii. Charge No.18 Sarfraz colony, Jinnah and Hashmi colony	89119
	iii. Charge No.19 Main Sansi, Asad colony, Khali Shahpur, Khlowala. Wapda town, qila jan da, Aduo Rai Housing City.	332561
	iv. Charge No.21 Chok Bari wala, Eminabad	12123
	v. Charge No.22 Baghbanapura Chok Ganta Gar	38823
	vi. Charge No.23 Abdi Mehar Wazir Wali Momanabad	28474
	vii. Charge No.24 Nowshera Sansi, Tabrak Colony, gulshan kareem, charge nagar.	120080
	viii. Charge No.25 Tariqabad, Nowshera road, Madina colony, Hafizabad road, Gohray Shah.	104127
	ix. Charge No.26 Rehman pura, Shahrukh colony, Alam chock, Kotli Rustam, Sultan pura.	73946
	x. Charge No.27 Muslim Town, Noorbawa	34081
	xi. Charge No.33 Garjakh Kotli Rustam Rehman pura	122690
	b. Following Patwar Circle of Eminabad Qanungo Halqa of Guranwala Saddar Tehsil;	
	i. Maraliwala	23980
	ii. Khawasra	4108
	iii. Ado Rai (Qila Nohu Sing)	6132
	iv. Kot Shera	21872
	v. Qalia Main Sing	8284
	vi. Dhariwal	8724
	c. The following Patwar Circle of Gujranwala Saddar Qanungo Halwa:	



	i. Mandiala Mir Shikran	23169
	ii. Addl. Kohlu Wala	2140
	Total:	1096300
NA-81 Gujranwala- cum- Hafizabad	a. Nowshera Vikran Tehsil	
	b. Following Patwar Circle of Qila Dedar Sing Qanungo Halqa of Gujranwala Saddar Tehsil;	640780
	i. Chaahal Kohna	15665
	ii. Chak Jaid	6485
	iii. Hardo Deorhi	5266
	iv. Khabeke	10567
	Of District Gujranwala	
	c. Following areas of Tehsil Hafizabad of Hafizabad District	37423
	i. Hafizabad-II Qanungo Halqa	
	ii. Patwar Circle	
	iii. Ghari Awan	
	iv. Muradian	
	v. Mangat Nicha	
	vi. Sagar Kalan	
	vii. Sagar Khurd	
	viii. Ghari Ghou	318621
	ix. Municipal Committee Hafizabad-II	
	Total	1034807
NA-67 Hafizabad	Hafizabad District excluding following areas	963865
	i. Municipal Committee Hafizabad (Charge No.8,9,10,11 & 13)	
	ii. Hafizabad-II Qanungo Halqa	

7. The learned Counsel for petitioner in petition number Case No.F.1(599)/2023-Law-II contended that the instant preliminary delimitation has not been done in accordance with law and he suggested the proposal given as under:

Sr.No	Name & No. of Constituency	Extent of Constituency	population
I	NA-77	NA-77 Punjab A. Following areas of Gujranwala Saddar Tehsil;	
		i. Talwandi Musa Khan Qanungo Halqa	107084
		ii. Talwandi Rahwali Qanungo Halqa excluding following Patwar circle (Abdal and Butranwali)	151641
		iii. Municipal Committee Ladhewala Warraich (Charge No.7)	100331
		iv. Following Patwar Circle of Gujranwala Saddar Qanungo Halqa.(Addl. Kohluwala)	2140
			21782



		v. Following Patwar Circle of Aminabad Qanungo Halqa (Kot Shera) 125884 vi. Qila Didar Singh Qanungo Halqa excluding following Patwar Circle (Chahal Kohna, Chak Jaid, Hardo Deorhi and Khabeke) 156929 B. Gujranwala Cantonment C. Following census charges of Metropolitan Corporation Gujranwala. 122690 i. Charge No. 33 68570 ii. Charge No. 34 191962 iii. Charge No. 35 41867 iv. Charge No. 36 Total: 1090970	
(II)	NA-79	NA-79 Punjab a. Tehsil Kamonki 681339 b. Following areas of Gujranwala Saddar Tehsil i. Town Committee Eminabad 30399 ii. Gujranwala Saddar Qanungo Halqa excluding (Addl. Kohluwala and Mandiala Mir Shirkaran) 121807 iii. Eminabad Qanungo Halqa excluding following (Kot Shera, Qila Mian Singh, Dhariwal, Khawasra, Maraliwala and Adorai) 99074 c. Budha Qoraya Qanungo Halqa excluding following Patwar Circle. (Bopra Kalan, Hardo Udde, Khark and Lande) 118707 Total: 1051326	
(III)	NA-81	NA-81 Punjab A. Naushera Vikran Tehsil excluding following Patwar Circle of Budha Goraya Qanungo Halqa 522073 i. Budha Goraya ii. Dehr Vikran iii. Ghummanwala iv. Kot Purian v. Lanj vi. Sadho Goraya vii. Tatleyaali B. Following Patwar Circle of Qila Dedar Singh Qanungo Halqa of Gujranwala Saddar Tehsil i. Chahal Kohna ii. Chak Jaid iii. Hardo Deorhi iv. Khabeke C. Following areas of Gujranwala Saddar Tehsil	



	a.	Municipal Committee Qila Dedar Singh	74523
	b.	Following Patwar Circle of Gujranwala Saddar Qanungo Halqa	
	i.	Mandila Mir Shiraran	23169
	c.	Following Patwar Circle of Eminabad Qanungo Halka	
	i.	Qila Mian Singh	8284
	ii.	Dhariwal	8724
	D.	Following areas of Tehsil Hafizabad of Hafizabad district	
	1.	Hafizabad: Qanungo Halqa	37423
	2.	Municipal Committee Hafizabad.	318621
	Total:		1030800

8. Learned Counsel for petitioner namely Muhammad Iftikhar has alleged that the delimitation of districts is gerrymandering, without application of the independent minds, beyond the jurisdiction and without observing the procedure laid down in the law. He further suggested the proposal as under:

- a. It is proposed that the share of both Gujranwala and Hafizabad districts be raised to seven seats as against delimited six seats as their combined share has been determined as 6.94;
- b. The total population of Gujranwala and Hafizabad districts is 6,286,247 with a notified share of 6.94 which after dividing by seven seats, the quota of each constituency of both districts will be 898,035 as against the delimited population of the districts;
- c. It is further proposed that alternatively, both Gujranwala and Hafizabad districts may be considered separately for allocation of seats for each district accordingly to their share as per population, whereby Gujranwala district will have five seats and Hafizabad district will have one seat as per their notified share of 5.48 and 1.46 respectively;



- d. Once again it is proposed that the notified population of Gujranwala district is 4,966,338 and if divided by their notified share of five seats, the quota of each constituency of Gujranwala district will be 993,267 which is nearly equal with the per seat quota of Gujranwala district after permissible 10 percent increase;

(Observations of the Commission)

9. The petitioner namely Mr. Iftikhar Ahmed has contended that the share of both Gujranwala and Hafizabad districts be increased to seven seats according to the share determined as 6.94 (5.48+1.46) of Gujranwala and Hafizabad, respectively. The petitioner alleges that Rule 8(2) has been observed in all other constituencies by the Commission except Gujranwala and Hafizabad districts. After examining the proposal of the petitioner and hearing the arguments of learned counsel of the petitioner in depth, we find no justification in merger of both the districts i.e. Gujranwala & Hafizabad with each other. However, while doing so, no violation of the provisions of the Act and Rules has been committed as if the boundaries of the districts were not crossed and districts were not merged, then the following issues and challenges could have arisen: -

- (i) People of both the districts could have deprived of their basic rights;
- (ii) People of both districts could have suffered difficulties in selection of their representatives;
- (iii) Both the districts having different race and culture and by clubbing them under one National Assembly constituency, could have caused inconvenience to the public at large;
- (iv) The people could have suffered long distances as it was difficult for them to determine their constituency Headquarter after clubbing of districts;



- (v) There could have administrative inconvenience during the elections;
- (vi) The Returning Officer of the constituency could have faced difficulties in disposal of election assignments like polling scheme, disposal and collection of election material and collection of elections results.

10. After keeping in mind the above factors, we have reached to the conclusion that it would be better for the people of both the districts to have separate National Assembly constituencies. Therefore, the proposal of the petitioner is partially accepted to the following extent: -

- (i) The proposal of the petitioner with respect to NA-77 is accepted, except Charge No.06 of Gujranwala Metropolitan corporation, Hardo Deorhi of Qila Didar Singh QH and Circle No.5, 6 & 7 of Charge No.09, due to issue of contiguity;
- (ii) To the extent of NA-78, proposal of the petitioner is accepted, except Charge no. 05 & 20 of Gujranwala Metropolitan Corporation, in order to balance the population;
- (iii) To the extent of NA-79, proposal of the petitioner is accepted, except PC Dhilanwali of QH Eminabad, in order to balance the population of the constituency;
- (iv) To the extent of NA-80, proposal of the petitioner is accepted, except Charge No. 33. Whereas, Charge No.20 is included to increase the contiguity and to balance the population of the constituency;
- (v) The proposal of the petitioner in respect of NA-81 is accepted, except PCs Hardo Deorhi of Qila Didar Singh QH & Dhilan wali of QH Eminabad.

11. The proposals of other petitioners namely Muhammad Hanif, Ghulam Sabir, Muhammad Asghar, Rana Maqsood and Muhammad Arif Shahid Ansari, in addition to areas which have already been allowed in



the above petition of Mr. Iftikhar Ahmed, have been perused in depth and relevant record has also been examined including map. The petitioners have not given cogent reasons in support of their proposals. If additional proposals of the petitioners are accepted, they will disturb the prescribed limit of population of some constituencies and compactness of some of the constituencies will also be compromised. Therefore, the proposals of the petitioners to the extent allowed in the petition of Mr. Muhammad Iftikhar are partially accepted as by such acceptance, compactness, contiguity and homogeneity amongst the constituencies will enhance and distance between the constituencies will also reduce. Moreover, it will also enhance the public convenience and population of the constituencies will be better and shall remain within prescribed limit.

12. All the above petitions filed in respect of National Assembly constituencies of district Gujranwala stand decided in the above terms. Office to take follow-up action, accordingly.

- SD -

SIKANDAR SULTAN RAJA
Chairman

- SD -

JUSTICE (R) IKRAMULLAH KHAN
Member

Dated 26th November, 2023



**Order of Five Member Bench of the
Hon'ble Commission Dated 8-12-2023 in
respect of District Hafizabad and
Gujranwala after remanding from Hon'ble
Islamabad High Court in writ petition no.
3999/2023 Dated 6-12-2023**

ELECTION COMMISSION OF PAKISTAN

MR. SIKANDAR SULTAN RAJA,	CHAIRMAN
MR. NISAR AHMED DURRANI,	MEMBER
MR. SHAH MUHAMMAD JATOI,	MEMBER
MR. BABAR HASSAN BHARWANA,	MEMBER
JUSTICE (R) IKRAMULLAH KHAN,	MEMBER

In ref: REPRESENTATIONS/OBJECTIONS UNDER SECTION 21 (3) OF THE ELECTIONS ACT, 2017, R/W RULE 12 OF THE ELECTIONS RULES, 2017, IN RESPECT OF NATIONAL ASSEMBLY CONSTITUENCIES OF DISTRICTS GUJARANWALA AND HAFIZABAD, PROVINCE OF PUNJAB

Petitioner for District Gujranwala

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4. Case No.F.1(438)/2023-Law-II, filed by Muhammad Hanif in respect of NA-78	5. Case No.F.1(599)/2023-Law-II, filed by Muhammad Asghar in respect of NA-77, 79 & 81	6. Case No.F.1(450)/2023-Law-II, filed by Muhammad Iftikhar in respect of NA-75-

For the Petitioners.

1. Nemo for petitioner No.1
2. Nemo for petitioner No. 2
3. Mr. Irfan Muzaffar Cheema Adv for petitioner No.3
4. Nemo for the petitioner No.4
5. Nemo for petitioner No.5
6. Ch. Gulfam Riaz Gujjar for petitioner No.6

Petitioners for District Hafizabad.

07. Case No. 1(26)/2023-Law-II Filed By Muhammad Zaman Bhoon in respect of NA-67.	08. Case No. 1(509)/2023-Law-II Filed By Muhammad Ahsan Bhoon in respect of NA-67 & NA-68.	09. Case No. 1(360)/2023-Law-II Filed By Waqas Raza in respect of NA-81.
10. Case No. 1(462)/2023-Law-II Filed By Sarfaraz Ahmed Tarrar, Muhammad Murad Bukhsh Tarrar, Mazhar Iqbal, Muhammad Irfan, Manzoor Hussain, Kousar Abbas in respect of NA-67.	11. Case No. 1(386)/2023-Law-II Filed By Haq Hawaz in respect of NA-67, NA-81	12. Case No. 1(535)/2023-Law-II Filed By Zaheer Abbas Anjum in respect of NA-67, & NA-81.



For the Petitioners.

- Barrister Umer Aslam for Petitioner No. 7
- Ch. Shehryar Tariq for Petitioner No. 8
- Nemo for Petitioner No. 9
- Nemo for Petitioner No. 10
- Nemo for Petitioner No. 11
- Nemo for Petitioner No. 12

For the Delimitation Committee

1. Mr. Saeed Gul, PEC Punjab/ Convener.
2. Mr. Shakeel Ahmed, REC D. G Khan/ Member
3. Mr. Ibrar Jatoi, Director (Elections)/Member.
4. Mr. Shahbar Abbas Bukhari, REC/ Member.
5. Mr. Roy Sultan Bhatti, REC/ Member
6. Mr. Tanveer-Ul-Hassan, Dy. Director LGE/ Member.
7. Mr. Abdul Wadood DEC/ Member.
8. Mr. Atif Rahim, Dy. Director (Admin)/ Member.

Date of Hearing 08.12.2023

ORDER

Sikandar Sultan Raja, Chairman—In pursuance of Section 21 of the Elections Act, 2017 read with Rule 11 of the Elections Rule, 2017, the Election Commission of Pakistan (herein after referred as to ECP) published preliminary report and the list of the constituencies in respect of National Assembly and Provincial Assemblies of the provinces of Khyber Pakhtunkhwa, Punjab, Sindh, Balochistan and Islamabad Capital Territory. Preliminary report and list of constituencies of the National Assembly and Provincial Assemblies of all the four provinces was published to invite representations and suggestions thereupon. The ECP is under obligation and duty bound under Article 218 (3) of the Constitution of the Islamic Republic of Pakistan, 1973, to conduct the elections honestly, fairly, justly and in accordance with law and is committed to make process accessible so that the political parties and general public be given fair chances to participate in the electoral process.

2. The Pakistan Bureau of Statistics officially published the final results of the 07th Digital Populations and Housing Scheme Census-2023 on 07th August, 2023, and the ECP in pursuance of the provisions of Section 17 of the Elections Act, 2017 read with Rule 7 of the Elections Rule, 2017, initiated the exercise of delimitation. Accordingly, five (05) Delimitation Committees were constituted for the preparation of draft proposals of delimitation of constituencies of the National Assembly and Provincial Assemblies vide Office Order No.1/2023 dated 17th August, 2023. The share of seats in the National Assembly



and in the Provincial Assemblies in respect of each district has been worked out on the basis of final results of the 7th Digital Population and Housing Scheme Census-2023. The population of province/area has been divided by the total number of general seats and the average population or quota per National Assembly seat was obtained. Similarly, the same process was adopted for the seats of Provincial Assemblies. In calculating total number of seats, a fraction of 0.5 and above was generally taken as one seat and fraction below 0.5 was ignored. The share of district was determined by dividing the population of that district with the quota per seat of the National Assembly, or as the case may be, of the Provincial Assemblies. As envisaged in Section 20 of the Elections Act, 2017, the principles of the delimitations have been followed in true spirit. The constituencies, as far as practicable, have been delimited having regard to the distribution of population in geographically compact areas, existing boundaries of administrative units, facilities of communications and public convenience and other cognate factors to ensure homogeneity in the creation of the constituencies. Six representations were received in respect of National Assembly of Gujranwala and 6 in respect of Hafizabad. All the representations were decided by the Commission vide order dated 26-11-2023.

3. The petitioner Mr. Muhammad Ahsan Bhoon has challenged the above order of this Commission before the Hon'ble Islamabad High Court, Islamabad through Writ Petition No.3999/2023. The Hon'ble Court on 06.12.2023 remanded the matter in the following terms:-

8. The other objectors and persons, who had filed objections with respect to Constituencies in question, have not been impleaded as respondents, hence it would be inappropriate to set aside impugned order in totality, as it would prejudice the referred persons. The appropriate course of action would be that objection petition of the petitioner be decided by Election Commission of Pakistan after issuance of notice to all concerned, which would be adversely affected by the objection petition.

9. In view of foregoing, instant petition is disposed of with observation that Election Commission of Pakistan shall decide the objection petition of the petitioner afresh without being prejudiced by any findings earlier rendered.

10. Since the petitioner expressed reservations that the Members who earlier heard the matter expressed their mind, it is expected that other



Members of Election Commission of Pakistan may hear the same. It is also expected that matter shall be decided positively before issuance of Election Schedule.

4. In compliance of the above order of the Hon'ble High Court, this Commission issued notices to all the Petitioners/ objectors who had earlier filed the representations including Mr. Muhammad Ahsan Bhoon for appearance on 08-12-2023 before the Commission.

5. On the date of hearing i.e. 08.12.2023 respondent No. 3, Rana Maqsood through Irfan Muzaffar Cheema Advocate, respondent No. 6, Muhammad Iftikhar through Ghulam Riaz Gujjar Advocate respondent No. 7, Muhammad Zaman Bhoon through Barrister Umer Aslam and respondent No. 8, Muhammad Ahsan Bhoon through Ch. Shehryar Tariq Advocate, appeared before the Commission and no one appeared on behalf of remaining respondents/ objectors despite service of notices.

6. At the very outset counsel Ch. Shehryar Tariq appeared for respondent No. 8, Mr. Muhammad Ahsan Bhoon and submitted that the Hon'ble Islamabad High Court while remanding the matter to the Commission has observed that the objection petition may not be fixed before the bench who has earlier heard the matter and the second bench comprising of other Members of the Election Commission of Pakistan shall hear the representations. He further added that he has instructions from his client that as the Hon'ble High Court has passed an order in respect of formation of another bench, therefore the bench constituted today may be re-constituted for hearing of representation. He further argued that DG Law appeared on behalf of Commission and gave his consent that the matter will be fixed before the second bench of the Commission.

7. From the perusal of the order passed by the Hon'ble Islamabad High Court in respect of formation of benches, it is observed by the Commission that the proper procedure for constitution of benches for hearing and decision of complaints and objections is provided under section 6 of the Elections Act, 2017. Section 6(3) of the Act ibid empowers the Chief Election Commissioner to constitute the benches of the Commission for hearing and decision of complaints, objections and applications. Section 6(3) is reproduced below for easy reference:-

"The Commissioner shall constitute benches comprising [two] or more members of the Commission to hear and decide complaints, applications, petitions or appeals filed before it under this Act".

8. Furthermore the Hon'ble High Court in its order dated 06-12-2023 mentioned above has not passed any direction regarding constitution of benches as the words "expected" and



“may” have been used. The Commission has honored the observation of the Hon’ble Islamabad High Court and has re-constituted a full five members bench today for hearing of objection petitions of district Hafizabad and Gujranwala, which were earlier heard by two members bench. Despite the formation of larger bench, the counsel for the petitioner is not willing to argue the matter on merits and is insistent for re-constitution of another bench according to his wish for the third time. The position taken by the petitioner is without justification nor sustainable on its merits, therefore rejected. Furthermore DG Law has been inquired about the contention of the counsel for respondent No. 8 in respect of ~~concealing~~ ^{conceding} statement alleged by the counsel for Mr. Ahsan Bhoon. The DG-Law categorically denied the stance of the counsel. In addition the order dated 06-12-2023 has also not mentioned regarding consenting statement of DG Law for fixation of representations before another bench. However as the matter has been remanded for decision of the representation of petitioner No. 8 i.e. Mr. Muhammad Ahsan Bhoon and the counsel representing him has refused to argue the matter on merit. Therefore the contents of his objection petition have been taken into consideration for deciding the representation/ petition on merits.

Facts of the representations of petitioner Nos 1 to 12:

9. The contents of petition No. 1 filed by namely Muhammad Arif Shahid Ansari are that he has challenged the preliminary delimitation and list of constituencies is full of errors and omissions and also stated that the provisions laid down in Section 20 of the Elections Act, 2017 and Rule 10 of the Elections Rules, 2017 have grossly been violated. The petitioner has presented the following proposal in respect of NA-77:-

SUGGESTION/ PROPOSAL:
Charge No.33 having population 122690 be excluded from NA-77 Gujranwal-I and included it NA-78 Gujranwala-II and to include population from Butranwali (from NA-78), Khwasara (from NA-80), Maraliwala (from NA-80), Qila Nouhad Singh Adhuraye (from Na-80), Hardo Dhiyori (NA-81) then total population of NA-77 Gujranwala-I would be 1028658.
Areas proposed to be included i.e. charge No.33 from NA-77 Gujranwala-I to NA-78 Gujranwala-II by also excluding by adding population from Butranwali (from NA-78) Khwasara (from NA-80), Maraliwala (from NA-80), Qila Nouhad Singh Adhuraye (from NA-80), Hardoo Dhiyori (NA-81) in Charge NA-77 Gujranwala-I.

10. The petitioner No. 2 namely Ghulam Sabir has contended that the Delimitation Committee has violated the provision of delimitation laid down in the Elections Act and Rules. He further prays for inclusion and exclusion of areas in following constituencies as per details given below:-

- Charge No.26, 27 & 32 of the Metropolitan Corporation Gujranwala be excluded from proposed NA-80 and be included in the NA-77;



- ii. Census Circle # 1,2,3,4,5 & 6 of the Census Charge #35 of the Metropolitan Corporation Gujranwala be excluded from NA-77 and included in NA-80;
- iii. The remaining delimitation of district Gujranwala be kept intact as suggested by the Delimitation Committee;

11. The learned counsel for the petitioners namely Rana Maqsood and Muhammad Hanif in their petitions have maintained common proposals and have contended that the preliminary delimitation conducted by the Delimitation Committee/ Respondents is in sheer violation of Section 20 of the Elections Act, 2017 and Rules made there under. They commonly suggest following alteration in the constituencies of NA-66, 67, 78, 79, 80 and 81;

	NA Gujranwala/Wazirabad-Hafizabad-2023	Population- 2023
NA-66- Wazirabad	Wazirabad District	993412
	Total	993412
	1. Following areas of Gujranwala Sadar Tehsil:	
	a. Talwandi Rahwali Qanungo Halqa	18067
	2. Municipal Committee Qila Dedar Singh	74523
	3. Municipal Committee Ladhaywala Warrich	100331
	4. Qila Dedar Sing Qanungo Halqa of excluding the following Patwar Circle.	125884
	i. Chaahal Kohna;	
	ii. Chak Jaid	
	iii. Hardo Deothi;	
	iv. Khabeke;	
	5. Gujranwala Cantoment	156929
	6. The following Census Charges of Metropolitan Corporation Gujranwala	
	i. Charge No.34 Syed Park Dhullay Muhammad Abad	68570
	ii. Charge No.35 Dhullay, Rajkot, Samanabad, Mandila, Warrich.	191962
	iii. Charge No.6 Sharifpura Gulshan Iqbal Park A,B Block Shaneenabad.	57814
	7. Following Census Circle of Charge No.09 of Metropolitan Corporation Gujranwala.	
	i. Circle No.05	27443
	ii. Circle No.06	12117
	iii. Circle No.07	68447
	Total	1064698
NA-78 Gujranwala-II	The following Census charges of Metropolitan Corporation Gujranwala	
	1. Charge No.3 Talab Devi wala, said nagri bazar, Sialkot Gate.	30653
	2. Charge No.4 New civil lines, moh Faisalabad	15786
	3. Charge No.7 DC road, Amir Park, Mughal Chowk, link Sui Gas road, faiz alam road, Fatto Mund.	170572
	4. Charge No.5. Model Town	20487
	5. Charge No. 8 Moh Noor Pura, Beahko pura, Katcha Fattomand.	42097
	6. Charge No.9 Aroop, Wainawala, jandalia bagh wala	111873



	jagna.	
	7. Charge No.10 Kokharke, Delta road, Abid Colony, Gulzar Colony, Popular Nursery Ratta road.	84389
	8. Charge No.11 Farid Town Qasim Town.	71618
	9. Charge No.12 Usman Park, Faqeer pura Kashmir road.	64127
	10. Charge No.13 Whadat Colony Setllite Town.	37421
	11. Charge No. 14 Chaman Shah Chamra Mandi	40954
	12. Charge No.15 Arfat Colony Hadri road Mujahid pura Paroo camp	41439
	13. Charge No. 16 Peoples colony, Nasir colony, Hussain Town.	103787
	14. Charge No.17 Rana Colony, Asghar colony, Allah Baksh Colony, Saddique Colony.	79660
	i. Charge No.20 Moh Bukhtay wala, Islam pura.	22392
	ii. Charge No.28, Farooq Ghung	19274
	iii. Charge No.29 Garjaki Gte, Lakar Wal pull, Nika Chowk	11849
	iv. Charge No. 30 Nimina road, Muhammad Pura	18527
	v. Charge No. 31 Gobind Ghar College road.	26618
	vi. Charge No.32 Islampura, Crown Cinema	23700
	vii. Charge No.37 Rakhkikranwali	49654
	Total	1086874
NA-79 Gujranwala-III	a. Kamoake Tehsil	
	b. Following areas of Gujranwala saddar tehsil	
	i. Town Committee Aminabad	
	ii. Talwandi Musa Khan Qanungo Halqa	
	iii. Gujranwala Saddar Qanungo Halqa excluding following Patwar Circles; - Mandiala Mir Shikran - Addl. Kohlu Wala - Eminabad Qanungo Halqa excluding following Patwar Circles i. Kot Shera ii. Qalia Mian Sing iii. Dhariwal iv. Maraliwala v. Khawasra vi. Ado Rai (Qila Nohu Sing)	
	Total:	1039703
NA-80 Gujranwala-IV	a. Following Census Charges of Metropolitan Corporation Gujranwala	
	i. Charge No.36 Kot Khaliq, Kot Mir ji, Afaqabad	41867
	ii. Charge No.18 Sarfraz colony, Jinnah and Hashmi colony	89119
	iii. Charge No.19 Main Sansi, Asad colony, Khali Shahpur, Khlowala. Wapda town, qila jan da, Aduo Rai Housing City.	332561
	iv. Charge No.21 Chok Bari wala, Eminabad	12123
	v. Charge No.22 Baghbanapura Chok Ganta Gar	38823
	vi. Charge No.23 Abdi Mehar Wazir Wali Momanabad	28474
	vii. Charge No.24 Nowshera Sansi, Tabrak Colony, gulshan kareem, charge nagar.	120080
	viii. Charge No.25 Tariqabad, Nowshera road, Madina colony, Hafizabad road, Gohray Shah.	104127
	ix. Charge No.26 Rehman pura, Shahrukh colony,	75946



	Alam chock, Kotli Rustam, Sultan pura.	34081
x.	Charge No.27 Muslim Town, Noorbawa	122690
xi.	Charge No.33 Garjakh Kotli Rustam Rehman pura	
b.	Following Patwar Circle of Eminabad Qanungo Halqa of Guranwala Saddar Tehsil;	
i.	Maraliwala	23980
ii.	Khawasra	4108
iii.	Ado Rai (Qila Nohu Sing)	6132
iv.	Kot Shera	21872
v.	Qalia Main Sing	8284
vi.	Dhariwal	8724
c.	The following Patwar Circle of Gujranwala Saddar Qanungo Halwa;	23169
i.	Mandiala Mir Shikran	2140
ii.	Addl. Kohlu Wala	
	Total:	1096300
NA-81 Gujranwala- cum-Hafizabad	a. Nowshera Vikran Tehsil	
	b. Following Patwar Circle of Qila Dedar Sing Qanungo Halqa of Gujranwala Saddar Tehsil;	640780
	i. Chaahal Kohna	15665
	ii. Chak Jaid	6485
	iii. Hardo Deorhi	5266
	iv. Khabeke	10567
	Of District Gujranwala	
	c. Following areas of Tehsil Hafizabad of Hafizabad District	37423
	i. Hafizabad-II Qanungo Halqa	
	ii. Patwar Circle	
	iii. Ghari Awan	
	iv. Muradian	
	v. Mangat Nicha	
	vi. Sagar Kalan	
	vii. Sagar Khurd	
	viii. Ghari Ghou	318621
	ix. Municipal Committee Hafizabad-II	
	Total	1034807
NA-67 Hafizabad	Hafizabad District excluding following areas	963865
	i. Municipal Committee Hafizabad (Charge No.8,9,10,11 & 13)	
	ii. Hafizabad-II Qanungo Halqa	

12. The petitioner No. 5 Muhammad Asghar in his representation Case (No.F.1 (599)/2023-Law-II) contended that the instant preliminary delimitation has not been done in accordance with law and he suggested the proposal given as under:

Sr.No	Name & No. of Constituency	Extent of Constituency	population
I	NA-77	NA-77 Punjab A. Following areas of Gujranwala Saddar Tehsil; i. Talwandi Musa Khan Qanungo Halqa ii. Talwandi Rahwali Qanungo Halqa excluding following Patwar circle (Abdal and Butranwali) iii. Municipal Committee Ladhewala Warraich (Charge No.7) iv. Following Patwar Circle of Gujranwala	107084 151641 100331



		<p>v. Saddar Qanungo Halqa.(Addl. Kohluwala) Following Patwar Circle of Aminabad Qanungo Halqa (Kot Shera) 2140</p> <p>vi. Qila Didar Singh Qanungo Halqa excluding following Patwar Circle (Chahal Kohna, Chak Jaid, Hardo Deorhi and Khabeke) 21782</p> <p>B. Gujranwala Cantonment 125884</p> <p>C. Following census charges of Metropolitan Corporation Gujranwala.</p> <p>i. Charge No. 33</p> <p>ii. Charge No. 34 156929</p> <p>iii. Charge No. 35</p> <p>iv. Charge No. 36 122690</p> <p>Total: 68570 191962 41867</p>	
(II)	NA-79	<p>NA-79 Punjab</p> <p>a. Tehsil Kamonki 681339</p> <p>b. Following areas of Gujranwala Saddar Tehsil</p> <p>i. Town Committee Eminabad</p> <p>ii. Gujranwala Saddar Qanungo Halqa excluding (Addl. Kohluwala and Mandiala Mir Shirkan) 30399 121807</p> <p>iii. Eminabad Qanungo Halqa excluding following (Kot Shera, Qila Mian Singh, Dhariwal, Khawasra, Maraliwala and Adorai) 99074</p> <p>c. Budha Qoraya Qanungo Halqa excluding following Patwar Circle. (Bopra Kalan, Hardo Udde, Khark and Lande) 118707</p> <p>Total:</p>	1090970
(III)	NA-81	<p>NA-81 Punjab</p> <p>A. Naushera Vikran Tehsil excluding following Patwar Circle of Budha Goraya Qanungo Halqa 522073</p> <p>i. Budha Goraya</p> <p>ii. Dehr Vikran</p> <p>iii. Ghummanwala</p> <p>iv. Kot Purian</p> <p>v. Lanj</p> <p>vi. Sadho Goraya</p> <p>vii. Tatleyaali</p> <p>B. Following Patwar Circle of Qila Dedar Singh Qanungo Halqa of Gujranwala Saddar Tehsil</p> <p>i. Chahal Kohna</p> <p>ii. Chak Jaid</p> <p>iii. Hardo Deorhi</p> <p>iv. Khabeke</p> <p>C. Following areas of Gujranwala Saddar Tehsil</p> <p>a. Municipal Committee Qila Dedar Singh</p> <p>b. Following Patwar Circle of Gujranwala Saddar Qanungo Halqa</p> <p>i. Mandila Mir Shiraran</p> <p>c. Following Patwar Circle of Eminabad Qanungo Halqa</p> <p>i. Qila Mian Singh</p>	74523



	ii. Dhariwal	23169
	D. Following areas of Tehsil Hafizabad of Hafizabad district	
	1. Hafizabad: Qanungo Halqa	8284
	2. Municipal Committee Hafizabad.	8724
	Total:	
		37423
		318621
		1030800

13. Learned Counsel for petitioner No. 6 namely Muhammad Iftikhar has alleged that the delimitation of districts is gerrymandering, without application of the independent minds, beyond the jurisdiction and without observing the procedure laid down in the law alongwith other points, he also suggested that:

- a. It is proposed that the share of both Gujranwala and Hafizabad districts be raised to seven seats as against delimited six seats as their combined share has been determined as 6.94;
- b. The total population of Gujranwala and Hafizabad districts is 6,286,247 with a notified share of 6.94 which after dividing by seven seats, the quota of each constituency of both districts will be 898,035 as against the delimited population of the districts;
- c. It is further proposed that alternatively, both Gujranwala and Hafizabad districts may be considered separately for allocation of seats for each district according to their share as per population, whereby Gujranwala district will have five seats and Hafizabad district will have one seat as per their notified share of 5.48 and 1.46 respectively;
- d. He further submitted that the notified population of Gujranwala district is 4,966,338 and if divided by their notified share of five seats, the quota of each constituency of Gujranwala district will be 993,267 which is nearly equal with the per seat quota of Gujranwala district after permissible 10 percent increase;

14. The petitioner No. 7 namely Mr. Muhammad Zaman Bhoon in **Representation No. 1(26)/23-Law-II** in respect of **NA-67 Hafizabad**, contended that during the preliminary delimitation the principles regarding distribution of population in geographically compact areas, physical, features, existing boundaries of administrative units, facilities of communications and public convenience along with the cognate factors to ensure homogeneity in creation of the constituencies as per Section 20 read with Rule 12 and all other provisions of the Election Rules 2017 have not been followed by the Delimitation Committee. The proposal is given by the petitioner as under;



Proposal

Municipal Committee, Hafizabad with its population of (318621) **be included in the NA-67, and** following areas with its total population of (352884) **be excluded from NA-67** and be added in NA-81:

Qanungo Halqa Chak Chatha with population of 91137,
Qanungo Halqa Kaleke with population of 85795,
Qanungo Halqa shukeki with population of 74208 and
Municipal Committee, Sukheki with population of 50458,
Qanungo Halqa Hafizabad with Population of 37424,
Two patwaar Circles of Kasisay, i.e Doataa Azmat with population of (6940)
& Hardo Ratta with population of 6922.

15. The petitioner No. 8 namely Mr. Muhammad Ahsan Bhoon in **Representation No. 1(509)/23-Law-II** in respect of **NA-67 and NA-81 Hafizabad**, has contended that during the preliminary delimitation the principles regarding distribution of population in geographically compact areas, physical, features, existing boundaries of administrative units, facilities of communications and public convenience alongwith other cognate factors to ensure homogeneity in creation of the constituencies as per Section 20 read with Rule 12 and all other provisions of the Election Rules 2017, have not been followed by the delimitation committee. The petitioner raised the point that in past District Hafizabad was allocated with two National Assembly seats but now just one seat is allocated to District Hafizabad, petitioner prayed that the District Hafizabad be given two National Assembly seats. He also contended that in the year 2002 to 2013, after census results two seats were allocated to district Hafizabad in respect of National Assembly constituencies however in the year 2018 and 2022 the seats of the district Hafizabad has been reduced to one. The petitioner/ objector have also given a comparative chart in respect of allocation of seats to different districts on the basis of population. His representation reveals that he relies upon some examples of other districts has contended that district Gujrat has been given four seats with total population of 3219375 which is half of the population of district Hafizabad and Gujranwala which is 6286247. Similarly district Jhelum has been allocated two seats of NA-60 and NA-61 with population of 1382308. He has proposed in his representation that some areas of district Jhelum may be adjusted with district Chakwal and a separate seat may be given to district Hafizabad. Similarly the petitioner has also given the proposal regarding delimitation of district Gujrat by reducing one seat from four to three. He has also prayed that **NA-77, 78, 79, 80 and 81** be delimited afresh. The proposal given by the petitioner is as under;



Proposal

- i- NA-66 instead of NA-67 comprising of whole District Hafizabad excluding Hafizabad Municipal Committee Qanon-goi, Qanon-Goi Hafizabad II, Qanon-Goi Chak Chatta, Qanon-Goi Soiyan Wala and Patwar Circle Kalianwala QH Hafizabad I. Total population- 805998.
- ii- NA-67 Hafizabad cum Gujranwala comprising of Hafizabad Municipal Committee (318621), Qanon-Goi Hafizabad II (37423), Qanon-Goi Chak Chatta (91137), Qanon-Goi Soiyan Wala (58393), Patwar Circle Kolianwala of QH Hafizabad-I (8337), Qanon-Goi Nokhar District Gujranwala (158413), Hardo Deorhi Pc District Gujranwala (5266), Boala Sardar Jhanda Singh Pc District Gujranwala (9317), Haigar Pc District Gujranwala (5478) and Kot Bhawani Dass Pc District Gujranwala (12568). Total population -704953.
- iii- The areas of the Gujranwala can be adjusted with same and keeping in view the balance of population any other district including district Jhelum, Gujrat and Chakwal can be adjusted with the contiguous constituencies to maintain the balance of population.

16. The petitioner No. 9 namely Mr. Waqas Raza in **Representation No. 1(360)/23-Law-II** in respect of **NA-81 Gujranwala cum Hafizabad**, has contended that during the preliminary delimitation the principles regarding distribution of population in geographically compact areas, physical, features, existing boundaries of administrative units, facilities of communications and public convenience along with cognate factors to ensure homogeneity in creation of the constituencies as per Section 20 read with Rule 12 and all other provisions of the Election Rules 2017 have not been followed by the delimitation committee. The proposal given by the petitioner is as under;

Proposal

- i- That it is very much practicable that if two constituencies of District Hafizabad independently be created as there are in many other districts below the population of 700000.
- ii- That if it is a dire need then by including the area of Police Station of Kot Ladha District Gujranwala can be included for a wise decision to create two constituencies in District Hafizabad and the same is demand of the people of area of Police Station Kot Ladha since long and by it the formula of population can easily be fulfilled.
- iii- That instead of detaching the fertile population of District Hafizabad that can easily be said the brain/headquarter of the District that is Municipal Committee Hafizabad and Hafizabad Qanungo Halqa of Tehsil Hafizabad it was much better to include a few portions from other sides of Hafizabad into District Hafizabad for



the creation of a second constituency those may be adjoining areas of Wazirabad, Sheikurupura and Chiniot.

17. The petitioner No. 10 namely Sarfaraz Ahmad Tarar and others in **Representation No. 1(462)/23-Law-II** in respect of **NA-67 and NA-81**, contended that during the preliminary delimitation the principles regarding to distribution of population in geographically compact areas, physical, features, existing boundaries of administrative units, facilities of communications and public convenience along with other cognate factors to ensure homogeneity in creation of the constituencies as per Section 20 read with Rule 12 and all other provisions of the Election Rules 2017 have not been followed by the delimitation committee. The proposal given by the petitioner is as under;

Proposal

<u>NA-67, HAFIZABAD-I</u>	<u>POPULATION</u>
Following areas of Tehsil Hafizabad:	
Municipal Committee, Hafizabad (Charge No. 8, 9,10, L1,, and 13)	318,621
Town Committee, Vanike Tarar (Charge No. 14)	24,369
Following Qanungo Halqas of Tehsil Hafizabad:	
a) Soian Wala	58393
b) Vanike Tarar	36422
c) Kolu Tarar	73700
d) Hafizabad I	35296
Following areas of Tehsil Pindi Bhattian:	66511
a) Municipal Committee, Pindi Bhattian	
b) Municipal Committee, Jalalpur Bhattian	44421
c) Municipal Committee Sukheki	50458
Following Qanungo Halqa:	60523
a) Pindi Bhattian	106672
b) Kot Nakka	77399
c) jalalpur Nau	



d) Sukheki	74208
Kasisay (Excluding following Patwar Circles)	64699
a) Dohataa Azmat	
b) Hardo Ratta	
Total (Approximate)	1091692

<u>N A-81, Gujranwala-cum-Hafizabad</u>	<u>Population</u>
Naushera Virkan Tehsil	640780
Following Patwar Circles of Qila Dedar Singh Qanungo Halqa of Gujranwala Sadar Tehsil:	
a) Chahal Kohna	15665
b) Chak jaid	6485
c) Hardo Deorhi	5266
d) Khabe Ke	10567
Following areas of District Hafizabad:	
Qanungo Halq4 Hafizabad II	37423
Qanungo Halqa, Chak Chatha,	91137
Qanungo Halqa, Kaleke	85795
Following Patwar Circles of Kasisay	6940
(a) Dohataa Azmat	6922
(b) Hardo Ratta	
Total (Approximate)	906980

18. The petitioner No. 11 namely Haq Nawaz in **Representation No. 1(386)/23-Law-II** in respect of **NA-67 Hafizabad**, has contended that during the preliminary delimitation the principles regarding to distribution of population in geographically compact areas, physical, features, existing boundaries of administrative units, facilities of communications and public convenience along with other cognate factors to ensure homogeneity in creation of the constituencies as per Section 20 read with Rule 12 and all other provisions of the Election Rules 2017 have not been followed by the Delimitation Committee. The petitioner prayed that the District Hafizabad be given two National Assembly seats. The proposal given by the petitioner is as under;



Proposal

NA-67 HAFIZABAD – I

Jalal Pur Bhattian QH	77399
Jatal Pur Bhattian NC	44421
Kasesay	83243
Soyanwala	58393
Vanikitarar	36422
Kolo Tarar	73700
Sukhi Mandi MC	50458
Sukhe Mandi QH	74208
Kot Nakha	106672
Pindi Bhattian MC	66511
Pindi Bhatti QH	60523
Kale Ki Mandi QH	
Kale Ki Mandi TC	140778
Chak Chatha (exclude)	
Total	872728

NA HAFIZABAD – II

Hefizabad MC	318621
Hafizabad QH	37423
Hafizabad QH2	
Chak Chatha	91137
Noshehra (include)	640780
Total	1087966

19. The petitioner No. 12 namely Zaheer Abbas Anjum, in **Representation No. 1(535)/23-Law-II** in respect of **NA-67 and NA-81 Hafizabad**, has contended that during



the preliminary delimitation the principles regarding to distribution of population in geographically compact areas, physical, features, existing boundaries of administrative units, facilities of communications and public convenience along with other cognate factors to ensure homogeneity in creation of the constituencies as per Section 20 read with Rule 12 and all other provisions of the Election Rules 2017 have not been followed by the delimitation committee. The proposal given by the petitioner is as under;

- i- The area of MC Hafizabad (Population: 318621) be included in NA-67 Hafizabad by excluding from NA-81.
- ii- Following areas of Tehsil Hafizabad (Total Population: 228180) be excluded from NA-67 Hafizabad and be included in NA-81.
 - (a) Soian Wala QH (Population: 58,393);
 - (b) Vanike Tarar QH (Population: 36,422);
 - (c) Kolu Tarar QH (Population: 73,700);
 - (d) Hafizabad- I QH (Population: 35,296);
- (e) Town Committee Vanike Tarar (Charge No. 14) (population: 24,369) of District Hafizabad.

(Observations of the Commission)

20. We have minutely perused the representations filed by the petitioners and observed that almost all the petitioners have raised their contentions to increase the number of seats or separation or clubbing of different Districts with each other. All the petitions have been separately discussed through their facts mentioned above. The petitioner No. 8 and 9 Mr. Muhammad Ahsan Bhoon and Waqas Raza have proposed in their petitions/representations that District Hafizabad may be allocated another seat as was previously done in the year 2002 to 2013. They further contended in their representations that after allocation of second seat to District Hafizabad, the population of District Gujranwala will decrease from the prescribed limits of population quota which may be adjusted by taking some areas from other adjoining Districts i.e. District Jhelum, Chakwal, Chiniot, Gujrat and Sheikupura. Similarly, Mr. Muhammad Iftikhar petitioner No. 6, has contended that the share of both Gujranwala and Hafizabad Districts after clubbing be increased from six to seven seats according to the share determined as 6.94 (5.48+1.46) of Gujranwala and Hafizabad, respectively. He further proposed that in case if proposal No. 1 regarding increase of seat is not acceptable then both the Districts Gujranwala and Hafizabad may be separated and the seats be allocated to the Districts according to the share as per their population i.e. Gujranwala will have five seats and Hafizabad will have one seat as per their notified share of 5.48 and 1.46 respectively. After examining the proposals of the petitioners and hearing the arguments of learned



counsels for the petitioners in depth, we have observed that the proposals of petitioners No. 8 and 9, Muhammad Ahsan Bhoon and Waqas Raza are not acceptable on the following grounds:-

- i. If the proposals of the petitioners are accepted, it will unnecessarily disturb other Districts/ constituencies i.e. Jhelum, Chakwal, Gujrat, Sheikupura and Chiniot.
- ii. The petitioners want to adjust the number of seats of his own District while violating the fundamental principles of delimitation and according to his own wishes.
- iii. The petitioners have failed to give any cogent reason in support of their proposals. The only reason given by them is the history in which two seats have been allocated to District Hafizabad. In this contest it is pointed out here that after publication of two census results 2017 and 2023, there is increase in number of population in the Districts and the share of the seats has also been changed on the basis of increase in population.
- iv. After the publication of census result 2023, the number of seats for province of Punjab has not been changed and the Districts have been allocated seats on the basis of share of their population. The population of Gujrat is higher than District Hafizabad. As the population of District Hafizabad is 1319909 and the population of District Gujrat is 3219375 which are far higher than District Hafizabad. Similarly the population of District Jhelum is 1382308 which are also higher than the population of District Hafizabad and as per the share of District Jhelum two seats have been allocated.
- v. The share of seats for District Hafizabad is 1.46 due to which entire Hafizabad District has been allocated one National Assembly seat. In this respect, it is worth mentioning that fraction of District Gujranwala 5.48, Shaikhupura 4.47 and Kasur 4.51 is higher than District Hafizabad but these Districts too have not been allocated additional seats keeping in view Rule 8 of the Elections Rule 2017.
- vi. The petitioner while praying in the representation has added that District Gujrat may be allocated three seats after clubbing some of the areas of District Gujrat with District Hafiazabad for allocation of two seats to District Hafizabad. It is observed that the fraction of population of District Gujrat is 3.55 where as District Hafizabad has the fraction of 1.46. In accordance with Rule 8 of the Elections Rule 2017, four seats have rightly been allocated to District Gujrat having higher fraction. Moreover, Boundaries of District Gujrat will be unnecessarily disturbed without any specific reason.
- vii. The proposals of the petitioners are not feasible and violating the basic fundamental rights of people and principles of delimitation just to carve out the constituencies of their own choices.



21. The proposal of Mr. Muhammad Iftikhar petitioner No. 6 has been perused with the help of available record and it is observed that the proposal is more feasible as we have not found justification in merger of both the Districts i.e. Gujranwala & Hafizabad with each other. We have observed that by merging both the Districts following issues will be faced by the public at large:

- (i) People of both the Districts would be deprived of their basic rights and would suffer difficulties in selection of their representatives.
- (ii) People of both the Districts have different tribes and culture and by clubbing them under one National Assembly constituency, it could cause inconvenience to the public at large;
- (iii) The people could have suffered long distances as it was difficult for them to determine their constituency Headquarter after clubbing of Districts;
- (iv) There could have been administrative inconvenience during the elections;
- (v) The Returning Officer of the constituency could face difficulties in disposal of election assignments like polling scheme, disposal and collection of election material and collection of elections results;

22. After keeping in mind the above factors, we have reached to the conclusion that it would be better for the people of both the Districts to have separate National Assembly constituencies. Therefore, the proposal of the petitioner No. 6 is partially accepted to the following extent: -

- (i) The proposal of the petitioner with respect to NA-77 is accepted, except Charge No.06 of Gujranwala Metropolitan corporation, Hardo Deorhi of Qila Didar Singh QH and Circle No.5, 6 & 7 of Charge No.09, due to issue of contiguity;
- (ii) To the extent of NA-78, proposal of the petitioner is accepted, except Charge no. 05 & 20 of Gujranwala Metropolitan Corporation, in order to balance the population;
- (iii) To the extent of NA-79, proposal of the petitioner is accepted, except PC Dhilanwali of QH Eminabad, in order to balance the population of the constituency;
- (iv) To the extent of NA-80, proposal of the petitioner is accepted, except Charge No. 33. Whereas, Charge No.20 is included to increase the contiguity and to balance the population of the constituency;
- (v) The proposal of the petitioner in respect of NA-81 is accepted, except PCs Hardo Deorhi of Qila Didar Singh QH & Dhilan wali of QH Eminabad.




23. The proposal of the petitioner No. 7 namely M. Zaman Bhoon is in respect of inclusion of QH Chak Chatta, QH Kaleke, QH Hafizabd-II of tehsil Hafizabad and QH Sukheki, MC Sukheki, PC Doataa Azmat and PC Hardu Ratta of QH Kasise of Tehsil Pindi Bhattian in NA-81 Gujranwala-cum-Hafizabad by excluding from NA-67. Moreover, he also contended that MC Hafizabad be included in NA-67 Hafizabad by excluding form NA-81. The proposal of petitioner No. 1 has already been partially accepted while accepting the proposal of Mr. Muhammad Iftikhar. Rest of the proposal of the petitioner is rejected as both the constituencies/ Districts have been separated and given seats in accordance with their respective share of population. Furthermore, the counsel for the petitioner appeared today before the commission and stated that he is satisfied with the final delimitation of the Commission published on 30th November, 2023.

24. The proposals of the petitioners namely Muhammad Arif Shahid Ansari, Ghulam Sabir, Rana Maqsood, Muhammad Hanif, Muhammad Asghar, Sarfaraz Ahmad Tarar and others, Haq Nawaz and Zaheer Abbas Anjum in addition to areas which have already been allowed in the above petition of Mr. Muhammad Iftikhar, have been perused in depth and relevant record has also been examined including map. The counsel for the petitioner Rana Maqsood also expressed his satisfaction with the final delimitation published by the Commission on 30th November, 2023, however in addition to it he has given afresh proposal that Charge.No. 33 has been included n NA-77 in final delimitation where as the said charge is not contiguous with the rest of area of NA-77. He also proposed that Charge No. 33 may be included in NA-80 by excluding it from NA-77 likewise Charge No. 6 and 34 may be included in NA-77 by excluding the same from NA-80. The main contention of the petitioner was that these areas do not have contiguity with each other and giving an odd shape on the map. The proposal of the petitioner has been minutely checked from the available record and maps and found that the petitioner has just pointed out the map of Metropolitan Corporation however when it is combined with the rural area it is contiguous with rest of the areas of NA-77. Therefore the proposal of the petitioner is not acceptable. Rest of the petitioners mentioned above have also not given cogent reasons in support of their proposals and also not appeared before the Commission today. However, if additional proposals of the petitioners are accepted, they will disturb the prescribed limit of population of some constituencies and compactness of some of the constituencies will also be compromised. Therefore, the proposals of the petitioners to the extent allowed in the petition of Mr. Muhammad Iftikhar are partially accepted as by such acceptance, compactness, contiguity and homogeneity amongst the constituencies will enhance and distance between the




constituencies will also reduce. Moreover, it will also enhance the public convenience and population of the constituencies will be better and shall remain within prescribed limit.

25. All the above petitions filed in respect of National Assembly constituencies of District Gujranwala and Hafizabad stand decided in the above terms. Office to take follow-up action, accordingly.


SIKANDAR SULTAN RA
Chairman


NISAR AHMED DURRANI
Member


SHAH MUHAMMAD JATOI
Member


BABAR HASSAN BHARWANA
Member


JUSTICE (R) IKRAMULLAH KHAN
Member



Dated 8th December, 2023