

ELECTION COMMISSION OF PAKISTAN

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PRESENT

MR. SIKANDAR SULTAN RAJA, CHAIRMAN  
MR. SHAH MUHAMMAD JATOI, MEMBER  
MR. JUSTICE (R) IKRAM ULLAH KHAN, MEMBER

Case No.F.6(5)/2024-Cord-(P/F-6)

Case No. 6(19)/2024-Law

C No.F.6(23)/2024-Law-III

Subject:

AMENDED PETITION FILED BY SADIA MUZAFAR AND  
FIZZAH MAMOONA FOR SEATS RESERVED FOR WOMEN IN  
THE PROVINCIAL ASSEMBLY PUNJAB

in

PETITION FILED BY SADIA MUZAFAR AND FIZZAH  
MAMOONA FOR SEATS RESERVED FOR WOMEN IN THE  
PROVINCIAL ASSEMBLY PUNJAB

&

APPLICATION FILED BY ABIDA BASHIR AND SOMIA ATTA  
TO INCLUDE NAMES OF THE PETITIONERS IN THE FIRST  
LIST MEANT FOR RESERVED SEATS (WOMEN) AND  
IMPUGNED NOTIFICATIONS OF DR AYESHA JAVED DATED  
22-04-2024, MS HAMEEDA MIAN DATED 24-5-2024, SONIA  
ASHIR DATED 22-02-2024, AMNA HASSAN DATED 22-02-2024 BE  
CANCELLED AND SET ASIDE.

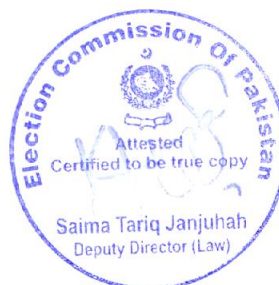
1. Sadia Muzafar, W-No.340, Member of Provincial Assembly of Punjab,

2. Fizzah Mamoonah, W-No.341, Member of Provincial Assembly of Punjab

.....Petitioner(s)

Versus

1. Returning Officer for Election for reserved seats for Women Punjab, Lahore
2. Muhammad Asad Ali, Assistant Director Coord, Election Commission of Pakistan
3. Abdul Hameed, Director (Elections), Election Commission of Pakistan
4. Punjab Election Commission of Pakistan Punjab Lahore.
5. Dr. Ayesha Javed D/o Javed Iqbal R/o House No.495, Block-D1, Gulshan-e-Ravi Lahore.
6. Miss Hameeda Mian D/o Waheed-ud-Din R/o House No.206-5, Mohallah Gurrah, Mandi Baha Ud Din.
7. Sonia Ashir D/o Ashir Aryan R/o House no.A-583, Street No.4, Mohallah Makkah Colony Gulberg-III, Lahore.



8. Miss Amna Hassan D/o Fiaz-ul-Hassan Sheikh R/o House no.10, Street No.5, Gulraiz-II, Rawalpindi.

.....Respondent(s)

1. Abida Bashir, W-No.342, Member of Provincial Assembly of Punjab,

2. Somia Atta, W-No.345, Member of Provincial Assembly of Punjab,

.....Petitioner(s)

Versus

1. Returning Officer for Election for reserved seats for Women Punjab, Lahore
2. Muhammad Asad Ali, Assistant Director Coord, Election Commission of Pakistan
3. Abdul Hameed, Director (Elections), Election Commission of Pakistan
4. Punjab Election Commission of Pakistan Punjab Lahore.
5. Dr. Ayesha Javed D/o Javed Iqbal R/o House No.495, Block-D1, Gulshan-e-Ravi Lahore.
6. Miss Hameeda Mian D/o Waheed-ud-Din R/o House No.206-5, Mohallah Gurrah, Mandi Baha Ud Din.
7. Sonia Ashir D/o Ashir Aryan R/o House no.A-583, Street No.4, Mohallah Makkah Colony Gulberg-III, Lahore.
8. Miss Amna Hassan D/o Fiaz-ul-Hassan Sheikh R/o House no.10, Street No.5, Gulraiz-II, Rawalpindi.

.....Respondent(s)

- For Ms. Sadia Muzaffar : Muhammad Bilal, Advocate
- For Ms. Fizza Memon : Rao Abdul Jabbar Khan Advocate
- For Ms. Abida Bashir : In person
- For Ms. Somia Atta : In person alongwith Asif Iqbal Khan Shahani, Advocate
- For the respondent No.5 & 6 : Naseer Bhutta, ASC & Hashim Butta, ASC
- For the respondent No.7 : In person along with Hafiz Saleem, Advocate
- For the respondent No.8 : Kiran Katija, Advocate
- Date of hearing : 26-09-2024

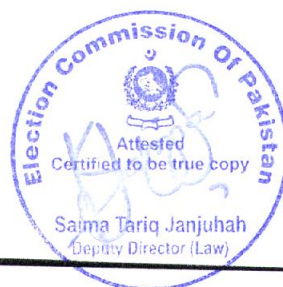
### ORDER

**Sikandar Sultan Raja, Chairman:** The above captioned two petitions are being disposed of through this single consolidated order as similar questions of law and facts are involved.

Brief facts and arguments in Petition of Ms. Sadia Muzafar and Ms. Fizzah Mamoonah

2. That the Petitioners submitted a petition before the Election Commission of Pakistan (hereinafter the "Commission") on 08-05-2024. The matter was fixed for hearing on 08.08.2024. On the said date of hearing, the Petitioners moved applications

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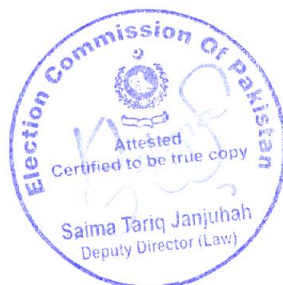


seeking permission to amend the petition and implead additional parties as respondents, and the same were allowed by the Commission. Consequently, notices were issued to the said respondents for appearance on 21-08-2024.

3. The learned counsel for the Petitioners submitted that the Petitioners had duly filed their nomination papers against reserved seats for women in the Provincial Assembly of Punjab under the original priority list of Pakistan Muslim League (N). Pursuant to the nomination process, the Commission issued a priority list wherein Petitioner No. 1 i.e. Ms. Sadia Muzafar, was originally placed at Serial No. 40, and Petitioner No. 2 i.e. Ms. Fizzah Mamoonah, was originally placed at Serial No. 41. That the names of Ms. Tehmina Daultana, Ms. Shakeela Luqman, and Ms. Tamkeen Niazi were originally placed at Serial Nos. 3, 31, and 33, respectively in Pakistan Muslim League (N)'s original priority list for reserved seats for women in the Provincial Assembly of Punjab. However, Ms. Tehmina Daultana and Ms. Tamkeen Niazi were later elected as Members of the National Assembly, thereby vacating their positions for the reserved seats for women in the Provincial Assembly. Moreover, Ms. Shakeela Luqman's name was omitted from the subsequent revised priority list issued by the Commission, and she did not take oath as member Provincial Assembly.

4. The learned counsel for the Petitioners further contended that following the election of Ms. Tehmina Daultana and Ms. Tamkeen Niazi to the National Assembly and the omission of name of Ms. Shakeela Luqman from revised priority list, the names of Ms. Sadia Muzafar and Ms. Fizzah Mamoonah appeared at Serial Nos. 37 and 38, respectively of the Pakistan Muslim League (N)'s priority list for reserved seats for women in the Provincial Assembly of Punjab.

5. Subsequently, Ms. Bushra Anjum Butt, who was placed at Serial No. 8 in the Pakistan Muslim League (N)'s original priority list for reserved seats for women in the Provincial Assembly of Punjab, and was elected as member Provincial Assembly, and later elected as a Senator and vacated her seat in the Punjab Assembly. Thereafter, Respondent No. 5 i.e. Dr. Ayesha Javed, submitted her application and was incorporated into the priority list at Serial No. 8. Similarly, Ms. Rabia Farooqi, who was earlier placed at Serial No. 23 and subsequently elected as Member National Assembly, vacated her Punjab Provincial Assembly seat. Thereafter, another candidate, Respondent No. 6 i.e. Ms. Hameeda Mian, submitted her nomination and was incorporated into the priority list at Serial No. 23.



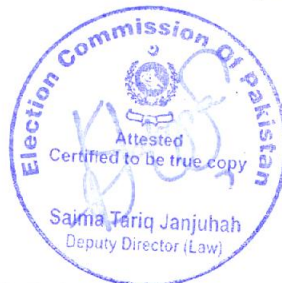


6. The Petitioners have asserted that under Section 104 of the Elections Act, 2017, the names of Respondent No. 5 and 6 should have been placed at the end of the priority list. The learned counsel further submitted that the Commission committed an error in the order of priority and violated the mandate of the Elections Act, 2017 by giving precedence to the names of the Respondent No. 5 and 6 in the priority list of candidates. The learned counsel contended that as per law the names of Petitioner No.1, Ms. Sadia Muzafar and Petitioner No. 2, Fizzah Mamoonah were required to be placed at Serial No. 35 and Serial No. 36 of the Pakistan Muslim League (N)'s priority list for reserved seats for women in the Provincial Assembly of Punjab. Therefore, the Petitioners prayed that the notification No. F.6(5)/2024-Cord-Vol-I for returned candidate dated 22-04-2024, issued in favour of Respondent No. 5, Dr. Ayesha Javed, be suspended. Additionally, they sought that the names of Dr. Ayesha Javed (Serial No. 8), Ms. Hameeda Mian (Serial No. 23), and Ms. Amna Hassan (Serial No. 28), as notified on 22-02-2024, be cancelled and the said candidates be placed at the end of the Pakistan Muslim League (N)'s priority list for reserved seats for women in the Provincial Assembly of Punjab, strictly in accordance with law. The Petitioners further requested that their names (Sadia Muzafar and Fizzah Mamoonah) be placed at Serial Nos. 35 and 36, respectively of the Pakistan Muslim League (N)'s priority list for reserved seats for women in the Provincial Assembly of Punjab, in the interests of justice.

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Brief facts and arguments in Petition of Ms. Abida Bashir and Ms. Somia Atta

7. The Petitioners, Ms. Abida Bashir and Ms. Somia Atta, filed an application before the Commission on 06-09-2024 asserting that the Petitioners had been declared elected as members of the Provincial Assembly on seats reserved for women, vide notification dated 04-03-2024. It was submitted that the Pakistan Muslim League (N) had submitted a priority list for reserved seats in which Petitioner No.1 i.e. Ms. Abida Bashir was placed at Serial No. 42, while Petitioner No.2 i.e. Ms. Somia Atta was placed at Serial No. 45.

8. The learned counsel for the Petitioners submitted that Ms. Tehmina Daultana, Ms. Shakeela Luqman, and Ms. Tamkeen Niazi were originally placed at Serial Nos. 3, 31, and 33, respectively of the priority list. However, Ms. Tehmina Daultana and Ms. Tamkeen Niazi were later elected as members of the National Assembly, thereby vacating their positions for the reserved seats in the Provincial Assembly. Moreover, Ms. Shakeela Luqman's name was omitted from the subsequent revised list issued by the Commission, and she did not take oath as member Provincial Assembly. The name of Dr.





Ayesha Javed and Ms. Hameeda Mian should have come at the tail end of the priority list, whereas the name of Ms. Amna Hassan should have never been included in the list issued by the Respondent No.1. The name and application of Ms. Sonia Ashir should have been entertained only for the minority / non-muslim reserved seats. It was prayed that Respondents No. 1 to 4 be directed to place the names of the Petitioners Ms. Abida Bashir and Ms Somia Atta at Serial No. 35 and Serial No. 38, respectively in the Pakistan Muslim League (N)'s priority list for reserved seats for women in the Provincial Assembly of Punjab, and to include their names in the first list pertaining to seats reserved for women. Additionally, the Petitioners prayed for the cancellation and setting aside of the notifications issued in favour of Dr. Ayesha Javed (dated 22-04-2024), Ms. Hameeda Mian (dated 24-05-2024), Ms. Sonia Ashir (Serial No. 24, dated 22-02-2024), and Ms. Amna Hassan (Serial No. 28, dated 22-02-2024), on the grounds of alleged irregularities and violations of the Election Act, 2017. Pursuant to the filing of the petition, the Commission issued notices to the parties and fixed the matter for hearing on 26-09-2024, on which date arguments were heard.

#### Arguments on behalf of Respondents

9. Respondents No. 5 (Dr. Ayesha Javed) and No. 6 (Ms. Hameeda Mian) appeared before the Commission and submitted their written replies through their learned counsel. They raised both preliminary and legal objections to the maintainability of the petitions filed by the Petitioners.

sol- 10. The learned counsel for Respondent No. 5 and 6 submitted that the Pakistan Muslim League (N) initially submitted a priority list comprising of 58 candidates for the reserved seats for women in the Provincial Assembly of Punjab. Pursuant to the Commission's order dated 01.03.2024, certain reserved seats for women initially claimed by the Sunni Ittehad Council (SIC) were reallocated to other political parties. Consequently, the Pakistan Muslim League (N) submitted an additional list as original priority list stood exhausted. Subsequently the Commission issued a notification dated 04.03.2024, publishing the names of 19 additional returned candidates from the PML(N), whose names were placed at serial numbers 37 to 55 on the Pakistan Muslim League (N)'s priority list.

11. Among those nominated by the Pakistan Muslim League (N) were Ms. Kanwal Nouman, Ms. Saima Zahid, and Dr. Ayesha Javed. And through notification dated



22.03.2024, the Commission declared Ms. Kanwal Nouman and Ms. Saima Zahid as returned candidates on the reserved seats for women in the Punjab Assembly. Upon the resignation of Ms. Bushra Anjum Butt from her MPA seat, Dr. Ayesha Javed (Respondent No. 5) was declared a returned candidate vide Commission's notification dated 22.04.2024.

12. Similarly, after Ms. Rabia Naseem Farooqi was elected as a Member of the National Assembly, thereby vacating her seat in the Provincial Assembly, Ms. Hameeda Mian (Respondent No. 6) was nominated by the Pakistan Muslim League(N) and subsequently declared a returned candidate through notification dated 24.05.2024.

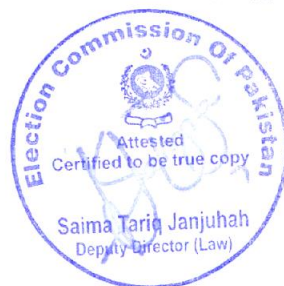
13. The Respondents contended that the Petitioners have erroneously invoked the jurisdiction of the Commission. Neither Article 218(3) of the Constitution of Pakistan nor Section 8 of the Elections Act, 2017 confer jurisdiction upon the Commission to entertain the present petitions. It was further asserted that the Commission made no alterations to the priority list submitted by PML(N), and that the PML(N) being a necessary party to these proceedings was not impleaded as a respondent. As such, no effective relief can be granted in its absence.

14. The Respondents further submitted that the preparation and submission of a political party's priority list and the inclusion of names therein fall solely within the discretion of the concerned political party. Once submitted, the regulation of such a list is governed by Section 104 of the Elections Act, 2017.

15. It was also argued that the judgment of the Hon'ble Supreme Court of Pakistan dated 12.07.2024 does not operate retrospectively. Accordingly, no illegality or violation of law has been committed by Respondents No. 1 to 4. In light of the foregoing, the respondents prayed that the instant petition be dismissed with costs for being devoid of merit and beyond the jurisdiction of the Commission.

16. Respondent No. 7, Ms. Sonia Ashir, submitted her para-wise reply before the Hon'ble Commission through her learned counsel. It was contended that Respondent No. 7 was duly elected as a Member of the Provincial Assembly and has not committed any act of irregularity or illegality warranting her removal or disqualification.

17. The learned counsel of Ms. Sonia Ashir further submitted that the Commission lacks jurisdiction to disqualify a sitting member of the Provincial Assembly. In support of this contention, reliance was placed on Article 51 of the Constitution of the Islamic Republic of Pakistan, which provides for the allocation of reserved seats for women





without specifying any religious restriction. Accordingly, it was argued that the reserved seats for women are not confined solely to Muslim women, and as such, the inclusion of Respondent No. 7, who belongs to the Christian community, in the party's priority list for women's reserved seats was valid and in accordance with the law.

18. The learned counsel placed reliance on judgment reported as **2022 CLC 1315, Shah Muhammad Khan v. Election Commission of Pakistan**, in which it was held that the Election Commission of Pakistan does not possess the authority to disqualify a member of the Assembly. In view of the foregoing, the learned counsel prayed that the instant petition may graciously be dismissed to the extent of Respondent No.7 being devoid of merit and beyond the jurisdiction of the Commission.

19. Respondent No. 8, Ms. Amna Hassan, submitted her para-wise comments through her counsel, raising both preliminary and legal objections to the maintainability of the petition. It was submitted that Respondent No. 8 was duly elected in accordance with the law and the Constitution, and no illegality or irregularity was committed while issuing her notification as returned candidate.

20. The learned counsel further contended that the Petitioners lack the requisite locus standi to maintain the present petition, as they are not aggrieved persons within the meaning of applicable legal provisions. It was also argued that the Commission does not possess jurisdiction to adjudicate the subject matter of the petition in its present form. The learned counsel specifically pointed out that the Respondent No. 8 (Ms. Amna Hassan) was listed at Serial No. 29 in the Pakistan Muslim League (N)'s priority list for reserved seats for women in the Provincial Assembly of Punjab. However, the Returning Officer omitted her name from Form-31, which enumerates the names of nominated candidates for scrutiny scheduled on 26-12-2023. Consequently, Respondent No. 8 filed Writ Petition No. 85497/2023 before the Lahore High Court, which was disposed of vide order dated 28-12-2023, directing the Returning Officer to consider her nomination papers in accordance with the law by issuing a speaking order. Subsequently, the Returning Officer, vide order dated 13-01-2024, rejected her nomination paper. Aggrieved by this decision, Respondent No. 8 preferred Election Appeal No. 3518/2024 before the Election Tribunal, Lahore High Court, which was allowed. The Tribunal relied upon the principles enunciated in Writ Petition No. 223682/2018, titled Seemabia Tahir v. Election Tribunal, in deciding the matter in favor of Respondent No. 8. In view of the above, the learned counsel prayed for the dismissal of the present petition as being devoid of merit and not maintainable under the law



21. Arguments heard, and the record duly perused.
22. The Commission has constitutional power in the allocation of reserved seats for women in both the National and Provincial Assemblies. These seats are not filled through direct elections but are allocated to political parties in proportion to the number of general seats they win in the assemblies, as stipulated in Articles 51 and 106 of the Constitution of Pakistan. The Commission derives its authority primarily from Article 218 of the Constitution and the Elections Act, 2017, which entrust it with the responsibility of organizing and conducting free and fair elections, including the process of filling reserved seats. Political parties are required to submit a priority list of women candidates for reserved seats before the general elections. The relevant provision for the allocation of reserved seats is reproduced as under:

**THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN**

**218. Election Commission.** (1).....

(2).....

(3) It shall be the duty of the Election Commission \* \* \* organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against.

**25. Equality of citizens.** (1) All citizens are equal before law and are entitled to equal protection of law.

(2) There shall be no discrimination on the basis of sex.

(3) Nothing in this Article shall prevent the State from making any special provision for the protection of women and children.

**106. Constitution of Provincial Assemblies.**

(1) Each Provincial Assembly shall consist of general seats and seats reserved for women and non-Muslims as specified herein below:-

	General Seats	Women	Non-Muslim	Total
Balochistan	51	11	3	65
Khyber Pakhtunkhwa	115	26	4	145
Punjab	297	66	8	371
Sindh	130	29	9	168

(3) For the purpose of election to a Provincial Assembly, -

(a).....

(b) Each Province shall be a single constituency for all seats reserved for women and non-Muslims allocated to the respective Provinces under clause (1);

(c) The members to fill seats reserved for women and non-Muslims allocated to a Province under clause (1) shall be elected in accordance with law through proportional representation system of political parties lists of candidates on the





basis of the total number of general seats secured by each political party in the Provincial Assembly:

**224. Time of Election and bye-election (1).....**

(2).....

(3).....

(4).....

(5).....

(6) When a seat reserved for women or non-Muslims in the National Assembly or a Provincial Assembly falls vacant, on account of death, resignation or disqualification of a member, it shall be filled by the next person in order of precedence from the party list of the candidates to be submitted to the Election Commission by the political party whose member has vacated such seat.

Provided that if at any time the party list is exhausted, the concerned political party may submit a name for any vacancy which may occur thereafter.

**THE ELECTIONS ACT, 2017**

**104. Party lists for reserved seats. —**

(1) For the purpose of election to seats reserved for women and non-Muslims in an Assembly, the political parties contesting election for such seats shall, within the period fixed by the Commission for submission of nomination papers, file separate lists of their candidates in order of priority for seats reserved for women and non-Muslims with the Commission or, as it may direct, with the Provincial Election Commissioner or other authorized officer of the Commission, who shall forthwith cause such lists to be published for information of the public:

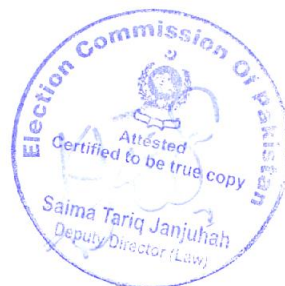
Provided that the list submitted by a political party shall not be subject to change or alteration either in the order of priority or through addition of new names in the list or omission of any name after expiry of the date of submission of nomination papers.

(2) The parties' lists referred to in sub-section (1) may contain as many names of additional candidates as a political party may deem necessary for contesting seats reserved for women and non-Muslims, to provide for any disqualification of candidates during scrutiny of nomination papers or for filling of any vacant seats during the term of an Assembly.

(3) A candidate to a seat reserved for women or non-Muslims shall file the nomination papers on the Form on or before the last date fixed for filing of nomination papers for the election and the nomination papers shall, as nearly as possible, be scrutinized in the same manner as nomination papers of candidates on general seats are scrutinized under section 62.

(4) If, at any time, the party list is exhausted, the political party may submit a name for any vacancy which may occur thereafter and the provisions of sub-sections (1), (2) and (3) shall, as nearly as possible, apply to fill such vacancy.

(5) Where a seat reserved for women or non-Muslims in an Assembly falls vacant as a result of death, resignation or disqualification of a Member, it shall be filled in by the next person in order of precedence from the party's list of candidates submitted to the Commission under sub-section (1).



(6) Before notifying the name of the next person in order of priority from the party list, such person shall submit a declaration on oath that since the filing of his nomination paper, he has not become subject to any disqualification contained in Article 63.

(7) A candidate contesting election on a seat reserved for women or non-Muslims shall, along with the nomination papers and its annexures, submit to the Returning Officer appointed by the Commission in this behalf— (a) a copy of the party list of the candidate's political party for such seats; (b) declarations and statements in support of the nomination; and (c) proof of deposit of the fee required for filing nomination papers.

(8) Where there is equality of share on a reserved seat between two or more political parties, the Returning Officer shall declare the returned candidate by drawing of lots.

### **ELECTION RULES, 2017**

#### **92. Election to seats reserved for women and non-Muslims.—**

(1) Election to the seats reserved for women and non-Muslims in the National Assembly and Provincial Assemblies shall be held on the basis of proportional representation system of political parties' lists of candidates in accordance with the provisions of these Rules and the Act.

(2) The Members to fill seats reserved for women in the National Assembly allocated to a Province shall be elected through proportional representation system of political parties' lists of candidates submitted to the Commission on the basis of total number of general seats won by each political party from the Province concerned in the National Assembly.

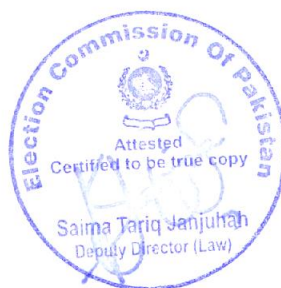
(3) The Members to fill seats reserved for women allocated to a Province shall be elected through proportional representation system of political parties' lists of candidates on the basis of total number of general seats won by each political party in the Provincial Assembly.

(4) The Members to fill seats reserved for non-Muslims in the National Assembly and the Provincial Assemblies shall be elected through proportional representation system of political parties' lists of candidates on the basis of total number of general seats won by each political party in the National Assembly, or, as the case may be, in the Provincial Assembly.

(5) If, at any time, the party list is exhausted, the political party may submit a name for any vacancy which may occur thereafter and the provisions of sub-section (1) and sub-section (2) of section 104 shall, as nearly as possible, apply to fill such vacancy.

(6).....

(7) The political parties' lists of candidates to be submitted under this rule to the Commission in connection with election to the reserved for women or non-Muslims in an assembly shall be on Form-66.





**94. Commission to declare seats won by each Political party. —**

(1) The Commission shall, by notification in the official Gazette, declare the total number of reserved seats won by each political party in the National Assembly and the Provincial Assemblies respectively.

(2) The per centum share of each political party shall be worked out with reference to total number of general seats in the National Assembly, or, as the case may be, the respective Provincial Assembly.

(3) In calculating the number of seats, the highest fraction shall be taken as one seat till the allocation of total reserved seats in the concerned Assembly is completed.

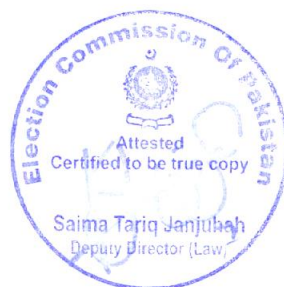
(4) The seats reserved for non-Muslims and women shall be divided among the political parties on the basis of their per centum share as worked out in sub-rule (2) and in order of priority of the names of candidates mentioned in the party list: Provided that the list submitted by a political party shall not be subject to change or alteration, either in the order of priority or through addition of new names or subtraction of old names after expiry of the date of submission of nomination papers:

*Explanation. — For the purpose of this rule, the expression —political party means a political party to which a symbol has been allocated by the Commission.*

23. Upon perusal of the record, it transpires that the main issue in the titled petitions pertains to the issuance of notification of returned candidate for reserved seats for women in the Provincial Assembly of Punjab on the basis of priority list. Initially, Pakistan Muslim League (N) submitted a priority list comprising 58 candidates for seats reserved for women in the Provincial Assembly of Punjab, in accordance with Article 106 of the Constitution of the Islamic Republic of Pakistan, read with Section 104 of the Elections Act, 2017.

24. Pursuant to Notification dated 22-02-2024, the Commission allocated 36 reserved seats for women to Pakistan Muslim League (N) in the Provincial Assembly of Punjab. It is observed that the candidates listed at Serial Nos. 03 (Ms. Tehmina Daultana), 31 (Ms. Shakeela Luqman), and 33 (Ms. Tamkeen Akhtar Niazi) did not file their nomination papers, rendering the Pakistan Muslim League (N)'s priority list effective up to Serial No. 39 of original priority list.

25. Subsequently, the seat of Ms. Bushra Anjum Butt became vacant following her election to the Senate on 05-04-2024, and the seat of Ms. Rabia Naseem Farooqi became vacant upon her election as a member of the National Assembly on 17-04-2024. Consequently, the Petitioners Ms. Sadia Muzafar and Ms. Fizzah Mamoon, being next



in order of precedence on the original priority list at Serial Nos. 40 and 41 respectively, became entitled to be notified as returned candidates against the aforementioned vacant seats.

26. That under proviso to section 104(1) of the Elections Act, 2017 specifically states that the list submitted by a political party shall not be subject to change in the order of priority after expiry of the date of submission of nomination papers. That section 104(5) of the Elections Act, 2017 specifies that where the reserved seat becomes vacant it shall be filled in by the next person in order of precedence from the party's list of candidates submitted to the Commission under section 104(1). The contention of the learned counsel of Ms. Sadia Muzafar and Ms. Fizzah Mamoonah carries weight that Ms. Sadia Muzafar and Ms. Fizzah Mamoonah should have been notified against the vacancy that arose in the reserved seat for women in the Punjab Assembly once seats were vacated by Ms. Bushra Anjum Butt and Ms. Rabia Naseem Farooqi.

27. Keeping in view the available record, priority list (**Annexure A,B&C**) and above discussion, the Commission directs the office to re-examine priority list as submitted by the PML (N) and place the comprehensive case before the Commission with concrete proposal by observing precedence of priority list strictly in accordance with law/rules and in the light of quota determined for PML (N).

28. With regard to the common prayer in both petitions seeking cancellation of notification No. F.6(5)/2024-Cord dated 22.02.2024 of Ms. Sonia Ashir (Serial No.24), it is pertinent to note that under provisions of the Constitution and the Elections Act, 2017 there is no bar against the inclusion of name of non-Muslim women in priority lists for seats reserved for women in the National or Provincial Assemblies, and such legal bar cannot be read into the provisions of statute or the Constitution. That the purpose of reserved seats for non-Muslims / minorities is to increase representation of underrepresented class of persons in the legislature. However, the availability of reserved seats for non-Muslims / minorities does not mean that non-Muslim women are barred from contesting election on general seats or on reserved seats for women. Limiting the candidacy of non-Muslims / minorities only to the reserved seats for non-Muslims / minorities would violate of Article 25 of the Constitution of Islamic Republic of Pakistan as the same does not permit negative discrimination on the basis of religion and expressly safeguards the rights of non-Muslim citizens, ensuring their equal protection under the law. Hence Ms. Sonia Ashir, being a woman, could be elected to reserve seats for women regardless of her religion. Hence she was rightly notified by the Commission against






reserve seats for women in the Provincial Assembly of Punjab. This prayer of the Petitioners is not maintainable under the law / rules and their petitions are dismissed to this extent.

29. With regard to the common prayer in the petitions challenging the notification of Ms. Amna Hassan, it is clear that her name was duly included in revised Form-32 and Form-33 by the Returning Officer, pursuant to the order passed by the Lahore High Court (Appellate Tribunal) in Election Appeal No. 3518/2024, dated 18-01-2024. This prayer of the Petitioners is not maintainable under the law / rules and their petitions are dismissed to this extent.

30. That with regard to the prayer of the Petitioners, Ms. Abida Bashir and Ms. Somia Atta, seeking inclusion of their names at specified serial numbers in the order of priority is hereby decided in terms of para 27 of the order.

  
**Sikandar Sultan Raja**  
Chairman

  
**Shah Muhammad Jatoi**  
Member

  
**Justice (R) Ikram Ullah Khan**  
Member

30.06.2025  
Date of announcement



**Women Reserved Seats – Provincial Assembly Punjab**

Annex-A

Sr. #	Priority #	Name	Father/Husband Name	CNIC	Address
1	1	Zakia Khan	Shah Nawaz Khan	35201-1218463-0	Punjab
2	2	Ishrat Ashraf	Ch. Muhammad Jaffer Iqbal	61101-5096068-6	Punjab
3	3	Tehmina Daultana	Zahid Anwar	35201-1286392-4	Punjab
4	4	Marriyum Aurangzeb	Ala ud Din Taseer	37405-7632434-6	Punjab
5	5	Azma Zahid Bukhari	Syed Zahid Hussain Bukhari	35404-5698277-8	Punjab
6	6	Hina Parvez Butt	Pervez Akhtar Butt	35202-0247653-8	Punjab
7	7	Salma Sadia Taimoor	Raja Jehangir Taimoor	35201-9673662-8	Punjab
8	8	Rahila Naeem/Rahila Khadim Hussain	Syed Naeem Abbas	35202-5855326-2	Punjab
9	9	Bushra Butt	Imran Butt	35201-2273834-4	Punjab
10	10	Sania Ashiq Jabeen	Muhammad Ashiq	35202-1440520-8	Punjab
11	11	Salma Butt	Rehmat Ullah Butt	34101-4487830-2	Punjab
12	12	Kanwal Pervaiz Ch.	Liaquat Ali	35201-1274205-8	Punjab
13	13	Mehwish Sultana	Sultan Raja Azmat Hayat	37202-3449954-4	Punjab
14	14	Nausheen Adnan	Dr. Muhammad Adnan Khan	90403-0108087-6	Punjab
15	15	Asma Ahtsham ul Haq	Ahtsham ul Haq	35202-7471810-6	Punjab
16	16	Kausar Javed	Mian Muhammad Javed Akhtar	35202-3716106-2	Punjab
17	17	Uzma Jabeen Raja	Raja Manan Ahmed	33100-0888302-6	Punjab
18	18	Ambreen Ismail	Muhammad Ismail	35202-7091621-2	Punjab
19	19	Mumtaz Begum	Raees Ahmed	35202-2457940-2	Punjab
20	20	Sunbul Malak Hussain	Malik Hussain	35202-2110735-6	Punjab
21	21	Rukhsana Kausar	Rana Muhammad Aslam	35202-6442081-0	Punjab
22	22	Shazia Rizwan	Malik Rizwan Afsar	37405-2715258-0	Punjab
23	23	Motia Begum	Muhammad Masood Khalid	36402-4226756-6	Punjab
24	24	Rabia Naseem Farooqi	Kashif Pervez Farooqi	35201-7955818-0	Punjab
25	25	Sonia Ashir	Ashir Aryan	35202-9021-836-4	Punjab
26	26	Uzma Kardar	Tahir Hussain Kardar	35202-2565812-6	Punjab
27	27	Safia Saeed	Muhammad Saeed Ahmed	35102-6874116-6	Punjab
28	28	Tahia Noon	Malik Adnan Hayat Noon	35202-2514984-4	Punjab
29	29	Amna Hassan	Fayaz ul Hassan	37405-5244359-6	Punjab

24/04/2023  
Provincial Election Commissioner (Elections) Punjab  
Returning Officer Reserved Seats for Women in the  
Provincial Assembly of Punjab

President PML-N Secretariat

160-H, Model Town, Lahore Tel: 042-35881002-3 35918304, 35918307 Fax: 042-35918301  
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30	30	Asma Naz Abbasi	Muhammad Altaf Abbasi	37405-1655601-6	Punjab
31	31	Shakeela Luqman	Dr. Khalid Luqman Ch	34601-2971275-8	Punjab
32	32	Tahira Mushtaq	Hassan Muhammad Mustaq	37405-8851459-6	Punjab
33	33	Tamkeen Akhtar Niazi	Hameed Akhtar Niazi	61101-0738268-4	Punjab
34	34	Zeb un Nisa Awan	Muhammad Iqbal	37405-0498195-4	Punjab
35	35	Fatima Begum	Salah ud Din Abbasi	35202-5984144-8	Punjab
36	36	Qaudsia Batool	Ch. Zia Ullah	33106-0311041-2	Punjab
37	37	Riffat Abbasi	Muhammad Farid Abbasi	37405-3067009-4	Punjab
38	38	Atia Iftikhar	Iftikhar Baig	35401-8794354-8	Punjab
39	39	Rushda Lodhi	Zahid Bashir	35201-7796980-6	Punjab
40	40	Sadia Muzafar	Muhammad Bilal Mehmood	35202-5429556-0	Punjab
41	41	Fiza Memona Rao	Rao Abdul Jabbar	32304-8066060-8	Punjab
42	42	Abida Bashir	Muhammad Bashir	33202-5408317-4	Punjab
43	43	Maqsooda Begum	Abdur Rasheed	36302-3776452-0	Punjab
44	44	Amra Khan	Muhammad Abdul Rehman Khan	35202-9770236-0	Punjab
45	45	Somia Atta	Amjad Nazir Shahani	32203-1951840-0	Punjab
46	46	Rahat Afza	Amjad Nazir Shahani	32203-1951840-0	Punjab
47	47	Rukhsana Shafiq	Muhammad Shafiq	31101-6970907-4	Punjab
48	48	Tehseen Fawad	Fawad ur Rashid	37405-3294155-6	Punjab
49	49	Farzana Abbas Kambo Adv.	Ch. Ghulam Abbas	36502-4165577-6	Punjab
50	50	Shagufta Faisal	Faisal Akhtar	35301-3219042-4	Punjab
51	51	Uzma Butt		35202-6181296-4	Punjab
52	52	Maria Talal	Talal Ahmed	61101-5135072-4	Punjab
53	53	Sajida Naveed	Naveed Ahmed	36402-1465156-8	Punjab
54	54	Nasreen Riaz	Tariq Mahmood	31303-8929340-2	Punjab
55	55	Afshan Hassan	Waqar Ahmed Khan	35201-4086930-8	Punjab
56	56	Amna Parveen		36302-0406558-6	Punjab
57	57	Shehar Bano	Muhammad Nawaz	35202-0229964-4	Punjab
58	58	Zeba Ghafoor	Abdul Ghafoor	35201-717608-6	Punjab

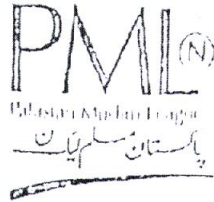
24/11/2023  
Joint Provincial Election Commission (Electoral) Punjab /  
Returning Officer Reserved Seats for Women in the  
Provincial Assembly of Punjab

President PML-N Secretariat

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Annexure B

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Annex-A

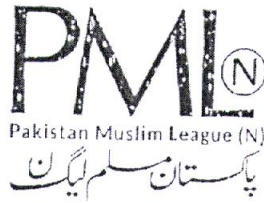
Name of Political Party: Pakistan Muslim League (N)

Category: Additional names for Women Reserved Seats in Provincial Assembly of Punjab

S.No.	Priority Number	Name of the Candidates	Father's/ Husband's Name	National Identity Card No.	Address
1.	1	Kanwal Nauman	Syed Nauman Aziez	35202-6785389-4	Lahore
2.	2	Saima Zahid	W/o Zahid Hamced	34101-1486991-6	Gujranwala
3.	3	Dr. Ayesha Javed	D/o Javed Iqbal	35202-3435503-4	Lahore

*[Handwritten signature]*





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Annexure C

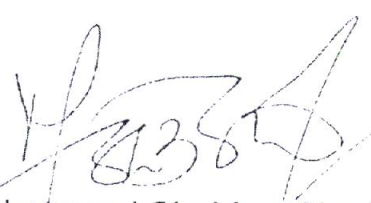
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ANNEXURE-A

**FORM-66**

**ADDITIONAL LIST OF CANDIDATE FOR SEAT RESERVED FOR WOMEN IN THE  
PROVINCIAL ASSEMBLY OF PUNJAB**

Sr. No.	Priority No.	Name of the Candidate	Father's Name / Husband's Name	National Identity Card No.	Address
1.	1	Hameeda Mian	Fazal Muqeem	34402-1606721-8	Mandi Bahauddin

  
Muhammad Shahbaz Sharif  
President  
Pakistan Muslim League-N

  
30/04/24  
Returning Officer  
Seat Reserved for Women  
Provincial Assembly of Punjab

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