

**BEFORE THE ELECTION COMMISSION OF PAKISTAN**

**PRESENT:**

MR. NISAR AHMED DURRANI, MEMBER  
MR. SHAH MOHAMMAD JATOI, MEMBER  
MR. BABAR HASSAN BHARWANA, MEMBER  
MR. JUSTICE (R) IKRAM ULLAH KHAN, MEMBER

**Case No. 10 (11-12)/2023-Law-III**

In Ref: **TWO ELECTION PETITIONS AGAINST IMPUGNED ORDER OF REGIONAL ELECTION COMMISSIONER/DELIMITATION AUTHORITY RAWALPINDI DIVISION DATED 04.02.2023 AND DELIMITATION OF UNION COUNCIL JHUNGLA TEHSIL GUJJAR KHAN DISTRICT RAWALPINDI**

1. Iftikhar Ahmed s/o Muhammad Latif Resident of Partali, Dakhli Bandote, Tehsil Gujjar Khan, District Rawalpindi; &
2. Saqualin Ijaz s/o Ghulam Rasool r/o Mohar Amin p/o Jhungal, tehsil Gujjar Khan district Rawalpindi

**...Petitioner (s)**

**VERSUS**

The Delimitation Authority, Rawalpindi Division, Regional Election Commissioner, Rawalpindi and another

**... Respondent**

For the Petitioner : Raja Tanvir Akhtar, ASC  
Date of Hearing : 05.06.2023

**ORDER**

**Mr. Nisar Ahmed Durrani, Member.**— Through this single order we shall decided the above titled both petitions being identical in nature.

2. Shortly the facts giving rise to the instant matter are that delimitation of constituencies to the Local Bodies Elections in Punjab province was carried out by the Delimitation Committee as required under section 221 of the Elections Act, 2017. The process of delimitation was initiated on 15.12.2022. The delimitation committee, prepared the preliminary delimitation report by following the principles of delimitation set out in section 20 of the Elections Act, 2017. To facilitate the general public and for the sake of transparency of process of delimitation, preliminary list



was published to invite the objections from voters of respective constituency. In order to address the objections so received, Delimitation Authority were also appointed. It reveals that representations were filed by the present petitioners before the Delimitation Authority, Rawalpindi. The Delimitation Authority after hearing the parties dismissed the representations filed by the petitioners, vide order dated 04.02.2023. Hence the preset petitions.

3. Learned counsel for the petitioners put appearance. He vociferously contended that Union Council Jhungal, tehsil Gujar Khan had old history. That UC Jhungal was established in 1982 and since then it has been kept intact. He emphasized that in the previous alleged delimitation, it has been broken without adhering to the basic principles of delimitation and its villages have been included in five different Union Councils. He further emphasized that now the population of Jhungal is 23402 and it was almost meeting the criteria of average population of 25,000 and it was required to be kept intact. He urged that delimitation carried out by the Committee is contrary to the principles laid down given in section 20 of Elections Act, 2017. That recent delimitation has badly affected the compactness, contiguity and interests of local residents. He contended that as per previous delimitation, villages of UC Jhungal were compact with each other and were presenting true spirit of principles laid down in section 20 of Elections Act, 2017. He contended that representations were also filed before Delimitation Authority, which were dismissed in cursory manner. He referred previous as well as recent maps of the constituency



and prayed that previous status of UC Jhungal may be restored in the interest of justice.

4. The Delimitation Authority, Rawalpindi is in attendance. He contended that delimitation of Tehsil Gujar Khan was carried out in accordance with the principles laid down in section 20 of the Election Act, 2017 read with section 11 of Punjab Local Government Act, 2022. He contended that delimitation of UC was also found in accordance with the principles referred above, therefore, representations of present petitioners were rejected. He further added after the promulgation of Punjab Local Government Act, 2022 prayer of petitioners is not applicable practically as it will have ripple effect on other union councils from where no objection was filed.

5. We have heard the learned counsel and Delimitation Authority. We have also minutely perused the map of constituency furnished by learned counsel. Despite efforts, we have not been able to find out any illegality or irregularity committed by the Delimitation Committee as argued by learned counsel. Resultantly, both the petitions are dismissed.

  
(Nisar Ahmed Durrani)

Member

  
(Shah Muhammad Jatoi)

Member

  
(Babar Hassan Bharwana)

Member

  
(Justice (R) Ikram Ullah Khan)

Member

Islamabad  
The 3<sup>rd</sup> July, 2023

