

The Gazette  of Pakistan

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

ISLAMABAD, SATURDAY, MAY 11, 1974

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 11th May, 1974

The following Acts of Parliament received the assent of the President on the 8th May, 1974, and are hereby published for general information :—

ACT No. XXXIV OF 1974

*An Act to provide for the delimitation of constituencies for elections to the National Assembly and the Provincial Assemblies*

WHEREAS it is expedient to provide for the delimitation of constituencies for elections to the National Assembly and the Provincial Assemblies and for matters connected therewith or ancillary thereto ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Delimitation of Constituencies Act, 1974.

(2) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context—

- (a) "Article" means Article of the Constitution of the Islamic Republic of Pakistan hereinafter referred to as the Constitution ;
- (b) "Commission" means the Election Commission constituted under Article 218 ;
- (c) "population" means the population in accordance with the ~~last~~ <sup>1972</sup> preceding census officially published ; and
- (d) all words and expressions used but not defined in this Act shall have the same meaning as in the Constitution.

1. Subs. Vide Ord. LQ (1984) (183)

Price : Ps. 13

**3. Commission to delimit constituencies.**—The Commission shall delimit territorial constituencies for elections to the National Assembly and to each Provincial Assembly in accordance with the provisions of the Constitution and this Act.

**4. Procedure of Commission.**—(1) Subject to the provisions of this section, the Commission shall regulate its own procedure.

(2) If, upon any matter requiring the decision of the Commission, there is difference of opinion amongst its members, the opinion of the majority shall prevail and the decision of the Commission shall be expressed in terms of the opinion of the majority.

(3) The Commission may exercise its powers and perform its functions notwithstanding that there is a vacancy in the office of any one of its members or that any one of its members is, for any reason, unable to attend its proceedings and the decision of the other two members shall have the effect of the decision of the Commission :

Provided that, in the event of a difference of opinion between the two members attending the proceedings of the Commission,—

- (a) if the Chairman is one of the two members, his opinion shall prevail and the decision of the Commission shall be expressed in terms of that opinion; and
- (b) in the other case, the matter shall be placed for decision before the Commission.

**5. Delegation of powers, etc.**—The Commission may authorise any of its members to exercise and perform all or any of its powers and functions under this Act.

**6. Assistance to the Commission.**—(1) The Commission may require any person or authority to perform such functions or render such assistance for the purposes of this Act as it may direct.

(2) All executive authorities of the Federal Government and each Provincial Government shall assist the Commission in the performance of its functions and for this purpose the Commission may issue such directions as it may consider necessary.

**7. Allocation of seats in the National Assembly.**—(1) On the basis of population, the seats in the National Assembly for each Province, the Federally Administered Tribal Areas and the Federal Capital are allocated as follows :—

	General Seats	Seats reserved for women
The North-West Frontier Province ..	26	1
Federally Administered Tribal Areas ..	8	—
Federal Capital ..	1	—
The Punjab ..	115	6
Sind ..	43	2
Baluchistan ..	7	1
Total :	200	10

Provided that the allocation of the seats reserved for women shall not be effective after the 13th day of August, 1983, or the holding of the second general election to the National Assembly under the Constitution, whichever occurs later.

1. Omitted by Ord. L of 1989.

~~(2) The seats allocated under sub-section (1) shall be re-allocated after each succeeding census.~~

**8. Delimitation of constituencies.**—(1) For the purpose of election to the National Assembly, the Commission shall divide—

- (a) each Province into as many separate territorial constituencies as the number of general seats allocated to that Province under section 7; and
- (b) the Federally Administered Tribal Areas and the Federal Capital into as many territorial constituencies as the number of general seats respectively allocated to the said Areas and the Federal Capital under that section.

(2) In addition, each Province shall have as many constituencies as the number of seats reserved for women allocated to that Province under section 7.

(3) For the purpose of election to Provincial Assemblies, the Commission shall divide each Province into as many territorial constituencies as the number of general seats fixed under clause (1) of Article 106.

(4) In addition, each Province shall have as many constituencies as the number of seats reserved—

- (a) for women under clause (4) of Article 106; and
- (b) by clause (3) of that Article for persons belonging to the communities specified therein or the scheduled castes.

**9. Principles of delimitation.**—(1) All constituencies shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact areas, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors to ensure homogeneity in the creation of constituencies :

Provided that for the purpose of delimiting the constituencies for the general seats for the Federally Administered Tribal Areas two or more separated areas may be grouped into one constituency.

(2) As far as may be the constituencies for election to the same Assembly shall be equal among themselves in population.

**10. Reports of Commission and list of constituencies.**—(1) For the purpose of delimiting constituencies, the Commission may receive and consider representations, hold inquiries, summon witnesses and record evidence, and shall prepare and publish in the official Gazette a preliminary report and list of constituencies specifying the areas proposed to be included in each constituency.

(2) Any person entitled to vote at an election to the National Assembly or a Provincial Assembly may, within thirty days of the publication of the report under sub-section (1), make a representation to the Commission in respect of the delimitation of constituencies.

(3) The Commission shall, after hearing and considering the representations, if any, received by it, make such amendments, alterations or modifications, in the preliminary list published under sub-section (1) as it thinks fit or necessary, and shall publish in the official Gazette the final report and list of constituencies showing the areas included in each constituency.

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**11. Bar of jurisdiction.**—The validity of the delimitation of any constituency, or of any proceedings taken or anything done by or under the authority of the Commission, under this Act shall not be called in question in any court.

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