

To,
The Secretary
Election Commission of Pakistan,
Islamabad.

REPRESENTATION UNDER SECTION 21(3) OF THE ELECTION ACT, 2017 AGAINST THE PRELIMINARY DELIMITATION OF THE CONSTITUENCIES NA-162, NA-163, NA-164, NA-165 AND PP-229, PP-230, PP-231, PP-232, PP-233, PP-234, PP-235, PP-236 NOTIFIED VIDE NOTIFICATION NO. F.8(3)/2018-ELEC-I DATED 05.03.2018.

Respected Sir,

1. That petitioner belongs to Karampur, Tehsil Mailsi, District Vehari being active member of the society and above said revenue estate he always actively participated in the elections.
2. That administratively district Vehari comprising of three three tehsils i.e Vehari, Burewala and Mailsi with total population of 2,897,446 , the provisional results of census 2017 regarding district Vehari are as under;

Summary of District Vehari

Name of Area	Population, Census 2017
District Vehari	2,897,446
Tehsil Vehari	928,166
Tehsil Burewala	1,015,385
Tehsil Mailsi	953,895

**Determination of Quota
National Assembly**

Details of Facts	Figure
Total population of Punjab	110,012,442
Total no. of National Assembly Seats allocated to Punjab	141
Quota per National Assembly Seat	$110,012,442/141=780,230$
Total population of District Vehari	2,897,446
No. of National Assembly seats in District Vehari	4

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Provincial Assembly

Details of Facts	Figure
Total population of Punjab	110,012,442
Total no. of Provincial Assembly Seats allocated to Punjab	297
Quota per Provincial Assembly Seat	$110,012,442/297=370,412$
Total population of District Vehari	2,897,446
No. of Provincial Assembly seats in District Vehari	8
Quota for each National assembly seat for District Vehari	$2,897,446/8=362,180$

3. That the petitioner has gone through the above said publication of preliminary report of delimitation of constituencies of National and Provincial assemblies, who is not satisfied with the preliminary delimitation of National and Provincial constituencies of Vehari district (Punjab) having new no. NA-162, NA-163, NA-164, NA-165 and PP-229, PP-230, PP-231, PP-232, PP-233, PP-234, PP-235, PP-236. Hence, the petitioner is filing the objections as contemplated in section 21(3) of The Elections Act, 2017 and rule 10 of The Election Rules, 2017.

OBJECTIONS

1. That the principle of delimitation has been enumerated under section 20 of The Election Act, 2017 which reads as under;

“20. Principles of delimitation. (1) All constituencies for general seats shall, as far as practicable, be delimited having regard to distribution of population in geographically compact areas, physical features, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors to ensure homogeneity in the creation of constituencies.

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(2) For the purpose of delimitating constituencies for the general seats of the National Assembly for the Tribal Areas two or more separate areas may be grouped into one constituency.

(3) As far as possible, variation in population of constituencies of an Assembly or a local government shall not ordinarily exceed ten percent.

(4) If the limit of ten percent under sub-section (3) is exceeded in an exceptional case, the Commission shall record reasons thereof in the delimitation order."

2. That it can easily be identified and enumerated that the principle of delimitation which law provides to comply with in its letter and spirit while delimiting the electoral constituencies, so that not only the candidates but also the voters could be benefited. But while delimiting the electoral constituencies of Vehari district, said principle has not been complied in stricto-senso. Hence, the above said delimitation is totally illegal, violative and against the law. Moreover, the basic questions have been ignored by the delimitation committee while creating the constituencies. The basic questions are as under;

- a) Distribution of equal population
- b) Geographical compactness.
- c) Physical features.
- d) Existing boundaries of administrative units.
- e) Facilities of communication.
- f) Public convenience
- g) Other cognate factors to show homogeneity in the creation of constituencies.
- h) Variation in population.

3. That procedure for delimiting constituencies has been provided in sub-rules 3,4 and 5 of rule 10 of The Election Rules, 2017 which is reproduced as under;

“(3) In preparing draft proposals for delimitation of constituencies, the Delimitation Committee shall follow the principles of delimitation as laid down in section 20, procedure given in this Chapter and the guidelines provided by the Commission from time to time.

(4) The constituency for an Assembly shall not ordinarily extend to more than one district except in exceptional circumstances for reasons to be recorded by the Delimitation Committee:

Provided that a Patwar Circle or, as the case may be, a Tapedar Circle shall be the basic unit for delimitation and it shall not be broken under any circumstances:

Provided further that in case of urban areas census circle shall not be broken under any circumstances.

(5) As far as possible, the delimitation of constituencies of an Assembly shall start from Northern end of the district, or, as the case may be, the agency and then proceed clock-wise in zigzag manner keeping in view that population among the constituencies of an Assembly shall remain as close as may be practicable to the quota:

Provided that the quota under this sub-rule shall be determined by dividing total population of the district or the agency with number of seats allocated to that district or agency:

Provided further that the variation in population between two or more constituencies shall not ordinarily exceed ten percent and the Delimitation Committee shall record reasons if, in exceptional circumstances, the variation has to exceed the limit:

4. That all the above said factors were not seen rather fully ignored by the delimitation committee while creating the constituencies of district Vehari, which act is illegal, beyond its authority and against the law.
5. That geographically compact area means that the area where natural and political division of the earth seems to be one unit. Unfortunately the preliminary delimitation in respect of the NA-162, NA-163, NA-164, NA-165 and PP-229, PP-230, PP-231, PP-232, PP-233, PP-234, PP-235, PP-236 of Vehari district are not in consonance with the geographical nature of the area. A cursory view of the map itself indicates that the proposed delimitation is more appropriate in the light of this principle rather than the preliminary notified delimitation.
6. That the delimitation of all the constituencies of district Vehari comprising on NA-162, NA-163, NA-164, NA-165 and PP-229, PP-230, PP-231, PP-232, PP-233, PP-234, PP-235, PP-236 have been made totally contrary of the section 20 of The Election Act, 2017 and The Election Rules, 2017. It is pertinent to mention here that there is no change in numbers of National as well as Provincial assembly seats of district Vehari as compared to previous constituencies. As earlier, the Vehari district was consisting of four seats of National assembly and eight seats of Provincial assembly and as per the new formula and new delimitation according to The Election Act, 2017 the total number of National and Provincial assemblies remains unchanged. But the delimitation committee while making new delimitation has changed the previous constituencies and has also overlooked the principles laid down in section 20 of The Election Act, 2017.
7. That while delimiting the constituencies of district Vehari the delimitation committee has overlooked basic principle of geographically compact area...



all other cognate factors of homogeneity, which is against the law and constitution.

8. That the rule of northern end has also been violated while delimiting the constituencies, which is also against the natural justice and principles of delimitation *ibid*. Moreover, the population of NA-165 Vehari IV is not justified and is not according to the formula in preliminary delimitation which is not sustainable.
9. That after the census 2017, there is no major change in population of district Vehari and according to The Election Act and rules only minor changes were required but the delimitation committee has disturbed all the constituencies of district.
10. That there are many other districts of Punjab where no changes were made including district Chakwal where previous delimitation was kept intact with slight amendments but in the case of district Vehari the delimiting committee has changed all the constituencies through which article 25 of the Constitution of Islamic Republic of Pakistan, 1973 has been violated and the petitioner has the right to be treated at par.
11. That above preliminary delimitation of district Vehari is totally illegal, violative of rules because of following reasons:-
 - (i) That there is no territorial unity amongst the above said areas, QHs, PCs and villages.
 - (ii) That population of all the constituencies is also not uniform.

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- (iii) Moreover, it will cause great inconvenience in communication.
 - (iv) That there are no cognate factors to ensure homogeneity in the creation of constituency.
 - (v) That above said division of the constituencies is highly unjustified, it was not visualized by your kindself that how elected members will be able to serve all the population of above said areas which are far flung to each other.

SUGGESSTIONS/PROPOSALS

1. That keeping in view the principles as enshrined under The Election Act 2017 read with rule 10 of The Election Rules, a plausible proposal/suggestion is made for the consideration of delimitation committee while preparing a draft delimitation proposal. The proposal/suggestion has strictly been prepared in compliance of principles of delimitation.
2. That PCs of QH of Karampur Tehsil Mailsi namely Hassan Shah, Karampur, Borana Khas, Dhalu and Karampur TC (old) are included in NA-163 Vehari-II in the preliminary delimitation, while dividing the QH Karampur in two constituencies i.e NA-163 Vehari-II and NA-164 Vehari-III. The some of PCs QH Karampur which are adjacent to Tehsil Vehari should be included in NA-164 Vehari-III and the other PCs of QH Karampur which are adjacent and near to Tehsil Mailsi should be included in NA-163 Vehari-III, so that the principle of geographical compactness and public convenience be adherd.
3. That PC Chak No. 18/WB of QH Kusam Sar of Tehsil Vehari which was included in NA-163 Vehari-II in preliminary delimitation is very near and adjacent to Vehari city and district headquarter which is also covered from three sides in NA-164 Vehari-III, should be included in NA-164 Vehari-III.

4. That PC Chak No.107/WB of QH Mitro tehsil Mailsi is near to tehsil Vehari and the whole QH Mitro is situated at Mailsi side of Mailsi Link Canal but this PC situates on the Vehari side of Mailsi Link Canal. Moreover the said PC was included in UC Chak No. 69/WB due to its geographical position, the whole UC Chak No. 69/WB has been included in NA-164 Vehari-III except the said PC. Hence, the same should be included in NA-164 Vehari-III being adjacent to the said constituency and keeping in view the principles of delimitation.
5. That the areas and PCs of different QH of tehsil Vehari, Mailsi and Burewala were included in far flung constituencies which is violative of law and in our proposal/suggestions the said PCs and QHs have been included in the nearest and more feasible constituencies.
6. That the suggestion/proposal is submitted to create safe constituencies in district Vehari, which meets the requirements of law and based on principles of delimitation for the conduct of free, fair and just elections in district Vehari as envisaged under the constitution. Furthermore, the just and fair creation of electoral constituencies is the pre-requisite of just and fair elections and if the constituencies are not delimited so, the election results cannot attain legitimacy which resultantly injured the credibility of ECP and legislative bodies including parliament. The preliminary and proposed/suggested constituencies are as under;

PRELIMINARY DELIMITATION			PROPOSED DELIMITATION		
Constituency no.	Description	Population	Constituency no.	Description	Population
NA-162 Vehari-I	a. Burewala MC b. The following QH of Burewala Tehsil:- i. Burewala-I; ii. 3-R (Burewala); iii. Sheikh Fazil; iv. Chak No. 215/EB; v. Gaggoo; and		NA-162 Vehari-I	a. Burewala MC b. The following QH of Burewala Tehsil:- i. Burewala-I; ii. 3-R (Burewala) excluding following	

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				<ul style="list-style-type: none"> 3. Chak No. 453/EB 4. Chak No. 451/EB iii. Sheikh Fazil; iv. Chak No. 215/EB; v. Gaggo; and vi. Burewala-II; Of Vehari District 	
	Total	753,898		Total	716,542
NA-163 Vehari-II	<ul style="list-style-type: none"> a. The following QH of Tehsil Burewala:- <ul style="list-style-type: none"> i. Umarpur; ii. Joiya; b. The following QH of Tehsil Vehari:- <ul style="list-style-type: none"> i. Luddan; ii. Machiwala c. The following PCs of Karampur QH of Mailsi Tehsil:- <ul style="list-style-type: none"> i. Hassan Shah; ii. Karampur; iii. Borana Khas; iv. Dhalu; and d. Karampur T.C.(old) of Vehari District 		NA-163 Vehari-II	<ul style="list-style-type: none"> a. The following QH of Tehsil Burewala; <ul style="list-style-type: none"> i. Umarpur; ii. Joiya; b. The following PCs of 3-R QH of Tehsil Burewala; <ul style="list-style-type: none"> i. Chak No. 521/EB ii. Chak No. 156/EB iii. Chak No. 451/EB iv. Chak No. 453/EB c. The following QH of Tehsil Vehari; <ul style="list-style-type: none"> i. Luddan ii. Machiwal iii. Kusansar excluding PC Chak No. 18/WB of District Vehari 	
	Total	716,240		Total	716,732
NA-164 Vehari-III	<ul style="list-style-type: none"> a. Vehari MC; b. The following QH of Tehsil Vehari <ul style="list-style-type: none"> i. Chak No. 3-R (Vehari); ii. 10-L; iii. Vehari-II; iv. Vehari-I; c. Karampur QH Tehsil Mailsi excluding following PCs:- <ul style="list-style-type: none"> i. Hassan Shah ii. Karampur iii. Borana Khas; and iv. Dhalu; d. 7/R (Garah More) QH Tehsil Mailsi; Of Vehari District 		NA-164 Vehari-III	<ul style="list-style-type: none"> a. Vehari MC b. The following QH of Tehsil Vehari; <ul style="list-style-type: none"> i. 3-R QH of Tehsil Vehari excluding PCs <ul style="list-style-type: none"> 1. Chak No. 178/EB 2. Chak No. 186/EB ii. 10-L iii. Vehari II iv. Vehari I v. Chak No. 18/WB PC of kusansar Tehsil Vehari c. Karampur QH of Tehsil Mailsi excluding following PCs <ul style="list-style-type: none"> i. Borana Khas ii. Dhalu iii. Malik Wehan iv. Sher Garh v. Sarpan d. 7-R Garha More QH of Tehsil Mailsi e. Chak no. 107/WB PC of QH Mitro of Tehsil Mailsi Of district Vehari 	
	Total	726,974		Total	731,406
NA-165 Vehari-IV	<ul style="list-style-type: none"> a. Mailsi MC; b. Jalla Jeem TC (old) c. Tibba Sultan Pur TC (old) d. The following QHs of Tehsil Mailsi:- <ul style="list-style-type: none"> i. Mailsi-I; ii. Mailsi-II; iii. Fatehpur; iv. Lal Sagu; v. Mahfoozabad; vi. Tibba Sultan Pur; and vii. Mitro 		NA-165 Vehari-IV	<ul style="list-style-type: none"> a. Mailsi MC b. Jalla Jeem TC (old) c. Tibba Sultan Pur TC (old) d. The following of QHs of Tehsil Mailsi <ul style="list-style-type: none"> i. Mailsi-I ii. Mailsi-II iii. Fatehpur iv. Lal Sagu v. Mahfoozabad vi. Tibba Sultan Pur vii. Mitro excluding PC chak no. 107/WB e. The following PCs of QH Karampur <ul style="list-style-type: none"> i. Malik Wehan ii. Dhalu iii. Borana Khas iv. Sher garh v. Sarpana 	

	<ul style="list-style-type: none"> i. Sheikh Fazil; Chak No. 215/E-B; ii. 3-R (Burewala); iii. Gaggu iv. excluding following Pcs:- i. Chak No. 201/E-B ii. Chak No. 429/E-B iii. Chak No. 431/E-B and iv. Chak No. 255/E-B 			<ul style="list-style-type: none"> i. Sheikh Fazil ii. Chak No. 215/EB iii. 3-R Burewala iv. excluding following PCs 1. Chak no. 451/EB 2. Chak no. 453/EB 3. Chak no. 156/EB 4. Chak no. 521/EB iv. Gaggu excluding following PCs; 1. Chak No. 201/EB 2. Chak No. 255/EB 	
	Total	381,047			361,721
PP-230 Vehari-II	<ul style="list-style-type: none"> a. Burewala MC; b. The following QH of tehsil Burewala:- i. Burewala-I; ii. Burewala-II c. The following Pcs of Gaggu QH of Tehsil Burewala:- i. Chak No. 201/E-B ii. Chak No. 429/E-B iii. Chak No. 431/E-B and iv. Chak No. 255/E-B 		PP-230 Vehari-II	<ul style="list-style-type: none"> a. Burewala MC b. The following QH of tehsil Burewala; i. Burewala-I ii. Burewala-II c. The following PCs of Gaggu QH of Tehsil Burewala i. Chak 201/EB ii. Chak 255/EB 	
	Total	372,851			354,821
PP-231 Vehari-III	<ul style="list-style-type: none"> a. The following QH of Tehsil Burewala:- i. Umarpur; ii. Joiya; b. The following PCs of Luddan QH of Tehsil Vehari:- i. 056/KB ii. Dad Kamera iii. Khichi; iv. Lakha v. Lal-Deh vi. Ludan; vii. Mehru Baloch viii. Salol; and ix. Tajwana c. The following PCs of Machianwala QH of Tehsil Vehari:- i. 058/KB; and ii. Allah Abad; 		PP-231 Vehari-III	<ul style="list-style-type: none"> a. The following QH of Tehsil Burewala i. Umarpur; ii. Joiya. b. The following PCs of Luddan QH of Tehsil Vehari i. 056/KB ii. Dad Kamera iii. Khichi iv. Lakha v. Lal-Deh vi. Mehru Baloch vii. Salol viii. Tajwana c. The following PCs of Machiwala QH of Tehsil Vehari i. 58/KB ii. Allah Abad 	
	Total	354,057		Total	354,057
PP-232 Vehari-IV	<ul style="list-style-type: none"> a. The following QH tehsil of Vehari i. Kusam Sar ii. Machianwala iii. excluding PCs; 1. 058/KB; 2. Allah Abad b. Ludan QH iii. excluding following PCs of tehsil Vehari; i. 056/KB ii. Dad Kamera iii. Khichi iv. Lakha v. Lal-Deh 		PP-232 Vehari-IV	<ul style="list-style-type: none"> a. The following QH tehsil of Vehari i. Kusam sar ii. Excluding following PC 18 WB iii. Machianwala iv. Excluding following PCs 1. 58KB 2. Allah Abad b. Luddan QH Excluding following PCs of tehsil vehari. i. 56 KB ii. Dad Kamera iii. Khichi iv. Lakha v. Lal-deh 	

	<p>c. The following PCs of Karampur QH of Mailsi Tehsil</p> <ol style="list-style-type: none"> i. Hassan Shah ii. Karampur iii. Borana Khas iv. Dhalu v. Karampur TC (old) <p>Of Vehari District</p>			<p>Vehari</p> <ol style="list-style-type: none"> i. 178 EB ii. 186 EB <p>d. 3-R Burewala including following PCs</p> <ol style="list-style-type: none"> i. 451 / EB ii. 453 / EB iii. 156 / EB iv. 521 / EB <p>Of district Vehari</p>		
	Total	362,183		Total	362,675	
PP-233 Vehari-V	<p>a. The following QH of Tehsil Vehari;</p> <ol style="list-style-type: none"> i. Chal No 3-R ii. 10-L <p>b. 7/R Garah More QH of Tehsil Mailsi Of District Vehari</p>		PP-233 Vehari-V	<p>a. The following QH of tehsil vehari</p> <ol style="list-style-type: none"> i. 3-R vehari excluding PCs 1. 178 EB 2. 186 EB <p>b. 10L</p> <p>c. 18 WB PC Kusam sar QH of Tehsil vehari</p> <p>d. 7-R Garha more</p> <p>Of District Vehari</p>		
	Total	378,186		Total	368,156	
PP-234 Vehari-VI	<p>a. Vehari MC</p> <p>b. The following QH of tehsil Vehari</p> <ol style="list-style-type: none"> i. Vehari - I ii. Vehari - II <p>c. Karampur QH of tehsil mailsi excluding following PCs</p> <ol style="list-style-type: none"> i. Hassan Shah ii. Karampur iii. Borana Khas iv. Dhalu <p>Of District Vehari</p>		PP-234 Vehari-VI	<p>d. Vehari MC</p> <p>e. The following QH of tehsil Vehari</p> <ol style="list-style-type: none"> iii. Vehari - I iv. Vehari - II <p>f. Karampur QH of tehsil mailsi excluding following PCs</p> <ol style="list-style-type: none"> v. Dhallu vi. Borana Khas vii. Sargana viii. Sher garh ix. Malik Wahin <p>g. 107 / WB PC of mitro QH of tehsil mailsi</p> <p>Of District Vehari</p>		
	Total	348,788		Total	363,250	
PP-235 Vehari-VII	<p>a. The following QHs of tehsil mailsi</p> <ol style="list-style-type: none"> i. Tibba Sultan Pur ii. Lal Sagu iii. Mitro iv. Mailsi - II <p>b. Tibba Sultan pur TC (old)</p> <p>of District Vehari</p>		PP-235 Vehari-VII	<p>a. The following QHs of tehsil mailsi</p> <ol style="list-style-type: none"> i. Tibba Sultan Pur ii. Lal Sagu iii. Mailsi - II iv. Karampur QH of tehsil mailsi including following PCs 1. Sargana 2. Sher Garh v. Mitru QH of tehsil mailsi excluding following PC 1. 107 WB vi. Following PC of QH Mehfoozabad 1. Budhu 2. Mohammad pur <p>b. Tibba Sultan pur TC (old)</p> <p>of District Vehari</p>		
	Total	350,454		Total	371,543	
PP-236 Vehari-VIII	<p>a) Mailsi MC</p> <p>b) Jala Jeem TC old</p> <p>c) The following QH of tehsil mailsi</p> <ol style="list-style-type: none"> i. Mailsi - I ii. Fatehpur iii. Mehfoozabad <p>of District Vehari</p>		PP-236 Vehari-VIII	<p>a) Mailsi MC</p> <p>b) Jala Jeem TC old</p> <p>c) The following QH of tehsil mailsi</p> <ol style="list-style-type: none"> i. Mailsi - I ii. Fatehpur iii. Mehfoozabad excluding the following PC 		

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				ii. Dhallu iii. Malik Wahin	
				of District Vehari	
	Total	349,880		Total	361,223

7. That the above proposal has been supported with map and extent of constituencies. The constituencies demarcated on mapped are geographically compact area and the population has been distributed almost equally. Moreover, all the constituencies shows complete homogeneity, facility of people and communication network has duly been kept in view while carving all the constituencies of district Vehari.

PRAYER:

Under these circumstances and keeping in vies the position stated above it is very humbly requested that the proposed amendments on all the constituencies of district Vehari comprising on NA-162, NA-163, NA-164, NA-165 and PP-229, PP-230, PP-231, PP-232, PP-233, PP-234, PP-235, PP-236 may kindly be accepted and delimitation of above said national/provincial constituencies may very kindly be amended as per the proposal/representation, in the best interest of justice.

Muhammad Fahad Iqbal

Muhammad Fahad Iqbal

S/O

Ch. Muhammad Javed Iqbal

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Through

W
Ch. Waseem Bahadar

Advocate High Court