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,

- That petitioner belongs to Shatab Garh, 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

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

## Determination of Quota National Assembly

Mationar.	
H - CTD- etc	Figure
Details of Facts	110,012,442
Total population of Punjab	110,012,412
	141
Total no. of National Assembly Seats	
allocated to Punjab	
	110,012,442/141=780,230
Quota per National Assembly Seat	2,897,446
Total population of District Vehari	2,897,440
No of National Assembly seats in District	4
No of National Assembly Seats In District	1

#### **Provincial Assembly**

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

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.

(a) Den the margin of delimitating constituencies

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

- "(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

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- 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, physical features, existing boundaries of administrative units, public convenience and 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

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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.
  - (iii) Moreover, it will cause great inconvenience in communication.
  - (iv) That there are no cognate factors to ensure homogeneity in the creation of constituency.

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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 PC Chak No. 169/WB of QH Mitro of tehsil Mailsi is adjacent, near and surrounded by PP-233 Vehari-V. Hence, the same should be included in PP-233 Vehari-V as per delimitation principles.
- 3. The PCs Chak No. 107/WB, 109/WB and Shatab Garh of QH Mitro Tehsil Mailsi are very close and adjacent to PP-234 Vehari-IV. Moreover, while including all the three PCs in PP-235 Vehari-VII, which is clear violation of the basic rules of geographical compactness, physical features, boundaries of administrative units. facilities communication, public convenience and other cognate factors to show homogeneity in creation of constituencies. Hence, all the three PCs should be included in PP-234 Vehari-IV.
- 4. That while delimiting the electoral constituencies of Provincial assemblies the delimiting committee has not fulfilled the criteria as contemplated under section 20 of The Election Act, 2017 and The Election Rules, 2017. The delimiting committee has included many QH and PCs in the constituencies which are very far flung and also violated the principle of existing boundaries of administrative units and has not considered the public convenience, physical features, geographical

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Sargana of QH Karampur tehsil Mailsi are very adjacent and near to Tehsil headquarter Mailsi but the same were included in PP-232 Vehari-IV and PP-234 Vehari-VI, which is clear violation of above said principles of delimitation.

- 5. That PCs Shatab Garh Chak No. 109/WB, Chak No. 107/WB of QH Mitro of Tehsil Mailsi are very adjacent and near to NA-164 Vehari-III and the same should be included in newly delimited electoral constituency NA-164 Vehari-III, keeping in view the delimitation principles ibid.
- 6. 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 surrounded from three sides in NA-164 Vehari-III, should be included in NA-164 Vehari-III as per delimitation principles.
- 7. 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.
- 8. That the suggestion/proposal is submitted to create safe constituencies in district Vehari, which meets 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 prerequisite 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;

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PRE	PRELIMINARY DELIMITATION		PROPOSED DELIMITATION			
Constit uency no.	Description	Population	Constit uency 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. Gaggo; and vi. Burewala-II; Of Vehari District		NA-162 Vehari-I	a. Burewala MC b. The following QH of Burewala Tehsil: i. Burewala-I; ii. 3-R (Burewala) excluding following PCs; 1. Chak No. 521/EB 2. Chak No. 156/EB 3. Chak No. 453/EB 4. Chak No. 451/EB iii. Sheikh Fazil; iv. Chak No. 215/EB; v. Gaggo; and vi. Burewala-II;		
	Total	753,898		Of Vehari District Total	716,542	
NA-163 Vehari- Il	a. The following QH of Tehsil Burewala:- i. Umarpur; ii. Joiya; b. The following QH of Tehsil Vehari:- i. Luddan; ii. Machiwala ; c. The following PCs of Karampur QH of Mailsi Tehsil:- i. Hassan Shah; ii. Karampur; iii. Borana Khas; iv. Dhalu; and d. Karampur T.C.(old) of Vehari District		NA-163 Vehari- II	a. The following QH of Tehsil Burewala; i. Umarpur; ii. Joiya; b. The following PCs of 3-R QH of Tehsil Burewala; i. Chak No. 521/EB ii. Chak No. 156/EB iii. Chak No. 451/EB iv. Chak No. 451/EB c. The following QH of Tehsil Vehari; i. Luddan ii. Machiwal iii. Kusamsar excluding PC Chak No. 18/WB of District Vehari		
	Total	716,240		Total	716,732	
NA-164 Vehari- III	a. Vehari MC; b. The following QH of Tehsil Vehari i. Chak No. 3-R (Vehari); ii. 10-L; iii. Vehari-II; iv. Vehari-I; c. Karampur QH Tehsil Mailsi excluding following PCs:- 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	a. Vehari MC b. The following QH of Tehsil Vehari; i. 3-R QH of Tehsil Vehari excluding PCs 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 kusamsar Tehsil Vehari c. Karampur QH of Tehsil Mailsi excluding following PCs  i. Dhalu ii. Malik Wehan iii. Sher Garh iv. Sargana v. Alam Pur d. 7-R Garha More QH of Tehsil Mailsi e. The following PCs of QI-Mitro Tehsil Mailsi i. Chak no. 107/WB ii. Chak no. 109/WB iii. Chak no. 109/WB		



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	mul o i i i		īV	c. Tibba Sultan Pur TC (old)	
/	c. Tibba Sultan Pur		10	d. The following of QHs of	
İ	TC (old)		1	Tehsil Mailsi	
	d. The following QHs of Tehsil Mailsi:-			i. Mailsi-I	
	i. Mailsi-I;		ļ	ii. Mailsi-II	
	ii. Mailsi-II;	į	ĺ	iii. Fatehpur	
	ii. Fatehpur;	-	1	iv. Lal Sagu	
	iv. Lal Sagu;		1	v. Mahfoozabad	
1	v. Mahfoozabad;			vi. Tibba Sultan Pur	
	vi. Tibba Sultan		1	vii. Mitro excluding	
	Pur: and		i	following PCs	
ļ	vii. Mitro		1	1. Chak no. 107/WB	
i	Of Vehari District			2. Chak no.169/WB	
	Of ventar Bistrict			<ol><li>Chak no. 109/WB</li></ol>	
1	:	İ		4. Shatab Garh	
				e. The following PCs of QH	
1			-	Karampur	
Ì				i. Malik Wehan	
				ii. Dhalu	
		I.		iii. Sher garh	
i				iv. Sargana	
Ì		,		v. Alam Pur	
Ì				Of district Vehari Total	708,821
	Total	700,334			700,021
PP-229	a. The following QHs		PP-229	a. The following QHs of Tehsil Burewala	
Vehari-l	of Burewala:-		Vehari-I		
	i. Sheikh Fazil;		1	i. Sheikh Fazii ii. Chak No. 215/EB	
	ii. Chak No.			iii. 3-R Burewala	
į	215/E-B;			excluding following	
ļ	iii. 3-R (Burewala);			PCs	
Ì	iv. Gaggu			1. Chak no. 451/EB	
j	excluding		Ì	2. Chak no. 453/EB	
	following Pcs:- i Chak No.		1	3. Chak no. 156/EB	
				4. Chak no. 521/EB	
	201/E-B			iv. Gaggu excluding	
1	ii. Chak No.			following PCs;	
	429/E-B			1. Chak No. 201/EB	
	iii. Chak No.		1	2. Chak No. 255/EB	
	431/E-B and iv. Chak No.			Of district Vehari	·
ĺ				O. monto	
į	255/E-B				
	Of District Vehari				261 721
	Total	381,047			361,721
PP-230	a. Burewala MC;		PP-230	a. Burewala MC	
Vehari-	b. The following QH of		Vehari-	b. The following QH of tehsil	1
II	tehsil Burewala:-		II	Burewala;	1
9.1	i. Burewala-		1	i. Burewala-I	
	1			ii. Burewala-II	
	I; ii. Burewala-			c. The following PCs of	
	ii. Burewara-		1	Gaggu QH of Tehsil	1
	1			Burewala	
	c. The following Pcs of		ŀ	i. Chak 201/EB	
	Gaggu QH of Tehsil		1	ii. Chak 255/EB	ļ
	Burewala:-	1	1	Of district Vehari	İ
	i. Chak No. 201/E-B		1	Of district vertain	
	ii. Chak No. 429/E-B		ì		1
	iii. Chak No. 431/E-B	1			
İ	and	1			
	iv. Chak No. 255/E-B	!			
	Of District Vehari				354,821
	Total	372,851			
PP-231	a. The following QH of		PP-231	a. The following QH of Tehsil Burewala	
Vehari-	Tehsil Burewala:-		Vehari-	1	1
III	i. Umarpur;		111		
	ii. Joiya;	}			-
ļ	b. The following PCs of			b. The following PCs of Luddan QH of Tehsil	1.
-	Luddan QH of			Vehari	1
-	Tehsil Vehari:-	1	1		
1	i. 056/KB			•	
	ii. Dad Kamera				•
	iii. Khichi;		ł	1	
	iv. Lakha		1		1
	v. Lal-Deh	1		v. Lal-Deh vi, Mehru Baloch	ļ
1	vi, Ludan; vii, Mehru Baloch	1	1	vii. Salol	
	i vii. Mehru Baloch	1	i	) VIII, DOMOT	1
	viii. Salot; and			viii. Tajwana	

	ii.	Allah Abad; Of District		( ) ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ;	Of district Vehari	
	Total	Vehari	354,057	†		054.05-
PP-232 Vehari- IV	a. i. ii. 1. 2.	The following QH tehsil of Vehari Kusam Sar Machianwala excluding PCs; 058/KB; Allah Abad	354,057	PP-232 Vehari- IV	a. The following QH tehsil of Vehari  1. Kusam sar Excluding following PC 18 WB ii. Machianwala Excluding following PCs 1. 58KB 2. Allah Abad b. Luddan QH Excluding following PCs of tehsil vehari. i. 56 KB	354,057
		excluding following PCs of tehsil Vehari; 056/KB Dad Kamera Khichi Lakha Lal-deh Mehro Baloch Salol Tajwana			ii. Dad Kamera iii. Khichi iv. Lakha v. Lal-deh vi. Mehro Baloch vii. Salol viii. Tajwana  c. The following PC QH 3-R Vehari i. 178 EB ii. 186 EB	
·	i. ii. iii. iv. v.	The following PCs of Karampur QH of Mailsi Tehsil Hussan Shah Karampur Borana Khas Dhalu Karampur TC (old)			d. 3-R Burewala meluding following PCs i 451 / EB ii. 453 / EB iii. 156 / EB iv. 521 / EB Of district Vehari	
		Total	362,183		Total	362,675
PP-233 Vehari- V	i. ii. b.	The following QH of Tehsil Vehari; Chal No 3-R 10-L 7/R Garah More QH of Tehsil Mailsi strict Vehari		PP-233 Vehari- V	a. The following QH of tehsil vehari i. 3-R vehari excluding PCs 1. 178 EB 2. 186 EB b. 10-L c. 18 / WB PC Kusam sar QH of Tehsil vehari d. 7-R Garha more e. PC Chak No. 169/WB of QH Mitro Tehsil Mailsi  Of District Vehari	
	4				of bisdict venali	
		Total	378,186		Total	376,835
PP-234 Vehari- VI	b. i. ii. c. i. ii. iii.	Vehari MC The following QH of tehsil Vehari Vehari - 1 Vehari - 1I Karampur QH of tehsil malisi excluding following PCs Hassan Shah Karampur Borana Khas		PP-234 Vehari- VI	a. Vehari MC b. The following QH of tehsil Vehari i. Vehari - I ii. Vehari - II c. Karampur QH of tehsil malisi excluding following PCs i. Dhallu	



PCs of QH Mitro of Tehsil Mailsi i Chak No. 109/WB, ii. 107 / WB iii. Shatab Garh Of District Vehari Total 348,788 Total 378,516 PP-235 The following QHs a. PP-235 The following QHs of Vehariof tehsil mailsi Veharitehsil mailsi VII i. Tibba Sultan Pur VII ii. Lal Sagu í. Tibba Sultan Pur ıii. Mitro iv. Mailsi - II ii. Lal Sagu Tibba Sultan pur b. TC (old) iii. Mailsi - II QH of Tehsil Mailsi excluding PCs of District Vehari 1. Ali wah Karampur QH of tehsil mailsi including following PCs 1. Sargana 2. Sher Garh Mitru-QH of tehsil mailsi excluding following PC Chak no. 107/WB Chak no.169/WB Chak no. 109/WB Shatab Garh Following PC of QH Mehfoozabad 1. Budhu 2. Jhandeer Muhammad Pur b. Tibba Sultan pur TC (old) of District Vehari Total 350,454 Total 353,835 PP-236 Mailsi MC PP-236 Mailsi MC Vehari-Vehari-VIII b) Jala Jeem TC old VIII b) Jala Jeem TC old c) The following QH of The following QH of tehsil c) tehsil mailsi mailsi Mailsi - I Mailsi - I ii. Fatehpur ii. Fatehpur iii. Mehfoozabad Mehfoozabad excluding the following PCs 1. Budhu 2. Jhandeer Muhammad Pur of District Vehari



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Total	349,880	ii. Malik Wahin iii. Alam Pur e) Ali Wah PC of QH Mailsi-II of Tehsil Mailsi of District Vehari Total	354,986
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9. 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.

Any other relief deems fit by this hon'ble office may also be

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Muhammad Sajjad Khan

S/O Muhammad Riaz Khan R/O Mauza New Shatab Garh, P.O Khas, Tehsil Mailsi

District Vehari.

Mob No.:0321-8988880

Through

Ch. Waseem Bahadar

Advocate High Court

Islamabad