

BEFORE THE SECRETARY ELECTION COMMISSION OF PAKISTAN,
ISLAMABAD

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31/4/18

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REPRESENTATION BY SHARYAR ALI KHAN SON OF NAWABZADA SHAFQAT ALI KHAN RESIDENT OF SHARIFABAD MAUZA ALLAH ABAD, TEHSIL AND DISTRICT VEHARI

ON PRELIMINARY NOTIFICATION DATED 5 MARCH 2018 REGARDING PROVINCIAL ASSEMBLY CONSTITUENCIES OF DISTRICT VEHARI MORE PARTICULARLY PP-232 VEHARI-IV, PP-229 VEHARI I, PP-231 VEHARI III AND PP-234 VEHARI VI UNDER SECTION 21(3) OF THE ELECTION ACT, 2017 READ WITH RULE 12 OF THE ELECTION RULES, 2017 ALONGWITH ALL OTHER ENABLING PROVISIONS OF LAW

Respectfully Sheweth;-

1. That the applicant is a registered voter of PP 232, Sharifabad, Allah Abad, Teshil and District Vehari bearing Silsala No. 255 and Ghirana No. 110. (Copy of the Electoral List is attached herewith as **Annexure A**).
2. That the Election Commission of Pakistan (ECP) has issued a preliminary proposal of delimitation of constituencies, inter alia, of District Vehari vide Notification No. F 8(3)/2018-Elec. 1 dated 05-03-2018 (the "Preliminary Notification" or "Preliminary Proposal").
3. That according to the Preliminary Notification District Vehari of the Province of Punjab has eight (8) provincial assembly constituencies bearing numbers; PP-229 Vehari I to PP-236 Vehari VIII.
4. That the applicant is a registered voter of PP-232 Vehari IV and this representation pertains to PP-232 Vehari IV and the resultant change in three (3) other provincial

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assembly constituencies i.e. PP-229 Vehari I, PP-231 Vehari III and PP-234 Vehari VI. The applicant has no objection on the remaining provincial assembly constituencies of District Vehari bearing numbers PP-230 Vehari II, PP-233 Vehari V, PP-235 Vehari VII and PP-236 Vehari VIII.

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5. That the Preliminary Proposal for the delimitation of the provincial assembly constituency PP-232 Vehari-IV is as follows:

(a) The following QanungoiHalqa (QH) of Tehsil Vehari:-

- i. KusumSar;
- ii. Machianwala excluding following Patwar Circles (PCs) :
 1. 058/KB and
 2. Allah Abad

(b) Luddan QH excluding following PCs of Tehsil Vehari:-

- i. 056/KB
- ii. Dad Kamera
- iii. Khichi
- iv. Lakha
- v. Lal-Deh
- vi. Luddan
- vii. MehruBaloch
- viii. Salol; and
- ix. Tajwana

(c) The following PCs of Karampur QH of Mailsi Tehsil:-

- i. Hassan Shah
- ii. Karampur
- iii. BoranaKhas; and
- iv. Karampur TC (old)

of District Vehari.

6. That the applicant hereby impugn the Preliminary Proposal being against the mandatory requirements laid down in Section 20 of the Election Act, 2017 (the "Act") and the Election Rules, 2017 (the "Rules") regarding the PP-229 Vehari I, PP-231 Vehari III, PP-232 Vehari IV and PP-234 Vehari VI, and hereby prays that the same be set aside and be substituted with the Applicant Proposal, inter alia, on the following:

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GROUNDNS

- (a) That the Preliminary Proposal does not correspond with the 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 and the same have been ignored altogether.
- (b) That the Preliminary Proposal has totally ignored the natural distribution/delimitation through Tehsil boundaries, metal roads and railway line, which has direct effect on the public convenience and communication facilities which is essential for the administrative point of view and for the welfare and convenience of the general public of the constituency. This very fact alone is sufficient to establish that the proposed delimitation has been passed in clear violation of section 20 of the Act and Rule 10 of the Rules and therefore, the same is liable to be revised according to the Applicant's Proposal.
- (c) That the Proposed Proposal has suffered from material irregularities and has totally ignored the legal aspects laid down in the Act and the Rules.
- (d) That delimitation has to be geographically compacted. This principle has been totally ignored. The PP-232 has been spread on one direction from one boundary to another over huge area. This huge distance shall cause inconvenience not only to the candidates but also to the general public before, during and after the election.
- (e) That the delimitation has to be based on the existing boundaries of administrative units. However, the impugned delimitation is devoid of such criteria as PP-232 has been spread over three tehsils. It is pertinent to mention here that this spread over three tehsils shall cause inconvenience not only to the candidates but also to the general public before, during and after the election. The access of administrative facilities to the people should not be disturbed in a way that creates hindrance for people to deal with routine manner.

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- (f) That the impugned Proposed Proposal for PP 232 has spread the constituency to two sides of the railway line violating the requirements of compactness, physical features and facilities of communication and public convenience. The railway line runs through the constituency for a distance of 15 km with a very few crossings, which makes the communication inconvenience for the general public. The general public has to face serious problems because of the communication facilities. The Applicant's proposal has clearly proposed PP-232 on one side of the Railway line, which is necessary for compactness and convenience of general public. Thus the delimitation has to be revised according to the Applicant's Proposal to meet the ends of justice.
- (g) That the impugned Proposed Proposal of delimitation has not followed the Rules, which provides that the delimitation of constituencies shall start from northern end. However, the impugned delimitation has been carried out in a hasty manner and not planned as per the Rules which is illegal and thus is to be revised on this score alone. The Applicant's Proposal has been prepared according to this Rule.
- (h) That the impugned Proposed Proposal of delimitation has to be done clock wise in a zigzag manner keeping in view that population among the constituencies of an assembly remain as close as may be practicable. However, such procedure has been ignored entirely in the impugned delimitation, which makes the impugned Proposed Proposal clearly redundant and illegal. The Applicant's Proposal has been prepared according to this Rule.
- (i) That the impugned Proposed Proposal of delimitation has to be delimited according to the distribution of Population. However, the said principle has not been followed as there is a great difference of population among the four constituencies i.e. PP-229 = 381,047, PP-231 = 354,057, PP-232 = 362,183 & PP-234 = 378,186. Thus due to such stark difference among the population of four constituencies the preliminary notification is to be revised.

(j) That the impugned Proposed Proposal of delimitation has completely ignored the formula of population distribution. The division of population as per the notification and particularly for the district Vehari is set on 370,429 however, the above proposed population is more and no justification has been given in this regard. Thus the proposed delimitation has to be revised according to the Applicant's Proposal.

The Applicant's Proposal:

1. That the applicant has prepared its proposal for PP 229 Vehari I, PP 231 Vehari III, PP 232 Vehari IV and PP 234 Vehari VI, in view of the Act and the Rules. The applicant has ensured that its proposal has been prepared having regard to the 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. That in view of the above and by following the mandatory provisions of the Act and the Rules, the Applicant's Proposal is as follows:

(1) PP-232 Vehari-IV

(a) The following QH of Tehsil Vehari

I. KusumSar excluding the following Patwar Circles

- (i) 1/WB
- (ii) 8/WB
- (iii) 18/WB
- (iv) FaizWah

II. Machiwal excluding the following Patwar Circles

- (i) 160/EB
- (ii) 168/EB
- (iii) 527/EB
- (iv) 4/WB

III. Luddan excluding the following Patwar Circle

- (i) FazalWah

IV. The following Patwar Circles of Karampur QH of Tehsil Mailsi

- (i) Hassan Shah
- (ii) Karampur
- (iii) BoranaKhas
- (iv) Dhalu
- (v) Karampur TC (old)

Total Population: 357,630

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(2) PP-229 Vehari-I

(a) The following QHs of Tehsil Burewala

- (i) Sheikh Fazil
- (ii) 3-R (Burewala)

1. The following patwar circles of QH Machainwala of Tehsil Vehari

- (i) 160/EB
- (ii) 168/EB
- (iii) 527/EB

2. The following patwar circles of QH Kusumsar of Tehsil Vehari

- (i) 8/WB
- (ii) 18/WB

(b) Chak No. 215/E.B excluding the following patwar circles

- (i) 229/EB
- (ii) 241/EB
- (iii) 221/EB
- (iv) 215/EB
- (v) 231/EB
- (vi) 171/EB

(c) Gagoo excluding the following patwar circles

- (i) 201/EB
- (ii) 429/EB
- (iii) 431/EB
- (iv) 255/EB
- (v) 187/EB

Total Population: 374,005

(3) Proposed PP-231 Vehari-III

(a) The following QH of Tehsil Burewala

- (i) Umarpur
- (ii) Joiya

(b) The following Patwar Circle of QH Gagoo

- (i) 187/EB

(c) The Following Patwar Circle of QH Burewala -I

- (i) 261/EB

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(d) The following Patwar Circle of QH 215/EB

- (i) 229/EB
- (ii) 241/EB
- (iii) 221/EB
- (iv) 215/EB
- (v) 231/EB
- (vi) 171/EB

1. The following Patwar Circle of QH Luddan of Tehsil Vehari

- (i) FazalWah

Total Population: 352,931

(4) PP-234 Vehari-IV

(a) Vehari MC

(b) The following QH of Tehsil Vehari

- (i) Vehari-I
- (ii) Vehari-II

1. Karampur QH of Tehsil Mailsi excluding the following Patwar Circles

- (i) Hassan shah
- (ii) Karampur
- (iii) BoranaKhas
- (iv) Dhalu

(c) The following Patwar Circles of Kusumsar QH

- (i) 1/ WB
- (ii) FaizWah

Total Population: 369,903

2. That the Marked copy of the map of District Vehari providing details of the Applicant's Proposal for the PP 229 Vehari I, PP 231 Vehari III, PP 232 Vehari IV and PP 234 Vehari VI is attached herewith as **Annexure B.**

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PRAYER

In view of the above, the applicant hereby prays that the Proposed Proposal for PP 229 Vehari I, PP 231 Vehari III, PP 232 Vehari IV and PP 234 Vehari VI may kindly be set aside and the Applicant's Proposal given above in the interest of justice may kindly be Notified as the final delimitation of the said constituencies.

Any other relief which this Commission deems appropriate in the interest of justice may also be granted.


The Applicant

Through



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