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Application. No. ____/2018

THE SECRETARY, ELECTION COMMISSION OF PAKISTAN,
CONSTITUTION AVENUE ISLAMABAD.

REPRESENTATION/OBJECTIONS WITH RESPECT TO THE
PRELIMINARY DELIMITATION OF NA-66 JHELUM-1, UNDER
SECTION 21/22 OF THE ELECTION ACT, 2017 READ WITH THE
ELECTION RULES, 2017

Respected Sir,

1. The applicant is the registered voter of in UC Garh Mahal, Tehseel Dina, District Jhelum constituency NA.66, Jhelum. The copy of the voter's list is appended herewith. The contents of the same may very kindly be considered and read as the part and parcel of this paragraph.
2. This August Commission, on the provisional results of the preceding census, conducted an exercise of delimitation under Article 51 of the Constitution of Pakistan thereafter preliminary proposals with regard to the delimitation of the National and Provincial Assemblies constituencies, and the preliminary delimitation has also been published vide the notification dated 5th March, 2018 (copy attached herewith). District Jhelum, is constituted in two separate constituencies i-e NA.66 and NA.67, Jhelum I & II.
3. That a brief perusal of the proposed delimitation reflects that the it is not in accordance with the law, it is flawed and the committee has failed to abide by the mandatory principles of delimitation and the preliminary delimitation seem to have been done on the basis of conjunctures and by disregarding the fundamental requirements that are sine qua non to conduct the exercise of delimitation. Hence, being dissatisfied the same is being objected on the following;

G.R.O.U.N.D.S

- A. That the delimitation in District Jhelum seems to have been conducted on whimsical basis, without considering the requirement to carry out the same, as the population od District Jhelum unlike the other constituencies have seen a meagre increase of 2,85,693. That precisely has no impact of



the National Assembly seats and the same could have easily be adjusted in the existing constituencies as there was never an actual requirement to delimit the constituencies. It will be important to submit that three general Elections have been held on the basis of existing delimitation without any objection from any side. (The population data of 1998 census and 2017 census, the previous delimitations are annexed herewith).

- B. That due to the existing flaws, the proposed/preliminary delimitation, is inappropriate, bad both in law and on facts and seems to have been carried out being oblivion to the principles of delimitation under section 20 of the Election Act 2017 read with Election Rules 2017. Hence liable to be revisited, amended and/or modified forthwith.
- C. That perusal of the proposed delimitation as per the notification and scrutiny of the proposed (marked) MAP, the boundaries of the respective constituencies of the district (appended herewith) reflects that the delimitation committee conducted the exercise without keeping the geographical features, compactness and territorial actualities in its view and the proposed preliminary delimitation is defeating all the purposes and intents of law relevant in this regard.
- D. That a plane study of the proposed delimitation along with the proposed MAP of the district reflects that the delimitation committee conducted the exercise without following the principles of delimitation as provided therein the law and also in complete disregard of terrestrial actualities hence committed errors that in case not amended or altered or disregarded, shall cause hardships for the voters.
- E. It is further submitted that the proposed delimitation seemed to have been carved and crafted in malafide manner which amounts into Gerry meandering of the constituencies with object to benefit the incumbent

political elite that is holding the reins of the government in their hands and it will badly affect the transparency and authenticity of the forthcoming elections in all possible manners.

- F. That the proposed delimitation lacks geographical compactness and defeats the physical features of the area and it has been conducted by negating the existing territorial boundaries. It is devoid of cognate features that could ensure homogeneity, symmetry in the constituencies and also by ignoring physical features of the electoral area that will be causing immense hardships in communications both for candidates and the voters.
- G. That according to the proposed preliminary delimitation of NA. 66 and NA.67, have been demarcated as follows:

NA-66 Jhelum I

- (a) Sohawa Tehseel
- (b) Dina Tehseel
- (c) Kala Gujran QH of Jhelum Tehsil
and
- (d) M.C. Jhelum

Population: 676537

NA-67 Jhelum II

- (a) Jhelum Tehsil excluding;
 - (1) M.C Jhelum
 - (2) Kala Gujran QH of Jhelum Tehsil;&
- b) Pind Dadan Khan Tehseel
of Jhelum District.

Population: 546113

- H. That the above referred proposal is flawed, in appropriate that has been carried out being oblivion to the principles of delimitation under section 20 of the Election Act 2017. Hence liable to be revisited forthwith.

That, it will be pertinent to submit that the committee for the reasons best known to them created "islands" have been created in the

constituency so much so that the boundaries of NA 66 and NA 67, Jhelum I and II are overlapping in complete disregard of legal principles and in violation of propriety and fairness. It is important to highlight that contrary to the legal principles, the delimitation committee proposes inclusion of Municipal Committee Jhelum and QH Kala Gujran of Jhelum Tehseel in constituency NA.66, after deleting the same from NA.67 for the reasons best known to the Committee. Whereas, Jhelum 1 QH, including the Patwar Circle "Chak Khasa" along with "Chauntra" and "Rajipur" have been proposed to be added in NA.67, that in any manner cannot be termed as adjacent and geographically compact area as it is situated across the municipal Committee Jhelum. In that case, to reach out the voters of above areas of NA.67, the candidates will have to travel through NA.66.

- I. It is submitted that in order to ensure the honest and fair elections under the Constitution and to meet with the legal requirements of law, to balance out the constituencies, to provide level playing field, and to establish geographically compact constituencies by keeping intact, the physical features and existing boundaries of the adjacent nearby areas and to ensure homogeneity, symmetry and to facilitate and with object to ease out the communications between the both constituencies it is hereby proposed to keep intact the existing delimitations as it not practicable to delimit the constituencies in District Jhelum in the proposed manner.
- J. In case the exercise of delimitation is to be carried as imperative that may be taken, that may be considered as proposed by the applicant herein below along with the proposed Map attached herewith and may very kindly be considered as part and parcel of the representation in hand and read as integral part of the same.

The counter proposal is reproduced hereinafter and may very kindly be read along with the proposed MAP;

NA-66 Jhelum I:

- a) Sohawa Tehsil
- b) Dina Tehsil.
- c) Kala Gujran QH of Jhelum Tehsil
Including;
- (e) Block 5, Block 6 circle 1 &2 of
M.C. Jhelum.

Population: 560658

NA-67 Jhelum II;

- a) Jhelum Tehsil excluding;
 - i) Kala Gujran Qh of Jheleum Tehseel.
- b) M.C Jhelum excluding Block 5, & Block 6 circle 1 & 2
- c) Pind Dadan Khan Tehseel
of Jhelum District.

Population: 661992

- q) To appraise this august commission, the preceding proposal has also been highlighted in a map attached with this representation. A bird eye view will give this commission a comprehensive analysis with regard to the delimitation of both the constituencies, right in accordance with the principles provided in law. It will be pertinent to submit that the preceding proposal do not in any manner frustrate the principles of delimitation in any manner.

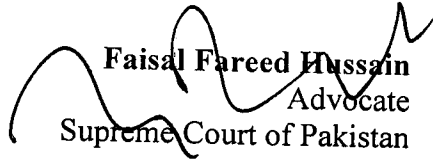
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In view of the above submissions, it is respectfully prayed that the representation/objection Petition may very kindly be allowed and the constituencies in District Jhelum i-e NA.66 and NA. 67, may very graciously be amended, altered and or modified as proposed by the applicant.



Applicant
Ansar Mahmood

Through;


Faisal Fareed Hussain
Advocate
Supreme Court of Pakistan

Islamabad;
3rd of April 2018