

To,

The Secretary,
Election Commission of Pakistan,
Islamabad.

Subject: **REPRESENTATION U/S 21(3) OF THE ELECTION ACT, 2017 AGAINST THE PRELIMINARY DELIMITATION OF THE CONTITUENCY IN RESPECT OF NA-187 & 188 LAYYAH DISTRICT NOTIFIED ON 05.03.2018**

Respected Sir,

With reference to Notification No. F.8(3)/2018-Elec-I dated 05.03.2018, regarding publication of preliminary report of delimitation of constituencies of National Assemblies and Provincial Assemblies, we hereby filed objections against the above said preliminary delimitation of national and provincial constituencies NA-187 & 188 as under:

1. That the principles laid down in section 20 of the Election Act, 2017 and rule 12 of the Election Rules, 2017 have not been complied with in stricto-senso.
2. That geographically compact area means natural and political division of the earth seems to be one unit. Unfortunately the preliminary delimitation in respect of NA-187 & 188 is not inconsonance 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. In fact the delimitation of NA-187 Layyah-I, which has been made totally contrary to the section 20 of Act ibid and Rule 12 of the

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Election Rules, 2017, affected the delimitation of other NA's constituency i.e. 188. The principle of northern end has not been considered while delimiting NA-187, therefore, the delimitation of the NA-188 has been disturbed. If the said rule was applied like other districts, the delimitation of the above two constituencies will automatically become in order in the light of above rules as well as section 20 of the Act *ibid*.

3. That the next principle of delimitation is physical feature which is also correlated with the first one. Rule 10(2) of the Election Rules, 2017, specifically provides physical features such as Sumra Nasheb QH of Tehsil Layyah is adjacent to the Layyah City instead of Tehsil Choubara which is situated far from the said Tehsil, therefore, apparently Sumra Nasheb seems one unit with Tehsil Layyah. Thus this principal is also applicable in this case and the attachment of Sumra Nasheb QH seems appropriate with Tehsil Layyah.
4. That the residents of Sumra Nasheeb QH have relations with the residents of Tehsil Layyah, whereas the residents of Mirhan QH have agnation with the adjacent cities of Tehsil Choubara. Moreover, natural affiliation of the residents of Mirhan QH are with the residents of Tehsil Choubara, therefore, the proposed delimitation has not been made while keeping in mind these factors.
5. That most important fact which determines all other factors is facility of communication and public

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convenience. In the instant case public road transport facilities of Sumra Nasheb QH are with Tehsil Layyah instead of Tehsil Chobara as there is a journey of minutes between Sumra Nasheb and Tehsil Layyah, whereas the journey between Sumra Nasheb and Tehsil Chobara prevails over hours. If this QH after detaching from 188 is made part of 187, it will take a long time to make developments for communication between the proposed constituency and resultantly all the inhabitants shall suffer an irreparable loss. On this score alone, the demand of petitioners is prima facie and merits consideration.

6. So far as cognate factor is concerned, naturally the people have relations with the people where they feel convenient and have communication facilities. Accordingly residents of Sumra Nasheb QH have close relations with the residents of Tehsil Layyah instead of Tehsil Chobara, so this homogeneity demands that Sumra Nasheb QH may be included in NA-188 & Mirhan QH may be included in NA 187 which is geographically attached with that NA to facilitate the residents of that QH.
7. That the rule of northern end has also been violated in the delimitation of constituencies, which is against the natural justice. Since this rule has been applied in the number of cases of other districts, therefore, equality demands that the same may also be applied while delimiting NA 187 & 188 and if this rule is applied,

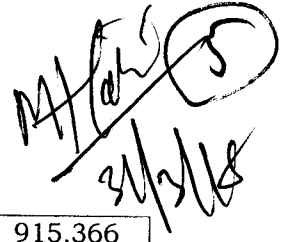
Sumra Nasheb QH will automatically be included in NA 188 and Mirhan QH will be included in NA 187.

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8. It is worthwhile to mention here that the population of Sumra Nasheb QH is 70,862 whereas, the population of Mirhan QH is 62,025 and there is a difference 8837 which will further reduce the proposed percentage of difference between these two constituencies. In the preliminary delimitation as notified, there is a difference of 1.23% whereas in the proposed delimitation the difference is decreased only 0.71% which is an ideal distribution among the above two constituencies and more in accordance with Section 20 of the Act *ibid*.

9. Preliminary and proposed delimitation is given here under in an annotated form:

Preliminary Delimitation			Proposed Delimitation		
Constituency No.	Description	Population	Constituency No.	Description	Population
NA-187 Layyah-I	(a) Choubara Tehsil; (b) Karor Lal Esa Tehsil; and (c) QH Sumra Nasheb of Layyah Tehsil; of Layyah District	917,701	NA-187 Layyah-I	(a) Choubara Tehsil; (b) Karor Lal Esa Tehsil; and (c) QH Mirhan of Layyah Tehsil; of Layyah District	908,864
	Total	917,701		Total	908,864



 21/2/18

NA-188	(a) Layyah Tehsil excluding the Sumra Nasheb QH; of Layyah District	906,529	NA-188	(a) Layyah Tehsil excluding the Mirhan QH; of Layyah District	915,366
	Total	906,529		Total	915,366

NOTE: Since there are five PPs spreading all over to NAs, there is no need to disturb any PP constituency. **However, it is also entrusting to mention here that Sumra Nasheb QH has been included in PP-281 Layyah-II which fact also endorse the version of petitioners that naturally, geographically and physically Sumra Nasheb QH requires to be attached with NA-188 Layyah-II instead of NA 187 Layyah-I.**

PRAYER:

That in the light of above legal/factual position, the following amendments in the preliminary delimitation of NA-187 & 188 are suggested:

Sr.#	Constituency No.	Description	Population
i.	NA-187 Layyah-I	(a) Choubara Tehsil; (b) Karor Lal Esa Tehsil; and (c) QH Mirhan of Layyah Tehsil; of Layyah District	908,864
		Total	908,864
ii.	NA-188	(a) Layyah Tehsil excluding the Mirhan QH; of Layyah District	915,366
		Total	915,366

Keeping in view the position stated above, it is requested that proposed amendments in NA-187 & 188 which have been made purely in the public interest according to the Act and Rules may kindly be accepted and delimitation of above National Assembly constituencies may very kindly be amended accordingly, please (Copies of census data, extracts of voter lists and maps are enclosed for perusal).

Petitioners

سید علی

1. Hafeez Ullah Khan

S/o Allah Diwaya Khan,
Resident of Basti Chandia Wali, Post Office Layyah,
Sumra Nasheb Pakka, Tehsil & District Layyah.
Vote # Statistics Block Code:231010601,
Silsa No.156, Voter Area Sumra Nasheb Layyah.

کریم سید

2. Kareem Bukhsh

S/o Ghulam Muhammad,
Resident of Post Office Layyah, Sumra Nasheb Pakka,
Tehsil & District Layyah
Vote # Statistics Block Code:231010601,
Silsa No.160, Voter Area Sumra Nasheb Layyah.

Through



Ghulam Muhammad Khan
Advocate High Court
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