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THE ELECTION COMMISSION OF PAKISTAN, ISLAMABAD.

Representation No. _____/2018

Subject: REPRESENTATION CUM OBJECTIONS.

Respectfully it is submitted;

1. That the petitioner /objector is a registered voter of Jaffrabad constituency. The petitioner was also contested Election in the last General Elections held in 2013. Unfortunately the Petitioner could not get success in the same. The new delimitation for the said constituency has been made which are incorrect and the Petitioner is filing this objection petition for correction of the same.

2. That the Government of Pakistan carried out census in the country in the year 2017. Copies of the results of the census for the District Sohbatput and Jaffarabad which are attached herewith as Annexure A&B respectively as the same are relevant for the determination of the instant petition. On the basis of this census District Jaffarabad has been detached from Naseerabad and new constituency No. NA-261 has been formed. It is pertinent to mention here, that prior to census the constituency of petitioner for General Elections was NA-266 which was consisting upon Jaffarabad and Naseerabad Districts and was called as Jaffarabad cum Naseerabad. After the census Jaffarabad constituency was separated from Naseerabad and is registered as NA -261 (including Sohbatpur District). The maps of District Jaffarabad and Sohbatpur are attached herewith as Annexure C&D respectively.

3. That for the purpose of delimitation rules have been framed under the Election Act, 2017 and as per said rules the delimitation of the constituency is to be made on the basis of patwar circles and in this behalf Rule 10 (2) is relevant. Copies of the relevant

rules and act are attached herewith as Annexure E&F. As per procedure / rules the patwar circle of a District is to be taken into consideration for the delimitation of the constituency and the whole patwar circle is to be included in the consistency and no part thereof can be separated or included in other constituency. In the instant case the area of Manjohti which is the part of patwar circle Muhammadalipur has been bifurcated and only area of Manjohti has been included in Jaffarabad District and remaining area of said patwar circle has been left in Sohbatpur District which is clear violation of the rules.

4. That it is pertinent to mention here that in the year 2013 the then caretaker Prime Minister who belongs to Sohbatpur District with malafide intention and ulterior motives contrary to the directions and judgment of the Hon'ble Supreme Court of Pakistan issued directions for creation of new District of Sohbatpur i.e his hometown. The Government of Balochistan acted as per directions of the then caretaker Prime Minister and new District was created. For the said purpose the then Deputy Commissioner of the District made recommendation to the Government on 06-05-2013 whereby it was recommended that beside, other areas of Sohbatpur patwar circle Muhammadalipur including the area of Manjohti be included in the Sohbatpur District. Copy of the recommendation is attached herewith as Annexure G for ready reference. It is also beneficial to point out here that this act of the Government was challenged before the Hon'ble High Court of Balochistan through a Constitution Petition but the same did not borne fruit as the proceedings of the petition were lingered on by the then caretaker Prime Minister who is former Chief Justice of Balochsitan High Court as well.

5. That the Government of Balochistan notified the new District of Sohbatpur on 21-05-2013 however, the area of Manjohti was left to be included in the same. The Deputy Commissioner of the area issued a letter to the competent authority i.e Government of Balochistan in which it was requested that the area of Manjohti be included in District Sohbatpur being part of it as well and clarification with

reasoning was also given by him vide letter dated 16-09-2013. Copy of the same is attached herewith as Annexure H.

6. That in Section-20 of the Act XXXIII of 2017, The Elections Act, 2017, principles for delimitation have been given which clearly states that the distribution of the population geographically is to be delimited having regard to the physical features, facilities of communication and public convenience and other cognate factors. It is clear from the maps of the both Districts that the boundaries of Manjohti are neither connected with the boundaries of Jaffarabad constituency physically, nor the said area falls under any patwar circle of Jaffarabad District. In the instant case the area of Manjohti which actually belongs to Sohbatpur District is part of patwar circle Muhammadalipur has not been included in Jaffarabad. The delimitation for new constituencies to the extent of Manjohti area is not correct. The proposed map in the present position for correction of the delimitation and exclusion of Manjohti area from Jaffarabad is attached herewith as Annexure J.

The petitioner is filing this representation on interalia amongst other grounds.

GROUND:

A. That while declaring the delimitation of the petitioner's constituency i.e Jaffarabad the principles laid down in Section-20 of the Election Act, 2017 have been violated and this act is not sustainable in the eyes of law.

B. That while making delimitation of the constituency in question i.e Jaffarabad the principles laid down in Rule 10 (2) of the rules framed under the Election Act, 2017 have been ignored which is the clear violation of the rules and law.

C. That without prejudice to the above the patwar circle Muhammadalipur has been included in the constituency Naseerabad

cum Sohbatpur however, the area Manjohti which is part of above said patwar circle has been left in the constituency of Jaffarabad which is against the principles of law and relevant rules, hence the same is liable to be reversed.

D. That while making delimitation of the constituency this fact has been ignored that there are many other areas of District Sohbatpur in between Manjohti and Jaffarabad and the said area has no physical link with Jaffarabad hence, it cannot be made part of the constituency of NA-260, or PB-16 Jaffarabad.

E. That it is clear from the maps of the both constituencies attached herewith duly maintained and issued by Balochistan Provincial Election Commission that the boundaries of Manjohti are neither connected with the boundaries of Jaffarabad constituency physically, nor the said area falls under any patwar halqa of Jaffarabad constituency. The act of inclusion of Manjohti in Jaffarabad constituency is also not sustainable and liable to be reversed.

F. That the Petitioner reserves his rights to urge any other point at the time of regular hearing of petition.

It is therefore respectfully prayed in the light of above submissions that preliminary delimitation of constituency Jaffarabad NA-261, PB-16 may be revised and the area of Manjohti may be excluded from the same and be ordered to be included in Sohbatpur constituency i.e Naseerabad cum Sohbatpur in the interest of justice.

Petitioner :


**Mir Umar Khan Jamali R/O
Rojhan Jamali
Dera Allah Yar District
Jaffarabad.**

Dated: _____