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Before the Hon'ble Election Commission of Pakistan

SUBJECT: - APPLICATION AGAINST GERRYMANDERING IN THE DELIMITATION OF CONSTITUENCIES OF NATIONAL ASSEMBLY OF PAKISTAN PERTAINING TO DISTRICT ATTOCK.

Respectfully stated;-

1. That petitioner Saleem Haider s/o Jang Bahadur Khan CNIC # 37102-1467439-5, is resident and bona-fide registered voter of District Attock and intend to contest forthcoming General Elections-2018, for the seat of Member National Assembly of Pakistan from district Attock.
2. That it has been learnt through Media that the Election Commission has constituted a Committee for the purpose of preparing a draft proposal on the Delimitation of Constituencies, in view of recent Constitutional Amendment, (24th Constitution Amendment), and the Committee has started its work in the Election Commission of Pakistan Secretariat, Islamabad.
3. That, however, it has also been learnt that some experienced and influential politicians of the district Attock also enjoying high offices in the incumbent regime are trying to get created safe constituencies through gerrymandering, to influence the results of elections and to ensure their unlawful victory in the elections. Furthermore, they are communicating to the voters of the district that they have managed to get divided the district Attock into 2 Constituencies in such a manner that the opponents will not be in a position even to contest election against the candidates of a particular Party/Group, as they have succeeded to gerrymander the constituencies of district Attock to ensure their return in the Assembly again.
4. That prior to this, the district Attock was allocated 3 National Assembly seats, however, in view of the Provisional Results of

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Census-2017, the number of seats of the districts has decreased from 3 to 2, and hence, the district is in loss of one National Assembly seat. However, the demographic changes and high quota of population for each seat has made it imperative to re-delimit the constituencies purely on merit and strictly in compliance of principles of delimitation of constituencies enshrined in the Election Act, 2017.

5. That administratively district Attock comprising Four Tehsils, i.e, Attock, Hazro, Hasan Abdal, Fateh Jang, Pindi Gheb and Jand with total population of 1,883,556, as per provisional results of Census-2017, which requires to be divided into Two National Assembly constituencies.

Summary of District Attock

Name of Area	Population, Census-2017
District Attock	1,883,556
Tehsil Attock	434,705
Tehsil Hazro	339,238
Tehsil Hasanabdal	216,566
Tehsil Fateh Jang	325,970
Tehsil Pindi Gheb	271,594
Tehsil Jand	295,483

Determination of Quota

Details of facts	Figures
Total Population of the Punjab	110,012,442
Total Number NA Seats allocated to the Punjab	141
Quota per NA Seat	$110,012,442/141 = 780,230$
Total Population of District Attock	1,883,556
Number of National Assembly Seats	2
Quota for each seat of Attock	941,778

6. That the quota for each National Assembly seat in the Punjab comes to 780,230, and in case of district Attock, it is 941,778.

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7. That the it would not be out of place to mention here that if such elements who are claiming gerrymandering, get succeeded to bypass the principles of delimitation of Constituencies as provided in the law and best international practices adopted for the delimitation of electoral constituencies, then conduct of poll shall be a just symbolic exercise and of no use, hence to promote democracy and to provide a level playing field for all the contestants, it is absolutely necessary to delimit the constituencies justly, fairly and in accordance with the principles of delimitation of constituencies and best international practices.
8. That the Principle of Delimitation have 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 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.*
- (2) For the purpose of delimiting constituencies for the general seats of the National Assembly for 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."*
9. That we can easily identify and enumerate the Principles of Delimitation which law provides to be complied with,

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respected and implemented in letter and spirit while delimiting the electoral constituencies, so the not only the candidates but also the voters could be benefited. We can number such principles as under;-

- 1) Distribution of Equal Population,
- 2) Geographical Compactness,
- 3) Physical Features,
- 4) Existing Boundaries of Administrative Units,
- 5) Facility of Communication,
- 6) Public Convenience, And
- 7) Such Other Cognate Factors Which Ensure Homogeneity,

10. That procedure for delimiting constituencies has been provided under Sub-rules 3 to 5 of Rule 10 of the Election Rules, 2017, reproduced as under-

"(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 the Northern end of the district, or,

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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.

11. That keeping in view the principles as enshrined under the Election Act, 2017 read with Rule 10 of the Election Rules, 2017, a plausible proposal/suggestion has been prepared for the consideration of the Delimitation Committee while preparing a Draft Delimitation Proposal. The proposal / suggestion has strictly been framed in compliance of principles of delimitation in their entirety and totality.
12. That suggestion is submitted to avoid gerrymandering in any manner to create a safe constituency for a particular candidate or contestant. The proposal is submitted as under which meets the requirement of law and based on principles of delimitation of constituencies for the conduct of free, fair and just elections in district Attock as envisaged under the Constitution. Furthermore, the just and fair creation of electoral constituencies is the pre-requisite of just and fair elections, if the constituencies are gerrymandered, the election's results cannot attain legitimacy which resultantly injure the credibility of Parliament and Legislative bodies.

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Proposed/ Suggested Delimitation of Attock District.

No. & Name of constituency	Extent of Constituency	Population
NA-55, Attock-I	1. Tehsil Hazro	339,238
	2. Tehsil Attock excluding the following areas;-	434,705
	I. Sajawal Cantt; and	-10,854
	II. Sanjwal PC of Attock-1 QH,	-7,130
	III. Mirza PC of Attock-1 QH,	-29,360
	IV. Bolianwal PC Attock-1 QH	-10,031
	V. Golra PC of Attock-1 QH	-16,804
	VI. Akhori PC of Attock-2 QH	-8,676
	VII. Boota PC of Attock-2	-9,680
	VIII. Mari Kanjur PC of Attock-2 QH	-23,350
3. Tehsil Jand, of district Attock.	295,483	
	Total Population	953,541
NA-56, Attock-II	1. Tehsil Hasan Abdal,	216,566
	2. Tehsil Fateh Jang,	325,970
	3. Tehsil Pindi Gheb, and	271,594
	4. The following areas of Tehsil Attock;-	10,854
	I. Sajawal Cantt; and	7,130
	II. Sanjwal PC of Attock-1 QH,	29,360
	III. Mirza PC of Attock-1 QH,	10,031
	IV. Bolianwal PC Attock-1 QH	16,804
	V. Golra PC of Attock-1 QH	8,676
	VI. Akhori PC of Attock-2 QH	9,680
VII. Boota PC of Attock-2	23,350	
VIII. Mari Kanjur PC of Attock-2 QH of district Attock.		
	Total Population	930,015

The above proposal has also been supported with map and extent of Constituencies. The constituencies demarcated on the map, are geographically compact areas and the population has been distributed almost equally. Whereas both the constituencies ensure complete homogeneity and facility of people. Communication network has dully been kept in view while carving out both constituencies of the district Attock.

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That the proposed amendment in the preliminary delimitation according to the map attached with the application is hereby colored, with red NA-55 and with the yellow NA-56 for the purpose of better understanding.

Prior to this one National Assembly seat was comprising tehsils Jand and Pindi Gheb which is required to be divided. Tehsil Jand lies on the left bank of Indus River and adjacent to Tehsils Attock and Hazro. All three tehsil lie on the left bank of Indus River and are in complete homogeneity, compact, and having well established communication network, similarly Tehsil Pindi Gheb is to be attached with the Fateh Jang and Hasan abdal and to equalize the population some areas of tehsil Attock, which were almost already part of this constituency to be attached with this constituency.

PRAYER

It is, therefore, very humbly requested that the above proposal may kindly be considered on merits and any type of gerrymandering may be checked and avoided to ensure free, fair and just election in accordance with the constitution and the law and to give level playing fields to all candidates and to promote the essence of democracy and also to attach legitimacy with the elected representatives of the Parliament and provincial Assemblies.

Applicant

Dated: 03.2018

Through:

(Muhammad Ilyas Siddiqi)
Advocate Supreme Court
Of Pakistan.

Enclosed:-

1. Copy of CNIC.
2. Map of district Attock duly demarcated into two constituencies
3. Proposed extent with population of both constituencies.
4. Summary of District Attock & determination of quota