

BEFORE THE ELECTION COMMISSION OF PAKISTAN

ISLAMABAD

Representation Petition No. \_\_\_\_\_ / 2018

**Before:**

The Secretary (ECP) Secretariat, Election House, Constitution Avenue, G-5/2, Islamabad.

**On behalf of:**

Raja Pervaiz Ashraf S/O Raja Sangar Ashraf CNIC No. 61101-2110643-9, R/o Sangar House, Mohri Dulchayal P.O. Box Kontarila, Tehsil Gujar Khan, District Rawalpindi . (Cell No:0333-5259999).

...Applicants/Petitioners

REPRESENTATION UNDER SECTION 21(3) OF THE ELECTION ACT 2017 READ WITH RULE 11 (4) OF THE ELECTION RULES 2017 FOR THE DE-LIMITATION OF THE PROPOSED CONSTITUENCY NO. NA-58 IN THE PRELIMINARY REPORT

Respectfully Sheweth:

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## ABSTRACT

The District Rawalpindi has seven (07) Tehsils namely Murree, Kotli Sattian, Kahuta, Kallar Syedan, Gujar Khan, Rawalpindi and Taxila and are divided into seven proposed constituencies of national assembly namely (NA-57, 58, 59, 60, 61, 62, 63, 64);

The instant representation pertains to **proposed NA-58**;

The quota per seat for the constituency of National Assembly from Punjab is 780,266, whereas the subject constituency NA-58 in Tehsil Gujar Khan has a population of 678,503; In order to meet the quota per seat the subject constituency lacks population of approximately 100,000. According to the clock-wise distribution starting from North, the Qanoongo Halqa (QH) Choha Khalsa merits to be included to meet the deficit. However, QH-Sagri of Tehsil Rawalpindi has been illegally included in constituency NA-58 by anti clock-wise distribution. This act of anti clockwise distribution is a classic case of "Gerrymandering" to save vote bank and completely retain four Tehsils of the connecting constituency NA-57 In order to favor a class; The Applicant/Petitioner is registered voter of the subject proposed constituency NA-58; challenges on the following grounds:

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## GROUNDS

- a. That the preliminary delimitation of constituency has been published through public notice by the Election Commission of Pakistan; Which is in gross violation of laws, rules, procedures, principles and provisions as well as sections laid down in Election Act 2017; The same is liable to be rectified to the extent of prayer of the petition to meet the ends of justice and to be in accordance with the rules, provisions, laws, section and true spirit of Election Act 2017;
- b. The Quota Per Seat for the constituency of Provincial Assembly for the Province of Punjab is 780,266; The total population of proposed constituency NA-58 is 7,76,450; Which includes 678,503 from Tehsil Gujar Khan and remaining 97,947 from QH-Sagri of Tehsil Rawalpindi;
- c. That according to Election Act 2017 and Rules framed thereunder the clock-wise distribution starting from the North merits inclusion of the QH-Choha-Khalsa of Tehsil Kallar Syedan, having population of 97,947, instead of proposed wrongful inclusion of QH-Sagri of Tehsil Rawalpindi having population of 97,623 added anti-clock-wise within Tehsil Gujar Khan in NA-58;

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- d. The QH-Choha-Khalsa merits to be included in NA 58 for geographical reasons as the same consists of semi mountainous region which is similar to the adjacent QH-Qazian of Tehsil Gujar Khan; Both QH-Choha-Khalsa of Tehsil Kallar Syedan and QH-Qazian of Tehsil Gujar Khan having similar physical feature merit compactness therefore QH-Choha-Khalsa shall become part of NA-58;
- e. The QH-Mandera and QH-Qazia of Tehsil Gujar Khan shares social and economic interest with QH-Choha Khalsa as Major Part of Kallar Syedah Municipality is also Major part of QH-Choha Khalsa, therefore QH-Choha Khalsa merits to be included within NA-58;
- f. Further Certain Areas of Gujar Khan Tehsil like QH-Mandra and PC-Bewal/Moza-Bewal have only access through QH-Choha Khalsa therefore QH-Choha Khalsa merits to be included in NA-58;
- g. Manipulating the boundaries of an electoral constituency so as to favour one party or class, "Gerrymandering", is evident from the act of illegal inclusion of (QH) Sagri of Tehsil Rawalpindi in NA-58 which is added in anti-clock-wise manner; instead of QH-Choha-Khalsa of Tehsil Kallar Syedan of proposed constituency NA-57 which merits

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inclusion proposed NA-58 on the basis of distribution starting from North;

- h. In order to favor a class and to completely retain four Tehsils namely Murree, Kotli Sattian, Kahuta and Kallar Syedan have been kept intact in disregard to principles and guidelines provided in Election Act 2017 and Rules framed thereunder; Influenced the distribution of the constituency of the applicant (Ex-Prime Minister of Pakistan) to be distributed in an anti-clock-wise manner; Further in disregard to start distribution from the North;
- i. The above mentioned suggested exercise does not effect the population quota of adjoining constituency and shall result the population distribution in NA-58 and NA-57as under;

➤ Existing Population of proposed <b>NA-58 = 776,450</b>	➤ Existing Population of proposed <b>NA-57 = 790,632</b>
➤ Excusion of QH-Sagri (97,947) and inclusion of QH-Choha Khalsa (97623) shall result suggested population of <b><u>NA-58 = 778,126</u></b>	➤ Exclusion of QH-Choha Khalsa (97623) and Inclusion of QH-Sagri (97,947) shall result suggested population of <b><u>NA-57 = 790,956</u></b>


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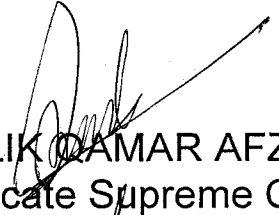



**PRAYER:**

In the light of the above mentioned it is therefore prayed:

- a. The QH-ChohaKhalsa of Tehsil KallarSyedan be added in proposed NA-58 and excluded from NA-57;
- b. The QH-Sagri of Tehsil Rawalpindi be excluded from the proposed constituency of NA-58 of Tehsil Gujar Khan; which has wrongly being added in an anti-clock-wise manner in NA-58;
- c. Any other relief to which the petitioners are entitled may kindly be granted in the interest of justice.

  
Petitioners

Through Counsel

 (MALIK DAMAR AFZAL) Advocate Supreme Court	 (SYEDA SUMMERA NAQVI) Advocate High Court
 (AHMAD RAZA MANGAT) Advocate High Court	 (SAAD KHAN) Advocate High Court

Dated: 01-04-2018

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...Applicants/Petitioner

**AFFIDAVIT**

I, Raja Pervaiz Ashraf S/O Raja Sangar Ashraf CNIC No. 61101-2110643-9, R/o Sangar House, Mohri Dulchayal P.O. Box Kontarila, Tehsil Gujar Khan, District Rawalpindi, do hereby solemnly affirm and declare that the contents of the attached writ petition are true and correct to the best of my knowledge and belief. Nothing relevant has been concealed.

*[Signature]*  
Deponent

Verified on oath this \_\_\_\_ day of \_\_\_\_\_, 2018 at Islamabad that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

This Affidavit is sworn to by me  
believe that the contents of the  
day of \_\_\_\_\_ by the  
deponent to the best of my  
knowledge and belief.  
I am a member of the  
Government of the  
of the \_\_\_\_\_  
experience of \_\_\_\_\_  
and \_\_\_\_\_  
Served \_\_\_\_\_

*[Signature]*  
Deponent

*[Signature]*  
Oath taken before me  
At \_\_\_\_\_  
(Advocate High Court  
Islamabad)

31/03/18