

- 1 -

BEFORE THE DELIMITATION AUTHORITY,
ELECTION COMMISSION OF PAKISTAN

Mehmood Alam S/o Abdul Hameed, R/o House No; 3, Street No: 2, Mohallah
Alah Bakhsh Colony Gujranwala. (Applicant/ Objection Petitioner)

REPRESENTATION UNDER SECTION 21 OF THE ELECTION ACT 2017, READ
WITH RULE 12 OF THE ELECTION RULES 2017 IN RESPECT OF DELIMITATION
OF CONSTITUENCIES OF NATIONAL ASSEMBLY OF DISTRICT GUJRANWALA,
PARTICULARLY CONCERNING PROPOSED CONSTITUENCIES NA-81.

Respectfully Submitted:

- 1) That these objections are being filed by the petitioner having registered voter membership of constituency no: NA-81 of Gujranwala District which was designated as NA-95 in General Election 2013. (Copie of CNIC and Voter Certificate are attached).
- 2) That, by filing this objection, the applicant intends to challenge the preliminary proposal issued by the Election Commission of Pakistan regarding delimitation of the National Assembly constituencies of District Gujranwala. The map of preliminary proposal which was provided by the Election Commission of Pakistan are attached as **Annexure A/A1/A2.**
- 3) That the preliminary proposal issued by Election Commission of Pakistan is in cheer violation of statutory principles of delimitation as enshrined in section 20 the election act 2017 alongwith dictums laid down by the Superior Courts of the country, thus it is deemed necessary to amend/ alter/ modify the preliminary proposal issued by Election Commission of Pakistan.

4) That, according to the present schedule and maps of the newly proposed constituencies, some of the charges of former NA-95 were added in NA-81 despite the fact that they are in line boundary wise with NA-82. The petitioner being the voter member of the said constituency is constrained to file certain objections over the said allocation of charges in NA-81 and to propose an adequate proposal for the said constituency.

5) That, the total number of voters as proposed by the Election Commission of Pakistan for NA-81 are 852471 by making certain changes in the charges, the detail of which is given below.

NA-81

a) The following Charge of Gujranwala Municipal Corporation:-

1. Charge No.6	27437
2. Charge No.7	13555
3. Charge No.8	19336
4. Charge No.10	140064
5. Charge No.11	37241
6. Charge No.12 ex. Circle No.8	130992
7. Charge No.13	63725
8. Charge No.14 ex. Circle No.6	60447
9. Charge No.15	51143
10. Charge No.16	31794
11. Charge No.17	35194
12. Charge No.18	36354
13. Charge No.19	80871
14. Charge No.20	68564
15. Charge No.32	12783
16. Charge No.33 and	18711
17. Charge No.34	24260

of Gujranwala District

TOTAL	852471
--------------	---------------

6) That, according to the present formation of constituency, the charges No: 29/30/31/35/36/37 were included to NA-81 from Na-82 wrongfully and illegally, just to effect the mind set of general voters.

7) That, Similarly, the charges no: 15/17/18/19/20/32 were excluded from Na-81 and were included in NA-82 in order to balance the number of voters.

8) That the proposed chart for the constituency as proposed by the petitioner is as follows;

NA-81

The following Charge of Gujranwala Municipal Corporation:-

i) Charge No.6	27437
ii) Charge No.7	13555
iii) Charge No.8	19336
iv) Charge No.10	140064
v) Charge No.11	37241
vi) Charge No.12 excluding Circle No.8 (163545-32553=130992)	130992
vii) Charge No.13	63725
viii) Charge No.14 excluding Circle No.6 (65136-4689=60447)	60447
ix) Charge No.16	31794
x) Charge No.29	60812
xi) Charge No.30	28745
xii) Charge No.31	15652
xiii) Charge No.33	18711
xiv) Charge No.34	24260
xv) Charge No.35	22866
xvi) Charge No.36	104689
xvii) Charge No.37	57701
TOTAL	858027

9) That, the proposal made by the petitioner does not change the boundary of constituency as the number of voters according to proposed addition and subtraction is almost same. (Copy of proposed map is annexed as Annexure B).

10) The objection petitioner has no objection over the delimitations made by the Election Commission relating to other national assembly constituencies of the district Gujranwala.

11) That, a combine reading of section 20 of the election act 2017 and rule 10 of the election rules 2017, it is crystal clear that the following principles and procedure are to be adopted while delimiting the constituencies.

- i. Distribution of population in geographically compact areas
- ii. Physical feature
- iii. Existing boundaries of administrative units
- iv. Facilities of communication
- v. Public convenience
- vi. Other cognate factors to ensure homogeneity
- vii. The delimitation of constituencies of an assembly shall start from northern end of the district and
- viii. Then it will 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
- ix. The variation in population between two or more constituencies shall not ordinarily exceed ten percent.

12) That, while preparing the preliminary delimitation report 2018 comprising of proposals for fresh delimitation of constituencies for national assembly in Gujranwala District especially proposed NA-81, it is humbly submitted that the concerned delimitation committee has miserably failed to adopt the above mentioned mandatory principles and procedure in letter and spirit which fact is ultimately inviting a need revisit the said delimitation proposal by this commission.

13) That, while preparing delimitation report for proposed constituency NA-81 (formerly NA-95), the delimitation committee excluded the charges Nos: 15/17/18/19/20/32 from NA-81 which factor is quite against the guiding principles as geographical compactness, facilities of communication and public convenience.

14) That, similarly, charge Nos: 29/30/31/35/36/37 were excluded from NA-82 and have wrongly been included to proposed NA-81 as a result of non-application of mind by the relevant delimitation committee because such inclusion and exclusion is a blatant violation of principles of delimitation as mandated by section 20 of election act 2017.

15) That these circles do not form a geographical compact part of proposed NA-81 and such inclusion/ exclusion has been made in violation of principle of distribution of population in geographically compact areas.

16) That, the circles of proposed constituency do not form a geographically compact area of the proposed NA-81 and badly suffer from lack of facilities of communication and principle of public convenience.

17) That, in this regard, the general public of District Gujranwala protested and print media also published the same in different newspapers, but no action ever taken by the Election Commission of Pakistan. (Copies of newspaper clippings are attached as Annexure C).

18) That, if the proposal for delimitation of NA-81 made by the delimitation committee in its preliminary delimitation report 2018 is finalized without allowing the suggested amendments and modifications, the entire population of the above said circle would suffer an irreparable loss and hardships and their miseries would increase manifold.

19) That the modifications suggested by the petitioner are for the sole purpose of providing facilities and ease to the inhabitants of the said area.

In these circumstances, it is most respectfully prayed that the preliminary proposal may kindly be amended as per the suggested amendments and charge nos: 29/30/31/35/36/37 may kindly be included in NA-81 and charge Nos: 15/17/18/19/20/32 may kindly be excluded from NA-81, which is quite in interest of Justice.

Petitioner

Through:

Syed Tayyab Mahmood Jafri
Advocate Supreme Court of Pakistan
C.C No: PKS 2370

Rana Asad Hameed
Advocate High Court
C.C No: PNS 43631
3- Turner Road Lahore