

(3)

BEFORE THE SECRETARY ELECTION COMMISSION OF PAKISTAN

Malik Muhammad Younas S/o Malik Abdul Rahim R/o H. No. 236 St. No. 4C, Bilal Colony, Shakrial, Raja Town, Rawalpindi.

REPRESENTATION UNDER SECTION 20 & 21 OF THE ELECTION ACT, 2017 (ACT NO. XXXIII OF 2017) READ WITH RULE 10 & 12 OF THE ELECTION RULES, 2017 AGAINST PREMIMINARY DELIMITATION REPORT OF PP-15- 20 of Rawalpindi district.

Respectfully submits that:-

The undersigned is registered as voter at Sr. No 469 in Electoral block No 110280105 Bilal Colony, Shakrial, Raja Town, Rawalpindi a falling in Constituencies PP-15 of district Rawalpindi, is therefore is entitled to file this representation/proposal on account of gross errors and omission in the list of constituencies notified by the Honorable Commission vide notification No. F8(3)/2018 Dated 5 March 2018, on following grounds:-

- The population of Rawalpindi district is 5405633.
- The district has got a share of 7 NA seats and 15 PA seats respectively for its representation in both Assemblies.
- The district had earlier 7 seats in NA and 14 in PA (1 NA each comprising 2 PA)
- No major change was required in the former extents of constituencies except for a modest adjustment of population in each existing constituency in a way to create an additional PA seat for Rawalpindi district instead of rebuilding the entire structure of constituencies. As a result thereof drastic changes have been made in former boundaries of constituencies ignoring violently the principle of delimitation Laid down under the relevant law reproduced below,

"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."

• It appears that none of the aforementioned principles of delimitation has been followed by the delimitation Committee charged with delimitation task. However, it is appreciated that the Committee seriously heeded to the rule (5) of Delimitation Rules (without anticipating the consequences), which reads as under:-

"(5) As far as possible, the delimitation of constituencies of an Assembly shall start from the Northern end of the district, or, 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".

But unfortunately strict adherence and faithful observance of aforementioned rule lead to damaging collision of the spirit of the rule itself with the Principles of delimitation producing the following drawbacks in the new constituency plan which are being pointed out as under:-

1. Unequal distribution of Population The chart showing a comparison of distribution of population is added below, which is self explanatory and needs no comments.

The population distributed among the constituencies shows that the same has not been equally assigned in accordance with the provisions of law which makes obligatory that all constituencies shall be delimited having regard to equal distribution of population but in the instant case the constitutions of Rawalpindi District have the created with population as lower as 327500 where has on the other hand the constituency has population higher up to 410,000 meaning there by that population has been assigned double i.e. 20% to the admissible ratio of 10%

The constituencies in urban area have been created by tagging areas merely to make the number of constituencies without caring about the compactness and contiguity and mean of communication and facilities.

The areas having identical features have not been assigned in to one constituency like as Municipal areas have been attached with cantonment which is independent administrative units.

(The apparent cause of this imparity in distribution of population has occurred only due to heading from north to East without having regard of maintaining the administrative boundaries)

2. Administrative units is a pre-requisite for delimitation of constituencies but all the administrative units have been pronged in to different constituencies, unwontedly.

3. Geographic compactness the areas assigned to the constituencies are not compact and contiguous.

4. Physical feature Areas having different feature have been tagged in constituencies.

5. Means of Communication Means of communications in the constituencies have been totally ignored.

The instances of such grave violation of principles of delimitation are given hereunder:-

- Marked map showing the areas assigned to the constituency do not match with the textual description given in the notification, like as

6. In PP-15 is infect distributed

GROUNDS

I. That in conducting the delimitation of constituencies of PP-15 and PP-16, the provisions of the Act XXXIII, 2017 as well as the Rules framed there under is ignored.

II. That the Rawalpindi and Chaklala Cantt being sensitive areas should have been out in to one or 2 constituencies instead of mixing up them in one another qualifies under the rule 10 for 2 seats with a mere variation of 6% below the quota against 10% permissible variation under the rules if the proposed delimitation is finalized and not brought to proper position then the population of above Tehsil will definitely face hindrance and difficulties in their representation.

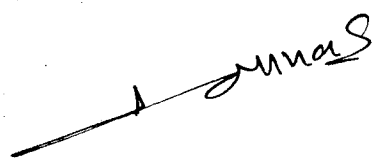
III. That it is reiterated that the proposed delimitation to the extent of exclusion of the areas of inconvenience and hardship in selection of their representative during election as it will always be in lack of interest and of hardly any importance to either side (i.e. the elector and the voters). Resultantly the true representation by excluding the same will always be defective and neglected which is obviously against all norms of democracy and obviously against the relevant provisions of the constitutions of the Islamic Republic of Pakistan,1973 thus, clearly the public convenience and other cognate factors to ensure homogeneity in creation of constituencies as is the basic principle laid down in Section 20 of Act XXXIII of 2017 and the rules framed there under are therefore not considered at all and similar position in case of proposed exclusion of.

IV. That any other additional grounds will be raised at the time of arguments with the prior permission of this Honorable Forum.

Suggestion:

A revised proposal for delimitation of all the constituencies for the entire district as required under the or law is submitted for consideration under the relevant laws with the request to set aside the delimitation proposed by the Delimitation Committee and proposal submitted by the undersigned may garciously be ordered to be implemented for the sake of democratic values,

Any other relief which this honourable forum deems fit and proper may also be granted.



Applicant

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(7)

PROPOSAL FOR DELIMITATION OF NATIONAL/PROVINCIAL ASSEMBLY CONSTITUENCIES OF RAWALPINDI DISTRICT UNDER SUB RULE 4 AND 5 OF RULE 20 OF THE DELIMITATION CONSTITUENCIES RULES OF ELECTION RULES 2017

Provincial Assembly Punjab

NO & NAME OF CONSTITUENCY	EXTENT OF CONSTITUENCY	POPULATION
PP-6	a) Murre b) Kotli Sattian of Rawalpindi district	233471 <u>119312</u> <u>352783</u>
PP-7	a. Kahuta tehsil b. Following areas of Kallar Sayyadan tehsil i) Kallar Sayyadan Mc ii) Choha Khalsa QH iii) Following Pcs of Kallar Sayyadan Qh a) Bhilakhar b) Guff of tehsil Kallar Sayyadan of Rawalpindi district	220576 54335 97623 7728 <u>6272</u> 386354
PP-8	a) Gujerkhan MC b) Following QHs of Gujerkhan tehsil :- i) Gujerkhan-1 ii) Gujerkhan-II iii). Qazian iv). Kantrila excluding following PCs i) Kharali ii) Karsal iii) Qutbal (79055-14203 =64852)	90131 53377 40249 89807 <u>64852</u> <u>338413</u>
PP-9	a. Daultala TC(old) b) Following QH of Gujerkhan Tehsil) ii) Mandra ii) Jatli c) Syed d) Sukhoo e) Following PCs of Kanutrila QH i) Kharali ii) Karsal (14203) iii) Qutbal	21957 110525 59409 69278 64715 <u>14203</u> 340087
pp-10	a) Kallar Sayyadan Qh of Kallar Sayyadan tehsil excluding following Pcs i) Guff ii) Bhilakhar (65315-14000)=51315) b). Following QH of Rawalpindi Tehsil Sagri Basali Banda Adhwal Chakri Sehal of Rawalpindi district	51315 97947 53825 18018 76202 38905 <u>35545</u> 371757
PP-11	a) Taxila tehsil excluding Wah Cantt b) Rawalpindi Qh of Rawalpindi tehsil of Rawalpindi district	297848 <u>55923</u> 353771
PP-12	a) Wah Cantt of Taxila Tehsil of Rawalpindi district	380103