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BEFORE THE ELECTION COMMISSION PAKISTAN ISLAMABAD

**REPRESENTATION/MEMORANDUM UNDER SECTION 21, 22
OF THE ELECTION ACT 2017 READ WITH RULES 11, 12 OF
THE ELECTION RULES 2017 AGAINST PRELIMINARY DE-
LIMITATION OF CONSTITUENCIES PP-188 AND PP-186**

Respectfully sheweth:-

1. That petitioner No. 1 Syyed Mazhar Abbas Shah is an advocate and is enjoying a good repute and social status in the locality and has vote/Silsa No. 85 Census Block code/Shumariati No. 195111303 election area Bhakhu Shah Tehsil Depalpur District Okara and petitioner no. 2 namely Tahir Yaseen Khan is also a renowned social worker of circles Dharmiwala having vote/Silsal No. 9 Census Block Code/Shmariati No. 195111301 election area Adday Pur Post office Dharmiwala Tehsil Depalpur District Okara and as per rule No. 12 (1) of the Elections Rules 2017 possess every right to file representation/memorandum before Hon'ble Election Commission.

2. That as per preliminary delimitation, petitioners has been included in PP 188 with following details

Total Population of PP-188 384622

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3. Kuike Bahawal
4. Jehangir Abad; and
- (b) Haveli Lakha MC

Of Okara District

3. That as per preliminary delimitation of PP-186 has following details

- Total Population Of PP-186 368489
- (a) The Following QHs of Depalpur Tehsil;
- (1) Pipli Pahar
 - (2) Vandala Jagir
 - (3) Depalpur-I
- (b) The FOLLOWING PCs of Depalpur-II QH;
- (i.) Kot Farid and
 - (ii.) Ratta Khanna
- (C) Depalpur MC

Of District Okara.

That petitioners proposed following
amendments/modifications/alteration in
constituencies PP-188 and PP-186

1. Bakhu Shah Pawtar circle total population 7185
2. Dharmi Wala total population 11935
3. Total Population of Mincharian 11310 total population of said patwar circles is 30430 falls in area of QH Kuike Bahewan
To be excluded from PP-188 and to be included in PP-186 against following areas

- i. PC Shahnawaz Khan Wala population 6203 PC adl Shahnawaz Khan Wala population 10349 PC Bhoman Shah population 13866 Mari Kamboh 4212 total population of said PCs 34630.

4. That petitioners seek for amendment/alteration/modification in preliminary delimitation of constituency on following amongst other

GROUNDS.

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(a) That principle of delimitation has been enshrined in section 20 of the Elections Act 2017 for kind perusal section 20 has been reproduced for kind appreciation

Section 20 Principle delimitation -(I) 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 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.

This Hon'ble Commission has ample power to amend alter and modify final list of constituencies. For kind appreciation section 22 reproduced

Section 22. Power of Commission to make amendment, alteration or modification in the final list of constituencies

(1) Notwithstanding anything contained in this Act the Commission may, at any time but at least four months before notification of the Election Programme, of its own motion and for reasons to be recorded, make such amendments, alterations or modifications in the final list of constituencies published under sub-Section(4) of section 21 or in the areas included in a constituency, as it deems necessary.

(2) The Commission shall publish in the official

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(b) That Election Rules 2017 set forth the proposes for delimitation of constituencies and certain parameters were enshrined in rule 10 of the Election Rules 2017. For kind appreciation rule 10 is reproduced below

RULE 10 Draft proposals for delimitation of constituencies.—

(1) A Delimitation Committee constituted under rule 9 shall, immediately after its constitution, proceed to obtain from Pakistan Bureau of Statistics, population data of last census officially published along with relevant maps showing therein census charges, census circles and census blocks along with description, relating to a Province, a district, an agency, or any other administrative or revenue unit as if may require.

(2) The Delimitation Committee shall also obtain district maps along with description, duly authenticated by Pakistan Bureau of Statistics, or, as the case may be, the district head of Revenue Department, prepared on a uniform scale as may be determined by the Commissions indicating therein details of all administrative and revenue units in the district to the level of a patwar Circle or, as the case may be, a Tapedar Circle, as well as prominent geographical and physical features, such as rivers and mountain and any other information as may be determined by the Commission or required by the Committee.

(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

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- (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

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 limits.

- (6) For the purpose of preparation of draft proposals for delimitation, the Delimitation Committee may require assistance from any Federal, Provincial or, as the case may be a Local Government Authority.
- (7) After the draft proposals for delimitation of constituencies are finalized on Form-5 the Delimitation Committee shall send the same to the Commission, within the time specified and in the manner as may be determined by the Commission.
- (c). That principles of delimitation mentioned in section 20 of the Elections Act 2017 and rule 10 of the Election Rules 2017 have been glaringly violated, ignored, overlooked and by passed and preliminary delimitation is liable to be set aside and proposed delimitation suggested by the petitioners deserved to be accepted.
- (d) That site plan for proposed delimitation is totally against the ground realty and actual and physical status of location of the areas. It is worth mentioning here that specifically location of certain areas duly mentioned in site plan/map of constituencies of PP-188 and PP-186 are in derogation and in conflict with site plan and map issued by Revenue Department and NADRA.

That the petitioners were included in

even otherwise proposed amendment/alteration/modifications is also feasible as per geographical compact, physical feature, facilities and communication and for public convenience also. It is worth mentioning here that existing boundaries of administrative units have been disturbed also, as since decades back, petitioners has been participating in election regarding the area, which was included in PP-186.

- (f) That by virtue of present preliminary delimitation, petitioners have been included in PP-188 without keeping in consideration for communication also, as present proposed preliminary delimitation, petitioners have been included in constituencies PP-188 of Haveli Lakha which is far away from petitioners abode i.e. approximately 30 K.M away. And there is no direct approach from petitioners abode to Haveli Lakha rather petitioners have to travel from their abode to Haveli Lakha while travelling through Depalpur and according to proposed amendment in delimitation, petitioners constituencies PP-186 will be in Depalpur and Depalpur is just 4/5 K.M from petitioners abode. Thus petitioners proposed amendment/alteration/modification in preliminary delimitation squarely false within settled principle according to section 20 of the Election Act 2017 and rule 10 of the Election Rules 2017 and is liable to be modified/amended/altered.
- (g) That there is an important fact on the other hand is that suggested preliminary delimitation of PP-186 by including **Shahnawaz Khan Wala, adl Shahnawaz Khan Wala, Bhuman Shah and Mari Kamboh** QHs Vandala Jagir is also against the settled principles, directions as mentioned in preceding para. Said Patwar circles are far away from their main constituencies i.e. PP-186. Constituency of PP-186 mainly falls in area of Depalpur and Depalpur.

areas i.e. just at a distance of 4/5 K.M and it will be more appropriate and feasible to exclude said patwar circles from PP-186 and to include these patwar circles into PP-188.

- (h) That population of both areas proposed to be included and excluded are approximately same i.e. total population of Bakahu Shah Darmiwala, Mincharian is 30430 and population of **Shahnawaz Khan Wala, adl Shahnawaz Khan Wala, Bhuman Shah and Mari Kamboh** is 34630 and proposed amendment/alteration /modification will not disturb the population materially in any way.
- (i) That even otherwise people of area of proposed amendment are closely related to each other and used to share their common sorrows and happiness since decades being a compact block and custom of people of proposed amendment are also same, hence proposed amendment is purely justified and in accordance with intention and criteria set for delimitation.
- (j) That valuable rights of petitioners are attached with the proposed amendment in preliminary delimitation and if proposed amendment/alteration/modification is not made, the petitioners shall suffer irreparable loss and injury.
- (k) That mala fide intention of delimitation committee while formulating the preliminary delimitation of constituencies of PP-186 and PP-186 are floating on the surface of record upon the grounds mentioned above, specially wrong location of areas specified in map of Election Commission of Pakistan, whereas actual and physical location is correctly given in map issued by Revenue Department and NADAR.

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Under the circumstances, it is therefore most respectfully prayed that by accepting this representation / memorandum, PCs Bakahu Shah Darmiwala and Mincharain of QHs Kuike Bahawal may kindly be excluded from PP-188 and to be included in PP-186 and PCs Shahnawaz Khan Wala, Adl. Shahnazaw Khan Wala, Buhman Shah and Mari Kamboh of QHs Vandala Jagir may kindly be excluded from PP-186 and may very kindly be included in PP-188 in the large interest of justice, equity and fair play.

It is further prayed that map of constituencies of PP-186 and PP-188 may very kindly be ordered to be corrected / modified / altered / amended.



Petitioners

1. **Syed Zaheer Abbas Shah** Son of Syed Asghar Ali vote/Silsa No. 85 Census Block code/ Shumariati No. 195111303 election area Bhakhu Shah Tehsil Depal Pur District Okara.
Cell No. 0343-4082286
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2. **Tahir Yaseen Khan** Son of Muhammad Yaseen Khan vote/Silsal No. 9 Census Block Code/ Shumariati No. 195111301 election area Adday Pur Post office Dharmi wala Tehsil Depal Pur District Okara
Cell No. 0308-4643304
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Through Counsel:



MUNIR HUSSAIN BHATTI