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**BEFORE THE HONOURABLE DELIMITATION
AUTHORITY, ELECTION COMMISSION OF PAKISTAN,
ISLAMABAD**

Delimitation Representation No. _____/2018

Manzoor Ahmed Khan S/o Haji Khuda Bakhsh Khan, Caste
Dreshak, R/o Mohallah Gulshan Iqbal Colony, Rajanpur, Cell
No. 0333-6445882

.....Applicant

VERSUS

Delimitation Committee, Punjab, Lahore through its
Convener

.....Respondent

**REPRESENTATION UNDER SECTION 21 OF THE
ELECTION ACT, 2017, READ WITH RULES 12 & 13, OF THE
ELECTION RULES, 2017, AGAINST THE PRELIMINARY
PROPOSAL FOR DELIMITATION NOTIFIED ON 05.03.2018,
FOR FORMULATION OF CONSTITUENCY PP-296 TO PP-
295, RAJANPUR-III TO IV, WHICH ARE FORMULATED
AND DELIMITED AGAINST THE SCHEME OF SECTION 20
OF THE ACT IBID AND RULES FRAMED THEREUNDER
COUPLED WITH GUIDELINES AND REGULATIONS
ISSUED TIME TO TIME, RESULTANTLY, THE SAME ARE
LIABLE TO BE ADJUDGED ILLEGAL, UNLAWFUL,
UNWARRANTED BY LAW AND WITHOUT LAWFUL
AUTHORITY AS BEING AGAINST THE PRINCIPLES OF
HOMOGENEITY, COMPACTNESS, PUBLIC CONVENIENCE
AND FAIRNESS TO AVOID THE TRUE VOICE OF MASSES,
WHO HAVE BEEN DEPRIVED FROM THE RIGHT OF
CHOICE OF REAL REPRESENTATION, WHICH
TANTAMOUNT TO PRE-ELECTION RIGGING AND IN
CONSEQUENCE THEREOF THE PROPOSALS /
SUGGESTIONS / OBJECTIONS RAISED INFRA BY THE
APPLICANT, ARE LIABLE TO BE ALLOWED WHILE
IMPLEMENTING THE SAME IN FINAL DELIMITATION AS
MANDATED BY THE LAW ON THE SUBJECT**

Respectfully Sheweth:-

1. That the applicant is a voter of Constituency PP-296,
Rajanpur-IV, and his name is duly placed in Electoral Roll
of Chak Haji, PC Chak Shaheed of Rajanpur Colony QH,

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Tehsil and District Rajanpur. The applicant is currently Chairman, UC No. 44, Jahanpur, and has great concern with the process of delimitation as being citizen/inhabitant of the locality and relating to Legal Fraternity of DBA, Rajanpur. The applicant is also blessed by Allah Almighty to represent Local Bar as President. Copy attached as Annexure "A".

2. That the respondent while taking exercise of Preliminary Proposal under Section 19 & 20 of the Election Act, 2017, and Rules framed thereunder notified on 05.03.2018, on Form No. 05, under Rule 10 (7) of the Election Rules, 2017, however, the applicant and the public at large of the locality were neither called to give real account of delimitation as mandated by law nor the principles, guidelines and regulations were taken into account, which ultimately burdening this Honourable Election Commission of Pakistan to bear great toll of blood and sweat to know the miseries caused by this preliminary delimitation, hence, these objections / suggestions / proposals are set out to mend the preliminary delimitation.
3. That as per requisition of law, certified copies of maps alongwith preliminary delimitation notified by the respondent are respectively placed as Annexure "B & C".
4. That before advancing the objections / suggestions / proposals, it is useful to keep in mind that the District Rajanpur is the remotest District of Punjab and the factor of transportation is also a problematic issue for moving one side to other, some areas of Colony / State Land / De-excluded areas and geographically being in arduous features with adding divisions made by mighty Indus River, Canal Work and in this situation the womenfolk who are eligible voters bound by cultures to avoid casting of votes due to inconveniences, so the delimitation is liable to

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be made in a such manner to rule out these natural barriers, which further aggravates when voluminous area are least populous, so the mechanism of delimitation is needed to be taken more wisely and tactfully when 03 Tehsils i.e. Rajanpur, Jampur and Rojhan have unbalanced population inter-se, then the Administrative Units are needed to be divided carefully and the schemes of Local Government areas needed to be kept intact in order to avoid any anomalous situation. The conversant of geography, culture (Homogeneity of Population) with homogeneity of areas coupled with convenience are the real stick yard for all purposes of delimitation process, but unfortunately, the same are lacking in preliminary delimitation, which constrained the applicant to knock at the doors of this Honourable Forum, hence, the instant petition.

5. That it is quite useful to reproduce the Order of preliminary delimitation for comparative purpose:-

PP-293, Rajan Pur-I

- (a) The following QH of Jampur Tehsil:
1. Jam Pur
 2. Kot Janun
 3. Dajal excluding the following Patwar Circles
 - i. Harrand
 - ii. Basti Mayo
 - iii. Tufki
 - iv. Allahabad Gharbi
 - v. Basti Hanbhi
- (b) Chacha QH of De-excluded area
- (c) Jam Pur MC and
- (d) Dajal TC (old)
- Of Rajan Pur District
- Total

401325

PP-294, Rajan Pur-II

- a) The following QH of Jampur Tehsil:
1. Kotla Mughlan
 2. Muhammad Pur

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3. Isran
4. The following PCs of Dajal QH
 - i. Harrand
 - ii. Basti Mayo
 - iii. Tufki
 - iv. Allahabad Gharbi
 - v. Basti Hanbhi

5. The following PCs of Haji Pur QH
 - i. Bahar Hussain
 - ii. Drigri
 - iii. Gulabi and

b) QH Shum Khul Kash of De-excluded area
Of Rajan Pur District
Total

392893

PP-295, Rajan Pur-III

- a) Haji Pur QH of Jampur Tehsil excluding the following PCs:
 - i. Bahar Hussain
 - ii. Dirgi
 - iii. Gulabi
- b) The following QH of Rajan Pur Tehsil
 1. Fazal Pur
 2. Fazal Pur Colony
 3. Kotla Isan and
- c) Fazal Pur MC
Of Rajan Pur District
Total

380234

PP-296, Rajan Pur-IV

- (a) The following HQ of Rajan Pur Tehsil
 1. Rajan Pur
 2. Rajan Pur Colony
 3. Kotla Naseer
 4. Kot Mithan
- (b) Rajan Pur MC and
- (c) Kot Mithan MC
Of Rajan Pur District
Total

408621

PP-297, Rajan Pur-V

- a) Rojhan Tehsil and
- b) Ozman QH of de-excluded area
Of District Rajan Pur
Total

412885

6. That as far as the proposal of delimitation of constituency PP-295, Rajanpur-III, is concerned, the applicant has proposed that the PCs of Hajipur QH namely Hajipur, Malkani, Nawan Shehr, Noor Pur and Soon Wah, make a symmetrical block while incorporating the PCs of Rajanpur Colony QH namely Chak Sadiqabad, Chak Shaheed, Paharpur and Patti Imam Bakhsh. This modification inter-se is suitable between PP-295, Rajanpur-III and PP-296, Rajanpur-IV. Though Rajanpur Colony QH is named in the name of Rajanpur but features of the Rajanpur Colony QH are not only awkward but also geographically divided into 03 parts. Two out of which are rightly made part and parcel of PP-296, Rajanpur-IV, however, Northern West Side of the Rajanpur Colony QH is entirely in contiguity with PP-295, Rajanpur-III. These areas/PCs of Rajanpur Colony QH are namely Chak Sadiqabad, Chak Shaheed, Paharpur and Patti Imam Bakhsh with all homogeneity of population and are much closer with PP-295-Rajanpur-III. It is on record that PCs Paharpur and Chak Shaheed are encircled and surrounded by PP-295, Rajanpur-III. This landlocked encirclement of these two PCs has been ignored by the respondent while carving out the preliminary delimitation. This factum is overlooked and this paradox constrained the applicant to move instant representation to agitate the same for seeking the real representation of area by observing the scheme laid in Section 20 of the Election Act, 2017, and Rules framed thereunder. The proposals and the reasons endorsing these proposals would be taken into assertion in subsequent paras of the petition for which it is quite useful to classify the same by a Chart of Proposal and Map of Proposal, which are respectively placed on record as **Annexure "D & E"**.

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7. That it is appropriate at this stage to take up the Objections first and proposal & suggestions subsequent:-

OBJECTIONS:-

- i) That PCs of QH Rajanpur Colony namely Chak Sadiqabad, Chak Shaheed, Paharpur and Patti Imam Bakhsh, contain population of 21535, are in contiguity with QHs of Fazilpur, Fazilpur MC, Fazilpur Colony, Kotla Isan, and the PCs of Hajipur QH namely, Hajipur, Malkani, Nawan Shehr, Noor Pur and Soon Wah. The preliminary delimitation structured by the respondent made in oblivion of the fact that inter-se distances between these local areas have not been considered and the formulation of constituency of PP-295, Rajanpur-III, went against the dictates of features given by the Honourable Election Commission of Pakistan. The preliminary delimitation is again erroneous when the PCs of Rajanpur Colony QH namely Chak Sadiqabad and Chak Shaheed are administratively part and parcel of UC No. 44, Jahan Pur, and the local areas ought not to be shuffled without any reason when convenience mongers that all Polling Booth System is to be designed in UC No. 44, Jahan Pur. Some of the areas of UC No. 44, Jahan Pur, have been excluded and given to PP-296, Rajanpur-IV, then the Polling Booth System would be in the center of Rajanpur Colony QH then it would reduce polling turnout as suggested by the preliminary delimitation; ultimately, the exercise of process of delimitation to formulate a constituency based on public convenience would fail, if the same is retained by PP-296, Rajanpur-IV. Hence, the objection submitted supra are not only valid but also liable to be appreciated while accepting the same.

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- ii) That Tehsil Jampur is bigger in size and population. In purview of section 19 of Act ibid equal population is to be made in all constituencies. For this purposes, the surplus area and population is to be added in the constituencies of Tehsil Rajanpur in such manner, which would not make any awkward situation. The principle starting from North in a clockwise rotation is liable to be taken into consideration but the same has not taken into account by respondent in preliminary delimitation.
- iii) That as far as the constituency of PP-295, Rajanpur-III, is concerned, it needs such arrangement of contiguity as from its North if clockwise principle is taken into account then Fazilpur is at the Southern side of Hajipur QH and Hajipur Malkani, Nawan Shehr, Noor Pur and Soon Wah PCs of Hajipur QH on its Western side, Chak Shaheed, Chak Haji, Chak Sadiqabad, Chak Zahrani, Chak Dumra, Chak Dat, Chak Halwani, Chak Jalapur, Chak Babul unifies a compact block with Hajipur QH as proposed in proposal chart of the applicant and Rajapur Colony QH with suggestive proposal of the applicant becomes more effective in all purposes of homogeneity of population and area coupled with public convenience. Hence, the preliminary delimitation is not sustainable in the eye of law and needed to be changed with the proposals of applicant.
- iv) That by virtue of the Notification dated 05.03.2018, PC Paharpur of Rajanpur Colony QH has been included in PP-296, Rajanpur-IV, whereas, the certified copy of Map and at situ, it is evident that

still it exists in PP-295, Rajanpur-III. The same situation has been caused by the respondent with PC Chak Shaheed, which is notified for PP-296, Rajanpur-IV, however, still it is located within the boundary of PP-295, Rajanpur-III. On the other hand PCs Patti Imam Bakhsh and Chak Sadiqabad of Rajanpur Colony QH are adjacent and contiguous to Fazilpur Colony QH and Kotla Isan QH, hence, are liable to be made integral part of PP-295, Rajanpur-III, for public convenience, homogeneity of area and population. The inter-se distances between the proposed (preliminary delimitation) PP-295, Rajanpur-III, are far away and the scheme ordained by the respondent in this regard is quite illogical, uncomprehending and administratively inconvenient, hence, the suggestions / proposals supplicated by the applicant are liable to be appreciated while finalizing the process of delimitation.

- v) That PP-295, Rajanpur-III and PP-296, Rajanpur-IV, are to be maintained in a way that Public at Large may participate in maximum turnout. From the perusal of Map, it is objected that PP-296, Rajanpur-IV, is a long rout to maintain campaign work as well as the people of locality at large will face difficulties to manage their transportation, for which it is just and proper to divide QH Rajanpur Colony, hence, preliminary delimitation of these two constituencies is liable to be demarcated and delimited as objected and proposed by the applicant.
- vi) That though the scale of population is at the criteria of 10% plus minus, yet, the split of areas is not in

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accordance with the principles of Section 20 of Election Act, 2017. This further worsen the situation, when QH Rajanpur Colony of Rajanpur Tehsil is not divided into partial PCs. The same is needed to be included in PP-295, Rajanpur-III, for all harmonious purposes.

- vii) That the preliminary delimitation of constituency of PP-295, Rajanpur-III, consisting of QHs Fazal Pur, Fazal Pur MC, Fazal Pur Colony, Kotla Isan, to this extent it is undisputed. However, the PCs of QH Rajanpur Colony (Chak Sadiqabad, Chak Shaheed, Paharpur and Patti Imam Bakhsh), have not been taken at the principle of clockwise delimitation in constituency, if the same is taken into account then the referred PCs are liable to be included in PP-295, Rajanpur-III.
- viii) That PCs of Rajanpur Colony QH i.e. Chak Sadiqabad, Chak Shaheed, Paharpur and Patti Imam Bakhsh have also not been taken into consideration on the touchstone of the principle of clockwise delimitation, as suggested in preceding paras.
- ix) That Rajanpur Colony QH is a long tract, which is needed to be divided into PCs for formulation of convenient blocks to facilitate public at large. Inexpensive transportation and immediate contacts is basic vision of Election Act, 2017.
- x) That the features, maps, geographical situation and the factum of public convenience is lacking in the preliminary delimitations. Neither the objections raised by the applicant are frivolous, nor the same ignorable. As the equality of quantum of areas is a considerable factor coupled with homogeneity of

areas and population, which is needed to be considered again in the light of these objections.

- xi) That nothing from the record suggests that the conception of public convenience is measured in tangible sense. QHs Fazilpur, Fazilpur MC, Fazilpur Colony and Kotla Isan are not only in contiguity but also integral part since long and administratively are coherent. The inclusion of other areas/QHs/PCs are to be made with a sensible way, which suit these areas but unfortunately preliminary delimitation has not attached Chak Sadiqabad, Chak Shaheed, Paharpur and Patti Imam Bakhsh. For all compactness the partial areas of QH Rajanpur Colony and QH Hajipur are liable to be maintained as earlier submitted by the applicant.

SUGGESTIONS/PROPOSALS:-

1) SYMMETRY OF AREAS:-

- (I) That from the perusal of proposal chart of the applicant, it is quite evident that the suggestive stance of the applicant formulates a coherent area without any long tract. Rather simplification of symmetry is there, which is convenient for public at large and provides effective delimitation to achieve the goal laid in Section 20 of Act ibid.
- (II) That the real wisdom behind delimitation is to provide the homogeneous population and area to achieve real representation of the locality. The proposal laid in proposal

chart submitted by the applicant is made with this rationale, and as against this, preliminary delimitation does not carry this conception.

(III) That the smoothness is another factor, as polling booth and polling arrangements are to be done by the Honourable ECP. And if delimitation process is not made in accordance with law then it may cause burden upon the State Exchequer. For which the suggestions/proposals made in the chart are seriously pondered to save public money.

(IV) That symmetry of area coupled with population is another factor to achieve the moto of public convenience to participate in political process. Unfortunately, the turn out rate in whole Pakistan is not satisfactory in any manner whatsoever. It is all due to expensive election process when remoteness of area is not considered in serious manners. Only the capitalist can participate and the commoners run away. The people lose their interest when the belonging of person does not correspond to their stature. That's why a common man does not contest and the supporters feel embarrassment as none is there to raise their voice. This factor is also kept in view in the suggestive chart submitted by the applicant.

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2) COMPARISON:-

i) PP-295, Rajanpur-III

Sr. No	Preliminary Delimitation	Proposals
1	That the contiguity of PCs Chak Sadiqabad, Chak Shaheed, Paharpur and Patti Imam Bakhs of QH Rajanpur Colony have been ignored by the respondent in the preliminary delimitation, hence, the scheme given by the respondent is impracticable, not convenient to public at large.	That as compare to the preliminary delimitation, proposal / suggestions of the applicant are practicable without any major upset and the local limits of ordained by the Local Government are maintained.

ii) PP-296, Rajanpur-IV

Sr. No	Preliminary Delimitation	Proposals
1	That the principle of fairness justifies inclusion of Bruceabad, Chak Azamabad, Chak Talook, Patti Ahmed Khan, Patti Makhdoom, Patti Sarkari and Rakh Daima, which are in contiguity with PP-296, Rajanpur-IV. But rest of the PCs of QH Rajanpur Colony namely Chak Sadiqabad, Chak Shaheed, Paharpur and Patti Imam Bakhsh, are in contiguity with PP-295, Rajanpur-III. The preliminary delimitation not only ignored this fact but also factum of PCs Chak Shaheed and Paharpur are shown in preliminary delimitation to be part and parcel of PP-296, Rajanpur-IV. Actually, these are within the boundaries of PP-295, Rajanpur-III. <u>"The preliminary delimitation list is further unreliable as Patwar Circle of Chak Shaheed is dislocated by the Committee while excluding Mouza Chak Hulwani"</u> .	That neither any PC is broken nor dislocation of area of PCs have been caused. Mouza Chak Hulwani is part of Chak Shaheed PC & Paharpur PC of Rajanpur Colony QH are part of PP-295, Rajanpur-III but the same have been thrown into PP-296, Rajanpur-IV, in preliminary delimitation. As compare to this the suggestions and proposals of the applicant reunifies the compactness at situ while including all areas actually part of PP-295, Rajanpur-III.

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It is, therefore, respectfully prayed that by accepting the instant representation, the preliminary delimitation notified on 05.03.2018, by respondent may graciously be adjudged illegal, unlawful, unwarranted by law and without lawful authority as being against the principles of homogeneity, compactness, public convenience and fairness as envisaged in the Section 20 of the Election Act, 2017, and Rules framed thereunder.

It is further prayed that the objections, proposals and suggestions submitted by the applicant, may graciously be allowed and the same may kindly be implemented while finalizing the Delimitation Process, in the supreme interest of general public, justice and conduct of fair elections.

Any other relief which this Honourable Election Commission of Pakistan deems fit and appropriate, may graciously be awarded to the applicant.

Manzoor Ahmed

Applicant
Manzoor Ahmed Khan

Through:-

Tariq

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