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BEFORE THE HONOURABLE ELECTION COMMISSION OF PAKISTAN
ISLAMABAD

Representation by: Nasir Ahmed Chappar

CNIC No. 34202-0741073-9

PP-32

M. 3/04/2018

REPRESENTATION UNDER RULE 12 OF THE ELECTION RULES 2017
READ WITH SECTION 20 OF THE ELECTION ACT CHALLENGING THE
PRELIMINARY PROPOSAL PERTAINING TO THE DELIMITATION OF
PROVINCIAL ASSEMBLY (PUNJAB) WITH REGARD TO THE
CONSTITUTENCIES OF DISTRICT GUJRAT

Respectfully Sheweth,

1. That the instant representation is being filed by Nasir Ahmad Chappar (*hereinafter referred to as "the Applicant"*) who is a voter member of PP-32 (Gujrat) provincial constituency of Punjab and is competent to file the instant representation. The applicant is seriously aggrieved of the delimitation process of PP-32 culminated through a Notification No. F.8(3) 2018-Elec-1 dated 05-03-2018 (*hereinafter referred to as "the preliminary report"*) issued by the Election Commission of Pakistan (*hereinafter referred to as "ECP"*) under Section 21(1) of the Election Act 2017 read with Rule 11 of the Election Rules 2017.

Copy of certificate issued by the District Election Commissioner Gujrat is annexed as Annexure-A

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Copy of Map issued by the ECP is annexed as Annexure-C

Copy of Preliminary report issued by the ECP is annexed as Annexure-D

Copy of a detailed report (elaboration of preliminary report of ECP) prepared by the Applicant is annexed as Annexure-E

02/09/2018

2. That through the instant representation, the applicant seeks correction/modification/alteration in the provincial constituencies of District Gujrat particularly PP-32. Through the preliminary report, the ECP has delimited the constituencies of District Gujrat in sheer violation of principles of delimitation of constituencies including but not limited to the principle of contiguity, closeness, homogeneity and compactness. Further, the administrative fairness is conspicuously missing in the entire delimitation process. The whole process is nothing but *Gerrymandering* which is violation of fundamental rights of the residents/voters of PP-32 and other constituencies of District Gujrat. The instant representation is being instituted *inter alia* on the following grounds;

GROUND

A. That as per Rule 10 (5), while delimiting the constituencies, the Delimitation Committee/ officials of the ECP were under obligation to start from the northern end of the District and thereafter they were supposed to proceed clockwise in a zigzag manner keeping in view that the population among the constituencies should remain as close may be practicable. The command of the quoted rule was badly contravened while delimiting the constituencies. The process, as is obvious from the map prepared by the ECP was not started from the

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northern end of the District Gujrat and the officials also did not complete the task proceeding clockwise. The northern end of the District Gujrat starts from Tehsil Sarai Alamgir (located at the bank of River Jehlum) and as per the command of the quoted rule, the officials were bound to start their process from Sarai Alamgir; however, the delimitation, as is obvious from the map of ECP, was started from the eastern end of the District. Thus the delimitation as is reflecting in the preliminary report coupled with the map issued by the ECP is legally not sustainable.

10/1/2018

B. That another important fact which requires attention of this Honorable Commission and on the basis of which the applicant earnestly feels that the preliminary report requires to be modified is that there are contradictions between the marked map issued by the ECP and the preliminary report of the ECP. These two documents issued by the ECP must be in harmony with each other and there should be no inconsistency between them. To substantiate the aforementioned assertions, it may be added here that there are villages/ populations reflecting in one constituency of District Gujrat as per the map issued by the ECP but quite strangely in the preliminary report issued by the ECP, the said villages/ populations are part of some other constituency.

C. That the map issued by the ECP is not compatible at all with the preliminary report. Such incompatibility/inconsistency is bound to create multiple complications while formulating polling scheme for the constituencies of Gujrat in general and PP-32/PP-33 in particular. To substantiate the aforementioned assertion, it may be added here that some patwar circles namely Mughli, Topa Usman, Khoja, Chimma and Chak Mehmood have been shown in PP-30; whereas in

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preliminary report, quite contrary to their position in map, they are reflecting in PP-32. Given below is a table which clarifies in simple terms and supports the assertion of contradiction/conflict between preliminary report and the map:

21/05/09/2018

Sr No.	Patwar circle	Constituency as per map of ECP	Constituency as per preliminary report
1	Machiana	PP-30	PP-29
2	Musa	PP-30	PP-29
3	Chodowal	PP-29	PP-28
4	Topa Usman	PP-30	PP-32
5	Khoja	PP-30	PP-32
6	Chimma	PP-30	PP-32
7	Chak Mehmood	PP-30	PP-32
8	Mughli	PP-30	PP-32
9	Saman	PP-30	PP-29
10	Moin Ud Din Pur	PP-30	PP-29
11	Sabowal 2	PP-30	PP-29
12	Rehmania	PP-30	PP-29
13	Marar Pur	PP-30	PP-29

Important Note: The Patwar Circles listed at Sr. No. 4 to 8 (reflecting in PP-32 in preliminary report) have no land contact with PP-32. The map is showing them as islands in PP-30.

Similarly, the Patwar Circles listed at Sr. No. 1 and 2 (reflecting in PP-30 in MAP) have no land contact with PP-29 and they have emerged as islands in PP-30 in the map.

Copy of map prepared by the Applicant explaining contradiction between the preliminary report and the map and also showing the above Patwar Circles as islands is annexed as Annexure-F

D. That another fact which requires special mention here that PP-32 is a constituency which comprises of population of 3,64,424 and another constituency (of Gujrat) i.e PP-34 comprises of population of 4,33,794. There is a huge difference of population between these two constituencies and there is absolutely no justification for that. This has certainly been done with sheer malafide intention and ulterior motives. The neighboring district of Gujrat is District Jehlum and the

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range of population of all provincial constituencies of District Jehlum is between 4,01,608 to 4,14,730 with a maximum difference of only 13000/-.

17/03/04/2008

- E. That it is important to add here that the recent census was carried out on the basis of new patwar circles and accordingly the delimitation should have been conducted on the basis of new patwar circles to avoid any confusion but the factum of creation of new patwar circles has been ignored either due to want of knowledge by the officials of ECP or this has been done deliberately with ulterior motives to benefit a particular political group.
- F. That Kharian city and Kharian Cantonment are contiguous to each other and historically they have never been separated while delimiting the constituencies. The civil limits of Cantonment Board Kharian fall in patwar circle Kharian but quite strangely the Cantonment Board Kharian and Kharian Municipal Committee have been placed in two different constituencies causing sheer trouble, hardship and inconvenience to the residents of Kharian Municipal Committee and Cantonment Board Kharian. The Applicant feels that Kharian Municipal Committee should also be placed in PP-33. As a result of such inclusion of Kharian Municipal Committee in PP-33, population of 39,301 shall become part of PP-33 and to cover this gap, patwar circles namely, Chakori Sher Ghazi-1 and Chakori Sher Ghazi-2, Chokar Klan and Kullewal comprising of almost same population i.e 35,403 should be included in PP-32.
- G. That while delimiting the constituencies particularly PP-32, the ECP has introduced changes whereby certain areas have been placed into a region far away from their original places in sheer disregard of the

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principles of contiguity, closeness and homogeneity. While making the preliminary report, the ECP has not kept in consideration the territorial unity and the whole process appears to have been completed in an arbitrary and slipshod manner.

11/03/2018

- H. That all forms of *Gerrymandering* such as stacking, packing and cracking have been used to minimize the influence of those likely to vote for the Applicant. The process of delimitation is not only arbitrary, unreasonable but also the result of colorable exercise of powers.
- I. That the delimiting activity appears to have been done ignoring the historical, social, political and cultural contexts of the area. The constituencies of the District Gujrat, particularly PP-32, on the face of it, are odd shaped. The principle of compactness has been blatantly violated. The administrative convenience of the locals has been completely ignored while delimiting the constituencies. The boundaries determined through the questioned process have thus caused sheer disenchantment for the people/ residents and in no way the delimitation can be termed as reasonable and feasible.
- J. That the Applicant, has earlier filed a detailed representation dated 02-02-2018 but the same has not been considered unfortunately. Now, in order to fulfill the statutory requirement, the applicant has prepared a proposal which is annexed with the instant representation.

***Proposed map prepared by the Applicant is annexed as
Annexure-G***

***Proposed report prepared by the applicant is annexed as
Annexure-H***

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03/09/2018

Copy of detailed representation dated 02-02-2018 is annexed as Annexure-I

In view of the above, it is very respectfully prayed that the instant representation may kindly be accepted and as a result thereof Kharian Municipal Committee may kindly be excluded from PP-32 and the same may be included in PP-33 and to adjust this change Patwar circles namely, Chakori Sher Ghazi-1, Chakori Sher Ghazi-2, Chokar Klan and Kulewal may kindly be excluded from PP-33 and the same may be included in PP-32.



(Applicant)

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Block Code: 172130402

Voter No. 300

Contact: 03008511555

Muhammadi House

Dinga Road, Kharian

District Gujrat

Through

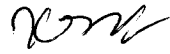


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