

**The Secretary,
Election Commission of Pakistan,
Constitution Avenue Islamabad.**

**Subject; Representation/Objections With Respect To The Preliminary
Delimitation of PP-33, District Gujrat Under Section 21/22 Of
The Election Act, 2017 Read With The Election Rules, 2017**

Respected Sir,

1. The applicant is the registered voter of PP.33, Gujrat. The certificate of voter registration is appended herewith here with. The contents of the same may very kindly be considered and read as the part and parcel of this paragraph.
2. This August Commission, on the provisional results of the preceding census, conducted an exercise of delimitation under Article 51 of the Constitution of Pakistan thereafter preliminary proposals with regard to the delimitation of the National and Provincial Assemblies constituencies, have also been published vide the notification dated 5th March, 2018 (copy attached herewith).
3. The district Gujrat is one of the districts where one constituency of Provincial Assembly has been deleted and after deleting one seat, district Gujrat has been proposed to be divided into 7 provincial constituencies starting from PP.28 to PP-34, Gujrat1-7.
4. That a bare perusal of the proposed delimitation reflects that the delimitation committee has miserably failed to observe the mandatory principles provided under the law and conducted the exercise on the basis of conjunctures and by disregarding the fundamental requirements to conduct the exercise of preliminary delimitation in cursory manner. Hence the same is being objected on the following;

G.R.O.U.N.D.S

- A. That due to the existing flaws, the proposed/preliminary delimitation, is inappropriate and bad both in law and on facts and seems to have carried out being oblivion to the principles of delimitation under section 20 of the Election Act 2017. Hence liable to be revisited forthwith.
- B. That Section 20 (1) of the Election Act, 2017 provides as under:

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“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.” (emphasis supplied)

- C. That a plane study of the proposed delimitation and scrutiny of the proposed MAP of district Gujrat (dividing the district into separate constituencies) reflects that the delimitation committee conducted the exercise without following the basic standards and geographical actualities in view and in case the proposed delimitation is allowed, it will be squarely defeating the intents and purposes of law.
- D. It is further submitted that the proposed delimitation seemed to have been carved and crafted in malafide manner which amounts into Gerry meandering of the constituencies with object to benefit the incumbent political elite that is holding the reins of the government in their hands and it will badly affect the transparency of the forthcoming elections in all manners.
- E. That appropriate, fair and valid delimitation of the electoral areas/constituencies is the first step towards a vibrant and effective democratic governance as and it will be apt to submit that this hon'ble commission must take all steps to ensure honest, just and free elections under the constitution, that can only be made possible through a flawless, fair and transparent delimitation that is strictly in consonance with the standards of impartiality, propriety and equality, in accordance with the principles provided in the law.
- F. That the material contradiction and discrepancies persisting in the cite Map of the District, that has been uploaded on the web and in the official notification of this August Commission cause immense confusion and uncertainty because of the reason that the proposed Map of the district does not reflect the Patwar circle of the census report resultantly creating a gross confusion amongst the voters of the Constituency. (The proposed MAP of District Gujrat and Notification dated 5th of March 2018 are appended herewith).
- G. That it is also noted with utmost concern that the mandatory command of Rule 10 (5) of the Election Rules 2017 has been ignored without any plausible and cogent reason to initiate the delimitation proceedings from eastern end of the District i-e Tanda, Tehseel Gujrat. Whereas the

delimitation according to the law should have been started from the northern end of the district i-e QH Dandi Nizam Tehseel Sarai Alamgir.

- H. That the proposed delimitation of the District Gujrat, including PP-33 lacks geographical compactness and it ignores the physical features of the electoral areas and it will not be wrong to suggest that the entire exercise has been conducted by negating the existing boundaries in a stunning manner. So much so that as per notification dated 5th of March 2018, the Patwar circles namely Chak Mahmood, Tapiala, Khoja, Chimman, Topa Usman and Mughli, Tehseel Kharian District Gujrat have no direct land access with the rest of PP-32 (see notification and MAP of the District annexed herewith). Likewise, Patwar Circles namely "Machiana" and "Musa" of Tehseel and district Gujrat, of PP-29 have no direct land link with the rest of PP-29. That shows that the entire exercise of delimitation has been conducted in a flawed manner and it is devoid of cognate features that could ensure homogeneity, symmetry amongst the proposed constituency. It is further added that by ignoring the physical features of the electoral areas/constituencies will be causing immense hardships in communications during the fourth coming elections.
- I. That it is important to submit that the delimitation committee instead of observing the principles of delimitation and preserving the territorial limits, physical features of the electoral area rather preferred to divide Kahrian Cantonment and Kharian city (Municipal Committee) in PP-32 and PP-33 by completely disregarding the geographical and historical realities for the unknown reasons. It is worth mentioning that the Khairan MC and Cantonment are situated on the eastern end of Grand Trunk road and it has never been separated in this manner earlier. This illogical divide would also create hurdles in communication for the voters of both the constituencies.
- J. It is submitted that in order to ensure the honest and fair elections under the Constitution and to meet with the legal requirements of law and to balance the both constituencies and to provide level playing field, and to establish geographically compact constituencies by keeping intact, the physical features and existing boundaries of the adjacent nearby areas and to ensure homogeneity, symmetry and to facilitate and with object to ease out the communications between the both constituencies it is hereby proposed to delimit the constituencies in accordance with the applicant's proposal, that has been appended herewith along with the Map of District Gujrat. The contents of which may very graciously be considered part and

parcel of this representation and read accordingly. (The counter proposal and Map has been appended herewith).

K. That to appraise this august commission, the preceding proposal has also been highlighted in a map attached with this representation. A bird eye view will give this commission a comprehensive analysis with regard to the delimitation of both the constituencies, right in accordance with the principles provided in law. It will be pertinent to submit that the preceding proposal do not frustrate the population and other elements, that has been equally calculated as per the formula provided in the law.

PRAYER:

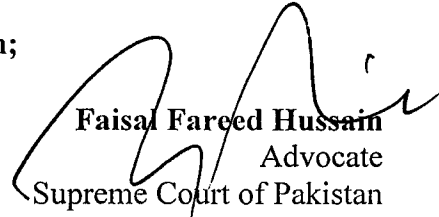
In view of the above, it is respectfully prayed that the representation/objection Petition may very kindly be allowed and the constituencies in District Gujrat including PP-33, may very graciously be amended, altered and or modified as proposed by the applicant.



Applicant

Fakhar Imtaiz

Through;



Faisal Fareed Hussain
Advocate
Supreme Court of Pakistan

2-4-18

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