

جہیل احمد
3-4-2018

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BEFORE ELECTION COMMISSION OF PAKISTAN, ISLAMABAD

Jameel Ahmad

Versus

The Delimitation Officer

**OBJECTIONS ON DELIMITATION OF PROVINCIAL ASSEMBLY PP-7 EX PP-2
DISTRICT, RAWALPINDI.**

1. That the petitioner Jameel Ahmed son of Ch. Muhammad Akram CNIC.# 37402-4776761-3 resident of Village Samote District, Rawalpindi and voter of Union Council, Samote (Vote No.257) Ex candidate of Chairman Union Council Samote.
2. That it has learned through media that the Election Commission has constituted a committee for preparing of draft proposal of delimitation of constituencies, in view of recent constitutional amendment (24 constitutional amendment) and the committee has started his work in the Election Commission of Pakistan Secretariat Islamabad.
3. That this Union Council (Samote) was part of NA-50, PP-2 Rawalpindi previously. The Provincial Assembly included Tehsil Kahuta and Kanoongi Choa Khalsa of Tehsil Kallar Syedan District, Rawalpindi.
4. That the petitioner filed his objections on the following **GROUND**s:-

1. That the principle of delimitation has been enumerated U/S 20 of the Election Act, 2017 which read as under:-
 - a) All constituencies for general seats shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact area, 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.
 - b) For the purpose of delimitation constituencies for the general seat of the national Assembly for the Tribal Areas two or more separate areas may be grouped into one constituency.
 - c) As far as possible, variation in population of constituencies of an Assembly or local government shall not ordinarily exceed ten percent.
 - d) 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.

2. That we can easily identify and enumerate the principle of delimitation which law provides to be complied with respected and implemented in letter in spirit while delimiting the electoral constituencies, so not only the candidate but also voter could be benefited we can number such principle as under:-

- a. Distribution of equal population
- b. Geographical compactness
- c. Physical features
- d. Existing boundaries of administrative units
- e. Facilities of communication
- f. Public convenience.

And such other cognate features which ensure homogeneity

3. The procedure of delimiting constituency has been provided under Sub Rule 3 to 5 of Rule 10 of the Election Rules, 2017 reproduce as under:-

"In preparing draft proposal for delimitation of constituencies delimitation committee shall follow the principles of delimitation as laid down in Section 20, procedure given in this chapter and the guide line provided by the commission from time to time "

"That a patwar circle, shall be the basic unit for delimitation and it shall not be broken in any circumstances. And in case of urban area the census circle shall not be broken under any circumstances."

4. That keeping in view the principle as enshrined under the Election Act, 2017 read with Rule 10 of the Election Rule, 2017 a plausible proposal/suggestion has been prepared for the consideration of delimitation committee while preparing a draft delimitation proposal the proposal has strictly been framed in compliance of principle of delimitation in their entirety and totality the suggestion is submitted to avoid gerrymandering in any manner to create a safe constituency for a particular candidate or contestant the proposer submitted meets the requirement of law and based on principles of delimitation of constituencies for the conduct of free, fair and just election further more the just and fair creation of electoral constituencies is pre requisite of just and fair election if the constituencies are not according to law the election result can not attained legitimacy which resultantly injure the credibility of parliament and legislative body .

5. That both Tehsil Kahuta and our Kanoongoi are part of same National Assembly and it will create great hardship for Presiding Officer to produce election result and record etc before 2 different Returning Officers sitting in 2 different cities this will raise the question upon the fairness justness and impartiality of election because it will create delay in pronouncement of election results.

6. That our Kanoongoi has been divided into 2 parts which will reduce the chance of its inhabitant to get elected. It is also worth mentioning here that our Kanoongoi Choa Khalsa remained together previously in all delimitation.
7. That our Kanoongoi was part of PP-2 with Tehsil Kahuta since 2002 and peoples were satisfied and happy in the this constituency.
8. That this constituency PP-7(Kahuta plus Choa Khalsa Kanoongoi propose forms more compact constituency geographically).
9. That the peoples of Kanoongoi Choa Khalsa remained in one National Assembly constituency since 1970, so the peoples are having relationship, contacts and interdependence amongst themselves.
- 10 That now other part of Tehsil Kallar Syedan i.e. Kanoongoi Kallar Syedan has been included in the previous PP-2 and now PP-7 this kanoongoi Kallar Syedan was part of PP-5 now PP-10.
11. That in present delimitation kanoongoi Sukho of Tehsil Gujar Khan has been included in PP-5 now PP-10 which was part of PP-4 Gujar Khan.
12. That in case PP-4 is restored and Sukho Kanoongoi is included in PP-9 it will form one constituency of National Assembly and Provincial Assembly in one Tehsil and also one Returning Officer.
13. That if it will be more appropriate, convenient and lawful if Choa Khalsa Kanoongoi, Kallar Syedan Kanoongoi and Sukho Kanoongoi is restored in their previous provincial constituency.
14. That this restoration will not effect population criteria at all.
15. That the proposal of Provincial constituency of District Rawalpindi is annexed as Annexure "A".

PRAYER

It is most humbly requested that the above objections may kindly be consider on merits and may graciously be accepted to ensure free, fare and just elections in accordance with the constitution and the law and to give level playing fields to all candidates and to promote the essence of democracy and also to attach legitimacy with the elected representatives of Provincial Assembly.

It is also prayed Choa Khalsa Kanoongoi, Kallar Syedan Kanoongoi and Sukho Kanoongoi may kindly be restored in their previous constituency as indicated in Annexure "A".

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Handwritten signature of Jameel Ahmed

Jameel Ahmed

Through:- CH. MUHAMMAD TAJIK
ADVOCATE HIGH COURT