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**BEFORE THE ELECTION COMMISSION OF PAKISTAN**

Malik Ahmed Khan Bhachar, Member Provincial Assembly PP-47, District Mianwali S/O Malik Jehan Khan resident of WanBhachran, Tehsil and District Mianwali.

**REPRESENTATION / OBJECTION PETITION AGAINST THE PROPOSED DELIMITATION OF THE CONSTITUENCIES PP 86 & 87 DISTRICT MIANWALI NA-96 UNDER RULE 12 OF THE ELECTION RULES 2017 READ WITH SECTION 20 OF THE ELECTION ACT 2017.**

Respectfully Sheweth,

1. That the objector is a register voter of District Mianwali and he is competent person to raise the objections and to file the proposals with regard to the proposed delimitation of PP 86 & 87 District Mainwali-II & III as the same is not in consonance with the law and rules governing the subject.
2. That it is also pertinent to mention here that the objector is also standing Member Provincial Assembly<sup>PP45</sup> in Province of Punjab from Mianwali-iii District Mianwali, a seasoned politician and belongs to a noble, respectable and a well known political family.
3. That through this representation, objector seeks to challenge the preliminary proposal of ECP in respect of Provincial Assembly Delimitation of constituencies PP 86 & 87 of District Mianwali. The

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map of preliminary proposal which was provided by the ECP as per mandate of law is attached herewith as **Annexure "B"**).

4. That it is pertinent to mention here that through the proposal of PP 87-iii Mianwali the Area of Musakhel QH its PC'S have been broken and different PCs falling therein were proposed to be merged in PP 86.
5. That now, after breaking the PC'S QH of Musa Khel and merging some of the PCs of same into PP 86 the population of the area, their geographical compactness, homogeny, travelling, easement and approach has badly been disturbed and periled through the proposed delimitation.
6. That the names of the PCs merged in PP-86 from PP-87 are;
  - (i) Musa Khel PC
    - a. Rural
    - b. Urban
7. That the population of the said PCs has been delaminated in a most clandestine manner, without adopting the due process of law, applying independent administrative mind and without questioning or determining the hardships and sufferings of the public at large with the decision aforesaid.
8. That the preliminary proposal is in sheer violation of statutory provisions of the Delimitation as enshrined in Section 20 of the Elections Act 2017 and the rules made there-under, therefore, the petitioner / objector seeks setting aside of the proposed delimitation

for the said constituencies and to include the same in PP-87 under the light of proposals and grounds submitted hereunder;

**GROUNDS & PROPOSALS:**

- i. That the proposed delimitation has been carried out in post haste manners without adhering to the homogeneity and infrastructure, cultural, distances and distinguish languages of the people of two different constituencies.
- ii. That Musa Khel is the closest to the main city and Tehsil Mianwali and historically, socially and geographically has always been part of the PP-47 (old). The preliminary delimitation of the constituency published by the ECP will cause inconvenience for the public at large of the Mianwali if the same are not altered or modified in accordance with the provisions of Election Act 2017.
- iii. That the proposed delimitation has dismantled with regard to population. Furthermore, on bare looking of the map it can easily be assessed that it is more inconvenient for the people of the areas mentioned above to reach the proposed PP-86 as they have to travel a far more distance as compared with old PP-47, hence, in no manners it could be in the interest of public at large to make them travel from one end to another for reaching proposed PP-86 being against the settled norms and principles of compactness of the area.

- iv.** That under the proposed delimitation Patwar Circles of the area mentioned above have been divided in such a manner that the same would become a hectic exercise for the people of areas under question to approach the same.
- v.** That by merging the above said areas in PP-87 the population difference would be meager in numbers, hence, being the most parallel populations the administrative controls could be governed in more excellent manner comparatively.
- vi.** That the proposed delimitation is result of misreading and non reading of facts and record available on file. A proper inquiry regarding the population, geographical location, communication and public convenience and historical prospective of the area and Union Councils has not been conducted.
- vii.** That delimitation exercise is to be carried out in order to ensure fair, just and proportional representation of the people in the election. Basic object of delimitation is to secure, so far as practicable, equal representation for equal segments of the population in legislative bodies.
- viii.** That it is settled proposition of law that delimitation is not mere drawing of boundaries with a stroke of pen. It is a judicious exercise of delineating electoral area, vigilantly guarding against any possible fear of vote dilution, disenfranchisement or corrupt practices. Unfair or partisan delineation could lead to skewed

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results, tarnishing electoral integrity, making a mockery of the election and turning the constitutional principle of "political justice" on its head. The foundations or the rules of the game for a fair and just election are laid down at the time of delimitation of the constituencies. It is here that the weight and value of the vote has been fully recognized and the principle of 'one man one vote' can only be established during the process of delimitation of the consistencies.

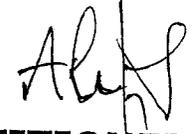
- ix. Process of delimitation had to ensure that the voting equality was not disturbed and the vote of one citizen must in no manner be less geographical compactness, the homogeneity of interest of the community constituencies.
- x. That it is settled proposition that aim of delimitation is to divide the geographic areas into territorial constituencies so fairly that no party or candidate may legitimately have a grievance that there had been **gerrymandering** of constituencies in favour of or against the interests of any particular party or candidate.
- xi. It is mandated by law to keep in mind the **UNIFORMITY OF THE POPULATION** while making / De-Limitation of constituencies / Union Councils, which has been badly ignored in instant case.
- xii. That it is settled principal of law that while doing the De-Limitation Process, **TERRITORIAL UNITY** has to be kept in



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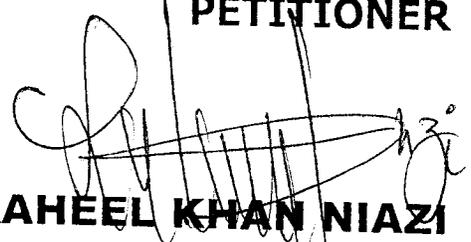
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Any other relief which this Honorable Commission deems fit and proper in vindication of the grievances of petitioner may also be awarded.



**PETITIONER**

Through



**RAHEEL KHAN NIAZI**

Advocate High Court

Islamabad

Cell No.0336-5588990

Email: [rkniazi@gmail.com](mailto:rkniazi@gmail.com)