

BEFORE THE ELECTION COMMISSION OF
PAKISTAN

MEMORANDUM / REPRESENTATION BY:-

Ashiq Hussain son of Fazal Hussain resident of Krunb Usman
PO: Khrunb Jagyal Tehsil Gujar Khan District Rawalpindi

Applicant

**SUBJECT: APPLICATION AGAINST THE GERRYMANDERING
IN THE DELIMITATION OF CONSTITUENCIES PP-9
& PP-10 (GUJAR KHAN) OF DISTRICT RAWALPINDI**

THE PROPOSAL BY THE APPLICANT:-

to exclude Q.H Sukho of Tehsil Gujar Khan
from proposed constituency PP-10 and include
the Q.H. Sukho in constituency PP-9 of District
Rawalpindi being geographically compactness,
being the same psychical features of the area, in
the larger interest of public at large, and
homogeneity of the area and restore the

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previous status of the constituency as
previously (PP-4).

Respectfully sheweth:-

1. That the applicant is resident of Q.H. Sukho and the Patwar Circles of Lody, Manghot, Dehra Muslim, Hujo, Sukho, Kornali, Krunb Ilyas, Chaknaban, Banghali Gujar etc of Tehsil Gujar Khan District Rawalpindi and is the bona fide voter member of the said constituency, the above mentioned areas are part and parcel of Tehsil Gujar Khan since decades.
2. That it has learned through media that the election commission has constituted a committee for the purpose of preparing a draft proposal of the limitation of the constituencies, in view of recent constitutional amended (24th constitutional amended) and the committee has started its work in the Election Commission of Pakistan Secretariat Islamabad.

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3. That according to proposed draft list of constituencies of PP-9 & 10 were published in media where it came into the knowledge of the applicants that Q.H Sukho of the Teshil Gujar Khan has included in the area of Tehsil Rawalpindi and the proposed constituency was declared as PP-10 Rawalpindi (V). The previously the said Q.H. was part and parcel of PP-4 (presently PP-9). The above said proposed draft delimitation was against the principle of delimitation and against the public interest totally unwarranted and highly misconceived approach by the concerned authorities.
 4. That the proposed map of PP-9 which was issued by the Election Commission of Pakistan. (Copy of map is annexed herewith), shows that the proposed delimitation against the principle of debilitation and amounts to add misprices of the people of area. According to the map annexed with the application the area shown in colour green Q.H Sukho was shown which clearly shows that this area was geographically compact with PP-9 and faraway from the remaining area of PP-10 and if Q.H Sukho remained with PP10 then delimitation of PP-9 cannot become compact and there is a huge gap between the remaining area of PP-9. The above said Q.H Sukho is naturally, physically area of PP-9 but astonishing the above said area of Q.H Sukho was included in PP-10 in proposed delimitation by the authorities.

5. That the principle of delimitation has been enumerated under section 20 of the Act 2017 which reads 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 areas, physical features, existing boundaries of administrative units, facilities of communication and public conveniences and other cognate factors to ensure homogeneity in the creation of constituencies.
- b. For the purpose of delimiting constituencies for the general seats 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 a local government shall not ordinarily exceed 10%
- d. If the limit of 10% under Sub Sec (3) is exceeded in an exceptional case, the commission shall record the reason thereof in the delimitation order.

6. That we can easily identify and enumerate the principle of delimitation which law provides to be followed with respect and implemented in letter and spirit while delimiting the electoral constituencies, so not only candidates but also the public at large / voters could be benefited. We can number such principles as under:-

- i. Distribution of equal population
- ii. geographically compactness
- iii. Physically features

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- iv. Existences boundaries of administration Unit
 - v. Facilities of Communication
 - vi. Public Connivance
 - vii. And such other cognate features which ensure homogeneity

7. That procedure of delimitating constituency has been provided under sub (3) 25 of Rule 10 of Election Rules 2017 reproduced as under:-

3. In preparing draft proposal for delimitations of constituencies, delimitation committee shall follow the principle of delimitation as laid down in section 20, producer given this capture and guidelines provided by the commission for time to time.

4. The Constituencies for a assembly shall not ordinarily extended to more than one District exist in exceptional circumstances for reason to be recorded by the delimitation committee.

Provided that a Patwar Circle or as the case may be a Tapadar circle shall be basic unit for delimitation and it shall not be broken under any circumstances.

5. As for as possible, delimitation of constituencies of an assembly shall start from the Northern end of district or as a case may be, the agencies and then proceed clock wise in Zig Zag Manner keeping in view that population amongst the constituencies of an assembly shall remained as close as may be practicable to the Quota.

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Provided that Quota under sub rule shall be determined by dividing total paputaltion of district or agency with number of seats allocated to the District or Agency

Provided further that the variation in the population between two or more constituencies shall not ordinarily exceed 10% and the delimitation committee shall record reason if, in exceptional circumstances, the variation as exceed the limit.

8. That keeping in view of principles as enshrined under the election act 2017 read with rule 10 of the election rules 2017, a plausible / suggestion has been prepared for the consideration of the delimitation committee while preparing a draft the delimitation proposal. The proposal / suggestion has strictly being framed in compliance of principle of delimitation in their entirety and totality.
9. That the suggestion is submitted to avoid gerrymandering in any manner to create a safe constituency for a particular candidate or contestant. The proposal is submitted as under which meets the requirements of law and based on principle of delimitation of constituencies for the conduct of free, fair and just election in Tehsil Gujar Khan District Rawalpindi as in envisaged under the constitution, if the constituencies or gerrymandered, the elections result cannot attained legitimacy which resultantly injure the credibility of parliament and legislative bodies.

geographically competences, being the same psychical features of the area, in the larger interest of public and homogeneity of the area and the law and to promote essence of democracy and also to attach legitimacy with the elected representatives of the parliament and provincial assemblies

Applicants

Through

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