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BEFORE THE ELECTION COMMISSION OF PAKISTAN

Objection Petition No. _____/2018

OBJECTIONS, UNDER SECTION 21(3) OF ELECTIONS ACT, 2017, REGARDING PP-97 VS. PP-112 FAISALABAD ON BEHALF OF MUHAMMAD AWAIS SON OF SARDAR MUHAMMAD RESIDENT OF P/O CHAK NO. 199RB GATTWALA, TEHSIL & DISTRICT FAISALABAD. 0300-6629199

..... PETITIONER

The Petitioner Humbly Submits as follows:-

1. The petitioner is a voter of PP- 112 Faisalabad XVI (hereinafter referred to as "The constituency"). The delimitation process pertaining to the said constituency has been initiated by this Honorable Commission; as a result whereof, a preliminary report has been published in the Official Gazette, whereby the constituency has been proposed to be delimited so as to include the following:-

PP-112 Faisalabad-XVI (a) The following Census Charges of Faisalabad Municipal Corporation;

- i. Charge No. 23;
- ii. Charge No. 27;
- iii. Charge No. 28;
- iv. Charge No. 29;
- v. Charge No. 30;

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- vi. Charge No. 32; and
 - vii. Charge No. 25;
 - (b) Patwar Circle Chak No.
198 RB of Gattwala QH of
Faisalabad Saddar Tehsil

Total 390,136

2. The petitioner is a resident of Chak No.199RB which is included in Patwar Circle 198RB, Gattwala QH, Tehsil sadar, District Faisalabad(here in after, "The PC").

3. The relevant PC was earlier a part and parcel of PP-51(now PP-97). Whereas "The constituency" was previously PP-67 and was inclusive of the following:-

The following census Charges of Faisalabad MC:-

- i. Charge No. 20(NCTE/Sharin Abad);
 - ii. Charge No. 21(Manaanwala);
 - iii. Charge No. 22(Naseerabad);
 - iv. Charge No. 23(Fateh Khan Wala);
 - v. Charge No. 27(chak 213 susan);
 - vi. Charge No. 28(koh-e-Noor city);
 - vii. Charge No. 29(Madina Town)and;
 - viii. Charge No. 30(Khalsa college);
- Of Faisalabad District

4. Keeping in view the previous delimitation the petitioner was Sure that his area i.e "The PC" will form part of PP-97 on account of various settled principles of delimitation, which will be highlighted later, but to his utter surprise "The PC" has been proposed to be included in PP-112 which is a completely urbanized constituency.

5. Strangely enough, however the plan of the constituency obtained from the office of this Honorable Commission does not reflect "The PC" as a part of "The Constituency". On the other hand it is also not even reflected as a part of PP-97. In these circumstances, the instant objection petition is being filed with the understanding that "The PC" has been proposed is a part of "The constituency".

6. The afore-stated proposed delimitation is violation of Section 20 of Election Act 2017 in as much as neither, the principles of compactibility and homogeneity has been kept in mind nor consideration in relation to facilities of communication and public convenience were kept in mind while making such proposal.

7. The petitioner is therefore claiming that "The PC" has been added as a proposed part of "The Constituency" on account

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- of sheer misunderstanding. As submitted earlier the said constituency is a completely urbanized unit and forms part of substantial portion of Faisalabad City. "The PC" has historically never been a part of the said constituency. Owing to the fact that it is a rural area and is inhabited by agriculturalists. The concept of homogeneity has also been ignored in as much as it is a rural area having its own needs, requirements and demands yet it has been made part of an urban constituency.
8. It appears that while notifying the proposed delimitation, the only effort was to balance out the population between the provincial constituencies, whereas, the essential requirements of Section 20, i.e; Compactibility, Homogeneity within the proposed constituency, as also public convenience has altogether been over looked.
 9. The basic idea behind the objection being filed by the petitioner is to point out that if the proposed delimitation was to be accepted that will have an effect of attaching a culturally, geographically and intrinsically diverse minority with a larger majority having a separate distinct identity. It will clearly have an effect has an effect of stifling the voice of the former as regard their needs and requirements.
 10. Even otherwise generally such like rural areas are normally not attached with a completely urbanized population in view of the principles of public convenience and physical features.
 11. It is very humbly pointed out that PC 72RB of khurrian wala consisting of village 72RB and 150RB are part of PP-98 as per proposed delimitation, whereas population of 150RB totaling at 4068 has not been added towards PP-98 and has wrongfully been counted towards the total population of PP-99.
 12. As the relevant PC has not been shown as part of any constituency in the plan circulated by this Honorable commission. It appears that the entire proposed delimitation in relation to PP-97, PP-99 and PP-112 is erroneous. It is thus very humbly submitted that ECP may kindly be ordered to attached PC 198 RB to may PP-97 which will make the population of PP-97 as 4,03,364. Alternately it is suggested that the said PC may be ordered to be added to PP-99 which will make its population as 4,01,463. In any eventuality the population balance the relevant provincial constituency will be vary with in limits postulated by law.

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13. It is thus clear that the concept of balancing of population will also be adhered to in letter in spirit if the delimitation suggested by the present petitioner is graciously accepted by this Honorable Election commission.

It is, therefore, most respectfully prayed that this objection petition may kindly be allowed and the delimitation proposed by the Honorable Election Commission may kindly be altered/change/corrected/effectuated in line with the delimitation suggested by the petitioner i.e by exclusion of the PC198/RB from PP-112 and its consequent inclusion in PP-97 which is in line with the settled principles of delimitation as envisaged by section 20 of the Election Act, 2017.

Awwais

PETITIONER

THROUGH

Muhammad Shahzad Shaukat

Muhammad Shahzad Shaukat

Advocate Supreme Court

3-FANE ROAD, LAHORE

(C.C. # PLH-1553)