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IN THE ELECTION COMMISSION OF PAKISTAN

Application no. _____/2018

Handwritten signature and date: 21/03/2018

**Khalid Ghani Ch. S/O Abdul Ghani Ch. R/O Shahid Shaheed Road, City Shorkot,
District Jhang. (Applicant)**

**OBJECTION PETITION AGAINST THE DELIMITATION OF CONSTITUENCY PP 129
PASSED BY THE ELECTION COMMISSION, PAKISTAN.**

Respectfully Sheweth:

1. That the facts stated in brief, necessitating the institution of the instant objection petition are that the applicant is voter member of PP-129. That the delimitation process in the aforementioned constituency had been conducted by the committee in disregard of all prescribed laws, rules and instructions. Being aggrieved from the new delimitation/division, hence this objection petition.
2. That principle of compactness, contiguity, territorial unit and homogeneity and population had not been followed by the commission.
3. That the delimitation is a serious business which could not be done in a slipshod manner or in spur of the moment but it required hectic and strenuous efforts but in applicant's case it was inattentive altogether.
4. That Delimitation process was carried out illegally and was also violative of certain Articles of the constitution.
5. That the delimitation officer could seek assistance in the delimitation work from the Assistance Commissioner, Mukhtiarkar and other relevant officers/stakeholders in the effected Tehsils but such power was never exercised by the concerns in order to maintain transparency in the delimitation committee or to make it foolproof or water tight. Similarly, delimitation officer may hold enquires and summon witness for the purpose of making the delimitation exercise fair and transparent. Local residents were main party in delimitation process, as they would be most affected people in either way in case of any change in constituency they resided in had been accepted by law itself. Almost all the delimitation process as being sham, mock or non-transparent.
6. That guidelines provided by Superior Courts had not been adhered substantively during delimitation process in question to avoid confusion.
7. That crucial exercise of carrying out inquiry, summoning of witness or recording of evidence was not carried out by delimitation committee prior to submitting the final delimitation proposal and such lapses become the root cause of the allegation of gerrymandering. Unbalanced and discriminatory delimitation means gerrymandering. Whole process appeared to have been done in arbitrary manner, purpose whereof was nothing but gerrymandering.
8. That election commission has to ensure that the process of election shall be completed in a manner free from doubt of contriving and maneuvering in the

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delimitation, which must be carried on in accordance with the principles of delimitation. However, in **our** case, that exercise had not been taken place.

9. That proper population criterion was not followed during the delimitation process.
10. That after the delimitation, local people stood disfranchised by such exercise as their local areas in some cases were included in the far flung regions which were not contiguous with territorial unity.
11. That the applicant agitates the delimitation through representation at hand by relying on Maps which proves that existing delimitation at one hand carved out many Patwar circles and on the other, many union councils containing contiguous areas have been disintegrated from each other and incongruous areas have been included.
12. That the commission has failed to exercise its role, power and responsibility of being neutral umpire in the whole process of delimitation.
13. That after division of constituency of PP-129, Patwar Circles including no.1; Allahyar Jota and No.2; Farid Mahmood Kathia are excluded from the PP-129. However, Patwar Circles no.1; Meernay Wala, no.2; Midh Rajwana, no.3; Fateh Pur Parrhey, no.4; Neko Kara, no.5; Saabqi and no.6: Islampur Nushaib are included in the constituency of PP-129 which is clearly in violation of basic procedure of delimitation i.e the electoral units within the area shall be delimited having regard to the territorial unity and as far as practicable, to distribution of population and public convenience.
14. That it is worth mentioning here that Tehsil Shorkot and Tehsil Ahmad Pur Sial have divided through river Chenab and river Jhelum since 1947. It is also important to intimate that a lot of consensus, General Elections, local bodies election have been conducted in the aforementioned tehsils since independence but no objection was never ever raised by any political or public figure till the under objection newly made division/delimitation.
15. That the areas which are included after new division have no direct road access and the only way to reach the said areas are the river which further adds unendurable miseries and unfold burden and hardship of the inhabitants of newly included Patwar Circles. The voters of the included Patwar Circle have to cover passage of 55km extra because there is no bridge currently available on the river. In addition to this, some newly included and excluded Patwar Circles are located at different sides of the river. Resultantly, this new division/delimitation is beyond the territorial limits and against the established Principle as enriched in *the Sec 20 of the Election Act, 2017*

Suggestions:

Following are some valuable suggestions which may be helpful for the fair, right and legal division of the effected constituencies;

1. That Constituency of **PP-128** which is adjacent to constituency of **PP-129** having Patwar Circles;
No.1: Meerakh Sial,
No.2: Farid Mehmood Kathia,

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No.3: Allah Yar Jota
No.4: Shah Sadiq Nahang

Having total population of 50,765 persons, **may be excluded** from **PP-128** and being **included** into **PP-129**.

Resultantly, population of **PP-128** has decreased to **50,765** persons may be completed after inclusion of Patwar Circles as mentioned below

No.1: Kot Dewan
No.2: Kot Khera
No.3: Mulloo Aana
No.4: Mansoor Sial
No.5: Mohal, after exclusion from the PP-125.

After the exclusion of above mentioned Patwar Circles, the population of **PP-125** is decreased to the extent of **55,882** persons. This deficiency may be fulfilled after the inclusion of below mentioned Patwar Circles from PP-129;

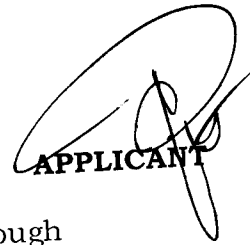
No-1 Meernay Wala
No-2 Midh Rajhana
No-3 Sabqi, Nako Kara
No-4 Islam Pur Nushaib
No-5 Fatehpur Pirti.

2. That the division, prior to delimitation may remain intact.
3. That the Applicant has no objection as for as the rest of the delimitation in the district is concerned.

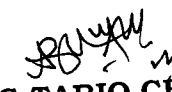
Prayer:

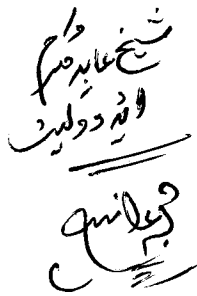
It is, therefore, most respectfully prayed that the new division of constituency of PP-129 may be declared illegal against the law, facts and the substantial justice and very graciously, a direction may be passed, keeping in view the aforementioned suggestions submitted by the applicant in respect of constituency PP-129.

Any other relief which this commission deems fit and appropriate under the circumstances of the application may also be granted.


APPLICANT

Through


A.G. TARIQ CH
Advocate Supreme Court
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