

BEFORE THE HON'BLE SECRETARY ELECTION
COMMISSION OF PAKISTAN ISLAMABAD

7yth Ad
22-3-15
1/6

To be
clubbed
with
Sardulok

Naveed Ashraf, son of Muhammad Ashraf Shad,
resident Mohalah Baba Mithu Shah Mustafa Abad
Tehsil Kasur.

Appellant

VERSUS

Delimitation Committee Punjab, PP175Kasur-II.

Respondent

REPRESENTATION/APPEAL UNDER SECTION 21
RULE 12 READ WITH ALL ENABLING
PROVISIONS OF THE ELECTION ACT, 2017
AGAINST THE DELIMITATION BY THE
RESPONDENT

Respectfully Sheweth:

1. That correct addresses of the parties are incorporated in the caption of the instant appeal for service of process and issuance of any notice / summons by this Hon'ble Authority.
2. That the brief facts leading to filing of instant appeal are that the appellant is a registered voter of PP-175 Kasur-II in Electoral Area / Census Block No. 189090204.

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Circle (PC) Lakhneky, & Khara in PP-182 Kasur IX and excluded it from PP-175 Kasur II against the instructions issued for delimitation of constituencies of Provincial Assembly and National Assembly under The Election Act, 2017 and the rules made there-under. It is pertinent to mention here that from the bare perusal of the official map issued by ECP above said electoral area is the part of PP-175 Kasur II but when we go through the **Population Description** chart and Map issued by Revenue Department also shows that the above said area exclude from the PP-175 Kasur II and include in the PP-182 Kasur IX.(Copies of voter certificate **(Annex-A)**,Map issued by the ECP **(Annex-B)**, Marked Map issued by Revenue Department, Proposed Marked Map **(Annex-C& C1)**Population Description Chart Original and proposed of Constituencies PP-175 Kasur II PP-176 Kasur III& PP-182 Kasur IX**(Annex-D&D)**are attached herewith).

3. That the appellant prepared a proposed map and detail of equal distribution of population, compactness and public convenience of the adjacent constituencies' i.e. PP-176 Kasur III, PP-182 Kasur IX through excluding the disputed areas from PP-175 Kasur II as per law and rules. Copies of purposed Map and detail of population adjustment are attached as **(Annex-E)**

4. That the impugned delimitation dated 05-02-2018 is illegal, unlawful and the same is liable to be set aside, inter alia, on the following:-

GROUNDS

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- a) That the impugned delimitation is against the recognized principles of delimitation, including but not limited to the principles of equal distribution of population, geographical compactness, existing boundaries of administrative units, facility of communication and public convenience, and it is therefore, liable to be declared illegal, unlawful and against the law and rules applicable thereto.

- b) That the respondent has illegally, unlawfully included Patwar Circle (PC) Lakhneky, & Khara in PP-182 Kasur IX and excluded it from PP-175 Kasur II against the instructions issued for delimitation of constituencies of Provincial Assembly and National Assembly under The Election Act, 2017 and the rules made there-under and has thereby caused permanent inconvenience and confusion for the residents of the PP-175 Kasur II.

c) That Area Lakhneky, & Khara etc are connected with PP-175 Kasur II from three sides and according to the 'Extent of Constituency' published by the respondent, it is not connected with the PP-182 Kasur IX from any side. Therefore, it is more appropriate if Area i.e. Lakhneky, & Khara is made part of PP-175 Kasur II in order to achieve the ends of geographical compactness and public convenience.

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d) That the impugned delimitation is a result of mala fide and political interference which has overlooked the principles of geographical compactness and public convenience, it is worth mentioning here the said area which is attached with PP175 Kasur II was detached from it and include with PP182 Tehsil KRK ~~Kot~~ Radha Kishen the distance between about 40 KM is totally against the law and rules applicable thereto.

e) That under the law, rules and instructions the respondent has no power to include the said Area i.e. Lakhneky, & Khara etc in PP-175 Kasur II which has been illegally and unlawfully excluded from PP-175 Kasure II.

- f) That the respondent was duly bound to comply with the instructions for the delimitation of constituencies of Provincial Assemblies and National Assemblies and the same were not followed by him.
- g) That provisions / instructions for delimitation of constituencies of Provincial Assemblies and National Assemblies under The Election Act, 2017 and Rules made there-under have been flagrantly violated by the respondent.
- h) That the faulty, illegal and unlawful delimitation conducted by the respondent has disturbed the uniformity and compactness of the Provincial Assemblies and National Assemblies.
- i) That the respondent has illegally split more than 10% of Electoral Area / Census Blocks.
- j) That the respondent has no authority to detach the said electoral area from the PP-175 Kasure II, therefore, he has assumed the jurisdiction not vested in him.

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PRAYER:

In view of the above submissions, it is most respectfully prayed that instant appeal / representation / objection petition may kindly be accepted and impugned delimitation may kindly be set-aside.


It is further prayed that Area i.e.(Lakhneky, & Khara etc in PP-175 Kasur II be excluded from PP-182 Kasur IX and be included to the appropriate PP-175 Kasur II in the supreme interest of justice, equity and fair play.

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Any other relief which this Hon'ble Authority deems fit and appropriate under the circumstances may also be awarded to appellant.


Appellant
0300-4700532

Through


Hafiz Muhammad Saleem
Advocate High Court
7-Turner Road,
Lahore

Dated: 17/3/18