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**BEFORE THE HONOURABLE DELIMITATION
AUTHORITY, ELECTION COMMISSION OF PAKISTAN,
ISLAMABAD**

Delimitation Representation No. _____/2018

Sajjad Hussain S/o Allah Rakha, Caste Daha, R/o Chak No.
144/DB, Cholistan, Tehsil Yazman, District Bahawalpur, Cell
No. 0345-8713726 & 0345-8614444

.....Applicant

VERSUS

Delimitation Committee, Punjab, Lahore through its
Convener

.....Respondent

**REPRESENTATION UNDER SECTION 21 OF THE
ELECTION ACT, 2017, READ WITH RULES 12 & 13, OF THE
ELECTION RULES, 2017, AGAINST THE PRELIMINARY
PROPOSAL FOR DELIMITATION NOTIFIED ON 05.03.2018,
FOR FORMULATION OF CONSTITUENCY PP-249 TO PP-
250, BAHAWALPUR-V TO VI, WHICH ARE FORMULATED
AND DELIMITED AGAINST THE SCHEME OF SECTION 20
OF THE ACT IBID AND RULES FRAMED THEREUNDER
COUPLED WITH GUIDELINES AND REGULATIONS
ISSUED TIME TO TIME, RESULTANTLY, THE SAME ARE
LIABLE TO BE ADJUDGED ILLEGAL, UNLAWFUL,
UNWARRANTED BY LAW AND WITHOUT LAWFUL
AUTHORITY AS BEING AGAINST THE PRINCIPLES OF
HOMOGENEITY, COMPACTNESS, PUBLIC CONVENIENCE
AND FAIRNESS TO AVOID THE TRUE VOICE OF MASSES,
WHO HAVE BEEN DEPRIVED FROM THE RIGHT OF
CHOICE OF REAL REPRESENTATION, WHICH
TANTAMOUNT TO PRE-ELECTION RIGGING AND IN
CONSEQUENCE THEREOF THE PROPOSALS /
SUGGESTIONS / OBJECTIONS RAISED INFRA BY THE
APPLICANT, ARE LIABLE TO BE ALLOWED WHILE
IMPLEMENTING THE SAME IN FINAL DELIMITATION AS
MANDATED BY THE LAW ON THE SUBJECT**

Respectfully Sheweth:-

1. That the applicant is a voter of Constituency PP-249, Bahawalpur-V, and his name is duly placed in Electoral Roll of Chak No. 144/DB, Tehsil Yazman, District Bahawalpur. The applicant is currently Vice Chairman, UC No. 88, Chak 75/DB, Tehsil Yazman, District Bahawalpur, and has great concern with the process of delimitation as being citizen/inhabitant of the locality and relating to political family and Lumberdar as well. The applicant is also blessed by Allah Almighty to represent the locality and upcoming general elections of his great concern. Copy attached as **Annexure "A"**.
2. That the respondent while taking exercise of Preliminary Proposal under Section 19 & 20 of the Election Act, 2017, and Rules framed thereunder notified on 05.03.2018, on Form No. 05, under Rule 10 (7) of the Election Rules, 2017, however, the applicant and the public at large of the locality were neither called to give real account of delimitation as mandated by law nor the principles, guidelines and regulations were taken into account, which ultimately burdening this Honourable Election Commission of Pakistan to bear great toll of blood and sweat to know the miseries caused by this preliminary delimitation, hence, these objections / suggestions / proposals are set out to mend the preliminary delimitation.
3. That as per requisition of law, certified copies of maps alongwith preliminary delimitation notified by the respondent are respectively placed as **Annexure "B & C"**.
4. That before advancing the objections / suggestions / proposals, it is useful to keep in mind that the District Rajanpur is the remotest District of Punjab and the factor of transportation is also a problematic issue for moving one side to other, some areas of Colony / State Land / De-excluded areas and geographically being in arduous

features with adding divisions made by mighty Indus River, Canal Work and in this situation the womenfolk who are eligible voters bound by cultures to avoid casting of votes due to inconveniences, so the delimitation is liable to be made in a such manner to rule out these natural barriers, which further aggravates when voluminous area are least populous, so the mechanism of delimitation is needed to be taken more wisely and tactfully when Tehsils Yazman is covered with sandy desert having unbalanced population inter-se the area, then Local Bodies Administrative Units are not needed to be divided and the schemes of Local Government areas needed to be kept intact in order to avoid any anomalous situation. The conversant of geography, culture (Homogeneity of Population) with homogeneity of areas coupled with convenience are the real stick yard for all purposes of delimitation process, but unfortunately, the same are lacking in preliminary delimitation, which constrained the applicant to knock at the doors of this Honourable Forum, hence, the instant petition.

5. That as far as the proposal of delimitation of constituency PP-249, Bahawalpur-V, is concerned, the applicant has proposed that the Jugait Pir QH be excluded from PP-250, Bahawalpur-VI and be included in PP-249, Bahawalpur-V, whereagainst PCs Chak No. 59/DB and Chak No. 65/DB, be excluded from PP-249, Bahawalpur-V and be included into PP-250, Bahawalpur-VI. This modification inter-se suitable between PP-249, Bahawalpur-V and PP-250, Bahawalpur-VI. Though barren and desert area having no resources of transportation as well as inconvenient to the public at large, if, the preliminary delimitation is sustained and contrary to this the suggestions and proposal will run

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into smooth and harmonious block with fairness in delimitation. This landlocked encirclement of these two PCs has been ignored by the respondent while carving out the preliminary delimitation. This factum is overlooked and this paradox constrained the applicant to move instant representation to agitate the same for seeking the real representation of area by observing the scheme laid in Section 20 of the Election Act, 2017, and Rules framed thereunder. The proposals and the reasons endorsing these proposals would be taken into assertion in subsequent paras of the petition.

6. That it is appropriate at this stage to take up the Objections first and proposal & suggestions subsequent:-

OBJECTIONS:-

- i) That Jougit Pir contain population of 9000, are in contiguity with the area of PP-249, Bahawlpur-V, and homogenies for all purpose of population of area. Unfortunately, the map articulated and relied by the Delimitation Committee is not in accord with position at situ. Actually at situ, both the areas on Northern side both ends are connected in bowl shape and surrounds the desert. This is the only linkage between two areas. If, the suggestive delimitation is not acted upon then Jougit Pir has atleast 150 KMs. The Chak No. 59/DB & Chak No. 65/DB, so far as concerned are initially in contiguity with PP-250, Bahawalpur-VI. In no way, both Chaks can be segregated due to homogeneity. Preliminary delimitation is awkward and contrary to the dictates of Section 20 of the Election Act, 2017, and Rules framed thereunder.

- ii) That Tehsil Yazman is bigger in size and population. In purview of section 19 of Act ibid equal population is to be made in all constituencies. For this purposes, the surplus area and population is to be added in the constituencies of Tehsil Rajanpur in such manner, which would not make any awkward situation. The principle starting from North in a clockwise rotation is liable to be taken into consideration but the same has not taken into account by respondent in preliminary delimitation.
- iii) That as far as the constituency of PP-249, Bahawalpur-V, is concerned, it needs such arrangement of contiguity as from its North if clockwise principle is taken into account then Jougit Pir is at the Southern side of Goath Shah Muhammad unifies a compact block with Jougit Pir QH as proposed in proposal chart of the applicant and with suggestive proposal of the applicant becomes more effective in all purposes of homogeneity of population and area coupled with public convenience. Hence, the preliminary delimitation is not sustainable in the eye of law and needed to be changed with the proposals of applicant.
- iv) That by virtue of the Notification dated 05.03.2018, Chak No. 59/DB and Chak No. 65/DB of PP-249, Bahawalpur-V, whereas, the same is part and parcel of PP-250, Bahawalpur-VI, hence, are liable to be made integral part of PP-250, Bahawalpur-VI, for public convenience, homogeneity of area and population. The inter-se distances between the proposed (preliminary delimitation) PP-249,

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Bahawalpur-V, are far away and the scheme ordained by the respondent in this regard is quite illogical, uncomprehending and administratively inconvenient, hence, the suggestions / proposals supplicated by the applicant are liable to be appreciated while finalizing the process of delimitation.

- v) That PP-249, Bahawalpur-V and PP-250, Bahawalpur-VI, are to be maintained in a way that Public at Large may participate in maximum turnout. From the perusal of Map, it is objected that PP-250, Bahawalpur-VI, is a long rout to maintain campaign work as well as the people of locality at large will face difficulties to manage their transportation, for which it is just and proper to formulate Jougir Pir with the PP-249, Bahawalpur-V and Chak No. 59/DB and Chak No. 65/DB with PP-250, Bahawalpur-VI, hence, preliminary delimitation of these two constituencies is liable to be demarcated and delimited as objected and proposed by the applicant.
- vi) That though the scale of population is at the criteria of 10% plus minus, yet, the split of areas is not in accordance with the principles of Section 20 of Election Act, 2017. This further worsen the situation, when Chak No. 59/DB & Chak No. 65/DB is not attached with the PP-250, Bahawalpur-VI and Jougir Pir is not formulated with PP-249, Bahawalpur-V, for all harmonious purposes.
- vii) That the preliminary delimitation of constituency of PP-249, Bahawalpur-V, consisting of other PCs and QHs except to Jougir Pir, to this extent it is undisputed. However, the QH Jougir Pir has not

been taken at the principle of clockwise delimitation in constituency, if the same is taken into account then the referred QH is liable to be included in PP-249, Bahawalpur-V.


- viii) That Chak No. 59/DB and Chak No. 65/DB have also not been taken into consideration on the touchstone of the principle of clockwise delimitation, as suggested in preceding paras.
- ix) That PP-250, Bahawalpur-VI is a long tract, which is needed to be divided into PCs for formulation of convenient blocks to facilitate public at large. Inexpensive transportation and immediate contacts is basic vision of Election Act, 2017, and Rules framed thereunder.
- x) That the features, maps, geographical situation and the factum of public convenience is lacking in the preliminary delimitations. Neither the objections raised by the applicant are frivolous, nor the same ignorable. As the equality of quantum of areas is a considerable factor coupled with homogeneity of areas and population, which is needed to be considered again in the light of these objections.
- xi) That nothing from the record suggests that the conception of public convenience is measured in tangible sense. Chak No. 59/DB and Chak No. 65/DB are not only in contiguity but also integral part of PP-250, Bahawalpur-VI, since long and administratively are coherent. The inclusion of other areas/QHs/PCs are to be made with a sensible way, which suit these areas but unfortunately preliminary delimitation has not attached Chak No. 59/DB and Chak No. 65/DB with PP-250, Bahawalpur-VI. For all compactness the partial area of Jougit Pir is liable to be excluded

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from PP-250-Bahawalpur-VI and liable to be included in PP-249, Bahawalpur-V, as earlier submitted by the applicant.

SUGGESTIONS/PROPOSALS:-

1) SYMMETRY OF AREAS:-

- (I) That from the perusal of proposal chart of the applicant, it is quite evident that the suggestive stance of the applicant formulates a coherent area without any long tract. Rather simplification of symmetry is there, which is convenient for public at large and provides effective delimitation to achieve the goal laid in Section 20 of Act *ibid*.
- (II) That the real wisdom behind delimitation is to provide the homogeneous population and area to achieve real representation of the locality. The proposal laid in proposal chart submitted by the applicant is made with this rationale, and as against this, preliminary delimitation does not carry this conception.
- (III) That the smoothness is another factor, as polling booth and polling arrangements
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are to be done by the Honourable ECP. And if delimitation process is not made in accordance with law then it may cause burden upon the State Exchequer. For which the suggestions/proposals made in the chart are seriously pondered to save public money.

- (IV) That symmetry of area coupled with population is another factor to achieve the moto of public convenience to participate in political process. Unfortunately, the turnout rate in whole Pakistan is not satisfactory in any manner whatsoever. It is all due to expensive election process when remoteness of area is not considered in serious manners. Only the capitalist can participate and the commoners run away. The people lose their interest when the belonging of person does not correspond to their stature. That's why a common man does not contest and the supporters feel embarrassment as none is there to raise their voice. This factor is also kept in view in the suggestive chart submitted by the applicant.

2) COMPARISON:-

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i) PP-249, Bahawalpur-V

Sr. No	Preliminary Delimitation	Proposals
1	That the map is neither based on position at situ, nor allocation of areas of the constituency could be settled accordingly. That's why the whole scheme run in an erratic manner, whereas, actually it a bowl shape surrounding area covering desert and the only linkage is Jougit Pir QH and accordingly Chak Nos. 59/DB and 65/DB are quite adjacent to PP-250, Bahawalpur-VI. The preliminary delimitation on this misconception and misunderstanding of features of area leaves no doubt for calling of an action to entertain the objections of the applicant to concede with the suggestions of the application to revive transgression of the scheme given by Section 20 of Act ibid.	That as compare to the preliminary delimitation, proposal / suggestions of the applicant are practicable without any major upset and the local limits of ordained by the Local Government are maintained. More and above, the smoothness of area will soother the people to move easily in transportation as well as coherent polling scheme could be achieved.

ii) PP-250, Bahawalpur-VI

Sr. No	Preliminary Delimitation	Proposals
1	That Chak Nos. 59/DB & 65/DB remained in earlier constituencies of previous General Elections attached with the area of PP-250, Bahawalpur-VI. But the same were detached from its original allocated settled area in the constituency. The administrative impact would be loosed if these two Chaks are not included in PP-250, Bahawalpur-VI, as supplicated by the applicant.	The supplication of the applicant is simple in accordance with the law on the subject, which comply with all intentions of law for a regular constituencies to seek real representation of the locality at low expensive tracks with homogeneous population of area.

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It is, therefore, respectfully prayed that by accepting the instant representation, the preliminary delimitation notified on 05.03.2018, by respondent may graciously be adjudged illegal, unlawful, unwarranted by law and without lawful authority as being against the principles of homogeneity, compactness, public convenience and fairness as envisaged in the Section 20 of the Election Act, 2017, and Rules framed thereunder.

It is further prayed that the objections, proposals and suggestions submitted by the applicant, may graciously be allowed and the same may kindly be implemented while finalizing the Delimitation Process, in the supreme interest of general public, justice and conduct of fair elections.

Any other relief which this Honourable Election Commission of Pakistan deems fit and appropriate, may graciously be awarded to the applicant.

سجاد حسین
Applicant
Sajjad Hussain

Through:-

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