

BEFORE THE WORTHY SECRETARY ELECTION COMMISSION PAKISTAN,
ISLAMABAD.

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Raza Moeen-ud-Din
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Lic. No. 183/DRA/2014
F-8 Markaz, Islamabad

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Sayd Tanveer Hussain Naqvi S/O Sayed Ameer Hussain Naqvi Caste Naqvi R/O
Basti Arri Korra shah, Panwar Janobi, Post office Qasba gujrat, Tehsil Kot Addu
District Muzaffargarh.

VERSUS

Public at Large PP 270, 271 District Muzaffargarh

MEMORANDUM OF OBJECTION
FOR ADDING (PATWAR CIRCLE) PANWAR JANOBI OF UC DOHNA HAVING
POPULATION 9106 FROM PP-271 TO PP-270
&
APPLICATION FOR ADDING PC-MANSA RAAM KHAS FROM PP-270 TO PP-271

Applicant/Objector humbly submit as under:

1. That Honorable Election Commission of Pakistan has announced country wide delimitation and last date for submission of Objection is already fixed for 02-04-2018.
2. That in hand objection is being filed within time as per law.
3. That the Petitioner is registered Voter of District Muzaffargarh.
4. That in hand objection is pertains to recently announced PP-270 & PP-271.
5. That PP-270 has been announced consisting of following

PP-270 Muzaffargarh-III

- a) The Following QHs of Muzaffargarh Tehsil
 - 1) Karam Daad Qureshi
 - 2) Following PCs of Basira QH
 - i. Ali Wala
 - ii. Chak Alidha
 - iii. Mehboob Wala
 - iv. Qalandar Wala
 - v. Panjain Wala
 - vi. Wan patafi
- b) Gujrat QH of Kot Addu Tehsil Excluding the following PCs
 1. Alu Rid
 2. Bait Ranoja
 3. Dabbi Shah

4. Panwar Janobi
5. Panwar Shumali
Of District Muzaffargarh

Total 3,55,400/-

Details of above mentioned constituency is attached herewith
as ANNEXURE A.

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6. That PP-271 is consisting of following

PP-271 Muzaffargarh IV

- a. The following QHs of Kot Addu Tehsil
1. Gurmani; and
2. Sanwan
b. Sanawan MC and
c. The following PCs of Qasba Gujrat QH
1. Alu Rid
2. Bait Ranoja
3. Dabbi Shah
4. Panwar Janobi and
5. Panwar Shumali
Of District Muzaffargarh

Total 3,54,250/-

Details of above mentioned constituency is attached herewith
as ANNEXURE B.

7. That in hand memorandum of objection is being filed due to the following errors which needs to be corrected through the in hand memorandum of objection:-

- a. That at present the PC-Panwar Janobi is Part of Constituency PP-271 which is not having the physical connection with PP-271.
b. That distance between the PC-Panwar Janobi and remainder Constituency PP-271 is about 25 KM far.
c. That the PC-Panwar Janobi is right in the middle of PP-270 which is clearly not viable for the administration of forth coming election simultaneously it will be botheration for the prospective candidates for the PP-271 Constituency and common People for Political meetings and other allied Election activities.

8. That PC-Panwar Janobi is mistakenly added in the PP-271 which need to be corrected by the following suggestions/requests:-

- a. PC-Panwar Janobi may be added in PP-270 and PC-Mansa Raam Khas may be added in PP-271.
b. That the population of PC-Panwar Janobi is 9106 and PC-Mansa Raam is 6057.

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- c. That there is no much difference of population in PC-Panwar Janobi and PC-Mansa Raam.
 - d. That through the above mentioned proposed change will be quite convenient for both two constituencies i.e. PP-270 & 271 because in this way both two constituencies shall be connected.
 - e. That the requested/Proposed Change is due to the reason of having no physical connection with the constituency as evident by the Map attached herewith.
 - f. That the requested/suggested change will not affect the population in any or in any manner.
9. That the following Principles of delimitations were omitted by this Honorable commission while announcing the delimitations of PP-270 & PP-271.
- a. To protect the equality of the vote.
 - b. It is recommended to amend the law to restrict differences of population across constituencies.
 - c. The amendment should also regulate the process whereby the Election Commission may deviate from the general principle. Consideration should be given to allow a maximum of 15% deviation in population of the various constituencies.
 - d. To ensure further development of regulatory process, the amended legislation should explicitly require the ECP to develop formal administrative regulations for the schedule of the delimitation process, the criteria and the parameters for delimitation, the manner of publication of delimitation data, and the procedures for appeals on the proposed boundaries.
 - e. Legislative amendments will render the reform of delimitation incomplete if the amendments are not complemented with administrative regulations.
 - f. That Boundary delimitation is also called "re-districting" or the "delimitation of electoral districts." It is one of the key features of almost every electoral system.
 - g. That as defined by the UN Human Rights Committee (UNHRC) "The principle of one person, one vote must



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apply, and within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another. The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely".

- h. In the context of delimitation, this means the opportunity to challenge how the constituencies are delimited and access to the formal appeals process in cases where delimitation violates key principles, such as equality of vote.

10. **Legal Framework**

The delimitation of constituencies in Pakistan is regulated primarily by the Delimitation of Constituencies Act of 1974 (DCA 1974). However, the complete regulatory framework also includes provisions from the Constitution of Pakistan, amendments to the Delimitation of Constituencies Act, decisions of the Elections Commission of Pakistan, and statutory interpretations of the higher courts and the Supreme Court (SC).

Constitution

The Constitution of Pakistan prescribes several fundamental principles that guide the delimitation of constituencies.³³ It establishes that each member of the National Assembly be elected in a single member constituency³⁴ and it allocates a specific number of constituencies to each federal unit.³⁵ It also establishes the population criteria according to "the last preceding census officially published" for allocation of seats³⁶ to each federal unit. This is somewhat counter-productive, as it effectively requires constitutional amendments after each census to adjust the number of seats. However, it does not link the population census with the review of the boundaries between constituencies.

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Legislative Acts

The centerpiece of Pakistan's legal framework on delimitation of constituencies is the Delimitation of Constituencies Act of 1974 (DCA 1974), which was amended several times through presidential ordinances and legislative amendments.



11. That, there are various Grounds for accepting of in hand application out of which few have been mentioned above.

12. That an affidavit in support of the instant petition is attached.

PRAYER:-

In the light of above mentioned submission it is humbly prayed that in hand application/objection may kindly be accepted and Presently announced PC Panwar Janobi may kindly be added to PP-270 and PC-Mansa Raam Khas may kindly be added to PP-271 in the Larger interest of Public and in the larger interest of fair Administration of General Election proposed to be held in July 2018.

Any other relief which this honorable court deem fit and proper may also be granted.

HUMBLE PETITIONER

تنویر حسین ناظم

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27.3.18

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