

Handwritten signature and date: 23/03/2018

**BEFORE THE ELECTION COMMISSION OF PAKISTAN**

**REPRESENTATION/OBJECTION PETITION UNDER SECTION 21(2) OF THE ELECTION ACT, 2017, READ WITH RULE 12 OF THE ELECTION RULES, 2017, AGAINST DELIMITATION OF CONSTITUENCIES OF PROVINCIAL ASSEMBLY OF THE PUNJAB OF DISTRICT MUZAFFARGARH.**

Respectfully Sheweth;-

That the instant Representation / Objection Petition has arisen out of the following necessary facts;

1. That I, Imran Rafiq S/O Ch. Muhammad Rafiq, NIC # 32303-0804388-9, is *bona-fide* resident and registered voter of PP-272 Muzaffargarh-V of District Muzaffargarh.
2. That the Election Commission of Pakistan has published Preliminary List of Provincial Assembly Constituencies of district Muzaffargarh along with other districts of the Punjab, *vide* ECP's Notification No. F.8(3)2018-Elec-1, dated the 5<sup>th</sup> March, 2018. (**Annexure-A**).
3. That the petitioner is aggrieved of the delimitation of two constituencies i-e, PP- 271 Muzaffargarh-IV and PP 272 Muzaffargarh-V, as voter.
4. That Muzaffargarh district administratively comprising Four Tehsils, i-e, Muzaffargarh, Kot Addu, Jatoi and Ali Pur with Total Population of **4,325,483**, in terms of Provisional Results of Census-2017, released by the Census Organisation, and has been allocated 12 constituencies of Provincial Assembly of the Punjab.
5. That Quota for each Provincial Assembly Constituency of Muzaffargarh district comes to **360,000 with Maximum upper limit of Population of**

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**378,000 and Maximum Lower limit of Population of 342,000.**

(Summary of district Muzaffargarh is at **Annexure-B**)

6. That delimitation of constituencies has been started from the the middle of the district instead of Northern end of the district and carried out by using discretion , as there is no sequence of numbers and names of Constituencies which indicate the mala-fide intention to accomodate someone and to gerrymander the constituencies of district Muzaffargarh
7. That the Map of District Muzaffargarh marked with Provincial Assembly Constituencies by the Election Commisssion of Pakistan has been illustrated with different colours in respect of Constituency Nos. PP-270 Muzaffargarh-III, PP-271 Muzaffargarh IV and PP-272 Muzaffargarh V.
8. (**Annexure- C**).
9. **That PP- 271 Muzaffargarh-IV has been created into two parts, not connected with eachother and one Patwar Circle namely PANWAR JANUBI, situated in the middle of PP 270 Muzaffargarh III, like an Island which is totally illegal and un-sustaiable as the contituency is not contiguous.**
10. **That a Patwar Circle Ladha Langar is adjacent to pp-272 and needs to be included in this Constituency by detaching it from PP-271 Mazaffargarh- IV, to make the constituencies more compact.**
11. That the impugned Constituencies are unsustainable *inter-alia* on the following grounds among others;-

### **GROUND**

- a) That the constituencies are *de jure* apportionment of space for the purpose of electing representatives of people living in the territorial limits of a democratic state and the elected representatives represent not only the people but also their respective segments of territory, the constituencies.
- b) That these two — the land and the people — and the prevailing law of the country provide the basis for constituency boundaries and their

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delimitation. The laws concerning constituencies can have two dimensions. The first is related to the laws of enfranchisement as to who among the population have the right to vote. This gives the total number of electors and the number of representatives to be elected and the other aspect of constituencies is the actual drawing of boundaries and enclosing people within the constituency framework. This is indeed a sensitive issue for several reasons.

- c) That the after distribution of population equally into constituencies, it must be ensured that the constituencies are in compact areas and contiguous and not in various parts.
- d) That first, a lack of understanding of the human geography of the area can divide up people who may in effect lose their representation or voice in the legislature. Second, the division of space into constituencies can be so organised that it may carve out either a safe support base for a party or a candidate, or create a combination of societal forces which are opposed to a particular party or candidate. Thirdly, a new boundary can change the pattern of electoral representation in the legislature.
- e) That different sets of electoral constituency boundaries can produce different election outcomes, even if the underlying vote patterns are identical. Electoral abuses such as ill-proportioned constituencies (electoral constituency that vary substantially in population) and electoral constituency that have been "gerrymandered" (constituency boundaries intentionally drawn to advantage one political group at the expense of others) can have profound effects on the outcome of an election and the composition of a parliament or an elected body of representatives. If voters and other stakeholders suspect that the constituency boundaries have been unfairly manipulated to produce a particular political outcome, this will affect the credibility of the delimitation process. The legitimacy of the electoral outcome itself could be questioned.

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- “20. **Principles of delimitation.**—(1) *All constituencies for general seats shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact areas, physical features, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors to ensure homogeneity in the creation of constituencies.*
- (2) *For the purpose of delimiting constituencies for the general seats of the National Assembly for the Tribal Areas two or more separate areas may be grouped into one constituency.*
- (3) *As far as possible, variation in population of constituencies of an Assembly or a local government shall not ordinarily exceed ten percent.*
- (4) *If the limit of ten percent under sub-section (3) is exceeded in an exceptional case, the Commission shall record reasons thereof in the delimitation order.”*
- h) That we can easily identify and enumerate the Principles of Delimitation which law provides to be complied with, respected and implemented in letter and spirit while delimiting the electoral constituencies, so the not only the candidates but also the voters could be benefited. We can number such principles as under;-
- a) Distribution of Equal Population,
  - b) Geographical Compactness,
  - c) Physical Features,
  - d) Existing Boundaries of Administrative Units,
  - e) Facility of Communication,
  - f) Public Convenience, And

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- j) That the provincial Assembly Constituencies of Muzaffargarh District lacking basic two very important Principles i-e- Equal Distribution of Population and Geographical Compact areas.
- k) That the Constituencies have been delimited preliminarily without keeping in view the facts on ground and the principles of delimitation of constituencies.
- m) That keeping in view the principles as enshrined under the Election Act, 2017 read with Rule 10 of the Election Rules, 2017, and facts on grounds, it is proposed that the Island in the mid of PP 270, in the shape of Patwar Circle **Panwar Janubi** being part of PP-271 may be included in PP-270 and excluded from PP 271 to make the constituencies compact and contiguous.
- n) That a Patwar Circle **Ladha Langer** of Sinawan QH is adjacent to PP-272 and by its inclusion in PP- 272, will make the constituency more compact and perfect. The proposal / suggestion has strictly been framed in compliance of Principles of Delimitation of Constituencies, in their entirety and totality. (**Proposal is at Annexure-D**)
- n) That suggestion is submitted to avoid disconnection and discontiguity of constituencies and to make them compact and contiguous. The proposal is submitted, meets the requirement of law and based on **Principles of Delimitation of Constituencies** for the conduct of free, fair and just elections in district Muzaffargarh as envisaged under the Constitution and law. (**Map of Proposed Constituencies is at Annexure-E**).

### **PRAYER.**

It is, therefore, very humbly prayed that the proposal / suggestion submitted may kindly be considered on merits and proposal at **Annexure D** may very

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?kindly be accepted to make the constituencies particularly PP 270, 271 and 272 as contiguous and more compact.



Petitioner

Imran Rafiq S/O Ch. Muhammad Rafiq,

Ward No. 14, Mohalla Nooraywala,  
Kot Addu, District Muzaffargarh

**VERIFICATION**

Verified on oath on this <sup>30<sup>th</sup></sup>-----day of March, 2018 at Islamabad that the contents of the above Representation / Objection Petition are true to the best of my knowledge and belief.



Petitioner