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● BEFORE THE WORTHY SECRETARY ELECTION COMMISSION OF
PAKISTAN, ISLAMABAD.

Representation No. /2018

Subject: REPRESENTATION UNDER SECTION 20, 21 & 22 OF THE ELECTION ACT, 2017 AND RULE 10, 11, 12, 13 & 14 OF THE ELECTION RULES, 2017 READ WITH ALL ENABLING PROVISIONS OF RELEVANT LAWS FOR MAKING NECESSARY AMENDMENT, ALTERATION AND MODIFICATION IN THE DELIMITATION OF PP 290 DERA GHAZI KHAN AS THE SAME HAS BEEN FORMED IN VIOLATION OF THE BASIC PRINCIPLES OF DELIMITATION.

Dear Sir,

BRIEF FACTS;

1. That the undersigned Applicant is permanent resident of PP 290 & NA 191 and voter of the same constituencies. The undersigned applicant is filing the instant representation against the formation of Constituency PP 290 as the same has been formed and delimited against the basic principles of delimitation as provided under the relevant laws.
2. That during the delimitation of PP 290 the delimitation committee did not consider the basic principles which have been provided under the Section 20 of the Election Act 2017 (**hereinafter "the Act"**) and rule 10 of the Election Rules, 2017 (**hereinafter "the Rules"**) which were mandatory in nature and in case of violation of the same, the Election Commission is empowered under Section 22 of the Act to make such amendments, alterations or modifications in the final list of the constituencies. Hence, the undersigned applicant has filed the instant representation in order to invoke the powers of election commission as provided in the aforesaid Section 22 of the Act.

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3. That according to the draft list of constituencies (Form-5), PP-290 has been formed and delimited on the following areas wherein total population shown as 343450, the area of the PP-290 Dera Ghazi Khan according to the list is reproduced as under

a). The following QH of DG Khan Tehsil:-

i. DG Khan

B. The following QH of Kot Chutta Tehsil:-

i. Addl Kot Chutta,

ii. Addl Choti

C. The Following QH of de-excluded area of DG Khan Tehsil;

i. Ronghin

ii. Sakhi Sarwar and

iii. Khar

of District DG Khan

[Copy of Map (Colored) & draft list of constituencies PP-290 is annexed as ANNEXURE "A"]

OBJECTIONS ON THE FORMATION AND DELIMITATION OF THE CONSTITUENCY PP-290 AS PROPOSED BY THE DELIMITATION COMMITTEE.

- A. The delimitation of constituency PP-290 as formed/proposed by the delimitation committee is totally gerrymandering in nature as the same has been delimited on the choice of one sitting Member of Parliament who belongs to the ruling party. It is pertinent to mention here that the proposed delimitation of PP290 is classic example of misuse of authority and flagrantly violation of basic principles of delimitation as mentioned in Section 20 of the Act.
- B. It is important to mention here that during the delimitation of the constituency PP-290 the mandatory principles of delimitation have been ignored, especially public convenience, practicable, geographically compact areas, physical features, facilities of communication and other cognate factors. The PP-290 has been split into two portions, both portion of the constituency are not connected with each other. The said constituency has been delimited in such a way that portion of this constituency is across the other constituency, making it a violation of the basic principle of delimitations as per the said rules and laws.

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C. This constituency being split into two portions, made one bigger chunk of the constituency on one end, while the other portion being situated at the other end, in between the area of another constituency PP-290, this makes the said constituency apart by almost 20 KM. this makes it totally inevitable and impracticable for any constituent or a candidate to visit or stay in contact with each other. The ground assertions of the recent delimitation by the delimitation committee would result in the neglecting the smaller portion of the constituency.

D. It is further very important to point out here that the constituency was to be started from the northern end of the district and then proceed clock-wise in zigzag manners but in the instant case the delimitation committee has totally violated the said principle just to facilitate a candidate who belongs to the ruling party.

E. According to the principles as laid down by August Supreme Court of Pakistan regarding process of delimitation is reproduced as "Process of delimitation of constituencies for an election is one of the important step to organize and conduct elections because it is only with reference to a constituency that a candidate would exercise his right/option to contest and a voter would exercise his right to vote. Right to vote actually translated into a more potent and substantial right to equal voting power. Electoral process other than ensuring fair and free polls has to ensure that the weight of the vote of a citizen has not diluted or discriminated prior to the polls during delimitation of constituencies. Delimitation is a vital and indispensable milestone in the electoral process as it defined and fashioned the strength and weight of a vote. Fair and transparent delimitation of constituencies is pivotal for holding honest, fair and just elections. Central focus of any fair and just electoral system is to ensure that the right to vote has properly guarded against the scourge of vote dilution or discrimination during the process of delimitation, any electoral system must be designed to protect the right of vote." It is pertinent to mention here that the entire process of delimitation of PP-290 which has been proposed by the delimitation committee is clearly result of violation of basic principles as laid down by the legislatures and the apex courts.

F. The delimitation committee did not even consider a main aspect during the delimitation of PP-290 that a voter will have to face so many problems of communication and traveling of around 20 kilometers to cross the other side of the constituency to meet up with his representative for the redressal of his grievance. Therefore, on this ground the Commission should invoke its jurisdiction according

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to Section 22 of the Act to modify the Constituency as per proposal of the undersigned applicant.

G. The delimitation committee has not considered the ground reality of the constituency PP-290, and even did not consult with the revenue record/maps, past geographical history of the area and other related things at the time of delimitation of the constituency. Therefore, the same is not practicable as proposed by the delimitation committee and liable to be modified in accordance with the applicant's proposal.

Memorandum of Applicant's Proposal for Delimitation of Consitutuanies of Dera Ghazi Khan:-

1. **Consituancy-PP285 (I), Dera Ghazi Khan**
2. **Constituancy-PP286 (II), Dera Ghazi Khan**

The applicant has no objection on the formation of the above two constituencies No. PP-285 & 286 as the both have been formed according to the principles of delimitation as provided under the law.

3. **Consituancy-PP287(III), Dera Ghazi Khan:-**

A. The undersigned applicant has prepared a Map and list of areas for the delimitation of Constituency PP-290 in accordance with the principles of delimitation as laid down by the apex courts and provided by the relevant laws and also the same is based on the ground reality. The applicant's proposal for the delimitation of constituency PP-290 Dera Ghazi Khan is mentioned in the following table;

Sr. No	AREA	POPULATION
1.	MAKWAL (QH) ADDITIONAL MAKWAL (QH) ADDITIONAL SHADANLUND (QH)	47596 53764 68984
2.	FOLLOWING PATWAR CIRCLES OF QANOONGO HALQA SHADANLUND: RAMIN (P.C) BASTI RANTHA (P.C) BET SAWAI (P.C) TUNMI (P.C) PATTI TALLI(P.C)	12211 15,897 4,139 10,316 6,776
3.	FOLLOWING PATWAR CIRCLES OF QANOONGO HALQA SHAH SADAR DIN:-	

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	BAHADUR GARH (P.C) CHAK NAUABAD (P.C) KOT MUBARAK JANUBI (P.C) KOT MUBARAK SHUMALI(P.C) PATTI SHDHANI(P.C) QADRA JARWAR(P.C) RAKH DAHU SHEKHANI(P.C)	11,715 753 12,055 9,793 5,114 2,679 12,668
4.	FOLLOWING PATWAR CIRCLES OF QANOONGO HALQA YARU CHAK JHANGALE (P.C) GHAMRANI (P.C) JIANI(P.C) KHALOL(P.C) UMRANI(P.C) YARU(P.C)	 8,020 1,251 1,269 3,363 6,282 17,824
5.	DE-EXCLUDED AREA OF TEHSIL D.G KHAN BALAB SHUMALI (Q.H)	 16,419
6.	GRAND TOTAL	3,28,888/-

It is pertinent to mention here that the aforesaid table for the delimitation of Constituency PP-290 is being proposed on the basis of principles of delimitation as provided under Section 20 of the Election Act, 2017 and the Rule 10 of the Election Rules, 2017.

No. 4: CONSTITUENCY PP-288 (IV), DERA GHAZI KHAN:

Sr. No.	Area	Population
1.	Additional Shah Sadar Din (Q.H) Additional Yaru (Q.H)	68,560 60,356
2	Following Patwar Circles of Qanoongo Halqa Shah Sadar Din, i. Shah Sadar Din ii. Thaddi	22,204 9,210
3.	Following Patwar Circles of Qanoongo Halqa Shahdan Lund Chak Ramin (P.C)	23,335

	Gajani (P.C)	10,095
	Kala (P.C)	15,952
4.	Following Patwar Circles of Qanoongo Halqa Yaru	
	Chabri Bala Gharbi (P.C)	11340
	Jhoke Yar Shah (P.C)	14246
5.	Following Patwar Circles of Qanoongo Halqa Dera Ghazi Khan	
	Chak Daleel(P.C)	11,450
	Kotla Sikhani(P.C)	15,965
6.	Following Patwar Circles of Qannongo Halqa Additional Dera Ghazi Khan	
	Bela (P.C)	12,352
		18,838
	Choratta Kot Haibat (P.C)	12,429
	Choratta Pachad Shumali(P.C)	15,750
	Wadoor (P.C)	
6.	Following Patwar Circles of Qanoongo Halqa Additional Kot Chutta	
	Drahma (P.C)	18,055
	Haji Ghazi Gharbi (P.C)	13,542
	Sakhera Arain	1,885
7.	Grand Total	355,564

No. 5: Constituency PP-289(V), Dera Ghazi Khan

Sr.	Area	Population
1.	Municipal Corporation	399064

No. 6: Constituency PP-290 (VI), Dera Ghazi Khan

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Sr.	Area	Population
1.	Additional Ghousabad (Q.H)	46719
2.	Kot Chutta (Q.H)	29378
3.	Following Patwar Circles of Qanoongo Halqa Additional Kot Chutta Chit Sarkani (P.C) Dagar Chit (P.C) Gagu(P.C) Khakhi Gharbi(P.C) Paigah No. 1(P.C) Paigah No. 2(P.C) Paigah No. 3(P.C) Basti Khosa(P.C) Mamoori(P.C) Ramdani(P.C)	10192 12851 11233 18027 17,723 16,848 18,169 14,241 19,316 4746
4.	Following Patwar Circles of Qanoongo Halqa Dera Ghazi Khan Darr Opla Gadai Gharbi Gadai Sharqi	15452 21583 25334
5.	Following Patwar Circles of Qanoongo Halqa Ghousabad Aali Wala Ghousabad Haibat Mastoi Haider Qureshi Hyder Wahn	14,883 13,050 11,091 7,754 6,760
6.	Following Patwar Circles of Qanoongo Halqa Additional Dera Ghazi Khan Dalana Patti Khas Dalana Patti Zai	5,732 2,709
7.	Grand Total	343,791

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Sr.	Area	Population
1.	Jhoke Utra (Q.H)	122238
2.	Additional Jhoke Utra (Q.H)	69963
3.	Mana Ahmdani	88761
4.	Municipal Committee Kot Chutta	51691
5.	Following Patwar Circles of Qanoongo Halqa Ghousabad Kotla Sikhani anubi (P.C) Malkani Kalan(P.C) Nari Dhamraya(P.C) Noor Pur(P.C) Rikra	1,473 3,463 9,911 1,889 5625
	GRAND TOTAL	3,55,014

NO. 8: CONSTITUENCY PP-292 (VIII):-

Sr. No	Area	Population
1.	Choti (Q.H)	147831
2.	Additional Choti (Q.H)	65,072
3.	Additional Mana Ahmdani (Q.H)	106570
4.	Following Qanoongo Halqas of DE- Excluded Area Khar (Q.H) Ronghin (Q.H) Sakhi Sarwar	17042 18,175 12,031
5.	Grand Total	366721

It is pertinent to mention here that the formation of Constituencies for the National Assembly would be same as proposed by the Delimitation Committee i.e

1. NA-189(PP-285/PP-286)
2. NA-190(PP-287/PP-288)
3. NA-191(PP-289/PP-290)
- NA-192(PP-291/PP-292)

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Moreover, a colored Map according to aforesaid areas as mentioned in the table is also annexed herewith for the kind perusal and consideration as **ANNEXURE "B"**.

B. That it is prime duty of the Election Commission to conduct elections with honesty, justness and fairness it becomes incumbent upon the Election Commission to also decide elections related issues occurring either before or after elections in transparent manner and in accordance with law. When election commission is tasked to guard against corrupt practices, it entailed that not only it shall take over charge of all affairs relating to election but it has to watch over any maneuvering in whatsoever shape and nature, in delimitation process. Under law, the Election Commission can take note of and undo any act which has been done in violation of principles of delimitation or it done to gain some advantages by the sitting government. The Election Commission can certainly make necessary amendments in Constituencies under the Section 22 of the Election Act, 2017 to avoid any imbalance condition in respect of practicability, distribution of population in geographically compact areas, physical features, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors. Therefore, the Applicant has considered all important principles to delimit the Constituency PP-290 in his proposed map and table as mentioned above. Hence, it would be appropriate to modify the constituency PP-290 in accordance with the proposed delimitation by the applicant as mentioned in the Map and abovementioned table in the interest of justice and public at large.

In view of the abovementioned facts and circumstances you are very humbly requested that the proposed delimitation of the constituency PP-290, Dera Ghazi Khan as prepared by the delimitation committee may kindly be set aside as the same has been delimited against the basic principles of delimitation and the same may kindly be modified, amended and altered in accordance with the proposal of the applicant.

Furthermore, you are requested to kindly accept the proposal at hand for the delimitation of the constituency PP-290 as the same has been proposed in accordance with the law and on the basis of ground reality.

Moreover, if the Election Commission does not interfere into the prejudicial, illegal, non-practicable and biased delimitation which is also gerrymandering in nature, the applicant and hundreds of thousands of voters will be discriminated and deprived from the fundamental right of vote. Therefore, the proposed

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delimitation of the constituency PP-290 by the delimitation committee may kindly be set aside and modified the same in accordance with law and proposal of the Applicant.

Any other relief that you deem appropriate may also be granted in the interest of justice and fair play.


APPLICANT

THROUGH


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