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To,

The Honourable Secretary,
Election Commission Of Pakistan,
Islamabad.

**Subject: OBJECTION AGAINST THE DELIMITATION
OF PP-38 & PP-39 PREVIOUSLY PP-130,
TEHSIL DASKA, DISTRICT SIALKOT.**

Respectfully Sheweth:

1. That substratum of peaceful and progressive society can only be erected upon vertical pyramid if discretion is used judiciously in accordance with law and rules of business, contained therein. Unfortunately, the political as well as administrative canvas of our homeland is miserably tainted with cancer of corruption, plague of nepotism, dissatisfy of Sefarish, recommendations, this sort of attitude is destined to sow the seeds of desperation, pessimism and perfunctory attitude.
2. That the applicant is resident of Street Masjid Aqsa Wali, Babanwala, Tehsil Daska, District Sialkot and also a voter from the constituency PP-39, previously the applicant

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was registered voter of PP-130, which include mostly the areas of PP-38 according to the new delimitation of constituency.

3. That as the brother of the applicant was contested Election in year 2013 from PP-130 and now also a candidate from the same constituency that has been converted into PP-38 according to the new delimitation process but the applicant's village as well as other three Patwars namely Othian, Jandu Sahi and Bambanwala, that are quite adjacent to the PP-38 have been shifted from PP-38 to PP-39 illegally and unlawfully. Copies of documents showing the Patwar Circles as well as number of villages in PP-38 and PP-39 are annexed as **ANNEXURE-A&B**.
4. That consequent to the recent delimitation process the shape of the constituency has entirely changed and the amended or changed constituency under delimitation process is against the established principle of

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delimitation contained in section 20 of the Election Act, 2017 and polls apart to the rules laid down in Election Commission Rules, 2017.

5. That according to the settled principles, while finalizing delimitation, the distribution of population in geographical sphere contact areas, physical features as well as existing administrative boundaries were liable to be taken into consideration coupled with the facilitation of general public/ voters of the constituency.

6. That present PP-39 consists upon 34 Patwar Circles including Othian, Jandu Sahi, Bambanwala etc and previously the above said Patwar Circles were included in PP-38/130. Copies of maps of Tehsil Daska, District Sialkot as well as the impugned delimitations i.e. PP-38 and PP-39 are annexed as **ANNEXURE-C,D,E&F.**

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GROUNDS

a. That the Preamble of the constitution reads as:-

Therein shall be guaranteed fundamental rights, including equality of status, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship an association, subject to law and public morality”.

b. That the supreme consideration of the law is the welfare of people/ masses not anything else but in present case the shape of the newly carved out constituency is not only amazing but also looks that this is not a constituency rather it is a long strip in which the principle mentioned in Section 20 has been bulldozed upon.

c. That it is worthwhile to mention here, that the length of the constituency PP-39 is more than 70 Km, whereas, width is quite less and the same is not proportionate to the length of

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the areas/ Patwar Circles Othian, Jandu Sahi, Bambanwala which are quite contiguous to PP-38 and proprietary demands that same may be included in PP-38 instead of PP-39 because its population distribution is quite relevant to PP-38 as well as the population in Geographical compact area is contiguous to PP-38 and its physical features takes after population of PP-38, over and above all the communication i.e. roads, etc are convenient and contiguous to population as well as the center of PP-38 and if the same areas/Patwar Circles remains part and parcel of PP-39 it would be entirely against the principles contained in supra mentioned provision of law, therefore it is quite appropriate that three (03) Patwar/Tapedar Circles i.e. Othian, Jandu Sahi, Bambanwala may be included in PP-38, whereas, the three Patwars/ Tapedar circles known as Adamkay Cheema,

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Kanwanlit, Jandokay may be excluded from PP-38 as the shifting of the above mentioned three patwar circles from PP-39 to PP-38 does not create any difference in the number of voters according to the latest census. Copies of the proposed delimitation of PP-38 and PP-39 are annexed as **ANNEXURE-G**.

- d. That the alleged notion of delimitation has been flouted by the concerned authorities as well as the authority informed that the present delimitation i.e. 2018 is based upon simple principle of the periphery of the Qanungoi and every Qanungoi is including in one constituency, whereas in present case the principle of Qanungoi has been miserably violated.
- e. That it is also worthwhile to submit here, that if the proposed Patwars/ Tapedar circles are included and the proposed Tapedar circles excluded, the overall number of voters will not be effected and it will be quite convenient for the population/voters of the

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PP-38 and if the same is not done it would not only cause inconvenience but also it would be against the rules as well as principles mentioned in the relevant law and over and above all will cause inconvenience to the voters of PP-38.

f. That the attitude demonstrated by the concerned officials while delimitating the above mentioned areas is also poles apart to the popular injunctions/ tenants of Islam particularly MUSAWAT, ADAL and INSAAF, which are hallmarks of Islamic system or other and according to Constitution of Islamic Republic of Pakistan Article 2 A i.e Objective Resolution, Quran and Sunnah would be the supreme law of the Pakistan.

g. That applicant reserves his right to rely upon other grounds in support of his contention at the time of arguments.

PRAYER

Under the circumstances elucidated above, it is humbly and graciously prayed that the

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objection petition may kindly be accepted and three (03) Patwar/Tapedar Circles i.e. Othian, Jandu Sahi, Babanwala may be included in PP-38 after shifting from PP-39, whereas, the three Patwars/ Tapedar circles known as Adamkay Cheema, Kanwanlit, Jandokay may be excluded from PP-38, in the interest of justice.

Any other relief, which this Honourable Tribunal deems apt and appropriate, may also be bestowed in favor of the Applicant.

...APPLICANT

Zaka Ullah S/o Muhammad Habib,
R/o Street Masjid Aqsa Wali,
Babanwala, Tehsil Daska,
District Sialkot.
Cell#0321-6109431

[Signature]
30/03/18

Through

[Signature]

M. SAFDAR SHAHEEN PIRZADA
Advocate High Court

Ch. Toseef Ahmed Bajwa
Advocate High Court

[Signature]
Irfan Ahmed Watoo
Advocate High Court

Pirzada Law Company
1st Floor, Gardee Trust
Building, Napier Road,
Lahore.
Cell# 0333-4433220

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31/03/18

To,

The Honourable Secretary,
Election Commission Of Pakistan,
Islamabad.

(SUBJECT: OBJECTION AGAINST THE DELIMITATION OF
PP-38 & PP-39 PREVIOUSLY PP-130, TEHSIL DASKA,
DISTRICT SIALKOT).

AFFIDAVIT OF: Zaka Ullah son of Muhammad
Habib, resident of Street
Masjid Aqsa Wali,
Babanwala, Tehsil Daska,
District Sialkot.

1. That substratum of peaceful and progressive society can only be erected upon vertical pyramid if discretion is used judiciously in accordance with law and rules of business, contained therein. Unfortunately, the political as well as administrative canvas of our homeland is miserably tainted with cancer of corruption, plague of nepotism, dissatisfy of Sefarish, recommendations, this sort of attitude is destined to sow the seeds of desperation, pessimism and perfunctory attitude.
2. That the applicant is resident of Street Masjid Aqsa Wali, Babanwala, Tehsil Daska, District Sialkot and also a voter from the constituency PP-39, previously the applicant was registered voter of PP-130, which include mostly the areas of PP-38 according to the new delimitation of constituency.

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3. That as the brother of the applicant was contested Election in year 2013 from PP-130 and now also a candidate from the same constituency that has been converted into PP-38 according to the new delimitation process but the applicant's village as well as other three Patwars namely Othian, Jandu Sahi and Bambanwala, that are quite adjacent to the PP-38 have been shifted from PP-38 to PP-39 illegally and unlawfully. Copies of documents showing the Patwar Circles as well as number of villages in PP-38 and PP-39 are annexed as **ANNEXURE-A&B**.
4. That consequent to the recent delimitation process the shape of the constituency has entirely changed and the amended or changed constituency under delimitation process is against the established principle of delimitation contained in section 20 of the Election Act, 2017 and polls apart to the rules laid down in Election Commission Rules, 2017.
5. That according to the settled principles, while finalizing delimitation, the distribution of population in geographical sphere contact areas, physical features as well as existing administrative boundaries were liable to be taken into consideration coupled with the facilitation of general public/ voters of the constituency.
6. That present PP-39 consists upon 34 Patwar Circles including Othian, Jandu Sahi,

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Shirif 31/03/18

Bambanwala etc and previously the above said Patwar Circles were included in PP-38/130. Copies of maps of Tehsil Daska, District Sialkot as well as the impugned delimitations i.e. PP-38 and PP-39 are annexed as **ANNEXURE-C,D,E&F.**

GROUNDS

- a. That the Preamble of the constitution reads as:-
Therein shall be guaranteed fundamental rights, including equality of status, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship an association, subject to law and public morality”.
- b. That the supreme consideration of the law is the welfare of people/ masses not anything else but in present case the shape of the newly carved out constituency is not only amazing but also looks that this is not a constituency rather it is a long strip in which the principle mentioned in Section 20 has been bulldozed upon.
- c. That it is worthwhile to mention here, that the length of the constituency PP-39 is more than 70 Km, whereas, width is quite less and the same is not proportionate to the length of the areas/ Patwar Circles Othian, Jandu Sahi, Bambanwala which are quite contiguous to PP-38 and proprietary demands that same may be included in PP-38 instead of PP-39 because its population distribution is quite relevant to PP-38 as well as the population in Geographical

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compact area is contiguous to PP-38 and its physical features takes after population of PP-38, over and above all the communication i.e. roads, etc are convenient and contiguous to population as well as the center of PP-38 and if the same areas/Patwar Circles remains part and parcel of PP-39 it would be entirely against the principles contained in supra mentioned provision of law, therefore it is quite appropriate that three (03) Patwar/Tapedar Circles i.e. Othian, Jandu Sahi, Bambanwala may be included in PP-38, whereas, the three Patwars/Tapedar circles known as Adamkay Cheema, Kanwanlit, Jandokay may be excluded from PP-38 as the shifting of the above mentioned three patwar circles from PP-39 to PP-38 does not create any difference in the number of voters according to the latest census. Copies of the proposed delimitation of PP-38 and PP-39 are annexed as **ANNEXURE-G**.

- d. That the alleged notion of delimitation has been flouted by the concerned authorities as well as the authority informed that the present delimitation i.e. 2018 is based upon simple principle of the periphery of the Qanungoi and every Qanungoi is including in one constituency, whereas in present case the principle of Qanungoi has been miserably violated.
- e. That it is also worthwhile to submit here, that if the proposed Patwars/ Tapedar circles are included and the proposed Tapedar circles excluded, the overall number of voters will not

31/03/18

be effected and it will be quite convenient for the population/voters of the PP-38 and if the same is not done it would not only cause inconvenience but also it would be against the rules as well as principles mentioned in the relevant law and over and above all will cause inconvenience to the voters of PP-38.

- f. That the attitude demonstrated by the concerned officials while delimitating the above mentioned areas is also poles apart to the popular injunctions/tenants of Islam particularly MUSAWAT, ADAL and INSAAF, which are hallmarks of Islamic system or other and according to Constitution of Islamic Republic of Pakistan Article 2 A i.e Objective Resolution, Quran and Sunnah would be the supreme law of the Pakistan.
- g. That applicant reserves his right to rely upon other grounds in support of his contention at the time of arguments.

Deponent

VERIFICATION:

Verified on oath at Lahore on this 30th day of March 2018 that the contents of the above affidavit are correct to the best of my knowledge and belief.

Deponent