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**BEFORE THE ELECTION COMMISSION OF  
PAKISTAN, ISLAMABAD**

MEMORANDUM / REPRESENTATION BY:-

Ch. Muhammad Kamran Ali Khan S/o Ch. Muhammad Aslam Khan resident of Village and PO: Chakri Tehsil and District Rawalpindi CNIC No. 37405-0643262-9 Cell No.0300-8504718

**SUBJECT:- REPRESENTATION / OBJECTION PETITION  
AGAINST THE PRELIMINARY DRAFT AND  
PROPOSED DELIMITATION OF THE  
CONSTITUENCIES OF NATIONAL ASSEMBLY IN  
DISTRICT RAWALPINDI PUBLISHED BY THE  
ELECTION COMMISSION OF PAKISTAN,  
ISLAMABAD.**

Respectfully sheweth:-

1. That the applicant namely Ch. Muhammad Kamran Ali Khan son of Ch. Muhammad Aslam Khan is resident of Village and PO: Chakri Tehsil and District Rawalpindi and is the bona fide voter member of the Chakri constituency, the above mentioned area is part and parcel of Tehsil and District Rawalpindi since decades. (Copy of ID Card of the applicant and Copy of Voter list are annexed herewith as annexure E & F respectively)
2. That ECP proposed the preliminary / draft delimitation proposal of National Assembly in District Rawalpindi and as per law offered the objection and proposal from the voter as well as the proposed participant of forth coming general election.

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3. That the applicant has been participating in the election from the provincial as well as National Assembly constituencies since long, when the constituency was marked as NA-40 and later on it was numbered as NA-53 and now in preliminary draft and proposed delimitation of the constituencies by the election commission of Pakistan Islamabad is marked as NA-59 & 63.
4. That while preliminary draft and proposed delimitation of the constituencies of National Assembly in District Rawalpindi the delimitation committee has not acted in accordance with the law and in a post haste manner and while ignoring the principles laid down by the apex court on the subject of delimitation and totally ignoring the relevant provisions of Election Act 2017 and rules thereupon i.e. Election Rules 2017.
5. That after preparation preliminary draft and proposed delimitation of the constituencies of National Assembly in whole country the election commission issued proposed maps alongwith the list of constituencies and offered objection by way of representation as per law. The preliminary draft / list of constituencies, proposed delimitation of the National Assembly constituencies in District Rawalpindi alongwith proposed map issued by the election commission is annexed as annexure A and B respectively.

6. That the applicant as being a political worker and intend to participate in the forth coming General election from his native constituencies i.e. Provincial & National Assemblies has great apprehension upon the preliminary draft and proposed delimitation of the constituencies in District Rawalpindi as being unlawful and against the fact and geographical situation of the area which are liable to be revised inter alia on the following amongst other

**GROUNDS:-**

- A. That while preliminary draft and proposed delimitation of the constituencies of District Rawalpindi the election commission has marked the native area / some of the old constituency of the NA-53 in the different proposed National Assembly constituency and while doing so all principles were ignored and NA-59 and 63 new constituencies of National Assembly were proposed into different Teshils which are not physically compact to each other which is sheer violation of law.
- B. That it was possible for the worthy delimitation committee to constitute a separate constituencies of national assembly in Tehsil Taxila alongwith some of the adjacent Q.Hs and Patwar Circle of Tehsil Rawalpindi i.e. Q.H Rawalpindi II of Tehsil Rawalpindi and some of the Patwar Circle of Q.H Adyala of Tehsil Rawalpindi which are quite adjacent with the Tehsil Taxila and having geographical nexus

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to each other, but the delimitation committee by ignoring the fact narrated above proposed the stated constituency NA-63 by adding whole of the Q.H Adyala which starts from the boundary of Taxila and ends at the last Q.H of Tehsil Rawalpindi which is not easy approachable and is against the law and fact of the rules and regulations of Election Act 2017 and Election Rule 2017.

C. That according to proposed draft list of constituencies of National Assembly in District Rawalpindi were published in media where it came into the knowledge of the applicant that the proposed constituencies of national assembly marked as NA-63 and 59 has been proposed wrongly and without acting as per law. The above said proposed draft delimitation is against the principle of delimitation and against the public interest totally unwarranted and highly misconceived approach by the concerned authorities.

D. That the proposed map of National assembly in District Rawalpindi which was issued by the Election Commission of Pakistan, shows that the proposed delimitation against the principle of delimitation and amounts to add misprices of the people of area. According to the proposed map issued by the Election Commission annexed with the application the area of Tehsil Taxila alongwith the Q.H of Adyala of Teshil Rawalpindi which starts from the

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boundary of Taxila and ends at the last Q.H of Tehsil Rawalpindi and is not geographically compact with the remaining Q.Hs which is not warranted by law in any way rather it is against the law and will create hurdles and difficulties for the voter and public interest.

E. That it is pertinent to mention here that while approaching the Patwar Circle of Q.H. Adyala one has to cross the Q.H of Sehal on one hand and on the other hand has to cross Q.H Rawalpindi II which is not warranted by relevant law and rules.

F. That it can easily indentify and enumerate the principle of delimitation which law provides to be complied with respective and implemented in letter and spirit while delimiting the constituencies, so not only candidates but also the public at large / voters could be benefited. It can number such principles as under:-

- i. Distribution of equal population
- ii. Geographically compactness
- iii. Physically features
- iv. Existences boundaries of administration Unit
- v. Facilities of Communication
- vi. Public Connivance
- vii. And such other cognate features which ensure homogeneity

G. That procedure of delimitating constituency has been provided under sub rule (3) of rule 10 of Election Rules 2017 reproduced as under:-

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3. In preparing draft proposal for delimitations of constituencies, delimitation committee shall follow the principle of delimitation as laid down in section 20, producer given this capture and guidelines provided by the commission for time to time.

4. The Constituencies for a assembly shall not ordinarily extended to more than one District exist in exceptional circumstances for reason to be recorded by the delimitation committee.

Provided that a Patwar Circle or as the case may be a Tapadar circle shall be basic unit for delimitation and it shall not be broken under any circumstances.

5. As far as possible, delimitation of constituencies of an assembly shall start from the Northern end of district or as a case may be, the agencies and then proceed clock wise in Zig Zag Manner keeping in view that population amongst the constituencies of an assembly shall remained as close as may be practicable to the Quota.

Provided that Quota under sub rule shall be determined by dividing total population of district or agency with number of seats allocated to the District or Agency

Provided further that the variation in the population between two or more constituencies shall not ordinarily exceed 10% and the delimitation

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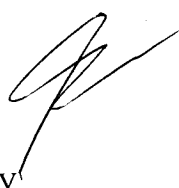


committee shall record reason if, in exceptional circumstances, the variation as exceed the limit.

H. That keeping in view of principles as enshrined in chapter III of the Election Act 2017 read with chapter III of the Election Rules 2017, a plausible / suggestion has been prepared by the applicant for the kind consideration of the delimitation committee. The proposal / suggestion has strictly being formed in compliance of principle of delimitation in their entirety and totality.

I. That the proposal / suggestion is submitted to avoid gerrymandering in any manner to create a safe constituency for a particular candidate or contestant. The proposal is submitted as under which meets the requirements of law and based on principle of delimitation of constituencies for the conduct of free, fair and just election of National Assembly in District Rawalpindi as in envisaged under the constitution, if the constituencies are gerrymandered, the elections result cannot attained legitimacy which resultantly injure the credibility of parliament and legislative bodies as well as the election process. The preliminary draft / list of proposed delimitation of the National Assembly constituencies in District Rawalpindi prepared by the applicant alongwith the marked map which are annexed herewith as annexure C & D respectively)

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J. The proposed amendments in the preliminary delimitation according to the map attached with the application are hereby coloured map of each National Assembly constituency in District Rawalpindi for the purpose of understanding and necessary legal action.

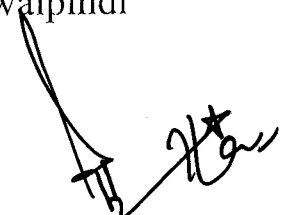
**PRAYER:-**

It is therefore, most respectfully prayed that the above said filed proposal which are in consonance with the law and being geographically compact, in the interest of public convenience and ensuring homogeneity of the area and to attach the legitimacy with the elected representatives of the parliament and National Assembly may kindly be accepted, in the best interest of justice.



Ch. Muhammad Kamran Ali Khan  
S/o Ch. Muhammad Aslam Khan  
r/o Village and PO: Chakri Tehsil  
and District Rawalpindi

Through



Ch. Shar Afzal Khan  
Advocate High Court  
Rawalpindi  
Cell No. 0300-5108676



Ch. Noor Khan  
Advocate High Court  
Rawalpindi  
Cell No.0300-5143733

Malik TM Sajid Awan  
Advocate High Court  
Rawalpindi  
Cell No.0332-3300347



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AFFIDAVIT

I, Ch. Muhammad Kamran Ali Khan S/o Ch. Muhammad Aslam Khan resident of Village and PO: Chakri Tehsil and District Rawalpindi, do hereby solemnly affirm and declare that the contents stated in my accompanying application are true and correct to the best of my knowledge, information and belief, nothing has been concealed.

Rawalpindi

Dated: 04.2018

I certify that the above  
signed and sworn to by  
at Rawalpindi  
who is the

*Ch. Muhammad Kamran Ali Khan*  
*M. Amin*

*[Signature]*  
Deponent.

**ATTESTED**  
**Muhammad Sayyid Amin**  
**Oath Commissioner**  
Appointed w.e.f 25-4-2009 to 24-4-2012  
Extension w.e.f 25-4-2012 to 24-4-2015  
2nd Extension w.e.f 25-4-2015 to 24-4-2018  
District & Session Court Rawalpindi.

*M. Amin*  
M. Amin, B.A. LL.B.  
District & Session Judge  
District & Session Court  
Oath Commissioner Rawalpindi