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BEFORE THE SECRETARY ELECTION
COMMISSION OF PAKISTAN, CONSTITUTION
AVENUE, ISLAMABAD

APPLICATION UNDER SECTION 9 OF THE
DELIMITATION OF CONSTITUENCIES ACT, 1974

Respectfully Sheweth: -

1. That the humble applicant is going to contest the general election from the constituency PP-72 Sargodha-I, which are going to be held in near future.
2. That the Election Commission of Pakistan has delimited the provincial and national constituencies under Section 21 of the Election Act, 2017 and Rule 11 of the Election Rules, 2017.
3. That the Election Commission of Pakistan has sought proposal and objections over the delimitation of constituencies till 03.04.2018; hence this application is being filed before your kind office inter alia on the following:

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GROUND

- a. That delimitation done in the constituency PP-72 Sargodha-I is against the factual position of the constituency.
- b. That during the delimitation of constituency PP-72 Sargodha-I weight of population has been disturbed.
- c. That it is pertinent to mention here that adjacent constituency is PP-81 Sargodha-X. In constituency PP-72 Sargodha-I the population is comprises upon 388465 whereas population in constituency PP-81 Sargodha-X is 353969.
- d. That due to delimitation of both the constitution balance of population has been badly effected.
- e. That according to the Section 9 of the Delimitation of Constituencies Act, 1974 it has been observed that

“(1) All constituencies for general seats shall, as far as practicable, be

delimited having regard to the distribution of population in geographically compact areas, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors to ensure homogeneity in the creation of constituencies”.

- f. That according to the prevailing law of Delimitation of Constituencies Act, 1974 it will be appropriate that Patwar Circles Noorpur Noon & Jahanaywala be excluded from constituency PP-72 Sargodha-I and be added in constituency PP-81 Sargodha-X.
- g. That from the exclusion & addition of the above mentioned Patwar Circles, the balance of population in both the constituency PP-72 and PP-81 will be balanced.
- h. That it is further submitted that both the above mentioned Patwar Circles are on the boundary lines of the PP-72 & PP-

81 and if the same are excluded and added as proposed by the applicant, the population will be balanced.

- i. That if the proposal made by the applicant is not accepted and patwar circles as proposed by the applicant for exclusion and addition are acted, the applicant as well as residents of the said Patwar circles will be bound to suffer an irreparable loss and injury and it will cause serious discrimination.
- j. That right to be treated in accordance with law is an inalienable right of every citizen by virtue of Article 4 of the Constitution of Pakistan, therefore, a citizen cannot be deprived of such protection on the basis of supposed assumptions. It is a comprehensive due process of law clause. Even Article 10-A has been added in the Constitution of Pakistan for effective due process of law.
- k. That Constitution of Islamic Republic of Pakistan guaranteed the fundamental

rights of the applicant, which cannot be infringed in any manner whatsoever.

1. That applicant has reserve his right to take further additional grounds at the time of final arguments.

PRAYER: -

It is therefore, most humbly and respectfully prayed that instant application may kindly be accepted and by considering the proposal made by the applicant, Patwar Circles as mentioned supra may kindly be excluded and added for the balance of population in the Constituencies PP-72 and PP-81 to meet the ends of justice.

Any other relief which be deems fit and proper may also be granted to the applicant

Applicant
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Through

MUHAMMAD YAR GONDAL
Advocate
District High Court
District Sargodha
SG-48795

Date: 02.04.2018