

Shahid
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**BEFORE THE ELECTION COMMISSION OF PAKISTAN
AT ISLAMABAD**

**IN THE MATTER OF DELIMITATION OF THE CONSTITUENCY
PS-54 PROPOSED IN THE PRELIMINARY REPORT**

Bheru Lal S/o Rano Mal
Hindu, adult,
R/o Mukhi Mohallah Chachro,
P.O & Taluka Chachro,
District Tharparkar.....

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.....Objector

REPRESENTATION UNDER RULE 12 OF ELECTION RULES, 2017

Brief Background

- 1) That the objector is a registered voter and is aggrieved of the preliminary report of the proposed delimitation

Vote certificate is attached and marked
as Annexure-"A"
- 2) That PS-54 (Tharparkar-I) has been carved out of the constituency earlier known as PS-63.
- 3) That after the census held in year 2017, the Election Commission of Pakistan (*ECP Henceforth*) has triggered the process of delimitation under Rule 17 of Election Rules, 2017 (*Rules, 2017 Henceforth*).
- 4) That district Tharparkar has been divided into four constituencies viz: PS-54 (old PS-63), PS-55 (old PS-62), PS-56 (old PS-61) & PS-57 (old PS-60). As per the census held in the year 2017 PS-54 (Tharparkar-I) has a population of 4,28,724. This population has increased due to inclusion of Tardos STC of Chachro Taluka having a population of 81,256 and Tapedar Circle Mithro Charan of Chachro STC of Chachro Taluka having a population of 38,981. It may be pointed out that area of Tardos TC comprising of Rawatsar and Tardos having a population of 48,138 have been included in PS-54 and astonishingly the area of Mithro Charan which formed part of Chachro STC have been included in PS-54 whereas the other area i.e. Chachro TC have been included in PS-56. This haphazard inclusion and exclusion has seriously imbalanced the population of the constituency which would have serious repercussions over the process of delimitation.

Maps of the proposed delimitation are
attached and marked as Annexure-"B"
to "B/7"

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- 5) Astonishingly the PS-54 has been delimited at Taluka Dahli. It makes mention here that Taluka Dahli has been recently carved out of Taluka Chachro. Owing to its recent establishment Dahli is an underdeveloped area and does not offer much facilities to host a Taluka headquarter. Whereas, Taluka Chachro has been a Taluka for a long period of time and remained a part of present PS-54 (old PS-63). (3)

Notification of creation of Taluka Dahli is attached and marked as Annexure-"C"

- 6) That though as per Rule 10(5) of Rules, 2017 as far as possible the delimitation of a constituency shall start from northern and shall proceed clockwise in zigzag manner keeping in view that population among the constituency shall remain as closed as may be practicable to the quota. However, in present case Taluka Chachro which ought to have formed part of PS-54 has been included in PS-56 which has been carved out at Taluka Islam Kot which is at a substantial distance from TC Chachro. Therefore, the populous has been placed under a constant misery.
- 7) That the previous delimitation stood the test of time and proved effective. It is important to note that earlier three elections conducted in 2002, 2008 and 2013 were conducted on the basis of previous delimitation and no objection was ever raised from any of the stakeholders. Needless to say that the earlier delimitation followed the principles of vote parity, compactness, better communication facilities and saving of geographical boundaries. However, presently the entire scheme has been inverted which ultimately would have disastrous impacts over the political fabric of the district.

Map of the previous delimitation is attached and marked as Annexure-"D"

- 8) That PS-54 originally included areas starting from Allah Rakhi Jo Par (Gul Muhammad Rahimo TC) and included the area of TC Chachro and ended at Tardos STC. In present delimitation the area of Chachro Town Committee, which historically remained part of PS-54 (old PS-63) has been excluded and included in PS-56. Likewise, the areas of Tardos TC comprising of Tardos and Rawatsar which earlier formed the part of PS-62 (now PS-55). The

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erroneous approach of the District Delimitation Authority is evident from the fact that the area of Tardos which historically form part of PS-55 (old PS-62) has been excluded from PS-55 and two areas namely Sanal Bah and Singaro which are at the border of Taluka Islam Kot has been excluded from Taluka Islam Kot (PS-56) and have been included in PS-55. Needless to say that the principle as enunciated in Rule 10(5) has been brutally violated which has created a serious imbalance and problematic situation for the populous.

- 9) That the proposed primary delimitation is against the principles of delimitation and is tantamount to disenfranchising the electors. As such the same, to ensure the political justice, may be reversed and restored to its original position, on consideration of following grounds:

GROUND:

- A. That the impugned delimitation suffers from stacking, packing and cracking which fact finds support from the fact that STC Chachro which comprises of TC Chachro and Mithrio Charan TC has been divided into two constituencies viz: PS-54 and PS-56. Most respectfully it is reiterated that Chachro is a historical town having most developed facilities, therefore, its exclusion from PS-54 would tantamount to diminishing its presence. Likewise, the inclusion of areas of Rawatsar and Tardos which formed part of PS-55 have been excluded from PS-55 and have now been included in PS-54. This haphazard inclusion and exclusion have seriously compromised the principle of political justice and is liable to be reversed to eliminate the possibilities of vote dilution, disenfranchisement or corrupt practices.
- B. Likewise, Tardos having a population of 48,138 have been included in PS-54 (old PS-63). This TC always formed a part of PS-55 (old PS-62). However, the same has been excluded and bordering areas of Taluka Islam Kot namely Sanal Bah and Singaro have been included. It is quite shocking to mention here that the populous of Sanal Bah and Singaro have to travel almost 125 KM across the desert to approach the Taluka headquarter. In similar manner the populous of TC Tardos has also been placed in a perpetual disadvantage by placing them in PS-54 (old PS-63). Apparently, the

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delimitation is violative of principles enunciated in Rule 10 of Rules, 2017 amongst the other principles of delimitation viz: geographical compactness, facilities of communication and convenience of populous.

C. That in the proposed Map of NA-221 (Tharparkar-I) and NA-222 (Tharparkar-II) TC Chachro alongwith Mithrio Charan TC form a part of NA-221 (Tharparkar-I). Whereas, in the proposed Map of PS-56 (old PS-61) TC Chachro excluding Mithrio Charan TC has been included in PS-56 (old PS-61) which forms a part of NA-222 (Tharparkar-II). Therefore, apparently an anomaly exists in between the two Maps and no useful purpose would be served by bifurcating a historical Taluka in two constituencies.

D. That according to the objector the entire district of Tharparkar may kindly be delimited in a view to achieve the real object of delimitation. As such the objector has proposed a map which is being placed for the convenience of this Hon'ble Commission and delimitation of the constituency.

**Proposed Map is attached and marked
as Annexure-"E"**

E. That as per the proposed delimitation of the objector the population of PS-55 would come at 416,174. The population of PS-56 would come to 411,191. The population of PS-54 would become 422,775 and that of PS-57 would become 399,521. As such there would be no substantial difference between the population of all four constituencies.

F. That the proposed delimitation by the objector would create a balance between the population count and no substantial impact is made out.

G. Though, delimitation means the demarcation of the boundaries of an electoral constituency in order to ensure fair, just and proportional representation of the people in the elections. In a wider sense the object of delimitation is to secure, so far as practicable, equal representation for equal segments of the population in legislative bodies. However, in order to ensure skewed election results the basic meaning and real import of "process of delimitation" has been brutally mutilated.

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- H. Instead of ensuring equal distribution of population existing in geographically compact areas, to save the existing boundaries of administrative units, to enable the elector to enjoy facilities of communication and to ensure the public convenience, the Delimitation Authority has adopted a ruse which would ultimately tarnish the credibility of entire process. Since, the same is meant to favour a specific political party. It hardly needs any mention that idea of gerrymandering has been seriously deprecated to ensure the process of delimitation in its letter and spirit. ⑨
- I. The impugned delimitation has seriously disturbed the voting equality and has been designed in a manner to concentrate a specific group in a specific area.
- J. That other/additional grounds shall be raised at the time of oral hearing of this representation.

Therefore, it is humbly prayed that the area of TC Chachro may be included in PS-54 (old PS-63) and the area of TC Tardos may be excluded and be included in PS-55 (old PS-62) to avoid the general public from permanent inconvenience and to chalk out the balance.

Islamabad:
Dated

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Objector

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Counsel for Objector