

BEFORE THE ELECTION COMMISSION OF PAKISTAN
AT ISLAMABAD

IN THE MATTER OF DELIMITATION OF THE CONSTITUENCY
PS-55 PROPOSED IN THE PRELIMINARY REPORT

51/03/2018
Mohan S/o Photo
Hindu, adult,
R/o Sajwai, Sonal, PO Islam Kot,
Tehsil and District
Tharparkar..... Objector

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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-55 (Tharparkar-II) has been carved out of the constituency earlier known as PS-62.
- 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-55 (Tharparkar-II old PS-62) has a population of 399,942. This population has increased due to inclusion of Saringiar STC of Chachro Taluka having a population of 81,256 and Tapedar Circle Rajoro of Rajoro STC of Chachro Taluka, TC Singaro of STC Singaro Taluka Islam Kot. These three areas respectively have a population of 79,605, 28,261 and 31,906 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 (old PS-63), whereas the area of Sanal Bah and Singaro have been included in PS-55 (old PS-62). This haphazard inclusion and exclusion has seriously imbalanced the population of the constituency which would have serious repercussions over the process of delimitation.

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

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- 5) Astonishingly the areas of Sanal Bah and Singaro which formed part of Taluka Islam Kot have been included in PS-55 (old PS-62). Whereas, originally the areas of Sanal Bah and Singaro formed part of PS-56 (old PS-61). It is pertinent to mention here that according to previous delimitation these areas were included in Taluka Islam Kot (PS-56, old PS-61), which is only at a 20 KM distance from these areas. Whereas, in the proposed delimitation these areas have been placed in PS-55 (old PS-62) and accordingly their Taluka headquarter would be Nangar Parkar which is situated at a distance of almost 125 KM. Likewise, the area of Tardos TC which always formed a part of PS-55 (old PS-62) has been excluded and included in PS-54 (old PS-63).
- 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 far-flung areas have been included in the PS. It may be mentioned here that Nangar Parkar is a desert area having least facilities of communication. Therefore, the populous of the area have been placed under perpetual disadvantage by including them in PS-55 (old PS-62).
- 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-"C"

8) That PS-55 (old PS-62) originally included areas starting from Tardos TC and ended at Adigam TC. In present delimitation the area of Sanal Bah and Singaro, which always formed part of PS-56 (old PS-61) has been included and area Tardos TC has been excluded and included in PS-54 (old PS-63). 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 the area of Tardos TC which always formed part of PS-55 (old PS-62) has been excluded and the areas of Sanal Bah and Singaro which are part of Taluka Islam Kot (PS-56 old PS-61) have been included in PS-55 (old PS-62). 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. It hardly needs any mention that the people of areas of Sanal Bah and Singaro have been placed in a perpetual disadvantage and they have to bear the misery of travelling 125 KMs in a desert area for their petty affairs. It is further shocking to note that as per the proposed Map for NA-221 (Tharparkar-I) and NA-222 (Tharparkar-II) the area of Taluka Islam Kot has been included in NA-222 (Tharparkar-II). However, in the proposed delimitation the area of Sanal Bah and Singaro have been included in PS-55 (old PS-62) which formed a part of NA-221.
- 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 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 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-"D"

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

AA 31/3/18


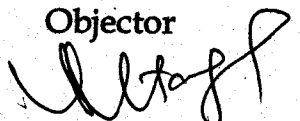
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Delimitation Officer has adopted a ruse which would ultimately tarnish the credibility of entire process. Since, the same is meant to favour a specific political party. It hardly needs any mention that idea of gerrymandering has been seriously deprecated to ensure the process of delimitation in its letter and spirit.

- H. 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.
- I. 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 Tardos may be added in PS-55 (old PS-62) and the areas of Sanal Bah and Singaro may be excluded from PS-55 (old PS-62) and may be included in PS-56 (old PS-61) to avoid the general public from permanent inconvenience and to chalk out the balance.

Islamabad:
Dated 31/3/18


Objector

Counsel for Objector

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AT ISLAMABAD

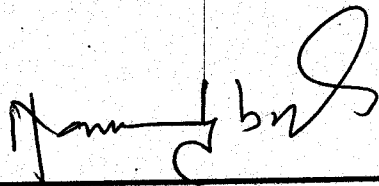
IN THE MATTER OF DELIMITATION OF THE CONSTITUENCY
PS-52 PROPOSED IN THE PRELIMINARY REPORT

Mohan.....Objector

VAKALATNAMA

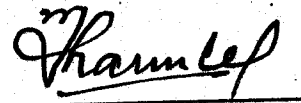
I, Mohan S/o Photo, Hindu, adult, the Objector, do hereby appoint and constitute MALIK NAEEM IQBAL & MALIK ALTAF JAVAID, ADVOCATES to appear and act for me as my Advocates in the above matter. I also undertake to pay their professional fee in the above matter and they would be at liberty to withdraw their appearance from the above matter in case their full fee is not paid before the conclusion of the above matter. The above engagement is only for the instance of the case.

I also authorize the said Advocates to withdraw and to receive on my / our behalf all sums and amounts deposited on my / our account in the above noted matter and/or refer the above matter to arbitration or to compromise or to withdraw the same.



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