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(P)

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

**IN THE MATTER OF DELIMITATION OF THE CONSTITUENCY
PS-57 PROPOSED IN THE PRELIMINARY REPORT**

Manoj Kumar S/o Rano Mal
Hindu, Adult,
R/o Malani House, Mohallah Malani Mithi
District Tharparkar..... **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-57 (Tharparkar-IV) has been carved out of the constituency earlier known as PS-60.
- 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-57 (Tharparkar-IV) has a population of 4,14,803. This constituency comprises of Diplo Taluka, Kaloi Taluka and four areas of Taluka Mithi viz: (i) Mithi STC, (ii) Joru STC, (iii) Mohrano STC and (iv) Town Committee Mithi. It may be mentioned here that Taluka Mithi historically formed part of PS-61 (new PS-56) as also the areas of Joru TC. Previously PS-60 (new PS-57) was carved out on Taluka Diplo and Taluka Kaloi. However, now the area of Taluka Mithi has been seriously bifurcated and has been included in PS-57 (old PS-60). Astonishingly, the area of Kantio STC which is adjacent and contiguous to PS-57 (old PS-60) has been included in PS-56 (old PS-61). 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"

- 5) Astonishingly the PS-57 (old PS-60) now comprises of three Talukas, whereas, other constituencies in the district have been delimited over one or one and half Taluka. Shockingly, the district headquarter Mithi which is adjacent and contiguous to PS-56 (old PS-61) has been included in PS-57 (old PS-60).
- 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 area of Kantio STC which is adjacent and contiguous to PS-57 (old PS-60) has been included in PS-56 (old PS-61). Likewise, Taluka Mithi which always formed part of PS-56 (old PS-61) has been included in PS-57 (old PS-60). Needless to say 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-"C"

- 8) 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 Taluka Mithi

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which always formed part of PS-61 (new PS-56) has been included in PS-57 (old PS-60). Likewise, the area of Kantio STC, keeping in view Rule 10 of Rules, 2017, which ought to have been included in PS-57 (old PS-60) has been included in PS-56 (old PS-61) thus a compact area has been divided into two constituencies viz: PS-56 (old PS-61) and PS-57 (old PS-60). Most respectfully it is reiterated that Mithi is a historical town having most developed facilities, therefore, its exclusion from PS-56 (old PS-61) and inclusion in PS-57 (old PS-60) would tantamount to diminishing its presence. However, it would have been in the larger public interest if the area of Kantio STC would have been included in PS-57 (old PS-60) and the area of Mithi would have been included in PS-56 (old PS-61). 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. That Mithi is a district well as Taluka headquarter as also a Municipal Committee and it always formed a part of PS-56 (old PS-61) has now been included in PS-57 (old PS-60). As such in order to enable the electors to exercise their right of vote with a convenience, TC Mithi may be excluded from PS-57 (old PS-60) and be included in PS-56 (old PS-61). Likewise, STC Kantio may be included in PS-57 (old PS-60) and be excluded from PS-56 (old PS-61).
- 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.

Mithi
31-03-18


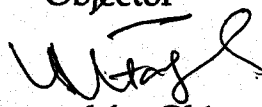
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- E. That the proposed delimitation by the objector would create a balance between the population count and no substantial impact is made out.
- F. Though, delimitation means the demarcation of the boundaries of an electoral constituency in order to 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 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.
- 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 TC Mithi may be included in PS-56 (old PS-61) as also the area of Kantio STC may be included in PS-57 (old PS-60) and excluded from 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