

ELECTION COMMISSION OF PAKISTAN

NOTIFICATION

Islamabad, the 4th March, 2019.

No.F.8(8)/2018-Elec-I.— Pursuant to the provisions of sub-section (4) of Section 21 of the Elections Act, 2017 (Act No. XXXIII of 2017) read with rule 14 of the Election Rules, 2017 and all other powers enabling it in that behalf, the Election Commission of Pakistan hereby publishes, for information of general public, the final report along with list of constituencies pertaining to 16 general seats allocated to the Provincial Assembly of Khyber Pakhtunkhwa in respect of erstwhile Federally Administered Tribal Areas vide 25th Constitutional Amendment.

2. For the purpose of the delimitation of constituencies of the Provincial Assembly in respect of 16 general seats allocated to the erstwhile Federally Administered Tribal Areas vide 25th Constitutional Amendment promulgated on 4th June, 2018, a Delimitation Committee was constituted vide Election Commission's Office Order No.92/2018 dated, the 28th August, 2018 and also issued timelines for the said activity.

3. As per initial timelines, the preliminary list of constituencies was required to be published by 5th October, 2018 whereas the final publication was scheduled for 5th December, 2018. However due to a legal lacuna regarding inclusion of erstwhile Frontier Regions (FRs) in the delimitation or otherwise, an amendment was required to be carried out in the Elections Act 2017, hence the timelines were extended by 30 days each on 8th October, 2018, 1st November, 2018 and 28th November, 2018 consecutively. In this connection, an ordinance for amendment in section 20 of the Elections Act 2017 was issued by the Federal Government on 1st January, 2019 which enabled the Commission to finalize the work pertaining to the preliminary list of constituencies.

4. The Commission notified the preliminary report and list of constituencies on 2nd January, 2019 by following the principles of the delimitation of constituencies set out in section 20 of the Elections Act, 2017. The principles envisaged therein are that all constituencies shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact areas, physical features, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors to ensure homogeneity in the creation of constituencies.

5. To facilitate the general public and for the sake of transparency of the delimitation process, the preliminary list of constituencies of the Provincial assembly pertaining to erstwhile Federally Administered Tribal Areas was also made available on ECP's official website. Similarly, the constituency-wise marked maps were also placed on the website to facilitate voters to file representations. A Facilitation Center was set up at the ECP Secretariat Islamabad to provide copies of marked as well as unmarked maps of the districts and to receive representations from the voters.

6. In order to make the process of delimitation transparent, fair and just, representations were invited from the voters of the respective constituencies to meet the requirements of Section 21 of the Act. The detail of constituencies and procedure for filing of representations against the preliminary list of constituencies were given wide publicity through electronic and

print media. A total of 11 representations were received against preliminary publication of constituencies.

7. The Commission fixed dates of hearings and issued notices to all concerned in this regard. The service of notices was ensured through SMS besides use of conventional means. The dates of hearing were also given wide publicity through print and electronic media as well as through ECP website.

8. During the hearing of representations, necessary equipment was made available for juxtaposed display of the maps of the preliminary constituencies published by the Commission and the proposed maps of the petitioners. This state-of-the-art arrangement enabled the petitioners and their counsels to express their grievances and present their alternate proposals to the Commission with more elaborative manner and with high level of convenience.

9. It may be noted that for the delimitation of constituencies utmost care was exercised to make sure that the variation among the constituencies is kept within the permissible range of 10% within a district, however due to inevitable geographic or demographic features of 3 districts, the range of 10% was exceeded the justification whereof is given as under:

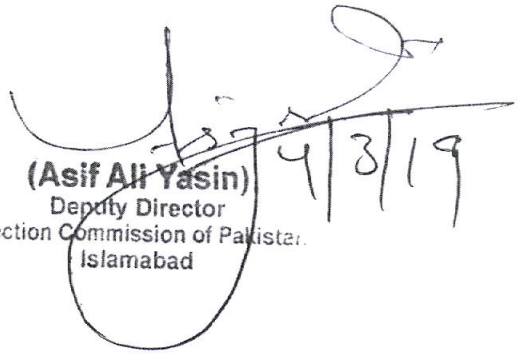
- a. In Bajaur district, there are three provincial assembly constituencies namely PK-100 Bajaur-I, PK-101 Bajaur-II and PK-102 Bajaur-III which have the population of 351,555, 348,386 and 393,743, respectively. The variation among these three constituencies is 12.44% which has exceeded slightly from 10% allowed variation, however, this was done due to peculiar tribal affiliations of the district.
- b. In Khyber district, there are three provincial assembly constituencies namely PK-105 Khyber-I, PK-106 Khyber-II and PK-107 Khyber-III which had the population of 314,569, 348,756 and 323,648, respectively in the preliminary list of constituencies. The variation among these three constituencies in preliminary list of constituencies was 10.39% however, as per arguments of the some petitioners, by placing Census Circle 4 and 5 of Census Charge 01 containing Qambarabad; Sambaba (North Qambarkhel); Nogazi Baba; Alamgudar; Arjali Naday; Surkai (Surkas) sections of Bara Tehsil in PK-106 having total population of 120,755 the major portion of tribes of Bara tehsil is divided which is against the principle of delimitation.
- c. In order to avoid bifurcation of such a large portion of population, the aforesaid areas are ordered to be shifted from PK-106 to PK-107 whereas Census Circles 2 and 13 of Charge 01 of the Bara tehsils consisting of population of 37,345 are ordered to be shifted from PK-107 to PK-106. Though by this, the variation of population will be increased from permissible range of 10% however, such shifting is necessary for ensuring homogeneity in the delimitation.
- d. In Kurram district, there are two provincial assembly constituencies namely PK-108 Kurram-I and PK-109 Kurram-II which have the population of 339,247 and 280,306 respectively. The variation among these two constituencies is 19.44% which has significantly higher from 10% allowed variation, however, this was done due to several reasons which inter alia include the following:
 - (i) Kurram district has history of religious clashes which demanded much prudence.
 - (ii) The tribal affiliations were required to be kept in view while delimiting the constituencies.

- (iii) Presently, there are two National Assembly constituencies namely NA-45 Kurram-I and NA-46 Kurram-II on which recently representatives have been elected during General Elections 2018;
- (iv) The extent of both National Assembly constituencies has been kept intact in respect of Provincial Assembly constituencies as well as the electorates are well aware to their constituencies thanks to successful conduct of election in recent past.

10. The hearing process of the representations commenced on 13th February, 2019 and culminated on 21st February, 2019. After incorporation of the decisions of the Election Commission, final list of constituencies is hereby published for information of general public in accordance with the provisions of section 21 of the Elections Act, 2017 read with rule 14 of the Elections Rules, 2017.

11. The final list of constituencies of the Provincial Assembly, Khyber Pakhtunkhwa in respect of erstwhile Federally Administered Tribal Areas, specifying the areas included in each constituency on **Form 7** is attached.

By order of the Election Commission of Pakistan.


(Asif Ali Yasin)
Deputy Director
Election Commission of Pakistan
Islamabad
9/3/19

**ELECTION COMMISSION OF PAKISTAN
FORM-7**

[see rule 14]

FINAL LIST OF CONSTITUENCIES

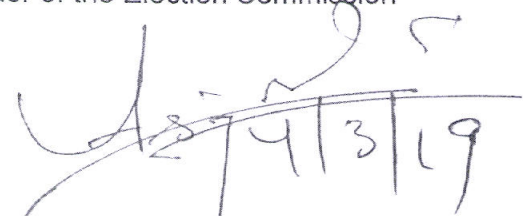
Name of Province Khyber Pakhtunkhwa

Provincial Assembly Khyber Pakhtunkhwa

No. and name of constituency	Extent of constituency
PK-100 Bajaur-I	(a) Salarzai Tehsil, excluding Mandal Section of Utman Khel Tribe; and (b) Utmankhel Tehsil of Bajaur Tribal District.
PK-101 Bajaur-II	(a) Barang Tehsil; (b) Khar Tehsil; and (c) Mandal Section of Utman Khel Tribe of Salarzai Tehsil of Bajaur Tribal District.
PK-102 Bajaur-III	(a) Mamund Tehsil; (b) Nawagai Tehsil; and (c) Barchamarkand Tehsil of Bajaur Tribal District.
PK-103 Mohmand-I	(a) Ambar Utman Khel Tehsil; (b) Prang Ghar Tehsil; (c) Pindiali Tehsil; and (d) Yake Ghund Tehsil of Mohmand Tribal District.
PK-104 Mohmand-II	(a) Halimzai Tehsil; (b) Safi Tehsil; and (c) Upper Mohmand (Khoezi and Bezi) Tehsil of Mohmand Tribal District.
PK-105 Khyber-I	(a) Landi Kotal Tehsil; and (b) Mulagori Tehsil of Khyber Tribal District.
PK-106 Khyber-II	(a) Jamrud Tehsil; and (b) The following Census Circles of Census Charge 01 of Bara Tehsil: (i) Census Circle No.02; and (ii) Census Circle No.13 of Khyber Tribal District.
PK-107 Khyber-III	Bara Tehsil, excluding the following Census Circles of Census Charge 01 : (i) Census Circle No.02; and (ii) Census Circle No.13 of Khyber Tribal District.
PK-108 Kurram-I	(a) Central Kurram F.R; and (b) The Lower Kurram Tehsil, excluding the following Patwar Circles of Qanoungo Halqa Lower Kurram of Lower Kurram Tehsil: (i) Hassan Ali (ii) Ibrahimzai; and (iii) Ramaki Killa (Part) of Kurram Tribal District.

No. and name of constituency	Extent of constituency
PK-109 Kurram-II	(a) Upper Kurram Tehsil; and (b) The following Patwar Circles of Lower Kurram Qanoungo Halqa of Lower Kurram Tehsil: (i) Hassan Ali (ii) Ibrahimzai; and (iii) Ramaki Killa (Part) of Kurram Tribal District.
PK-110 Orakzai	Orakzai Tribal District.
PK-111 North Waziristan-I	(a) Mir Ali Tehsil; (b) Shewa Tehsil; and (c) Spinawam Tehsil of North Waziristan Tribal District.
PK-112 North Waziristan-II	(a) Miran Shah Tehsil; (b) Ghulam Khan Tehsil; (c) Datta Khel Tehsil; (d) Razmak Tehsil; (e) Dossali Tehsil; and (f) Gharyum Tehsil of North Waziristan Tribal District.
PK-113 South Waziristan-I	(a) Ladha Tehsil; (b) Makin Tehsil; (c) Sara Rogha Tehsil; and (d) Sarwekai Tehsil of South Waziristan Tribal District.
PK-114 South Waziristan-II	(a) Birmal Tehsil; (b) Wana Tehsil; (c) Toi Khulla Tehsil; and (d) Tiarza Tehsil of South Waziristan Tribal District.
PK-115 Ex-Frontier Regions	(a) Ex-Frontier Region Peshawar; (b) Ex-Frontier Region Kohat; (c) Ex-Frontier Region Bannu; (d) Ex-Frontier Region Lakki Marwat; (e) Ex-Frontier Region Dera Ismail Khan; and (f) Ex-Frontier Region Tank.

By order of the Election Commission


 (Asif Ali Yasin)
 Joint Director
 Election Commission of Pakistan
 Islamabad