

Three Pages

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Before The Election Commission of Pakistan,
through Secretary, Election Commission, Constitution Avenue, Islamabad.

**Sub: Representation \ Objection petition U\S 21(3) Election Act, 2017
r/w rule-11 of The Election Rules 2017 against the report of proposed
delimitation committee of PK-28 of Batagram.**

The petitioner who is a registered voter in the constituency, proposed PK-28 District Batagram with due respect submit the following representation \ objection petition against the proposed delimitation of PK-28, Batagram-I. (Copy of the proposed delimitation notification is annexure-A).

1. That district Batagram consist of two tehsils i.e. (i) Tehsil Batagram (ii) Tehsil Alai. Total population of the district in accordance with census of 2017 is 4, 76,612. Total population of Tehsil Batagram is 2, 96,198 and total population of Tehsil Alai is 1. 80.414. (Copy of census report of 2017 regarding district Batagram is annexure-B).
2. That in the proposed delimitation of PK-28 Tehsil Alai, Patwar Circle Paimal Sharif was added in it (Map showing Paimal Sharif with PK-28 Tehsil Alai is annexure-C) which is absolutely illegal on the following grounds:
 - a) That in between Patwar Circle Paimal Sahrif and Tehsil Alai (PK-28) there is a mountain with a height of about 8000 square feet to 14000 square feet having no connecting road, clearly visible and available on Google map. The mountain is a natural boundary line between two tehsils. (Copy of the Map and photos showing mountain between Paimal Sharif and pk-28 Alai is attached as annexure-D).
 - b) That there is no direct communication link between Paimal Sharif and PK-28 Alai Tehsil. If a voter has to travel from Paimal Sharif to Tehsil Alai he will first come to Head quarter of tehsil Batagram passing through Patwar Circles of PK-29 Peshora, Shinglebala and Batagarm and from there will join KKH passing through Patwar Circles Matta Maidan, Shinglibala, Peshora and will enter to Huttal Deeshan, which means that the principles as laid down in section 20 i.e. geographical compactness, physical features, existing administrative boundaries of Tehsils and Kanungo Halqa, facility of communication and public convenience, and contiguity have been

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ignored. (Certificate regarding non existence of road from C&W dept. and TMAs of Tehsils Batagram and Alai is attached as annexure-E).


- c) That the tribes living in Patwar Circle Paimal Sharif are different from the tribes living in Alai Tehsil. Both have their own culture, way of life and are having no similarity with each other. They are having no blood relations with each other. (List showing Tribes of Paimal Sahrif and Alai is attached as annexure-F).
 - d) Patwar Circle Paimal Sharif is totally dependent on Tehsil Batagram i.e. for Judiciary, Tehsil Administration (Assistant Commissioner, Tehsildar, Gridawar etc) Tehsil Municipal administration, Education, Health, Business markets, all day to day affairs are linked with PK-29 Tehsil Batagram.
 - e) That Paimal Sharif is directly linked through mettled road with Batagram and the distance is only 20 Kilometer taking 30 to 45 minutes. Whereas the distance between Paimal Sharif and Tehsil Alai Head quarter Banna is approximately 74 kilometer taking 5 to 6 hours and if a voter has to go to Alia he will have to come to Batagram (20 kilometer) and from Batagram to Thakot (25 kilometer) and from Thakot to Banna (Head quarter of Tehsil Alia) 29 kilometer which is a zigzag small road between the mountains. (Copy of the relevant page of Census of 1998 showing the length of road and photos showing zigzag Thakot to Banna road is attached as annexure-G&H respectively).
3. That in accordance with census of 1981 the population of Alai was 134955 and population of Batagram was 204164 so the difference of population between the two constituencies was above 20%. In 1981 Batagram was the Tehsil of District Mansehra even then at that time Alai was separate constituency and Batagram was separate constituency in the elections held in 1985, 1988, 1990, 1993 and 1997. (Copy of the relevant pages from the census of 1981 is attached as annexure-I).
 4. That according to the census of 1998 the population of Tehsil Alai was 121852 and population of Tehsil Batagram was 185626 so the difference of population between the two constituencies was 20.89%. In the general Elections 2002 as notified on 26.03.2002 the proposed delimitation of the constituencies and Patwar Circle Paimal Sahrif was added in PK-60 Tehsil Alai, against which representation was filed which was accepted on

01.06.2002(Copy of the decision is attached as annexure-J) and Paimal Sahrif was retained with Tehsil Batagram PK-59 and the elections held in 2002, 2008 and 2013, Patwar Circle Pimal Sharif was the part of PK-59 Tehsil Batagram. (Copy of the relevant pages from the census of 1998 is attached as annexure-K).

- 5. That in accordance with ^{proposed} census of 2017 the population of PK-28 is 228886 and the population of ^{proposed} PK-29 Batagram is 247726. Population of Patwar Circle Paimal Sharif is 16915, now without the population of Patwar Circle Paimal Sharif the population PK-28 Alai becomes 211971 and with the Patwar Circle Paimal Sharif, the population of PK-29 Batagram becomes 264641. If the Patwar Circle Paimal Sharif becomes the part of PK-29 the total difference between the two constituencies PK-28 and 29 falls down to 11% which is very low as compared to the previous difference which was more than 20%. According to proviso to rule-5 of the Election rules, 2017 variation of 10% population between two constituencies shall be ignored.
- 6. That in the proposed delimitation PK-1, Chitral and PK-35 Torghar the population factor has been ignored due to their geographical location and administrative, Communications problems.
- 7. That this honorable commission can appoint commission for spot inspection of the geographical location and other facts of the Paimal Sharif Patwar Circle and Tehsil Alai.

Prayer:

That in the light of above facts and grounds it is suggested that the Patwar Circle Paimal Sahrif may be retained in PK-29 Tehsil Batagram instead of PK-28 Tehsil Alai. (The proposed Map is attached as annexure-M).

 Applicant
2/3/2018

Yaqub Khan S/O Jan Muhammad Khan
R/O Pimal Sharif Tehsil & District Batgram.
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