

BEFORE THE HON'BLE ELECTION COMMISSION OF PAKISTAN
ISLAMABAD

To,
The Secretary,
Election Commission of Pakistan,
Islamabad.

Subject:- REPRESENTATION/ OBJECTIONS / SUGGESTIONS ON BEHALF
OF ABDUL HAMEED ABBASI TO THE DRAFT PROPOSAL FOR
THE DELIMITATIONS OF THE CONSTITUENCY NO.15 (PK-36
& 37) & NA-16 (PK-38 & PK-39) OF ABBOTTABAD

Respectfully Sheweth,

1. That the applicant is resident of old NA-18 Abbottabad-II and presently as shown by the proposed draft in NA-15 Abbottabad, He is also registered voter of the constituency mentioned Supra, the detail is given below as per message record of the Election Commission of Pakistan Seer Gharibi Abbottabad, Shamriati block Code No. 075020404 and Silsla No. 390.
2. That the applicant is political figure of the constituency having political history regarding serving of the people of locality.
3. That as per mandate of Article 222-b of the Constitution of Pakistan 1973 the National Assembly had enacted Election Act, 2017 (Act No. XXXIII) of 2017 dated 2nd October, 2017, similarly keeping in view the section 239 of the Act Rules with the name and style of Election Rules 2017.

4. That according to the touchstone of Article 51 of the Constitution of Pakistan R/W Section 17 to 21 of Election Act, 2017 and Election Rules 2017, the Election Commission of Pakistan has to mark or layout the limit or boundary line of the territory and to described the boundary lines of the constituencies which is called in the language of the Act and Rules " Delimitation of Constituencies" (the definition of the delimitation is provided in the black law dictionary revised forth Addition page 514).
5. That presently the applicant became aware of the fact of a notification No. F.8(3)2018 ELEC-1 dated 05th March, 2018 issued by the Election Commission of Pakistan through which the Election Commission of Pakistan requisitioned representation / objections to the draft proposal for the delimitations of the constituencies which was required to be reached to the Election Commission of Pakistan through your honour on or before 03-04-2018.
6. That after obtaining the copy of the notification referred in the preceding paragraph, the Election Commission of Pakistan had constituted five delimitation committees through a notification dated 15-01-2018 and the committees had issued some draft proposal for delimitation of the constituencies.



7. That it is submitted with great respect that the alleged committee had ignored the constitution of Pakistan, 1973, The Election Act, 2017 and Election Rules 2017 and the precedents of superior courts for preparing the draft proposal regarding delimitation of the constituencies.

8. That a **grave miscarriage of justice** has been done with the applicant which is inter-alia narrated as follows:-

i. That according to the constitution of Pakistan the allocation of the seats was to be made in accordance with the preceding census, officially published but this requirement was not taken into consideration.


ii. That unfortunately the mandate of section 20 of the Election Act, 2017 has not followed in the draft proposals because it is necessary that all the constituencies for the general seat shall , as for as practicable,

- a. be delimited having regard to the distribution of population in geographically compact areas,
- b. physical features ,
- c. existing boundaries of administrative units ,
- d. facilities of commutations and public convenience and

e. other cogent factors to ensure homogeneity in the creation of constituencies.

iii. That the detail of the violation of the above referred provision of law in the draft proposal, objections and the suggestions for making the proposal as per command of the law are reproduced as under:-

- It is very much important to give in to the notice of your honour that present position of Abbottabad-1 and Abbottabad-II is continued since 1977 however after 25 years only 9% changes were made in Delimitation of 2002 and Circle Sherwan was shifted from Abbottabad 1 to Abbottabad 2 to balance the population of both the constituencies in accordance with the census of 1998. Election 2002, 2008 & 2013 were held as per delimitation of 2002. Keeping in view the easy communication comfortness of voters and proper bifurcation of tribes shifting of circle Sharwan to elsewhere will create unrest and discomfortable and inconvenience to the voters.

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- That as per census of 2017 the population of district Abbottabad, is **1,332,912**. District Abbottabad is consisted of two constituencies i.e Abbottabad- 1 NA-17 and Abbottabad-II NA-18. Present population of NA-18 is **599,123** and Abbottabad-1 NA-17 is **733,789** hence there is immense difference about **130,000** population between both the constituencies.
 - That unfortunately in the draft proposal of delimitation all developed areas of District & Tehsil headquarters, i.e. Town Committee & cantonment Board of Havilian and Municipal Committee & Cantonment Board Abbottabad and Town Committee Nawan Shehr , the hospitals, colleges ,schools universities , and many other important institutions were included in NA-17 Abbottabad-I and NA-18 Abbottabad-II was deprived of all the institutions and the facilities.
 - That it is also important to state here that the northern end formula has not been clockwise.

- That certain area which are geographically away from each other have been clubbed in one constituency and the areas which needed to be remained in one constituency have been divided in Patwar Circle in to different constituencies. As in the case of circle Bakot the same is clubbed with circle Lora which are farflung from each other.
- That there is a lot of stress in MNAs after delimitation. Certain areas which are geographically away from each other have been clubbed in different constituencies. The voters are very much confused on the entire process of delimitation.
- That certain areas which needed to be remained intact have been divided in patwar circles in to different constituencies. At one side entire urban areas have been separated from rural areas which will affect the development process entirely.

- That certain areas and their voters have made effect the very importantly, some district have been divided on the northern rule of 45 angles while some have to been done here.

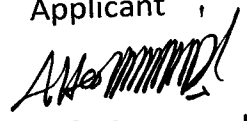
- That in order to give facility to the voters and to achieve the goal and sprit of the principles of delimitations it is necessary that Salhad PC (36,018 Population) and Banda Qazi PC (30,604 Population) be included in Abbottabad-II (NA-18) from Abbottabad-1 (NA-17), by this way only 5.2 % change to balance the population of both the constituencies would be made and both constituencies will have the following population.

- Abbottabad-I (NA-17), 665, 745
- Abbottabad-II (NA-18), 667.167.

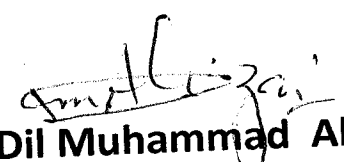
It is, therefore, most respectfully prayed that this representation / objection may kindly be accepted and the proposed draft may kindly be amended in

accordance with the submissions and objection initiated in the present representation in accordance with constitution and law.

Applicant


Abdul Hameed Abbas
S/o Umar Dad Abbasi,
R/o Mohallah Hothla,
Seer Gharbi Abbottabad

Through:-


Dil Muhammad Alizai
Advocate Supreme court
of Pakistan Islamabad.
Cell No. 0300-6861055

Note:- That as per instructions of the Election Commission of Pakistan the main objections and suggestions are being separately Annexed with this petition by addressing to the Secretary Election commissions of Pakistan.

The documents in support of present representation / objections and suggestions are being attached so for as the remaining contentions and submissions the applicant will produce the evidence/ material and record

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OBJECTION/ SUGGESTIONS

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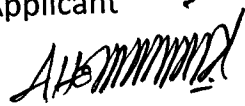
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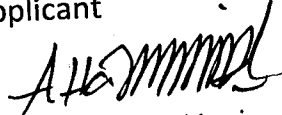
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