

# Before Election Commission of Pakistan

Representation / Objection petition No.

1. Najeeb Ullah Khan S/O Shaukat Ullah Khan R/O Bara Nawagai, Tehsil Nawagai, district Bajaur Agency. CNIC No. 61101-2358157-5, Block Code. 081060301, S.No 523. Cell No.
2. Mashooq Khan S/O Muhammad Jabbar Khan R/O Tanai, P.O Inayat Killi, Tehsil Mamund, District Bajaur Agency. CNIC No. 21104-8824613-7, Block Code. 081020112, S.No 376. Cell No.
3. Muhammad Shoaib S/O Toor Abbas Khan R/O Inam Khoro Changai, P.O Anayat Kalay, Tehsil Mamund, District Bajaur Agency. CNIC No. 21104-2153923-1, Block Code. 081020107, S.No 139. Cell No.
4. Rehmat Ullah S/O Khan Badshah R/O Damadola, Tehsil Mamund. CNIC No. 21104-2175262-3, Block Code. 081020104, S.No 805. Cell No.

Vs

Public at Large

**Objection petition / Representation U/S 21 of the  
Election Act 2017, against delimitation of  
constituencies bearing No. N.A 42, 41 and N.A  
40, Bajaur Agency, FATA.**

Respectfully Sheweth

1. That the petitioners No. 1 is resident of Bara Nawagai, Tehsil Nawagai, district Bajaur Agency, FATA and a voter member of NA. 40, Bajaur Agency. The name of the petitioner is available in the voter list of the mentioned constituency, hence the petitioner is

competent to file instant representation, being aggrieved from the interim delimitation of NA.40, 41, 42.

2. That the petitioner No.2 is a resident of Tanai, P.O Inayat Killi, Tehsil Mamund, District Bajaur Agency, FATA. The petitioner is a voter member of the area and aggrieved with the proposed delimitation, as the area of the petitioner has wrongly been mentioned in the constituency bearing No. NA. 40.
3. That the petitioner No.3 is a resident of Inam Khoro Changai, P.O Anayat Kalay, Tehsil Mamund, District Bajaur Agency, FATA. The petitioner is a voter member of the area and aggrieved with the proposed delimitation, as the area of the petitioner has wrongly been mentioned in the constituency bearing No. NA. 40.
4. That the petitioner No.4 is a resident of Damadola, Tehsil Mamund, District Bajaur Agency, FATA. The petitioner is a voter member of the area and aggrieved with the proposed delimitation, as the area of the petitioner has wrongly been mentioned in the constituency bearing No. NA. 40.
5. That the petitioners are aggrieved from the proposed delimitation, hence filing instant representation/objection on the following amongst other grounds:-

### **Grounds of Representation**

- a. The objection relation to village Doda and village wargai: -

- i. That the area of village Doda and village Wargai, Tehsil Nawagai, Bajaur Agency is a part and parcel of Tehsil Nawagai and the said area has been shown as a part of NA.42 in the official gazette as published by the Election Commission of Pakistan. Although the area of above mentioned villages has been proposed to be a part of NA.40 in official gazette but at the time of preparation of map the said area has wrongly been shown as a part of NA.41. The proposed map contains a clerical mistake as the village Doda & village Wargai should have been included in the Map of N.A 40 instead of N.A 42, therefore the correction of the said error is mandatory in the best interest of justice and the residents of village Doda and Wargai. The mentioned mistake, if not corrected, may create serious problems for the inhabitants of the village Doda & Wargai as well as for the election process and candidates contesting election.
- ii. That the NA. 41 consist of areas falling in Tehsil Barang, Khar & Salarzai. The details published by election commission qua delimitation of constituencies clearly indicates that no part of Tehsil Nawagai falls in constituency bearing No. NA 41. The details of areas, as published by the Election Commission of Pakistan, shows that the village Doda is a part of NA 42. The relevant entry is cited at S.No 210 of the list of areas qua NA. 42. (Copy of the list is attached)

iii. The population of the villages mentioned above have been included in the constituency of N.A 42 whereas practically both villages are part of N.A . 41. The Notification of the Election Commission is self Contradictory ( details of votes, areas etc and map), therefore the said errors are liable to be corrected before publishing final report.

**b. Objection relation to the village Lakhtai & village Shingar:-**

- i. That the mentioned villages are parts of **Tehsil Khar** and the said areas have been included in the constituency of NA.41, as published by election commission of Pakistan in the official gazette. Both the mentioned villages have been included in the list of areas falling in NA.41 and the relevant entries qua the village Lakhtai and Shingar are stated at S.No. 100 & 101. (copy of the list is attached)
- ii. As per the list of constituencies, published by Election commission of Pakistan, no part/village falling in Tehsil Khar is part of NA.42 and the entire Tehsil Khar is falling in NA.41, however, at the time of drawing map of the proposed constituencies both the mentioned villages i.e. Lakhtai & village Shingar have been shown as a part of NA.42, which is a clerical mistake, hence liable to be corrected as the same is seriously damaging the rights of the villagers and also contradictory with the proposed area of NA.42, as published by the Election Commission of Pakistan in the official gazette.

**c. Objection relation to the villages of Tangai, Akhun Sahiv Ziarat, Zaga Dheri, Gulo Kas, Loe Jowar Charmang Khwar, Jannat Shah, Babar Shah and Lara Banda:-**

- iii. That the villages of Tangai, Akhun Sahiv Ziarat, Zaga Dheri, Gulo Kas, Loe Jowar Charmang Khwar, Jannat Shah, Babar Shah and Lara Banda are parts of **Tehsil Khar** and the said areas have been included in the constituency of NA.42 in the map published by Election Commission of Pakistan by showing that these area are part of Tehsil Nawagai and Tehsil Mamund. As a matter of fact all these areas are not falling in Tehsil Nawagai and Tehsil Mamund, hence it has a mistake on the part of Election Commission, which is liable to be corrected.
- iv. As per the list of constituencies, published by Election commission of Pakistan, no part/village falling in Tehsil Khar is part of NA.42 and the entire Tehsil Khar is falling in NA.41, however, at the time of drawing map of the proposed constituencies the mentioned villages i.e. Tangai, Akhun Sahiv Ziarat, Zaga Dheri, Gulo Kas, Loe Jowar Charmang Khwar, Jannat Shah, Babar Shah and Lara Banda have been shown as a part of NA.42, which is a clerical mistake, hence liable to be corrected as the same is seriously damaging the rights of the villagers and also contradictory with the proposed area of NA.42, as published by the Election Commission of Pakistan in the official gazette.

i. That the area of Damadola No.1,2,3,4,5,6 & Inam Khoro Changai have been included in NA.40, which should have been included in NA.42 on the basis of grounds mentioned herein below:-

i. That the mentioned villages i.e. Damadola No.1,2,3,4,5,6 & Inam Khoro Changai are parts of Tehsil Mamund and administratively falls under the control of Tehsil Mamund, therefore it is convenient for the people of mentioned villages to be a part of NA.42.

ii. That the mentioned villages have wrongly been included in the constituency of NA.40 by ignoring principles of delimitation as enumerated in section.20 of The Election Act, 2017. The above mentioned areas are geographically falls within the constituency of NA.42 as the Tehsil Salarzai is almost disconnected from the above mentioned villages due to a mountain ridge and there is no communication infrastructure between the above said villages and Tehsil Salarzai, therefore it is highly inappropriate to include the mentioned villages in the constituency of NA.40.

iii. That the physical features of the area suggest that the above said villages should have been included in the constituency of NA.42 as the population residing in the mentioned villages cannot approach to the administrative unit of Tehsil Salarzai.

- iv. That inclusion of the mentioned areas in the constituency of N.A 40 will create inconvenience for the inhabitants of the area.
- v. That the mentioned areas are under administrative control of tehsil Mahmud and the basic principal of delimitation has not been kept in mind while including the area in the constituency of N.A. 40.
- vi. That being a part of Tehsil Mamund and due to a huge ridge of mountains towards backside of the villages, i.e towards tehsil Salarzai, the people of the area have all communication infrastructure towards Tehsil Mamund which is a part of NA.42. it is also important to mention that no roads or infrastructure exist to connect the mentioned villages with Tehsil Salarzai, hence it will be an injustice with the people of the area, if the said villages continue to be a part of NA.40.
- vii. That the public convenience also lies with the constituency of NA.42, as the entire accessories attached with the area falling in NA.42, hence considering convenience of the people living in the above mentioned villages, the same may kindly be included in the constituency of NA.42.

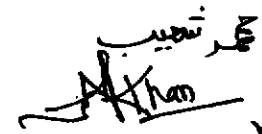
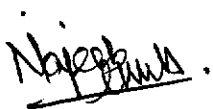
That the petitioners are filling the instant representation being aggrieved from the preliminary report/delimitation and the objections of the petitioners are in accordance with the existing law and based on ground realities, hence liable to be accepted.

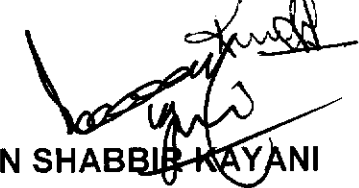
**Prayer:**

In the above mentioned circumstances it is respectfully prayed that the above mentioned objections on delimitation may kindly be accepted and the fresh notification may kindly be issued by declaring fresh boundaries of constituencies in accordance with the above mentioned grounds of the representation and proposed map attached with the instant representation.

Any other relief which this Forum Deems fit may also be granted, in the best interest of justice.

Through

  
Petitioner 



**RIZWAN SHABBI KAYANI**

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