

BEFORE THE HONOURABLE ELECTION COMMISSIONER OF  
PAKISTAN, ISLAMABAD

Representation under Section 21 (3) of Election Act, 2017

For inclusion of union councils of hayasiry, Lajbok and Munjai in the  
constituency of PK-17 Lower Dir-V and union council Rabat, Koto,  
Balambut, Khazana and Munda in PK-13 Lower Dir-1 on the ground of  
geographical attachment and others considerable factors.

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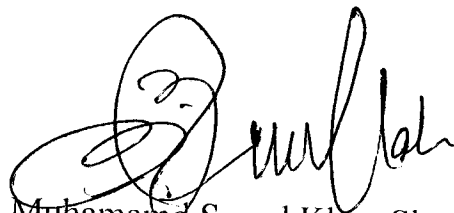
BY

Aziz ur Rehman Son of Momin Khan Waris Khan, Resident of Siah Gawnai,  
Tehsil Khall, District Lower Dir, Khyber Pukhtoonkhwa, Voter No. 116

Gul Azeem Khan Son of Azeem, Village Shikawalai, P.O. and Tehsil Khall,  
District Lower Dir

Sheer Zamin Khan Son of Momin Khan Resident of P.O. Village Dargai, Tehsil  
Khall/Timergara District Lower Dir, Khyber Pukhtoonkhwa, Voter No. 266

Through



Muhammad Saeed Khan Shangla

Mob No. 0345-9429063

Advocate Supreme Court of Pakistan

11/04/07/2018

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**BEFORE THE HONOURABLE ELECTION COMMISSION OF  
PAKISTAN, ISLAMABAD**

1. Aziz ur Rehman Son of Momin Khan Waris Khan, Resident of Siah gawnai, Tehsil Khall, District Lower Dir, Khyber Pukhtoonkhwa.
2. Sheer Zamin khan Son of Momin Khan Resident of p.o Village Dargai Tehsil Khall/Timergara District Lower Dir, Khyber Pukhtoonkhwa.

**Representation under section 21(3) of Election Act, 2017**

**For inclusion of union councils of hayasiry, Lajbok and Munjai in the constituency of pk-17 Lower Dir -V and union Councils Rabat, koto, Balambut, Khazana and Munda in PK-13 Lower Dir -1 on the ground of geographical attachment and others considerable factors.**

Respectfully Sheweth:-

1. That the brief facts of the case are that the petitioner is a law-abiding citizens of Pakistan and belong to TEHSIL Khall , District Lower Dir Lower, Khyber PukhtunKhwa bearing voter No . 116 and 266 respectively of the constituency of PK-13. Copy of the voter extract Certificate is attached as Annexure "A" and "B"
2. That this honorable Commission issued a draft list of proposals for the delimitation of constituencies, vide notification No. F.8(3)/2018-Elec-1 on dated 05-03-2018 under section 21 of Elections Act, 2017 read with Rule 11 Election Rules,2017 for information of public and invited the public to file objections, if any, within 30 days , under section 21 (3) of Elections Act, 2017 hence the instant petition. Copy of the Notification No. F.8(3)/2018-Elec-1 on dated 05-03-2018 is attached as Annexure "C"
3. That currently District Dir lower is represented by one elected MNA (Member of National Assembly) elected from NA constituency NA-34 and four elected MPAs in the provincial assembly of Khyber Pukhtunkhwa who

- I. PK-94 (Lower Dir-I)  
 II. PK-95 (Lower Dir-II)  
 III. PK-96 (Lower Dir-III)  
 IV. PK-97 (Lower Dir-IV)

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4. That under the new draft list of proposals for the delimitation of constituencies issued by this Honorable Election Commission of Pakistan vide notification No. F.8(3)/2018-Elec-1 on dated 05-03-2018, the number of seats for District Dir Lower in the national assembly and provincial assembly were increased from 1 to 2 seats and from 4 to 5 respectively.
5. That under the preliminary draft of delimitation of constituencies, the proposed provincial assembly constituencies for Dir Lower are as under:-

| S.No | CONSTITUENCIES         | AREA  |
|------|------------------------|---|
| 01.  | PK-13<br>Lower Dir-I   | a) Khall Tehsil and<br>b) Balambut Tehsil, excluding the union council of Balambat. Of Lower Dir District.  |
| 02.  | PK-14<br>Lower Dir-II  | a) Tehsil Adenzai, excluding the union council of Ouch of Lower Dir District  |
| 03.  | PK-15<br>Lower Dir-III | a) Census Charge No.14 of Timergara Municipal Committee.<br>b) Timergara Tehsil<br>c) The Balambat union council of the Balambat tehsil and<br>d) The Ouch union council of the Adenzai Tehsil of Lower Dir District. |
| 04.  | PK-16<br>Lower Dir-IV  | (a) Munda Tehsil<br>(b) The Following Union council of Samarbagh Tehsil.<br>(i) Samarbagh.<br>(ii) Mayar and<br>(iii) Sadbar Kalay<br>Of Lower Dir District.  |
| 05   | PK-17<br>Lower Dir-V   | (a) Lal Qila Tehsil<br>(b) The Following union councils of the Samarbagh Tehsil<br>(i)Kambat<br>(ii)Maskini<br>(iii)Drangal   |

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|  |  | Of Lower Dir District. |
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Copy of the Draft list of constituencies under Rule 10 (7) is attached as Annexure "D"

6. That the Pk13 is comprise of Khall Tehsil and Balambut Tehsil, excluding the union council of Balambat the Sub Division Timergara Lower Dir.
7. That the union council Hayaserai belongs to sub division Lal Qila
8. That the pk96 is isolated valley and the only link road/gate way is Odigram Lal qila road it is worthy to mention that the Odigram is integral part of Munjai.
9. That from the old PK 94 the union councils of hayasiry, Lajbok, koto and village council Odigram has been taken and now included in PK-13. Under the new draft the union councils of Kambat, Miskini and Drangal of the Tehsil and sub division Summer Bagh are included in Tehsil Lal Qila and declared Pk-17 Lower Dir. with dis-regard to geographical position of the area, physical features, existing boundaries of administrative units, facilities of communication, convenience of the public at large, social and cultural affiliations voters female voters in particular, and other cognate factors. Furthermore the area is totally separated due to high peaks.
10. That during the process of de-limitation of PK-13 Lower Dir I constituency, uniformity in population as well as the geographical cogency was ignored by the delimitation officer same is in the case of Pk-17 Lower Dir V also.
11. That the basic principles for delimitation are to pay consideration to the distribution of the population in geographically compact areas, existing boundaries of administrative units, facilities of communication and public convenience but the authorities ignored these prime factors and made delimitation in vacuum, causing inconvenience. These arrangements amounts to jeopardizing the rights of the people of PK- 13 Lower Dir I and Pk-17 Lower Dir V.
12. the process of delimitation be completed in accordance to the provisions of Election Act, 2017 and be started from North clock wise.
13. The Petitioners are aggrieved with the delimitation preliminary draft of the provincial assembly constituencies of Dir Lower and seek review of the

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proposals regarding Provincial Assembly's constituencies NO. PK 13 & PK 17.

#### **ALTERNATIVE PROPOSAL**

1. That the union councils of hayasiry, Lajbok and Munjai be included in the constituency of pk-17 Lower Dir -V by inclusion of the above mentioned union councils in Pk-17
2. That the union Councils Rabat, koto, Balambut, Khazana and Munda being plan areas and inter connected through road/ geographically attached be Included in PK-13 Lower Dir -1 so as to attend the required population strength for the provincial constituency by inclusion union Councils Rabat, koto, Balambut, Khazana and Munda the total population of the said constituency will meet the prescribed requirement of the population for the provincial constituency.

#### **PRAYER:**

In view of the above circumstances, it is most respectfully prayed that to 'correct' the error in delimitation of constituencies and facilitate the people at large and voters in particular, the union councils of hayasiry, Lajbok and Munjai be included in the constituency of pk-17 Lower Dir -V and the union Councils Rabat, koto, Balambut, Khazana and Munda be Included in PK-13 Lower Dir -1.

Further, it is requested that the delimitation officer be directed to carve out the constituencies afresh as per the above mentioned ALTERNATIVE PROPOSAL.

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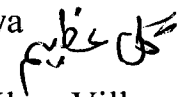
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Any other relief, which this Honourable Court Commission may deem proper in favour of the petitioner, may also be granted.



Aziz ur Rehman Resident of Tehsil

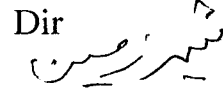
Khall, District Lower Dir, Khyber

Pukhtoonkhwa 

Gul Azeem Khan Village Shikawalai,

P.O. and Tehsil Khall, District Lower

Dir



Sheer Zamin, Resident of Tehsil

Khall, District Lower Dir, Khyber

Pukhtoonkhwa

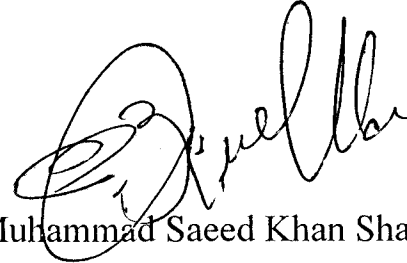
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