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J/03/09/2018

**BEFORE THE ELECTION COMMISSION OF
PAKISTAN THROUGH SECRETARY,
ELECTION COMMISSION, CONSTITUTION
AVENUE, ISLAMABAD.**

Subject: REPRESENTATION/OBJECTION PETITION
UNDER SECTION 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 BATTAGRAM.

Respectfully Sheweth!

The petitioner who is a registered voter in the constituency of proposed PK-28 District Battagram with due respect submit the following representation/objection petition against the proposed delimitation of PK-28, Battagram-I.

(Copy of the proposed delimitation notification is annexure "A").

1. That, District Battagram consists of two Tehsils i.e. (i) Tehsil Battagram (ii) Tehsil Allai. Total population of the District in accordance with census of 2017 is 4,76,612. Total population of Tehsil Battagram is 2,96,198 and total population of Tehsil Allai is 1,80,414.

(Copy of census report of 2017 regarding District Battagram is annexure "B").

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2. That, in the proposed delimitation of PK-28, Tehsil Allai, Patwar Circle Paimal Sharif was added in it (*Map showing Paimal Sharif with PK-28 Tehsil Allai is annexure "C"*) which is absolutely illegal on the following grounds: -
 - a. That, in between Patwar Circle Paimal Sharif and Tehsil Allai (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.
 - b. That, there is no direct communication link between Paimal Sharif and PK-28 Allai Tehsil. If a voter has to travel from Paimal Sharif to Tehsil Allai he will first come to Headquarter of Tehsil Battagram passing through Patwar Circles of PK-29 Peshora, Shinglebala and Battagram 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 ignored.

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(Certificate regarding non-existence of road from C&W department and TMAs of Tehsil Battagram and Allai are attached as annexure "D").

- c. That, the tribes living in Patwar Circle Paimal Sharif are different from the tribes living in Allai 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 Sharif and Allai is attached as annexure "E").

- d. Patwar Circle Paimal Sharif is totally dependent on Tehsil Battagram i.e. for Judiciary, Tehsil Administration (Assistant Commissioner, Tehsildar, Girdawar etc) Tehsil Municipal administration, Education, Health, Business, markets, all day to day affairs are linked with PK-29 Tehsil Battagram.

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- e. That, Paimal Sharif is directly linked through metalled road with Batagram and the distance is only 20 Kilometers taking 30 to 45 minutes. Whereas the distance between Paimal Sharif and Tehsil Allai Headquarter Banna is approximately 74 Kilometer taking 5 to 6 hours and if a voter has to go to Allai he will have to come to Battagram (20 Kilometer) and from Batagram to Thakot (25 kilomter) and from Thakot to Banna (Headquarter of Tehsil Allai) 29 Kilometer which is a zigzag small road between the mountains.

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(Copy of the relevant page of census of 1998 showing the length of road is attached as annexure "F").

3. That, in accordance with census of 1981 the population of Allai 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 Allai was separate constituency and Batagram was separate constituency in the elections held in 1985, 1988, 1990, 1993 and 1997.

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4. That, according to the census of 1998 the population of Tehsil Allai was 121852 and population of Tehsil Battagram was 185626 so the difference of population between the two constituencies was 20.89%. In the general Election 2002 as notified on 26.03.2002 the proposed delimitation of the constituencies and Patwar Circle Paimal Sharif was added in PK-60 Tehsil Allai, against which representation was filed which was accepted on 01.06.2002. *(Copy of the decision is attached as annexure "G")* and Paimal Sharif was retained with Tehsil Battagram PK-59 and the elections held in 2002, 2008 and 2013, Patwar Circle Paimal Sharif was the part of PK-59 Tehsil Battagram.

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(Copy of the relevant pages from the census of 1998 is attached as annexure "H").

5. That, in accordance with census of 2017 the population of proposed PK-28 is 228886 and the population of proposed PK-29 Battagram is 247726. Population of Patwar Circle Paimal Sharif is 16915, now without the population of Patwar Circle Paimal Sharif is 16915, now without the

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population of Patwar Circle Paimal Sharif the population of PK-28 Allai 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.

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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 Honourable commission can appoint commission for spot inspection of the geographical location and other facts of the Paimal Sharif Patwar Circle and Tehsil Allai.

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.....PRAYER.....

That in the light of above facts
and grounds it is suggested that the
Patwar Circle Paimal Sharif may be
retained in PK-29 Tehsil Battagram
instead of PK-28 Tehsil Allai.

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*(The proposed Map is attached as
annexure "I").*

Dated 02.04.2018

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Through

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