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**BEFORE THE ELECTION COMMISSION
OF PAKISTAN THROUGH SECRETARY**

**MEMORANDUM OF REPRESENTATION/
OBJECTION PETITION UNDER
SECTION 21(3) OF THE ELECTION
ACT, 2017 READ WITH RULE 11 AND
12 OF THE ELECTION RULES, 2017
AGAINST THE PROPOSED DELIMITATION
OF PK-31 MANSEHRA-2.**

Respectfully Sheweth!

1. That, the petitioner is a permanent resident of Village Atter Shisha union council Atter Shisha, Tehsil and District Mansehra and also registered voter of formerly PK-53 and now PK-30 and is aggrieved due to exclusion of Patwar Circle, Atter Shisha of Qanungo Halqa Labarkot of Tehsil and District Mansehra from PK-31 and by including the same in PK-30 formerly PK-54.

*(Copy of proposed notification is
annexed as annexure "A").*

2. That, the petitioner is permanent resident of Tehsil and District Mansehra and residing there from

his forefathers and is also hailing from political and social family of Tehsil Mansehra and nowadays he is also a District Member from Union council Atter Shisha.

3. That, the District Mansehra consists upon Tehsil Mansehra, Tehsil Balakot and Tehsil Oghi, three administrative units separated by natural geographical boundary of mountain range with varying height from 8000 to 12000 Sq.ft. above sea level. All these three administrative units are connected through a narrow gauge road passing the Susal Gali to Tehsil Oghi, Damgala to Tehsil Balakot through MNJ (Mansehra Naran Jalkhad) Road and that prior to proposed delimitation both the old Tehsils i.e. Mansehra and Balakot and their respective administrative boundaries are the limits of their respective constituencies i.e. PK-30 and PK-31 formerly PK-53 and PK-54.
4. That, before proposed delimitation, Patwar Circle Garhi Habibullah and Doga were also part of PK-31 formerly PK-53 but due to new

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census of 2017, Patwar Circle Garhi Habibullah and Patwar Circle Doga alongwith Patwar Circle Atter Shisha were separated from PK-31 and were added in PK-30 due to less population of Tehsil Balakot. The inclusion of Patwar Circle Atter Shisha in PK-30 against the wills of the people of the Patwar Circle Atter Shisha is a clear discrimination and heavy loss to the peoples of the above-mentioned Patwar Circle.

5. That, the total population in District Mansehra according to new census is 15,55,460 in numbers and which has been divided into two seats of National Assembly and 05 seats of Provincial Assembly.

(Copy of census report is annexed as annexure "B").

6. That, exclusion of Patwar Circle Atter Shisha from PK-31 and inclusion of Patwar Circle Gandhian in PK-31 in the proposed delimitation is without any geographical compactness e.g. Tehsil Balakot consist upon 12 union councils and is situated at

one side of mountainous range whereas Patwar Circle Atter Shisha is part and parcel of Tehsil Mansehra and is situated at other side of mountainous range which are not easily accessible. Similarly, Tehsil Balakot is the largest Tehsil of Khyber Pakhtunkhwa and its scattered population is situated in almost 120 Kilometers.

(Copy of map of District Mansehra and proposed delimitation are annexed as annexure "C" & "D").

7. That, new census was held in District Mansehra in the winter season and it is an admitted fact that mostly peoples of Tehsil Balakot migrated from hilly area to Mansehra city due to heavy rain and snow fall, this is also reason for less population of Tehsil, despite of the fact that Tehsil Balakot consists upon more than 3,50,000 population. The peoples of Tehsil Balakot who migrated from Tehsil Balakot to Mansehra due to weather reasons are not the permanent residents of Mansehra city rather they are permanent residents of

Tehsil Balakot and they have to cast their vote in their native village. The clear cut example of above mentioned fact is that the population of Patwar Circle Kaghan and Phagal in new census report 2017 is 22620 whereas in the voter lists for the general election 2013 and Local Government Election, 2015 the voter list shows the number of voters as 20,044.

8. That, Patwar Circle Atter Shisha is part and parcel of Tehsil Mansehra and very nearer to Mansehra City and peoples of Atter Shisha have their businesses and all other residential activities in Mansehra City whereas by including the Patwar Circle Atter Shisha in different Tehsil i.e. in Balakot, the area of Atter Shisha lost its sight and secondly peoples have to travel to mountainous area and to cross thick and dangerous forest to reach Balakot which is very difficult for the people of Atter Shisha.
9. That, in the proposed delimitation, PK-1 Chitral and PK-35 Torghar have been ignored due to their

geographical location, administrative and communication problems.

10. That, this Honourable commission can appoint a local commission for physical inspection of proposed delimitation of constituencies particularly area of Patwar Circle Atter Shisha, Gandhian and administrative area of Balakot.

11. That, in Patwar Circle of Atter Shisha, population amounting to almost 27,000 and Atter Shisha which is a part and parcel of Tehsil Mansehra have propriety right to be included in PK-31 as the population of above-mentioned Patwar Circle have physical, geographical and cultural compactness and easily accessible through land and is also adjacent to Mansehra city whereas Gandhian Patwar Circle can easily be excluded from PK-31 and can easily be included in PK-32 whereas the population of PK-30 is more than three lac, therefore, there is no need of any area to be included in PK-30 so, the population of above-mentioned areas and Patwar Circles can easily cast their votes on

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nearest polling station and can elect their representatives according to their whims and wishes.

.....PRAYER.....

It is, therefore, most humbly prayed that on acceptance of the above-mentioned objections, Patwar Circle Atter Shisha may please be allowed to be included as part of PK-31 Mansehra-2 instead of PK-30 Mansehra-1.

Dated 31.03.2018

SYED SHOUKAT ALI SHAH
Son of Syed Noor Ahmed Shah
Resident of village Phagla,
Tehsil and District Mansehra.
District Member Union council
Atter Shisha,
Tehsil and District Mansehra.
NIC No.13503-3132350-3

Through

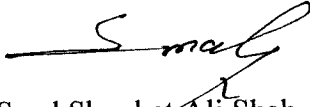


JUNAID ANWAR KHAN,
Advocate High Court,
Mansehra.

AFFIDAVIT.

I, Syed Shoukat Ali Shah son of Syed Noor Ahmed Shah resident of village Phagla, Tehsil and District Mansehra presently District Member union council Atter Shisha, Tehsil and District Mansehra, applicant, do hereby solemnly affirm and declare on oath that the contents of the foregoing memorandum of objection are true and correct and nothing has been concealed from this Honourable Commission.

Dated 31.03.2018


Syed Shoukat Ali Shah
(DEPONENT)