

1

**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-34 MANSEHRA-5.**

Respectfully Sheweth!

1. That, the petitioners are permanent residents of Patwar Circle Ahal Chinarkot and Battal, Tehsil and District Mansehra and also registered voters of formerly PK-56 and now PK-33 and are aggrieved due to exclusion of Patwar Circle, Ahal Chinarkot and Battal of Qanungo Halqa Battal and Ahal of Tehsil and District Mansehra from PK-34 and by including the same in PK-33 formerly PK-56.

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

2. That, the petitioners are permanent residents of Tehsil and District

12

Mansehra and residing there from their forefathers and is also hailing from political and social families of Tehsil Mansehra and nowadays, they are also District Member from union council Ahal and Nazim village council Ahal, Tehsil and District Mansehra.

3. That, the District Mansehra consists upon Tehsil Mansehra, Tehsil Balakot and Tehsil Oghi, three administrative units separated by natural geographical boundary of mountainous 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, all the three old Tehsils i.e. Mansehra, Oghi and Balakot and their respective administrative boundaries are the limits of their respective constituencies i.e. PK-30, PK-31, PK-32, PK-33 and PK-34 formerly PK-53, PK-54, PK-55, PK-56 and PK-57.

4. That, before proposed delimitation, Patwar Circle Ahal Chinarkot and Battal were also part of PK-34 formerly PK-56 but due to new census of 2017, Patwar Circle Ahal Chinarkot and Battal were separated from PK-34 and were added in PK-33 due to less population of Tehsil Oghi. The inclusion of Patwar Circles Ahal Chinarkot and Battal in PK-33 is against the wills of the people of Patwar Circle Ahal Chinarkot and Battal and is a clear discrimination and heavy loss to the people 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 Ahal Chinarkot and Battal from PK-34 and inclusion of Patwar Circle Tanda and Patwar Circle Baffa

Town, Baffa Dhodiari and Patwar Circle Baffa Lughmani in PK-34 in the proposed delimitation is without any geographical compactness e.g. Tehsil Oghi consists of his own union councils and are situated at one side of the mountainous range whereas Patwar Circle Battal and Patwar Circle Ahal Chinarkot are part and parcel of Tehsil Mansehra and are situated at other side of mountainous range which are not easily accessible. Similarly, the peoples of the above-mentioned Patwar Circles have to travel from their Patwar Circle Mansehra and then to Oghi which is not accessible to the locality of above-mentioned two Patwar Circles.

(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 Mansehra who were residing on the hilly area of Tehsil Mansehra migrated from hilly areas to

Mansehra city due heavy rain and snowfall. This is also a reason for less population of PK-34 despite of the fact that Tehsil Oghi consist upon more than 3,23,962 population. The peoples of Tehsil Mansehra who migrated from hilly areas to Mansehra city due to weather reasons are not the permanent residents of Mansehra City and Oghi rather they are permanent residents of their native villages and they have to cast their votes in their native villages.

8. That, Patwar Circle Ahal Chinarkot and Battal are the part and parcel of Tehsil Mansehra and very nearer to Mansehra City and peoples of Patwar Circle Ahal Chinarkot and Battal have their businesses and all other residential activities in Mansehra city whereas by including the Patwar Circle Ahal Chinarkot and Battal in different Tehsil i.e. in Oghi, the area of Ahal Chinarkot and Battal loss its sight and secondly peoples have to travel from Ahal Chinarkot and Battal to Mansehra and then to travel to

mountainous area and to cross thick and dangerous forests to reach Oghi which is very difficult for the people of Ahal Chinarkot and Battal.

8. That, in the proposed delimitation, PK-1 Chitral and PK-35 Torghar have been ignored due to their geographical location, administrative and communication problems.
9. That, this Honourable Commission can appoint a local commission for physical inspection of proposed delimitation of constituencies particularly area of Patwar Circle Ahal Chinarkot and Battal.
10. That, in Patwar Circle of Ahal Chinarkot and Battal, population amounting to almost 45,550 and Ahal Chinarkot and Battal which are the part and parcel of Tehsil Mansehra have propriety right to be included in PK-34 as the population of above-mentioned Patwar Circles have physical, geographical and cultural compactness and easily accessible through land and are also adjacent to other areas of PK-

7
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34 whereas Patwar Circle Tanda, Patwar Circle Baffa Town and Patwar Circle Baffa Dhodiari and Patwar Circle Baffa Lughmani can easily be excluded from PK-34 and can easily be included in PK-32 so, the population of above-mentioned areas and Patwar Circles can easily cast their votes on nearest polling station and can elect their representatives according to their whims and wishes. Similarly, Patwar Circle Darya Doga, Mangal Doga, Kala Maira, Mahar Kalan, Lissan Nawab and Matseeri can also easily be included in PK-33 and Potha and Behali Patwar Circles can easily be included in PK-31 so that the population of above-mentioned all the PKs be equalized and adjusted according to the new census.

.....PRAYER.....

It is, therefore, most humbly prayed that on acceptance of the above-mentioned objections, Patwar Circles Ahal Chinarkot and Battal may please be allowed to be included as part of PK-34

18

Mansehra-5 instead of PK-33
Mansehra-4.

Dated 02.04.2018

[Handwritten Signature]

SARDAR ABDUL QADEER

Son of Haji Khani Zaman Resident of Village Chalundri, P.O Battal, Tehsil and District Mansehra presently District Member union council Battal, Tehsil and District Mansehra.

NIC No.13503-1308691-5

[Handwritten Signature]

MUHAMMAD SAJID son of Abdul Latif resident of village Bai Tarli, Tehsil and District Mansehra presently Nazim village Council Ahal, Tehsil and District Mansehra.

NIC No.13503-0510836-9

Through

[Handwritten Signature]

JUNAID ANWAR KHAN,
Advocate High Court,
Mansehra.

[Handwritten Signature]
ATTEST
ABD NAWAZ ADI
01/04/18
068
HIGH COURT MANSEHRA

AFFIDAVIT.

I, Sardar Abdul Qadeer Son of Haji Khani Zaman Resident of Village Chalundri, P.O Battal, Tehsil and District Mansehra presently District Member union council Battal, Tehsil and District Mansehra, applicant No.1, 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 02.04.2018

Sardar Abdul Qadeer
(DEPONENT)