

BEFORE THE SECRETARY, ELECTION COMMISSION OF PAKISTAN,
ISLAMABAD.

1. Sanaullah Khan s/o Khursheed Khan,
Village & PO Charbagh, District Swat
2. Rafiullahs/o AmanUllah Khan
Village DaKorak/Gulibagh, Tehsil Charbagh, District Swat
3. Dost Muhammad Khan s/o Khaista Bar,
Village Spineoba/Kishowra, Tehsil Charbagh, District Swat.
4. Khadim Shah s/o Muhammad Sahib,
Village Seer Teligram, Tehsil Charbagh, District Swat.

M/03/07/2018

REPRESENTATION

UNDER SECTION 21(3) ELECTIONS ACT 2017 READ WITH RULE 12
OF ELECTION RULES 2017 REGARDING ALTERATION OR
MODIFICATION IN THE PRELIMINARY LIST OF CONSTITUENCY
PK-4 SWAT-III.

Respectfully Sheweth:-

Your humble petitioners; namely (1) Naveed Ali Khan son of Mohammad Kamal, Tehsil Nazim etc. are residents of Tehsil Charbagh and the registered voters of Provincial Constituency PK-4 Swat-III. The electoral roll containing the names of the petitioners is hereby attached.

9/10/2016

The petitioners have the following reservations on the draft list of Constituencies PK-3 and PK-4 as notified along with map by the learned Election Commission of Pakistan:-

- That the population of Tehsil KhwazaKhela(PK-3) consists of 265571 population. From this Tehsil, two Patwar Circles, namely Jarepia and Fatehpur have been detached and included in PK-2 Tehsil Behrain. The majority of Tehsil KhwazaKhela has been decreased. Whereas the population of Tehsil Matta is 465996. If Patwar Circles of LandiGarhi and Sakhrare detached from it and included it in Tehsil Behrain PK-2, it would be form a compact block because of its boundaries and its location on one side of the river, which is approachable through roads, geographically and communication-wise. This proposal is shown in our proposed map and map of C&W Department (Highways).
- That after dividing Tehsil KhwazaKhela, its administrative units have become broken. It may be pointed out that a complete PK constituency could have been established for example, the population of District Swat is 2309570 and if the total population is divided on 8 Provincial Assembly seats then one PK would consist of 288696 people. Under the ECP Rules, after 10% variations, up and down, in one Provincial Seat, one PK can more be established on population strength of 259800 people. Through this analogy, the administrative Units of Tehsil KhwazaKhela would

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remain intact without any disturbance. (Hence the population of Tehsil KhwazaKhela is 265571). The area of Tehsil KhwazaKhela is located purely on one side of the river without any hindrance therefore, it would be in the benefit of the people of the area (Tehsil KhwazaKhela).

- The population of Tehsil Charbagh is 126115. From this Tehsil, four Patwar Circles, namely Kishwara, Mangarkot, Gulibagh and Dhakorak have been detached and according to the notification of ECP, these PCs have been included in Tehsil KhwazaKhela. This has resulted in breaking of the Administrative Units of the area and the majority of the Tehsil has been changed into minority, which is clear violation of the ECP Delimitation Rules 2017.
- According to the ECP map, the Patwar Circle of Teligram has been broken and their MauzaJaat namely Saeer, Shinkad, Tuha have been included in PK-3, which is a clear violation of the Delimitation Rules. PC Kishwara and PC Mangarkot have no direct road links with PK-3 (Tehsil KhwazaKhela)(shown in the map of C&W Highway). The people would go through Saeer, Teligram, Charbagh, GuliBagh and after covering more than 55 kms distance would reach to PK-3. The people of the area of Kishwara and Mangarkot and GuliBagh are in Tehsil Char Bagh. Their Tehsil offices are located in CharBagh and thus they have no links with Tehsil KhwazaKhela. The area of Mangarkot and Kishwara is a pocket for

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the people of the area and is in clear violation of the ECP Delimitation Rules 2017.

- Keeping in view the population of Tehsil Charbagh no new Constituency could be established, therefore, the nearest areas/patwar circles is made together, then a new constituency could be established but in the given ECP map/notification the situation is quite different. For example, in MC Mingora Circle No.24 has been included in PK-4. For approaching this area, about 10 to 15 km distance would be covered by a voter for casting his vote in PK-4. (which is shown in the map of C&W Highway). This Circle area is the Headquarter of District SWAT, including Judicial Complex, Government Offices, DC Office, Education Offices and also restricted areas of Cantonment. This area should have been given to MC Mingora due to its sensitiveness.
- Similarly, the same area of Marghuzar, Qambar, Islampur is not approachable through any direct ground route/road from Sangota or Janbel, Kokarai, which is shown in the ECP map as a neighborhood. For approaching PK-4, the people would cover a long distance of about 15 to 25 km in PK-5, (shown in the map of C&W Highway) causing inconvenience to the people, which area is a pocket one. This is a clear violation of the ECP Delimitation Rules 2017.
- That now according to the ECP map, Patwar Circle of Balogram has been broken and shown in PK-6 and its two number of MauzaJaat is shown in

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PK-4, which is clear violation of the Delimitation Rules 2017. And similarly, PC of Odigram is divided into two portions, i.e one Mauza has been included in PK-6 and the other Mauza has been included in PK-4, as shown on the map issued by the ECP, which is a clear ipse-dedit on part of the authorities.

- That according to our proposed map, attached with this representation, Tehsil Char Bagh (PK-4) and the Patwar Circles of Tehsil Babuzai and Circle No.6 of MC Mingora may be made one PK, which is boundary-wise, communication facility and geographical position of the area would much facilitate the wish of the people of these areas, which is shown in the proposed map and map of the C&W Highway.
- That if Circle No.24 is detached from PK-4 and included in PK-5 then all the facilities as available to the people of MC Mingora would also be available to the people of Circle No.24 which is Headquarter of Saidu Sharif.
- That the area of Islampur, Sheratarf and Qambar is easily approachable to Tehsil Barikot, which in the previous elections was part of one Constituency because of its location on one side of the river and the main

A/3/09/2010

road is common in between these areas, therefore the same may be given to PK-6. By accepting this proposal the administrative Unit of Tehsil Barikot would remain intact, which is proved by the road map.

- The people of Charbagh had moved an application jointly to the Tehsil Nazim on which a meeting was convened the minutes of the said meeting were forwarded to the Secretary Local Council Board, Commissioner of Malakand Division, Deputy Commissioner of District Swat and also Election Commission office in District Swat. Now in this continuation, the District Election Commissioner has forwarded our suggestions to the Regional Election Commissioner of Malakand Division and also Assistant to the Commissioner (R/G) also forwarded the same to the Secretary Local Council Board, Khyber Pakhtunkhwa. The letters are hereby attached along with press cutting of newspapers showing annoyance of the people of Tehsil Charbagh.

It is, therefore, humbly requested that the above stated reservation may so graciously be considered in the light of the proposed map, map of C&W Highway, contiguity, communication facilities and other factors already stated. Further, favourable/supportable relevant documents in our presentation will be presented at the time of hearing.

22/05/09/2013

Petitioners:

1. Sanaullah Khan, s/o Khursheed Khan,
Village & PO Charbagh, District Swat
NIC No. 15602-3736652-3 Cell No.0345-9459690
Silsa No.242 at Census Block No.071010104
2. Rafiullah son of Amanullah Khan,
MohallahMalalai, Village Dhakorak, P.O and Tehsil Charbagh.
NIC No. 15602-0273367-7 Cell No.0342-9605200
3. Khadim Shah son of Mohammad Sahib,
Village Teligram, P.O and Tehsil Charbagh,
NIC No. 15602-0404287-9 Cell No.0347-9269338
4. Dost Mohammad Khan son of Khaista Bar, Village Speno
Oba/Kishwara, P.O and Tehsil Charbagh, District Swat.
NIC 15602-3388863-1 Cell No.0342-7555533.

And

Other persons of Tehsil Charbagh as per list attached.

