



**BEFORE THE ELECTION COMMISSION OF PAKISTAN**

**ISLAMABAD**

Representation Petition No. \_\_\_\_\_ / 2018

**Before:**

The Secretary Election Commission of Pakistan, Election House,  
Constitution Avenue, G-5/2 Islamabad.

**On behalf of:**

1. Raja Nasir Kiyani S/O Raja Orangzaib CNIC No. 13302-0411440-1,  
R/O Mohallah Khajooran village Derwesh Tehsil & District Haripur  
(cell #0332-5086442).
2. Taimoor Khan S/O Amraiz Khan CNIC No.13302-2793739-7 R/O Mohallah  
Kamal Mohra Derwesh, Tehsil & District Haripur (cell # 0314-5877777.)
3. Sajjad Asharaf S/O Muhammad Asharaf CNIC No.13302-7030115-3  
R/O Mohallah Afzalabad Central Jail, Tehsil & District Haripur  
(cell # 0334-9991268).

...Applicants/Petitioners

REPRESENTATION UNDER SECTION 21(3) OF THE ELECTION ACT 2017  
READ WITH RULE 11 (4) OF THE ELECTION RULES 2017 FOR THE  
DELIMITATION OF THE PROPOSED CONSTITUENCY NO. PK-40 IN THE  
PRELIMINARY REPORT.

**Respectfully Sheweth:**

**ABSTRACT**

That the District Haripur is consisting of following Three Tehsil and have been  
proposed to be divided into three provincial constituencies PK-40, PK-41, and PK-  
42;

(i).	Tehsil Ghazi	Population	145367
(ii).	Tehsil Haripur	Population	684102
(iii).	Tehsil Khanpur	Population	<u>173562</u>
	<b>District Haripur</b>	<b>Total Population</b>	<b>1003031</b>

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The instant representation pertains to **proposed (Report) PK-40**; The PK-40 purely based in Tehsil Haripur having no part in any other Tehsil;

That the delimitation of Provincial Assembly constituency PK-40 did not start as per the given parameters, the preliminary delimitation report of ECP revealed that the delimitation started from the eastern – north of the District and while moving towards the east, it took straight curve from PC Kakotri to PC Dragri and also crossing the Terbella lake (most inconvenient route) reached at Census Charge No.06 (Khalabat Municipal Committee) and PC Choar Sharif, PC Dheendah and PC Jagal instead of using the easiest possible route zigzagging to Census Charge No. 05 ( Haripur Municipal Committee ) and Patwar Circle Derwesh.

The **Municipal Committee Haripur** (Referred as Census Charge No.5) which consists of three Union Council namely UC-North, UC-Central and UC-South collectively having population of 85,739 which is not only the District headquarter as well as Tehsil Headquarter of Tehsil and District Haripur; The proposed addition of Municipal Committee Haripur into PK-42 which is like as an island within PK-40 disturbing the geographic compactness and is also against the clockwise formula according to the Election Act 2017 and Rules framed there under; further the same inclusion not only deprives PK-40 of Tehsil Headquarter / Urban Area but in fact leaves PK-40 to a rural constituency; The same proposed act also merged two Tehsil Head Quarters in PK-42 and none in PK-40;

#### **GROUND**

- a. The parameters as mentioned under the Election Act 2017 and Rules made thereunder have been violated;
- b. The Quota per Seat for the constituency of Provincial Assembly of Khyber Pakhtoonkhwa is 308, 317;
- c. The total population of proposed constituency PK-40 is 326,482; whereas the population of proposed constituency PK-42 is 332, 073;
- d. That some of the Patwar Circles and Census Charge / Blocks attached with the Provincial Constituency No. Pk-40 and 42 (Haripur I & III) do not physically compact and contiguous on grounds of public convenience and means of communication viz, instead of attaching PC Dheendah, PC Jagal, PC Choar Sharif, PC Makhan and Census Charge No. 06 ( Khalabat Municipal Committee) with PK-42 and attached with Pk-40 (Haripur-I) because PC Jagal is adjacent and naturally contiguous with PC Sirikot (PK-42) and this had been attached with PK-40.

- e. That the District Haripur was remain having three constituencies of Provincial assembly since general election 1988 to general election 1997 i.e PF-39, PF-40 and PF-41. During that era Municipal committee Haripur (Now consisting three urban union councils) was the part of PF-40 and tehsil and District Headquarter was also included in this constituency.
- f. That in the impugned delimitation report the Haripur City Tehsil & District Headquarter, has been attached with another Tehsil headquarter Tehsil Ghazi, meaning thereby two Tehsil i.e Thesil Ghazi and Tehsil & District Headquarter Haripur has been merged in one constituency i.e PK-42. Which will create inconveniences for the general public.
- g. That the Patwar Circle Derwesh is adjacent with Haripur City. The Neighborhood Council City-13 (Urban) is located in the area of Patwar Circle Derwesh, which has been attached with PK-42 and is adjacent and naturally contagious with Haripur City which will also create inconveniences for the general public.

**DRAFT PROPOSAL (REPRESENTATION) FOR  
AMENDMENTS IN THE PRELIMINARY  
DELIMITATION OF PK-40.**

**Prayer:**

It is respectfully prayed that the instant petition may kindly be accepted in the terms of the following:

- a) The Patwar circle Darwesh and Census Charge No. 05 (Haripur Municipal Committee the Tehsil & District Headquarter) having collectively population 98181 may be detached from PK-42 (Haripur-III) and to be attached with PK-40 (Haripur-I).
- b) Patwar Circle Choar Sharif, Jagal, Dheendah, Makhan of Qanungo Halqa Khalabat of Haripur Tehsill and Census Charge No. 06 (Khalabat Municipal Committee) having collectively population 83,739 may kindly be detached from PK-40 (Haripur - I) and to be attached with PK-42 (Haripur-III). Before delimitation and general election 2002 it were also part of PK-41 (Tehsil Ghazi)
- c) Any other relief to which the petitioners are entitled may kindly be granted in the interest of justice.

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The proposed amendment as mentioned at (a) and (b) is also summarized in the following table (The proposed draft map is also attached)

No & Name of Constituency	Extend of Constituency	Population
40-Haripur -I	(a) Qanungo Halqa of Kalinjir of Haripur Tehsil	53,206
	(b) The following Patwar Circles of Qanungo Halqa Khalabat:	
	(i). Daragri	17,143
	(ii). Dari	343
	(iii). Mankarai	15,510
	(iv). Noorpur Paswal	12,770
	(v). Pharrari,	9,964
	(vi). Pind Hashim Khan	7,749
	(vii). Sarai Niamat Khan	15,374
	(c) The Following Patwar Circles of Haripur Qanungo Halqa:	
(i). Derwesh	12,442	
(ii). Changi Bandi	8,038	
(iii). Shah Maqsood	20,105	
(iv). Sarai Saleh	19,220	
(v). Noordi	13,736	
(vi). Mirpur	11,182	
(vii). Pandak	20,577	
(viii). Ali Khan	17,826	
(d) Census Charge No.5 (Haripur Municipal Committee.	85,739	
	<b>Total</b>	<b>340,924</b>
PK-42 Haripur-III	a) Ghazi Tehsil	145,367
	b) Census Charge No.06 (Khalabat Municipal Committee)	47,285
	c) The following Patwar Circles of Khalabat Qanungo Halqa:	
	(i). Behra	12,030
	(ii). Panian	9,336
	(iii). Khalabat	856
	(iv). Kangra	18,833
	(v). Bakka	9,873
	(vi). Makhan	10,741
	(vii). Choar Sharif	10,188
(viii). Dheendah	10,388	
(ix). Jagal	5,147	

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	d) The following Patwar Circles of Haripur Qanungo Halqa:	
	(i). Haripur	18,497
	(ii). Meelam (Doyian Abi)	5,062
	(iii). Dheri (Malikyar)	14,038
	<b>Total</b>	<b>317,631</b>

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Petitioners

Through Counsel

*Handwritten signature of Sheikh Abid Ali*

**(SHEIKH ABID ALI)**  
Advocate High Court  
At Haripur  
(Cell # 0300-5152834)

Dated: \_\_\_\_\_

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Representation Petition No. \_\_\_\_\_ / 2018

**Before:**

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**On behalf of:**

1. Raja Nasir Kayani S/O Raja Orangzaib CNIC No. 13302-0411440-1, R/o Mohallah Khajooran, Village Derwesh Tehsil and District Haripur. (Cell No : 0332-5086442) and others.

...Applicants/Petitioner

**AFFIDAVIT**

I, Raja Nasir Kayani S/O Raja Orangzaib CNIC No. 13302-04114401-1, R/O Khajooran, P/O Haripur Derwesh Tehsil and District Haripur, do hereby solemnly affirm and declare that the contents of the attached writ petition are true and correct to the best of my knowledge and belief. Nothing relevant has been concealed

*[Handwritten Signature]*  
Deponent

Verified on oath this 2nd day of April, 2018 at Islamabad that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

*[Handwritten Signature]*  
Deponent

Certified that the above was declared on oath

before me by \_\_\_\_\_  
Mr. Raja Nasir Kayani  
Identified By \_\_\_\_\_  
on \_\_\_\_\_



Muhammad Siddique Qazi  
Oath Commissioner  
Islamabad High Court, Islamabad

*[Handwritten Signature]*  
24/4/18

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BEFORE THE ELECTION COMMISSION OF PAKISTAN  
ISLAMABAD

Representation Petition No. \_\_\_\_\_ / 2018

**Before:**

The Secretary (ECP) Secretariat, Election House, Constitution Avenue, G-5/2  
Islamabad.


**On behalf of:**

- 2. Raja Nasir Kayani S/O Raja Orangzaib CNIC No. 13302-0411440-1,  
R/o Mohallah Khajooran, Village Derwesh Tehsil and District Haripur.  
(Cell No : 0332-5086442) and others.

...Applicants/Petitioner

**AFFIDAVIT**

I, Taimoor Khan S/O Raja Amraiz Khan CNIC No. 13302-2793739-7, R/o  
Mohallah Kamalpura, Derwesh Tehsil and District Haripur, do hereby solemnly  
affirm and declare that the contents of the attached writ petition are true and  
correct to the best of my knowledge and belief. Nothing relevant has been  
concealed

  
Deponent

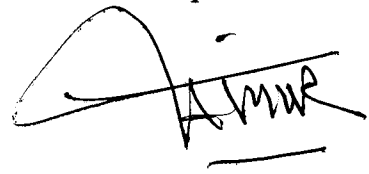
Verified on oath this 2nd day of Apr, 2018 at Islamabad that the contents of  
the above affidavit are true and correct to the best of my knowledge and belief.

Certified that the above was declared on oath  
before me by \_\_\_\_\_  
Mr. Taimoor Khan  
Identified By \_\_\_\_\_  
on \_\_\_\_\_



Muhammad Siddique Qazi  
Oath Commissioner  
Islamabad High Court, Islamabad

  
2/4/18

Deponent  


*[Handwritten signature]*

**BEFORE THE ELECTION COMMISSION OF PAKISTAN  
ISLAMABAD**

Representation Petition No. \_\_\_\_\_ / 2018

**Before:**

The Secretary (ECP) Secretariat, Election House, Constitution Avenue, G-5/2 Islamabad.

**On behalf of:**

- 3. Raja Nasir Kayani S/O Raja Orangzaib CNIC No. 13302-0411440-1, R/o Mohallah Khajooran, Village Derwesh Tehsil and District Haripur. (Cell No : 0332-5086442) and others.

...Applicants/Petitioner

**AFFIDAVIT**

I, Sajjad Ashraf S/O Ashraf Khan CNIC No. 13302-7030115-3, R/o Mohallah Afzalabad Central Jail, Tehsil and District Haripur, do hereby solemnly affirm and declare that the contents of the attached writ petition are true and correct to the best of my knowledge and belief. Nothing relevant has been concealed

*[Handwritten signature]*  
Deponent

Verified on oath this 2nd day of Apr, 2018 at Islamabad that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

*[Handwritten signature]*  
Deponent

Certified that the above was declared on oath before me by Mr. Sajjad Ashraf Identified By \_\_\_\_\_ on \_\_\_\_\_



Muhammad Siddique Qazi  
Oath Commissioner  
Islamabad High Court, Islamabad

*[Handwritten signature]*  
7/4/18