

(1)

[Signature]

BEFORE THE ELECTION COMMISSION PAKISTAN
DISTRICT CHARSADEA.

APPLICATION / OBJECTION PETITION AGAINST THE
PROPOSED DRAFT LIST OF CONSTITUENCIES PK 57
CHARSADEA II AND PK 58 III AND PK 59 IV.

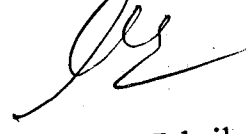
Respected Sir:-

The Petitioner stated as under:

FACTS:

1. That the Petitioner is the permanent resident of Village Council Shahi Kulali Union Council Tarnab Patwar Circle Shahi Kulali, Qanongo Halqa Utmanzai PK 59 Charsada IV and Tehsil Charsada, District Charsada and registered as Voter under Vote # 45 Block 034020102 Village Council Shahi Kulali and Union Council Tarnab holding of CNIC # 17101-3746442-7.
2. That the Election Commission published a proposed constituencies in the official Gazette of Pakistan and invited objection on the proposed constituencies such as (56 Charsada-I, 57 Charsada-II, 58 Charsada-III, 59 Charsada-IV, 60 Charsada-V, and NA 23 Charsada-I and NA 24 Charsada-II).
3. That PK 56 Charsada-I consists upon the following Patwar Circles.
 - a. Census Charge No. 02 (Tangi Municipal Committee).
 - b. The Tangi Qanongo Halqa of Tehsil Tangi excluding the following PC.
 - i- Amir Abad
 - ii- Dakki
 - iii- Ziam und
 - iv- Bari Bandan
4. That PK 57 Charsada II consists upon the following Patwar Circles.
 - (a) Census Charge No 4 (Utmanzai, Municipal Committee).
 - (b) The following Patwar Circles of Tangi Qanongo Halqa of Tangi Tehsil.
 - i- Amir Abad
 - ii- Dakki
 - iii- Zaim
 - iv- Bari Bandan of Tangi Qanongo Halqa.

(2)



(c) The following Patwar Circles of Utman Zai Qanungo Halqa of Charsadda Tehsil.

- i- Behlola
- ii- Chindroa Dag
- iii- Mara Umer Zai
- iv- Mera Turang Zai
- v- Mera Utman Zai
- vi- Umar Zai
- vii- Turangzai

viii- Chak Utman Zai of Charsadda District. Total Population is 3,26,000/= approximately.

5. That PK 58 Charsadda III consists upon the following Patwar Circles.

(a) The following Patwar Circles of Utman Zai Qanungo Halqa Charsadda Tehsil:

- i- Panerak Muhammd Nari
- ii- Khan Mahi

- iii- Dargai
- iv- Shah Dhand and
- v- Razarr

(b) The following Patwar circles of Charsadda Qanungo Halqa of Charsadda Tehsil.

- i- Dheri Zardad Khan
- ii- Mera Nissatta
- iii- Sheikho

- iv- Charsadda
- v- Chak Nissatta

ix- Nissatta, Total Population is 3,26,000/= approximately.

6. That PK 59 Charsadda IV consists upon the following Patwar Circles.

(a) The following Patwar circles of Utmanzai Qanungo Halqa Charsadda Tehsil.

- i- Shahi Kulali
- ii- Tarnab and
- iii- Chak Razarr

(b) Charsadda Qanungo Halqa of Charsadda Tehsil excluding the following Patwar circles.

- i- Dheri Zardar Khan
- ii- Mera Nissata
- iii- Sheikho
- iv- Charsadda
- v- Chak Nissata and
- vi- Nissata

(c) The following Patwar Circles of Shabqadar Qanungo Halqa of Shabqadar Tehsil.

- i- Batagram
- ii- Kharak and
- iii- Yagi Banda

(d) The following Patwar Circle of Dowaba Shabqadar Qanungo Halqa of Shabqadar Tehsil.

- i- Kangra and
- ii- Haji Zar, Total Population is 3,27,000/- approximately.

7. That PK 60 Charsadda V consists upon the following Patwar Circles.

- i- Batagram
- ii- Kharki
- iii- Yagi Banda
- iv- Kangra and
- v- Haji Zar

Tehsil Shabqadar excluding falling PC

8. That the Petitioner after going through the proposed constituencies being highly feeling aggrieved on the following amongst other grounds.

GROUND:-

- a. That the Election Commission of Pakistan in the proposed constituencies violates the fundamental rules of the constituencies to take start from North to South and move clock wise.
- b. That District Charsadda has a great historical background of this Region and consists upon different Tribes and Caste.
- c. That Charsadda District is consists of three Tehsils i.e Tehsil Charsadda, Tehsil Tangi and Tehsil Shabqadar.

- (4)
- [Signature]*
- d. That Charsadda District having different roads but the main roads are Takht Bahi Rajjar Road, Mardan Charsada Road, Tangi Charsadda Road, Umarzai Tarnab Road and Hari Chand Umarzai Road and Charsadda Doaba Road.
 - e. That District Charsadda partitioned by four Rivers Kabul and Swat etc.
 - f. That District Charsadda is consists upon four Halqa of Qanungo's Tangi, Utmanzai, Charsadda and Shabqadar.

OBJECTIONS:-

1. That the total population of the District Charsadda is about 16 Lacs and 5 constituencies are allocated to the District Charsadda, hence as per ECP Rules the total population divided by numbers of constituencies becomes = $16 \text{ divided by } 5 = 3,20,000$ = population approximately of one constituency and as per ECP Rules 10% variation up and down in population of constituency is allowed.
2. That according to ECP Rules the determination of constituencies shall start from North to South and proceed, hence the 1st constituency in District Charsadda become PK 56 (Erst While PK 20) in Tehsil Tangi and the total population is 3,20,000 and hence the population factor was retained.
3. That moving clock wise as ECP Rules the 2nd constituency become PK57 Charsadda II (Erst while PK 19) but astonishingly PC Tarnab and PC Shahi Kulali of the same Qanungo Halqa (which were Erst While included in PK 19) were excluded and included in PK 59 (Erst While PK 17) Patwar Circle Bahlola was included in PK 57, it is needless to mentioned that PK 57,58, 59 and lying geographically attached.
4. That Patwar Circle Tarnab and Shahi Kulali are geography part and parcel of Umar Zai, Turangzai and Chak Utmanzai and are linked through a metal road with Umarzai Bazar having the same caste tribe and relations and were previously included in PK 19 presently PK 57.
5. That inclusion of Behlola in PK 57 inspite unnatural and having no road link with the Umarzai and people of the locality have to cover distance of 30 kilometers to reach Umarzai and Turamzai and hence its inclusion in PK-57 will cause great inconvenience to people of Behlola.

(5)

Jes

6. That total population of PK 57 is 3,27,000 if we exclude PC Behlola from PK 57 and include in 58 similarly in place of Behlola we can include PC Tarnab and Shahi Kulali from PK 59 to PK 57. The population factor of ECP Rules such as $3,27,000 (-) 26,000$ (BC Behlola) = $3,10,000 + 15,000$ (PC Tarnab + 6000 Shahi Pulala = 3,22,000, hence the population factor is maintained in PK 57 and PK 59 and similarly the rotation of the PCs North to West wise and clock wise.
7. That PC Behlola Panerak Mohammad Nari and Khan Mai are situated adjacent each other on Takht Bahi Rajar linked with PC Rajar Bazar. (Map of Election commission is attached herewith).
8. That Patwar Circle Charsadda is geographically is the part of PK59 and adjacent to MC Charsadda, having the same tribe families and Qanungo Halqa but mistakenly or advertantly it was declare rather mentioned in PK 58 where as Behlola is geographically is the part of 58 is included in PK 57, so the applicant suggest that PC Charsadda be included in PK 59 and PC Behlola be included in PK 58. Whereas PC Kangra which is the part of PK 60 on mistakenly or inadvertently mentioned in PK 59 the population of that PC is about 10,300 so if we exclude that PC from PK59 and include in PK60 so there would be no effect upon the population and other geographically effects from both the constituencies. (PK 58 Total Population 3,29,000 / PK59 Total Population 3,18,000 and PK60 Total Population 3,26,000 approximately, hence the population factor is maintained.

It is therefore most humbly prayed that the applicant suggests the following consistency which is according to the rules of ECP.

- 1- PK56 maintain as it is.
- 2- PK57 inclusion PC Tarnab and PC Shahi Kulali and exclusion PC Behlola.
- 3- PK58 inclusion PC Behlola and exclusion PC Charsadda.
- 4- PK59 inclusion PC Charsada and ^{ex} inclusion PC Kangra and PC Tarnab and PC Shahi Kulali.
- 5- PK60 inclusion PC Kangra.

Hence all the ECP Rules (1) Clock wise moving from North to South the population Factor, Geographical position, Caste and Tribes QH and facilitation of people and other utility facilities be maintained.

Dated:-03-04-2018

Petitioner

Sardar Daud S/o Haji Fazle Wahab

Through Counsel:-

(SHAHID RIAZ BURKI)
Advocate High Court
Distt: Courts Nowshera