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**BEFORE THE HONOURABLE ELECTION COMMISSION OF
PAKISTAN, ISLAMABAD**

Syed Abid ali shah Son of Sajid Ali shah, Resident of Tarnab, P.O Tarnab District Peshawar, Khyber Pukhtoonkhwa.

CNIC No. 17301-8238045-5 bearing Voter No.415

**Representation/Objections under Section 21(3) of Election Act, 2017 For
Inclusion Of URMAR PAYAN" and "MERA KACHORI of Peshawar with Pk-
70 and inclusion of WADPAGA, KANKOLA AND DAMANE- AFGHANI of
Peshawar district in PK 69 Peshawar Peshawar On The Ground Of
Geographical Attachment And Others Considerable Factors.**

Respectfully Sheweth:-

1. That the brief facts of the case are that the petitioner is a law-abiding citizens of Pakistan and belong to Tarnab, P.O Tarnab District Peshawar, Khyber Pukhtoonkhwa. Bearing CNIC No. 17301-8238045-5 bearing Voter No.415 Copy of the voter extract Certificate is attached as Annexure "A".
2. That the petitioner remained EX-Nazim district Council Peshawar.
3. That this honorable Commission issued a draft list of proposals for the delimitation of constituencies, vide notification No. F.8(3)/2018-Elec-1 on dated 05-03-2018 under section 21 of Elections Act, 2017 read with Rule 11 Election Rules,2017 for information of public and invited the public to file objections, if any, within 30 days , under section 21 (3) of Elections Act, 2017 hence the instant petition.
4. That the district Peshawar is administratively subdivided into ninety two (92) union councils. It is City districts and is comprised of four towns namely TOWN-I, TOWN-II, TOWN-III and TOWN-IV.

5. That currently District Peshawar is represented by four elected MNA (Member of National Assembly) elected from NA constituency NA-1 NA-2 NA-3 and NA-4 and eleven elected MPAs in the provincial assembly of Khyber Pukhtunkhwa who represent the constituencies, of peshawar District.
6. That under the new draft list of proposals for the delimitation of constituencies issued by this Honorable Election Commission of Pakistan vide notification No. F.8(3)/2018-Elec-1 on dated 05-03-2018, the Number of seats for District Peshawar in the national assembly and provincial assembly were increased from 4 to 5 seats and from 11 to 14 respectively.
7. That under the new draft issued by this Honorable Election Commission of Pakistan vide notification No. F.8 (3)/2018-Elec-1 on dated 05-03-2018 under section 21 of Elections Act, 2017 read with Rule 11 Election Rules, 2017. The petitioner's old provincial assembly constituency and National assembly, are now re-numbered.
8. That two union councils namely, "**URMAR PAYAN**" and "**MERA KACHORI**" was part of the old PK-11 is now merged into the old constituency PK-9 the new proposed PK-69 dis-regard to geographical position of the area, physical features, existing boundaries of administrative units, facilities of communication, convenience of the public at large, social and cultural affiliations voters female voters in particular, and other cognate factors.
9. That the PC of **WADPAGA, KANKOLA AND DAMANE- AFGHANI** of Peshawar district under the new draft issued by this Honorable Election Commission of Pakistan vide notification No. F.8 (3)/2018-Elec-1 on dated 05-03-2018 under section 21 of Elections Act, 2017 read with Rule 11 Election Rules, 2017 is merged in to the new Proposed PK-68 the Old Pk-9.
10. That during the delimitation process of the new proposed PK-68 and PK-69 AND the constituency, uniformity in population as well as the geographical cogency was ignored.
11. That the basic principles for delimitation are to pay consideration to the distribution of the population in geographically compact areas, existing boundaries of administrative units, facilities of communication and public

convenience but the authorities ignored these prime factors and made delimitation in vacuum, causing inconvenience.

12. That the delimitation officer while the process of delimitation of the PK-68 and PK-69 violated the rule and regulations of the election Act 2017.

Grounds

The Petitioner is aggrieved with the delimitation preliminary draft of the provincial assembly new constituencies of PK-68 and PK-69 Peshawar and seek review of the proposals regarding Provincial Assembly's constituencies NO. PK-68 and PK-69 on the following grounds amongst others:-

Geography.

- I. That the authorities overlooked the mandatory legal requirements of geographically connected areas while delimiting. the PK 68 Peshawar constituency, it has been included in PK 69, which has no geographical connection with it. Which is the gross violation of the principles of delimitation section 20 of the Election Act 2017. These arrangements amounts to jeopardizing the rights of the people of Union council mentioned above. Hence should be revisited. Copy of the map is attached as **Annexure "B"**
- II. It is relevant to mentioned that, the map provided from the Deputy Commissioner Peshawar office to this honorable commission is outdated and have no detail to show boundaries of the union councils in proper manner which lead this honorable commission to misreading of the said map and particularly While delimiting the PK-68 and Pk-69.

Administrative Arrangements

- III. That both union Councils "URMAR PAYAN" and "MERA KACHORI" and the mentioned PC WADPAGA, KANKOLA AND DAMANE-AFGHANI of Peshawar district are look after by different police Station and the voter of the union councils are needs to be intact in the one constituency which is more convenient and geographically connected. Hence if the voters of the "URMAR PAYAN" and "MERA KACHORI" Union council are not intact with Pk-70 or any other PK Constituency of district Peshawar and three PC Namely WADPAGA, KANKOLA AND DAMANE- AFGHANI are not keep intact with Pk-69 Peshawar it will cause great difficulty for the administration to govern the public affairs.

ALTERNATIVE PROPOSAL

That the Union Councils "URMAR PAYAN" and "MERA KACHORI" of Peshawar is geographically attached and naturally connected with Pk-70 Peshawar by inclusion of this union council in Pk-70 the total population of the said constituency will meet the prescribed requirement of the delimitation for the provincial constituency. On the other hand by inclusion of PC WADPAGA, KANKOLA AND DAMANE- AFGHANI of Peshawar district in PK 69 Peshawar will meet the prescribed requirement of making of a constituency. Copy of the proposed Map is attached as **Annexure "C"**.

PRAYER:

In view of the above circumstances, it is most respectfully prayed that to correct the error in delimitation of the provincial constituencies PK-70, PK-68 and PK-69 Peshawar district by inclusion of Union Councils "URMAR PAYAN" and "MERA KACHORI" of into PK-70 Peshawar and PC Namely WADPAGA, KANKOLA AND DAMANE- AFGHANI of Peshawar district in PK 69 Peshawar District.

Further, it is requested that the delimitation officer be directed to carve out the constituencies afresh as per the ALTERNATIVE PROPOSAL mentioned above.

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Any other relief, which this Hon'ble Commission may deem proper in favor of the petitioner, may also be granted.



Syed Abid ali shah Son of Sajid Ali shah,

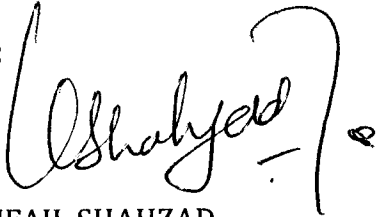
Resident of Tarnab, P.O Tarnab

District Peshawer, Khyber Pukhtoonkhwa.

CNIC No. 17301-8238045-5 Bearing Voter No.415

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Through:



TUFAIL SHAHZAD
Advocate High Court

SABIR AHMAD
Advocate High Court