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8/04/07/2008
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BEFORE THE SECRETARY ELECTION COMMISSION
OF PAKISTAN ISLAMABAD

(1). Razam Shah s/o Rahim Shah.(2) Wakeel Khan s/o Ashraf Khan (3) Nur Muhammads/o Muhammad Khan (4) Ibrar s/o Nisar Muhammad (5) Saida Muhammad s/o Wali Muhammad (6) Nur Qadeem Shah s/o Syed Ali Shah (7) Haya Khan s/o Aslam Khan all resident of village Maryamzai (Patwar circle Maryamzai PK-70 Peshawar V) Tehsil & Distt:
Peshawar.....(Petitioners/
Objectors)

Objection petition/representation on behalf of voters of the
Patwar circle Maryamzai of Tehsil Peshawar in r/o
Provincial Assembly constituency No. PK-70 Peshawar-V

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Representation/objection petition regarding the preliminary report and list of constituencies in r/o Provincial Assembly of KPK Constituency No.PK-70 Peshawar-V to the extent that Patwar circle Maryamzai be excluded from the same and instead it be included in PK-71 Peshawar-VI, for doing so Patwar circle Sheikh Muhammadi presently placed in PK-71 Peshawar VI may better be added in PK-70 Peshawar-V.

Respectively Shewth;

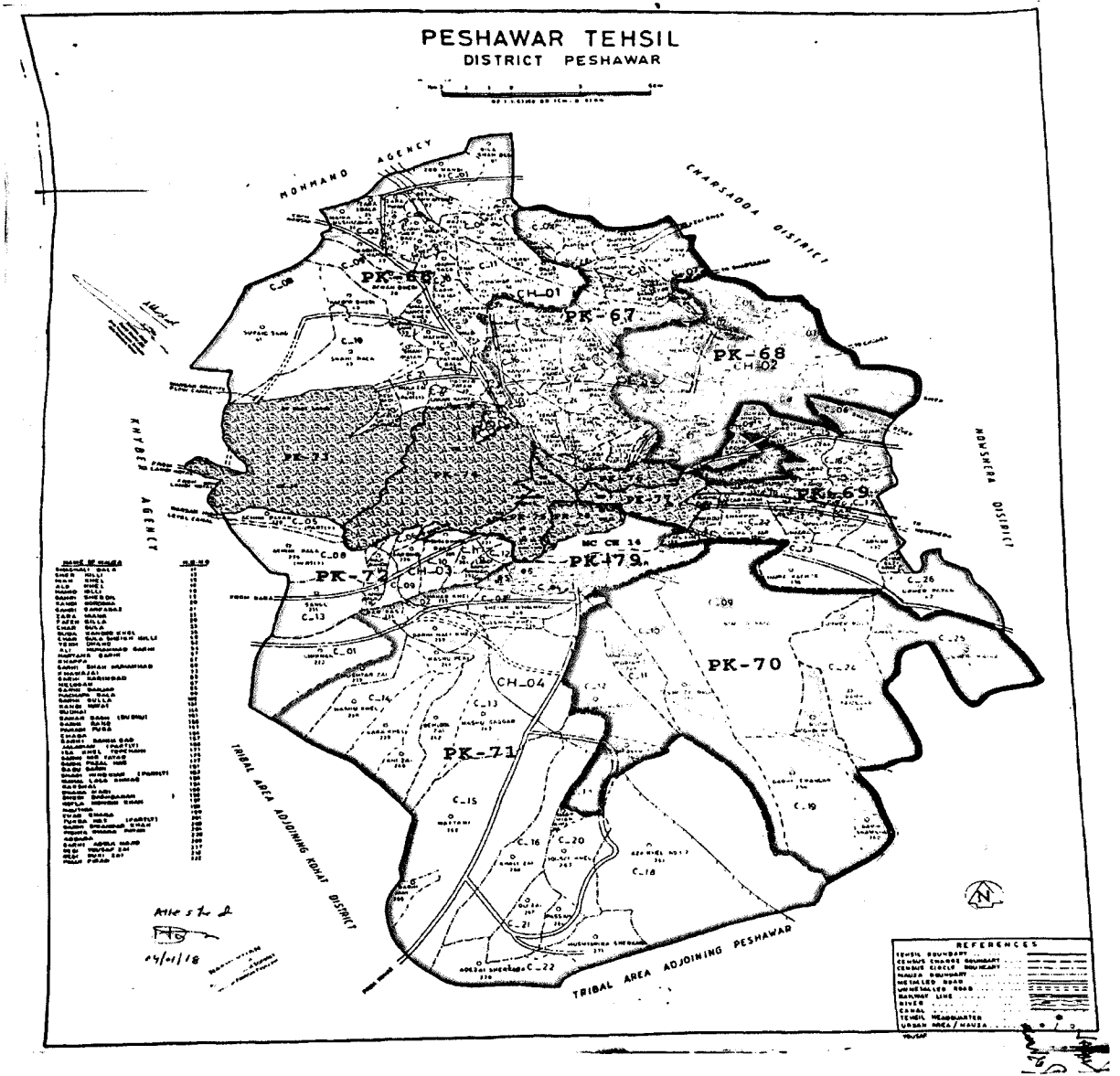
Objection petition is submitted as follows:

1. That vide Notification No. F.8/2018-Elect-I dated: Islamabad, the 5th March 2018, the Election Commission of Pakistan has been pleased to publish a preliminary report of list of constituencies in r/o National Assembly and Provincial Assemblies of the country for the information of general public and has further been pleased to invite representation/objections of the individual voters.
2. That the petitioners are residents of Patwar circle Maryamzai Tehsil Peshawar of Bad-ber qanungo circle and are enrolled as voters in their respective voter list of patwar circle Maryamzai tehsil Peshawar (Badaber Qanungo Circle) as per the description mentioned against each in the attached memo: of addresses. Extracts from the respective voter list of all the petitioners are attached as annexure "A".
3. That Patwar circle Maryamzai has been placed in PK-70 Peshawar-V in the preliminary report in question. But such placement is geographically and socio politically too neither appropriate nor proper and as such is not acceptable to all and sundry. Hence, the instant representation on the grounds inter alia;

24/04/2018

Grounds

- I. That Patwar circle Maryamzai is the part and parcel of Kohi-Daman area of Tapa Momand of Tehsil Peshawar and is located contiguous to Patwar circle Aza-Khail, Patwar circles of Sherkeria i.e Adezai and Mustarika Sherkeria, Adezai including (Ulizai & Khuizai), Mattani and Mashogagar of PK-71 Peshawar VI. Patwar circle Maryamzai is at a distance of about 15 kilometers from Bad ber and other main Patwar circles of PK-70 Peshawar V hence not easily accessible to the areas of remaining Patwar circles of Urmar and Bad ber of PK-70 Peshawar-V. Extract of map of Bad ber Girdawar circle (New & Old) issued by Revenue Department is attached as annexure "B".
- II. That for convenience and further discussion the map of Tehsil/District Peshawar forming part and parcel of the entire Provincial and National Assembly Constituencies of Peshawar District is reproduced as follows.

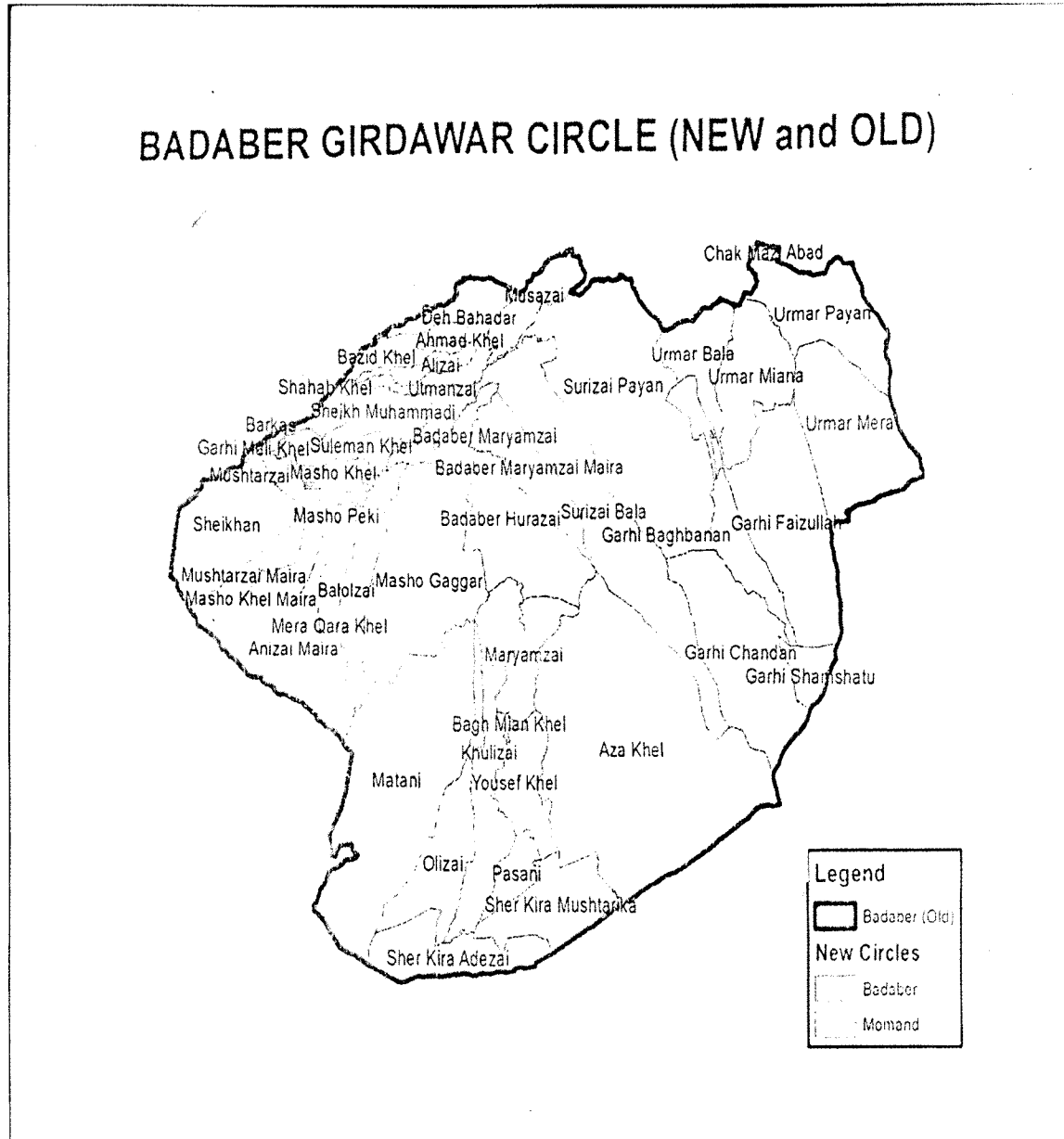


- III. That Patwar circles forming PK 70 Peshawar-V are coloured with yellow while the patwar circles forming PK 71 Peshawar VI are distinguished with orange color. (the extract of such map duly attested by Provincial Election Commission KPK Peshawar is also annexed herewith which is to be deemed

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as part and parcel of the instant objection petition. Extract of such map is Annexure "C".

- IV. That for further convenience in discussion the map of Badaber Girdawar circle (new and old) of Peshawar Tehsil issued by the revenue department is also reproduced as follows:



- V. That Patwar circle Maryamzai has been distinguished with yellow colour while Patwar circle Sheikh Muhammadi has been shown with orange colour in the map referred to in para No. IV above.
- VI. That Patwar circle Sheikh Muhammadi has been placed in PK-71 Peshawar VI while Patwar circle Maryamzai has been placed in PK-70 Peshawar V. But such placement is inconvenient to the voters of both the Patwar circles as Patwar circle Maryamzai is located at a distance of 15 Km from the main Patwar circles of Bad ber and Urmar of PK-70 Peshawar V while Patwar circle Shiekh Muhammadi is adjacent to the main Patwar circles of Bad ber etc.
- VII. That the placement of both Patwar circles Maryamzai and Shiekh Muhammadi in the preliminary report is not only unnatural but also it is in

violation of the precautions enumerated in the express provisions of section 20 of the Election Act 2017 and rules framed thereunder.

- VIII. That such wrong and inappropriate placement if not rectified, it may cause inconveniences to the voters as well as to the contesting candidates. Hence the same needs remedial steps by the election commission of Pakistan in the final list of constituencies to be published later on.
- IX. That an acceptable solution can be worked out if Patwar circle Maryamzai is excluded from PK-70 Peshawar V and the same may be replaced by Shiekh Muhammadi presently included in PK-71 Peshawar-VI. In such, eventuality the respective grievances of the inhabitants of both the patwar circles can be adhered to in this manner. While doing so Patwar circle Maryamzai may be conveniently placed in PK-71 Peshawar VI. Moreover, the ouster of Shiekh Muhammadi from PK-71 Peshawar VI can easily be adjusted in between these two constituencies without affecting the rest of the preliminary delimitation proposed for the whole District Peshawar. Necessary pointation to this effect has been made in the maps annexed herewith.
- X. The proposed arrangements herein of Union Council Maryamzai is not only acceptable to all the voters, irrespective of their political affiliations, so much so, that a unanimous resolution has also been passed in the session of Union Council Maryamzai, for its placement in PK-71 Peshawar VI. (Copy of the said resolution is annexure "D").
- XI. That the idea of compact block has also been disturbed in the preliminary report in question and the same can be re-organized with the substitution proposed in the instant representation as well as worked out in the unmarked map provided by the commission for proposal in which proposals have been made and any further arrangement that may be judiciously made during comparison from the approved map at the time of hearing of the instant objection petition. The map so marked for the proposed changes interse of PK-70 of Peshawar V and PK-71 Peshawar VI is *already Attached as Aux-D*
- XII. That the proposed delimitation herein is not only acceptable to the entire body of Patwar circle Maryamzai but the same would also be convenient to all the contesting candidates of the constituency.
- XIII. That the existing placement of both Patwar circles Maryamzai and Sheikh Muhammadi if not remedied, the same would persistently create administrative problems for the polling staff and other stack holders.
- XIV. That the objector would like to appraise the worthy commission through oral/written submissions either in person or through counsel and may also produce summary evidence, documentary as well as oral at the time of hearing of the objection.

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Prayer

It is therefore, humbly requested that on acceptance of this representation, Patwar circle Maryamzai of Bad ber qanungo circle Peshawar may be placed in PK-71 Peshawar VI by adjusting Patwar circle Sheikh Muhammadi from PK-71 Peshawar Sheikh Muhammadi in PK- 70 peshawar V for meeting the ends of justice as well as for saving the compact block of population as per section 20 of the Election Act 2017 and rules framed thereunder. Any other relief deemed fit in the facts and circumstances of the case may also be graciously granted

Petitioners/ objectors

1. Razam Shah s/o Rahim Shah.

CNIC No. 17301-0818505-7

Vote No. 1284 Block Code No. 037041703

Mobile No. 0301-8333222

RMM

2. Wakeel Khan s/o Ashraf Khan

CNIC No. 17301-1647971-1

Vote No. 958 Block Code No. 037041702

Mobile No. 0300-5851901

Wack

3. Nur Muhammads/o Muhammad Khan

CNIC No. 17301-1656637-1

Vote No. 444 Block Code No. 037041704

Mobile No. 0349-9332447

نور محمد

4. Ibrar s/o Nisar Muhammad

CNIC No.17301-2195798-7

Vote No. 1303 Block Code No. 037041703

Mobile No. 03005857055

Arup

5. Saida Muhammad s/o Wali Muhammad

CNIC No. 17301-1682261-5

Vote No. 110 Block Code No.037041703

Mobile No. 0301-8975637

Saida

6. Nur Qadeem Shah s/o Syed Ali Shah

CNIC No. 17301-05041283

Vote No. 949

Block Code No. 037041704

Mobile No. 0300-5948421

7. Haya Khan s/o Aslam Khan

CNIC No. 17301-1266548-5

Vote No. 269

Block Code No. 037041704

Mobile No. 0301-8807038

All resident of village Maryamzai (Patwar circle Maryamzai PK-70 Peshawar V) Tehsil & Distt: Peshawar

Through:-

Amjad Ali Advocate

Supreme Court of Pakistan at Mardan

Mobile No. 0321-9882434