

BEFORE THE ELECTION COMMISSION OF PAKISTAN
(Through Secretary Election Commission of Pakistan)

REPRESENTATION UNDER SECTION 21(3) FOR AMENDMENT TO THE PROPOSED PROVINCIAL ASSEMBLY CONSTITUENCIES OF DISTRICT PESHAWAR (URBAN) IN PARTICULAR THE PROPOSED CONSTITUENCY PK-78 PESHAWAR-XIII AS PUBLISHED IN THE DRAFT LIST OF CONSTITUENCIES

Respectfully Sheweth;

The essential facts necessitating this representation are:

FACTS:

1. **That** applicant is permanent resident of Peshawar bearing CNIC number 15601-8773506-7, and is enrolled as voter No. 597 Book No. 037150104. As per the census data the applicant resides in Charge 15 Circle 01 which includes Bhana Mari where the applicant resides, as is registered as voter.
2. **That** in the draft list of constituencies as finalized and published under Section 21 of the Election Act, 2017 read with Rule 10(7) and 11 of the Election rules the applicant falls in PK 78 PESHAWAR 13 in of the Draft list of constituencies.
3. **That** in the published list of constituencies, the draft/preliminary PK 78 has been carved out in a manner causing inconvenience to the public, breaking administrative units and distributes geographically compact and coherent areas in different constituencies.
4. **That** the applicant prefers this representation on the following grounds:

GROUND

- A. **Because** the proposed constituency PK 78 PESHAWAR XIII has been drawn without adhering to the principles of delimitation as enunciated in Section 20 of the Election Act, 2017 read with Rule 10 of the Election rules 2017.
- B. **Because** Kohat Road in the major road inside the city which makes a natural boundary separating the proposed constituencies, PK 78 and PK 75. Census circle

No. 01 of the Charge No. 15, has always been part of the previous/former constituency, PK 3. The same circle is separated from the PK 78 in the preliminary list of constituencies through the major route in the city i.e. Kohat Road Peshawar. In all earlier delimitations Kohat Road remained the major boundary separating the draft/preliminary PK 78 and PK 75. Considering compactness, proximity and the physical features of the area the aforementioned census circle remained part of the former PK-3 constituency of Peshawar. Thus the exclusion of the aforesaid census circle from PK 78 and its inclusion in PK 75 is unjustified and against the principles of delimitation.

(Reference is made to the maps annexed herewith marked – A (map obtained from Election Commission & B- as proposed by applicant)

C. **Because** the population inhabiting in the aforesaid Census circle No. 01 of the Charge No. 15 is distinct from the other census circles in the Census Charge. On the opposite side of Kohat Road lies Kotla Mohsin Khan, Dheri Baghbanan and Landi Arbab areas inhabited by indigenous pashtun population and the same area didn't made part of the Peshawar city and was a suburb of the city. People inhabiting these areas are culturally and linguistically distinct from the people inhabiting Census circle No. 01. Population of the same census circle is culturally and linguistically homogeneous with the community in the proposed PK -78, and this important factor has not been considered while drawing up the constituencies.

D. **Because** Charge No. 13 of the Census was earlier part of the former constituency. In the draft constituency Census Circle No. 06 has been excluded from the constituency. The same census circle includes Quaid Abad No. 1, Quaid Abad No. 2, Mehmood Abad, Qasim Abad No. 1, 4 & 5 and Muslim Abad No. 1 & 4, Mohalla Mian Ghulam Jilani Nagri, Fazal Elahi Colony areas which lies on the circular road in front of the historical city wall (*Faseel-e-Shehr*). These are compact areas inseparably connected through the Circular Road which is the main road running through the draft/preliminary PK-78 Constituency. In the earlier delimitations the community inhabiting the area was part of one and the same constituency.

E. **Because** the exclusion of the above mentioned areas is against the rules and principles of the delimitation and has greatly disturbed the geographical compactness of the areas as well as the homogeneity of the communities and has caused serious inconvenience to the public in the proposed PK 78. Carving out of Census circle No. 01 across the Kohat Road and proceeding further in highly lopsided manner and encompassing the areas lying on the Circular Road which makes heart of the proposed PK 78 is unjustified and amount to gerrymandering.

F. **Because** the areas comprising Charge No. 13 Circle No. 06 and Charge No. 15 Circle No. 1 are administratively part of Municipal Administration Town 1, Peshawar, and have been clubbed with constituencies making part of Municipal Administration Town III Peshawar in the preliminary list of constituencies. These anomalies along with the reasons aforementioned add to miseries and difficulties to the general public inhibiting these areas.

G. **Because** the grounds urged for exclusion and exclusion of certain areas from PK 78 affects other preliminary constituencies including PK 75, and as a draft proposal for the entire district is required with the representation under the rules, the following table details the said alterations with reasons and justification in favor of this representation and the proposals accordingly :

S. No.	Column 1	Column 2	Column 3
1	Charge 7, Census Circles 14, 15, 16 are included in draft/preliminary PK-76 constituency	The census charge/circles in column 1 the areas of the Wapda House, Wapda Colony and Hassan Ghari etc. lying contiguous to Shami road and cantonment area (draft/preliminary PK 75)	The areas of Census circles referred to in column 2 are more homogeneous and compact with PK 75 and be made part of the same constituency (Population deficit of PK 75 due the proposed exclusion of Census Charge 15 Census circle 01 and Census Charge 13 Circle 06 as urged for including in PK-78 is compensated with this alteration.
2	Charge No. 7 Census circles 5, 18 and 19 are included in draft/preliminary constituency PK-77	The census charge/circles in column 1 are the areas of City Railway Station, Dalazak Road, Supply road (included in draft/preliminary PK 77) are situated	These areas referred to in Column 2 are compact and homogeneous with the draft/preliminary PK 76 and be included in the same constituency. Preliminary / draft

		across the main Peshawar-Khyber GT Road.	PK 76 is spread over/along the Ring road from Pir Zakori Bridge to Charsadda road. Dalazak road and other areas are homogeneous and compact with PK 76
3	Charge NO. 14, Circle 01 and 02 included are in draft/preliminary PK 79	Census charge/circles in column 1 are the areas of Phandu Road, opposite Ganj Gate and make part of the preliminary/draft PK 79	These areas in Column 2 are compact with PK 77, and is an extension of the old Peshawar city opposite the historical Ganj gate on circular road

IN VIEW OF THE ABOVE CHARGE NO. 15 CENSUS CIRCLE 01 AND CHARGE 13 CENSUS CIRCLE 06 MAY KINDLY BE EXCLUDED FROM PROPOSED PK 75 AND INCLUDED IN PK 78. CENSUS CHARGE NO. 7 CENSUS CIRCLE 14, 15, 16 MAY KINDLY BE EXCLUDED FROM PK 76, CHARGE NO. 7 CENSUS CIRCLE NO. 14, 15, 16 MAY BE ADDED TO PK 75. CHARGE NO. 7 CENSUS CIRCLE NO. 5, 18, 19 MAY KINDLY BE FROM PK 77 AND BE ADDED TO PK 76. CHARGE NO. 10, CHARGE 12 CENSUS CIRCLE 01 MAY KINDLY BE EXCLUDED FROM PK 78 AND BE ADDED TO PK 77; CHARGE NO. 14 CENSUS CIRCLES 01 AND 02 BE EXCLUDED FROM PK 79 AND BE ADDED TO PK 77.

IN VIEW OF THIS THE PROVINCIAL CONSTITUENCIES OF DISTRICT PESHAWAR (URBAN) MAY BE DELIMITED IN THE FOLLOWING MANNER:
(Note: This representation and the proposed delimitation of PK 78 affects PK 75, PK 76, PK 77 and PK 79, thus these constituencies as proposed are listed in first sequence. The rest of the constituencies are only reproduced as published in the proposed preliminary list of constituencies)

PK-75

a) Peshawar Cantonment Excluding Circle No.4 & 6 of Charge No.1 (70,741-12,638=58,103)
58103

b) Charge No.07	
Circle No. 14	18,070
Circle No. 15	10,062
Circle No. 16	11,843
c) Charge No. 15EX.Cir.1 (105283-15980=89303)	89303

d) The Following Census circles of Charges No. 16 of Peshawar MC.

Circle No. 1	16,430
Circle No. 2	11,623
Circle No. 3	8,760
Circle No. 4	8,607
Circle No. 5	19,514
Circle No. 6	13,807
Circle No. 7	17,913
Circle No. 8	14,750
Total	298,785

PK-76

a) Census Charges No. 07 of Peshawar MC. Excluding the following Census Circles; Circle No.01,02,14,15, & 16 (383985-92812=291173)	
Circle No. 3	20,525
Circle No. 4	20,412
Circle No. 5	22,240
Circle No. 6	15,132
Circle No. 7	11,845
Circle No. 8	18,143
Circle No. 9	9,055
Circle No. 10	15,688
Circle No. 11	25,606
Circle No. 12	18,839
Circle No. 13	32,360
Circle No. 17	30,772
Circle No. 18	24,947
Circle No. 19	17,572
Circle No. 20	9,308
Circle No. 21	17,140
Circle No. 22	9,698
Total	319,282

PK-77

a) The following Census Circles of Charge No.07	
Circle No. 1	9,716
Circle No. 2	15,012
b) The following Charges of Peshawar MC	
i. Charge No. 8	40,113
ii. Census Charges No. 9	169,257
Census Circle No. 10	37,550
c) Census Circle No. 1 of Charge No. 12	4,309
d) The following Census Circles of Charge No. 14	
Circle No. 1	14,691
Circle No. 2	11,518
Total	302,166

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PK-78

a) Census Charges No. 11	28,112
b) Census Charges No. 12 ex. CIR-01 45469-4309=41160	41,160
c) Census Charges No. 13	206,592
d) CIR. 01 of Charge No. 15	15,980
Total	291,844

PK-79

a) Census Charges No. 14 ex. Circle No. 01=14,691 Circle No. 01=11,518 218320-26209=192111	192,111
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b) The following PCs of Badhbair QH

AHMAD KHEL	23,402
BAZID KHEL	18,525
DEH BAHADUR	12,135
MUSA ZAI	19,152
UTMAN ZAI	21,876
Total	287,201

PK#	NOTIFIED BY ECP	PROPOSED
PK-66	296593	296593
PK-67	309422	309422
PK-68	317337	317337
PK-69	315234	315234
PK-70	318510	318510
PK-71	317912	317912
PK-72	306432	306432
PK-73	288996	288996
PK-74	299365	299365
PK-75	295046	298785
PK-76	294498	319282
PK-77	298857	302166
PK-78	297467	291844
PK-79	313410	287201
TOTAL	4269079	4269079

Census data from Pakistan Bureau of Statistics is annexed herewith marked - C

It is therefore prayed that on acceptance of the instant representation in view of the above the delimitation of the provincial constituencies of District Peshawar (Urban) may kindly be delimited, as proposed in this representation.



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S/O Muhammad Iqbal
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APPENDIX

List of voters which include local government elected councilor and Nazims who have similar objections as raised in the Representation before the ECP over the preliminary delimitation of their Constituency and have authorized the applicant to act in representative capacity on behalf of them as well.