

BEFORE THE HONOURABLE ELECTION COMMISSION OF PAKISTAN, ISLAMABAD


Petition No. _____/2018

Ashraf Ali Khan Son of Raees Khan Resident of Kotka Maley Khan Kala Tehsil Domel
District Bannu. (Petitioner)

VERSUS

- 1) Election Commission of Pakistan through Secretary Election Commission Islamabad.
- 2) Government of Khyber Pakhtunkhwa through its Chief Secretary Khyber Pakhtunkhwa, Peshawar.
- 3) Provincial Election Commissioner through its Chairman Khyber Pakhtunkhwa Peshawar.
- 4) District Election Commissioner District Bannu.
- 5) Senior Member Board of Revenue Khyber Pakhtunkhwa, Peshawar.
- 6) Commissioner Bannu Division, Bannu.
- 7) Deputy Commissioner, Bannu Division, Bannu.
- 8) District Officer Revenue/Collector, District Bannu. (Respondents)

SUBJECT: PETITION/REPRESENTATION UNDER SECTION 21 ELECTION ACT, 2017, READ WITH RULE 11 OF ELECTION RULES 2017, FOR MAKING APPROPRIATE CHANGES IN THE PROVINCIAL CONSTITUENCIES OF DISTRICT BANNU i.e. PK-87 & PK-88.

Respectfully Sheweth;

- 1) That, the petitioner is bona fide resident of village Maley Khan Kala Tehsil Domel District Bannu and is voter in PK-87. The petitioner is social worker and is patriot.

(Attested Copy of petitioner as a voter is hereby annexed as Annexure-A)



- 2) That, the District Bannu was comprising of four provincial halqajat i.e. PK-70, 71, 72 and 73. And now in the new delimitation this Honourable Commission change the above constituency into 87 to 90.

(Copy of proposed notification issued by this Honourable Commission hereby annexed as Annexure-B)

- 3) That, the total population of PK-87 is 297697 and total population of PK-88 is 289647.
- 4) That, the Ward No. 5/Union Council Shamshi Khel previously was in PK-71 now PK-87 and in the new delimitation Ward No. 5/Union Council divided into two parts and brought one part i.e. Kotpasha PC into P.K-88 from PK-87.
- 5) That, the total difference of population between PK- 87 and 88 is 8050 i.e. the population of PK-87 is higher than PK-88.
- 6) That, the total population of Ward No. 41/Union Council Shabaz Azmat Khel is 19737 which is situated in PK-87, and if this union council is included in PK-88 and Kotpasha PC included in PK-87 then the population of PK-87 will be 293176 and the population of PK-88 will be 294168. Meaning thereby that there will be only 992 voter's difference between the two constituencies.

(Copies of union council wise/ward map and population detail are hereby annexed as Annexure-C & D)

- 7) That, the petitioner being aggrieved having no other adequate remedy in hand comes to this Honourable Commission, inter alia on the following grounds.

GROUNDS:

- a) That, the new delimitation is against the fundamental rights of the petitioner as well as of the whole constituency and locality being unconstitutional, illegal, void and annihilation upon the rights of the petitioner and population of both the constituencies.

- b) That, due to delimitation the Ward No. 5/Union Council Shamshi Khel is fully affected and divided into two parts one is given to PK-87 and the other to PK-88, although, the Ward No. 5/Union Council Shamshi Khel is geographically situated in PK-87. And Ward No. 5 Shamshi Khel having their own traditions and having Ghami and Shadi with each other and due to new delimitation one brother will cast vote in PK-87 and the other will cast vote in PK-88.
- c) That, the people of Kotpasha having no relation whatsoever with people of PK-88.
- d) That, if the Ward No. 41/Union Council Shabaz Azmat Khel bring to PK-88 and in lieu of the said Kotpasha PC bring into PK-87 then the population will not be affected nor would the geographical location of both the constituencies be effected.

For the above stated reasons and other to be stated at the time of arguments, it is, therefore, most humbly prayed that on acceptance of this petition, this Honourable Commission may very kindly be make an appropriate order with the directions to the respondents to make changes in the PK-87 and 88, and bring Kotpasha PC from PK-88 to PK-87 and in lieu of the same Ward No. 5/Union Council Shahbaz Azmat Khel be bring from PK-87 to PK-88, being geographically and population wise will be fit and will be for the betterment of the people of both the constituencies.

Any other relief, if this Honourable Commission may deem fit in the circumstances may also be granted.


PETITIONER

ASHRAF ALI KHAN

DATED: /04/2018



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Ashraf Ali Khan

VS

Secretary Election Commission of Pakistan etc

VERIFICATION

SAFDAR NIAZ Advocate
NOTARY PUBLIC
Distt: Courts Bannu
02-04-2018

Verified on oath this 2nd Day of April 2018 at Bannu at 12:00 pm on Monday the information received and believed to be true. And the contents of this petition are true, correct and to the best of my knowledge, belief, available record and nothing have been concealed from this Honourable Tribunal.

11101-9634426-3
DEPONENT

ASHRAF

ASHRAF ALI KHAN

CNIC No.