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To,

The Secretary,  
Election Commission of Pakistan,  
Election Commission Secretariat,  
G-5/2, Constitution Avenue,  
Islamabad.

Subject: Representation against the delimitation of constituency PP-4 Attock-IV of the Provincial Assembly under section 21(3) of the Election Act, 2017 read with Rule 12 of the Election Rules, 2017

Respected Sir,

1. The instant representation is being filed by Muhammad Anees son of Amanat Khan resident of Dhok Jatt, Kot Fateh Khan, Tehsil Fateh Jhang, District Attock (hereinafter referred to as the "Applicant"), voter member of Provincial Assembly Constituency PP-4 Attock-IV (*Block Code: 106010802- Silsila No. 72*) and the applicant is duly competent to file the instant representation under the law. It would be relevant to mention here that the applicant is the elected Councilor of Union Council Kot Fateh Khan. (Voter Certificate of the applicant shall be provided at the time of hearing)
2. Through the instant representation the applicant seeks to challenge the preliminary delimitation proposal published by the Election commission of Pakistan, to the extent of delimitation of constituency PP-4 Attock-IV as the same is not in line with the principles directions/objectives laid down in the Election Act, 2017 and the rules framed thereunder. The map of the Preliminary Report, which was provided by the Election Commission, is attached herewith.
3. It is pertinent to mention here that clear parameters principles have been provided in the Election Act, 2017

with regards to delimitation under Section 20 of the Act which is reproduced hereunder for ready reference:

**"20. Principles of Delimitation**

**(1) All constituencies for general seats shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact areas, physical features, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors to ensure homogeneity in the creation of constituencies.**

**(2) For the purpose of delimiting constituencies for the general seats of the National Assembly for the Tribal Areas two or more separate areas may be grouped into one constituency.**

**(3) As far as possible, variation in population of constituencies of an Assembly or a local government shall not ordinarily exceed ten percent.**

**(4) If the limit of ten percent under sub-section (3) is exceeded in an exceptional case, the Commission shall record reasons thereof in the delimitation order."**

This fact is also reflected from the perusal of Rule 10(3) of the Election Rules, 2017 with states:

**"10. Draft proposals for delimitation of constituencies**

**1...**

**2...**

**3. In preparing draft proposals for delimitation of constituencies, the Delimitation Committee shall follow the principles of delimitation as laid down in section 20, procedure given in this Chapter and the guidelines provided by the Commission from time to time.**

**4...**

**5...**

**6...**

**7... "**

However, the afore-referred statutory provisions in this regard have completely been mis-interpreted/overlooked whilst preparing the preliminary delimitation proposal as

far as PP-4 Attock-IV constituency is concerned. Consequently, being aggrieved from the same and keeping in view the principles/guidelines provided in the said law; the applicant seeks modification/amendments in the preliminary delimitation proposal by way of suggesting minor alterations without inducing major changes in any constituency or exceeding any other parameter of delimitation provided under the law, on the following amongst other:

### **GROUND**

- I.** The preliminary delimitation proposal published by the Election commission of Pakistan, to the extent of delimitation of constituency PP-4 Attock-IV is contrary to the principles/guidelines provided by Section 20 of the Election Act, 2017 and Rule 10 of the Election Rules, 2017.
- II.** The delimitation committee clearly overstepped its jurisdiction while preparing the preliminary delimitation proposal especially with regards to distribution of population keeping in mind the existing boundaries of administrative units and made no effort whatsoever to maintain the status of tehsils/administrative units, intact wherever possible and bifurcated several tehsils amongst different constituencies, hence the same is not tenable.
- III.** In the proposal recommended, the delimitation committee paid no heed to prominent geographical & physical features of the area and made no effort whatsoever in restricting the constituencies to geographically compact areas especially with regards to PP-5 Attock-V & PP-1 Attock-I where the same is

done whilst completely overlooking the fact that Tehsil Jand & Tehsil Attock are bifurcated by way of a natural boundary in the form of Kala Chitta Mountain Range, but still went on to propose the PP-5 Attock-V constituency with a part of Tehsil Attock as one of its constituency, which is itself divided by the said natural boundary.

- IV.** The said preliminary delimitation proposal to the extent of PP-4 Attock IV has been made while completely disregarding facilities of communication & the convenience of general public particularly social & economical linkages and this evident from the fact that no importance was given to the existing road structure especially Fateh Jhang-Jand-Kohat Road (Inter-Provincial Road) which plays a vital role in linking a majority of the Patwar Circles presently included in PP-4 Attock-IV. It is necessary to clarify here that the applicant alongwith other alike residents/voter members of Kot Fateh Khan and adjoining areas would be seriously affected by this delimitation if the same is allowed to attain finality, as Kot Fateh Khan and adjoining areas are located in close proximity to Fateh Jhang-Jand-Kohat Road (Inter-Provincial Road) and has closer nexus with the other constituents of the PP-5 Attock-V in comparison to PP-4 Attock-IV. Furthermore, the delimitation committee did not consider the effective distance between the Patwar Circles & their respective constituencies with regards to available roads and means of transport while making the said proposal, however the same have been calculated by

the applicant and the table representing these distances is attached herewith.

- V. The concept of homogeneity in the creation of constituencies is nowhere to be found in the said preliminary delimitation proposal and suggestions made are totally devoid of any logic as far as this aspect of the matter is concerned as the constituencies proposed by the delimitation committee would lead to severe hardships for its residents/voter members, hence the same is liable to be modified/amended strictly in accordance with law.
- VI. The applicant suggests the following alterations/modifications to bring the delimitation of constituencies of Provincial Assemblies of District Attock including PP-4 Attock-IV, in conformity with the principles/parameters settled in the afore-referred statutory provisions and the map of District Attock displaying the Provincial Assembly constituencies after incorporation of the suggested amendments is attached herewith.

### **SUGGESTIONS**

**PP-1 Attock-I**

-Entire Attock Tehsil excluding the following Patwar Circles:

- i. Haji Shah of QH Attock-I
- ii. Gondal of QH Attock-II

Population: \_\_\_\_\_

Tehsil Attock	434705
PC Haji Shah	-19344

-6-

PC Gondal	-11617
<b>Total:</b>	<b>403,744</b>

**PP-2 Attock-II**

-Entire Hazro Tehsil

-The following Patwar Circles of Attock Tehsil:

- i. Haji Shah of QH Attock-I
- ii. Gondal of QH Attock-II

<u>Population:</u>	
Tehsil Hazro	339328
PC Haji Shah	+19344
PC Gondal	+11617
<b>Total:</b>	<b>370,289</b>

**PP-3 Attock-III**

-Entire Hassan Abdal Tehsil

-Tehsil Fateh Jhang excluding the following:

- i. Qanoongo Halqa Malal
- ii. 8 Patwar Circles of QH Fateh Jang of Tehsil Fateh Jang:
  - a. Kamra
  - b. Kot Fateh Khan
  - c. Guliyal
  - d. Gaggan
  - e. Jaffar
  - f. Bhal Syedan
  - g. Lund
  - h. Jhandial

<u>Population:</u>	
Tehsil Hassan Abdal	216566
Tehsil Fateh Jhang	+325970
Qanoongo Halqa Malal	-74950
Patwar Circle Kamra	-7294
Patwar Circle Kot Fateh Khan	-11038

Patwar Circle Guliyal	-8887
Patwar Circle Gaggan	-10349
Patwar Circle Jaffar	-7790
Patwar Circle Bhal Syedan	-6334
Patwar Circle Lund	-6617
Patwar Circle Jhandial	-3896

**Total:** **405,381**

**PP-4 Attock-IV**

-Entire Pindigheb Tehsil  
-Qanoongo Halqa Malal

Population:

Tehsil Pindigheb	271594
Qanoongo Halqa Malal	+74950

**Total:** **346,554**

**PP-5 Attock-V**

-Entire Jand Tehsil  
-8 Patwar Circles of QH Fateh Jang of  
Tehsil Fateh Jang:

- a. Kamra
- b. Kot Fateh Khan
- c. Guliyal
- d. Gaggan
- e. Jaffar
- f. Bhal Syedan
- g. Lund
- h. Jhandial

Population:

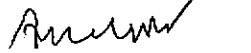
Tehsil Jand	295483
Patwar Circle Kamra	+7294
Patwar Circle Kot Fateh Khan	+11038
Patwar Circle Guliyal	+8887
Patwar Circle Gaggan	+10349
Patwar Circle Jaffar	+7790
Patwar Circle Bhal Syedan	+6334
Patwar Circle Lund	+6617
Patwar Circle Jhandial	+3896

**Total:** **357,688**

-8-

It is therefore respectfully prayed that keeping in view the above facts & law on the subject, the instant application may kindly be accepted and the boundaries/delimitation of the constituency PP-4 Attock-IV may be altered/modified in light of the suggestions made by the applicant.

Any other just and proper relief, may also be granted.



*Applicant*

**Muhammad Anees S/O Amanat Khan**  
Ph# 0300-5207241

**Dated: 2<sup>nd</sup> April, 2018**

*Authorized Agent*



**Salman Ajaib**  
**Advocate High Court**  
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