

BEFORE THE HONOURABLE DELIMITATION AUTHORITY

(Appointed by Honorable Election Commission of Pakistan under Section 223(1) of The Elections Act, 2017)

Through:

Worthy The Secretary,

Election Commission of Pakistan,

Islamabad.

REPRESENTATION

UNDER SECTION 21(3) OF THE ELECTIONS ACT, 2017 READ WITH RULE 12 OF THE ELECTION RULES AGAINST PRELIMINARY/DRAFT DELIMITATION PREPARED AND PUBLISHED BY THE ELECTION COMMISSION OF PAKISTAN IN RESPECT OF PROVINCIAL ASSEMBLY CONSTITUENCY NO. PK-67, PESHAWAR.

		ELECTION COMMISSION OF PARISTAN	
RESPECT O	F PROVINCIAL ASSEMBLY	<u>Y CONSTITUENCY NO. PK-67, PESHAWAF</u>	<u> </u>
R/o	The petitioner, namely	son of, Tehsil and District Peshawar is register	, ed
voter of Distri	ct Peshawar. (copies of CNIC a	and voter certificates are attached).	
2. constituencies objections the	of Provincial Assemblies KP	mission of Pakistan has notified preliminary list K vide notification, dated 05-03-2018 and invited to the control of the cont	
Tehsil and I	st of Constituencies of Province District Peshawar and hereby	egistered in Tehsil Peshawar, has felt aggrieved ial Assembly of Khyber Pukhtunkhwa in respect submit following observations and present that Assembly Constituencies of the District.	of
LEGAL :-			

- 4. The Elections Act, 2017 and rules made there-under empower the Honorable Election Commission of Pakistan to delimit the Constituencies of Local Government, National & Provincial Assembly Constituencies as per guidance provided in the Act and elaborated in The Elections Rules, 2017 respectively. Chapter-III of The Elections Act, 2017 provide detailed guidance in the matter. Section 20 of the Act, specifically provides detail whereof, namely:-
 - 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)
 - (3) As far as possible, variation in population of constituencies of an Assembly or a local government shall not ordinarily exceed ten percent.



order.

- 5. Further, the Elections Rules, 2017, directs as under:-
 - 8. **Determination of quota.----**(1) The Commission after allocation seats referred to in rule 7, determine the average population (hereinafter referred to as "quota per seat") of a constituency for each province, the Tribal Areas and the Federal Capital by dividing total population thereof by general seats in the National Assembly allocated to a Province, the Tribal Areas or, as the case may be, the Federal Capital.

(2)

(3)

- (4) The Commission shall determine and notify the share of a district or districts, by dividing total population thereof with the quota per seat of the Provincial Assembly concerned as determined under this rule.
- 6. The Honorable Election Commission of Pakistan vide its Notification No.F.8(3)/2018-Elec-I, dated 5th March, 2018 has worked out quota per seat in each Provincial Assembly (in its para-16) i.e.

Name of Assembly	Population	No. of Seats	Quota per seat
Provincial Assembly KP	30,523,371	99	30,523,371 / 99 = 308,317

7. Further, in para-17 of said Notification, Honorable Commission has, further, tabulated district-wise quota of seats in National and provincial Assembly i.e.

Sr. No.	Area/ Agency/ District	Formula [Population of District (-) Quota]	Share of Seat	No. of Seat
24	Peshawar	42,69,079 / 14	3,04,934	14

- 8. The Elections Rules, 2018, directed the Delimitation Committees that:-
 - 10. Draft proposals for delimitation of constituencies.---- (1) A

 Delimitation Committee constituted under Rule 9 shall, immediately after its constitution, proceed to obtain from Pakistan Bureau of Statistics, population data of last census official published along with relevant maps showing therein census charges, census circles and census blocks along with description, relating to a province, a district, an agency, or any other administrative or revenue unit as it may require

Provided that the quota under this sub-rule shall be determined by dividing total population of the district or the agency with number of seats allocated to that district or agency.

(2) The Delimitation Committee shall also obtain district maps along with description, duly authenticated by Pakistan Bureau of Statistics, or, as the case may be, the district head of Revenue Department, prepared on a uniform scale as may be determined by the Commission indicating therein details of all administrative and revenue units in the district to the level of a Patwar Circle or, as the case may be, a Tapedar Circle, as well as prominent geographical and physical features, such as rivers and mountains and any other information as may be determined by the Commission or required by the Committee.

provincial headquarters of Election Commission of Pakistan at Peshawar, which are being used in preparation of this representation.

10. And in view of proviso to Rule-10, the total population of district Peshawar i.e. .42,69,079 was divided by total number of seats allocated to district, and thus:-4269079/14 = 3,04,934 was the quota per seat in district Peshawar.

GROUNDS OF REPRESENTATION/MEMORANDUM:-

- a) Detailed study of notification containing list of constituencies and the maps, further, showed that respective Delimitation Committee, did not took care of indications on the map pointing out limits of Patwar Circles, Roads, Rivers, etc. which are dividing the areas of the district nor they kept in mind the public facility. Further, the Delimitation Committee also could not take care of compactness of a proposed constituency in this district.
- (b) Due to lack of this such basic requisite knowledge of the important information, the Delimitation Committee was not in position to take into consideration the importance of Administrative and Revenue units, compactness of different portions of district, Road infrastructure, Bridges, Nullas, Rivers, cultural links, facilities/easements of voters, floods, etc., and hence the Delimitation Committee only focused on equalizing the population of different areas of District Peshawar, which is evident from establishment of some of the Constituencies of the District for Provincial Assembly.

ON FACTS:

- (i) District Peshawar is a district, surrounded by Nullahs, Rivers, Rainy areas and different cultural boundaries are spread over the whole district, which were not considered by Delimitation Committee..
- (ii) The Delimitation Committee, further did not took care the direction that Patwar Circle will not be broken in any case and hence, broken Administrative as well as Revenue Units un-necessarily.
- (iii) Specifically, the petitioner is resident of, a rural area and making itself a part of PK-67. In this area, majority of the voters belong to rural areas and are Pushto speaking. Patwar Circle Laram is presently divided in three parts. One/central part of the said PC is included as part of Municipal Corporation, Peshawar, where one/second side of said PC is included in PK-67 and the other/third part is included in PK-68. which anomaly is required to be removed, as proposed by the petitioner.
- (iv) ECP, while notifying constituency No.67, again, by ignoring the direction that PC can not be broken in any circumstances, added majority portion of PC Barbar, in PK-67 but a Mauza part of said PC, namely Haji Zai has, wrongly been included in PK-66, which anomaly is also required to be settled, as proposed by the petitioner.

IN VIEW OF ABOVE OBJECTIONS/OBSERVATIONS,
THE FOLLOWING CHANGES IN THE DRAFT CONSTITUENCIES ARE
PROPOSED:-

Published by ECP			Proposed by Petitioner	
PC Palusi Attu Zai of Qasba QH	1202		Barbar	11061
PC Palusi Maqadar of Qasba QH	1801		Chaghar Matti	19336
and				
PC Palusi Talar Zai of Qasba QH	4019		Garhi Tajak	12959
Mathra QH, excluding following]		
PCs i.e. Ali Zai, Barbar, Daag,	•			
Haryana Bala, Kaniza, Mamun				
Khatki, Niami, Pajaggi, Isa Khel	,			
Topchain, Sarkhana, Sigi Bala,				
Takhtabad Awal and Regi Lalama	289571		Garhi Chandan	22921
Total	296593		Gharhi Sher Dad	18138
			Kafoor Dheri	39831
			Lakra Kaniza	15086
			Mathra	25518
	ļ		Mula Zai	24008
		ļ	Panam Dheri	18423
			Qila Shah Beg	23546
			Regi Ufti Zai	19413
			Sarkhana	5833
N .			Shagali Bala	11211
			Shahi Bala	39181
			Palusi Muqadamzai	1801
			Palusi Attuzai	1202
]	Total	309468

Provincial Assembly Constituency No. PK-67 Peshawar-II

Published by ECP		Proposed by Petitioner	
The following PCs of Mathra QH of		Ali zai	16,091
Peshawar Tehsil			
Ali Zai	16091	Dag	32,146
Barbar	11061	Haryana bala	25,449
Dag	25449	Kaniza	24,437
Haryana Bala	32146	Mamun/khatki	11,464
Kaniza	24437	Naimi	7,870
Mamun Khatki	11464	Pajaggi/isa khel topchian	71,770
Niami	7870	Shiggi bala	10,546
Pajaggi	71770	Takhat abad awal	19,124
Isa Khel Topchain	5833	Larma	54,959
Surkhana		Circle no.17	30,772
Sigi Bala and	10546		
Takhabad Awal	19124		
Mahal Salu PC of Qasba QH of	18672		
Peshawar Tehsil			
Laram PC of Khalsa QH of	54959		
Peshawar Tehsil, and	:		
Total	309422	Total	304628

Provincial Assembly Constituency No. PK-68 Peshawar-III

Published by ECP	Proposed by Petitioner
The Khalsa QH of Peshawar Tehsil, EXCLUDING following PCs	Babu zai 32,410
Bhudani	Bunyadi 10,614



Dalazak		nai yana payan	20,021
Maira Khachori		Isa khel hamid	17,665
Mian Gujjar	317337	Kankola	20,831
TVIIdii Gajjai	31,33.	Khazana	65,525
Phandu		Landi daud zai	4,948
Rashida		Nahaqqi	22,125
Sardar Garhi		l	
Tarnab		Pakha ghulam	58,917
Urmar Payeen		Mian gujar	10,015
Total	317337	Total	306747

Provincial Assembly Constituency No. PK-69 Peshawar-IV

Published by ECP		Proposed by Petitioner	
Following PCs of Khalsa QH of		Daman hindki	37,034
Peshawar Tehsil	11769	Budhni	11769
Bhudani		Chamkani	45247
Chamkani	45247		
Daman Hindki	21299	Dalazak	21,299
Dalazak	37034	Wad pagga	20,605
Maira Khachori	30799	Phandu	29,859
Mian Gujjar	10015	Rashida	30,046
Phandu	29859	Sardar garhi	35,122
Rashida	30046	Tarnab	34,496
Sardar Garhi	35122	Circle no.10 of charge no.	47,931
Tarnab	34496		
Urmar Payeen	29548	Total	313408
Total	315234		

Provincial Assembly Constituency No. PK-70 Peshawar-V

Published by ECP		Proposed by Petitioner	
Following PCs of Khalsa QH of		The following pcs of khalsa	
Peshawar Tehsil		qh ·	
Urmar Bala	36460	Urmur bala	36,460
Urmar Miana	33848	Urmur miana	33,848
Following PCs of Badhber QH of		The following pcs of	
Peshawar Tehsil	,	badhbair qh	
Badhber Hurri Zai	35953	Garhi chandan	25,908
Badhber Maryam Zai	26912	Sori zai bala	35,757
Maryam Zai	16593	Sori zai payan	107,079
Garhi Chandan	25908	Urmer payan	29,548
Suri Zai Bala	36757	Maira kachori	30,799
Suri Zai Payan	107079	Total	299399
Total	318510	Total	

Provincial Assembly Constituency No. PK-71 Peshawar-VI

Published by ECP		Proposed by Petitioner	
Badhbher QH of Peshawar Tehsil,	317912	Ade zai sher kera	22,681
EXCLUDING following PCs		Ade zai siiei keia	
Badhbher Hurri Zai] ·	Aza khel	33,847
Badhber Maryam Zai	1	Bagh mian khel	15,920
Maryam Zai		Khuli zai	20,448

Total	317912		
Utman Zai			
Muza Zai and	1	Total	311082
Deh Bahadur			
Bazid Khel		Maryam zai	16,593
Ahmed Khel		Badh ber maryam zai	26,912
Sheikhan		Badh ber huri zai	35,953
Suri Zai Payan		UII Zai	15,707

Provincial Assembly Constituency No. PK-72 Peshawar-VII

Published by ECP		Proposed by Petitioner
Sheikhan PC of Badhbher QH of	29096	Sheikhan pc of badhbair qh 29,09
Peshawar Tehsil		Sheikhan pe or oadhean qui = 1771
Qasba QH EXCLUDING following		Achni bala 2987
PCs		
Palosi Attozai		Achni payan 7653
Palosi Maqdar		Peshawar cantt. Pc 10,10
Palosi Talarzai and	277336	Pishtar khara bala 2361
Mahal Salu		Pishtar khara payan 2725
		Sangu 28,18
		Sarband 32,10
		Sufaid dheri 2787
Total	306432	Mashukhel 24,69
		Total 30932

Provincial Assembly Constituency No. PK-73 Peshawar-VIII

Published by ECP	T	Proposed by Petitioner	
Reggi Lalama PC of Mathra QH and	22507	Regi lalma pc of mathra qh	22,507
Following Census Circles of Charge No.16 of Peshawar Municipal Corporation		The following census circles of charges no.16 of peshawar mc.	0.554
Census Circle No. 12 (Danishabad)	8554	Circle no.12	8,554
Census Circle No. 13 (Hayatabad)	29949	Circle no.13	29,949
Census Circle No. 14(Hayatabad)	18181	Circle no.14	18,181
Census Circle No. 15 (Hayatabad)	9103	Circle no.15	9,103
Census Circle No. 16 (Hayatabad)	15659	Circle no.16	15,659
Census Circle No. 17 (Hayatabad)	22375	Circle no.17	22,375
Census Circle No. 18 (Hayatabad)	16236	Circle no.18	16,236
Census Circle No. 19 (Hayatabad)	18647	Circle no.19	18,647
Census Circle No. 20 (Hayatabad)	8089	Circle no.20	8,089
Census Circle No. 21 (Hayatabad)	23081	Circle no.21	23,081
Census Circle No. 22 (Hayatabad)	29993	Circle no.22	29,993
Census Circle No. 23 (Malikandhir)	35498	Circle no.23	35,498
Census Circle No. 24 (Hayatabad)	6811	Circle no.24	6,811
Census Circle No. 25 (Lalazar Colony)	24313	Circle no.25	24,313
		Circle no.12 of ch-17	18965
Total	288996	Total	307961



Published by ECP				
Peshawar University TC	5,940			
Census Circles of Charges No.17 of Peshawar MC.	224,952			
The following Census circles of Charges No.16of Peshawar MC.				
(i) Circle No.09(Aabdara & Pawka)	23,357			
(ii) Circle No.10(Danishabad)	15,578			
(ii) Circle No.11(Shaheen Town)	16,900			
The following Census Circles of Charge No.1of Peshawar Cantt.				
(i) Circle No.4 and	4,400			
(ii) Circle No.6	8,238			
Total	299365			

Proposed by Petitioner	
Peshawar University TC	5,940
Census Charges No.17 Of	
Peshawar MC. EX CIR 12	205,987
(224952-18965=205987)	
The Following Census	
Circles Of Charges No.16	
Of Peshawar Mc	
(I) CIRCLE	
NO.09(AABDARA &	23,357
PAWKA)	
(II) CIRCLE	15,578
NO.10(DANISHABAD)	13,370
(II) CIRCLE	16,900
NO.11(SHAHEEN TOWN)	10,700
The following census circles	
of charge no.1 of Peshawar	
Cantt.	
I) CIRCLE NO.1	10,279
II) CIRCLE NO.4 AND	4,400
III) CIRCLE NO.6	8,238
PALUSI TALARZAI	4019
Total	294698

Provincial Assembly Constituency No. PK-75 Peshawar-X

Published by ECP		Proposed by Petitioner	
Peshawar Cantonment excluding Circle No.4 & 6 of Charge No.1 (70,741-12,638=58,103)	58103	Peshawar Cantonment excluding Circle No.1, 4 & 6 of Charge No.1 (70,741- 22917=47824)	47824
Census Circl No.6 of Charge No.13 of Peshawar MC	20,256	Peshawar cantt. Pc	10,108
Charge No.15 of Peshawar MC	105,283	Landi akhun ahmed	21,797
The following Census circles of Charges No.16 of Peshawar MC.	<u></u>	Charge no. 07	
Circle No.1	16,430	Circle No.15	10,062
Circle No.2	11,623	Circle No.16	11,843
Circle No.3	8,760	Cir-01 of Ch-12	4,309
Circle No.4	8,607	Charge No.15 ex.CIR-1 (105283-15980=89303)	89,303
Circle No.5	19,514	The following Census circles of Charges No.16 of Peshawar MC.	
Circle No.6	13,807	Circle No.1	16,430
Circle No.7	17,913	Circle No.2	11,623
Circle No.8	14,750	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
Total	295046	Circle No.8	14,750
		Total	306650



Published by ECP		Proposed by Petitioner	
Census Charges No.07 of Peshawar MC. excluding the following Census Circles;	ı	Census Charges No.07 of Peshawar MC.	
Census Onexes,		(383985)	
		Circle No.3	20,525
		Circle No.4	20,412
	294498	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
Census Circle No.01,02,05,18 & 19		Circle No.12	18,839
		Circle No.13	32,360
		Circle No.14	18,070
		Circle No.20	9,308
		Circle No.21	17,140
		Circle No.22	9,698
		Charge No.08	40,113
		Mahal Salo Shaqi Hinokian	18,672
		Total	300606

Provincial Assembly Constituency No. PK-77 Peshawar-XII

Published by ECP		Proposed by Petitioner
Census Charge No.8 of Peshawar MC	40,113	The following Census Circles of Charges No.07 of Peshawar MC.
Census Charge No.9 of Peshawar MC	169,257	Circle No.1 9,716
The following Census Circles of Charges No.07 of Peshawar MC.		Circle No.2 15,012
Circle No.01	9,716	Circle No.5 22,240
Circle No.02	15,012	Circle No.18 24,947
Circle No.05	22,240	Circle No.19 17,572
Circle No.18	24,947	Census Charge No.9 (ex. Cir-10) 121326
Circle No.19	17,572	(169257-47931=121326)
		Census Charge No.10 37550
		Cir-2 of Charge No.14 11,518
Total		Cir-3of Charge No.14 11,419
		Cir-6of Charge No.14 20,382
		Total 291686

Provincial Assembly Constituency No. PK-78 Peshawar-XIII

Published by ECP		Proposed by Petitioner	
Census Charge No.10	37,550	Census Charge No.11	28,112
Census Charge No.11		Census Charge No.12 ex.	
	28,112	Cir-01	41160
Census Charge 140.11	20,112	45469-4309 =41160	
Census Charge No.12	45,469	Census Charge No.13	206592
Census Charge No.13 excluding	182336	Circle No.1 of Charge No.14	14,691



ļ	(206592-20,256=182550)	1	l			
				CIR.01 of Charge No.15	15980	
	Total	297467		Total	306535	

Provincial Assembly Constituency No. PK-79 Peshawar-XIV

Published by ECP		Proposed by Petitioner
Census charge No.14 of Peshawar	218320	Census Charge No.14 ex.
MC;	218320	circles.1, 2, 3 & 6 158696
The following PCs of BadhbherQH		(218320-59624=158696)
	22402	The following PCs of
Ahmad khel	23402	Badhbair QH
Bazid khel	18,525	Ahmad khel 23402
Deh bahadur	12,135	Bazid khel 18,525
Musa zai	19,152	Deh bahadur 12,135
Utman zai	21,876	Musa zai 19,152
		Utman zai 21,876
	212410	Sheikh mohammadi 28,073
Total	313410	Suleman khel 33,522
		Total 315381

CERTIFICATE:-

Certified that while proposing the delimitation in respect of PK-66 Peshawar-I to PK-79 Peshawar-XIV, all of the requirements contained in section 20 of the Elections Act, 2017, The Elections Rules, 2017, ECP guiding Notification, dated 5th March, 2018 have been considered. And that population of the proposed delimitations is within 10% fraction of population quota for a seat in the District.

For the facility, the proposed changes in the delimitation, colour map of proposal is also being submitted.

Further clarification of objections/observations and the proposals will be submitted at the time of arguments.

Dated: 3rd March, 2018

Through: Muhammad Adeel Butt, Advocate

Qazi Faheem Building, 29-The Mall,

Peshawar