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BEFORE THE SECRETARY ELECTION COMMISSION OF  
PAKISTAN, ISLAMABAD

1. Pakhtoon Yar Khan
2. Himat Yar Khan Sons of Attaullah Jan R/o Mera  
Khel, Bannu.  
..... Petitioners

[REDACTED]

The Election Commission of Pakistan, Islamabad  
through its [REDACTED] Secretary  
..... Respondent

MEMORANDUM OF OBJECTIONS AGAINST THE  
PRELIMINARY DELIMITATION AND REPORT

Prayer:

On acceptance of this Memorandum, the preliminary delimitation and report may be set aside and necessary amendments, alterations and modification, may be effected in PK-87, 89 and 90.

Respectfully Sheweth:

It is submitted as under:

1. That the petitioners are the bonafide residents of Mera Khel Bannu having Block Code No. 051020802. They are the voters of PK-88 Bannu. (Copies of Block No. are attached as Annexure "A" & "B").
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2. That the preliminary delimitation and report of Election Commission of Pakistan published under Section 21 Election Act, 2017 read with Order-11 Election Rules 2017.

3. That the petitioners having not been satisfied from the same file, the memorandum of objections, inter alia on the following grounds:

**GROUND S:**

A. That the preliminary delimitation and report are not genuine to truly represent the aspirations of the voters.

B. That the preliminary delimitations are not based on the revenue record of the District Bannu and as such the population and household data are not based on the statistics and data of the Revenue record. Therefore the map of the constituencies based on incorrect, self assumed and unrepresentative data is wrong and full of errors. In such situation, when the preliminary delimitation report and map are not representative therefore, the election on such

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process would not only be faulty but it would not genuinely represent the aspirations and mandate of the electorate this process will create aspersion, division and dysentery among the local which is against the principles laid down in section 20, the Election Act, 2017.

C. That Khwaja Mad Qanungo Khalqa comprised upon 8 areas but the census report show, the same as 6 areas whereas Badun Khel Mir Khawas is part of patwar record but it finds no place in the census report. According to Patwar record, Khwaja Mad, Badun Khel, Mir Azam, Mian Khel, Hakim, Kuri Shakhan, Badar Khel Mir Azam, Zulfiqar Mandan, Due Khel Abdur Raheem and Shakir Ullah Hussain are part of Khwaja Mad Qanungo Patwar Khalqa. These areas have been given numbers from Seiral No. 1 to 6 but Dalo Khel Abdur Rahim and Shakirullah Hussain have been shown in Sabokhel Qanungo Khalqa in census report. Important point is that the map which has been prepared in the year 2012-13, Khwaja Mad is not included over there and on the basis of that censes report has been prepared and later on, the PK-88 has been constituted and in the light of that finding.

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Similarly, the map of Kot Mehtar was prepared in the year 2012-13 but Khwaja Mad is not included over there. If the Kot Mehtar has been shown in the separate Khalqa then why Khwaja Mad has not been shown in the map. Fateh Khel Khalqa comes before Khwaja Mad therefore, the whole data in the census report map and constituencies are wrong.

- D. That census report of Fateh Khel Kausar Qanungo is full of error, therefore, the Map so prepared is wrong which ultimately resulted in wrong constituencies in District Bannu.
- E. That Sabo Khel Patwar circle comprises on areas but only four areas indicated in census report. According to revenue record, Dlo Khel Abdur Rahim and Shakirullah are part of Khwaja Mad Patwar circle but ironically they have been included in Sabokhel in census report. It's 5<sup>th</sup> Khalqa has been shown in Patwar circle Tughal Khel. It manifestly declared the census report map and the constituencies as wrong and illegal.

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F. That Dallu Khel Zalim Patwar Circle is comprised upon 4 areas but Dallu Khel Zalim has been added to it which is part of Sabo Khel Patwar Circle. One Admin unit has been shown in another admin unit. The census report and map are not according to revenue record, therefore, the constitution of constituencies in Bannu District are erroneous.

G. That Qanungo Kot Mehtar included upon 5 areas as per the revenue record but only Kot Mehtar has been shown over there. As per revenue record Tarkhawala Fazal Shah and Tarkhandla Khas are part of Qanungo Khalqa Shagi Machan Khel whereas, Manja Khel and Kot Azad Mughal Khel are from Kot Qalendar Patwar Khalqa. Kot Mehtar is the part of Ghoriwala Union Council and the census report is also part of Ghoriwala Patwar circle. Union Council wise and Patwar wise census report of Kot Mehtar is part of Ghoriwala and the map is shown as a separate Patwar circle. Azad Mughal Khel Union Council has been included in PK-88, Kot Azad Mughal and Manju Khel included in the constituencies whereas it is Guruwala Khalqa which has been shown as part

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of PK-87. Manja Khel and Kot Azad Mughal Khel are part of Union Council of Kot Qalandar and on the census report is also the part of Patwar Khalqa Kot Qalandar but on the map Kot Azad Mughal Khel and Manja Khel are separated from the part of Kot Mehtar Patwar Khalqa of PK-87. In census report, the Kot Mehtar is shown as the part of Ghoriwala P.C and on other side, the same Kot Mehtar has been shown on map as a separate part of Patwar Khalqa of Sharqi Girdawar Circle which is being incorporated in PK-87. The customs of the areas are not similar. According to census report, Kot Mehtar is shown in Block Code No. 2 area. Kot Meher comprises on 2 Union Councils. Patwar Khalqa Kot Pashta includes upon 7 areas but it has been shown 6 areas in census report which is not correct. For example Bharati Machankhel Khalqa and Kot Pashta Khalqa have been divided into PK-88 and PK-87 thus the Patwar Circle has been broken. If the Manja Khel and Kot Azad Mughal Khel is cut of from PK-87 and included in PK-88 then access to PK-88 through Kot Pusha P.C would be impossible.

H. On the other side, if Manja Khel and Kot Azad Mughal Khel are considered part of Kot Mahtar

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P.C PK-87 then the total population of PK-88 will decrease from 287647 to 281955. After counting the population of Manja Khel (4798) and Kot Azad Mughal Khel (894), then the population of PK-87 will rise up to 303389 which is in conflict with the ECP notification of constituencies. In case, the Manja Khel (4798) and Kot Azad Mughal Khel (894) are included in PK-88, then the ECP notification will be rectified which will make it a population as 287647. It will prove the ECP notification as correct and free of errors.

- I. That Haved Patward circle has separately been shown in census report, whereas, Landidak is a separate Khalqa in Girdawar circle Khawaja Mad, which includes 9 areas. Now Patwar Khalqa Haved has been united and Patwar Landidak has been divided i.e. a Patwar Circle Haved carved out of Landidak Haved, Landidak Lewan Wazir and Landidak Multani. The division of Patwar circle is illegal which declared the ECP notification and Map as erroneous and wrong. Haved has been shown in PK-88 which is contrary to ground realities.

Khawaja Mad Girdawar Circle has been shown as a Girdawar circle Gharbi whereas, Girdawar

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circle Khwaja Mad has been inscribed in PK-88 whereas, on the other hand, Haved Khas has been shown at point (C) & (D) for PK-88 as Khwaja Mad circle in Bakakhel Tehsil. In case, Khwaja Mad Qanun Khalqa and Bakakhel Tehsil (PK-88) are placed at point (C) of the ECP notification, then Patwar Khalqa Haved, Patwar Khalqa Mama Khel, Patwar Khalqa Dardariaz which will includes two union councils Mama Khel and Haved are included in PK-88 then the population of PK-88 will rise from its actual population of 287647 to 329041 which is in conflict with ECP notification. It shows that the ECP notification is erroneously being issued. There is marked difference between the life style of the people of PK-88 and Haved.

J. On the other side the Landidak Patwar Circle comes before Haved Khas Patwar Circle and as such the boundary of Haved Khas does not touch PK-88. Therefore, Haved Khas may kindly be segregated from PK-88 and incorporated in PK-89.

K. That the only road have access from PK-88 to Haved Khas commenced from Patwar Khalqa

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Shedev Circle Gharbi towards Patwar Circle Mamakhel and Patwar circle Dardrez which from the middle is connected towards Landidak Patwar Circle and then the same road goes to Jani Khel from Haved Khas Patwar Circle. It shows that the only road from start to end culminated in PK-89 there is no communication towards PK-88. It is therefore, the violation of law, therefore, Haved Khas Patwar Circle may be cut off and be incorporated in PK-89. And all the three areas have common customs and traditions etc are same therefore, logically they should be declared as part of PK-89.

- L. Instead of Haved Khas Patwar Circle, Patwari Circle Shagi Machan Khel may be seperated from PK-87 and may be included in PK-88 because Shagi Machan Khel Patwari Circle and Mira Khel Patwar Circle, Taji Kala area have common road, police station, customs, union council boundaries are attached on all three sides. And all the three areas have common customs and traditions etc are same therefore, logically they should be declared as part of PK-88.



M. In order to overcome the shortage of population of PK-87. It is requested to segregate Salima Sikandar Khel Patwar Circle from Pk-90 and be included in PK-87 as this area is attached with Shahbaz Azmat Khel (PK-87) from both sides of the river Kurram and Jando Khel PC. The same Patwar Circle Salima Sikandar Khel is attached with Patar Circle Jando Khel (PK-87).

And all the four areas have common customs and traditions etc are same therefore, logically they should be declared as part of PK-87.

It shows the maps are not authentic, hence the census report and constituencies are also not authentic therefore, the census report, maps and constituencies may be revisited in accordance with law.

M-1. Patwar Circle Dawood Shah who's total population is 20351. If this area is included in PK-90 instead of PK-89 then PK-90 Populations will be increased to 294324. Because Dawood Shah area attached to Patwar Circle Ammandi so logically and due to their common customs and traditions Ammandi and Dawood Shah are the same area. Moreover the Patwar Circle of Dawood Shah is naturally adjacent to PK-90 which is clearly shown in the map.

The Patwar Circle of Haveed Khas whose total population is 16370, if it is included in PK-89 who's total population due to Census report will increased from 296212 to 312582. Also the Patwar circle of Haveed is the natural area of PK-89 due to many factors. Similarly the population of Patwar Circle Salima Sikandar Khel is 10336 which is a part of PK-90 if this area is excluded from PK-90 then the population of PK-90 will be decreased from 284336 to 273973. Otherwise the Patwar Circle of Salima Sikandar Khel is naturally adjacent to PK- 87 instead of PK-90.

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PK- Wise Population Table.

Sr. No.	PK Wise	Population in ECP's Notification	Other than ECP's Notification
1.	PK-87	298424	297697
2.	PK-88	282913	289647
3.	PK-89	292231	296212
4.	PK-90	294324	284336
<b>Total</b>	<b>04</b>	<b>1167892</b>	<b>1167892</b>

The total Population of Bannu District according to Census report of Bannu is same and logically be the tradition and custom of all these areas are same.

N. That constituencies do not genuinely represent the principles laid down in section 20, the Election Act, 2017. They will not be practicable as the delimitation has been carried out in total disregard to the distribution of population in geographically compact areas, physical features, existing boundaries of administrative units, facilities of communications and public convenience and other cognate factors to ensure homogeneity for the creation of constituencies. The creation of these constituencies violated the law, therefore, they cannot be authentic.

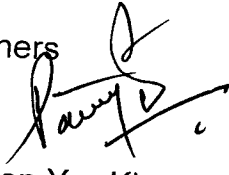
O. That other grounds will be provided at the time of arguments.

It is , therefore, prayed that the notification of ECP regarding map and constituencies of District Bannu may be set aside and ammendments, modification and alteration may kindly be made in the constituencies of District Bannu as prayed in the heading and body of Memorandum.

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Petitioners



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Dated: 03-04-2018

Through:-



Naeem ullah Khan Advocate.

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