

**BEFORE SECRETARY ELECTION COMMISSION OF**  
**PAKISTAN ISLAMABAD**

X  
13/03/2018

**MEMORANDUM OF REPRESENTATION/**

**OBJECTION** UNDER SECTION 21(3) ELECTION ACT,

2017 READ WITH RULE 11, 12 OF ELECTION RULES

2017 TO THE DRAFT PROPOSAL IN RESPECT OF PK-36,

PK-37, PK-38 & PK-39 DISTRICT ABBOTTABAD .

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**PRAYER:** ON ACCEPTANCE OF INSTANT  
MEMORANDUM / REPRESENTATION DRAFT  
PROPOSAL IN RESPECT OF PK-36, PK-37, PK-38 & PK-39  
ABBOTTABAD MAY KINDLY BE MODIFIED / SET-  
ASIDE AND CONSTITUENCY PK-36, PK-37, PK-38 & PK-  
39 MAY KINDLY BE NOTIFIED AS PER PROPOSAL BY  
THE PETITIONERS ACCORDING TO LAW.

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Respectfully Sheweth:-

Facts giving rise to the titled petition are as under;-

1. That petitioners No. 1 to 13 are residents  
and voters in Patwar Circle Bandi

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Dhoondan, Abbottabad, petitioners No. 14 to 23 are residents and voters in Patwar Circle Tarnawai, proposed PK-36, Abbottabad and petitioners No. 24 to 33 are residents and voters in Patwar Circle Banda Pir Khan, Abbottabad proposed PK-39 Abbottabad. Copies of CNICs and list having registered vote number duly signed by the petitioners are annexed herewith.

2. That previously before delimitation of the constituency Abbottabad-I, II, III & Abbottabad-IV were PK-44, PK-45, PK-46, PK-47 & PK-48. Map showing the previous constituency is attached herewith.
3. That according to recent report total population of Abbottabad District is 13,23912 previous PK-44, PK-45, PK-46, PK-47 & PK-48 constituencies which were having Geographically, compact areas, physical features, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors were well according to rules and were in the public interest.

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4. That peoples of the locality were also having no objection whatsoever, and there was no need to disturb the previous delimitation, only variation in the population of the constituency can be met by slight modification by joining two Patwar Circles i.e Bandi Dhoondan and Tarnawai from proposed constituency PK-36 to proposed PK-38 and one Patwar Circle Banda Pir Khan from proposed PK-39 to proposed PK-38. Copies of site plan showing preliminary report and list of constituencies specifying the area included in each constituency is annexed herewith.

5. That proposed delimitation of the constituencies of PK-36, PK-37, PK-38 & PK-39 Abbottabad may kindly be modified inter-alia on the following grounds;-

**GROUND:-**

a) That preliminary report of constituencies PK-36, PK-37, PK-38

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& PK-39 Abbottabad is not according to rules and law laid down by the apex court of the countries from time to time.

- b) That preliminary report is not based on facts on grounds.
- c) That previous constituency is based on geographically compact block physical features and there are communication facilities in between the areas, and there is also public convenience cognate factors and homogeneity in the constituencies which is lacking in the preliminary report of newly proposed constituencies.
- d) That proposed constituency PK-36 is totally based on rural area having less education facilities, no road excess, no communications and also traditionally difference of caste, homogenous, culture and language

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from the peoples/ inhabitants of Patwar Circles Bandi Dhoondan & Tarnawai. Similarly Patwar Circle Banda Pir Khan is situated nearby the Patwar Circle Bandi Dhoondan & Patwar Circle Tarnawai and there is also no road excess to the peoples of Patwar Circle Banda Pir Khan to PK-39. It is pertinent to mention here that the Patwar Circle Bandi Dhoondan Patwar Circle Band Pir Khan and Patwar Circle Tarnawai are situated in Union Council Banda Pir Khan.

- e) That if the proposed constituency is approved, in that case the inhabitants Patwar Circle Bandi Dhoondan & Tarnawai of proposed PK-36 will proceed to constituency they will travel approximately more than 100 Kilometers, firstly travel to District Mansehra, secondly Muzaffarabad AJK and then via Kohala they reached in Bakot of the proposed constituency, similarly Lora has also

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been included in the said proposed constituency which is situated at boundary line of District Abbottabad adjacent to Murree, Islamabad and District Haripur and also a far-flung area of the inhabitants of the Patwar Circle Bandi Dhoondan and Tarnawai.

**SUGGESTIONS;**

**i) Patwar Circle Bandi Dhoondan & Patwar Circle Tarnawai.**

The residents / voters of Patwar Circles Bandi Dhoondan and Tarnawai has already been connected through road with Ex. Constituency PK-46 now proposed PK-38 (Tanawal) and they are availing all the routine facilities from the said constituency and also their caste, homogenous, culture and language are same.

Patwar Circle Bandi Dhoondan & Tarnawai are already connected with different track of roads with PK-38 and also within the

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District, due to said reason it is very comfortable for the females and accessible.

Residents/ voters of Patwar Circles Bandi Dhoondan Tarnawai are convenience with attachment of newly preliminary proposed PK-38.

The residents / voters of Patwar Circle Bandi Dhoondan & Tarnawai are attached with (Ex. Constituency of PK-46) now PK-38 for the last three tenure, therefore attachment of these Patwar Circles with PK-38 will effect vote turn out positively.

After exclusion of the above two Patwar Circles from PK-36, three Patwar Circles i.e Majohan, Dana Noraal and Langrial which are adjacent to PK-36, may be reallocated from PK-37 and further attached/absorbed with PK-36 to cover the required population target and variation in between the other constituencies.

After exclusion of three Patwar Circles Majohan, Dana Noraal and Langrial from

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PK-37, one Patwar Circle i.e Havelian Dah which are adjacent to PK-37 having same tradition, culture, language and easy road excess etc. may be reallocated from PK-38 and further attached/ absorbed with PK-37 to cover the required target of population and variation in between the other constituencies.

ii. **Patwar Circle Banda Pir Khan**

Due to inclusion of residents / voters of Patwar Circle Banda Pir Khan in PK-38, the difference of variation of population of PK-39 with other constituencies will be removed. Exclusion of Patwar Circle Banda Pir Khan from PK-39 will not effect the population.

Residents / voters of Patwar Circle Banda Pir Khan is connected with PK-38 through Shahrah-e-Resham and also availing the routine facilities.

Copies of booklet and map proposed/ suggested by petitioners is annexed herewith.



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PRAYER:-

In the circumstances what has been submitted above and points to be raised at Bar on acceptance of instant memorandum/representation/objections preliminary report/notification may kindly be set aside and final notification of PK-36, PK-37, PK-38 & PK-39 constituencies of District Abbottabad may kindly be made according to the proposal appended with the instant petition. Any other modification/alternation which this Honourable Commission deems fit and proper may also be made.

1. Haji Qalandar Khan Lodhi son of Arsala Khan Lodhi, resident of Lodhi Abad, P.O Qalandarabad, Tehsil & District Abbottabad. Cell No. 0300-8111909
2. Painsa Khan son of Khani Zaman, resident of Basti Mor, Bandi Dhoondan, Tehsil & District Abbottabad.
3. Muhammad Naeem Lodhi son of Sultan Khan Lodhi, resident of Lodhi Abad, P.O Qalandarabad, Tehsil & District Abbottabad.
4. Haider Zaman son of Raja Gul Zaman, resident of Bandi Dhoondan, Tehsil & District Abbottabad.

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5. Mazhar Pervez son of Muhammad Irshad, resident of Bandi Dhoondan, Tehsil & District Abbottabad.
  6. Saeed Akhtar son of Fazal ur Rehman, resident of Bandi Dhoondan, Tehsil & District Abbottabad.
  7. Aurangzeb Awan son of Abdul Aziz Awan, resident of Bandi Dhoondan, Tehsil & District Abbottabad.
  8. Waris Khan son of Ali Zaman resident of Bandi Dhoondan, Tehsil & District Abbottabad.
  9. Sajid Hussain Shah son of Hayat Ali Shah, resident of Bandi Dhoondan, Tehsil & District Abbottabad.
  10. Anwar Fazil Khan Jadoon son of Khawaja Muqarab Khan, resident of Bandi Dhoondan, Tehsil & District Abbottabad.
  11. Asad son of Ghulam Sarwar, resident of Bandi Dhoondan, Tehsil & District Abbottabad.
  12. Saifullah Khan Lodhi son of Muhammad Naeem Lodhi, resident of Lodhi Abad, P.O Qalandarabad, Tehsil & District Abbottabad.
  13. Bilal Khan Lodhi son of Tariq Mehmood Lodhi, resident of Lodhi Abad, P.O Qalandarabad, Tehsil & District Abbottabad
- All residents of Patwar Circle Bandi Dhoondan, Abbottabad**
14. Khaqan son of Gul Zaman, resident of Tarhairi, P.O Tarnawai, Tehsil & District Abbottabad.
  15. Dildar Khan son of Muhammad Younis Khan, resident of Kali Dhar, P.O Data, Tehsil & District Abbottabad
  16. Manzoor Ahmed son of Muhammad Aslam, resident of Ranjhan, Tarnawai, Tehsil & District Abbottabad.

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17. Muhammad Akram son of Faqirullah, resident of Akhora P.O Tarnawai, Tehsil & District Abbottabad.
  18. Muhammad Javed son of Gohar Rehman, resident of Hazeera P.O Tarnawai, Tehsil & District Abbottabad.
  19. Muhammad Yaqoob son of Wali Muhammad, resident of Kani Dogha, P.O Tarnawai, Tehsil & District Abbottabad.
  20. Muhammad Yaqoob son of Anayatullah, resident of Kani Dogha, P.O Tarnawai, Tehsil & District Abbottabad.
  21. Mumraiz son of Aziz ur Rehman, resident Lagal Ban, Tarnawai, Tehsil & District Abbottabad.
  22. Muhammad Iqbal son of Ali Bahadur, resident of Lagal Ban, Tarnawai, Tehsil & District Abbottabad.
  23. Jehangir Abbasi son of Said Zaman, resident of Tarhairi, Tarnawali, Tehsil & District Abbottabad.
- All residents of Patwar Circle Tarnawai, Tehsil & District Abbottabad.**

24. Javed Iqbal son of Muhammad Akbar Khan, resident of Mandroch, P.O Bandi Dhoondan, Tehsil & District Abbottabad.
25. Muhammad Safdar son of Sher Zaman, resident of Mandroch, P.O Banda Pir Khan, Tehsil & District Abbottabad.
26. Fazal Dad son of Mian Dad, resident of Abdal Jaba, Banda Pir Khan, Tehsil & District Abbottabad.
27. Abdul Hameed son of Khani Zaman, resident of Chinian, Banda Pir Khan, Tehsil & District Abbottabad.
28. Liaqat Ali son of Ali Zaman, resident of Abdal Jaba, Banda Pir Khan, Tehsil & District Abbottabad.
29. Irshad Khan son of Khaliqdad Khan, Mohallah Dheri, Loon Pattian, P.O Banda Pir Khan, Tehsil & District Abbottabad.
30. Muhammad Saeed son of Aurangzeb Khan, Mohallah Bostan Abad, Abdal, Banda Pir Khan, Tehsil & District Abbottabad.
31. Sajawal Khan son of Shareef Khan, resident of Banda Pir Khan, Tehsil & District Abbottabad,

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32. Hafeez Khan Jadoon son of Abdul Saboor Khan resident of Banda Pir Khan, Abbottabad.
33. Nazir Muhammad son of Fazal ur Rehman, resident of Banda Pir Khan Abbottabad.

**All residents of Patwar Circle Banda Pir Khan, Tehsil & District Abbottabad.**

**...PETITIONERS/OBJECTORS**

Dated: 29/03/2018

*Through*



**(KAMRAN GUL)**  
Advocate High Court, Abbottabad

**VERIFICATION:-**

It is verified on oath that the contents of foregoing memorandum/representation are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Tribunal.



**Haji Qalandar Khan Lodhi**  
S/o Arsala Khan Lodhi,  
R/o Lodhi Abad, P.O Qalandarabad,  
Tehsil & District Abbottabad.  
Cell No. 0300-8111909  
**...PETITIONER/ OBJECTOR No.1**