

BEFORE THE SECRETARY, ELECTION COMMISSION  
OF PAKISTAN, ISLAMABAD.

M/S  
11/4/18

**KHUDA BAKHSH**

Son of Khair Muhammad  
Resident of Samungli Road,  
Killi Kabir, Quetta.

**REPRESENTATION**

**UNDER SECTION 21(3) OF THE ELECTIONS ACT,  
2017 READ WITH RULE 12 OF THE ELECTION  
RULES, 2017 REGARDING ALTERATIONS /  
MODIFICATIONS IN THE PRELIMINARY LIST OF  
CONSTITUENCY NA-266**

Respectfully Sheweth;

1. That instant representation is being filed by Khuda Bakhsh (hereinafter refereed as "Applicant"), a registered voter of National Assembly Constituency NA-266 Quetta-II and in pursuance of Notification No.F8(3)/2018-Elec-I dated 05<sup>th</sup> March, 2018 the petitioner's constituency has been changed. The Applicant is duly competent to file the instant

representation under the prevailing laws:

2. Through this representation, the applicant seeks to challenge the preliminary delimitation proposal published by the Election Commissioner of Pakistan (Hereinafter referred as "ECP") pertaining to the delimitation of the Constituency NA-266 Quetta-II (hereinafter referred as "preliminary proposal"), the map of the preliminary proposal which was provided by the ECP, as per the requirements of the ECP Laws is attached (at index page no 14).

3. That, the petitioner is aggrieved by the new delimitation on the following inter-alia grounds:-

GROUNDS:

A. That, the new delimitation as published in preliminary report and preliminary list is against the provision of section 20(1) of the Elections Act, 2017, reproduced for ready reference;

- 20 (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.

B. That, the new delimitation as published in preliminary report and preliminary list is against the provisions of rule 10 (4) of *Election Rules, 2017* which states that the Patwar circle shall not be broken in any circumstances, reproduced for ready reference:

10 (4) (1) Provided that a Patwar Circle or, as the case may be, a Tapedar

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Circle shall be the basic unit for delimitation and it shall not be broken under any circumstances:

whereas in the instant case, the following Patwar Circles are breaking as per the draft list of constituencies published by Election Commission of Pakistan:-

**PB-30 is breaking Patwar Circles namely:**

- i. Saddar-I (Mauza Sirki Kalan)
- ii. Saddar-II (Mauza Shaldara)
- iii. Saddar-III (Mauza Habib)
- iv. Saddar-III (Mauza Shabo)
- v. Saddar-IV (Mauza Tirkha)
- vi. Saddar-II (Mauza Hudda)
- vii. Kechi Baig (Mauza Khuskaba Takhtani)
- viii. Urban-II (Ward 7)
- ix. Urban-III

**PB-29 is breaking Patwar Circles namely:**

- i. Saddar-I (Mauza Sirki Kalan)

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- ii. Saddar-II (Mauza Shaldara)
- iii. Urban-II (Ward 7)
- iv. Urban-III
- v. Urban V (Ward 37)
- vi. Urban VI

**PB-28 is breaking Patwar Circles  
namely:**

- i. Saddar-II (Mauza Shaldara)
- ii. Kechi Baig-I (Mauza Takhtani  
Jadeed)
- iii. Urban V (Ward-37)
- iv. Urban VI (Ward-57)

**PB-31 is breaking Patwar Circles  
namely:**

- i. Saddar-I (Mauza Sirki Kalan)
- ii. Saddar-IV (Mauza Tirkha)
- iii. Saddar-II (Mauza Kansi)
- iv. Saddar-IV (Mauza Hudda)
- v. Kechi Baig-I (Mauza  
Khushkaba Takhtani)
- vi. Kechi Baig-I (Mauza Takhtani  
Jadeed)
- vii. Kechi Baig-II (Mauza Mian  
Khan)
- viii. Urban-VI (Ward 57)

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C. As per the notification of NA-266 in Draft List of Constituencies it is incompatible with the Draft Maps of Constituencies published by Election Commission of Pakistan that is to say:-

i. In the published MAP of National Assembly, NA-266 is just composed of Patwar Circles of Durrani-II, Durrani-III of Saddar Tehsil and a portion of Census Charge No.7. However, in the notification of area of NA-266 is composed of following Patwar Circles and Census Charges:

- a. Metropolitan Corporation Quetta is comprised of Charge Nos.5, 6, 7, 8, 9, 10, 11 and 12;
- b. Quetta Cantonment
- c. Durrani-II and Durrani-III Patwar Circles of Saddar Tehsil of Quetta District

*M. Khan*

ii. A part of Mauza Hudda (Saddar IV) is not defined in any NA as per the published Notification of National Assembly Constituencies;

iii. A part of Mauza Habib (Saddar III) is not defined in any NA as per the published Notification of National Assembly Constituencies

The delimitation has been carried out only on the basis of data provided by Provincial Census Commissioner, Balochistan in the shapes of Census Charges, Census Circles and Census Blocks without consultation with local Administration or revenue authorities, due to which the patwar circles have been broken and also overlapping of areas is observed. Whereas basically the delimitation activity should have been carried in

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consultation with the local revenue department / authorities and Data/Maps obtained from the Census Commissioner.

D. That, as per the Draft map published by the ECP, overlapping occurred in certain areas, which is as under:

a. NA-265 and NA-266

- i. NA-265's Mauza Shaboo (Saddar III) is overlapping NA-266's Charge No.12 Circle No.1;
- ii. NA-265's Mauza Kasi (Saddar IV) is overlapping NA-266's Charge No.12, circle No.6;
- iii. NA-265's Mauza Kasi (Saddar IV) is overlapping NA-266's Charge No.11 Circle No.1;
- iv. NA-265's Mauza Kasi (Saddar IV) is overlapping NA-266's Charge No.11 Circle No.2;



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- v. NA-265's Mauza Kasi  
(Saddar IV) is  
overlapping NA-266's  
Charge No.11 Circle No.4;
- vi. NA-265's Mauza Kasi  
(Saddar IV) is  
overlapping NA-266's  
Charge No.11, Circle  
No.5;
- vii. NA-265's Mauza Kasi  
(Saddar IV) is  
overlapping NA-266's  
Charge No.11 Circle No.6
- viii. NA-265's Mauza Tirkha  
(Saddar IV) is  
overlapping NA-266's  
Charge No.11 Circle No.1
- ix. NA-265's Mauza Tirkha  
(Saddar IV) is  
overlapping NA-266's  
Charge No.11 Circle No.5
- x. NA-265's Mauza Tirkha  
(Saddar IV) is  
overlapping NA-266's  
Charge No.11 Circle No.6

E. The very issue raised by the petitioner regarding overlapping occurred due to lack of coordination between ECP and local administration.

(Details of over-lapped areas and maps are **AT INDEX NO.28 TO 32** for ready reference).

F. That, petitioner reserves the right to argue any other point at the time of arguments with kind leave of this Honorable Commission.

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PROPOSAL FOR CONSTITUTION OF THE  
CONSTITUENCY NA-266 QUETTA-II

a) The following Census Charges  
of Quetta Cantonment:-

I.	Charge No.1	42067
II.	Charge No.2	50063

b) The following Census  
Charges of / Census Circles  
of Metropolitan Corporation  
Quetta:-

I.	Charge No.5	13064
II.	Charge No.6	62068
III.	Charge No.7	68921
IV.	Charge No.8	108119
V.	Charge No.9	144541
VI.	Charge No.10	88019
VII.	Charge No.11	63343
VIII.	Circle No.4,5 & 6 of Charge No.12	37923

**TOTAL: 678128**

The constituency NA-266 Quetta-II  
may be constituted in the manner as  
mentioned above.

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The petitioner provides the following grounds for the proposed NA-266 Quetta-II,

1. That, the proposed area represents the main metropolitan area of Quetta City and excludes the rural area and population which has never been historically part of Quetta Metropolitan.
2. Furthermore, it is prayed that parity between the rural area population and metropolitan population may be maintained through the petitioner's proposal for NA-266 Quetta II.
3. Historically, the area excluded (see index Page No. 8-12) were part of the old NA-260 Quetta cum Chaghi, were the rights of the people residing in the rural areas of Quetta District, were better represented and protected. Hence, the same may be maintained by acknowledging the

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petitioners proposal for NA-265  
Quetta I and NA-267 Quetta III  
(for details see index page no 8  
to 22).

P R A Y E R:

It is, therefore, respectfully  
prayed that in view of submissions made  
herein-above, it is humbly prayed that  
preliminary delimitation of NA-266 (as per  
index page no 10 & 16) be re-notified as  
per the proposed map provided by the  
petitioner. Any other relief which this  
Hon'ble commission may deem fit and proper  
in the circumstances of the case is also  
solicited.

Quetta.

Dated: 1-09-2018

PETITIONER  
Khuda Bakhsh