

Set. No. 8

11/09/04/2018

BEFORE THE ELECTION COMMISSION OF PAKISTAN/  
Secretary Election Commission Of Pakistan

**REPRESENTATION UNDER SECTION 21(2)(3)  
OF THE ELECTIONS ACT, 2017 R/W RULE 12  
(1) OF THE ELECTIONS RULES, 2017  
AGAINST THE PROPOSED DELIMITED PB-16  
SOHBATPUR.**

The objector respectfully submits as under:

1. That the objector is permanent resident of Deh Naseer Khan, which falls within the Patwar Halqa of Mohabatpur, Tehsil Manjipur of District Sohbatpur. The name of objector is enlisted in the Electoral Role of Naseer Khan-2, having its Statistical Block Code No.471010109. Copy issued by the Election Commission of Pakistan is annexed herewith.
2. That previously, this Mouza was within the electoral limits of PB-27 Jaffarabad-III and now after delimitation, this Halqa is falling within the limits of PB-16 Sohbatpur.
3. That after delimitation, on creation of PB-16 Sohbatpur, some of the new areas have been incorporated within the Constituency of PB-16, which were previously in the limits of PB-26, Jaffarabad-II, mentioned as follows:
  - i). Muhammad Alipur.
  - ii). Rupa
  - iii). Ghuri.
  - iv). Chatan Pati
  - v). Noorpur.
  - vi). Shahwah
  - vii). Thul.
4. It is pertinent to mention here that on 21<sup>st</sup> May, 2013, District Sohbatpur was created by the then Caretaker Government vide Notification No.262 A 13, dated 21<sup>st</sup> May, 2013. The said Notification was issued



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specially at that time when the said Government was not set to be a Government as per provision of Article 129 and Article 130 of Islamic Republic of Pakistan. The creation of District Sohbatpur, vide above mentioned Notification was challenged before the High Court of Balochistan in Writ Petition No(S) 183 of 2016, on the basis of which the notices were issued to the Chief Secretary, Balochistan and the Senior Member Board of Revenue, Government of Balochistan. The said petition is still pending for adjudication before the Hon'ble High Court of Balochistan, copy whereof is filed herewith.

5. That the areas, mentioned in Para No.3 of this Representation, were the part of Tehsil Jhatpat, District Jaffarabad before the creation of District Sohbatpur and were within the Electoral limits of PB-26, Jaffarabad-II.

6. That the District Sohbatpur was created by the then Caretaker Government with malafide intention and ulterior motives, just on political basis to facilitate their nears and dears. The son of the then Prime Minister of Caretaker Government is the prime example, who has been facilitated and elected as Chairman, District Council, Sohbatpur. After creation of District Sohbatpur, the above mentioned areas have been incorporated in newly created Tehsil Fareedabad, which is now one of the Tehsil of District Sohbatpur.

7. That the Hon'ble Supreme Court of Pakistan in C.P. No.30 of 2013, while hearing the said petition, passed an order on 22<sup>nd</sup> May, 2013, wherein it was held that the Caretaker Government cannot take the steps, which effect the policies of elected Government. Since, the creation of new Districts is a policy matter and the new Districts could be created only on administrative basis. The District Sohbatpur was created on



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political rather than the administrative basis, as such, now creation of PB-16 on the basis of District Sohbatpur is unjustified and against the dictum of Hon'ble Supreme Court.

8. That the above mentioned areas at that time were part of PB-26, Jaffarabad-II, which is now after delimitation became as PB-14, Jaffarabad-I. Since, the areas as mentioned above, are near to the Dera Allahyar, which is now within the limits of PB-14, Jaffarabad-I, the said areas are required to be incorporated within the limits of PB-14, Jaffarabad-I.

9. That without prejudice to the above, suffice to mention here that there are some tribal disputes and if the population of said areas may not be incorporated in the limits of PB-14, the law and order situation could be arisen on the day of polling/election.

It is, therefore, respectfully prayed that in view of above submissions, the areas mentioned in Para-3 of representation may kindly be withdrawn from the electoral limits of PB-16, Sohbatpur and may kindly be incorporated within the electoral limits of PB-14, Jaffarabad-I.

Dated. 02-04-2018.

  
Appellant/Objector

(SOHRAB KHAN S/O ABDUL HAMEED KHAN)  
CNIC # 53403-8281011-5, Resident of Deh Naseer  
Khan, Goth Sohrab Khan, Tehsil Manjipur.

