

- 1 -

BEFORE THE ELECTION COMMISSION OF PAKISTAN

ISLAMABAD

Representation Petition No. _____ / 2018

1-8
02/04/2018

Before:

The Secretary (ECP) Secretariat, Election House, Constitution Avenue, G-5/2, Islamabad.

On behalf of:

1. Muhammad Daud S/O Ghulam Sarwar CNIC No. 54202-1096202-7, R/o Arambi Karez P.O. Box Killah Abdullah, Tehsil and District Killah Abdullah. (Cell No. 0300-8380345).
2. Zamarak Khan S/O Hayat Ullah CNIC No. 54401-5627918-5, R/o Pir Ali Zai, P.O. Box Killah Abdullah, Tehsil and District Killah Abdullah. (Cell No. 0300-8381100).
3. Muhammad Usman S/o of Haji Shahjan CNIC No. 54202-1100938-, R/o Kalli Hameed Kulach, Killah Abdullah1; (Cell No. 0331-5037716)

...Applicants/Petitioners

REPRESENTATION UNDER SECTION 21(3) OF THE
ELECTION ACT 2017 READ WITH RULE 11 (4) OF THE
ELECTION RULES 2017 FOR THE DE-LIMITATION OF THE

-2-

11/02/04/2019

PROPOSED CONSTITUENCY NO. PB-22 IN THE
PRELIMINARY REPORT

Respectfully Sheweth:

ABSTRACT

District Killah Abdullah of Balochistan Province has been clock-wise proposed to be divided into three (3) provincial constituencies bearing No. PB-22 (Killah Abdullah-1), PB-23 (Killah Abdullah-2) and PB-24 (Killah Abdullah-3);

The instant petition pertains to **CONSTITUENCY PB-NO. 22 (Killah Abdullah-1)**;

Dobandai is a Sub-Tehsil comprising of three Patwars out of which two Patwar Circle(s) of Sub Tehsil Dobandai namely **PC-Aghbarg and PC-Farakhi** having population of 49,569 have been wrongly included in the Constituency PB-No. 22 (Killah Abdullah-1); which actually merits to be included in PB-23 (Killah Abdullah-2) with the third **Patwar Circle Jalgai** (population of 12,154) already in proposed constituency PB-23; which is challenged on following grounds; The Applicants/Petitioners are registered voters of the subject proposed constituency PB-22; challenges the same on the following grounds:

11/02/04/2018

GROUND

- a. That the preliminary delimitation of constituency has been published through public notice by the Election Commission of Pakistan; Which is in gross violation of laws, rules, procedures, principles and provisions as well as sections laid down in Election Act 2017; The same is liable to be rectified to the extent of prayer of the petition to meet the ends of justice and to be in accordance with the rules, provisions, laws, section and true spirit of Election Act 2017;
- b. The Quota Per seat for the province of Baluchistan and existing population of the three proposed constituencies of namely PB-22, PB-23 and PB-24 as per 2017 Census is given under:
- i. Quota per seat = 242,054 with 10% plus minus;
 - ii. Existing PB-No. 22 (Killah Abdullah-1)= 196,484;
 - iii. Existing Population of PB-No. 23 (Killah Abdullah-2)= 153, 771;
 - iv. Existing Population of PB-No. 24 (Killah Abdullah-3)= 407, 323;



11/02/07/2018

c. The Sub-Tehsil Dobandai consists of three Patwar Circles namely PC-Aghbarg and PC-Farakhi and PC- Jalgai; The two Patwar Circles PC-Aghbarg and PC-Farakhi collectively having population of 49, 569 have wrongly been included in proposed constituency PB-No. 22 (Killah Abdullah-1); while PC-Jalgai (12, 154 – Population) has been retained in PP-No. 23;

d. The tribes inhabiting PC-Aghbarg and PC-Farakhi have decades old tribal disputes with the tribes living in proposed constituency PP-22 (Killah Abdullah-1; The continuous history proves through fact and the record; shows a deep strife which has been a reason of bloodshed and resulted in loss of many lives and for this reason both the Patwar circles were always kept away from the new areas of PB-22;(Record annexed).

e. Due to zig-zag delimitation scheme the two Patwar Circles PC-Aghbarg and PC-Farakhi have been included in the PB 22; which has given rise to revival of decades old enmity between the tribes living in the areas, therefore the same PC(s) merits to be excluded from PB No. 22 (Killah Abdullah-1) and to be included in PB 23 (Killah Abdullah-2)



9/02/04/2018

to avoid law and order situation in the interest of the inhabitants of both the provincial constituencies;

- f. The subject PC-Aghbar and PC-Farakhi of Sub-Tehsil Dobandi does not link with PB-22 as the physical linkage is halted/cutoff by huge mountains terrains and the alternate/long route through PB-23 via PC-Jalga of Sub Tehsil Dobandi makes considerable distance; the subject two Patwar Circles PC-Aghbarg and PC-Farakhi of Sub-Tehsil Dobandi are best linked with PC-Jalga of same Sub-Tehsil Dobandi, which is already part of proposed PB No. 23;
- g. That historically the subject two Patwar Circles PC-Aghbarg and PC-Farakhi along with PC-Jalgai of Sub-Tehsil Dobandi has always remained part of one constituency which is currently PB-23 (Previously PB-13); In order to retain compactness of sub-Tehsil; typographic linkage and homogeneity the subject PC-Aghbarg and PC-Farakhi merits to be excluded from PB No. 22 (Killah Abdullah-1) and included in PB 23 (Killah Abdullah-2);
- h. The proposed exclusion of PC-Aghbarg and PC-Farakhi, collectively having population of 49,569 from PB-22 (Killah Abdullah-1) and inclusion to PB-23 (Killah Abdullah-2) does



6 -

M 2/6/2018

not alter the population distribution for both the constituencies; After the above-mentioned proposal the new population for PB No. 22 and PB No. 23 shall become;

i. Existing PB-No. 22 (Killah Abdullah-1)= 196,484

- By Exclusion of 49,569 collective population of two PCs (Aghbarg and Farakhi) makes the new population of **PB-No. 22(Killah Abdullah-1)= 146, 915;**

ii. Existing Population of PB-No. 23 (Killah Abdullah-2)= 153,771

- By Addition of 49,569 collective population of two PCs (Aghbarg and Farakhi) makes the new population of **PB-No. 23 (Killah Abdullah-2) = 203,340, which falls within the Quota;**



- 7 -

9/02/09/2018

i. The above mentioned facts and grounds shall make the population distribution of the PB-22 (Killah Abdullah-1), PB-23 (Killah Abdullah-2) and PB-24 (Killah Abdullah-3) as under

PB No.	Proposed Population Distribution by Election Commission of Pakistan (ECP) for 2018 Election	Proposed/Suggested by The Applicants
22	196, 484	146, 915
23	153,771	203,340
24	407, 323	407, 323

j. The above said exclusion of PC-Aghbarg and PC-Farakhi of Sub-Tehsil Dobandi form proposed PB-22 shall bring the consistencies to old territorial limits of PB-22 and PB-23, previously – PB No.12 and 13 respectively; therefore keeping old constituencies shall also serve the purpose of the instant representation.

PRAYER:

In the light of the above mentioned it is therefore prayed:

8 -

30/03/2018

- a. The two Patwar Circle(s) of Sub Tehsil Dobandi namely PC-Aghbarg and PC-Farakhi be excluded from the proposed constituency PB-No. 22 (Killa Abdullah-I) and included to the proposed constituency PB-No. 23 (Killa Abdullah- II);
- b. The old/existing territorial limits of constituencies of PB No. 22 (Old PB 12) and PB No. 23 (Old PB-13) shall be kept;
- c. Any other relief to which the petitioners are entitled may kindly be granted in the interest of justice.

Sumaira Khan

M. Usman

[Signature]

Petitioners

Through Counsel

(MALIK QAMAR AFZAL)
Advocate Supreme Court

(SYEDA SUMMERA NAQVI)
Advocate High Court

(AHMAD RAZA MANGAT)
Advocate High Court

(SAAD KHAN)
Advocate High Court

Dated: 30-03-2018

