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

Sher Zaman S/o Shahzada (CNIC No: 55301-3359824-1) Resident
of Village Sunari, District Harnai. Cell No: 0333-7891011
..... (Petitioner)

**Subject: REPRESENTATION UNDER SECTION 21 (3) OF THE
ELECTION ACT 2018 IN RESPECT OF
DE-LIMITATION OF PB-7 FOR THE PROVINCIAL
ASSEMBLY OF BALOCHISTAN.**

RESPECTFULLY SHEWETH:-

1. That the petitioner is a voter of PB-7. The voter list is annexed.
2. That in the election held in Year 2013, the Constituency Number of Harnai District for the Provincial Assembly of Balouchistan was PB-22. PB-22 consisted of the District of Harnai plus two Sub-Tehsils of District Sibi namely Kot Mondai and Sangan.
3. That in the proposed de-limitation for the Election of 2018, the District of Harnai has been given Constituency number as PB-7. It has been proposed that this Constituency will now consist of District Harnai and District Ziarat.
4. That sub section 4 of Section 19 provides as under:-



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"(4) For the purpose of election to Provincial Assemblies, the Commission shall divide each Province into as many separate territorial constituencies as the number of general seats specified in Article 106."

The General Seat for the Province of Balouchistan are 51, therefore, the Province has to be divided into separate 51 territorial constituencies.

5. That Section 20 of the Election Act 2017 gives the principles of de-limitation. Section 20 is reproduced:-

20. Principles of delimitation.—(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.

(2) For the purpose of delimiting constituencies for the general seats of the National Assembly for the Tribal Areas two or more separate areas may be grouped into one constituency.

(3) As far as possible, variation in population of constituencies of an Assembly or a local government shall not ordinarily exceed ten percent.

(4) If the limit of ten percent under sub-section (3) is exceeded in an exceptional case, the Commission shall record reasons thereof in the delimitation order.



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By reading Section 20, it is clear that while delimiting the constituencies, as far as practicable, regard has to be given to the distribution of population in geographical 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. In this respect, variation in population of constituencies is permissible to the extent of 10%.

6. That in the last census, the population of Harnai District has been declared to be 97017 though it has been decided to verify the census to the extent of 5% Block. The applicant is sure that in this process, the population of District Harnai is likely to exceed. The reasons for this thinking of the petitioner are as under:-

a. That the census in the year 2017 have conducted in the month of June and July and the Harnai District is one of the Warm area of the country and at the time of the census more than 30% peoples have been migrated to the cold area due to which fair census had not been conducted and on this ground the constituencies



cannot be delimit and are liable to be reversed.

- b. That the Harnai District is geographically is mountainous region and the majority of the population is inhabited on the top of the far flung hills where the census teams did not approach at all.
- c. That it is the admitted fact that there are the existence of banned organizations in the District Harnai specially Shahrug who spread fear and harassment in the masses to remain far from the census work, if the masses participated in the census be responsible of dire consequences, on this ground alone the delimitation of constituencies are to be set aside.
- d. That several matter has been reported that the teachers refused to go the several areas of the district due to sever threats, on this ground the census is not correctly conducted previous positions.
- e. That irrespective of above that in the census year of 1998 when the majority of the population of the area specially the worker of PKMAP boycotted and then the population of the District Harnai were

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recorded as 75500, but surprisingly after the laps of almost 20 year the present census recorded the population as 97017.

- f. That even otherwise according to the universal principles of the world the population has to be increased about 3% but the same formula as well not applied in the District Harnai.
 - g. That the District record of polio vaccinations they have recorded the 23890 has been vaccine, which a fact as well negate the fairness of census 2017 and does not provide base for the limitation of the Constituencies.
 - h. That according to the record of primary education of the District the 15000 students are getting education only in primary level this fact as well negate the census of 2017.
7. That assuming but not conceding that the population of Harnai District is 97017, even then the delimitation of the PB-7 and inclusion of Ziarat with Harnai is against the principle of delimitation mentioned in Section 20 of the Election Act 2017. It is to be noted here that from Harnai to Ziarat the distance is more than 110 Miles. If somebody is



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to go from Harnai to Ziarat, he would first go to Kachmor and then from Kachmor to Ziarat. It takes about 5 to 6 hours to go to Ziarat from Harnai. It is very difficult to get public transport on this route. As has already been submitted that the law provides that while delimiting the constituencies, facilities of communication and public convenience has to be given consideration. Another factor that the delimitation should be done keeping in mind geographical compact areas physical features and existing boundaries of administrative units too have been ignored while proposing the delimitation of PB-7. The Harnai is the hottest area whereas Ziarat is the coldest area. The long holidays in Harnai is in the Summer Season whereas in the District of Ziarat in the winter season.


8. That it is proposed by the petitioner that in the Constituency of PB-7, the two sub-Tehsils of District Sibi namely Kot Mondai and Sangar which were part of this Constituency in the Election 2008 and 2013. By inclusion of these two sub-divisions, the provisions of Section 20 (2) will also be satisfied. It would be in accord with the provisions of Section 20. The two sub-Tehsils mentioned above are contiguous to District Harnai.


PRAYER:-

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It is therefore, respectfully prayed that the instant representation may kindly be allowed, the District of Ziarat be taken out from this constituency and the two Sub Divisions of Kot Mondai and Sangar may kindly be included. The relevant maps are annexed.

Dated: 31-03-2018


..... Petitioner
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Through


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