

(11)

BEFORE THE ELECTION COMMISSION OF PAKISTAN

ISLAMABAD

Representation Petition No. \_\_\_\_\_ / 2018

  
**Before:**

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

**On behalf of:**

1. Taj Muhammad Raisani S/O Mir Maher ullah khan raisani  
CNIC No. 54400-0464720-7, R/o Mohallah Sardar khel,  
Mithri tehsil dhadar district Kachhi having (Cell No. 0333-  
7862667).
2. Mir Muhammad asim Kurd s/o hajji khan Muhammad Kurd  
resident of joint road, house No.C 76/77, Mohallah railway  
housing society Quetta.

...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  
PROPOSED CONSTITUENCY NO. PB-18 IN THE  
PRELIMINARY REPORT

Respectfully Sheweth:

(21)

AA 30/03/2018

## ABSTRACT

District Kachi of Baluchistan Province has been clock-wise proposed to be divided into one provincial constituency bearing No. PB-18. The instant issue pertains to CONSTITUENCY PB-NO. 18; which includes tehsils i.e. sannu, balanari, khattan, mach and daddar etc, the Tehsil sannu and khattan collectively having population of 111,290 have now been included in Constituency PB-No. 18, which actually merits to be included in PB-17 (Jhal magsi) on the ground that the tribes i.e. Rind and Raisani living in the subject tehsils have decades old enmity which has previously resulted in bloodshed and loss of many lives; For the same reason both the tehsils were previously part of the PB-31 hence this petition on the following grounds;

## GROUND

- a. The District Kachi consists of three Tehsils namely Tehsil Balanari, Tehsil Match and Tehsil Dadar; The instant petition pertains to proposed constituency PB-18 created in Tehsil Balanari; The applicants/petitioners are local inhabitants of Tehsil Balanari and Tehsil Match both are registered voters; proof of the same is annexed with this petition;

- b. That the preliminary delimitation of constituencies has been published through public notice by the respondent. Copy of notice is attached as annex-A.
- c. That the preliminary delimitation of constituency PB-18 is against law, facts, rules, procedures, principles and provisions as well as sections laid down in the delimitation Act 2017.
- d. That there is gross violation of laws, rules, principles and sections of delimitation rules 2017.
- e. That the delimitation of PB-18 is liable to be rectified to the extent of prayer of the petitioner to meet the ends of justice and to be in accordance with rules, provisions, laws sections laid down in the delimitation Act 2017.
- f. The total population for the provincial constituency of PB-18 as per proposed map of 2018 by Election Commission of Pakistan are given under:

**PB-No. 18= 237,030**

- g. That the Tehsil sannu and khattan collectively having population of 111,290 have been now included in Constituency PB-No. 18, which actually merits to be included in PB-17 (jhal magsi) on the ground that the tribes i.e. Rind and Raisani living in the subject tehsils have decades old enmity which has previously resulted in

bloodshed and loss of many lives; For the same reason both the tehsils were previously part of the PB-31.

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- h. That the number of FIRs of killing had already been registered with the concerned police stations.
- i. That many people have already been migrated from their native places to other areas on account of disturbance.
- j. That if this situation remains in constituency there is or there will be serious apprehensions for further disturbance, hostilities and likelihood of killings etc.
- k. However due to proposed delimitation scheme of the Election Commission of Pakistan whereby the two tehsils along with other areas have been included in the PB 18, has given rise to revival of decades old enmity between the tribes living in the areas, therefore the same tehsil(s) merits to be excluded from PB No. 18 and included in PB 17 ( jhal magsi) to avoid law and order situation in the interest of the inhabitants of the constituency;
- l. Furthermore the sub tehsil Dasht may be included in PB-18 from PB-36 as it is more compact because of its geographical location, cultural similarities, relationships since ages more over communication excess, railway

tracks, road links are more precise and connected to PB-18 as compared to sannu and khattan.

m. Kachi headquarter being near to Dasht is more public beneficial and convenient for general public therefore the inclusion of Dasht in PB-18 is more beneficial for the welfare of the people.

n. The Quota Per seat for the province of Baluchistan and existing population as per 2017 Census is given under:

- i. Quota per seat = 242,054 with 10% plus minus.
- ii. Existing Population of PB-No. 18 = 237,030.
- iii. Existing PB-No. 17 (jhal magsi) = 149,225.
- iv. Existing PB.36 = 266,461.

Therefore the proposed exclusion of tehsil khattan and sannu, collectively having population of 111,290 from PB-18 and addition to PB-17 (jhal magsi) does not alter the population distribution of the constituencies; After the above-mentioned purpose the new population for PB No. 17 and PB No. 18 and PB-36 shall become;

i. Existing PB-No. 18 = 237,030

- By Exclusion of 111,290 collective population of two tehsil (sannu and khattan)

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and by adding the population of Dasht which is 64,768 makes the population of PB-No. 18 = 190, 508;

ii. Existing Population of PB-No. 17 (jhal magsi) = 149,225

➤ By Addition of 111,290 of both (sanni and khattan) tehsils population, the population of PB-No. 17 will be 260,515, which falls within the Quota.

iii. By exclusion of Dasht sub tehsil from PB-36 its population remains 201,693 which is as per quota.

o. The above mentioned facts and grounds shall make the population distribution of the PB-17, PB-18 and PB-36 as under

PP No.	Proposed Population Distribution by Election Commission of Pakistan (ECP) for 2018 Election	Proposed/Suggested by The Applicants
17	149,225	260,515
18	237,030	190,508

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36	266,461	201,693
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**PROPOSAL BY THE APPLICANT**

In these circumstances it will be safe to suggest as following;

a. That both the previous constituencies PB-30 and PB-31 as per calculated share become 0.98 %,it will be just and appropriate that 0.2 % may be taken from bhag which consist upon 5 union councils;-

1. Jalal khan union council
2. Mehran union council
3. Chalgari union council
4. Noshara union council
5. Municipal committee

And two constituencies i.e. PB-30 and PB-31 should remain intact as before.

b. And constituencies i.e. PB-30 and PB-31 be remained intact as per previous position i.e. election held in the year 2013 as it were in 2013.

PB-30

1. Tehsil match
2. Tehsil daddar.
3. Sub-tehsil balari.

PB-31

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1. Tehsil bhag
2. Tehsil khattan
3. Tehsil sann/shoran

- c. In alternative tehsils sann/shoran/ and khattan may be excluded from the proposed constituency of PB-18 to avoid further bloodshed on account of dispute between rind and raisani tribe.
- d. That finally it is suggested that in purposed PB-18 the area of population may be taken from tehsil spezend Dasht of PB-36 consisting upon 4 union counsels and be adjusted in PB-18 as against tehsil sann/shoran and khattan.

PRAYER:

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

- a. Constituencies i.e. PB-30 and PB-31 be remained intact as per previous position i.e. election held in the year 2013 as it were in 2013.
- b. The tehsils namely sann and khattan be excluded from Constituency PB-No. 18 and included to Constituency PB-No. 17 (jhal magsi) and Dasht sub tehsil of PB-36 May be included in PB-18.

OR



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c. The old/ territorial limits of constituencies of PB No. 30 and PP No. 31 shall be kept by addition of tehsil bhag which consist of 5 union council.

OR

d. Any other relief to which the petitioners are entitled may kindly be granted in the interest of justice.

M. A.

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

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2. Mir Muhammad asim Kurd s/o hajji khan Muhammad Kurd resident of joint road, house No.C 76/77, Mohallah railway housing society Quetta...

Applicants/Petitioner

**AFFIDAVIT**

I, Taj Muhammad Raisani s/o Mir Maher ullah Khan, do hereby solemnly affirm and declare that the contents of the attached writ petition are true and correct to the best of my knowledge and belief. Nothing relevant has been concealed.

  
Deponent

Verified on oath this \_\_\_\_ day of \_\_\_\_\_, 2018 at Islamabad that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

  
Deponent

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Applicants/Petitioner

AFFIDAVIT

M. Asim

I, Mir Muhammad Asim Kurd S/o Hajji Khan Muhammad Kurd.  
\_, do hereby solemnly affirm and declare that the contents of the attached writ petition are true and correct to the best of my knowledge and belief. Nothing relevant has been concealed.

Deponent

Verified on oath this \_\_\_\_ day of \_\_\_\_\_, 2018 at Islamabad that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Deponent

M. Asim