

BEFORE THE WORTHY SECRETARY ELECTION COMMISSION OF
PAKISTAN, ISLAMABAD.

Objection petition regarding delimitation of constituencies PB-25 Quetta-I, PB-28 Quetta-IV, PB-29 Quetta-V, PB-31 Quetta-VII & PB-33 Quetta-IX (Balochistan)

Respectfully Submitted:-

1. That the applicant / objector is a registered voter of PB-28 Quetta-IV and also a member of the Provincial Assembly of Balochistan since May 2013 from constituency PB-28 Quetta-IV (OldPB-2). He is the sitting Minister for Law & Parliamentary Affairs, Prosecution and Forest & Wildlife and Livestock & Dairy Development. He is also a member of Finance Committee, Committee on Government Assurances (Chairperson) and Committee on Council of Chairmen.
2. That the applicant / objector is a law abiding citizen of Pakistan and permanent resident of Alamdar Road, Quetta. The applicant belongs to Hazara tribe and his ancestors moved to Quetta around 140 years back and since then living therein.
3. That it is relevant to point out here the brief history of the Hazara community. During the British expansion in the 19th century, Hazaras worked during the winter months in coal mines, road construction and in other menial labor jobs in some cities of what is now Pakistan. The earliest record of Hazara in the areas of Pakistan is found in Broadfoot's Sappers Company from 1835 in Quetta. This company had also participated in the First Anglo-Afghan War. Some Hazara also worked in the agriculture farms in Sindh and construction of Sukkur barrage. Most Pakistani Hazaras today live in the city of Quetta, in Balochistan, Pakistan and they have integrated well into the social dynamics of the local society.

4. That the Hazara tribe has been rendering their services in every field such as Pakistan Army, Civil services, Sports etc. The Hazara community is peacefully living in the vicinity of Alamdar Road, Quetta City. However, it is relevant to elucidate here respectfully that the Hazara community in Quetta has been the target of persecution and violence since 1980s. Although, the perpetrators often do not claim any responsibility for the attacks.
5. That the applicant / objector is a representative of Majlis Wahdat-e-Muslimeen, a political party, having its primary objective of a conducive environment for individuals where they may run their daily activities in most well-organized and smooth manner.
6. That it is important to emphasize here that Hazara community is the permanent resident in the constituencies of PB-28 Quetta-IV (Old PB-II), PB-27 Quetta-III (Old PB-VI).
7. That 2017 census was not carried out in a proper manner and by dint of this, half of the population of Hazara Community living in Charge No.7 of PB-29 Quetta-IV has not been included in the constituency and the said census deprived them from their fundamental rights as envisaged under the Constitution of Pakistan, 1973, Election Act, 2017 and Election Rules, 2017.
8. That it is also not out of place to elucidate here that in PB-28 Quetta-IV, it will be quite difficult for the candidates to run their election campaigns on the sole ground that the farfetched areas have been included in the constituency of PB-28 Quetta-IV. Previously, only the urban area of the community was part of the constituency PB-28 Quetta-IV whereas now the rural area has also been included in the constituency. The said acts have prejudiced the fundamental rights of the

Hazara community living in the Quetta and are also illegal, unlawful and against the interests of the local inhabitants.

9. That the impugned census as well as delimitation is against the spirit of law, facts and natural justice, thus liable to be declared as null and void.
10. That the new delimitation shall affect the rights of voters and residents of the area shall face difficulties. Further, the inconvenience will be caused to the voters and also to the candidates along with the election staff which is going to be deputed to conduct the election.
11. That the objections filed by Mr. Abdul Khaliq Hazara Chairman Hazara Democratic Party are completely misconceived and untenable in the eye of law being against the facts and grounds reality.
12. Being aggrieved of the impugned census, delimitation vide Notification dated 05.03.2018 issued by the Election Commission of Pakistan, the applicant / objector suggests as follows:

Suggestions:

Name Constituency	Population
I. PB-25 Quetta-I	
1. Kuchlak	154987
2. Panjpai Sub Tehsil	20726
3. Nohasar Sub Tehsil	26304
4. Belaili Sub Tehsil	11915
5. Belaili II	10500
6. Belaili III	13166
7. Durrani II	31242
 Total Population:	 268840

II. PB-26 Quetta-II

1. Durrani I Patwar Circle Qanungo Saddar Tehsil	185098
2. Belaili I Patwar Circle Qanungo Halqa Belaili	82556

Total Population: 267654

III. PB-27 Quetta-III

1. Shadnizai I City tehsil	818492
2. Sadar III (Mozah Shabu)	1206
3. Sadar IV (Mozah Tarkha Kasi)	3346

Total Population: 823044

IV. PB-28 Quetta-IV

1. Charge No.2 Circle No.1	10463
2. Charge No.5	13064
3. Charge No.7	68921
4. Charge No.8	108119

Total Population: 200567

V. PB-29 Quetta-V

1. Charge No.1 excluding Circle No.1	26113
2. Charge No.2 excluding Circle No.2	39600
3. Charge No.6	62068
4. Charge No.9	144541

Total Population: 272322

VI. PB-30 Quetta-VI

1. Charge No.10 excluding Circle No.2	79341
2. Charge No.11	63343
3. Charge No.12	113541
4. Charge No.1 Circle No.1	15954

Total Population: 272179

VII. PB-31 Quetta-VII

1. Charge No.10 Circle No.2	8678
2. Charge No.13	117381
3. Charge No.14	130078

Total Population: 256137

VIII. PB-32 Quetta-VIII

1. Patwar Circle Kechi Baig III Qanungo Kechi Baig Tehsil City	278446
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Total Population: 278446

IX. PB-33 Quetta IX

1. Patwar Circle Qanungo Halqa Kechi baig I	72363
2. Kechi Baig II	26200
3. Shadnizai II	77971
4. Shadnizai III	47464
5. Durani II	13006

Total Population: 236510

13. That without prejudice, the afore referred suggestions are very much necessary and if the same are not made, then there is a serious apprehension that fairness and transparency of forthcoming general election will not be accepted as the people of Hazara community being unsafe and vulnerable are not in a position to embark upon their election campaigns which is their constitutional right.
14. That according to the provisions of Election Laws, the census staff and other concerned quarters should have provided an opportunity of hearing to the applicant / objector, voters, notables and their representatives before reaching at any logical conclusion. Thus the impugned delimitation as well as the census has been issued in utter violation of the Election laws and Constitution of Pakistan, 1973 and are liable to be struck down forthwith.

15. That the impugned census and delimitation are violative of Article 2-A, 3, 4, 9, 25, 37 & 38 of the Constitution of Pakistan, 1973.
16. That the applicant / objector craves gracious permission of the honorable Commission for raising further grounds at the time of hearing.

Prayer

In the light of the aforementioned submissions it is most respectfully prayed that this objection petition may be graced with acceptance and the impugned delimitation vide Notification may kindly be declared as null and void to the extent of PB-28 Quetta-IV or in alternative the old position of PB-28 Quetta-IV may please be restored.

It is further prayed that the referred suggestions may kindly be made in the constituencies mentioned above.

Applicant / Objector

Through

Hasnain Ibrahim Kazmi
Advocate Supreme Court

Ch. Shafiq ur Rehman
Advocate High Court