

Delimitation of Local Government Constituencies Seriously Affects the Equal Suffrage and Representation:

A Case Study of Quetta Metropolitan Corporation

By

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Abstract:

Local Government is a worldwide phenomenon to day. It is generally found that in countries where Local Government is responsible only to the higher tier of government it has very little leeway to mobilize the people; Examples may include that of an authoritarian political system where local government remains solely accountable to the central government rather than to the local residents. Delimitation is the important step in a democratic process of the country and this is also universally recognized right of all citizen of the country to have equal right to be elected and to be voter for any elected institution. The delimitation also determines that how representative and fair election was. Pakistan is the signatory to the International Covenant on Civil and Political Rights (ICCPR) codified this principle in article 25(b), which provides for the principle of equality of votes. Also, paragraph 21 of General Comment 25 (which is the authoritative interpretation of the ICCPR) states that the vote of one elector should be equal to the vote of another; the drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely. Pakistan ratified the ICCPR in 2010. The objective of this research paper is to evaluate the representation of population of

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provincial head quarter in Metropolitan Corporation as equal representation and equal suffrage. The delimitation of Local Government institution in Balochistan seriously affecting the right of equal suffrage of equal representation, there are constituencies having more than ten registered votes from other constituencies in same metropolitan of Quetta provincial head quarter of Balochistan

Keywords: Balochistan, Local Government, Registered Votes, Election Commission. Delimitation, Quetta Metropolitan

Introduction:

Democracy is a system of government, which provides an opportunity to the people to play an active role in politics, and allow the people to take part in government in an institutionalized way where the fundamental decisions are being made for them

In a developing political system a spate of new trends emerge. In which decentralization is one of the most important dimensions of the political system of today. Democratization of the political system means steps toward installing a government by the consent of the governed. The decentralization is the best way to get the consent of governed in policy matters and bringing the administration closer to the people at the grass roots level. Local Government is a worldwide phenomenon today. It is generally found that in countries where Local Government is responsible only to the higher tier of government it has very little leeway to mobilize the people; Examples may include that of an authoritarian political system where local government remains solely accountable to the central government rather than to the local residents.

The term local self-Government is connected with mainly two aspects- Governance and Development, The concept of governance is closely associated with decentralization as it is concerned with power and authority. Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population.

Councils shall exercise this right or assemblies composed of members freely elected by secret ballot on the basis of direct, equal, universal suffrage, and which may possess executive organs responsible to them.

Local Government system is the bases for a democratic system and also the key to provide the democratic and good governance in regard to getting the sustainable services at local level (IFES)

Delimitation is the important step in a democratic process of the country and this is also universally recognized right of all citizen of the country to have equal right to be elected and to be voter for any elected institution. The delimitation also determines that how representative and fair election was. Pakistan is the signatory to the International Covenant on Civil and Political Rights (ICCPR) codified this principle in article 25(b), which provides for the principle of equality of votes. Also, paragraph 21 of General Comment 25 (which is the authoritative interpretation of the ICCPR) states that the vote of one elector should be equal to the vote of another; the drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely. Pakistan ratified the ICCPR in 2010.

Delimitation practices are also codified in the Code of Good Practice in Electoral Matters adopted by the European Commission for Democracy through Law (Venice Commission), adopted in October 2002. The Code suggest that delimitation should be done impartially; without detriment to national minorities; taking account of the opinion of a committee, the majority of whose members are independent and should preferably include a geographer, a sociologist and a balanced representation of the parties and, if necessary, representatives of national minorities. Other key guidelines given in the code are equal voting power through the even distribution of seats among constituencies, which should be applicable at least to elections to lower houses of parliament and regional and local councils. The code also proposes criteria for the allocation of seats to constituencies. These can be population or number of registered voters, but with a variation of not more than 10 percent. The distribution of seats

must be reviewed at least every 10 years, preferably outside election periods.

Balochistan as province was the first province to introduce the Local Government Act 2010 after the dissolution of Local Government bodies constituted under the 2002 ordinance. According to the Balochistan Local Government Act 2010 whole province was administratively divided in to Urban and Rural areas and for each area the bodies were determined, for the urban areas as the metropolitan, corporations, municipalities and town committees and for the rural areas District and Union councils were introduced. These institutions were further divided in to Wards at lower level and each ward is supposed to elect their representative for the mentioned local government body (Balochistan Local Government Act 2010). Election Commission of Pakistan is responsible for the election of these democratic local level institutions

Methodology for the Study:

Keeping the assessment, time to time evaluation of local government seats, changes in the constituencies' demographic areas, this study was designed to investigate that parameter which reflects & highlight the importance of voters' rights & to determine the weight-age & importance of their vote for Local Government institutions of the province of Balochistan and focused on Quetta Metropolitan corporation. The data were collected through primary & secondary sources & is presented in tabulated form with graphic illustration

Result and Discussion:

Legal provision of Delimitation of Constituencies in Pakistan:

For the delimitation of National and provincial assemblies Pakistan has specific law The delimitation of constituencies act 1974, The constitution of Pakistan 1973 has mentioned that the local government is the provincial subject and each province has to develop and pass their own local government specific laws (Constitution of Pakistan The key criteria for delimitation in provincial laws demand geographic firmness and contiguity and more or less uniform population. However, not without a

limitation the provincial government has power to neglect the basic requirement and draw the constituencies for local government

Local Government Institutions in Balochistan:

According to Local Government Act 2010, the following local councils shall be constituted: - (a) A Union Council for each Union; (b) A District Council for each District; (c) A Municipal Committee for each Municipality; (d) A Municipal Corporation for each City; (e) A Metropolitan Corporation for the Capital City. (2) Government may, by notification, declare an area: - (a) comprising a village or a number of villages having, as far as possible, an aggregate population between 7000 and 15000, excluding its urban areas and the cantonment areas, to be a Union Council ; (b) comprising the area of a revenue district, excluding its urban areas and the cantonment areas, to be a District Council; (c) comprising an urban area having a population exceeding 15000 but not exceeding one lac to be a Municipal Committee; (d) comprising an urban area having a population exceeding one lac but not exceeding five lac to be a Municipal Corporation; and (e) comprising an urban area having population exceeding five lac to be a Metropolitan Corporation. ((Balochistan Local Government Act 2010)

According to Balochistan Local Government and Rural Development Department, Balochistan province is administratively divided in to 32 districts and these districts has 7190 local government elected institutions including one Metropolitan, four municipal corporations, 54 municipal committees, 5498 district rural union councils, 635 district union councils 1057 urban wards.(LGRD)

Composition of Local Government Institutions in Balochistan:

In rural councils the member of district council will consist on the numbers of Union councils each union council voters will elect on member for district council, the representatives of religious minority, labor/peasant and women will be indirectly elected for the district councils.

Union Councils: Each union council will consist on seven to fifteen general members determined by the population 1000 to 1500 with marginalized adjustment of 100 in the lower or upper stages and each union council will have representation of women, Labor and peasant and these members will be indirectly elected by the elected member of union councils of area.

Urban Councils:

Under the Balochistan Local Government Act the Urban Council comprises Municipal committee, Municipal Corporation and Metropolitan, each municipal committee will have eight to thirty six general members the variation of membership is depend on the population of the area, population from 2000 to 2500 will have one representative with marginal adjustment of 200 in the lower and upper stage, representative of women. Peasant, workers and non-Muslims will be included as affirmative action for deprived segment of the society.

The Municipal corporations will consist of 30 to 50 general members, population among 3500 to 10000 with 500 adjustments with upper and lower will have one representative in council representatives of non-Muslims, women, peasant and workers will also be given representation. In Balochistan only one Metropolitan Corporation is there in provincial capital of Balochistan where according to law 50 to 70 members determined by the population 10000 and 20000 with a marginal adjustment of 1000 in the lower and upper stage the representatives of Non-Muslims, Women, Peasant and Workers will also join them as member through indirect election.

Metropolitan Corporation Quetta:

Quetta Metropolitan Corporation is only one urban metropolitan in Balochistan at provincial headquarter, the metropolitan Figure 1. Shows that the metropolitan consist on 58 wards and total registered voters are 364142 in which women voters are 152171 and male voters are 211971. If the equal representation is ensured and all the registered voters are divided in to 58 constituencies then each local government constituency should have 6278 registered voters, but the situation of delimitation is different in

Quetta Metropolitan. The data also exhibits that there are 28 wards of metropolitan that have less than 5000 registered voters in which 5 wards have less than 2500 registered voters the lowest number of registered voters is 1900 voters in this category this category of wards are about 50 percent representatives in Quetta metropolitan. The next slot is 21 wards that have less than 10000 registered voters in which 5 each wards having 5000 to 6000 and 6000 to 7000 registered voters 6 wards have 7000 to 8000, 3 wards are wards that have 8000 to 9000 and 2 wards having 9000 to 10000 registered voters. These two categories of wards have variation of registered voters from 1814 the lowest one and the 9325 is the upper one. The data also mentions the 9 wards that have more those 10000 registered voters in which 7 wards having registered voters more than 10000 and less than 15000 voters. Remaining 2 wards, which have the highest registered voters, are ward no 50 and 58 and they subsequently having 19371 and 26664 registered voters.

The variations of registered voters of Quetta Metropolitan Corporation is seriously violating the Local Government Act 2010 and universally recognized right of all citizen of the country to have equal right to be elected and to be voter for any elected institution, this delimitation of electoral constituencies also violate the International Convention on Civil and Political Rights ICCPR paragraph 21 of General Comment 25 (which is the authoritative interpretation of the ICCPR) states that the vote of one elector should be equal to the vote of another; the drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely. Pakistan ratified the ICCPR in 2010.

The reasons of this variation may be the political interventions of different political parties to create constituencies for their electoral candidates to become the member of metropolitan easily and monopolize this urban local council in representation, election of mayor and deputy mayor, reserve seats for women. Non-Muslims, peasant and workers, and also monopolize the distribution of resources for the municipal services and development.

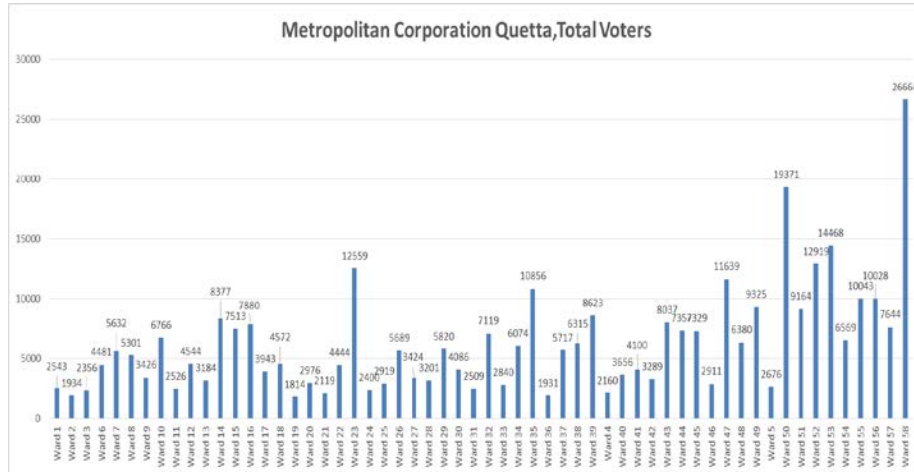


Figure:1.

Source: Election Commission of Pakistan

Wards having than less of 5000 Registered Voters:

The figure 2 reflects that there is huge variation among local level constituencies; the lowest constituency is consisting of 1900 voters. The Balochistan Local Government Act provides the criterion that there will be one member determined by the population 10000 and 20000 with a marginal adjustment of 1000 in the lower and upper stage, But the delimitation of current wards shows that there are 28 wards have less than 5000 voters and within this 28 wards there is again variation of registered voters, with in 28 wards who have less than 5000 registered voters 5 wards have less than 2500 registered voters. Eleven wards of the same body falls between 2500 to 3000 registered voters, the number of registered voters in other 7 wards are between 3000 to 4000 registered voters. The remaining 6 wards among 28 wards have registered voters among 4000 to 5000.

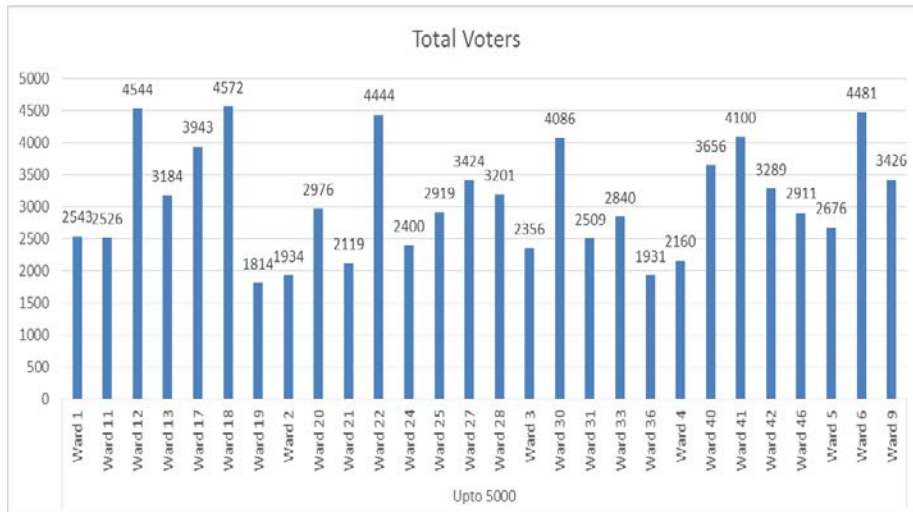


Figure 2.

Source: Election commission of Balochistan

Wards having Registered Voters from 5000 to 10000

Figure 3, shows the result that there are 21 wards of Quetta Metropolitan that falls between 5000 to 10000 registered voters, among these 21 wards there are 5 wards having registered voters from 5000 to 6000, further 5 wards consist of registered voters from 6000 to 7000 in same metropolitan of Quetta. The numbers of wards having registered voters 7000 to 8000 in metropolitan are 6, the wards consist of registered voters 8000 to 9000 are 3, and the registered voters 9000 to 10000 wards are 2.

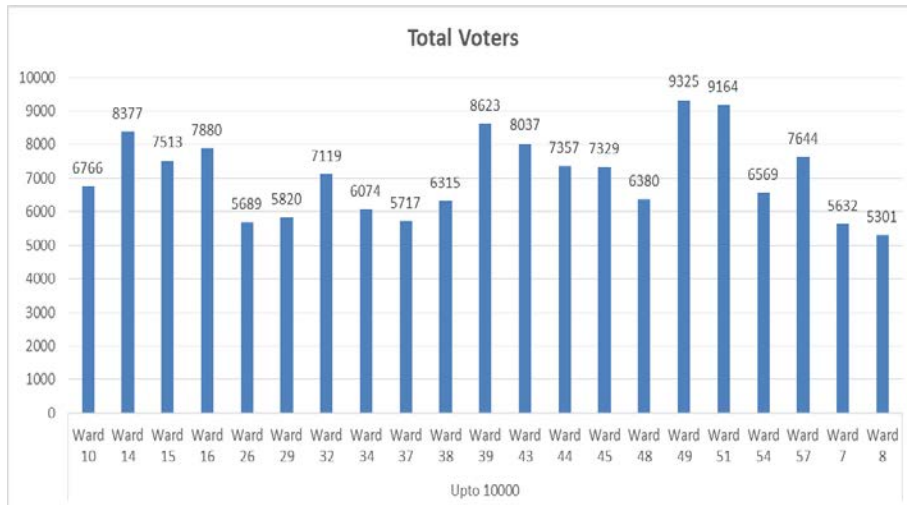


Figure: 3

Source: Election commission of Balochistan

Wards having registered voters more than 10000 to 26664:

The figure 3 reflects that there are nine constituencies of Quetta Metropolitan who have more than 10000 registered voters in which 7 constituencies have among 10000 to 15 000 registered voters and 2 constituencies are more than 15000 registered voters. The ward no 50 of Quetta Metropolitan have 19371 registered voters and Ward no 58 which is highest registered voters 26664 among the 58 wards of Quetta Metropolitan Corporation.

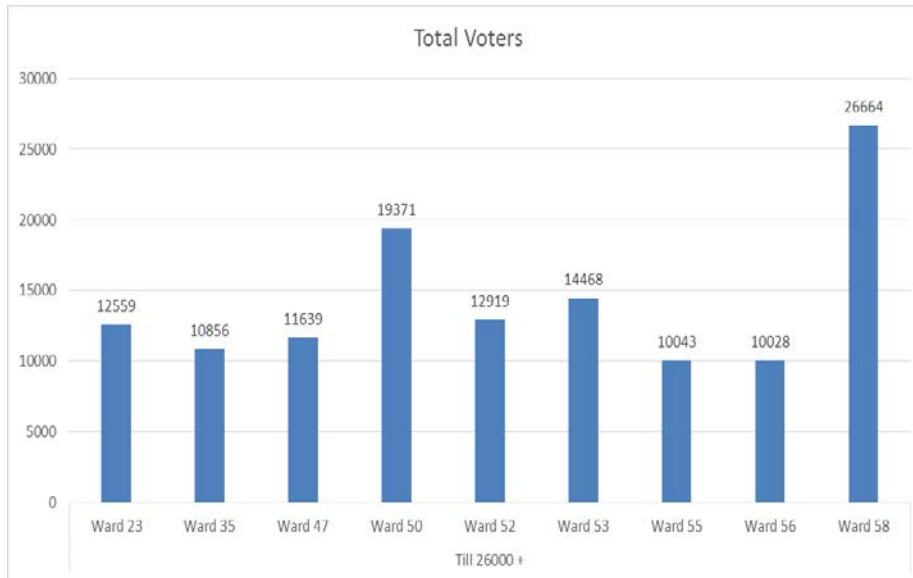


Figure: 4

Source: Election commission of Balochistan

Recommendations:

1. The Government of Balochistan should immediately establish A delimitation commission and in the Term of Reference of commission to review the current delimitation and on the bases of censuses result and by ensuring the equal suffrage and equal representation draw a Comprehensive report.
2. The Local Government Department ensure the implementation of delimitation commission and draw the limitation of election constituencies of Urban and Rural local council on the equal bases
3. The election Commission of Pakistan should take steps to ensure the Implementation of delimitation commission recommendations in the province of Balochistan

Table 1. Wards and voters of Quetta Metropolitan

Ward Name	Total Voters	Female Voters	Male Voters
Ward 1	2543	1153	1390
Ward 2	1934	880	1054
Ward 3	2356	1064	1292
Ward 6	4481	1953	2528
Ward 7	5632	2515	3117
Ward 8	5301	2527	2774
Ward 9	3426	1609	1817
Ward 10	6766	2964	3802
Ward 11	2526	1139	1387
Ward 12	4544	2162	2382
Ward 13	3184	1425	1759
Ward 14	8377	3721	4656
Ward 15	7513	3374	4139
Ward 16	7880	3461	4419
Ward 17	3943	1709	2234
Ward 18	4572	2040	2532
Ward 19	1814	653	1161
Ward 20	2976	1177	1799

Ward 21	2119	902	1217
Ward 22	4444	1860	2584
Ward 23	12559	4502	8057
Ward 24	2400	980	1420
Ward 25	2919	1287	1632
Ward 26	5689	2567	3122
Ward 27	3424	1491	1933
Ward 28	3201	1337	1864
Ward 29	5820	2501	3319
Ward 30	4086	1744	2342
Ward 31	2509	1117	1392
Ward 32	7119	2960	4159
Ward 33	2840	1210	1630
Ward 34	6074	2483	3591
Ward 35	10856	4923	5933
Ward 36	1931	723	1208
Ward 37	5717	2239	3478
Ward 38	6315	2606	3709
Ward 39	8623	3032	5591
Ward 4	2160	998	1162
Ward 40	3656	1339	2317
Ward 41	4100	1491	2609

Ward 42	3289	1369	1920
Ward 43	8037	3280	4757
Ward 44	7357	3291	4066
Ward 45	7329	2984	4345
Ward 46	2911	1346	1565
Ward 47	11639	5022	6617
Ward 48	6380	2688	3692
Ward 49	9325	3976	5349
Ward 5	2676	1219	1457
Ward 50	19371	7878	11493
Ward 51	9164	3847	5317
Ward 52	12919	5070	7849
Ward 53	14468	5556	8912
Ward 54	6569	2799	3770
Ward 55	10043	4144	5899
Ward 56	10028	4050	5978
Ward 57	7644	3292	4352
Ward 58	26664	10542	16122

Source: Election Commission of Pakistan

References:

Balochistan Local Government Act 2010

Balochistan Local Government and Rural Development Department

Constitution of Pakistan 1973

Delimitation Act 1974

Election Commission of Pakistan

International Convention on civil and Political Rights

International Foundation for Electoral System

Pakistan Visionary Forum, Islamabad-Pakistan

United Nation Development Programme UNDP