

(1)

IN THE ELECTION COMMISSION OF PAKISTAN ISLAMABAD

Representation No. of year 2018

Syed Javed Ali Shah son of Syed Umaid Ali Shah Jillani

Adult, Muslim, r/o Jillani Khairpur ..... PETITIONER

VERSUS

The Delimitation Committee Sindh ..... RESPONDENT

**REPRESENTATION UNDER RULE 12 OF THE ELECTION  
RULES 2017 AGAINST THE DELIMITATION OF NATIONAL  
ASSMEBLY CONSTITUENCY IN DISTRICT KHAIRPUR  
PROVINCE OF SINDH**

Being aggrieved of and dissatisfied with the delimitation proposal dated 05<sup>th</sup> March 2018 issued by the Delimitation Committee Sindh for the National Assembly Seats of District Khairpur Sindh Province, NA – 208 Khairpur I, NA – 209 Khairpur II & NA – 210 Khairpur III, the Petitioner above named respectfully submits his representation, praying inter alia therein that the Honorable Election Commission of Pakistan may be pleased to call for the record and proceedings to the extent of above constituencies and may be pleased to check the legality, propriety, validity and correctness of the proposed delimitation and may further be pleased to alter and modify the proposed constitunecies NA 209 Khairpur II & NA 210 Khairpur III and finalize the delimitation of above constituencies by accepting the proposal filed by the Petitioner taking into consideration the following facts & grounds:

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**FACTS**

The facts in brief leading to this representation are that the Delimitation Committee Sindh made following initial proposals for the Delimitation of National Assembly Constituency in District Khairpur of Sindh Province

No. & Name of Constituency	Extent of the Constituency	Population
NA - 208 Khairpur I	a) Taluka Khairpur b) Taluka Kotdiji Of District Khairpur <b>Total</b>	440,752 348,899 <b>789,651</b>
NA - 209 Khairpur II	a) Mirwah Taluka b) Faiz Ganj Taluka c) Nara Taluka d) Following Tapedar Circles of Ranipur STC of Sobhodero Taluka i) Gadeji ii) Raasoolabad iii) Tunia <b>Total</b>	352,491 224,004 160,985 18,749 15,097 6,544 <b>777,870</b>
NA - 210 Khairpur III	a) Gambat Taluka b) Kingri Taluka c) Sobhodero Taluka excluding the Following Tapedar Circles of Ranipur STC i) Gadeji ii) Raasoolabad iii) Tunia Of District Khairpur <b>Total</b>	263,746 340,218 234,038 <b>838,002</b>

The Petitioner above named respectfully submits his proposal for acceptance as final delimitation on Annexure A on consideration of the following amongst other grounds:

**GROUND**

1. That the Petitioner is registered voter at Serial No 31 Block Code No 333040403 of District Khairpur as such he is entitled to make

representations for alterations in preliminary proposal of Delimitation Committee for District Khairpur

2. That the Petitioner has been contesting the general elections since year 2002, he was elected as member of National Assembly from NA – 216 Khairpur II in the last general elections of 2002. The Petitioner contested general elections of year 2013 from NA – 217 Khairpur III which now is renamed & proposed as NA – 210 Khairpur III.
3. That preliminary proposal of delimitation for National Assembly seats has been issued while ignoring the guidelines given in section 20 of The Elections Act 2017 and rules 7, 8, 9 & 10 of the Election Rules 2017.
4. That the Delimitation Committee has proposed the constituencies of NA 208 Khairpur I, NA 209 Khairpur II & NA 210 Khairpur keeping aside the existing boundaries of administrative units (in particular the boundaries of existing local councils, such as Union Councils), geographically compact areas, physical features of the areas, as proposed constituencies mostly cover rural areas, the road networking and convenience is a major issue with public residing in these areas, the facilities of communication and public convenience has been ignored in the proposed delimitation
5. That the Population Criteria in the proposed delimitation has also been violated, as NA 208 Khairpur I is having population of 789,651, NA 209 Khairpur II is having Population of 777,870 whereas population of NA 210 Khairpur III is 838,002 which is about 50,000 higher than NA 208 Khairpur I & 60,000 above the population of NA 209 Khairpur II.
6. That there were three National Assembly seats under the delimitation of year 2002, which were NA 215 Khairpur I (now NA 208 Khairpur I), NA 216 Khairpur II (now NA 209 Khairpur II) & NA 217 Khairpur III (now NA 210 Khairpur III), since the population increase in Talukas remained uniform therefore change in the existing constituencies of Khairpur District was not warranted.

7. That the old NA 216 Khairpur II comprised of Nara Taluka, Faiz Ganj Taluka, Mirwah Taluka & Tapedar Circles Rasoolabad & Gadeji of STC Ranipur and Town Committee Ranipur. In the newly proposed NA 209 Khairpur II all the old revenue limits are kept intact excepting Ranipur Town without assigning any reasons.
8. That the Tapedar Circle Gadeji of Sobhodero Taluka proposed to be included in NA 209 Khairpur II, forms compactness with Taluka Mirwah. The Gadeji itself is a Union Council having its headquarter at National Highway leading from Karachi to Peshawar. Under the local government system Gadeji Union Council comprises of Deh Gadeji, Deh Bhellar of Tapedar Circle Gadeji and Deh Mir Khan Shahani of Tapedar Circle Ranipur, as such the people of this Union Council are tied in a political system at grass roots level with Ranipur Town. The provincial government has devised a system wherein the facilities to the public are provided on Union Council Level. The road networking in between the villages and Union Council headquartes are the important features of convenience provided by the governments. There are the roads emanating from Gadeji leading to Villaages in Deh Bhellar & Tapedar Circle Ranipur which is the guiding principle to include these areas in the one and same constituency as laid down under section 20 of The Elections Act 2017.
7. That the Ranipur Town Committee is located at National Highway leading from Karachi to Peshawar at a distance of One & half Kilometers from Gadeji. Tapedar Circle Ranipur which is the part of Union Council is located on the West – Southern side of Ranipur Town and forms the rural agro based part of Ranipur Town which fact also proves the extent of facilities to be conjointly shared by people of Gadeji & Ranipur. The people of Tapedar Circle Gadeji, Tapedar Circle Pir Taj Mohammed & Tapedar Circle Ranipur are affiliated with Ranipur Town in terms of business as Ranipur is a market for them, education mostly children of

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these Tapedar Circle are enrolled in schools and colleges of Ranipur and health facility as Rural Health Center Ranipur is the nearest health facility for them.

8. That the preliminary delimitation proposal has divided the people of Union Council Gadeji, Union Council Setharja Bala & Town Committee Ranipur (froming Dehs of Tapedar Circles Gadeji, Ranipur & Pir Taj Mohammed) into two constituencies of National Assembly which violates the principles of delimitation enshrined in the Elections Act 2017. Therefore these parts need to be included in NA - 209 Khairpur II. It is also matter of record that most of these areas formed the part of NA - 216 Khairpur II as it existed on the basis of delimitation of year 2002.
9. That Delimitation Committee has also ignored the population criteria of District Khairpur. The distribution of the population in all three Constituencies of National Assembly is not uniform, NA - 208 Khairpur I is populous to the tune of 789,651, NA 209 Khairpur II to the tune of 777,870 & NA 210 Khairpur III as 838,002.
10. That the population criteria under the delimitation proposal given by Petitioner also suits to the principles of delimitation laid down in section 20<sup>10</sup> of the Elections Act 2017. As under the proposed delimitation the population of NA 208 Khairpur I will remain unchanged, population of NA 209 Khairpur II would become 815,061 and that of NA 210 Khairpur III would become.
11. That the Petitioner carves indulgence of the Honorable Election Commission to call records of Local Councils from the District Election Commissioner Office Khairpur to ascertain the local limits of Union Council Gadeji which forms the part of Deh Gadeji, Deh Bhellar of Tapedar Circle Gadeji & Deh Mir Khan Shahani of Tapedar Circle Ranipur.
12. That the marked maps of the constituency are also attached.


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- 13. That the Petitioner seeks indulgence of the Honorable Commission to urge more grounds from the record at the time of hearing of this representation.
- 14. That the Petitioner therefore respectfully prays as under:

PRAYER

- a. That the Honorable Election Commission of Pakistan may be pleased to set aside the preliminary delimitation of the constituencies of National Assembly in District Khairpur of Sindh Province and accept the proposal of Petitioner (attached as Annexure A) for final List of Constituencies.
- b. Any other relief deemed fit and proper under the circumstances of the case.

Dated: 03.03.2018

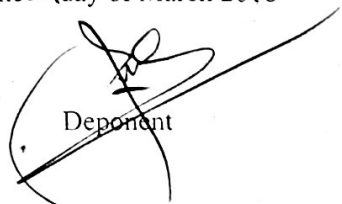
  
 PETITIONER  
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VERIFICATION

I, Syed Javed Ali Shah son of Syed Umaid Ali Shah Jillani Adult, Muslim, r/o Lakyari Mohalla Hingorja Taluka Sobhodero District Khairpur do hereby state on oath that whatever stated herein above in the grounds and facts of representation is true and correct to the best of my knowledge and belief.

Verified at Islamabad this the 3rd day of March 2018



  
 Deponent  
  
 Advocate

  
 MAZHAR COMMISSIONER  
 Oath Commissioner Khairpur