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The Secretary
Election Commission of Pakistan
Election Commission Secretariat
Election House, Constitution Avenue,
G-5/2, Islamabad

Re: REPRESENTATION UNDER SECTION 21 (3) OF THE ELECTIONS ACT, 2017, & RULE 12 OF THE ELECTION RULES, 2017 AGAINST DELIMITATION OF NA- 215 & 216 SANGHAR

The undersigned Applicant submits as under:

1. That the Applicant is a law abiding and respectable citizen of Islamic Republic of Pakistan and is respectable and notable among the inhabitants of District Sanghar, Sindh. The Applicant is politically well aware and is concerned for the wellbeing of his local area. The Applicant is the registered voter of the National Assembly constituency NA- 216, from Taluka Khipro, District Sanghar.

[COPY OF THE VOTER LIST IS ATTACHED AS ANNEXURE –
“A”]

2. That the Applicant is interested to ensure that the pre-poll management and all other matters relating to the conduct of general elections to be conducted in fair manner and as per the spirit of the Constitution, settled laws, rules and principles to ensure that the true spirit of democracy remains intact and well-guarded.

BACKGROUND FACTS

3. That, in year 2002 the delimitation for the National Assembly constituencies for District Sanghar were carved as NA-234, NA-235, and NA-236, comprising all the Talukas of District Sanghar i.e. Taluka Sanghar, Khipro, Jam Nawaz Ali, Tando Adam, Sinjhor and Shahdadpur and some areas of District Mirpurkhas and Umerkot.

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- 4. That subsequent thereto, parts of Taluka Khipro i.e. TC Hingorno, connecting talukas Khipro and Jam Nawaz Ali, were detached from taluka Khipro and were made part of newly carved Taluka Sindhi of District Mirpurkhas. Now therefore, there is no boundary connection between Taluka Khipro and Taluka Jam Nawaz Ali. For all practical purposes, Taluka Khipro is connected with Taluka Sanghar.
- 5. That through press release dated 05.03.2018 issued by the ECP the delimitation/draft list of constituencies for the National Assembly has been published, wherein the constituencies for the District Sanghar has been carved as NA-215 (Sanghar- I) comprising of areas of Taluka Sanghar, Sinjhorro and Shahdadpur, and NA-216 (Sanghar II) comprising of areas from Talukas, Khipro, Jam Nawaz Ali, Taluka Sangha and Shahdadpur and NA-217 (Sanghar III) comprising of areas of Taluka Taluka Tando Adam and Shahdadpur, which is patently illegal and is carved in violations of delimitation laws and rules.

[TRUE COPIES OF THE DRAFT LIST OF CONSTITUENCIES FOR THE RELEVANT DISTRICT AND RELEVANT CENSUS RESULTARE ATTACHED AS ANNEXURES -"B" & "C"]

- 6. That in the instant delimitation of the District Sanghar for the National Assembly are carved in violation of the S. 20 of the Elections Act 2017 for no heed has been paid to the existing boundaries of administrative units, facilities of communication and public convenience, which shows clear mala fide on part of the Delimitation Committee for drafting the draft constituencies for the District of Sanghar.

[CERTIFIED COPIES OF DELIMITATION MAP OF DISTRICT SANGHAR IS ATTACHED AS ANNEXURE - "D"]

- 7. That further the National Assembly Constituencies for district Sanghar are carved in serious violation of Rule 10 (5) of the Elections Rules, 2017, which provides for the delimitation to be started from north of the district and then proceed clockwise, wherein in the instant case the delimitation though was started from the northern end but then was proceeded anti-clockwise thus forming NA-215 over the areas of Talukas Sanghar, Sinjhorro and Shahdadpur. That in principle the delimitation for NA-215 should have comprised of Taluka Sanghar and Taluka Khipro only, which would have confirmed to the population and administrative compactness of the Talukas and would have confirmed to the public convenience and communications links of the two talukas.

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8. That in the instant case the NA-216 has been composed of 4 Talukas i.e. Taluka Khipro, Taluka Sanghar, Taluka Jam Nawaz Ali and Taluka Shahdadpur, which in utter disregard and violation of the S. 20 of the Elections Act 2017 and Rule 10 (5) of the Elections Rules, 2017. The senseless delimitation disregarding all the principles of delimitation clearly shows that the same has been done mala fide to benefit one particular political party and to perpetuate gerrymandering.
9. That the Taluka Sanghar is in the northern end of the District and then in clockwise the next taluka is Khipro, thus in principle the NA-215 (Sanghar I) should comprise of Taluka Sanghar and Khipro, which in other terms i.e. public convenience, administrative boundaries, communication links and well connected and confirm to the principles of delimitation. Whereas in the instant delimitation as drafted by the Delimitation Committee the NA- 216 comprises of four talukas which violates the principles of delimitation. Taluka Khipro is only 60 km from the Taluka Sanghar Headquarter and is well connected by different roads with the same. Whereas, Taluka Jam Nawaz Ali is naturally connected with Taluka Tando Adam, despite that the Jam Nawaz Ali has been connected with Taluka Khipro in an unnatural manner, showing mala fide of the Delimitation Committee.
10. That the Applicant through the instant Representation is challenging the Delimitation of NA-215 and 216 Sanghar II and III respectively published through Draft List of Constituencies vide Press Release dated 05.03.2018 on the following grounds:

GROUNDS

- A. That the instant delimitation has radically disturbed the concept of uniformity of administrative boundaries, public convenience and homogeneity by creating such irrational distribution of areas and has made it difficult to conduct elections in honest, just and fair manner in accordance with the law. If any election is conducted on the basis of the instant delimitation causing public inconvenience would be a serious violation of Articles 9, 17, 25 and 218 (3) of the Constitution of Pakistan and would be against the spirit of democracy and contrary to the provisions of Elections Act, 2017.

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- B. That the delimitation committee's deviation from the principle as enshrined under Rule 10 (5) of the Elections Rules, 2017, without a plausible cause is *mala fide* and devoid of merits.
- C. That, the instant delimitation ignores the established principle that the important aim of the delimitation is to divide the geographic areas into territorial constituencies so fairly that no party or candidate may legitimately have a grievance that there has been "gerrymandering" of constituencies in favor or against the interests of any particular party or candidate. The instant delimitation is clearly being done to benefit one political party thus clearly amounts to worst form of gerrymandering.
- D. That, the instant delimitation for the district Sanghar would ignore the established principle that the delimitation is not a mere drawing of boundaries with a stroke of pen. It is judicious exercise of delineating electoral areas, vigilantly guarding against any possible fear of vote dilution, disenfranchisement or corrupt practices. Whereas, in the instant matter all the established principles have been trampled upon and none of the considerations required for fair delimitation has been heeded to.
- E. That, the instant delimitation of the National Assemblies for the District Sanghar, if not intervened, would lead to unfair and skewed results, tarnishing electoral integrity, making a mockery of the election and turning the constitutional principle of "political justice" on its head.
- F. That, the instant delimitation of the National Assemblies for the District Sanghar would seriously violate the right to life and liberty of the Applicant and voters of the district Sanghar as enshrined under Article 9 of the Constitution of the Islamic Republic of Pakistan. Life of a citizen in a representative democracy cannot be envisaged without its political dimensions, the ability to participate in the political life of the nation, the freedom to exercise political choice, the right to choose a political leader and to elect the government of his or her choice.
- G. That, the instant delimitation of the National Assemblies for the District Sanghar violates right to dignity of the Applicant and voters of the said district as enshrined under Article 14 of the constitution of Islamic Republic of Pakistan. Since, human dignity includes the right to demand a political and democratic structure of governance based on electoral process conducted on the equality, fairness and transparency.

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- H. That, the instant delimitation of the National Assemblies for the District Sanghar is against the whole aim and purpose of the process of delimitation. The Delimitation is always conducted to ensure, fair, just and proportional representation of the people in the elections where in the instant case it is *vice versa*.
- I. That, the instant delimitation of the National Assemblies for the District Sanghar in deliberate neglect of the laws and rules and against the will and objections of general public is repressive, autocratic and tyrannical and in utter disregard to the law, precedents of the higher courts and the principles of natural justice.
- J. That the Applicant begs leave to add, amend and/or plead additional grounds at the time of hearing of this Representation.

PROPOSALS

- I. Therefore it is submitted that the constituencies for the National Assembly for the of the District Sanghar be carried out in the manner described in the below mentioned Table to bring the same in conformity with S. 20 of the Elections Act 2017:

NA	Areas Included	Population	Total Population
1	Taluka Sanghar of District Sanghar Excluding (a) Town Committee Kandhari (b) Town Committee Perumal (c) STC Setharpir	339056	672,340
	Taluka Khipro (Dist. Sanghar)	333284	
2	Taluka Jam Nawaz Ali (Dist. Sanghar)	153,342	720198
	Taluka Tando Adam (Dist. Sanghar)	357919	
	Town Committee Kandhari (from Taluka Sanghar, Dist. Sanghar)	9830	
	Town Committee Perumal (from Taluka Sanghar, Dist. Sanghar)	3326	
	STC Setharpir (from Taluka Sanghar, District Sanghar)	81875	
	STC Jhol (Taluka Sinjhor, District Sanghar)	113906	
3	Taluka Shahdadpur (Dist. Sanghar)	457551	664519
	Taluka Sinjhor (Dist. Sanghar) Excluding (a) STC Jhol	206968	

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PRAYER

It is, therefore, prayed in the interest of justice that in consideration of the grounds mentioned above, the Representation of the Applicant may be allowed and the delimitation of the districts Sanghar be carried out as per the proposals given hereinabove.

Rustam Ali

RUSTAM ALI
S/o Abdul Kahlique
Resident of Village Abdul Khaliq Dars,
Tapo Roonjho, Taluka Khipro,
District Sanghar, Sindh.

Dated: _____