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Before the Worthy Secretary to the Honourable Election Commission of Pakistan

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03-04-18

Representation No. \_\_\_\_\_ of 2018

**Representation under section 21 of the Elections Act, 2017 read with rule 12 of the Election Rules, 2017 in respect of the delimitation of constituencies of Provincial Assembly of Sindh from District Badin**

Respectfully Submitted:-

The undersigned applicant submits as under: -

1. With reference to Notification No.F.8(3)/2018-Elec-I dated 5<sup>th</sup> March, whereby this Hon'ble Commission will hear and decide the objections / representations under sub-section (4) of Section 21 of the Elections Act, 2017 in connection with Preliminary list of National and Provincial Assembly Constituencies of Pakistan.
2. In line with the guidelines provided by law, the Petitioner submits this representation for Provincial Assembly of Sindh constituencies namely PS-70, PS-71, PS-72, PS-73 and PS-74 in the manner as detailed in the following paragraphs.
3. Provincial Assembly of Sindh of District Badin Constituency-Wise Proposals are as under: -

**PROPOSALS**

**1) PROPOSED PS-70**

(a) Matli Taluka excluding following areas:

- |   |          |
|---|----------|
| (i) TC Additional Arain of STC Phulejani          | = 9,530  |
| (ii) TC Additional Khairo Junejo of STC Phulejani | = 13,219 |

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03-04-18

(iii) TC Additional Phulejani of STC Phulejani	= 11,903
(iv) TC Additional Tharokot of STC Phulejani	= 10,728
(v) TC Arain of STC Phulejani	= 8,316
(vi) TC Khairo Junejo of STC Phulejani	= 8,015
(vii) TC Tharokot of STC Phulejani	= 14,750

**Total:** 9,530 + 13,219 + 11,903 + 10,728 + 8,316 + 8,015 + 14,750 = **76,461**

@ **Grand Total:** 4,43,412 – 76,461 = **3,66,951** i.e. **20.34%**

**2) PROPOSED PS-71**

- (a) Talhar Taluka = **1,72,254**  
 (b) The following areas of Matli Taluka included:

(i) TC Additional Arain of STC Phulejani	= 9,530
(ii) TC Additional Khairo Junejo of STC Phulejani	= 13,219
(iii) TC Additional Phulejani of STC Phulejani	= 11,903
(iv) TC Additional Tharokot of STC Phulejani	= 10,728
(v) TC Arain of STC Phulejani	= 8,316
(vi) TC Khairo Junejo of STC Phulejani	= 8,015
(vii) TC Tharokot of STC Phulejani	= 14,750

**Total:** 9,530 + 13,219 + 11,903 + 10,728 + 8,316 + 8,015 + 14,750 = **76,461**

- (c) The following areas of Tando Bago Taluka included:

(i) Dadha STC = **1,25,607**

@ **Grand Total:** 1,72,254 + 76,461 + 1,25,607 = **3,74,322** i.e. **20.74%**

**3) PROPOSED PS-72**

- (a) Tando Bago Taluka excluding following areas:

(i) STC Dadha = 1,25,607

**Total:** 3,98,858 – 1,25,607 = **2,73,251**

- (b) The following areas of Badin Taluka included:

(i) TC Baghar of STC Badin	= 7,143
(ii) TC Khirdahi of STC Badin	= 10,023
(iii) TC Qaimpur of STC Badin	= 13,121
(iv) TC Dasti of STC Nindo	= 12,358
(v) TC Nindo Shaher of STC Nindo	= 17,383
(vi) TC Mithi of STC Nindo	= 17,048
(vii) Town Committee Nindo	= 8,379

**Total:** 7,143 + 10,023 + 13,121 + 12,358 + 17,383 + 17,048 + 8,379 = **85,455**

@ **Grand Total:** 2,73,251 + 85,455 = **3,58,706** i.e. **19.88%**

4) **PROPOSED PS-73**Jmr  
03-04-18

- (a) Badin Taluka excluding following areas:
- |                                    |          |
|------------------------------------|----------|
| (i) TC Baghar of STC Badin         | = 7,143  |
| (ii) TC Khirdahi of STC Badin      | = 10,023 |
| (iii) TC Qaimpur of STC Badin      | = 13,121 |
| (iv) TC Waryaso of STC Badin       | = 12,469 |
| (v) TC Pano of STC Badin           | = 10,735 |
| (vi) TC Dasti of STC Nindo         | = 12,358 |
| (vii) TC Nindo Shafer of STC Nindo | = 17,383 |
| (viii) TC Mithi of STC Nindo       | = 17,048 |
| (ix) Town Committee Nindo          | = 8,379  |

@ **Grand Total:** 4,55,295 – 7,143 – 10,023 – 13,121 – 12,469 – 10,735 – 12,358  
17,383 – 17,048 – 8,379 = **3,46,636** i.e. **19.21%**

5) **PROPOSED PS-74**

- (a) Golarchi (S.F. Rahu) Taluka = **3,34,697**  
 (b) The following areas of Badin Taluka included:
- |                                |          |
|--------------------------------|----------|
| (i) TC Waryaso of STC Badin    | = 12,469 |
| (ii) (ii) TC Pano of STC Badin | = 10,735 |
- Total:** 12,469 + 10,735 = **23,204**

@ **Grand Total:** 3,34,697 + 23,204 = **3,57,901** i.e. **19.83%**

4. That being aggrieved by and dissatisfied with the part of list of constituencies, published in the Preliminary Delimitation Report, 2018, particularly specifying the areas proposed to be included in / excluded from proposed Provincial Assembly Constituencies of District Badin and in the best interest of the population of the district as a whole, the Petitioner craves the kind indulgence of this Honourable Commission for making amendments, alterations or modifications as suggested / proposed by the Petitioner in paragraphs 3 above, *inter alia*, on the following

**Grounds**

- (a) That a combined reading of section 20 of the Elections Act, 2017 and rule 10 of the Election Rules, 2017 reveals that the following principles and procedures are to be kept in mind at the time of making the delimitation of the constituencies:
- |       |  |
|-------|--|
| (i)   | Distribution of population in geographically compact areas |
| (ii)  | Physical features  |
| (iii) | Existing boundaries of administrative units                |

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- (iv) Facilities of communication
  - (v) Public convenience
  - (vi) Other cognate factors to ensure homogeneity
  - (vii) The delimitation of constituencies of an Assembly shall start from the Northern end of the district; and
  - (viii) Then it will proceed clock-wise in zigzag manner keeping in view that population among the constituencies of an Assembly shall remain as close as may be practicable
  - (ix) The variation in population between two or more constituencies shall not ordinarily exceed ten percent
- (b) That while preparing the Preliminary Delimitation Report, 2018 comprising of proposals for fresh delimitation of constituencies for Provincial Assembly of Sindh in District Badin, it is respectfully submitted, the relevant Delimitation Committee failed to adhere to the above stated mandatory principles and procedures in letter and spirit therefore there is a need to revisit the said delimitation proposal by this Honourable Commission.
- (c) PS-70 consists of areas of Matli Taluka. The only change as proposed in this representation is the inclusion of one Tapedar Circle, namely Phulejani of STC Phulejani Matli Taluka for the purposes of population parity as well as geographical contiguity. As per the ECPs proposal the population of this constituency is 344,689 whereas per this representation it is 366,951.
- (d) PS-71 consists of most part of Talhar Taluka, the smallest of the Talukas of the District with a total population of 172,254 and the remaining areas of Matli Taluka and one STC Dadha of Tando Bago Taluka. The primary difference herein is that whereas the ECPs proposal has divided the Taluka Talhar excluding two Tapedar Circles namely Shorki and Walhar, this representation proposes to keep this Taluka intact. It is hereby proposed that instead of dividing a Taluka, an essential administrative unit, a Tapedar Circle, namely Phulejani of STC Phulejani of Matli Taluka may be shifted to PS-70 to maintain population parity between both of these constituencies with minimum disturbance to the administrative structure. As per the ECPs proposal the population of this constituency is 375,361 whereas per this representation it is 374,322.

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- (e) PS-72 consists of the most part of Tando Bago Taluka and some adjoining Tapedar Circles of Badin Taluka. Whereas the ECPs proposal includes six Tapedar Circles of STC Nindo Shaher Taluka Badin, this representation proposes that 3 Tapedar Circles of STC Badin and 3 Tapedar Circles of STC Nindo Shaher maybe included instead. This representation is made for the purposes of geographical contiguity, as is illustrated by the attached maps. The Tapedar Circles Kamaro, Saroro and Mirzanpur are situated to the south of Badin Municipal Committee and accessible from the Badin - Kadhan – Ali Bandar road. As such they jut out as a peninsula, mostly disconnected from the rest of PS-72 and in the midst of areas of PS-73. The Tapedar Circles Baghar, Khirdahi and Qaimpur of STC Badin are situated to the North, and North East of the Badin Municipal Committee being geographically contiguous with the rest of the contiguous with the rest of the constituency and accessible by Badin - Tando Bago and Badin – Khoski roads. To include these Tapedar Circles would be in the interest of geographical contiguity keeping in mind the existing road infrastructure in the area.
  
- (f) PS-73 consists primarily of Badin Taluka, the largest Taluka of the District with a population of 455,295. The ideal division would have been in a manner that a complete PS constituency should have been created within this Taluka without including areas from other Talukas. However, the Delimitation Committee has divided this Taluka in 3 constituencies by combining parts of different Taluks which has resulted in disfigured constituencies lacking proper facilities of communication and negate the principle of geographical compactness.
  
- (g) PS-74 consists primarily of Golarchi (Shaheed Fazal Rahu) Taluka which has a population of 334,697. As per the ECP's proposal, three Tapedar Circles, namely Bandho, Daleji and Chorhadi of STC Seerani have been included. The areas that have been included are remote and sparsely populated, lacking in infrastructure and disaster prone as witnessed by repeated cyclones and flooding or else drought like situations **thereby requiring special attention and connectivity**. The area is mainly accessible by Badin – Seerani – Bhugra Memon road, a total distance of around 58Kms which takes one and half hour time from Golarchi town, the headquarter of proposed PS-74, as there does not exist any other direct road or means of connectivity. This representation instead proposes to have included two Tapedar Circles, namely Waryaso and Pano of STC Badin, which are geographically contiguous with the Taluka boundary and

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are easily accessible by main highways Badin – Golarchi- Karachi road on one side and Badin – Talhar – Hyderabad road on the other.

- (h) That if the proposal for delimitation of Provincial Assembly constituencies of District Badin made by the Delimitation Committee in its Preliminary Delimitation Report, 2018 is finalised without incorporating amendments, alterations or modifications proposed / suggested by the Petitioner in paragraph 3 above, the entire population of the District would suffer irreparable loss and hardships and their miseries would increase manifold.
- (i) That the amendments, alterations or modifications proposed / suggested by the Petitioner in paragraph 3 above are for the sole purpose of providing facilities and ease to the inhabitants of the said areas.

In view of the foregoing, it is most respectfully prayed that the instant representation may kindly be accepted and the amendments, alterations or modifications proposed / suggested by the Petitioner in paragraph 3 of this representation may graciously be incorporated in the final report and list of constituencies showing the areas included in each constituency.

Any other relief which this Honourable Commission may deem just and appropriate may also be granted to the Petitioner in the interest of law, justice and equity.

  
Petitioner

Hasnain Ali Mirza son of Dr. Zulfiqar Ali Mirza  
R/o Mirza Farms, Jakheji I, Golarchi  
Tehsil Shaeed Fazal Rahu, District Badin  
Phone: 0321 8242558