

Election Commission of Pakistan
G-5/2, Constitution Avenue, Islamabad.

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**MEMORANDUM OF REPRESENTATION/ OBJECTION AGAINST
THE PRELIMINARY LIST OF PROVINCIAL ASSEMBLY
CONSTITURNCIES VIZ. PS 26, 27,28,29, 30, 31 & 32 OF
DISTRICT KHAIRPUR, SINDH**

Dear Sir,

The applicants submit as under:

1. That the applicant is the voter of PS-29 KHAIRPUR IV, Sindh, vote number/ code assigned to him is 338010402. He is permanent resident of Tapedar Circle (hereinafter referred to as "TC") Kharirah, taluka Mirwah, district Khairpur and as such well conversant and aware of the entire district Khairpur, also understands the political dynamics of this district under challenge. It is pertinent to mention here that the applicant has remained taluka president of PML (N) and as such understands the political dynamics of district khairpur. The applicant do by way of this memorandum of representations and objections files claim that the preliminary delimitation announced by the Election Commission of Pakistan (ECP) is unlawful and against the principles of natural justice and against the rules framed under Election Act, 2017. N-5 form / Preliminary delimitation of PS-26 to 32 announced by the Election Commission of Pakistan is reproduced hereinunder for reference and deliberation by this Honourable Commission:

Marked MAP showing preliminary delimitation is attached herewith and marked as "Annex-A".

2. That the applicant / voter of PS 29 Khairpur as per preliminary delimitation, 2018 prefers this instant memorandum of representation on following grounds:-

GROUND:

● A. That the preliminary delimitation of district Khairpur (PS-26 to PS 32) is unlawful, arbitrary and against the basic principles of delimitation, Election Act, 2017 and Election Rules, 2017.

B. That relevant Section 20 (1) of Election Act 2017 is reproduced infra:

20. Principles of delimitation.— (1) All constituencies for general seats shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact areas, physical features, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors to ensure homogeneity in the creation of constituencies.

C. That while delimiting the constituencies of district Khairpur (PS-26 to 32) Section 20 of Election Act 2017 has been totally ignored as such the physical features, existing boundaries of administrative units, facilities of communication and public convenience all have been totally ignored, accordingly the said factors shall be considered constituency wise infra:

- i. **PS-32-** TC Mori has at all times been part of Khairpur Taluka but since TC Mori is adjacent to Town Piraylo and also the only approachable city to TC Mori is Town Piraylo, thus on an application by the residents of TC Mori, Sindh Board of Revenue after completing the codal formalities was pleased to insert TC Mori in Taluka Kingri . It is pertinent to mention here that from Khairpur Taluka Syed Qiam Ali Shah and Syed Ghous Ali Shah have been contesting elections since last several decades, both have remained Chief Minister, Sindh and are seasoned politicians. Mori TC and Town Piraylo are considered to be strong support areas for Syed Ghous Ali Shah. By way of this preliminary delimitation of Khairpur Town Piraylo is now part of PS-32 whereas TC Mori is part of PS-26, which makes one political party strong and other weak. The people of Piraylo Town and TC Mori (both are

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adjoining) at all times have had strong ties with taluka Khairpur and with each other, such separation is against facilities of communication and public convenience and as such liable to be considered by this Honourable Commission.

ii. **PS 27-28-29-** Said provincial Assembly Sindh seats are based primarily on Taluka Kot-digi, Taluka Nara, Taluka Mirwah and Taluka Faizgunj. The three said PS have been drafted as per preliminary list under challenge without considering physical features of taluka Nara, Mirwah, Kot-digi and Faizgunj. Without noticing the communication facilities and public convenience. PS-28 has been drawn irrationally and is as per preliminary delimitation based on half of the area of the district Khairpur.

- a) The only two roads connecting taluka Nara to other areas of the district Khairpur are from (1) Taluka Kotdigi headquarter to Town Choondiko taluka headquarter of taluka Nara (2) Mirwah taluka to taluka Nara (STC Jubo of talula Nara). It is pertinent to mention here that originally there existed only one road from Taluka Nara to Taluka Kotdigi, this route is the easiest and nearest route towards headquarter of the district khairpur and even if second route Mirwah is taken, any person travelling will have to cross taluka Kot-digi and then reach district headquarter viz. Khairpur city.
- b) Road from taluka Mirwah to taluka Nara is relatively a small road but used for communication only with STC Pir Abdul Qader Shah and STC Jubo only in emergencies.
- c) That PS-28 as drawn comprises of taluka Nara and taluka Faizgunj except TC Akri, Kandiyari and Wehleer; whereas no road or communication exists between taluka Nara and Taluka Faizgunj. The road shown in the MAP connecting Faizgunj with taluka Nara is fictitious and incorrect and this Hon'ble Commission is requested to conduct an inquiry to determine the reality.

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d) That it is relevant to state here that the Senior Civil Judge of all these talukas viz. Nara, Kotdigi and taluka Khairpur sits at Khairpur whereas Senior Civil Judge Mirwah has jurisdiction to deal cases of taluka Faizgunj, as such keeping in view the ground realities, this Honorable Commission may draw constituencies on following considerations.

- a. STC Sorah and Town Choondiko of taluka Nara are since connected through a road to taluka Kotdigi thus accordingly a PS may be created.
- b. Since STC Jubo & STC Pir Abdul Qadir Shah except TC Jubo of taluka Nara are connected to Town Mirwah through a small road, the constituency shall be created accordingly.
- c. Since there is no connection of TC Jubo of STC Pir Abdul Qadir Shah of taluka Nara with any other taluka of district Kahirpur and the only route to reach TC Jubo of STC Pir Abdul Qadir Shah is through district Sanghar and as such crossing district Nawabshah and then taluka Faizgunj as such accordingly TC jubo alone shall be made part with FaizGunj seat.

The above classification and reasoning of constituencies also will shorten the distance of the Provincial Assembly constituencies of district Khairpur, whereas as per preliminary list the PS 28 have been created between 200 to 230 KMs, which is not convenient for the people of district Khairpur.

Another point which needs consideration is that Taluka Kot-digi and Taluka Mirwah are strong areas of Peoples Peoples Part and Taluka Nara and Faizgunj are strong vote areas of Pakistan Muslim League, which is clear from the results of the last several elections. Keeping taluka Nara and taluka

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Faizgunj together would mean to give a seat to PML without even elections, which also amounts to gerrymandering.

D. That this Hon'ble Commission has ignored Rule 10 (5) of the Election Rules, 2017, while delimiting district Khairpur as such.

E. That Rule 10 (5) Election Rules, 2017 reads as follows:

"As far as possible, the delimitation of constituencies of an Assembly shall start from the Northern end of the district, or, as the case may be, the agency and then 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 to the quota;"

F. That it is relevant state here that the preliminary delimitation of district Khairpur is not only against the principles of delimitation enunciated in Section 20 of the Act, 2017 but also against Rules, 2017.

G. That the applicant has prepared a complete MAP of the district and is attached herewith as "**Annex-B**".

H. That following is the proposal of the applicant which requires this Hon'ble Commission's consideration.

PS- 26

S.N		POPULATION
01	STC PIR JO GOTH EXCEPT TC KAINCHI OF	130554

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	TALUKA KINGRI		
02	TC LANGAH OF STC AHMEDPUR OF TALUKA KINGRI		19821
03	MC PIR JO GOTH OF TALUKA KINGRI		47528
04	STC KOURO PHULPOTO OF TALUKA KHAIRPUR EXCEPT TC KOURO PHULPOTO		39256
05	STC THERHI OF TALUKA KHAIRPUR EXCEPT TC RAINA		30037
06	STC MEHAR ALI OF TALUKA KHAIRPUR		59433
07	TOWN BABARLOI OF TALUKA KHAIRPUR		13636
08	TOWN PIRYALO OF TALUKA KINGRI		25648
	TOTAL POPULATION		365913

PS- 27

S. NO.		POPULATION
01	THERHI TOWN 1 OF TALUKA KHAIRPUR	23274

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02	THERHI TOWN 2 OF TALUKA KHAIRPUR	12055
03	TC RAINA OF STC THERHI OF TALUKA KHAIRPUR	9655
04	KHIARPUR MC OF TALUKA KHAIRPUR	183181
05	TC BHURGRI OF STC KHAIRPUR TALUKA KHAIRPUR	11920
06	TC SHADI SHAHEED OF STC KHAIRPUR TALUKA KHAIRPUR	11963
07	TC NIZAMANI OF STC KHAIRPUR TALUKA KHAIRPUR	16763
08	TC LUKMAN OF STC KHAIRPUR TALUKA KHAIRPUR	9559
09	TC KHANPUR OF STC KHAIRPUR TALUKA KHAIRPUR	12361
10	TC KOURO PHULPOTO OF STC KORO PHULPOTO OF TALUKA KHAIRPUR	7659
11	TC LAYARI OF STC LYARI OF TALUKA KOT-DIGI	136547
12	TC GUNDRIRO OF STC LYARI OF TALUKA KOT-DIGI	19533
	TOTAL POPULATION	331460

PS-28

S.NO		POPULATION
01	CHONDIKO TOWN OF TALUKA NARA	38641
02	TC SIKANDERABAD OF STC SOORAH OF TALUKA NARA	15438
03	STC LAYARI OF TALUKA KOT-DIGI EXCLUDING TC GUNDRIRO AND LAYARI	54887
04	TOWN KOT DIJI OF TALUKA KOT- DIGI	37538
05	STC KOT DIJI OF TALUKA KOTDIGI	74519

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06	STC JHANDO MASHAIK OF TALUKA KOT DIJI	100819
07	TOWN FAKEERABAD OF TALUKA KOT-DIGI	31277
08	TOWN KUMB OF TALUKA KOT-DIGI	16789
	TOTAL POPULATION	369908

PS-29

S.NO		POPULATION
01	TC GHULAM HUSSAIN OF STC SOORAH OF TALUKA NARA	11076
02	STC JUBO OF TALUKA NARA	20871
03	TC PIR ABDUL QADIR SHAH OF STC PIR ABDUL QADER SHAH OF TALUKA NARA	24598
04	PIR BUX GAHOO OF STC PIR ABDUL QADER SHAH OF TALUKA NARA	8666
05	TC KHENYARI OF STC PIR ABDUL QADER SHAH OF TALUKA NARA	17003
06	STC BOOZDAR EXCEPT TC TANDO MIR ALI OF TALUKA MIRWAH	72208
07	STC THARI OF TALUKA MIRWAH	123557
08	TOWN BOOZDAR OF TALUKA MIRWAH	16713
09	TOWN THARI MIRWAH OF TALUKA MIRWAH	23656
	TOTAL POPULATION	318348

PS-30

S.NO		POPULATION
01	TC JUBO OF TALUKA NARA	24692
02	TALUKA FAIZ GANJ	224004

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03	STC KHUDA BUX KUBAR OF TALUKA MIRWAH	57954
04	TC RASOOL ABAD OF STC RANIPUR TALUKA SOBODERO	15097
05	TOWN TANDO MIR ALI OF TALUKA MIRWAH	23649
	TOTAL POPULATION	350294

P-S-31

S.NO		POPULATION
01	TALUKA SOOBHODERO EXCEPT TC RASOOLABAD RASOOL ABAD	259331
02	STC BEHLARO EXCEPT TC TOORI, PALIJA & RIPRI OF TALUKA SOBODERO	46769
03	SEETHARJA TOWN OF TALUKA MIRWAH	29856
	TOTAL POPULATION	335956

P-S-32

S.NO		POPULATION
01	MC GAMBAT OF TALUKA GAMBAT	53354
02	STC GAMBAT OF TALUKA GAMBAT	79209
03	TOWN KHUHRA OF TALUKA GAMBAT	24268
04	FOWLLING OF STC AHMEDPUR OF TALUKA KINGRI	
	A-SADARJI	16024
	B-KOLAB JAIL	32433
	C-SAIDI	20599
	D-TC AHMEDPUR	15039
05	TOWN AHMEDPUR OF TALUKA KINGRI	21956
06	TC KAINCHI OF STC PIR JO GOTH OF TALUKA KINGRI	10616

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07	TOWN AGRA OF TALUKA GAMBAT	17047
08	TC TOORI	9969
09	PALIJA OF TALUKA GAMBAT	11438
10	RIPRI OF TALUKA GAMBAT	21692
	TOTAL POPULATION	333644

PRAYER

This Hon'ble Commission may be pleased to allow the proposal of the applicant in toto, as such the same is in accordance with the law and rules framed as such.

Mr. Abdul Haq Muslim,
Adult, resident of Khariah,
taluka Mirwah, district
Khairpur, Sindh,
Pakistan, having CNIC NO.
45206-1204185-7,
Election/ Vote Code No.
338010402

Through

Authorized person /
Attorney Mr. Ali Ameel
Pervaz Malik (Barrister)
Having CNIC No.
