

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

01-04-2018

**SUBJECT: LEGAL OBJECTIONS AND PROPOSALS OVER THE
PRELIMINARY LIST OF PROVINCIAL ASSEMBLY
CONSTITURNCIES OF DISTRICT KHAIRPUR (PS-26 TO 32)**

Respectfully submitted,


1. That the instant representation is being filed by the voter of the proposed preliminary constituency being (Provincial Assembly of Sindh) PS- __, as per preliminary delimitation, 2018 conducted by the Delimitation Committee constituted under Rule 9 of Election rules, 2017.

Copy of preliminary proposals for delimitation issued by the Election Commission of Pakistan along-with its report is attached herewith as "Annex-A".

2. That the instant filer being aggrieved and dis-satisfied with the preliminary delimitation conducted by the Delimitation Committee constituted under Rule 9 of Election Rules, 2017, files this instant representation/ objections before the Hon'ble Election Commission of Pakistan, under the Election Act, 2017, inter alia, on following grounds amongst others:

GROUND:

1. That at the very outset it is relevant to state here that under Rule 10 (2) of the Election Rules, 2017 the district Khairpur MAP and as apparent from the MAP itself, was obtained from the Sindh Board of Revenue (hereinafter referred to as the "said MAP"); in the said MAP by manipulation, fabrication and fraud a road has been drawn between taluka/tehsil faiz-Gunj of district Khairpur and taluka/tehsil Nara of district Khairpur in order to show communication between the two areas, whereas no such route/ road exists between the two areas at all. This makes it clear that the political forces of district Khairpur have by fabrication

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manufactured the route in the Khairpur district map in order to mislead the Delimitation Committee conducting preliminary delimitation 2018.

Copy of MAP of district Khairpur obtained from ECP website is attached herewith as "Annex-B".

Snapshot of "Google live" and Seattelite view of district Khairpur showing non-existence of the said route/ road is attached herewith as "Annex-C".

Copy of MAP obtained from Sindh Board of Revenue dated 21-03-2018 is attached herewith and marked as "Annex-D".

2. That the delimitation of the district is liable to start from the Northern end of the district and then proceed clock-wise under Rule 10 (5) of the Election Rules, 2017, whereas in the case of district Khairpur the MAP drawn by the delimitation committee in the preliminary delimitation, has started delimiting the constituencies of the district from its North east which is against the law as stated.
3. That moreover the committee in the preliminary list of constituencies of district Khairpur has at more than one occasions broken tapedar circles, which the committee was liable to maintain as stated in Rule 10 (2) of the Election Rules, 2017, for example Tapedar Circle Akri comprising of deh Sijawal Rajpar & deh Akri now are part of two different provincial assembly seats being Deh Akri part of PS 29 and deh Sijawal Rajpar part of PS 28.

Copy of Notification dated 06-02-2017 stating tapedar circles of district Khairpur is attached herewith as "Annex- F"

4. That in the proposed list of constituencies PS - 28 comprises of taluka Nara whole and taluka Faizgunj except tapedar circle Kandiyari, Akri (without deh Sijawal) and Wahleer, whereas this constituency has been designed at this preliminary stage to be in more than 200 Kilometers, the two talukas viz. Faizgunj and Nara has no communication with each other, the manufactured road between the two talukas has been drawn by the Government of

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Sindh to mislead the Committee as stated in Ground 1 supra. The Taluka Faizgunj has always been part of Mirwah Sub-division.

5. That to reach taluka Faiz-gunj people of taluka/ tehsil headquarter Nara viz. Choondiko ought to cross taluka Kot-digi and then proceed through taluka Mirwah and reach taluka Faizgunj or through taluka Mirwah head-quarter Thari, which is more than 130 kilometers, therefore the preliminary delimitation of PS 28 is not feasible and against the principle of public convenience and there is no communication route between Nara taluka and Faiz-gunj taluka, hence this preliminary delimitation of PS-28 is liable to be changed to comply with Section 20 of the Election Act, 2017.
6. 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.”

As the total population of district Khairpur as per Census 2017 is 24,04334, and on the basis of quota seven provincial assembly seats have been assigned to district Khairpur, thus each provincial assembly seat is ought to be constituted having a population of around 342,000.

That Rule 10 (5) of the Election Rules, 2017 refers to criteria that population amongst the constituencies in a district be equal but there seems to be no reason why population assigned to PS 28 is 355,238 and PS 29 is 331,540.

It is also correct that while delimiting constituencies committee has a discretion of ten percent population thereof, but because the discretion is provided in proviso to Rule 10 and equality clause is part of the main Rule 10, Election Rules, 2017 itself therefore there ought to be strong reason to use the discretion as stated, however in the instant case in the middle of PS 28 with 355,238 population and PS 30 with 346,068, PS-28 has been created on having 331,540 population, such imparity between the constituencies is unwarranted and PS-28 seems manufactured in order to support a particular party, please note that Member of the Provincial Assembly of 2013 General Election PS 31 is Dr. Rafiq Banbhan who is resident of tapedar circle Kandiyari of taluka Faizgunj and by

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manufacturing this tapered Circle is no more part of taluka Faizagunj and taluka Nara preliminary constituency PS 28, the preliminary MAP attached will support this contention as such the line drawn on the MAP is weird and leaves a certain part thereof in the middle showing manipulation therein.

7. 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.
8. That in compliance of Rule 10 of the Election Act, 2017 district as a whole has been taken as a minimal unit for the purpose of preparing maps and marked on the basis of suggestion made in the representation and highlighted to distinguish them from each other.

Copy of proposed MAP by the filer of this instant representation is attached herewith as "Annex-G"

9. That following are the details of how the constituencies of the Provincial Assembly in district khairpur may be delimited; the same is also in line with MAP attached as Annex-G supra.

PS- 26

S.NO		POPULATION
01	MC KINGRI OF TEHSIL KINGRI	47528
02	PIRYALO TOWN OF TEHSIL KINGRI	25648
03	TOWN BABARLOI OF TEHSIL KHAIRPUR	13636
04	TOWN THERHI 1 OF TEHSIL KHAIRPUR	23623
05	STC PIR JO GOTH OF TEHSIL KINGRI EXCEPT TC KAINCHI	130456
06	STC MEHAR ALI OF TALUKA KHAIRPUR	59433
07	STC THEHRI EXCEPT RIANA	30386
	TOTAL POPULATION	330012

PS- 27

S. NO.		POPULATION
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01	MC KHAIRPUR	183181
02	STC KHAIRPUR	62566
03	STC KORO PHULPOTO	46915
04	TOWN THEHRI II	12055
05	TC RAINA OF STC THEHRI TEHSIL KHAIRPUR	9655
06	FOLLOWING OF STC PIR JO GOTH	10714
	TOTAL POPULATION	325086

PS ~~38~~ 28

S.NO		POPULATION
01	KOT DIJI TALUKA	348899
02	TOWN BOZDAR	16713
	TOTAL POPULATION	365612

PS-29

S.NO		POPULATION
01	TEHSIL NARA	160985
02	STC BOZDAR EXCLUDING TC SHER KHAN LUND OF TEHSIL MIRWAH	55568
03	TOWN THARI OF TEHSIL MIRWAH	23656
04	STC THARI OF TEHSIL THARI	123557
	TOTAL POPULATION	363766

PS-30

S.NO		POPULATION
01	FOLLOWING TC OF STC BOZDAR OF TEHSIL MIRWAH 1. TC TANDO MIRALI 2. TC SHER KHAN LUND	21538
02	STC KHUDA BUX	57954
03	TOWN TANDO MIRALI OF TEHSIL MIRWAH	23649
04	FAIZ GANJ TEHSIL	224004
05	TOWN SETHARJA OF TEHSIL MIRWAH	29856

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	TOTAL POPULATION	357001
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PS-31

S.NO		POPULATION
01	SOBHODERO TEHSIL	274428
02	GAMBAT MC	53354
03	TC DARAZA	10193
	TOTAL POPULATION	337975

PS-32

S.NO		POPULATION
01	GAMBAT TEHSIL EXCLUDING 1. MC GAMBIT 2. TC DARAZA	200199
02	AHMEDPUR TOWN OF TEHSIL KINGRI	21956
03	STC AHMEDPUR OF TEHSIL KINGRI	103916
04	TC KAINCHI OF STC PIR JOGOTH TEHSIL KINGRI	10616
		326071

PRAYER

In the light of the facts and grounds mentioned supra this Hon'ble Commission may be pleased to allow the proposal filed herewith as "Annex-G" with details stated in Paragraph 9 supra.

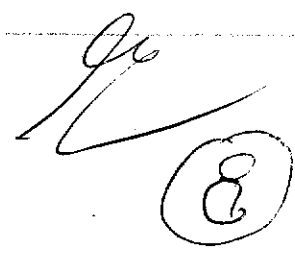
Syed Hyder Ali Shah
Bukhari son of Syed Niaz
Hussain Shah
CNIC No: 45202-1052613-3

Through

Authorized person /
Attorney



No. and Name of Constituency	Extent of the Constituency	Population
PS -23 Sukkur-II	a) Taluka Salehpat; b) Taluka Rohri excluding the following areas:- i) Municipal Committee Rohri and ii) Tapedar Circle Rohri of Rohri STC of Rohri Taluka of District Sukkur.	129,619 236,003
	Total :	365,622
PS -24 Sukkur-III	a) New Sukkur Taluka excluding:- i) Bagerji STC, ii) Town Committee Bagerji, iii) Purano Sukkur STC and b) Sukkur City Taluka excluding the following areas :- i) Charge No.1, ii) Charge No.2 and iii) Circle No. 1,2,3 & 4 of Charge No. 4 of District Sukkur.	268,311 119,949
	Total :	388,260
PS -25 Sukkur-IV	a) The following areas of New Sukkur Taluka:- i) Bagerji STC, ii) Town Committee Bagerji, iii) Purano Sukkur STC and b) The following areas of Sukkur City Taluka:- i) Charge No.1, ii) Charge No.2, iii) Circle No. 1,2,3 & 4 of Charge No. 4 and c) Municiple Committee Rohri of Taluka Rohri, d) Tapedar Circle Rohri of Rohri STC of Taluka Rohri, e) The following Tapedar Cicles of Pano Akil STC of Taluka Pano Akil:- i) Sunder Belo, ii) Panhwari Jageer, iii) Nauraja and iv) Hingoro of District Sukkur.	29,434 7,804 14,219 51,904 37,565 22,171 69,920 65,181 10,061 12,776 14,195 33,002
	Total :	368,232
PS -26 Khairpur-I	Taluka Khairpur excluding the following areas:- i) STC Kouro Phulpoto, ii) The following areas of STC Khairpur:- a) Tapedar Circle Bhurgari, b) Tapedar Circle Shadi Shaheed and c) Tapedar Circle Khanpur of District Khairpur	357,593
	Total :	357,593



No. and Name of Constituency	Extent of the Constituency	Population
PS -27 Khairpur-II	a) Taluka Kotdigi excluding Tapedar Circle Jhando Mashaik of STC Jhando Mashaik;	327,961
	b) The following Tapedar Circles of Khairpur STC of Taluka Khairpur:- i) Bhurgri and ii) Shadi Shaheed of District Khairpur.	11,920 11,963
	Total :	351,844
PS -28 Khairpur-III	a) Taluka Nara;	160,985
	b) Faiz Ganj Taluka excluding the following Tapedar Circles of Kandiyari STC:- i) Akari ii) Kandiyari and iii) Wahleer of District Khairpur.	194,253
	Total :	355,238
PS -29 Khairpur-IV	a) Mirwah Taluka excluding the following areas:-	301,789
	i) Town Committee Setharja, ii) Tapedar Circle Chutto Wandier of Khuda Bux Kubar @ Setharja STC, iii) Tapedar Circle Deparja of Khuda Bux Kubar@Setharja STC and	
	b) The following Tapedar Circles of Kandiyari STC of Faiz Ganj Taluka:- i) Akari and ii) Kandiyari iii) Wahleer of District Khairpur.	12,883 11,608 5,260
Total :	331,540	
PS -30 Khairpur-V	a) Sobhodero Taluka;	274,428
	b) The following Tapedar Circles of Khuda Bux Kubar @ Setharja STC of Mirwah Taluka:-	
	i) Chutto Wandier and ii) Deparja	9,558 11,288
c) Town Committee Setharja of Taluka Mirwah and	29,856	
d) Tapedar Circle Jhando Mashaik of Jhando Mashaik STC of Kotdiji Taluka of District Khairpur.	20,938	
Total :	346,068	



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and Name of Constituency	Extent of the Constituency	Population
31 Khairpur-VI	a) Gambat Taluka; b) The following Tapedar Circles of Ahmed Pur STC of Taluka Kingri:- i) Kolab Jail, ii) Saidi and c) The following Tapedar Circles of Kouro Phulpoto STC of Taluka Khairpur:- i) Tando Masti and ii) Wassan of District Khairpur.	263,746 32,433 20,599 13,063 9,715
	Total :	339,556
PS -32 Khairpur-VII	a) Taluka Kingri excluding the following Tapedar Circles of STC Ahmed Pur:- i) Kolab Jail, ii) Saidi and b) Tapedar Circle Khanpur of STC Khairpur of Taluka Khairpur c) The following Tapedar Circles of STC Kouro Phulpoto of Taluka Khairpur:- i) Tando Nazar Ali, ii) Mangi and iii) Kouro Phulpoto of District Khairpur.	287,186 12,361 5,569 10,909 7,659
	Total :	323,684
PS -33 Naushahro Feroze-I	a) Kandiaro Taluka; b) Halani Town Committee of Mehrabpur Taluka; c) The following Tapedar Circles of Halani STC of Mehrabpur Taluka:- i) Halani, ii) Dehat and iii) Kotri Muhammad Kabir of District Naushahro Feroze.	322,439 23,419 8,932 20,435 17,570
	Total :	392,795
PS -34 Naushahro Feroze-II	a) Mehrabpur Taluka excluding the following areas:- i) Halani Town Committee, ii) Tapedar Circle Halani, iii) Tapedar Circle Kotri Muhammad Kabir and iv) Tapedar Circle Dehat of Halani STC c) Bhiria Taluka excluding the following areas:- i) Tapedar Circle Mad Aleem, ii) Tapedar Circle Tharushah, iii) Tapedar Circle Molhan, iv) Tapedar Circle Dalipota of Bhiria STC and v) Tapedar Circle Gher Gaju of Bhiria Road STC of District Naushahro Feroze.	176,924 219,290
	Total :	396,214

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No. and Name of Constituency	Extent of the Constituency	Population
PS-31 Khairpur-VI	a) Gambat Taluka; b) The following Tapedar Circles of Ahmed Pur STC of Taluka Kingri:- i) Kolab Jail, ii) Saidi and c) The following Tapedar Circles of Kouro Phulpoto STC of Taluka Khairpur:- i) Tando Masti and ii) Wassan of District Khairpur.	263,746 32,433 20,599 13,063 9,715 Total :
PS-32 Khairpur-VII	a) Taluka Kingri excluding the following Tapedar Circles of STC Ahmed Pur:- i) Kolab Jail, ii) Saidi and b) Tapedar Circle Khanpur of STC Khairpur of Taluka Khairpur c) The following Tapedar Circles of STC Kouro Phulpoto of Taluka Khairpur:- i) Tando Nazar Ali, ii) Mangi and iii) Kouro Phulpoto of District Khairpur.	339,556 287,186 12,361 5,569 10,909 7,659 Total :
PS-33 Naushahro Feroze-I	a) Kandiaro Taluka; b) Halani Town Committee of Mehrabpur Taluka; c) The following Tapedar Circles of Halani STC of Mehrabpur Taluka:- i) Halani, ii) Dehat and iii) Kotri Muhammad Kabir of District Naushahro Feroze.	323,684 322,439 23,419 8,932 20,435 17,570 Total :
PS-34 Naushahro Feroze-II	a) Mehrabpur Taluka excluding the following areas:- i) Halani Town Committee, ii) Tapedar Circle Halani, iii) Tapedar Circle Kotri Muhammad Kabir and iv) Tapedar Circle Dehat of Halani STC c) Bhiria Taluka excluding the following areas:- i) Tapedar Circle Mad Aleem, ii) Tapedar Circle Tharushah, iii) Tapedar Circle Molhan, iv) Tapedar Circle Dalipota of Bhiria STC and v) Tapedar Circle Gher Gaju of Bhiria Road STC of District Naushahro Feroze.	392,795 176,924 219,290 Total :
		396,214

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