

DB 33-34-35-36
17/10/18

(21)

IN THE ELECTION COMMISSION OF PAKISTAN ISLAMABAD

Representation No

of year 2018

Faiz Mohammed son of Haji Mohammed Uris Unnar

Adult, Muslim, r/o Kotri Kabeer Taluka

Mehrampur District Naushehroferoz

PETITIONER

VERSUS

The Delimitation Committee Sindh

RESPONDENT

REPRESENTATION UNDER RULE 12 OF THE ELECTION

RULES 2017 AGAINST THE DELIMITATION OF

PROVINCIAL ASSEMBLY SINDH CONSTITUENCY IN

DISTRICT NAUSHEHROFEROZ SINDH

Being aggrieved of and dissatisfied with the delimitation proposal dated 05th March 2018 issued by the Delimitation Committee Sindh for the Provincial Assembly of Sindh for District Naushehroferoz viz. PS – 33 Naushehro Feroze I PS – 34 Naushehro Feroze II, PS – 35 Naushehro Feroze III, PS – 36 Naushehro Feroze IV, the Petitioner above named respectfully submits his representation, praying inter alia therein that 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 constituencies of Provincial Assembly of Sindh Viz. PS – 33 Naushehro Feroze I PS – 34 Naushehro Feroze II, PS – 35 Naushehro Feroze III & PS – 36 Naushehro Feroze IV and finalize the delimitation of above

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constituencies by accepting the proposal filed by the Petitioner taking into consideration the following facts & grounds:

FACTS

The facts in brief leading to this representation are that the Delimitation Committee Sindh made following initial proposals for the Delimitation of Constituency of Provincial Assembly of Sindh in District Naushehro Feroze

No. & Name of Constituency	Extent of the Constituency	Population
PS – 33 Naushehro Feroze I	a) Taluka Kandiaro b) Halanai Town Committee of Taluka Mehrabpur c) Following Tapedar Circles of Halani STC of Mehrabpur Taluka i) Halani ii) Dehat and iii) Kotri Mohammed Kabir Of District Naushehro Feroze <u>Total</u>	322,439 23,419 8,932 20,435 17,570 <u>392,795</u>
PS – 34 Naushehro Feroze II	a) Mehrabpur Taluka excluding the Following areas i) Halanai Town Committee ii) Tapedar Circle Halani iii) Tapedar Circle Kotri Mohammed Kabir & iv) Tapedar Circle Dehat of Halani STC b) Bhiria Taluka excluding the Following areas i) Tapedar Circle Madd Aleem ii) Tapedar Circle Tharu Shah iii) Tapedar Circle Molhan v) Tapedar Circle Dalepota of Bhiria STC vi) Tapedar Circle Gher Gaju of Bhiria Road STC	176,924 218,290

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	Of District Naushehro Feroze <u>Total</u>	<u>396,214</u>
PS – 35 Naushehro Feroze III	a) Naushehro Feroze Taluka excluding the following Tapedar Circles of Darya Khan Mari STC i) Vissor ii) Sahib Khan iii) Massurjiwai and b) The Following areas of Bhiria Taluka i) Tapedar Circle Madd Aleem ii) Tapedar Circle Tharu Shah iii) Tapedar Circle Molhan iv) Tapedar Circle Dalepota of Bhiria STC v) Tapedar Circle Gher Gaju of Bhiria Road STC Of District Naushehro Feroze <u>Total</u>	348,226 27,659 10,769 11,541 14,448 17,337 429,980
PS – 36 Naushehro Feroze IV	a) Moro Taluka and b) The following Tapedar Circles of Darya Khan Mari STC i) Vissor ii) Sahib Khan iii) Massurjiwai Of District Naushehro Feroze <u>Total</u>	368,789 12,920 4,877 6,798 <u>393,384</u>

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

GROUNDS

1. That the Petitioner is registered voter of Kotri Mohammed Kabir Tappa of Taluka Mehrabpur District Naushehro Feroze as such entitled to make representations for alterations in preliminary proposal of Delimitation Committee.

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2. That the Petitioner has been contesting the Local Councils Elections and he is elected Vice Chairman of Union Council Kotri Mohammed Kabir of Taluka Mehrabpur District Naushehro Feroze.
3. That preliminary proposal of delimitation for Provincial Assembly seats in District Naushehro Feroze 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 for Provincial Assembly of Sindh in District Naushehro Feroz keeping aside the existing boundaries of geographically compact areas, physical features of the areas, as proposed constituencies mostly cover rural areas, the convenience is a major issue with public residing in these areas, the facilities of communication and public convenience has also been ignored,
5. That the Delimitation has been started from Western Side of Taluka and then it runs in a haphazard manner, per principles of Delimitation it should have started from North and run in clockwise direction.
6. That Taluka Mehrabpur forms the northern part of District Naushehro Feroz, with STC Gul Shah of Taluka Kandiaro, therefore the delimitation of PS 33 Naushehro Feroze I should have been started from STC Gul Shah of Taluka Kandiaro and ending at Taluka Mehrabpur but the formation of PS – 33 starts from western parts of District Naushehroferoz and end at the northern end of District thus violating the mandatory rules.
7. That the general convenience of public has also been ignored while delimiting PS – 33 Naushehroferoze, as Halani is the Central Point at National Highway connecting STC Gul Shah with other parts.
8. That the general convenience of people has been ignored while delimiting PS 34 – Naushehro Feroze II. The people of Mehrabpur Town and other parts will have to travel through Halani Town and than Kandiaro thereafter they will reach Bhiria therefore it would be quite difficult for the

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candidates contesting elections to manage the election campaign. On the contrary Bhiria Taluka & Naushehro Feroze Taluka share the common route making it easier in terms of convenience and communication.

9. That the general convenience of people has been ignored while delimiting PS 35 – Naushehro Feroze III. The people of Mad Aleem and Tharu Shah of Taluka Bhiria will not be convenient in approaching Taluka Naushehro Feroz rather these areas form parts of Katcha area having means of communication with STC Sihra of Moro Taluka and adjoining parts of Taluka Naushehro Feroze, the proposal of petitioner follows the clockwise rotation thus suits the most by bringing these areas in PS – 36 Naushehro Feroze IV.
10. That the general convenience of people has been ignored while delimiting PS 36 – Naushehro Feroze IV. Darya Khan Mari Town is located very near to Moro having a direct route, thus it needs to be merged in Moro Taluka Constituency and Sihra which is near to western parts of Naushehro Feroze needs to be merged in it.
11. That the proposed constituencies have been made without ascertaining the ground realities therefore the entire exercise has been done to put public under huge disturbance.
12. That the boundaries of Talukas are disturbed in a manner that people will have to travel through different Talukas to enter into different parts constituency.
13. That Delimitation Committee has also ignored the population criteria of District Khairpur. The distribution of the population in all four constituencies has not been kept uniform.
14. That the population criteria under the delimitation proposal given by Petitioner also suits to the principles of delimitation laid down in section 20 of the Elections Act 2017.

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15. That the Petitioner has submitted proposal after making proper ground surveys and he has taken into consideration all the relevant factors as envisaged under section 20 of The Elections Act 2017.
16. That the marked maps of the constituency are also attached.
17. That the Petitioner seeks indulgence of the Honorable Commission to urge more grounds from the record at the time of hearing of this representation.
18. 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 Provincial Assembly in District Naushehro Feroze 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: 21 .03.2018


PETITIONER

VERIFICATION

I, Faiz Mohammed son of Haji Mohammed Uris Unnar Adult, Muslim, r/o Kotri Kabeer Taluka Mehrabpur District Naushehroferoz 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 day of March 2018


Deponent


Advocate

DOCUMENTS FILED

- | | |
|---|------------|
| 1. Proposal for Final List of Constituencies | Annexure A |
| 2. Preliminary Proposal of Delimitation Committee | Annexure B |
| 3. Certificates of Highways Department | Annexure C |
| 4. Map of proposed Constituencies | Annexure D |

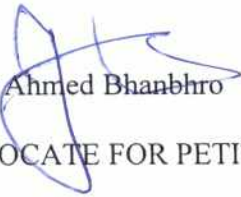
DOCUMENTS RELIED UPON

1. Any other document in rebuttal.


Dated: .03.2018


PETITIONER

Drafted and drawn by me under the instructions of petitioner


Nisar Ahmed Bhanbhro
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