

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT: MR. JUSTICE MIAN SAQIB NISAR, HCJ
MR. JUSTICE FAISAL ARAB
MR. JUSTICE IJAZ UL AHSAN

CONSTITUTION PETITION NO.64 OF 2013, CONSTITUTION
PETITIONS NO.77/2014 AND 54/2018, HUMAN RIGHTS CASES
NO.8267-G/2014 AND 14017-P/2018 AND CIVIL MISC.
APPLICATION NO.2872/2017

Const.P.64/2013: Dr. Shahnawaz Munami & others Vs. The
Federal Govt. of Pakistan & others

Const.P.77/2014: Muhammad Ikhtlaq Khan etc. Vs. Federation of
Pakistan etc.

Const.P.54/2018: Adeel Hussain Vs. Federation of Pakistan
through Secretary M/o Law, Justice &
Parliamentary Affairs, Islamabad etc.

H.R.C.8267-G/2014: Application by Muhammad Waqas Ilyas

H.R.C.14017-P/2018: Application by Syed Umair Ali Shah

C.M.A.2872/2017: Application for impleadment by Muhammad
Saleem Akhtar

In attendance: Mian Shafaqat Jan, ASC
Mr. Mehmood A. Sheikh, AOR
(In Const.P.64/13)

Mr. Rashid A. Rizvi, Sr. ASC
Syed Razaqat Hussain Shah, AOR
(Const.P.77/14)

In person (In Const.P.54/18)

In person (In HRC-8267/14)

Muhammad Asim, in person

Syed Nayyar Abbas Rizvi, Addl. AGP
Mr. Tariq Mehmood Jehangiri, AG, Islamabad
Mr. Zahid Yousaf Qurehshi, Addl. A.G. KPK
Mr. Tariq Mehmood, AAG Punjab
Mr. Shehryar Qazi, Addl. A.G. Sindh
Mr. Ayaz Swati, Addl. A.G. Balochistan
Mr. Ayub Sheikh, Secretary, Statistic Division
Mr. M. Ashraf

ATTESTED

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Court Associate
Supreme Court of Pakistan
Islamabad

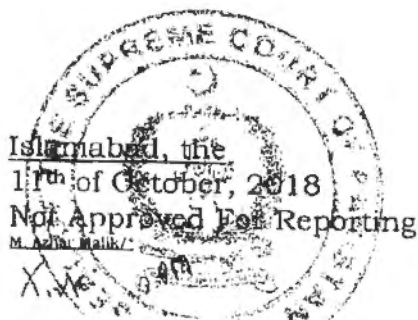
Date of hearing: 11.10.2018

ORDER

This petition involves two basic issues; firstly, about the collection process of the data of disabled persons and secondly, about the allocation of quota on the basis of such data when the same is settled and provided. We have been apprised by the Secretary Statistic Division, Government of Pakistan that the process and mechanism has been devised and has been provided in CMA No.8576 of 2018. Having find this to be quite accurate and comprehensive, we approve it subject to the condition that it should be placed on the website of the concerned Ministry and also the Law & Justice Commission of Pakistan so as to receive any feedback/objection by the stakeholders and public at large. To this extent the matter stands disposed of.

2. Mian Shafaqat Jan, learned ASC for the petitioner and the disabled persons present in Court may submit bullet points for consideration of the Bench highlighting the problems being faced by them and suggestions if any for their resolution. Let these matters be listed for further hearing on **18.10.2018** before the Bench headed by Mr. Justice Sh. Azmat Saeed.

-Sd- Mian Saqib Nisar, CJ
-Sd- Faisal Arab, J
-Sd- Ijaz ul Ahsan, J



M. Saqib Nisar

Disability by domain and age

Percent distribution of de facto household population age 5 and over by the degree of difficulty in functioning according to domain, and percent distribution by the highest degree of difficulty in functioning in at least one domain by age, Pakistan DHS 2017-18

Domain and age	Degree of difficulty					Total	A lot of difficulty, or cannot do at all	Number of persons
	No difficulty	Some difficulty	A lot of difficulty	Cannot do at all	Don't know/missing			
Domain								
Difficulty seeing	89.9	8.0	1.9	0.1	0.1	100.0	2.0	67,586
Difficulty hearing	96.6	2.4	0.8	0.2	0.1	100.0	1.0	67,586
Difficulty communicating	98.0	1.2	0.5	0.3	0.1	100.0	0.8	67,586
Difficulty remembering or concentrating	94.1	4.5	1.0	0.3	0.1	100.0	1.3	67,586
Difficulty walking or climbing steps	90.7	5.9	2.9	0.5	0.1	100.0	3.4	67,586
Difficulty washing all over or dressing	96.8	1.9	0.8	0.4	0.1	100.0	1.2	67,586
Difficulty in at least one domain¹								
5-9	93.7	4.2	1.3	0.6	0.3	100.0	1.9	10,469
10-14	93.7	3.9	1.5	0.6	0.2	100.0	2.2	9,153
15-19	92.7	4.8	1.8	0.6	0.1	100.0	2.4	8,486
20-29	91.3	6.0	1.9	0.6	0.1	100.0	2.6	13,677
30-39	83.5	12.6	3.1	0.7	0.1	100.0	3.8	9,531
40-49	66.5	24.9	7.6	1.0	0.1	100.0	8.5	6,004
50-59	48.7	36.9	12.8	1.4	0.1	100.0	14.2	5,039
60+	30.6	37.8	26.9	4.6	0.1	100.0	31.5	5,224
Age 15 and over	75.8	16.2	6.7	1.2	0.1	100.0	7.9	47,961
Total²	81.0	12.7	5.2	1.0	0.1	100.0	6.2	67,586

Note: Total includes four cases for which age is missing.

¹ If a person was reported to have difficulty in more than one domain, only the highest level of difficulty is shown.

² Excludes Azad Jammu and Kashmir and Gilgit Baltistan.

Disability among adults according to background characteristics: Women

Percentage of the de facto female household population age 15 and over who have difficulty in functioning according to domain, by the highest degree of difficulty in at least one domain, and percentage with a lot of difficulty or cannot do at all in more than one domain, according to background characteristics, Pakistan DHS 2017-18

Background characteristic	No difficulty in any domain	Domain						Difficulty in at least one domain ¹				A lot of difficulty or cannot do at all in more than one domain	Number of persons
		Seeing	Hearing	Communicating	Remembering or concentrating	Walking or climbing steps	Washing all over or dressing	Some difficulty	A lot of difficulty	Cannot do at all	A lot of difficulty or cannot do at all		
Marital status													
Never married	90.8	3.6	1.3	2.1	3.2	2.7	1.2	5.7	2.3	1.1	3.4	1.5	6,581
Married	71.5	16.1	4.0	1.3	8.9	14.9	3.5	20.5	7.2	0.7	7.9	2.2	15,582
Divorced or separated	67.7	22.3	3.6	4.1	10.3	19.2	8.0	22.8	7.8	1.9	9.5	3.2	282
Widowed	31.5	43.4	16.3	6.0	25.5	50.1	19.5	35.9	26.8	5.6	32.4	14.2	1,984
Residence													
Urban	73.3	13.7	3.6	1.7	7.4	16.3	4.1	18.5	7.1	1.0	8.1	2.7	9,239
Rural	73.5	15.8	4.7	2.1	9.6	13.4	4.3	17.4	7.7	1.4	9.1	3.2	15,198
Education													
No education	64.5	21.2	6.6	3.2	12.7	20.1	6.6	22.2	11.1	2.1	13.2	4.7	12,101
Primary	75.5	11.7	2.8	1.3	7.4	13.9	3.3	17.2	6.4	0.8	7.2	2.3	3,467
Middle	81.5	10.0	2.3	0.7	5.2	9.0	1.7	13.9	3.9	0.6	4.6	1.6	2,414
Secondary	84.2	7.7	1.9	0.6	4.1	7.5	1.5	12.1	3.4	0.3	3.6	1.1	2,936
Higher	87.5	6.6	1.0	0.2	2.6	5.3	0.8	10.4	1.9	0.2	2.1	0.4	3,511
Wealth quintile													
Lowest	76.1	14.5	5.8	2.4	10.3	11.3	5.1	14.9	7.3	1.5	8.9	3.4	4,077
Second	71.3	17.3	5.2	2.2	11.2	14.4	4.3	19.3	8.1	1.3	9.4	3.3	4,173
Middle	71.2	16.9	3.8	2.2	9.1	15.2	4.0	19.1	8.1	1.4	9.6	2.8	4,643
Fourth	71.7	15.8	4.4	1.7	8.3	16.0	4.2	19.1	8.0	1.1	9.1	3.3	5,468
Highest	76.1	11.5	2.8	1.5	6.1	14.8	3.7	16.5	6.2	1.0	7.2	2.4	6,077
Region													
Punjab	70.0	16.9	4.5	2.0	9.4	17.1	4.4	20.0	8.6	1.3	9.8	3.5	13,126
Urban	70.1	15.1	4.1	1.7	7.9	18.9	4.0	21.1	7.8	1.0	8.8	3.1	4,866
Rural	70.0	17.9	4.8	2.2	10.3	16.1	4.7	19.5	9.0	1.4	10.4	3.7	8,260
Sindh	78.8	11.6	3.7	1.8	6.8	11.9	3.9	14.4	5.6	1.1	6.7	2.4	5,680
Urban	77.4	11.4	2.9	1.8	5.8	13.8	4.2	15.1	6.5	1.0	7.4	2.3	3,124
Rural	80.4	11.9	4.7	1.7	8.1	9.7	3.5	13.6	4.6	1.3	5.9	2.5	2,556
Khyber Pakhtunkhwa	74.6	15.5	4.7	2.2	10.1	11.5	4.3	16.7	7.0	1.6	8.6	2.9	3,643
Urban	72.8	15.9	4.1	1.8	11.3	13.6	3.8	19.3	6.8	1.1	7.7	2.0	728
Rural	75.1	15.5	4.8	2.3	9.8	11.0	4.4	16.1	7.1	1.8	8.8	3.1	2,915
Balochistan	83.4	10.4	2.6	1.1	3.1	6.5	2.7	9.3	6.3	0.7	7.0	1.5	1,287
Urban	82.1	10.9	2.3	1.4	4.1	6.9	2.8	11.5	4.7	1.1	5.8	2.2	381
Rural	84.0	10.2	2.8	1.0	2.7	6.3	2.6	8.4	7.0	0.5	7.5	1.2	905
ICT Islamabad	66.6	16.8	5.3	2.6	12.7	19.6	7.0	22.4	9.8	1.0	10.8	4.4	225
FATA	67.8	11.5	5.2	1.0	17.3	13.9	4.3	25.1	6.1	0.9	7.1	2.2	476
Total²													
	73.4	15.0	4.3	1.9	8.8	14.5	4.2	17.8	7.5	1.2	8.7	3.0	24,437
Azad Jammu and Kashmir													
Urban	67.0	17.6	6.4	2.2	13.3	20.4	5.3	21.8	9.5	1.5	11.0	3.9	3,697
Rural	68.7	15.0	6.1	2.4	12.3	19.9	4.8	20.7	8.4	2.2	10.6	3.8	658
Gilgit Baltistan	66.7	18.1	6.4	2.2	13.5	20.4	5.4	22.0	9.8	1.4	11.1	4.0	3,039
Gilgit Baltistan	73.7	11.3	8.8	3.1	7.3	15.9	5.5	16.3	8.5	1.4	9.9	3.7	2,192

Note: Total includes seven cases for which marital status is missing and nine cases for which education is missing.

¹ If a person was reported to have difficulty in more than one domain, only the highest level of difficulty is shown.

² Total excludes Azad Jammu and Kashmir and Gilgit Baltistan.

Disability among adults according to background characteristics: Men

Percentage of the de facto male household population age 15 and over who have difficulty in functioning according to domain, by the highest degree of difficulty in at least one domain, and percentage with a lot of difficulty or cannot do at all in more than one domain, according to background characteristics, Pakistan DHS 2017-18

Background characteristic	No difficulty in any domain	Domain						Difficulty in at least one domain ¹				A lot of difficulty or cannot do at all in more than one domain	Number of persons	
		Seeing	Hearing	Communicating	Remembering or concentrating	Walking or climbing steps	Washing all over or dressing	Some difficulty	A lot of difficulty	Cannot do at all	A lot of difficulty or cannot do at all			
Marital status														
Never married	91.0	2.7	1.5	2.7	3.1	2.8	1.5	4.8	2.7	1.4	4.0	1.6	8,722	
Married	72.5	16.0	4.9	1.6	7.7	13.9	3.5	19.7	6.8	0.9	7.7	2.3	13,877	
Divorced or separated	68.7	18.1	13.2	1.4	13.6	13.1	2.8	20.3	8.1	2.7	10.9	3.6	168	
Widowed	40.4	36.1	20.2	7.0	19.1	39.5	15.8	30.3	25.2	3.8	29.0	11.9	751	
Residence														
Urban	81.3	9.4	3.2	1.7	4.8	9.4	2.5	13.6	4.2	0.8	5.0	1.6	9,326	
Rural	76.4	13.3	4.9	2.5	7.5	11.4	3.6	15.1	7.0	1.4	8.4	2.9	14,198	
Education														
No education	66.6	19.1	7.8	4.5	11.6	18.2	6.2	19.6	11.0	2.6	13.6	5.1	6,938	
Primary	78.0	12.0	3.8	2.1	6.4	10.7	2.9	15.1	6.1	0.8	6.9	2.2	3,853	
Middle	84.1	7.7	2.3	1.4	3.9	7.2	1.8	11.4	3.9	0.6	4.5	1.2	3,875	
Secondary	84.2	8.5	2.7	0.9	3.7	6.5	1.6	12.1	3.1	0.6	3.7	1.2	4,506	
Higher	86.2	6.7	2.0	0.6	3.2	5.4	1.4	11.1	2.2	0.2	2.4	0.5	4,349	
Wealth quintile														
Lowest	74.2	15.2	5.9	3.1	9.1	12.1	4.1	16.2	7.6	1.8	9.4	3.4	4,017	
Second	76.4	13.4	4.8	2.6	7.8	11.3	3.7	14.8	7.3	1.5	8.8	2.9	3,990	
Middle	77.4	12.7	4.1	1.8	6.2	11.6	3.7	15.2	6.4	0.8	7.2	2.3	4,505	
Fourth	78.6	11.2	3.7	2.1	6.4	10.2	3.0	14.6	5.7	1.1	6.8	2.3	5,256	
Highest	83.0	7.9	3.0	1.6	3.7	8.5	1.9	12.5	3.5	0.9	4.3	1.4	5,756	
Region														
Punjab	76.8	12.3	4.6	2.1	6.9	12.1	3.4	15.3	6.6	1.2	7.7	2.6	12,510	
Urban	80.9	9.7	3.4	1.6	4.9	9.9	2.4	14.2	4.2	0.8	4.9	1.7	4,881	
Rural	74.2	14.0	5.5	2.5	8.1	13.5	3.9	16.0	8.1	1.4	9.6	3.2	7,629	
Sindh	81.1	10.1	3.7	2.3	5.8	8.8	2.7	12.9	4.7	1.2	5.9	1.8	5,799	
Urban	82.6	8.3	2.7	1.8	4.5	8.9	2.6	12.2	4.3	0.9	5.2	1.4	3,232	
Rural	79.2	12.3	4.9	2.9	7.5	8.7	2.9	13.8	5.3	1.6	6.9	2.2	2,567	
Khyber Pakhtunkhwa	76.5	13.6	4.1	2.6	7.1	10.3	3.7	16.1	6.0	1.3	7.3	3.1	3,226	
Urban	77.8	10.7	3.9	1.6	7.3	9.9	2.9	17.2	4.2	0.7	5.0	1.8	686	
Rural	76.2	14.4	4.1	2.9	7.1	10.5	3.9	15.8	6.5	1.5	7.9	3.4	2,540	
Balochistan	85.8	9.1	2.2	1.0	2.7	4.7	2.0	8.7	4.5	0.7	5.1	1.4	1,350	
Urban	83.4	10.5	2.4	1.4	2.4	5.0	2.1	11.2	4.0	0.6	4.5	0.9	378	
Rural	86.7	8.6	2.1	0.8	2.8	4.5	2.0	7.8	4.7	0.7	5.4	1.6	972	
ICT Islamabad	75.3	13.6	4.4	1.8	6.7	11.5	2.8	17.7	5.4	1.1	6.5	2.4	231	
FATA	76.9	11.2	4.7	2.4	7.9	9.8	3.0	17.1	5.2	0.9	6.0	1.7	407	
Total²	78.3	11.7	4.2	2.2	6.4	10.6	3.2	14.5	5.9	1.2	7.0	2.4	23,523	
Azad Jammu and Kashmir														
Urban	71.3	14.8	7.0	2.7	9.2	16.2	3.8	18.7	8.1	1.8	10.0	4.0	2,903	
Rural	72.6	12.7	5.8	2.9	8.6	14.4	3.4	19.4	5.9	2.1	8.0	3.5	546	
Gilgit Baltistan	71.0	15.3	7.3	2.7	9.3	16.6	3.8	18.5	8.7	1.8	10.5	4.1	2,357	
	72.5	11.4	8.6	4.6	8.4	13.6	4.7	18.2	7.5	1.6	9.2	3.9	1,835	

Note: Total includes 5 cases for which marital status is missing and 2 cases for which education is missing.

¹ If a person was reported to have difficulty in more than one domain, only the highest level of difficulty is shown.

² Total excludes Azad Jammu and Kashmir and Gilgit Baltistan.