

IN THE HONOURABLE HIGH COURT OF SINDH AT KARACHI  
(CONSTITUTIONAL JURISDICTION)

C.P.No.D-3992 of 2016

Amin Mohammad & Others.....Petitioners

Versus

Province of Sindh & Others.....Respondents

**Joint Statement in compliance of the Order dated: 25.10.2017**

It is most respectfully and most humbly submitted that in compliance of the Order dated: 25.10.2017, a meeting was held in the office of the Counsel for the Petitioners on 27<sup>th</sup> October, 2017, which was duly attended by the the Learned Additional Advocate General Sindh Mr. Shabbir Hussain Shah and the Deputy Director PCRDP Mr. Nasir Hussain Qazilbash. After perusing the proposed action plan submitted by the Counsel for the Petitioners, it was agreed that Proposed Actions No.4, 6, 11 and 16 should be implemented immediately towards the implementation of the Sindh Differently Able Persons (Employment, Rehabilitation and Welfare) Act, 2014 – Sindh Act XVI of 2015. For the convenience of this Honourable Court, Proposed Actions No.4, 6, 11 and 16 are reproduced as under:

**Proposed Action 4: The process of registration should be made more accessible by allowing disabled persons to register by post, email and/or through the Social Welfare Department's website. Although the establishment of further Employment Exchanges may take time, accessibility to the current Employment Exchanges can be improved within 4-6 weeks as it will only require the creation of a universal email address, a separate page on the Social Welfare Department's website and a designated postal address where applications can be submitted. Forms should also be made available on the Social Welfare Department website along with a list of required information/documents which are essential for the registration process. Going forward a system can be implemented through which applications can be submitted online but since this will require an appropriate e-filing system, for the time being e-filing can be deferred.**

**Proposed Action 6: A report should be called from the Employment Exchanges and District Officers of the Social Welfare Department, providing details of all disabled persons registered including the names of disabled persons who have been referred to the Council. Furthermore, the following actions are proposed in relation to such lists:**

- I. **The total number of disabled persons registered. This list must then be divided into 2 categories i.e. physically disabled and mentally disabled.**
- II. **These lists must then be subdivided into 3 further categories:**
  - a. **Disabled persons who require training.**

- b. Disabled persons who possess sufficient skills but are unemployed.
- c. Disabled persons who are currently employed along with their place of employment.
- d. Disabled persons who are unable or unfit to undertake any employment

This process should not take more than two weeks. The Council should then go through these lists and after getting in contact with the registered disabled persons form the three separate lists mentioned above. Since this process requires getting in touch with the registered disabled persons it can take up to 8 weeks.

Proposed Action 11: A report should be called which should give details regarding the following:

- a. What is the total amount of the fund?
- b. Details regarding grants given by the federal government, the provincial government and/or local bodies and donations by private individuals.
- c. Details regarding utilization of the fund.

Proposed Action 16: The Labour Department should be directed to submit a list of private establishments which are registered with the Labour Department. The details regarding the private establishments should include:

- a. A list of the total number of establishments
- b. Total number of employees
- c. How many disabled persons are employed
- d. Shortfall of employees against the reserved 2% quota
- e. Details regarding the emoluments which would be given to each disabled person if the vacant positions was filled by a disabled person

Furthermore, once abovementioned exercise is done, the private establishments should then be sent notices from the Council so that the vacant positions are either filled or Section 9 is complied with by directing them to submit the sum of money to the fund it would have paid as salary or wages to the disabled person had he been employed

Additional Advocate General

Advocate for the Petitioners

Deputy Director PCRDP

Karachi

Dated: 04-12-2017