



MINORITIES RIGHTS IN PUNJAB: PRIMARY DATA BASED ANALYSIS OF HINDU MINORITY

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Abstract

Religious Minorities are facing serious issues in Pakistan. They are living and having a lot of issues in toleration from the society. Article 20 of the Constitution states that every Pakistani citizen have liberty to establish their religious institutions and practice their own religion. With all these equal rights mentioned in constitution the country has lack of implementation of state policies. The purpose of the research is to explore the realities about the Hindu group and dealing with them by society. The constitution of 1973 provides the guarantee of equal rights of citizen, but some marginalized groups suppressed by the society. The Special focus of this research is to collect primary data from Hindu Minority. For this purpose, a questionnaire has designed to get the basic information form Hindu Minority.

Key Words: *Minorities Rights, Punjab, Pakistan, Hindu Minority*



Introduction

Human Rights is considered a very vast subject to discuss. It describes in different time in the world history in different perspective. Human rights are like a family of different approaches like Civil Rights, Liberties and other natural and socio-political rights and privileges that belongs to man. The topic human rights come through ages to ages as from the writings of ancient Greek philosophers as Socrates, Plato, and Aristotle etc. So, the rights taken further toward the class distinction that becomes the cause of groupings of people to protect their rights then emerge the shape of groupings like big and small. Under this group distinction the people divided themselves through identities that differ from each other. With this distinction and different identities these groups considered as majorities and minorities.

This research study is conducted explicitly in the context of Pakistan's Constitution, 1973, and Quaid's speech of 11th August 1947 that defines the certain freedoms and liberties for the religious minorities of Pakistan. The Constitution of Pakistan, 1973, has special provisions for the vulnerable segments of society that allow the political participation of religious minorities, share in the civil services and administration. So far as the population of religious minorities is concerned, religious minorities constitute 3.7% of the total population (Hanif & Chawla, 2020).

Since the creation of Pakistan, there were a significant number of people who opted to live in Pakistan. As far as the remedies to accommodate religious minorities is concerned, the Constitution of Pakistan, 1973, reserved ten seats on separate electorate basis. In the similar manner, the religious minorities have 5% reserved quota in jobs, and in 2% quota in higher education as well. In the context of political rights, the electoral reform introduced by General Pervaiz Musharraf regime has sustained the reserved ten (10) seats – out of 342 – for the minorities in the National Assembly. As the constitution of Pakistan 1973 transformed the unicameral to bicameral parliament system that has introduced Senate as upper house (Hussain, 2019), therefore, this house reserved four (04) seats – out of 100, for the religious minorities (Mehdi, 2010). However, in the provinces the ratio is different as in Punjab 8 seats, Balochistan 3 seats, Sindh 10 seats and Khyber Pakhtunkhwa 4 seats.

As far as the historical perspective of Pakistan is concerned, the country is one of those third-world countries that came into being owing to the exit of the British colonialists from United India on August 14, 1947. Quaid-e-Azam Mohammad Ali Jinnah was the leader of the movement, which gave birth to the new state of Pakistan. The leadership of Quaid-e-Azam was committed to the basic principles of a democratic society. Furthermore, Mr. Jinnah was in favour of equality of citizenship and opportunities (Khan, 2017). His first speech to the constituent assembly on 11th August, 1947 demonstrates such a vision as welfare state. He declared that every citizen is free to profess and practice their religion or faith. In the context of a nation, the religion or belief(s) is a personal affair of every individual, but as a nation, we are united (PIPS, 2017). He said in a presidential address to the Constituent Assembly of Pakistan 11 August, 1947:



“You are free to go to your temples, you are free to go to your mosques or to any other place of worship in this state of Pakistan. You may belong to any religion or caste or creed, that has nothing to do with the business of State” (Allana, 1969).

Research Methodology

This study would be combination of qualitative and quantitative methods. The Primary and Secondary data has been collected to investigate and analysis the topic. To probe the rights given by the constitution, the researcher has to rely of Constitution of 1973 and different amendments of the constitution. Secondary date has been collected from books, articles published in national or international journals. For this purpose, the researcher visited different libraries like Allama Iqbal Library Lahore, Libraries of University of Punjab, Quaid-e-Azam University Islamabad and different other Libraries.

To get knowledge form the grass root level, the researcher designed the questionnaire and collected data from 80 samples within the Punjab Province territory. So, both Qualitative and Quantitative tools of research have been used to complete this research.

So, for this study, a compound mixed approach has been opted, consisting of official records, documents, analysis of the available data, media resources, reports, discussion papers, surveys within Punjab Province.

Target population

The target population for this research is non-Muslim citizens of the state, specifically followers of Hinduism.

Target sample

For this research, the target population is Hindu of Punjab Province. Hinduism is a minority religion in Punjab province of Pakistan followed by about 0.2% of its population (CENSUS-2017). Punjab has the second largest number of Hindus in Pakistan after Sindh. So target sample is according to the population of Hindu minority from all Punjab Province.

Limitation of the Study

This research has been limited to Minorities rights especially Hindus within Punjab Province.

Review of Literature



The issue of religious minorities – specifically in the context of human rights, is not new. Several writers, political activists, human rights defenders, and research scholars have already produced affluent material on it. Such work as already done by the other scholar helped a lot to understand the context of Pakistan, political approaches, and social behaviours towards religious minorities in Pakistan. Though the researcher has not adopted any new technique and approach, the dimension to discuss the issue of religious minorities in the context of human rights framework and fundamental rights is unique that have exposed the protection measures' realities and state of religious minorities in Pakistan. Following is mentioned the work of different writers that have been used in the research assignment under review.

The Constitution of the Islamic Republic of Pakistan was passed and ratified by the National Assembly of Pakistan in 1973. The state's Constitution gives complete and equal rights to its citizens regardless of their religion and ethnicity. According to Article 8 of the Constitution, the government cannot make any law that is inconsistent with fundamental human rights. In Article 9 government cannot deprive any person of life and liberty unless he/she misconducts. In Article 14 dignity of a person would be sacred. Articles 15, 16, 17, 18,19, 20, 21, 22 and 23 give freedom of movement, freedom assembly, freedom of association, freedom of business, freedom of speech, freedom to profess any religion and manage religious institute, safeguard against taxation from a particular religion, prevent from religious biases in educational institutes. Constitution also gives rights and provision of property to every citizen regardless of religion and ethnicity. Article 36 specifically give protection to minorities. The Constitution also allowed filing the case in court if anybody touched these fundamental rights. The understanding of the Constitution tells that practices of laws and society are not as per these articles (Pakistan, 1973).

“Protection of Minority Rights: An Analysis of Implementation of States, Policies, and Illegalities in Pakistan” (2018) is written up by Iffat Tahira, Abdul Qadir Mushtaq published by Journal of the Punjab University Historical Society (JPUHS). The research indicates the minority situation and their worth for Pakistan by examining the facts that happened with the minorities in different decades since the inception of Pakistan. The state policies on different times and constitutional frameworks also show equal rights and protection of minority rights. In 1972 the governmental nationalization process also covered the minority places. The objective resolution sixth paragraph has appreciation by minorities that provides the rights to the religious minorities. This article analyzes the governmental policies era-wise continuously. Bhutto regime and his nationalization policies then Zia-ul-Haq Religious approach especially. The 1990 sharia act stopped minorities from carrying vote and 1993 blasphemy laws, articles 41(2) and 91(3) as head of state and head of government only be a Muslim. This article focused on the positive and negative aspects of the legislation. It condemned the 1956 legislation as the non-Muslim member cannot be the head of the state and government. It is a descriptive study that is the only basis on the historical incidents and legislation that happened but does not touch the current status that why it has a gap from the problem (Tahira & Mushtaq, 2018)



“*Effectiveness of Local Government System, Pro-poor Budgeting, and Policies for Marginalized Communities*” (2020) is the research paper taken from the HEC Project written by Dr. Ghulam Mustafa, Naseem Anthony, and Muhammad Arslan, which was published in the Journal of Pakistan Social Sciences Review (PSSR). The research is focused on the grassroots-level issues of marginalized sections and their representation in local government. The research study under the light of the international agreements as Sustainable Development Goals (SDGs) also mentioned reducing inequality and effort to promote gender equality. This study explored the problems related to marginalized sections at the grassroots level and developed an analytical study with ground realities. There is a lack of representation of minorities and a lack of toleration by society. The study is a great effort to highlight these issues with some recommendations about to counter these issues (Mustafa, Anthony, & Arslan, *Effectiveness of Local Government System, Pro-poor Budgeting, and Policies for Marginalized Communities*, 2020).

“*Minorities in Pakistan: An Analytical Analysis of the 1973 Constitution of Islamic Republic of Pakistan*” (2020) is an analytic paper which is the joint effort of Dr. Ghulam Mustafa, Tooba Ahmad, and Muhammad Arslan. The well-reputed and renowned Journal, i.e., Pakistan Social Sciences Review (PSSR) published it. The Research paper focuses on the constitutional rights given to the religious minorities in detail in all constitutions of Pakistan, while in constitutions of 1973 is elaborated these rights in detail with different articles. Quaid’s vision has declared equality for everyone without any discrimination. The study elucidates the chasm between the given rights to the religious minorities and their lack of implementation. The radicalization in Pakistan with the war against terrorism influenced the minorities in general and religious minorities in specific (Mustafa, Ahmad, & Arslan, *Minorities of Pakistan: An Analytical Analysis of the 1973*, 2022).

“*Political Rights of Christian Minority in Pakistan before 1973*” is the research paper published by Tooba Ahmad, Ghulam Mustafa & Rahila Asfa in *Journal of South Asian Studies*. The paper was published in Volume 37, Issue 1 (2022). In this research article, the authors elucidate the political right of Christian Minority in Pakistan before the 1973 constitution. They have discussed the rights given by the Pakistan to minorities from 1947 to 1973, like Jinnah vision about minorities, objective resolution, constitution of 1956, 1962 and 1973. The authors argued that Although the objective resolution and constitutions of Pakistan gave all the fundamental rights to all citizens, the practical implication of these rights because of the behavior of society and delay in law-making is questionable. So, majoritarianism in Pakistan affecting the rights of minorities (AHMAD, MUSTAFA, & ASFA, *Political Rights of Christian Minority in Pakistan before 1973*, 2022).

“*Political Participation of Religious Minorities in Pakistan under the Lens of Human Rights Based Approach*” is research work that was published in 2022 by Tooba Ahmad, Ghulam Mustafa, Anwar Ali. This study elucidates the concept of Human rights and it must be protected by the State institutions. Human Rights Based Approach (HRBA) has been used to analyse and examine the



political rights of minorities in Pakistan (AHMAD, MUSTAFA, & ALI, Political Participation of Religious Minorities in Pakistan under the Lens of Human Rights Based Approach, 2022).

“Minorities and Political Rights: An Analytical Study of Iccpr and Islamic Doctrine” is a piece of research work by Tooba Ahmad, Dr. Ghulam Mustafa, Dr. Anwar Ali. The article discussed that human rights are the right to live, liberty and property. The authors compare the rights granted by The International Covenant on Civil and Political Rights (ICCPR) and Islamic doctrine (AHMAD, MUSTAFA, & ALI, MINORITIES AND POLITICAL RIGHTS: AN ANALYTICAL STUDY OF ICCPR AND ISLAMIC DOCTRINE, 2022).

Primary Data Based Analysis

The research study has focused on religious minority groups, i.e., Christians, Sikhs, and Hindus. Since Christians and Sikhs are in significant numbers in Punjab, comparatively, Hindus are not at that scale. Considering it alongwith the research topic, the researcher has approached 800 Christians, 120 Sikhs, and 80 Hindus. Furthermore, during the research study, the component of gender inclusion was considered concerning it the graph mentioned define it clearly. The interpretation of primary is as under. The data was collected from seven cities of Punjab province, namely Lahore, Faisalabad, Nankana sab, Chiniot, Toba takes Singh, Multan, and Narowal.

Faisalabad: The Faisalabad city is previously known as Lyallpur, named after the city's creator, is the 3rd most populous city in Pakistan after Lahore and Karachi, respectively, and the second-largest city in the eastern province of Punjab. According to the 2017 census, Faisalabad's population is 3.204 million. Thereby, 353 Christians and 5 Sikh people under the total number 358.

Nankana Sahib: A city in Punjab of province sacred for the Sikh Community. The population of the city, according to the census of 2017 its population is 79,540. It is the most important religious site for the Sikh religion. Therefore, 49 Sikh community members and 05 Christian community members took part in this survey.

Chiniot: Is the 28th largest city of Pakistan. The city population, as per the 2017 census, is 278,747. The city is famous for wooden furniture. The thing is that only 02 Sikh respondents became part of the survey.

Narowal: The city is part of Punjab, Pakistan, and is the capital of the Narowal district. It is the 94th largest city in Pakistan. It is also known as the house of knowledge. Its population is 103,067, according to the census of 2017. Thereby, 23 Hindu and 5 Sikh respondents are part of the data.

Lahore: Lahore is the 2nd largest city in Punjab. It is the capital of Punjab province. The total population of Lahore under the 2017 census is 3,655,774. A survey was conducted in Lahore by which recorded figures of Christian were of 245 peoples, 18 Hindu and 38 Sikh participated in

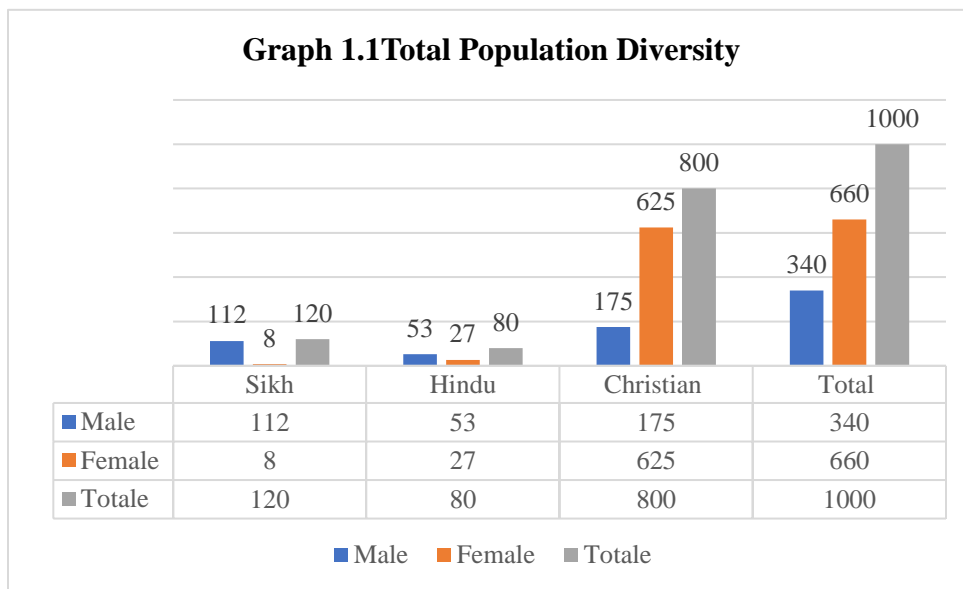


the survey.

Multan: Multan is the seventh-largest city of the Punjab division. The city Multan has been colonized for at least 2000 years. According to the 2017 census, the total amount of people was 4745,109 in Multan city. as claimed by a survey conducted in Multan, the queries were asked by the people of minorities and the recorded figure of 102 Christian community, 25 Hindu were part of the survey.

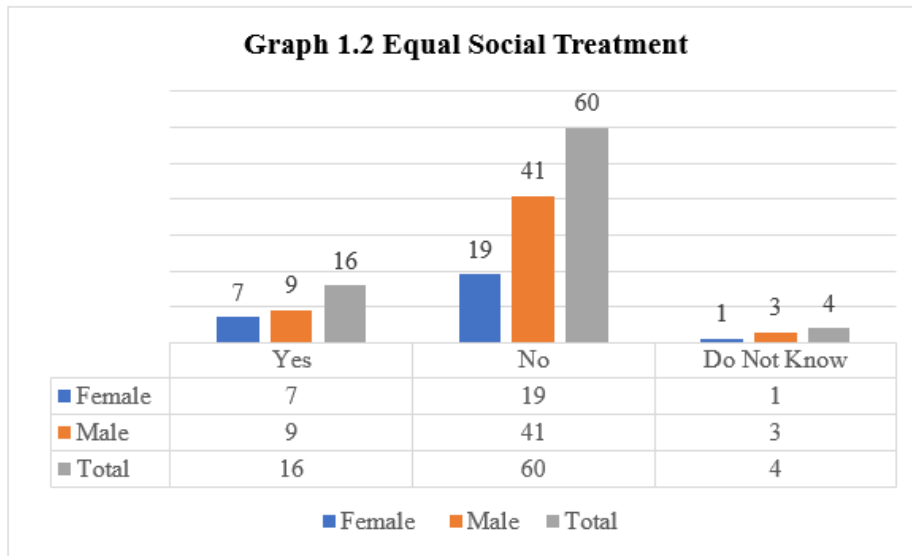
In this regard, the collective data shows that all the participants respond the questions clearly. The targeted people from the selective community was 80 Hindus, 53 males and 27 females were total respondents. The reason behind involving females in the survey is to know their views on general topic related to the minorities.

In this graph there are 80 members of Hindu Community, in which 53 members are male and 27 members are female.



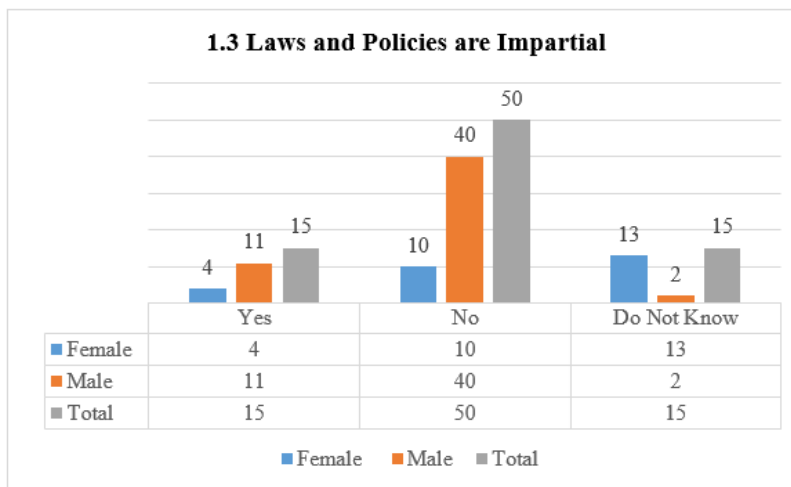
1.2: Equal Social Treatment

(1.2) Whether the minorities in Pakistan are getting equal opportunities is asked to 80 Hindu community representatives. Of which 53 were males, and 27 were females. The question bore three categories 'Yes', 'No' and 'Do Not Know'. In this regard, 16 members, 7 Females and 9 Males, tick the 'Yes' category, and 60 members, 19 Females and 41 Males, pick the portion 'No.' Thereby four members, one female and three males, chose the portion 'Do Not Know'.



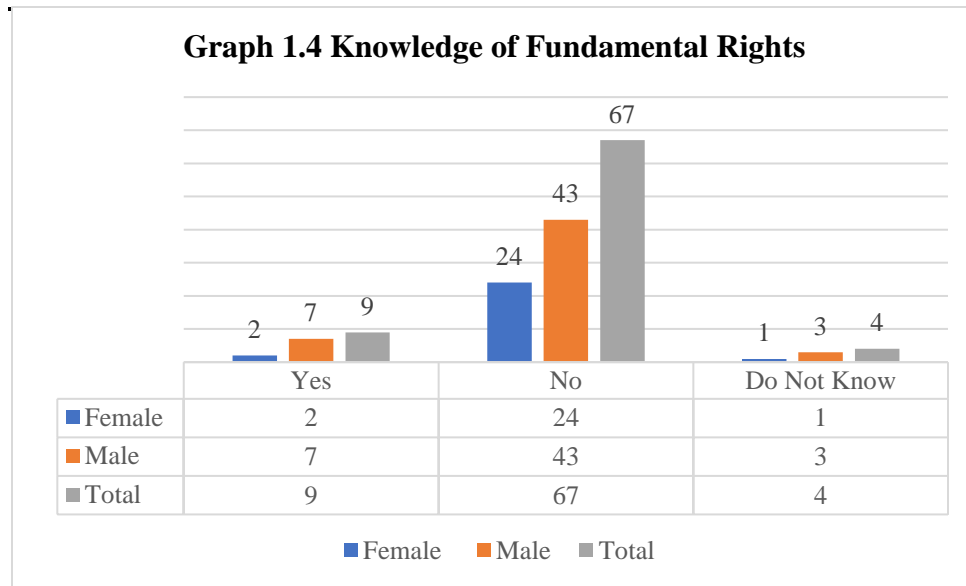
1.3: Laws and Policies Impartial

(1.3) When it comes to the impartiality of Laws and Policies, the 80 Hindu Community representatives were approached by the researcher. Of the targeted people, 10 Females and 40 Males chose the portion 'No.' On the other hand, the remaining categories bear the same ratio as 15 respondents. Four females and 11 males chose the category 'No'. Similarly, 15 people, 13 females and two males, tick the category 'Do Not Know'.



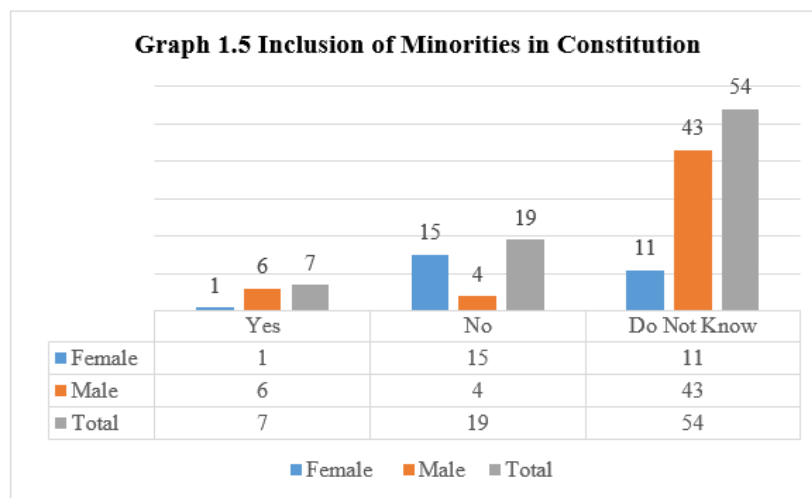


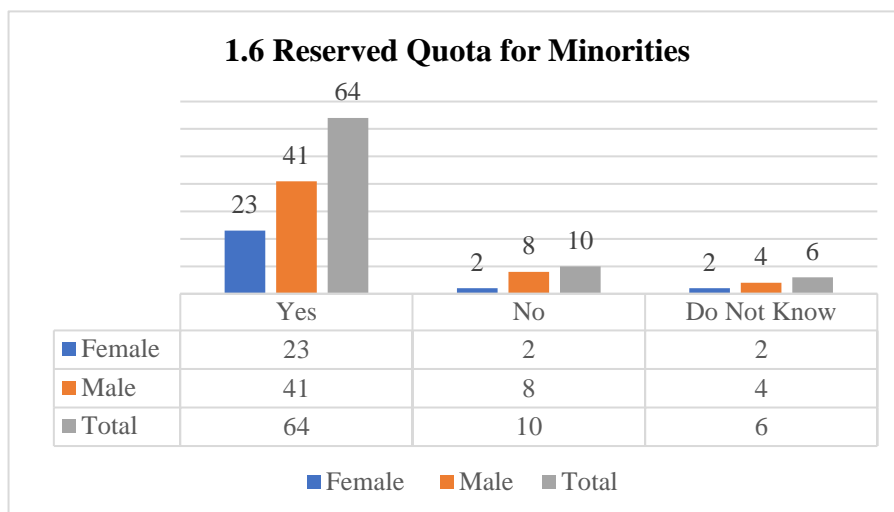
1.4:



Knowledge of Fundamental Rights

(1.4) The research study was also aiming to collect people's views regarding the Knowledge of Fundamental Rights. The reason behind asking the question is how many people are aware of their fundamental rights. The question mentioned above was asked to 80 Hindu males and females. Total 67 respondents, including 43 male members and 24 female members, tick the portion 'No.' Therefore, nine people, 7 Males and two females, select the portion 'Yes' and the left category 'Do Not Know' chosen by only four members 3 Males and 1 female.





1.5: Inclusion of Minorities in Constitution

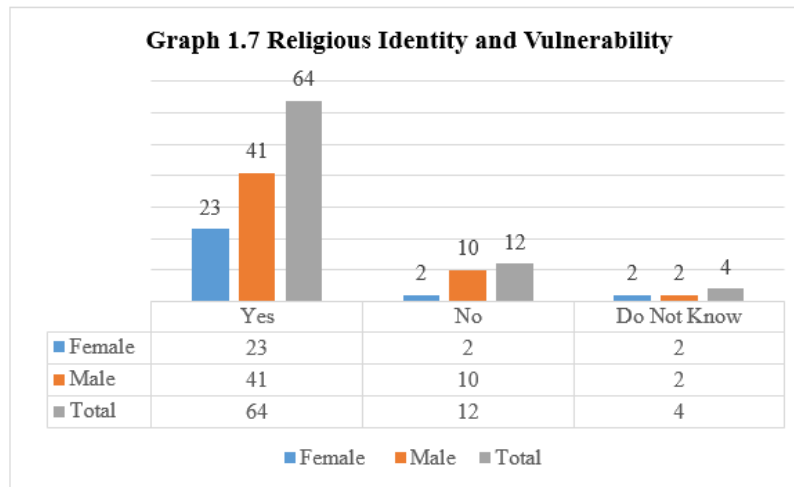
(1.5) The response of the targeted minority members against the question secured 54 persons, 43 males, and 11 females, in the portion "Do Not Know". The purpose behind keeping the question in the data is to know the people's views about the constitution of Pakistan. That is, it appropriately accommodated the religious minorities. Then most minority people said that they did not know anything about the asked question. On the other hand, 19 members of the targeted population, 15 females and four males tick the portion "No." It shows that they deny the asked question. Therefore, only seven people, six males and one female pick the portion "Yes" as they agreed that the government of Pakistan appropriately accommodates religious minorities.

1.6: Reserved Quota for Minorities

(1.6) A question was asked to the targeted community that is "the policy of reserved quota would protect the rights of minorities and empower them?". The answer carried three categories 'Yes', 'No' and 'Do Not know'. Although the response was positive, most of the respondents selected the portion 'Yes' as they agreed that they are getting equal opportunities and rights in a minority quota. However, on the other hand, including this question in the survey is to know the connection between the minorities and the government. Comparably, ten people pick the portion 'No' - eights males and two females, demonstrating that they disagree with the question. Moreover, they are not getting any favor from the government under the reserved quota. Thereby, the 'Do Not Know' category kept only six people, including four males and two females, as they were not well informed about the asked question.

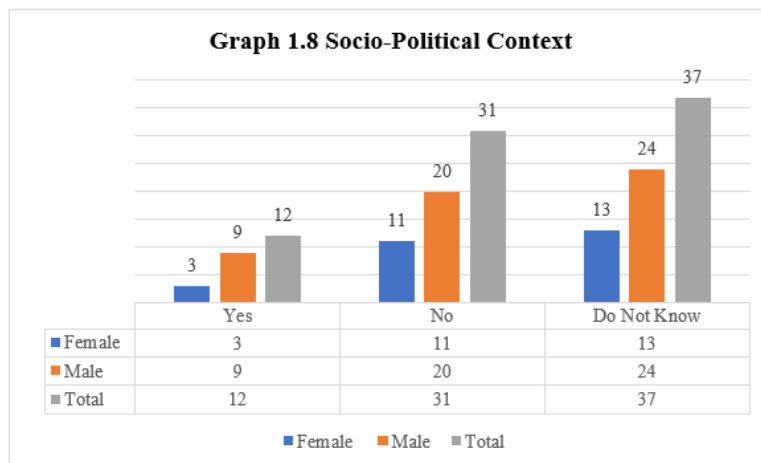


1.7: Religious Identity and Vulnerability



(1.7) When the question about religious identity and vulnerability was asked to the minority community, the majority of 64 people, 23 females and 41 male members, selected the option ‘Yes.’ This shows that the minority community of 64 out of 80 are agreed to the asked question. Similarly, 12 minority members, two females and ten male members picked the ‘No’ portion as they fully denied the asked question. Thereby, the remaining portion, ‘Do Not Know,’ secured four people, two males and two females. Therefore, according to the remaining portion, the people of the minority community are not aware of the asked question.

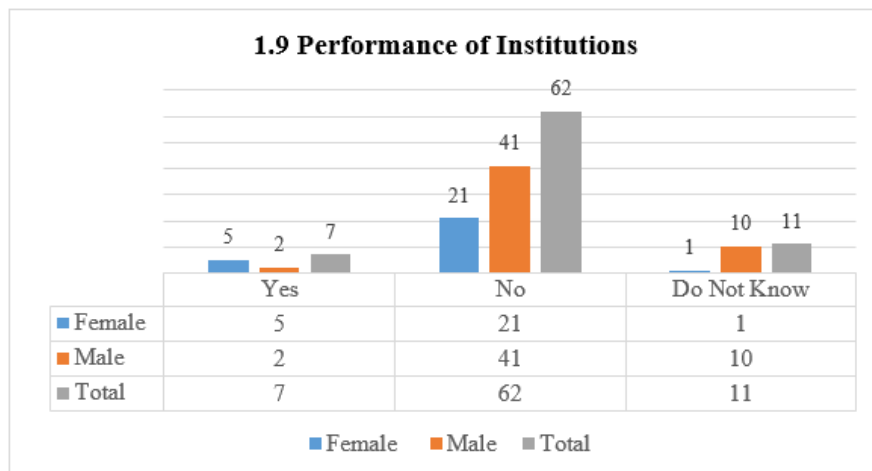
1.8: Socio-Political Context





(1.8) The reason behind bearing the question in the data is to know that "Is the socio-political context is allowing the minorities to discuss their issues in the parliament?" When the question was asked to the 80 targeted people, 37 members, 24 males, and 13 females responded that they were not well informed about the asked question. It also shows that they do not know anything about the socio-political context or political system. According to the collected data, 31 people, 20 males, and 11 females chose 'No'. The people's response shows that they entirely denied they are not allowed to discuss their issues in the parliament. On the other hand, only 12 people, three females and nine males, mark 'Yes'. This shows that they are agreed that being a minority in the country, they are allowed to discuss their issues in the parliament.

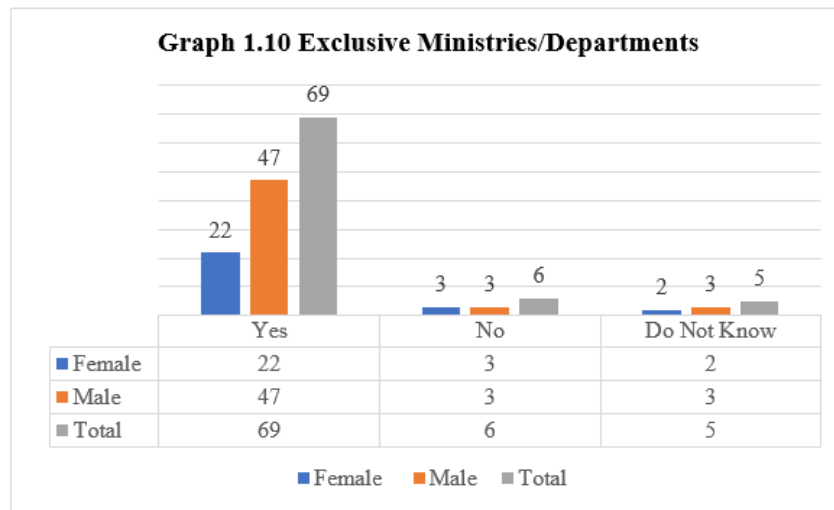
1.9: Performance of Institutions



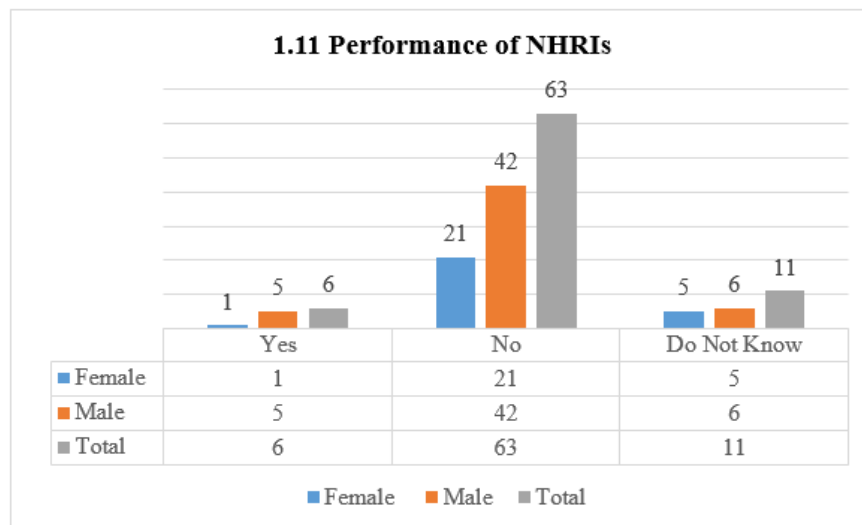
(1.9) When the query is asked to the minority community people, 62 people - 41 males and 21 females, denied the performance of the institutes. The data shows that the ministries and departments concerned with religious minorities are not performing as per the aspiration of minorities. Furthermore, the other category, 'Do Not Know,' was chosen by 11 people, 10 males and 1 female. The ratio of the chosen category shows that 11 peoples of the targeted minority group - Hindu, have less knowledge about the posed query. The last portion of the question secured seven people, 5 females and 2 males, as they chose 'Yes'. This highlights that they are fully aware of the query. They said that they agree and accept that the ministries and departments concerned to religious minorities are failed to deliver as per the aspiration of minorities.



1.10: Exclusive Ministries/Departments



(1.10) According to the chart, the majority of 69 minority people, 47 males and 22 females selected the portion ‘Yes’ as they agreed that the exclusive ministries and departments for minorities are addressing the issues of minorities. On the other side, six people, three males and three females, pick the portion ‘No’, which shows that they deny the performance of the departments for minorities are not addressing their issues. Furthermore, the left portion, ‘Do Not Know,’ was only selected by five members, three males, and two females.





1.11: Performance of NHRIs

(1.11) The research study was also aiming at collecting the views of people regarding the preference of NHRIs. This question is also asked to 80 targeted Hindu community people. So, the collective data shows that 63 people, 42 males, and 21 females pick the portion 'No' and say that the National Human Rights Institutions are not treating the issues of human rights violations of minority communities impartially. Furthermore, 11 targeted members, six males, and five females pick the option 'Do Not Know', which shows that they had no idea and knowledge about the query, and the last portion was selected by six people, five males and one female. According to the data, only six members - five males and one female, out of 80 mark the portion 'Yes.' It means that they agreed that they are aware of the performance of the NHRIs. Simultaneously, they also know that these institutes are to some extent partial to perform their task of addressing the issues of minorities.

Conclusion

The research work titled 'Minorities Rights in Punjab: Primary Data Based Analysis of Hindu Minority' is unique as it has not only discussed the state's measures but also peeped into the plight of the rights of religious minorities focused on Hindu Minority Reside in Punjab, Pakistan. The selected population sample of 80 that provided verifiable factual information to understand the impact of the policy measures on the religious minorities. As far as the protection mechanism of religious minorities is concerned, the Constitution of Pakistan, 1973, in its article 25, clearly defines the concept of equality before law and equality of citizenship and opportunities. In addition, the famous speech of our Quaid, which was delivered on 11th August 1947, in the presence of august members of the constituent assembly, is worth mentioning. It demonstrates a commitment to ensure freedom of religion or belief and a guideline for the policymakers to incorporate the diversities of land. This speech further reflects that Quaid has made promises with different groups to convince them to stay in the newly emerged state of Pakistan. There are several references available that reflect the Quaid's vision about Pakistan.

In his broadcast address in February 1948, the Quaid-e-Azam, while talking about the country's constitution, said, "In any case, Pakistan is not going to be a theocratic State--- to be ruled by priests with a divine mission. Of course, we have many non-Muslim - Hindus, Christians, and Parsis- but they are all Pakistanis. They will enjoy the same rights and privileges as any other citizen and will play their rightful part in the affairs of Pakistan." But after the death of Quid, the minorities are facing severe issues from the society for their rights and identity.

It is high time to ponder and have serious deliberations as to how to come out of this grave situation. It will ruin the people and the country. The policy of appeasement of theocratic elements adopted by the successive governments by way of adhocism must be dropped. The approach has



brought the whole nation to a precipice. If such moves are not averted the state structure would crumble down. We, the author of this paper recommend the progressive and democratic forces to play their historic role by forging unity amongst their ranks in order to launch comprehensive Policy and salvage the people. We have to save humanity and build a civil society. All nations are poised to enter into the next millennium with determination to have better quality of life, let us contribute our lot to fulfil the dreams of our people for a better tomorrow.



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Appendix 1

Questionnaire (80 Hindu)

01	Do you believe that the religious minorities are treated equally in social setup?		
	Equal Social Treatment		
	Yes	No	Do Not Know
	F-07 + M-09 = 16	F-19 + M-41 = 60	F-01 + M-03 = 04
02	Do you believe that the laws and policies are treated the Muslims and non-Muslims equally?		
	Laws and Policies are Impartial		
	Yes	No	Do Not Know
	F-04 + M-11 = 15	F-10 + M-40 = 50	F-13 + M-02 = 15
03	Do you know about the constitutional rights of religious minorities?		
	Knowledge of Fundamental Rights		
	Yes	No	Do Not Know
	F-02 + M-07 = 09	F-24 + M-43 = 67	F-01 + M-03 = 04
04	Do you think that the constitution of Pakistan has accommodated the religious minorities in an appropriate manner?		
	Inclusion of Minorities in Constitution		
	Yes	No	Do Not Know
	F-01 + M-06 = 07	F-15 + M-04 = 19	F-11 + M-43 = 54
05	Do you believe that the policy of reserved quota would protect the rights of minorities and empower them?		
	Reserved Quota for Minorities		
	Yes	No	Do Not Know
	F-23 + M-41 = 64	F-02 + M-08 = 10	F-02 + M-04 = 06
06	Do the religious identity contribute to increase vulnerability of non-Muslims to enjoy fundamental freedoms?		
	Religious Identity and Vulnerability		
	Yes	No	Do Not Know
	F-23 + M-41 = 64	F-02 + M-10 = 12	F-02 + M-02 = 04
07	Is the socio-political context is allowing the minorities for discussing their issues in the parliament?		
	Socio-Political Context		
	Yes	No	Do Not Know
	F-03 + M-09 = 12	F-11 + M-20 = 31	F-13 + M-24 = 37
08	Do you think that the ministries and departments concerned to religious minorities are performing as per the aspiration of minorities?		
	Performance of Institutions		



	Yes F-05 + M-02 = 07	No F-21 + M-41 = 62	Do Not Know F-01 + M-10 = 11
09	Do you think that the exclusive ministries and departments for minorities would address the issues of minorities?		
	Exclusive Ministries/Departments		
	Yes F-22 + M-47 = 69	No F-03 + M-03 = 06	Do Not Know F-02 + M-03 = 05
10	Do you think that the National Human Rights Institutions i.e., NCSW, NCHR, RTI and NCM are treating the issues of human rights violations of minority community impartially?		
	Performance of NHRIs		
	Yes F-01 + M-05 = 06	No F-21 + M-42 = 63	Do Not Know F-05 + M-06 = 11