



# THE SENATE OF PAKISTAN DEBATES

## OFFICIAL REPORT

Friday, April 12, 1974

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SENATE DEBATES  
SENATE OF PAKISTAN

Friday, April 12, 1974

The Senate of Pakistan met in the Senate Chamber, (State Bank Building), Islamabad, at five of the clock in the evening, Mr. Chairman (Mr. Habibullah Khan) in the Chair.

(Recitation from the Holy Quran)

**Mr. Chairman :** Now, we take up adjournment motions. Yes, Khawaja Mohammad Safdar.

ADJOURNMENT MOTION RE : PROTECTION OF MEGARO  
INHABITANTS FROM DACOITS

**Khawaja Mohammad Safdar :** Sir, I beg leave of the House to move a motion for the adjournment of the business of the Senate to discuss a definite matter of urgent public importance and of recent occurrence, namely, the failure of the Federal Government to protect the lives and properties of the inhabitants of village Megaro, District Sanager, as the dacoits from across the border entered the Pakistan territory and after injuring two villagers looted and took away valuables worth thousands of rupees as reported in Jang of 9th April, 1974.

**Rao Abdus Sattar (Leader of the House) :** I beg to oppose the motion because it does not fulfil the conditions laid down under rule 71, as it is not an issue of urgent public importance, it is not restricted to a matter of recent occurrence and it is a matter of the Provincial concern. The Sind Chief Minister has issued a statement recently that they are doing utmost to check these incidents. Sir, I hope Khawaja Sahib will agree with me and will not press this adjournment motion. The Minister concerned is also not present. Next time he will be here.

خواجہ محمد صفدر : جناب والا ! میری اس تحریک التواء پیش کرنے کی  
غرض و غائت یہ تھی کہ میں حکومت کی توجہ اس امر کی طرف دلاؤں کہ  
گزشتہ دو تین ماہ میں کم از کم بارہ ایسے واقعات ہو چکے ہیں جن کی پولیس  
میں رپورٹ بھی کی جا چکی ہے۔ ڈاکو ہندوستان کے علاقہ سے آتے ہیں اور

[Khawaja Mohammad Safdar]

ہمارے لوگوں کو لوٹ کر ، قتل کر کے ، زخمی کر کے چلے جاتے ہیں ۔ حقیقت یہ ہے کہ آپ کو یاد ہوگا چند ماہ پہلے بھی میں نے اس قسم کی ایک تحریک التواء اس ایوان میں پیش کی تھی اور میری شکایت یہ ہے کہ مرکزی حکومت نے جو بھی انتظام سرحدوں کی حفاظت کے لئے کیا ہوا ہے مجھے علم ہے کہ وہ رینجرز اس کام پر مامور ہیں اور وہ ناکافی ہے ۔ دوسری وجہ یہ ہے کہ وہ لوگ جن کو بھارت سے واپس لوٹا کر ہم نے بسایا ہے ڈاکوؤں کو اپنے ہاں پناہ دیتے ہیں اور مقامی لوگوں کو لوٹتے ہیں یہ میری شکایت ہے ۔ لیکن میں اتنی درخواست ضرور کروں گا ہماری حکومت کا فرض ہے کہ اس ملک کے شہریوں کی جان و مال کی حفاظت کرے اگر وزراء صاحبان کہتے ہیں کہ آئندہ اس امر کا بہتر انتظام کریں گے تو اس صورت میں میں اپنی اس تحریک پر مزید زور نہیں دوں گا ۔

**Mr. Khurshid Hasan Meer (Minister without Portfolio) :** Sir, I have just received a file from the Minister of State for Defence and Foreign Affairs which relates to this adjournment motion. The facts of the case are that this incident which is mentioned in the adjournment motion actually took place in the last week on 22nd March, 1974. Sir, it is not a matter of urgent public importance. The notice of the adjournment motion was given on 11th April which means after a lapse of almost two weeks. In any case, it would be appropriate to give facts of the case. The facts of the case are that the Government on the contrary has not failed in protecting the lives and property of the Pakistanis. The authorities concerned on the contrary dealt with the situation. The Indian intruder was ambushed and killed on 25th March 1974. The magnitude of the incident has been exaggerated. Actually all that happened was this. Shafia Ali an Indian national crossed into Pakistan on 22nd March, 1974 and snatched away Rs. 800/- from Ali Khan of Village Megaro. It is situated at a distance of about five miles of Indo-Pakistan border of Tahulka Khipro, District Sanghar. The rangers chased him and he was slightly injured, but Shafia succeeded in running away to India. Rangers continued keeping a watch over the border and an ambush was laid for him on 25th March in which he was killed and a camel and a rifle belonging to him was captured. No incident of this type occurred in the first week of April, 1974.

**Mr. Chairman :** He is not pressing that adjournment motion. He wants an assurance from the Government that the Government is putting the best efforts.

**Mr. Khurshid Hasan Meer :** Sir, I would respectfully submit that the Leader of the House had asked that this adjournment motion be not taken up today but be adjourned to some other date and meanwhile I received the file. Now, I have given these facts and I am sure that the honourable Senators are satisfied from these facts that the Government is looking after.....

**Mr. Chairman :** There should be no hesitation to give this assurance that the Federal Government is doing all that for protecting the lives and property of the citizens.

**Mr. Khurshid Hasan Meer :** I am sure the Senator will now withdraw his motion.

**Khawaja Mohammad Safdar** : I am not pressing it.

**An Honourable Senator** : Mr. Chairman, I am...

**Mr. Chairman** : You should have risen earlier. He has already withdrawn.

**Mr. Khurshid Hasan Meer** : When the motion is not pressed, it is no longer before the House.

**Mr. Chairman** : Yes, adjournment motion No. 2.

ADJOURNMENT MOTION RE : POWERS OF MANAGING  
BOARD OF PAKISTAN SHIPPING CORPORATION

**Khawaja Mohammad Safdar** : Sir, with your permission, I beg leave of the House to move a motion for the adjournment of the business of the Senate to discuss a definite matter of urgent public importance and of recent occurrence, namely, the failure of the Federal Government to define functions and powers of the Managing Board of the Pakistan Shipping Corporation. This has resulted in the standstill of almost all the export activities of the Corporation. The public is dismayed at the resultant loss to the nation.

**Mr. Khurshid Hasan Meer** : \*I oppose this motion. It is not well-conceived. It is contrary to the facts. It is stated in the motion that the Federal Government has failed to define the limitations and powers of the Managing Board. It is not for the Federal Government to do so at all. It is a matter of enactment. The law has been enacted by the Parliament. It was brought before this House also. It is in the law that the powers of the Managing Board are laid down explicitly. Meanwhile, Sir, I would like to add that under this law two Corporations have been set up, one dealing with all the Companies which have been taken over and they are now being administered under a common name of Pakistan Shipping Corporation. Its Board of Management has been appointed. Its Chairman has been appointed. Its members have been appointed. Only the Finance Member whose appointment was subject to acceptance of the offer by him, has expressed his inability to take up this appointment and that post will also be filled in by the nomination of some other Finance Expert. Meanwhile, Sir, rules for the acquisition of shares have been compiled and approved by the Finance Ministry and notified. List of share-holders is being compiled and consolidated for issue of acquisition order. The Chairman of the Board of Management and the National Shipping Corporation have been asked to set up and re-organize it. That is what the law has envisaged. That is what the Management Board proposes to do, to prepare a re-organization plan for approval by the Government.

خواجہ محمد صفدر : جناب والا ! میرا خیال ہے کہ محترم وزیر صاحب کی نظر سے یہ خبر گزری ہوگی - یہ خبر نشینل پریس ٹرسٹ نے چھاپی ہے اور میرے ہاتھ میں اخبار New Times کراچی ہے -

**Mr. Khurshid Hasan Meer**. \*I rise on a point of order. If the adjournment motion is based on any newspaper story, then that should have been attached with the motion.

**Khawaja Mohammad Safdar :** It is not necessary.

**Mr. Khurshid Hasan Meer :** If it is not necessary then I am sorry what appears in the press we are not responsible for that. They publish all sorts of incorrect stories. The basis of this adjournment motion is only this much that the Government has failed to define the limits—that means the authority of the Management Board. That has been defined by law. It is not for the Government to do it. The law has set up the limitations. Actually there are no limitations. They have full powers. They have to prepare a reorganization plan for the approval of the Government but meanwhile they have to manage, run the companies and they are running them. They have all been combined into one Corporation called Pakistan Shipping Corporation. Its Chairman has been appointed. He is a well known shipper. Then its members have been appointed. As I said earlier only one member, that is, the Finance Member has not taken up his assignment and somebody else will be appointed to it. There is a Managing Director, there is a General Manager, there are other officers and they are doing the job.

خواجہ محمد صفدر : جناب والا ! محترم وزیر صاحب نے اپنی تقریر کردی ، میں بھی کچھ عرض کر دوں ۔ میری گزارش یہ ہے کہ پاکستان میں دو کمپنیاں ہیں ۔

**Mr. Chairman :** Why are you entering into discussion on the merits ?

**Mr. Khurshid Hasan Meer :** It relates to one company, Pakistan Shipping Corporation.

(Interruptions)

**Mr. Chairman :** Excuse me, I feel both are irrelevant. The first question to be decided is whether it is admissible before you go into the merits and in the details.

(Interruptions)

**Mr. Chairman :** First you take up the point whether it is admissible. Discuss the points of admissibility—how it is of urgent public importance, how it is a matter of recent occurrence, how it is for the Federal Government to do certain things you wanted it to do, how it has failed. Now, as far as I have been able to find out from your adjournment motion, the wordings are that the failure of the Government to define limitations and powers of the Managing Board, has brought dismay to the public. That is the crux of the whole thing—the failure of the Government to define the limitations and powers of the Managing Board. Now, tell me how can they do it ?

**Mr. Khurshid Hasan Meer :** The law is laid down.

**Mr. Chairman :** You tell me first how can they define the limitations and the powers of the Managing Board ? Your complaint is based on this alleged failure of the Government. First you reply to my question how has the Government failed to define the limitations and powers of the Managing Board? First you show that they have failed.

خواجہ محمد صفدر : جناب والا ! یہ irrelevant ہو چکے ، تھوڑا سا مجھے  
بھی irrelevant ہو لینے دیجیے -

جناب چیئرمین : آپ پہلے irrelevant ہوئے ہیں وہ بعد میں ہوئے ہیں -

خواجہ محمد صفدر : جناب والا ! پاکستان میں اس وقت دو کارپوریشنیں  
کام کر رہی ہیں ، جیسا میر صاحب نے ابھی فرمایا ہے - جہاں تک پاکستان  
شپنگ کارپوریشن کا تعلق ہے اس کے لیے ابھی پچھلے سیشن میں ہم نے ایک  
قانون وضع کیا تھا اور اس کے اختیارات قانون میں واضح کر دیے گئے ہیں اور جو  
دوسری کارپوریشن ہے جس کا نام نیشنل شپنگ کارپوریشن ہے اس کے اختیارات  
اور فرائض کی کہیں بھی وضاحت نہیں ہے - اس کے لیے گورنمنٹ کی جانب سے  
محض ہدایات جاری ہوتی ہیں - اگر پاکستان شپنگ کارپوریشن کے لیے کسی قانون  
کے وضع کرنے کی ضرورت ہے تو یہ حکومت کا کام ہے ، میرا کام نہیں ہے -

**Mr. Chairman :** When you complain that the Government has failed to define the limitations and powers of the Managing Board, can you suggest to me how they can do it—how they have failed and how they can do what they have not done ?

**Khawaja Mohammad Safdar :** Yes, Sir, in one case they can do it.

**Mr. Chairman :** I say how ?

**Mr. Khurshid Hasan Meer :** I may be permitted to explain to the Honourable Member.

**Mr. Chairman :** I would not permit you please.

**Mr. Khurshid Hasan Meer :** There is confusion.

**Mr. Chairman :** There is no confusion.

**Mr. Khurshid Hasan Meer :** There is confusion. Please let me, Sir, explain.

**Mr. Chairman :** Will you kindly leave him to me.

**Mr. Khurshid Hasan Meer :** Sir, I want to deal with him. It is my right to deal with him.

**Mr. Chairman :** No, you have got no right against the Chairman.

**Mr. Khurshid Hasan Meer :** Not against you, Sir, but it is for me to reply.

**Mr. Chairman :** No, will you kindly resume your seat? Khawaja Sahib, I want you to tell me how has the Government failed to define the powers? Under what law should they do it?

**Khawaja Mohammad Safdar :** Firstly, the Government should have brought some sort of legislation to define the powers.

**Mr. Chairman :** Do you mean to suggest that the Government should bring in legislation to fill up the gap?

**Khawaja Mohammad Safdar :** Yes, Sir! There should be some law defining the functions and duties of the Corporations. Secondly, the Government can issue directions only.

**Mr. Chairman :** Then your adjournment motion is hit by this provision...

**Mr. Khurshid Hasan Meer :** May I now explain? With humble request, Sir, it is in the public interest to explain this because all these proceedings go in the press.

**Mr. Chairman :** First let me point out to him that the rule says that a motion shall not be admissible unless it satisfies the following conditions :

“It shall not relate to a matter which can only be remedied by legislation”.

**Khawaja Mohammad Safdar :** Quite right, Sir. I bow before your decision.

**Mr. Chairman :** Because it is a matter for legislation, therefore, you cannot raise a discussion over it.

**Mr. Khurshid Hasan Meer :** This has already been done. That is why I want to say that the idea about a combined law is totally wrong on the part of the Member.

**Mr. Chairman :** When I have ruled it out of order, would it be desirable to consume the time of the House?

**Mr. Khurshid Hasan Meer :** Sir, I would very respectfully submit that in one/tenth of the time that has been consumed, I would have removed the misconception that the Honourable Senator has deliberately tried to create. There are no two laws needed for these Corporations. They are both governed by one law, *i.e.* the law which has already been passed, and under that law a Board of Management has been set up for both companies.

**Mr. Chairman :** Very difficult. You are showing no courtesy to the Chair.

**Mr. Khurshid Hasan Meer :** I am very sorry, Sir. If the Government is not permitted to explain its case, then I am very sorry that we will have to request you to kindly give us the opportunity to explain our case.

**Mr. Chairman :** After the admissibility of an adjournment motion is discussed and once it is admitted, then you have two hours to deal with him.

**Mr. Khurshid Hasan Meer :** In that case I request that the adjournment motion be admitted.

**Mr. Chairman :** All right. Show me whether I can revise my order. Mr. J.A. Rahim, I would ask you, can I revise my decision ?

**Mr. J.A. Rahim (Minister for Production) :** Sir, as a matter of fact, nothing new has occurred in the case of this adjournment motion after you have given your ruling.

**Mr. Chairman :** I have given the ruling that it is not admissible. Now, the Minister concerned wants me to rule that it should be admissible.

**Mr. Khurshid Hasan Meer :** We want to enlighten the House because every day totally misconceived and incorrect facts are stated in the adjournment motions.

**Mr. Chairman :** Then you should have said that you did not oppose it.

**Mr. Khurshid Hasan Meer :** I say it is not based on facts.

**Mr. Chairman :** At the very outset you should have stood up and said, "I do not oppose it". You should have said that you did not oppose it.

**Mr. Khurshid Hasan Meer :** Sir, the practice has been...

**Mr. Chairman :** I am not concerned with the practice.

**Mr. Khurshid Hasan Meer :** The Chairman of the Senate is much more experienced than I am in matters of parliament and law.

**Mr. Chairman :** But...

**Mr. Khurshid Hasan Meer :** Please, Sir, please we have come here to be heard, and we request you to give us a hearing.

**Mr. J.A. Rahim :** Mr. Chairman, you desired me to express opinion. I have not been allowed to express the opinion. If my honourable colleague would allow me to speak for one minute, I will do it. The point now is that if the Honourable Minister wants to make a statement, the Chairman may allow him to do so.

**Mr. Khurshid Hasan Meer :** That is all I wanted.

**Mr. J.A. Rahim :** Why do you interrupt.

*(Interruption)*

**Mr. J.A. Rahim :** Sir, there is a limit. Nobody is personally involved. Now, Sir, the Honourable Minister feels that a misapprehension may arise in the mind of the public. Now, as far as the Government side is concerned, let the Government make a statement, let the Honourable Minister make a statement and after the statement the point may be settled.

**Mr. Chairman :** Now, Mr. J.A. Rahim, by the way, I may inform the House that when an adjournment motion is moved, there are two courses open for the Government to take-number one, either they oppose that it is not admissible

[Mr. Chairman]

or they accept it. If they oppose it, then I have to hear the parties on the question of admissibility and not on the merits. It is a different matter if a request is made from the outset to me that in order to remove his misgiving I may allow him to make a general statement so that the mover may be able to withdraw them adjournment motion. The discussion started for the admissibility. I asked them to confine themselves to the point of admissibility because I felt myself that probably it was not admissible. It is a matter for legislation. If it is a matter for legislation, it is surely hit by sub-rule (k) of rule 71. So, when I did not allow it, when I say it is inadmissible, then the question of discussing merits of the case does not arise. Well, if there is a request...

**Mr. Khurshid Hasan Meer :** Well, do I have your permission to say a few words? (Interruption) I will not challenge your ruling. I cannot do that. (Interruption). Sir, very respectfully...

**Mr. Chairman :** Let me first give my permission. I want to be clear on this point. Do you want my permission to make a general statement?

**Mr. Khurshid Hasan Meer :** Sir, I want first of all to say something about the procedure to be followed in such adjournment motions, not on this particular business but generally speaking.

**Mr. Chairman :** No.

**Mr. Khurshid Hasan Meer :** Generally speaking I want to make a statement for your consideration, for the consideration of the Chair.

**Mr. Chairman :** Do you want to make a statement with regard to this adjournment motion?

**Mr. Khurshid Hasan Meer :** That is separate also, I want to do that. But that...

**Mr. Chairman :** Do you want to teach me the procedure?

**Mr. Khurshid Hasan Meer :** There is no question of learning and teaching.

**Mr. Chairman :** No, no.

**Mr. Khurshid Hasan Meer :** There is no question...

**Mr. Chairman :** What do you want?

**Mr. Khurshid Hasan Meer :** The ruling comes after submissions from both sides.

(Interruption)

**Mr. Khurshid Hasan Meer :** I want to make a statement.

**Mr. Chairman :** With regard to what?

**Mr. Khurshid Hasan Meer :** Sir?

**Mr. Chairman :** With regard to what ?

**Mr. Khurshid Hasan Meer :** With regard to general procedure regarding adjournment motions.

**Mr. Chairman :** How ? Are you on a point of order ?

**Mr. Khurshid Hasan Meer :** Sir, I want to make a statement and submission but if you disallow I will sit down.

**Mr. Chairman :** So far as this adjournment motion is concerned, I have held it to be inadmissible. I have ruled it out of order.

**Mr. Khurshid Hasan Meer :** I am not...

**Mr. Chairman :** You can with my...

**Mr. Khurshid Hasan Meer :** How can I do that. I bow before the Chair. I ask permission to make a humble submission generally about procedure of adjournment motions.

**Mr. Chairman :** You should give me this much credit of knowing the procedure.

**Mr. Khurshid Hasan Meer :** Sir, I do not know.

**Mr. Chairman :** I would like to know before what you want.

**Mr. Khurshid Hasan Meer :** I seek permission to make a submission.

**Mr. Chairman :** On what point ? How do you want to tell me what the procedure is ?

**Mr. Khurshid Hasan Meer :** It is for all of us to learn the procedure. It is for all of us to learn. The Chairman had been a judge of the High Court and the judges decide after hearing both sides.

**Mr. Chairman :** I have heard you, I have heard the mover of the adjournment motion, and I have ruled it out of order. That is all.

**Mr. Tahir Mohammad Khan :** Now, I think, we can proceed ahead. That is all.

**Mr. Chairman :** Well, what about your suggestion, Mr. J.A. Rahim ? If he wants to make a general statement, not on the question of adjournment motion or with regard to the ruling, or rule, there can be a statement with regard to the incident. That is what you suggested.

**Mr. J.A. Rahim :** My suggestion was that the honourable Minister obviously feels that the statement made by the mover of the adjournment motion would have given a wrong impression to the public. He wants to correct that impression. If he keeps within that limit to correct wrong impression, I think, it would be admissible.

**Mr. Chairman :** Is he prepared to make a general statement with regard to the incident but not generally what an adjournment should or should not be ?

**Mr. J.A. Rahim :** Not about adjournment motion, as you say.

**Mr. Chairman :** What I heard you say was this that he wanted to make a general statement with regard to the incident, possibly to remove the misapprehension in the mind of the public with regard to this particular incident.

**Mr. J.A. Rahim :** No, Sir, only with regard to the fact that the law was passed or not.

**Mr. Chairman :** The law?

**Mr. J.A. Rahim :** By what law the companies are governed.

**Mr. Chairman :** All right, I do not mind.

**Mr. Tahir Mohammad Khan :** Point of Order, Sir, the time for adjournments motion is over.

**Mr. Chairman :** Now, we are not talking of adjournment motions. There was another suggestion by Mr. J.A. Rahim.

**Mr. Tahir Mohammad Khan :** It is connected and related with the adjournment motion. Let us proceed with the...

**Mr. Chairman :** So, is no statement being made ?

**Mr. Khurshid Hasan Meer :** Am I being addressed, Sir ? Do I have the permission to make a general statement?

**Mr. Chairman :** With regard to the procedure of this Shipping Corporation.

**Mr. Khurshid Hasan Meer :** Sir?

**Mr. Chairman :** Not with regard to adjournment motion. First let me hear him. Do you want to make a statement about the National Shipping Corporation?

**Mr. Khurshid Hasan Meer :** The adjournment motion relates to Pakistan Shipping Corporation.

**Mr. Chairman :** Do you want to make a statement with regard to this ?

**Mr. Khurshid Hasan Meer :** Yes, Sir.

**Mr. Chairman :** All right, have it.

**Khawaja Mohammad Safdar :** Point of order. May I know the rule under which the Minister wants to make a statement in respect of this matter. There

is a story published in the press, in the national press. It can very well be contradicted by them. They can issue a statement that this story read in the press

**Mr. Chairman :** Under the inherent powers of the Chair ?

**Khawaja Mohammad Safdar :** Of course, of course.

Inherent powers آپ استعمال کر سکتے ہیں لیکن جہاں تک قواعد کا تعلق ہے میں نے کوئی قاعدہ ایسا نہیں دیکھا ہے -

**Mr. Khurshid Hasan Meer :** \*As I said this earlier, the rule is that if a newspaper is to be referred to at all in an adjournment motion, its cutting must be supplied with the adjournment motion to the Chair. That is the strict rule, otherwise any one who wants to refer to a newspaper story is barred from doing that. That is why I objected to that in the very first instance. It is taking the Government side unawares. What the Honourable Member wants to say or refer to in the adjournment motion or what the newspaper story is, is that it says that the powers of the Managing Board of the Pakistan Shipping Corporation have not been defined. The honourable Member did not stick to the question of admissibility of the motion when the Chair asked him to explain how it was admissible. He did not stick to that ; what he did was that he wanted to go into the facts that compelled me to rise up again and request for permission to remove the misapprehension created by him. The misapprehension created was as if the two Corporations were set up under two different laws and were at present governed under two different laws. It is true that the National Shipping Corporation existed before the other companies were so to say nationalised or their management was taken over, and there was an Ordinance governing the working of the National Shipping Corporation. But after the other companies were taken over, with them the National Shipping Corporation was also taken over, under the same law. Therefore, the same law which was passed by this honourable House governs all the companies, whether the National Shipping Corporation or the other companies which are now being grouped together into what is now known as Pakistan Shipping Corporation. The law itself permitted the Government to set up one or more Corporations. Government has set up two Corporations : one, which was previously existing under the name of National Shipping Corporation and is continuing, the other Corporation groups together the companies now recently nationalised, companies other than the National Shipping Corporation which have been taken over. The law lays down what the powers of the Board of Management are. Two Boards of Management have been set up. The Government could have set up one Board of Management for both or for all the companies nationalised. So Government has set up two Boards of Management, one for the National Shipping Corporation and the other what is now known as Pakistan Shipping Corporation.

The Boards of Management having been set up under the law there is nothing more for the Government to do. Whatever else the Ministry of Finance has to do is being done. If the Honourable Member wanted to refer to anything that has appeared in the press, then there should be a separate adjournment motion. We will then explain our case whether or not that newspaper story is correct.

Mr. Chairman : Khawaja Sahib, for your information although I was not bound to tell you, you are supposed to know the Rules of Procedure. You read rule 231. If you had read it, you would not have put that question as to under what rule he was doing that. Rule 231 says :

“A statement may be made by a Minister on a matter of public importance with the consent of the Chairman but no question shall be asked nor discussion take place thereon at the time the statement is made”.

**Khawaja Mohammad Safdar :** I stand corrected.

**Mr. Chairman :** You stand corrected. That is why I had told you at the very outset that I have got an inherent power to allow a statement by a Minister. Thank you.

MESSAGE FROM THE NATIONAL ASSEMBLY RE : ADOPTION OF  
THE EXCLUSIVE FISHERIES ZONE (REGULATION OF  
FISHING) BILL, 1974

**Mr. Chairman :** Now, I have got a message from the Joint Secretary of the National Assembly addressed to the Secretary, Senate Secretariat

“Sir, in pursuance of rule 109 of the Rules of Procedure and Conduct of Business in the National Assembly, I have the honour to inform the Senate Secretariat that the National Assembly passed the Exclusive Fisheries zone (Regulation of fishing) Bill, 1974 on the 12th April, 1974. A copy of the Bill is transmitted herewith. Kindly acknowledge receipt.”

No other message?

Now, there is a motion in your name, Khawaja Sahib.

MOTION RE : INCREASE IN THE EXPENDITURE OF CIVIL  
ADMINISTRATION

**Khawaja Mohammad Safdar :** Sir, I beg to move :

“That the situation arising out of the enormous increase in the expenditure of civil administration of the Federal Government of Pakistan be taken into consideration.”

**Mr. Chairman :** Motion moved :

“That the situation arising out of the enormous increase in the expenditure of civil administration of the Federal Government of Pakistan be taken into consideration”.

**Mr. J.A. Rahim :** This matter came up before when the Honourable Finance Minister was here. I am here today for the purpose of this House. I have, however, not decided to postpone it. The fact is that it will be controversial to enter into discussion upon this motion at the moment. I am not pressing a point against it. I only want to point out, because after all these matters that are contained in this motion and that would arise out of them will really lead to a discussion of the Budget that has not yet been presented. That is what it amounts to. Nobody has said that the expenditure is not rising, not even the

Opposition could deny it because for the simple fact that they are asking for things which inevitably create expenditure. Now what would be interesting would be a debate at the time of the Budget in which the figures themselves are questioned when the break up of the Government's expenditure is available. Therefore, I think, this adjournment motion would be infructuous. It leads to nothing but a general statement. So, I would suggest that this matter be deferred for the moment.

Mr. Chairman : Do you agree ?

خواجہ محمد صفدر : جناب چیئرمین ! میں اس بات کو تو بخوشی قبول کرنے کو تیار ہوں کہ اس کو اگلے جمعہ کے دن پر ملتوی کر دیا جائے کیونکہ وزیر خزانہ صاحب تشریف نہیں لائے ہوئے وہ کسی ضروری کام کے لیے باہر گئے ہوئے ہیں جیسا کہ وہ پچھلے جمعہ بھی اسلام آباد میں تشریف نہیں رکھتے تھے۔ جناب والا ! اس لیے مجھے کوئی اعتراض نہیں ہے کہ اس کو اگلے جمعہ پر ملتوی کر دیا جائے لیکن میں یہ سمجھتا ہوں کہ ہمارے قواعد و ضوابط میں ہے اس کے تحت اور ہر معزز رکن کو یہ حق پہنچتا ہے کہ وہ یہاں رول ۱۸۷ کے تحت تحریک پیش کر سکتا ہے لیکن یہ تو میں مانتے کے لیے تیار نہیں ہوں کہ یہ بیٹ سے متعلق ہے اس لیے اس تحریک پر بحث بیٹ پر بحث کرنے کے متبادل ہوگی۔ جناب والا ! بیٹ تو اس معزز ایوان میں پیش نہیں ہوگا اور میں یہ قبول کرنے کے لیے تیار ہوں کہ ڈاکٹر مبشر حسن صاحب چونکہ یہاں نہیں ہیں اس لیے اس تحریک کو اگلے جمعہ تک ملتوی کر دیا جائے۔

Mr. Khurshid Hasan Meer : I beg to be heard.

Mr. J.A. Rahim : I have no objection because if the adjournment motion were admitted then it could be fruitful.

Mr. Chairman : There is no question of admitting this motion. This is a motion under rule 187.

Mr. J.A. Rahim : I am sorry, it was a slip of the tongue. Please forgive me for that.

Mr. Chairman : Not even votes are taken on it.

Mr. J.A. Rahim : Let him move it later.

Mr. Khurshid Hasan Meer : \*I am afraid, it is not a resolution at all. It would be a misnomer to call this a resolution. The wording is such which makes the contents completely out of rule 187. Rule 187 says :

“A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the Senate, but

\*Speech not corrected by the honourable Minister.

[Mr. Khurshid Hasan Meer]

the Senate shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at the conclusion of the debate at the appointed hour unless a member moves a substantive motion in appropriate terms to be approved by the Chairman and the vote of the Senate shall be taken on such motion."

This means that the motion made under rule 187 can lead to a vote. Now, what the Honourable Member wants to do is to start a Budget Speech to take the budget into consideration here. It violates the Constitution completely. If this is permitted, then we might as well scrap the Constitution. Then we might as well decide that the powers and limitations and the authorities of the two Houses in the Parliament laid down in the Constitution are negated and either House is at its own free will to do whatever it likes.

(Interruption)

Mr. Chairman : Yes, under rule 187.

Mr. Khurshid Hasan Meer : Rules are subordinate to the Constitution. No rule can be interpreted to violate the Constitution and I would go further with your permission to say that even if this rule strictly permits the Honourable Member to move such a resolution, well, the Constitution can be quoted to bar it because the rule is subordinate to the Constitution. No rule can permit what the Constitution forbids.

Mr. Chairman : You just refer to the relevant provision of the Constitution.

Mr. Khurshid Hasan Meer : He admits that. He himself argues that the budget cannot be brought here.

Mr. Chairman : But he is not discussing budget.

Mr. Khurshid Hasan Meer : The Honourable Member just now said that he is moving this motion because budget cannot be discussed here. That was his argument. The Honourable Member may be right, but of course this is the difficulty in view of the Constitutional provision. That was his argument for bringing this resolution. In the very beginning, Sir, my senior Honourable Minister for Production pointed out that these are matters relating to budget and he said because the budget cannot be discussed here, I am moving this resolution.

Mr. Chairman : Khawaja Sahib, we do one thing. Let it go to next Friday and before discussion starts, I will first hear both the sides on this legal question whether such a motion can or cannot be moved.

Khawaja Mohammad Safdar : All right, Sir.

Mr. Chairman : So, it stands deferred to next Private Members Day subject to the discussion of first constitutionality or legality of this matter.

Mr. J.A. Rahim : It is very necessary because Constitution is involved.

Mr. Chairman : If it is considered that this is against the provisions of the Constitution, then I would not allow this, and he will have to surrender. But if it is not against the Constitution then, of course, I will allow.

Now, we take up legislative business. No, I am sorry. Item No. 2A. Mr. J.A. Rahim, you present the report of the Standing Committee.

STANDING COMMITTEE REPORT RE : TRANSFER OF PROPERTY  
ORDINANCE (REPEAL) BILL, 1974

**Mr. J.A. Rahim :** Sir, I beg to present the report of the Standing Committee on the Bill to repeal the Transfer of Property Ordinance, 1974 [The Transfer of Property Ordinance (Repeal) Bill, 1974].

**Mr. Chairman :** The Report of the Standing Committee is laid on the Table of the House. Now, next item. Item No. 3 — Legislative Business.

THE SERVICE TRIBUNALS (AMENDMENT) BILL, 1974

**Mr. Khurshid Hasan Meer :** Sir, I beg to move :

“That the Bill to amend the Service Tribunals Act, 1973 [The Service Tribunals (Amendment) Bill, 1974], as passed by the National Assembly, be taken into consideration.”

**Mr. Chairman :** Motion moved.

“That the Bill to amend the Service Tribunals Act, 1973 [The Service Tribunals (Amendment) Bill, 1974], as passed by the National Assembly, be taken into consideration.”

**Khawaja Mohammad Safdar :** Opposed. May I move my amendment, Sir ?

**Mr. Chairman :** It is amendment not for deletion, I hope.

**Khawaja Mohammad Safdar :** No, Sir.

**Mr. Khurshid Hasan Meer :** It cannot be for deletion, Sir.

**Khawaja Mohammad Safdar :** It is for reference to the Standing Committee. This is the stage for moving that amendment, Sir. Sir, I beg to move :

“That the Service Tribunals (Amendment) Bill, 1974, as passed by the National Assembly, be referred to the Standing Committee concerned.”

**Mr. Khurshid Hasan Meer :** I oppose it, Sir.

**Mr. Chairman :** You opposed it, all right.

خواجہ محمد صفدر : جناب چیئرمین ! میں نے یہ تحریک اس لیے اس ایوان میں پیش کی ہے کیونکہ میں دیکھتا ہوں کہ اس بل میں کچھ خامیاں ہیں۔ انسان کا کوئی کام perfect نہیں ہوتا اگرچہ ہر انسان کی کوشش ہوتی ہے کہ اس کا کام

[Khawaja Mohammad Safdar]

perfection تک پہنچ جائے لیکن کسی وقت انسان سے بعض پہلو نظر انداز ہو جاتے ہیں۔ مجھ سے بھی ایسا ہو سکتا ہے دوسرے دوستوں سے بھی ہو سکتا ہے اس لیے میرا یہ خیال تھا کہ اس میں چونکہ کچھ خامیاں ہیں اس لیے بہتر ہوگا کہ اس بل کو مجلس قائمہ کے حوالے کیا جائے تاکہ وہاں سر جوڑ کر احباب بیٹھیں، اس پر غور و فکر کریں اور اس کے بعد اپنے غور و فکر کے نتائج اس معزز ایوان کے سامنے پیش کریں تو زیادہ بہتر ہوگا۔ دوسری بات جناب چیئرمین! مجھے یہ بھی عرض کرنا ہے کہ قواعد و ضوابط کے وضع کرنے کا مقصد یہ ہوتا ہے کہ ان پر عمل کیا جائے۔ میں دیکھتا ہوں کہ یہ ہمارا دستور ہوتا چلا جا رہا ہے کہ ہم مجلس قائمہ کو کام کرنے کی اجازت ہی نہیں دیتے قواعد کے تحت سٹینڈنگ کمیٹیاں قائم کی گئی ہیں اور انہیں بعض اختیارات بھی دیے گئے ہیں اور میرا یہ تجربہ ہے کہ وہاں بیٹھے ہوئے دونوں فریق بڑے مصالحانہ انداز سے ایک دوسرے کی بات منتے ہیں اور ایک دوسرے کی بات کو سمجھنے کی کوشش کرتے ہیں۔ ایوان میں ماحول قدرے مختلف ہو جاتا ہے۔ مثال کے طور پر جناب والا! آپ نے دیکھا ہوگا کہ کل ایک بل اس ایوان نے منظور کیا ہے لیکن ترمیم کے بعد نتیجہ یہ ہوا کہ اسے دوبارہ نیشنل اسمبلی کے پاس جانا پڑا۔ اگر مجلس قائمہ اس پر اچھی طرح غور و فکر کر لیتی، اس کی وہاں جہان پھٹک ہو جاتی تو شاید یہ نتیجہ نہ نکلتا۔ اس بل میں بھی جناب والا! میں نے ایک ترمیم دی تھی، میں اس کا حوالہ نہیں دوں گا لیکن مجھے خوشی ہے کہ میرے محترم وزیر صاحب نے اس ترمیم کی حمایت کی اور اس کی ضرورت کو سمجھتے ہوئے حکومتی پارٹی کی جانب سے اسی مضمون کی ایک ترمیم دلوا دی ہے اس لیے میں سمجھتا ہوں کہ انہوں نے میری مجوزہ ترمیم کی ضرورت کا احساس کرتے ہوئے اصولی طور پر نہایت مہربانی سے میری ترمیم قبول فرمائی ہے۔ اس لیے میں گزارش کروں گا کہ اس بل کو مجلس قائمہ کے پاس بھیجا جائے جب ہم اٹھے بیٹھیں گے تو کوئی اگر خامی ہوئی وہ ظاہر ہو جائے گی۔ کام تو چلتا ہی رہتا ہے آج یہ بل پیش نہیں ہوگا تو پرسوں ہو جائے گا۔

Mr. Khurshid Hasan Meer : \*Sir, if this were a Bill itself or if the amendment was to be made in the original enactment, then I would have not opposed the amendment by the honourable Senator, and I would have agreed with him to let this matter go to the Standing Committee and to let us thrash it out there. As it is, it is an amending Bill and it concerns only with one single point. On that single point, the honourable Senator has already moved an amendment and we can take that amendment into consideration. We find ourselves in,

\*Speech not corrected by the honourable Minister.

agreement with him. In fact, we have consulted the Law Division, and we have tried to polish up and move our own amendment, and if the Honourable Senator will adopt that amendment, we will be happy that it should appear in his name. I will not grudge at all because the idea came from him, but otherwise if he is prepared to accept the amendment moved by Mr. Zafar Qureshi, Senator, which after consultation with Law Division is only a formal amendment moved by Honourable Senator then I can get it in Mr. Zafar Qureshi's name. Otherwise we do not grudge that. It can come in Khawaja Safdar's name. There is no other point involved, except that we have sort of one point, and I do not know whether I should come to that now or when that amendment is moved by Mr. Zafar Qureshi, I think, I will explain it at that time. There are no other matters involved. It was taken into full consideration in the National Assembly as well as in the Senate. It was debated and discussed and considered in the Standing Committees. This single point for which we have given this amendment is simply this. It was envisaged that the Service Tribunals shall be set up immediately after the Parliament has enacted the law. Unfortunately, it has not been practicable to set up the Service Tribunals at once. It has taken some time to set up the Federal Service Tribunal. Meanwhile, the law itself laid down a limitation period. That limitation period has expired. We do not want people who wanted to bring their cases to the Tribunals to suffer on account of that ambiguity at all. Although it could be argued that since the Service Tribunal has not been set up, the period of limitation should be computed from the setting up of that Tribunal, and for that purpose we want to remove that ambiguity. This is a simple matter. I would request the Honourable Member not to press.

**Khawaja Mohammad Safdar :** Sir, I beg leave of the House to withdraw the amendment.

**Mr. Chairman :** Has the honourable mover of this amendment the leave of the House to withdraw ?

*(Leave was granted)*

**Mr. Chairman :** Allowed. Then this amendment is withdrawn. Now, consideration first.

**Mr. Khurshid Hasan Meer :** Sir, I have already made a motion and during the discussion of the amendment, the purpose of the amending Ordinance has already been explained. I do not want to explain any further.

**Mr. Chairman :** Mr. Khawaja Safdar, I do not think you want to explain ?

خواجہ محمد صفدر : میں اسے Welcome کرتا ہوں۔ میں اسے oppose کرنے کے لیے نہیں کھڑا ہوا۔ جناب والا ! حقیقت یہ ہے کہ سابقہ قوانین کے تحت کثرت کار کی وجہ سے یا کسی بھی وجہ سے حکومت ٹریبونل نہیں بنا سکی۔ جس کا نتیجہ یہ ہوا کہ جن لوگوں کے خلاف فیصلے ہوئے تھے وہ اپیلیں دائر نہ کر سکتے۔ اب انہیں موقع دیا گیا ہے۔ میں اسے Welcome کرتا ہوں۔ جو بد معاش یا چور۔۔۔

**Mr. Chairman :** Don't call them that. You withdraw these words.

**Khawaja Mohammad Safdar :** Withdrawn, Sir !

جن افسران کے خلاف کوئی جرم ثابت ہو جائے ان کو سزا دی جائے لیکن جن کے خلاف جرم ثابت نہ ہو - - -

**Mr. Chairman :** Thank you. Now, the question before the House is :

“That the Bill to amend the Service Tribunals Act, 1973 [The Service Tribunals (Amendment) Bill, 1974], as passed by the National Assembly, be taken into consideration.”

*(The motion was adopted)*

**Mr. Chairman :** Now, we take up clause by clause. Clause 2. Have you moved any amendment to this ?

**Khawaja Mohammad Safdar :** There are two amendments, one from me and the other from ...

**Mr. Chairman :** But in view of this, would you like to withdraw ?

**Khawaja Mohammad Safdar :** No, that amendment is absolutely necessary.

**Mr. Chairman :** Then move.

خواجہ محمد صفدر : کلاز ۲ میں کوئی ترمیم تجویز نہیں کی گئی -

**Mr. Chairman :** There is no amendment proposed to Clause 2. Do you want to move a new amendment ?

**Khawaja Mohammad Safdar :** No, I am sorry there is no amendment in Clause 2.

**Mr. Chairman :** The question is :

“That Clause 2 forms part of the Bill.”

*(The motion was adopted)*

**Mr. Chairman :** Now, do you want to move that there should be a new Clause 2-A ?

**Khawaja Mohammad Safdar :** Yes, Sir.

میں اپنی اس ترمیم کو پیش نہیں کرنا چاہتا - میں شکر گزار ہوں کہ محترم وزیر صاحب نے مجھے کہا ہے کہ میں ترمیم پیش کروں - یہ دوسری ترمیم محترم ظفر علی صاحب کے نام پر ہے لیکن میں ان کی اس پیشکش کو شکرے کے ساتھ قبول نہیں کرتا اور اپنی ترمیم پیش نہیں کرتا تاکہ وہ ظفر علی صاحب move کر سکیں اور اس کی اصلاح ہو سکے -

**Mr. Chairman :** So, you don't want to move ?

**Khawaja Mohammad Safdar :** No. Thank you very much for the offer.

**Mr. Chairman :** Then, Mr. Zafar Ahmed Qureshi to move.

**Mr. Zafar Ahmed Qureshi :** Sir, I beg to move :

“That after Clause 2 of the Bill, the following new Clause be added, namely :—

**‘2A. Amendment of Section 4, Act LXX of 1973 :—**In the Service Tribunals Act, 1973 (LXX of 1973) in section 4, in sub-section (1),

(a) for the words ‘prefer an appeal to the Tribunal having jurisdiction in the matter’ the words and commas ‘or within six months of the establishment of the appropriate Tribunal, whichever is later, prefer an appeal to the Tribunal’ be substituted ; and

(b) in the proviso,

(i) in paragraph (a), the word ‘and’ at the end be omitted ;

(ii) in paragraph (b), for the full stop at the end the semi-colon and word ‘and’ be substituted ; and

(iii) after paragraph (b) amended as aforesaid, the following paragraph be added, namely :—

‘(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969.’”

**Mr. Chairman :** Motion moved :—

“That after Clause 2 of the Bill, the following new Clause be added, namely :—

**‘2A. Amendment of Section 4, Act LXX of 1973 :—**In the Service Tribunals Act, 1973 (LXX of 1973) in section 4, in sub-section (1),

(a) for the words ‘prefer an appeal to the Tribunal having jurisdiction in the matter’ the words and commas ‘or within six months of the establishment of the appropriate Tribunal, whichever is later, prefer an appeal to the Tribunal’ be substituted ; and

(b) in the proviso,—

(i) in paragraph (a), the word ‘and’ at the end be omitted ;

(ii) in paragraph (b), for the full stop at the end the semi-colon and word ‘and’ be substituted ; and

[Mr. Zafar Ahmed Qureshi]

(iii) after paragraph (b) amended as aforesaid, the following paragraph be added, namely :—

‘(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969.’”

**Mr Khurshid Hasan Meer :** \*Not opposed, Sir. Actually, apart from the fact that we have adopted honourable Senator Khawaja Safdar's idea that after the initial setting up of the Tribunal, there should be a period larger than the period of limitation laid down, because one or one and a half month has already elapsed after this Tribunal had been set up, and people did not know that they could now bring their cases, so we have agreed with that proposal that initially there should be a period of six months. We have also considered, sir, what would be the case of those who would like to bring cases decided much earlier, much before the present legislation, before the present Constitution, to the Tribunal. Because the jurisdiction of the civil courts which existed before the setting up of these Tribunals, even that jurisdiction used to be strictly confined. I would not be wrong in saying sir, that by and large, the law of the land was, as laid down by the higher courts of the country, that only in matters where excess of jurisdiction or lack of jurisdiction or *mala fide* is proved, did the civil courts have jurisdiction. In the matters of executive discretion, exercise of executive discretion, the courts used to refuse to interfere. The jurisdiction of the present Service Tribunals is larger, extended, more extensive. Now, it may be that many people may like to bring their cases before the Tribunals which were decided before the present Constitution, during the days since after the abrogation of the 1956 Constitution ; nothing like that. Now, to what extent could we go further ? Or there might be an ambiguity that the Service Tribunals may decide that they cannot take up the cases which were decided before the present law which created these Tribunals, before this present jurisdiction was created. How could they have retrospective jurisdiction ? That could also be a stand, that could also be an argument that could also be a decision of the Tribunal. But we want to give the jurisdiction to the Tribunals to a reasonable period which is practicable, and the present amendment envisages a period of five years extending back to 1st July, 1969. Of course this amendment is being moved in the Senate even after the present amending law has been passed by the National Assembly, which will necessitate...

**Mr. Chairman :** A joint sitting ?

**Mr. Khurshid Hasan Meer :** I do not know whether a joint sitting will have to be held. But this Act should go back, but we do not want to grudge that. That shows that if there has to be an improvement in the law, we do not want to hurry the law at the cost of the improvement. Thank you very much.

**Mr. Chairman :** I think, it relates to the Federal Concurrent List. Now, I put the question.

The question is :

\*Speech not corrected by the honourable Minister.

“That after Clause 2 of the Bill, the following new Clause be added, namely :—

‘2A. *Amendment of Section 4, Act LXX of 1973* :—In the Service Tribunals Act, 1973 (LXX of 1973) in section 4, in sub-section (1),

(a) for the words ‘prefer an appeal to the Tribunal having jurisdiction in the matter’ the words and commas ‘or within six months of the establishment of the appropriate Tribunal, which over is later, prefer an appeal to the Tribunal’ be substituted ; and

(b) in the proviso,—

(i) in paragraph (a), the word ‘and’ at the end be omitted ;

(ii) in paragraph (b), for the full stop at the end the semi-colon and word ‘; and’ be substituted ; and

(iii) after paragraph (b) amended as aforesaid, the following paragraph be added, namely :—

‘(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969.’”

*(The motion was adopted)*

**Mr. Chairman :** The question is :

“That Clause 3 forms part of the Bill.”

*(The motion was adopted)*

**Mr. Chairman :** The question is :

“That Title, Preamble and Clause 1 form part of the Bill.”

*(The motion was adopted)*

**Mr. Khurshid Hasan Meer :** Sir, I beg to move :

“That the Bill to amend the Service Tribunals Act, 1973 [The Service Tribunals (Amendment) Bill, 1974], as amended in this House, be passed.”

**Mr. Chairman :** Motion moved :

“That the Bill to amend the Service Tribunals Act, 1973 [The Service Tribunals (Amendment) Bill, 1974], as amended in this House, be passed.”

**Mr. Chairman :** It is not opposed. Then, I put the question.

The question is :

[Mr. Chairman]

“That the Bill to amend the Service Tribunals Act, 1973 [The Service Tribunals (Amendment) Bill, 1974], as amended in this House, be passed.”

*(The motion was adopted)*

**Mr. Chairman :** It stands adopted unanimously. Next.

THE WEIGHTS AND MEASURES (METRIC SYSTEM)  
(AMENDMENT) BILL, 1974

**Mr. Khurshid Hasan Meer :** Sir, I beg to move :

“That the Bill to amend the Weights and Measures (Metric System) Act, 1967 [The Weights and Measures (Metric System) (Amendment) Bill, 1974], as passed by the National Assembly, be taken into consideration.”

**Mr. Chairman :** Motion moved :

“That the Bill to amend the Weights and Measures (Metric System) Act, 1967 [The Weights and Measures (Metric System) (Amendment) Bill, 1974], as passed by the National Assembly, be taken into consideration.”

**Khawaja Mohammad Safdar :** Opposed. Sir, there is an amendment standing in my name.

**Mr. Chairman :** Yes. The same amendment with regard to sending it to the Standing Committee ?

**Khawaja Mohammad Safdar :** Yes, Sir. Sir, I beg to move :

“That the Weights and Measures (Metric System) (Amendment) Bill, 1974, as passed by the National Assembly, be referred to the Standing Committee concerned.”

**Mr. Chairman :** Motion moved :

“That the Weights and Measures (Metric System) (Amendment) Bill, 1974, as passed by the National Assembly, be referred to the Standing Committee concerned.”

**Mr. Khurshid Hasan Meer :** Opposed, Sir.

خواجہ محمد صفدر : جناب والا ! صرف ایک فقرہ عرض کروں گا۔ دوسری بات نہیں کروں گا۔ مجھے اس بل کی قطعی کوئی سمجھ نہیں آئی ہے۔  
جناب خورشید حسن میر : مجھے بھی اس بل کی کوئی سمجھ نہیں آئی۔

خواجہ محمد صفدر : میں اپنی بے بسی کا اظہار کر رہا ہوں۔ جناب ! اس بل میں یہ سائنٹیفک اصطلاحات استعمال کی گئی ہیں۔ میں نے کئی دوستوں سے پوچھا ہے کہ وہ اس بل پر روشنی ڈالیں اور میں جناب محترم وزیر صاحب سے بھی یہ درخواست کروں گا کہ وہ اس پر روشنی ڈالیں تو میں اپنی ترمیم واپس لینے پر تیار ہوں۔

**Mr. Khurshid Hasan Meer :** Sir, the fact of the matter is that this is the second time today that I find myself in agreement with the Honourable Senator. Although I am moving this amending Bill, I also do not understand. Well Sir, I do not mean that I do not know what I am doing. I know what I am doing. I do not mean that I have not tried very hard to understand. I have. I do not mean that the experts have not tried to explain it to me. They have tried, but the point is, Sir, I do understand that this amending Bill is meant to bring our law in conformity with the latest standards adopted in the world, and in the world, instead of the metric system, the international system has been adopted. The difference is that the word 'metric' came from metre. Metre related to distance. It was a measure of distance only but the metric system, now I find my honourable senior colleague already pointing out that I am going off the mark. I had taken the precaution of requesting my senior colleague, Mr. Rahim, who is an expert on this, as on many other things also, to be present and to help me out in the passing of this law and he will do that, I am quite sure, but what I understand from this law is that in the world outside since this law was passed many many years ago, in our country we want to bring metric system because it is the international system which is in vogue and we want our law to be brought in conformity with them. There will be certain technical changes also which are provided for but basically it is a question of phraseology more than substance. I hope I am not again wrong.

**Mr. Chairman :** Would you like to speak ?

**Mr. J.A. Rahim :** I would explain in a few words, Sir, as otherwise people will be wondering what it was all about. The fact is that the international system by itself is an improvement. I will try to explain briefly to you the British system about prices and weights. The British system, if I may point out, was an *ad hoc* one. The pound differed in weight from place to place. The yard was the length of the arm of royalty of the king, from the tip of his finger to his nose. That was the idea. However, shortly before the French Revolution in France they tried to rationalise all measurements. They chose as a standard what they thought was a part of the earth's diameter or circumference. They divided that into certain fractions and that was the metre. Actually the earth survey was wrong and hence the metre was not exactly part of the earth's circumference and the earth's circumference is not the same all around but it was the metre that became the standard. The metre is kept as a standard in Paris. There is no doubt about it. It is adopted all over the world. Now, the metric system adopted is the decimal system. All weights, all measurements go by the ratio of tens. It simplifies accounting. You do not have dozens and eights and so on. It is all in decimal system. Now, to find out what should be the standard of weight, they use the weight of one litre of water to be the standard kilogram. A litre of water is 10 cm x 10 cm x 10 cm, a cube—of 1000 cc. Now, Sir, that has gone on very well. Countries like United States, above all the English today are abandoning the old system. It is a dead weight upon their economy too. First of all England adopted the decimal system for currency. We have also adopted. So, the decimal system is coming

[Mr. J.A. Rahim]

into force all over the world. But they found that certain measurements as units were too small - ill adopted for every day use. For example, the unit of energy is very small unit - one gram - 1 cm per second per second, is a much too small unit. When they changed it they also found that instead of calling cubic centimeter, they now call it milli - litre - a thousands of litre. Therefore, they use now as litre which is a cubic centimeter as a measurement of volume. It is a change of size rather than anything else. There have been refinements in the definition of units of energy, the Jowl, the Kelvin and so on. These are all on the decimal system. The size of the units have changed. These are internationally adopted and already are being used in the laboratories and in the industries. I may give you an interesting fact that in a conservative country like England they have already published the first survey map in metric system or international system. It comes to the same thing, and the kilogram is there. The world has gone very far ahead. In our programme it will be much later. Now, Sir, we cannot copy a system which has already been superseded. Although it is basically the same, we are adopting a new nomenclature. I see also that small amendments are being moved under a misapprehension.

خواجہ محمد صفدر : وہ تو میں سمجھنے کی کوشش کر رہا ہوں۔

**Mr. J.A. Rahim :** We need not discuss that. I just want to point out what really has happened. In the Bill, they have used the following word :

“metric” wherever occurring, the word “international” shall be substituted.

Then for the word “Metric” capital, the word “International” shall be substituted. It is not a question of the word beginning a sentence. Sometimes ‘Metric’ is used in a particular connotation with a capital letter and that is why this came there.

There are other parts of the Bill. “mole means the amount of substance of system which contains as many elementary entities as there are atoms in 0.012 kilogram of carbon 12”. The mole used to be defined in a gaseous state in the old system. They have now used a mole as simply an amount of substance expressed by its atomic weight. A mole of carbon will be 12 gram of carbon but they are using it in kilograms as 0.012 kilogram of carbon. Here kilogram is coming in. I am giving you an example of the corrections that are to be made. A “second” means the duration of 9 192 631 770 period of the radiation corresponding to the transition between the two hyperfine levels of the ground state of the Cesium-133 atom.

**Khawaja Mohammad Safdar :** Are these separate figures or one figure 9 192 631 770 ? Why there is gap ? There are no commas in it.

**Mr. J.A. Rahim :** The modern method is to put it by groups of three and not by commas.

**Khawaja Mohammad Safdar :** I am an old man I do not understand modern methods.

**Mr. J.A. Rahim :** It is very interesting because the second was really a definition of the time of the fraction of the earth's rotation time. It is not

exactly the same at every time of the year and everyday. Therefore, they have re-defined the second according to the light frequency of a second. These are the scientific changes and are quite simple. I have given them as examples.

Agha Ghulam Nabi Khan : Sir.

Mr Chairman : Yes, he is already on his legs.

آغا غلام نبی خان : جناب چیئرمین صاحب ! یہ جو ہمارے سامنے بل ہے ، جیسا کہ صدر صاحب نے کہا ہے ، نہ چیئرمین صاحب سمجھتے ہیں ، نہ پیش کرنے والے منسٹر صاحب سمجھتے ہیں اور نہ ہی ایوان کے ممبرز اس بل کو سمجھ رہے ہیں ۔ میرے خیال میں یہ کتنے دکھ کی بات ہے کہ یہاں ایسے بل کو پاس کر رہے ہیں جسے ہم سمجھتے ہی نہیں ہیں ۔

میں جے اے رحیم صاحب سے متفق ہوں کہ ایک سسٹم change کر رہے ہیں جو British سسٹم ہے جس پر ہم صدیوں سے عمل کر رہے ہیں اور میرے خیال میں ہمارے لیے وہ ایک Sample بھی ہے جس کے ہم عادی ہو چکے ہیں اور آسانی سے سمجھ میں بھی آتا ہے ۔ اب اس پر یہ کہ نیا سسٹم جو ہمارے سامنے ہے جس کو میٹرک سسٹم کہا جاتا ہے تو یہ ہمارے سامنے ایسا سسٹم آ رہا ہے جو کہ ہم میں سے کوئی نہیں سمجھتا ۔ لیکن ہم پاس کر رہے ہیں ۔ ایک تو ہماری سمجھ میں نہ آئے ایک ہمارے عوام جو بہت سیدھے سادھے ہیں جن کی سمجھ میں چھٹانک آدھ سیر پونڈ سمجھ میں نہیں آتا وہ ہمارے ان پڑھ عوام سمجھ جائیں گے اب ہم اسے اس لیے adopt کر رہے ہیں کہ پوری دنیا adopt کر چکی ہے ۔ اس وجہ سے ہم بھی اسی لائن میں آ جائیں تو میں میر صاحب سے صرف اتنا عرض کروں گا ۔ بدقسمتی سے انہوں نے oppose کا لفظ کہا ہے کہ اگر اسٹنڈنگ کمیٹی میں یہ بل آئے گا تو شاید میر صاحب کے وہ ممبران صاحب بھی ہوں گے اور میر صاحب کے وہ expert بھی آئیں گے ۔ میر صاحب ایک وکیل آدمی ہیں ممکن ہے نہ سائنس پڑھی ہو نہ mathematics پڑھی ہو وکالت کی دو کتابیں پڑھ کر وہ یہاں آئے ۔ میٹرک سسٹم ان کی سمجھ میں نہیں آیا ۔ کمیٹی میں ممبر ہوں گے سائنس سٹوڈینٹس ہوں گے expert ہیں وہ بھی ہوں گے ۔ وہاں discuss ہونے کے بعد ہو سکتا ہے کہ خواجہ صاحب بھی سمجھ جائیں ۔ اس کے بعد دوسری میٹنگ میں اس طرح واضح کریں کہ کم از کم ہم تو سمجھ کر باہر جائیں تاکہ ہم اپنے آدمیوں کو سمجھا دیں کہ یہ کیا بلا ہم نے پاس کی ہے ۔ یہ کیا ہے جو ہم نے سمجھا ہے ۔ یہ ہماری بدقسمتی ہوگی کہ ہم نہ سمجھیں اور اتنا لیکچر دینے کے بعد بھی نہ سمجھ سکیں ۔ کوئی ایسا آدمی یہاں نہیں ہے جو یہ کہے کہ ہم جے اے رحیم صاحب کی تقریر کے بعد سمجھ چکے ہیں اس لیے میری یہ تجویز ہے

[Agha Ghulam Nabi Khan]

کہ یہ بل اسٹینڈنگ کمیٹی میں جائے، اس میں ہمیں بہت سہولت ہوگی اور ہم سمجھ سکیں گے۔

جناب خورشید حسن میر: \*اول تو honourable ممبر نے ایک مذاق کی بات کو بڑی سنجیدگی سے لیا ہے جو میں نے یہ کہا تھا کہ خواجہ صاحب کی سمجھ میں اگر یہ قانون نہیں آیا تو دراصل میری سمجھ میں بھی یہ قانون نہیں آیا تو ایک لحاظ سے مذاق کر رہا تھا۔ اس کا مطلب یہ نہیں تھا کہ یہ جو بل ہم پیش کر رہے ہیں اس کے معنی بہاری سمجھ میں نہیں آئے۔ یہ ایک مذاق کی بات ہے۔ اس میں صرف یہ تھا کہ ہم کچھ تبدیلیاں کر رہے ہیں اور اس لیے تبدیلیاں پیش کرنے کی ضرورت پیش آئی کہ سائنس ترقی کر گئی ہے۔ اس دور میں جیسا کہ رحیم صاحب نے فرمایا ہے کہ یہ atomic age ہے اور وزن اس حساب سے کیا جاتا ہے اس atomic age میں زبردست تبدیلیوں کی ضرورت ہے۔ اس طرح انہوں نے فرمایا کہ وقت کا کیا حساب ہے وہ بھی اب تبدیل ہو گیا ہے۔ اب سائنس اتنی ترقی کر چکی ہے کہ سیکنڈ کس کو کہتے ہیں اس کی تعریف پہلے جو تھی اب اس کو زیادہ perfect طریقہ سے اس کی آخری limit تک گنا جاتا ہے۔ یہ جے اے رحیم صاحب نے فرمایا تھا۔ جے اے رحیم صاحب کی توجہ اس طرف نہیں گئی وہ ہے کلاز م۔ پہلے Fahrenheit گنا جاتا تھا اب Freezing point گنا جاتا ہے۔ اب Freezing point سے بھی منفی کا پتہ لگا ہے کہ ۳۲ ڈگری تک ہے۔ سائنس اب مزید ترقی کر گئی ہے اور یہ پتہ لگا ہے کہ آخری limit جو temperature کی ہے وہ ہے اور اب ہم اس میں define کر رہے ہیں کہ اور اس سے آگے ہو نہیں سکتا۔ اب یہ ممکن نہیں کہ پانچ چھ سال کے بعد یہ مزید کہا جائے کہ Freezing minus temperature اس سے آگے بھی ہو سکتا ہے۔ temperature کیسے ہو سکتا ہے۔ temperature کیسے انسان کو ہو جاتا ہے۔ کوئی چیز کیسے گرم ہو جاتی ہے، ہوا کیسے گرم ہو جاتی ہے۔ movement میں تبدیلی آ جاتی ہے لہذا limit پیدا ہونے کے بعد minus temperature degree ہو سکتا ہے اور وہ یہاں دیا گیا ہے۔ تو میری بھی سمجھ میں آیا ہے اور یہاں بھی میں سمجھا سکتا ہوں۔ اب اس سے زیادہ اگر کوئی honourable ممبر یہ توقع کریں کہ میں Atomic Scientist بن کر آؤں تو وہ ناممکن ہے بلکہ غلط ہے۔ دوسری بات اب میں یہ عرض کروں گا کہ اگر آئریبل ممبر یہ سمجھتے ہیں کہ جے اے رحیم صاحب بھی نہیں سمجھا سکے، میں بھی نہیں سمجھا سکا تو وہ کسی Atomic Scientist کو بلا لیں۔ وہ سمجھائے گا تو

معاف کیجیے گا میں یہ کہوں گا کہ اس کے سمجھنے کے بعد بھی شاید آپ یہ کہیں گے کہ ہمیں سمجھ میں نہیں آیا۔ یہ بڑی fundamental چیز ہے۔ اب میں اس کے متعلق عرض کرتا ہوں۔ یہ بات غلط ہے۔ ہم انگریزوں کے پرانے سسٹم کو ختم کر کے ایک نیا سسٹم لا رہے ہیں۔ یہ قانون ۱۹۶۷ء میں پاس ہو چکا تھا۔ ۱۹۶۷ء میں قانون پاس کر کے پرانا جو سسٹم تھا گز، یارڈ کا، جیسا کہ جے اے رحیم صاحب نے فرمایا ہے کہ گز ہمارے یہاں ناک سے لے کر انگلی کے آخری کونے تک کے فاصلے کو کہتے ہیں اب یہ ہر شخص کا مختلف ہو سکتا ہے یہاں اب انہوں نے فکس کر لیا۔ وہ طریقہ غلط تھا اس لیے انہوں نے اسے ترک کر دیا تھا اور میٹر سسٹم رائج کر دیا جو ہم اب تک چلاتے رہے تھے۔ گزوں کے حساب سے فرلانگوں کے حساب سے اب تک ہمارے ملک میں چلتا ہے لیکن اس کی تبدیلی کا قانون ۱۹۶۷ء میں پاس ہو چکا ہے وہ قانون اب نہیں لا رہے ہیں۔ یہ درست ہے کہ ۱۹۶۷ء میں جب ہم نے قانون پاس کر دیا اب اوزانوں میں، فاصلوں میں اور ایسی چیزوں میں ہم میٹرک سسٹم adopt کریں گے۔ جیسا کہ رحیم صاحب نے explain کیا کہ میٹر جو ہے میٹرک سے نکلا ہے اور وہ۔۔۔ فاصلوں سے ہے ویسے ہر چیز کے لیے استعمال ہوتا رہتا ہے۔ میٹرک سسٹم کا دراصل نام اعشاریہ نظام تھا جو کہ ہم مسلمانوں نے انگریزوں سے بھی پہلے رائج کیا تھا۔ اب وہ فرما رہے ہیں کہ ہم انگریزوں کا سسٹم کیوں چھوڑ دیں۔ انگریزوں سے بہتر سسٹم تھا جو مسلمانوں نے رائج کیا تھا اور وہ یہ اعشاریہ نظام تھا اس طرح ہم اپنے پرانے ماضی کی طرف واپس جا رہے ہیں۔ اسلامی دنیا کی طرف واپس جا رہے ہیں اپنے روشن مستقبل کی طرف واپس جا رہے ہیں یہ قانون تو ۱۹۶۷ء میں پاس ہو گیا تھا۔ قانون پاس ہونے کے بعد کہا گیا تھا کہ ہم یہ تبدیلی آہستہ آہستہ لا رہے ہیں اور اسے اس طریقہ سے رائج کریں گے کہ لوگوں کی سمجھ میں آ جائے جیسے کرنسی کی تبدیلی ہوئی۔ شروع میں چونی تھی جو اب بھی رائج ہے۔

باقی دس پیسے رائج ہو گئے اور دو فی چلی گئی اسی طرح آہستہ آہستہ وہ سب کچھ رائج کر رہے ہیں جو ۱۹۶۷ء میں قانون پاس کیا گیا تھا۔ اس پر بتدریج عملدرآمد ہو رہا ہے۔ ہم کوئی نیا قانون نہیں لا رہے ہیں۔ ہم سے پہلے جو حکومتیں تھیں۔ انہوں نے کہا ہے۔ جو قانون ۱۹۶۷ء میں پہلی حکومتوں کے دور میں پاس ہوا تھا وہ چند ٹیکنیکل باتوں کے اعتبار سے نالغ ہے۔ اب ہم وہ تبدیلی کر رہے ہیں جو باقی دنیا میں رائج ہے۔ اب میں چند بنیادی باتوں کی طرف آتا ہوں۔ ظاہر ہے کہ میں نے چار نہیں تو دو کتابیں پڑھی ہوں گی لیکن میں

[Mr. Khurshid Hasan Meer]

نے حساب نہیں پڑھا میں نے سائنس نہیں پڑھی مگر یہ ساری دنیا کا اصول ہے کہ legislative directions اور political directions ٹکنیکل ماہرین دیتے ہیں اور legislative directions عام آدمیوں کے عام نمائندے common sense استعمال کر کے دیتے ہیں۔ اسی طرح جمہوریت چلتی ہے اور اگر یہ فلسفہ رائج کیا جائے کہ یہ مشورہ technical expert نہیں دیں گے تو آپ حکومت نہیں کر سکتے آپ قانون نہیں بنا سکتے تو پھر صاف صاف کہیے کہ آپ کو جمہوریت کی ضرورت نہیں ہے کیونکہ دنیا کے ملکوں میں ایجوکیشن کی سائنس اور ایجوکیشن کا level ہم سے بہت پرانا ہے وہ نہ صرف اس بات کو تسلیم کرتے ہیں۔ بلکہ اسے enforce کرتے ہیں کہ legislative directions اور political directions وہ common sense کے ذریعہ دیں گے اور اس کے لیے expert advice دیں گے۔

**Mr. Chairman :** The question before the House is :

“That the Weights and Measures (Metric System) (Amendment) Bill, 1974, as passed by the National Assembly be referred to the Standing Committee concerned.”

*(The motion was rejected)*

**Mr. Khurshid Hasan Meer :** Now, the whole Bill will hardly take five minutes.

خواجہ محمد صفدر : نماز کا وقت ہو گیا ہے۔ اگر اجازت ہو۔

**Mr. Chairman :** Wait for my permission.

مجھے put تو کرنے دیجئے آپ تو جانے لگے۔

Should it be for 15 minutes ? All right, we meet at 7 p.m.

The House is adjourned to meet again just after 20 minutes at 7.00 p.m.

(The House then adjourned for Maghrib Prayer to meet against seven of the clock the same evening).

(The Senate reassembled after Maghrib prayer, Mr. Chairman in the Chair.)

**Mr. Chairman :** Now, we start clause by clause consideration of the Bill.

**Mr. J.A. Rahim :** I have got to move the Bill formally.

I beg to move :

“That the Bill to amend the Weights and Measures (Metric System) Act, 1967 [The Weights and Measure (Metric System) (Amendment) Bill, 1974], as passed by the National Assembly, be taken into consideration.”

Mr. Tahir Mohammad Khan : It was already moved and opposed. Now, it is the First Reading.

Mr. Chairman : You can speak on it. Anybody who wants to speak can speak.

(Interruption)

Mr. Chairman : There will be very little to say for him.

Mr. J.A. Rahim : \*I only want to emphasise one point that this is an amendment to a form which has already been adopted in 1967. It is merely an amendment to a measure which was adopted years ago to go over to a modern system which is adopted all over the world and it is also mentioned here. There is no misapprehension about it. The factories have gone to this system. Our factories are producing according to the modern system, the standard weight which is according to the modern system. A progressive measure is being taken. If you take a bottle of medicine you will find grams and miligrams written there. You would not see ounces written there. So, it is already adopted by the pharmaceutical industry and by the doctors themselves. So, what are we finding fault with the Bill? The Bill is very simple, simply to amend certain provisions of the Act because when it was passed in 1967 the modern standard, the international standard had not been formulated. It has now been formulated and the amendments are very few indeed.

Mr. Shahzad Gul : I would request the Chair that Haji Sahib may be asked to enlighten us about the Bill.

Mr. Chairman : I think, he has got the right of rebuttal. If something is said then there may be rebuttal.

خواجہ محمد صفدر : جناب والا ! میں صرف اپنی بے بسی کا اظہار کرنے کے لیے کھڑا ہوا ہوں۔ میں معذرت کے ساتھ کلاز ۳ کے حصہ میں ان الفاظ "کاربن ۱۲ کے ۱۲، کلوگرام میں سالمے ہیں" کا مطلب سمجھنا چاہتا ہوں۔ اس کی تعریف کے مطلب کا مجھے کچھ اندازہ ہو گیا ہے کہ کاربن ۱۲ کا ایک کلوگرام 0.012 کے قریب ہوگا۔ یہ بات تو سمجھ میں آگئی۔ دوسری بات جو اس کے بعد پیرا (ب) میں ہے، وہ یہاں تک تو سمجھ میں آتی ہے

"Second" means the duration of 9 192 631 770 periods of the periods

تک تو سمجھ میں آتی ہے۔ لیکن - -

"radiation corresponding to the transition between the two hyperfine levels of the ground state of the cesium - 133 atom ;"

ان الفاظ کا مجھے کچھ پتا نہیں چلا کہ ان کا کیا مطلب ہے اور اس سے آگے

جناب والا ! سب کلاز ۴ میں دیکھئے

Scale of temperature. - The kelvin,

\*Speech not corrected by the honourable Minister.

[Khawaja Mohammad Safdar]

میں نے ڈکشنری میں یہ لفظ تلاش کیا مگر مجھے نہیں مل سکا۔

“Scale of temperature - The Kelvin, unit of thermodynamic temperature is the fraction of  $1/273.16$  of the thermodynamic temperature of the triple point of water.”

یہ Triple point of water کیا ہوتا ہے؟ میں صرف اپنی بے بسی کا اظہار کرنے کھڑا ہوا ہوں مجھے پتہ نہیں ہے کہ یہ کیا ہے۔

جناب چیئرمین : ممکن ہے کوئی آدمی ادھر سے یا ادھر سے اٹھے اور بتلا

دے۔

خواجہ محمد صفدر : کوئی صاحب بتلا دیں ، تاکہ ووٹ دیتے ہوئے میں

اپنی سمجھ سے کام لوں۔

جناب چیئرمین : شہزاد گل سے پوچھیے۔

جناب شہزاد گل : میں نے تو حاجی سے request کی تھی۔

Let him enlighten the House.

Mr. Chairman : I have no objection. I can give the floor to him.

(Interruption)

I can give the floor to him.

جناب طاہر محمد خاں : اگر وہ بات کرتے تو حاجی صاحب کو rebut

کرنے کی ضرورت ہوتی۔

Haji Sahib could have said something.

Mr. Chairman : No, no, Stand up, stand up, please stand up.

Mr. Niamatullah Khan : There is no one in a better position to explain than the Honourable Mr. Rahim, the Minister.

Mr. Chairman : In spite of his explanation Khawaja Mohammad Safdar has not been able to follow it. He wants more explanation, better explanation.

Mr. Niamatullah Khan : We cannot give you more explanation than what the Minister gave.

جناب چیئرمین : وہ بھی بے بس ہیں بچارے۔

Mr. J.A. Rahim : I will try to give him an explanation perhaps simpler than that. I have apparently not succeeded earlier. These definitions were there already in the original law. What is being done is a slight modification in the definitions. Now, I will take up.

خواجہ محمد صفدر : یہ الفاظ اصل قانون میں استعمال نہیں ہوئے وہ بالکل نئے ہیں۔ پہلے اس قسم کے الفاظ تھے۔ زمین کی circumference کا الفاظ جو ہے۔

Mr. J. A. Rahim : No. no.

Mr. Chairman : Have you moved an amendment to that ?

(Interruption)

Khawaja Mohammad Safdar : No, Sir.

ترمیم نہیں ہے میں عرض کئے دیتا ہوں۔ سیکنڈ کی تعریف جناب والا ! metric system weights and measures.

Mr. Chairman : You are reading from ?

Khawaja Mohammad Safdar : Old Act, the original Act, Sir.

(Interruption)

Mr. Chairman : Do you mean draft Bill ?

Khawaja Mohammad Safdar : Old Act, Sir.

Mr. Chairman : Old Act.

Khawaja Mohammad Safdar : Section 2, paragraph 18.

Mr. Chairman : Which one are you reading ?

Khawaja Mohammad Safdar : 18, Sir.

Mr. Chairman : 18.

Khawaja Mohammad Safdar : 18.

Mr. Chairman : "Second..."

Khawaja Mohammad Safdar : "Second means 1/3155692597 of the length of the tropical year after 1900.0, the year commencing at 12 hours universal time on the first day of January, 1907."

یہاں تک تو میری سمجھ میں آتی ہے۔ اس تعریف کی جگہ Second definition سے کیا مراد ہے؟

Mr. J. A. Rahim : I will explain that. I did mention that the old definition of time rested upon the earth's rotation round the sun and upon its own axis.

Mr. Chairman : Yes.

**Mr. Chairman :** Yes.

**Mr. J.A. Rahim :** \*After Babylon divided the hours of the day on the sexagenary system, 60 minutes make an hour and so on, you came down then to the division of time to a second. In astronomy and physics, the second is really the precise unit of time. It is to be re-defined because the earth rotation is not uniform throughout. Now, a very simple method would be to find a standard and a natural standard, not an artificial standard, by measurement of which at any time at any place you can always precisely know the length of second. Now, bodies emit light under certain conditions, radiation you would call it, more rightly. The radiation emitted can be analysed in a spectroscope. The spectroscope gives what are called lines. What you see as lines is the slit. There are uniform radiations and they have a certain definite wave-length. You can measure the wavelength; you can also measure the number of times or the frequency of the radiation. On your radio sets you have two things, the wavelength, which is the same thing as defined in the Act. The frequency, what you are seeing here is the definition of second by the frequency of a certain radiation emitted by cesium.

**A Senator :** What is Cesium ?

**Mr. J.A. Rahim :** It is an element. Cesium is an element belonging to the series to which sodium belongs—Sodium, Potassium, Cesium that is the series. Now, this is a precise measurement which cannot change. The standard, therefore, is fixed by the frequency of this particular radiation; it is universal all over the world, and that is a scientific matter. It concerns the astronomers; it concerns the scientists; it sometimes concerns the technicians. Therefore this amendment has come in because the standard has changed. That is a simple thing.

**Khawaja Mohammad Safdar :** Sir, I am trying to understand.

**Mr. J.A. Rahim :** Have I been clear.

**Mr. Tahir Mohammad Khan :** Very much clear.

**Mr. J.A. Rahim :** I do not think we need Kelvin and all that. We have to go into the discussion of physics for that.

**Mr. Chairman :** He is only pretending not to have understood.

**Mr. Kamran Khan :** May I have your permission now, Sir, to say a few words.

*(Interruption)*

**Mr. Chairman :** Yes.

**Mr. Kamran Khan :** \*I will take some time to digest what the Honourable Minister has said. Sir, I would not go into the technicalities of it as I am a lay man. I really do not understand about the technicalities but I would really suggest that when the Government decides to change over to the decimal system with regard to weights and measures, of course, we have gone and changed over to decimal system in currency but you have not put into practice

\*Speech not corrected by the honourable Minister.

\*Speech not corrected by the honourable Senator.

all that is needed. It is not very modern to talk, and we still talk of yards, feet, furlongs, pounds and tons and these sort of things. We have not yet switched over. If you go to the outside world you would not find distance in miles. Your distances are measured in terms of miles not in terms of kilometres. It is not very modern to talk or speak of kilometres instead of miles or to talk of litres instead of gallons, to talk of metres instead of yards, well it is all right if you want to have it but an intensive propaganda, intensive publicity should be conducted in the country so that the common man should understand what the implications are. Now, we have changed over to the decimal system in the currency. Still we are talking of four annas and eight annas. Sir, whatever sometimes comes on the Radio and TV is not adequate. They do not give it full publicity which it deserves. They just talk about in a casual manner and really I fail to make the head or tail of it. I cannot understand what really they mean. So I would request the Honourable Minister that whenever, they have fixed a date for bringing about this change to the decimal system, before that date, in order to avoid confusion, intensive publicity should be conducted so that the common man who is going to be affected, should understand the implications of it. With these words, I thank you very much.

**Mr. Chairman :** It is a good suggestion. He has taken a mental note of the suggestion that publicity would be given to it. It is in the interest of the country.

Now, I put the question.

The question is :

**"That the Bill to amend the Weights and Measures (Metric System) Act, 1967 [The Weights and Measures (Metric System) (Amendment) Bill, 1974], as passed by the National Assembly, be taken into consideration".**

*(The motion was adopted)*

**Mr. Chairman :** The First Reading is over. Now, we take up clause by clause consideration of the Bill. Clause 2.

**Khwaja Mohammad Saffar :** There is an amendment by me in Clause 2. Well, Sir, I am not moving it.

**Mr. Chairman :** All right.

The question is :

**"That Clause 2 stands part of the Bill"**

*(The motions was adopted)*

**Mr. Chairman :** Now, we take up Clause 3. I think, there is no amendment to Clause 3.

The question is :

**"That Clause 3 stands part of the Bill"**

*(The motion was adopted)*

**Mr. Chairman :** Clause 4.

The question is...

**Khawaja Mohammad Safdar :** I would oppose it. Then I would speak on it.

**Mr. Chairman :** That you can do. But there is no amendment.

The question is :

“That Clause 4 forms part of the Bill”.

**Khawaja Mohammad Safdar :** Opposed. Sir, I would request the Minister to explain two or three phrases in this clause : The kelvin, unit of thermodynamic temperature and the triple point of water.

**Mr. Chairman :** You said that you would oppose and speak on it.

خواجہ محمد صفدر : میں مخالفت ضرور کروں گا - وزیر صاحب اس کا جواب دیں گے ، کیونکہ مجھے اس کی سمجھ نہیں آئی اور میں سمجھنا چاہتا ہوں - مخالفت اگر ضرورت پڑی تو اس کلاز کے معانی سمجھنے کے بعد کروں گا -

**Mr. Chairman :** That is not opposition but a point of information.

**Khawaja Mohammad Safdar :** All right, Sir.

**Mr. Chairman :** If you do not mind, you can briefly explain the thing to him. He is not seriously opposing it. He simply wants to know certain things.

**Mr. J.A. Rahim :** I do not know the laws of Thermodynamics but I will explain how the temperatures were first fixed.

**Mr. Chairman :** Very briefly.

**Mr. J.A. Rahim :** All right, Sir, it was, I think, in the 18th century—mid 18th century, that attempt was made to measure temperature exactly by the expansion of mercury so they made thermometer. How to calibrate the thermometer? So a system was chosen which is known as a Centigrade or Celsius system. Celsius was the name of the man who invented it. He divided up the melting point of pure ice and the boiling point of pure water at normal level—at sea level. That was divided into hundred parts and the rest of it was expanded. The Fahrenheit system is based on the same too—the boiling and the melting point and a third one which was used to calibrate was the point at which ice melts when salt is applied to it. When we make ice cream we put salt and you get lower temperature than the ice and this was the zero point in the Fahrenheit Scale. A man called Fahrenheit invented it. So now that system is the one which you see in the newspapers giving you the daily temperature.

**Khawaja Mohammad Safdar :** I understand that.

**Mr. J.A. Rahim :** Now I am glad to see that the newspapers are also giving the Celsius Scale, *i.e.*, the Centigrade scale because the whole world is going over now to the Celsius scale but it was discovered afterwards and there is a scientific theory to it. There is such a thing called ‘absolute zero’. It is

Celsius discovery, i.e., the absolute zero. There can be no temperature below the absolute zero and that is minus 273 or some odd figure.

خواجہ محمد صفدر : وہ تو بتا رہے تھے کہ ۳۲ minus جو ہے وہ absolute zero ہے اور آپ کچھ اور بتا رہے ہیں -

Mr. J.A. Rahim : No, this is absolute zero and below that you cannot have any temperature. So these are the scales being fixed and the rest is a matter for the Scientists. We are simply putting in the law what is the scientific norm. That is all. Nothing more than that.

Mr. Chairman : Now I put the question.

The question is :

“That Clause 4 stands part of the Bill”.

*(The motion was adopted)*

Mr. Chairman : There are only four clauses. There is no other clause.

The question is :

“That the Title, Preamble, and Clause 1 stand part of the Bill”.

*(The motion was adopted)*

Mr. Chairman : Mr. J.A. Rahim.

Mr. J.A. Rahim : Sir, I beg to move :

“That the Bill to amend the Weights and Measures (Metric System) Act, 1967 [The Weights and Measures (Metric System) (Amendment) Bill, 1974], be passed”.

Mr. Chairman : The question is :

“That the Bill to amend the Weights and Measures (Metric System) Act, 1967 [The Weights and Measures (Metric System) (Amendment) Bill, 1974], be passed”.

*(The motion was adopted)*

Mr. Chairman : The Bill stands passed. Now the next item.

## THE DISPLACED PERSONS (LAND SETTLEMENT) (AMENDMENT) BILL, 1974

Mr. Mohammad Hanif Khan (Minister for works, labour and rehabilitation) : Sir, I beg to move :

“That the Bill further to amend the Displaced Persons (Land Settlement) Act, 1958 [The Displaced Persons (Land Settlement) (Amendment) Bill, 1974], as passed by the National Assembly, be taken into consideration”.

Mr. Chairman : Motion moved :

“That the Bill further to amend the Displaced Persons (Land Settlement) Act, 1958 [The Displaced Persons

[Mr. Chairman]

(Land Settlement) (Amendment) Bill, 1974-] as passed by the National Assembly, be taken into consideration”.

**Khawaja Mohammad Safdar** : Opposed. With your permission I beg to move :

“That the Displaced Persons (Land Settlements) (Amendment) Bill, 1974, as passed by the National Assembly, be referred to the Standing Committee concerned”.

**Mr. Chairman** : Motion moved :

“That the Displaced Persons (Land Settlement) (Amendment) Bill, 1974, as passed by the National Assembly, be referred to the Standing Committee concerned”.

**Mr. Mohammad Hanif Khan** : Actually, Sir, I want to know as to whether Khawaja Sahib is really serious about this, because it appears that he has already given amendments and he has thoroughly examined the whole Bill. If it is really necessary to send it to the Standing Committee, then, Sir, I concede.

**Mr. Chairman** : All right, let it go.

**Khawaja Mohammad Safdar** : Thank you very much.

**Mr. Chairman** : Do you concede and accept the amendment ?

**Mr. Mohammad Hanif Khan** : Yes, Sir.

**Mr. Chairman** : I put it to the House. The question is :

“That the Displaced Persons Land Settlement (Amendment) Bill, 1974, be referred to the Standing Committee concerned.

*(The motion was adopted)*

**Mr. Chairman** : I do not think, there is any other business. I have received suggestion from one section of the House that there should be no sitting tomorrow. I would like to know the sense of the House. What is your reaction to this suggestion ?

**Rao Abdus Sattar** : We have no objection, Sir.

**Mr. Chairman** : Sheikh Mohammad Rashid ?

**Sheikh Mohammad Rashid** : No objection, Sir.

**Mr. Chairman** : Mr. J.A. Rahim ?

**Mr. J.A. Rahim** : No objection, Sir.

**Mr. Chairman** : We will be meeting on Monday at 10.00 a.m. The House stands adjourned to meet again on Monday at 10.00 a.m.

(The Senate adjourned to meet at ten of the clock, in the morning, on Monday, the 15th April, 1974).