



# THE SENATE OF PAKISTAN DEBATES

## OFFICIAL REPORT

Friday, April 19 , 1974

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SENATE DEBATES

SENATE OF PAKISTAN

Friday, April 19, 1974

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

*(Recitation from the Holy Quran)*

**Mr. Chairman :** There is one adjournment motion which was deferred yesterday.

ADJOURNMENT MOTION RE : PRESS STATEMENT OF  
BALUCHISTAN GOVERNOR

**Sheikh Fazal Elahi Piracha :** Sir, I want to make a point of order.

**Mr. Chairman :** Yes.

**Sheikh Fazal Elahi Piracha :** Sir, before we discuss this adjournment motion, I feel that the verification asked for by the honourable Chair was not at all justified ; it was not required and whatever statement that is alleged to have been made by the Governor with reference to text in which it was made, I think, was absolutely correct. I feel that even if our friend, Khawaja Safdar, had been the Governor, he would have made the same statement in that context. I wish, Sir, I should be allowed to speak on this.

**Mr. Chairman :** This is no point of order, and it is ruled out.

**Ch. Mohammad Hanif Khan** (Minister for Labour, Works and Rehabilitation) : As desired by you, Sir, I contacted the Governor, and he has furnished me with the requisite information. Apart from this point, of course, I will have to make one or two more submissions. It is very clear that as far as the intention of the Governor was concerned, it is absolutely clear and unambiguous. He told me that he never meant all that is being alleged in this adjournment motion. He never meant it ; he never said it. His intention was entirely different, and if somebody misunderstood him that is entirely a different matter. He explained to me on telephone, because initially I enquired from him about the words used by him and I did not read by then the text of the adjournment motion. I knew nothing about it, I have just come to know all about it when it was being discussed. I did not see the text. On reading the text of the adjournment motion I gathered the impression that probably the

[Ch. Mohammad Hanif Khan]

words used by the Governor were that the Provincial Government will take a decision in this matter, in the matter of these three detainees after consulting the Prime Minister, and these words have appeared in the Press today. That was the impression which I gathered, and it is on the basis of this information which I gathered here that I shall make my submission. I thought that probably the Governor made a statement like that that the Provincial Government in this matter would take a decision with regard to the release of these detainees after consulting with the Prime Minister, and that is the impression I gathered, because that is what has been said. I think that, if I am allowed to make a submission, probably these words were used. As far as I remember on the basis of these observations you decided to defer it till tomorrow. The adjournment motion is going to be debated in view of the statement of the honourable Governor that before the release of the three detainees i.e. Messrs Ghaus Bakhsh Bazanjo, Attaullah Mengal and Khair Bakhsh Marri, the Prime Minister would be consulted. These were the words used. I at that time gathered the impression that probably these were the words which have been used, and they really convey a different meaning. It is the Governor's personal observation. That is all. There is nothing in the adjournment motion, no information has been supplied to the effect that the Prime Minister was consulted. The intention was to consult the Prime Minister in this matter, and it was the personal observation of the Governor at that time. I was under the impression that the word 'consulted' has been used. I enquired from the Governor, at that time I did not have this file before me, because the file was with the Leader of the Senate, and I could get hold of this file at a very late hour, but before that I got in touch with the Governor, as desired by you, and I told him that he had used these words that the Prime Minister would be consulted. He said, "I have never said this. I have only said that action will be taken in accordance with the decision taken by the Federal Government." He said that as far as these detainees were concerned, they were detained by the Provincial Government before he took over as the Governor of the province. He said, "I was not the Governor at that time when they were arrested; at that time I was not the Governor". Then, I said that it was for the Provincial Government to decide whether to release them or not. At the same time he said, "It is for the Federal Government and the Federal Government can also release them after they are convicted. The President can also release them. So, this is between the Provincial Government and the Federal Government. They will decide. I know nothing about it. I am not involved in it."

So, actually this conveyed entirely a different meaning. He only said that the Provincial Government had arrested these detainees; they were under detention by virtue of the orders passed by the Provincial Government, and the Provincial Government was fully competent to withdraw those orders. So, they can withdraw the cases against them but if the Provincial Government cannot withdraw the orders, then the Federal Government has got the power, then the President has got the power under the Constitution to release them after they are convicted; and not before that but after they are convicted. This is what he said. Then, I said that if somebody had misunderstood, of course, I did not know the case. There may be something, as I said day before yesterday in a different context that sometimes *bona fide* mistakes are committed by the reporters and sometimes the man is not properly understood. All these things do happen. What I see and I think is that in the whole context it is none of the intention of the Governor ever to say that in these matters the Prime Minister will be consulted before any action is taken by the Provincial Government; nowhere it shows that. The whole context shows that actually the intention was entirely different. So, this is what he said. He said that the Federal Government had announced a general amnesty for the release of the political prisoners, subject

to the condition that the decision would not be applicable to the persons found guilty of offences and here, I may respectfully submit, Sir, that they are not detained under the provincial preventive laws. There are cases against them under substantive offences. This is very clear and I am prepared to make that statement, because I got it verified from the Minister concerned; there are cases against them under substantive offences. So, in view of this, he added that amnesty would be granted on the recommendation of the provincial Chief Minister. That finishes the whole thing.

Then, he said in reply to a question at the airport that although Mr. Ghous Baklsh Bazanjo, Mr. Attaullah Mengal and Mr. Khair Bakhsh Marri had been detained by the Baluchistan Government, the question of their release was a matter between them and the Prime Minister. It was not mentioned anywhere that the Prime Minister would be consulted before they could be released. It is just like saying that.

یہ ان کا اور ان کا معاملہ ہے وہ بھی دیکھ سکتے ہیں پریزیڈنٹ کو بھی اختیارات ہیں وہ بھی چھوڑ سکتے ہیں -

It is a small thing and is just like making mountain out of a molehill, because the thing is that somewhere the Governor of Baluchistan could not be properly understood what he was saying and words used are there. These words even do not definitely convey the meaning which is being ascribed to these words by the Mover of the motion.

But, anyway, Sir, I am prepared to make this statement because I got it verified from him, and he said that it was his intention at that time that since amnesty was granted, the orders would be obeyed, but as far as these persons were concerned, it was for the Provincial Government to decide because these persons were arrested before he came into power, before he was made the Governor of the province. So the cases against them can be withdrawn by the Provincial Government or it is for the President under the Constitution to release them after they are convicted. This is between them.

یہ ان کے اور ان دونوں کے درمیان ہے -

I do not have to say anything about it. So, the point is very clear and the word "consulted" was actually, slightly—because it was mentioned here—bothering me as well, and when I went through the text, I found that the word "consulted" was not at all used, absolutely not used.

یہ ان کا اور ان کا معاملہ ہے؟ what does it mean ہمارا اس میں کنٹری دخل نہیں ہے - میں کچھ نہیں کر سکتا - یہ تو Provincial Government کا معاملہ ہے اور فیڈرل گورنمنٹ کا معاملہ ہے میں کیا کر سکتا ہوں؟

These are the words but probably yesterday there was a misunderstanding, and the whole arguments were based upon one word. Perhaps one impression which was created at the time of discussion was that probably the Governor of Baluchistan had made a statement that the Prime Minister would be consulted before any action was taken in respect of the three detainees, but that is not the text. These are not the words used by the Governor nor do they appeared in the Press.

The second point, your honour, is very clear. He denies these allegations.

[Ch. Mohammad Hanif Khan]

He denies to have stated anything ; he says that there was nothing like that in his mind when he made that statement. The second point is, of course, the basic point and on this very point this adjournment motion can be ruled out of order. The point is that this is all conjecture, Nowhere it is shown in the statement of the Governor that he ever consulted the Prime Minister or he ever discussed this matter with the Prime Minister ; it is nowhere mentioned that even the Chief Minister, the provincial Chief Minister, ever made a reference of this matter to the Governor or to the Prime Minister. Nothing is mentioned ; it is all a conjecture. Nothing has happened, there has been no consultations, nothing definite has happened and the whole thing is a conjecture. The only thing is that the Governor made a statement and if that statement is made the subject matter of discussion in this honourable House, in this august House, then, by implication, we will be discussing a matter which is subjudice, which is before the court of law, because as already I have just submitted that these three gentlemen are charged with substantive offences, so by implication which of course, is prohibited under the rules, and we cannot do it ; because what is to be discussed about the statement, what is there to be discussed about a simple thing. It is quite clear that his statement in no way amounted to some or of interference in the provincial autonomy, as is being alleged by the Opposition. If, for example, we had started discussing that statement, what would we have done ? We would have discussed the substantive point which, of course, is the detention of these three gentlemen, whose cases are pending before the court of law, and by implication that is also prohibited by law. These are the two points.

There is no question of consultation. He has made it very clear that this is what he said, and the Provincial Government can do it or, after the cases have been decided, the President has got the constitutional power. Now, if we discuss the statement, by implication, we will be discussing the basic problem and that is the detention of these three detainees, the three gentlemen against whom substantive cases under substantive charges are pending before the court of law. So, my humble submission is that it may be ruled out.

**Mr. Chairman :** Yes, Haji Sahib.

**Mr. Niamatullah Khan :** I am on a point of information, Sir.

**Mr. Chairman :** Yes.

**Mr. Niamatullah Khan :** Sir, regarding the failure, the honourable Minister has clearly mentioned all these things and I would not like to repeat these things again. I will just make two points. One point is that the statement is not made by the Prime Minister that they will not be released without his consent. There is no such thing from the Prime Minister, from the Federal Government. Point no. two is that there was only a reply to the correspondent, and there is no bar on the Provincial Government to even consult the Prime Minister. This is the usual thing for the Governors ; they make conferences and they usually consult the Prime Minister, and there is nothing in the statement that it is obligatory, that he must consult the Prime Minister, regarding this matter. It was just by way of a statement and it was no bar on the Governor to consult the Prime Minister in connection with some matter in the province. I think, every Governor can consult the Prime Minister and there is no interference from the Federal Government or the Federal Government would not be made responsible for the statement of the provincial Governors.

**Mr. Kamran Khan :** May I have your permission, Sir ?

**Mr. Chairman :** Yes.

**Mr. Kamran Khan :** Haji Sahib has very kindly made my task very easy. The honourable Minister has pointed out that the Governor did not consult the.....

**Mr. Chairman :** You refer to the statement.....

**Mr. Kamran Khan :** Haji Sahib has very kindly stated.....

**Mr. Chairman :** Haji Sahib's address was so clear and unambiguous and unequivocal that, I think, it is not necessary for you to refer to it. You cannot put any interpretation to it, and you cannot do it with regard to the statement of the Minister.

**Mr. Kamran Khan :** The honourable Minister has stated two points. I will deal with the last point first that the matter is sub judice.

**Mr. Chairman :** I don't agree with him on this point that the matter is sub judice, because the adjournment motion does not raise discussion on the detention or arrest or enquiry or anything. So, you see, that is not the point. That is not relevant.

**Mr. Kamran Khan :** The other point is that he said that the Governor of Baluchistan did not consult the Prime Minister on this issue. Sir, this statement was made by the Governor just a day or two after that big conference which was held here and in which the Baluchistan problem was discussed and then a press release was issued. So obviously this matter must have come under consideration.

**Ch. Mohammad Hanif Khan :** Point of order. These things cannot be discussed.

**Mr. Chairman :** Yes, what might have been possibly discussed and what might not have been discussed is not the point here.

**Khawaja Mohammad Safdar :** Sir, without discussing these three gentlemen the conference could not complete their deliberations.

**Mr. Chairman :** That is only your speculation. Leave that alone, we need not enter into the field of speculation.

**Mr. Shahzad Gul :** Under Cr. P.C. 494, the Governor has the power, not the Federal Government or the Prime Minister. The Governor of a Province, under Section 494 Cr. P.C., has the power to withdraw cases or to give pardon.

**Ch. Mohammad Hanif Khan :** I most respectfully disagree on this point that the Governor has the power. It is the D.M. I must say that if section 494 Cr. P.C. is read, you will find that it is the power of the Prosecuting inspector who withdraws cases. Nowhere it is mentioned that he has to get the advice of any officer or authority. It is the Public Prosecutor who withdraws. I am discussing the language under section 494 Cr. P.C. It can be read and I challenge that these are the powers of Public Prosecutor.

**Mr. Shahzad Gul :** He will submit application in the court but under the direction of the Governor.

**Ch. Mohammad Hanif Khan :** Generally, the application is made to the D.M. and some other party takes a decision that it should be withdrawn. The law is clear. It is the Public Prosecutor. Even the D.M. is not mentioned there, what to say about the Governor. It is the Public Prosecutor always to withdraw.

**آغا غلام نبی خان :** حضور والا! آپ نے کل فرمایا تھا کہ ہمیں ہتہ لگنا چاہیے کہ گورنر نے یہ statement دیا ہے یا نہیں اور اس کی حقیقت سے ہمیں واقف ہونا چاہیے کہ انہوں نے اگر کچھ کہا ہے تو کیا کہا ہے اور اس پر فیصلہ ہوگا۔ اب جب کہ پہلے منسٹر صاحب نے فرمایا ہے کہ گورنر نے انکار کیا ہے کہ میں نے اس قسم کی بات نہیں کہی ہے تو پھر اب اس کے بعد سوال ہی پیدا نہیں ہوتا ہے کہ پاور کس کی ہے یا مشورہ کیا اور اب جب کہ وہ statement موجود ہے جس پر کہ تحریک التوا آئی ہے اور یہ بات چیف منسٹر اور گورنر صاحب کے درمیان ہے یہ talk آپ کی یا میری نہیں ہے۔

**Mr. Chairman :** I agree with you. All right.

**Mr. Kamran Khan :** Sir, before we proceed further, we would like to know the text of the statement made by the Governor, so that the matter may be decided. We would like to know the exact words of the Governor.

**Mr. Chairman :** Mr. Kamran Khan, just a minute. I have given the floor to Shaikh Fazal Elahi Piracha.

**Shaikh Fazal Elahi Piracha :** Sir, it has been mentioned that this statement was made in connection with the outcome of a conference, which was held in Rawalpindi in which all the Governors, the Prime Minister and the Ministers were present. Now, Sir, what was that conference for? It was for a political decision about the affairs in Baluchistan. All along, Sir, they have claimed that the Government of Bazanjo.....

**Mr. Chairman :** I have not allowed to indulge any speculation as to what has been done. There is no need to speculate what was decided or what was discussed there.

**Shaikh Fazal Elahi Piracha :** This is not the case. We are daily troubled about such matters.

**Mr. Chairman :** And I daily give my decision about this matter.

**Shaikh Fazal Elahi Pirach :** It has already been given. What I say that gentleman had made a statement. I do not know that the matter concerns Mr. Bazanjo and others and the Prime Minister. Now, all along their claim has been that their Government should be restored. How could the Governor say that he had not been removed and the Government are to be restored? How could he say?

**Mr. Chairman :** You are giving them an opportunity to hit back. That is all.

**Mr. Kamran Khan :** The party resolution is released. There is no demand of the Government.

**Mr. Chairman :** I cannot allow to continue this irrelevant discussion. How can your remark be relevant? You have argued your case. Is there anything new you want to say?

**Mr. Kamran Khan :** Yes.

**Mr. Chairman :** If there is anything new with regard to the admissibility of the motion, you can say.

**Mr. Kamran Khan :** There are lot of things. Before we proceed, I have already submitted that the exact text of the Governor's statement may be read out in the House. The only other day the honourable Minister complained that some of the newspapers had misreported his speech in the Senate. Then he said he gave a certificate to the authenticity of the reporting made by the Pakistan Times, and the Chair also observed that the other papers should also toe the line of Pakistan Times. That means Pakistan Times can never go wrong. According to them, it is the official spokesman of the Government, and the Chair observed that all papers should toe the Pakistan Times because Pakistan Times could never misreport the facts.

**Ch. Mohammad Hanif Khan :** Point of order.

**Mr. Chairman :** No paper including Pakistan Times is infallible.

**Ch. Mohammad Hanif Khan :** Nobody is infallible. Sir, the wording of the Press release was "it is a matter between them and the Prime Minister."

**Mr. Chairman :** I think, we have had enough discussion. So much has been made of the phrase "consult". As a matter of fact, I want to remove the misunderstanding about why the word "consultation" or "Consult" or whatever it is, was used by the paper in its report today. What actually happened was this that the word 'consult' was not used by the Governor. To my enquiry from the Opposition Members—Khawaja Safdar and Mr. Kamran Khan—their argument was that the statement of the Governor tantamounts to interference in the provincial autonomy or encroachment by the Federal Government on the provincial autonomy. 'The matter of these three prisoners was between the Provincial Government and the Prime Minister', means that he has to be consulted. It is the right, the privilege or the prerogative of the Provincial Government to release them—why the Prime Minister should be consulted? This is what actually led to the misunderstanding. I told you to whether the Governor actually meant that the Prime Minister would be consulted before the release of the prisoners.

*(Interruptions)*

**Ch. Mohammad Hanif Khan :** When I came or entered the august House I did not know that this word was used. I had not seen the text.

**Mr. Chairman :** I too knew nothing about it, but you did well.

**Ch. Mohammad Hanif Khan :** He has not used the word. All these are irrelevant to the present motion and it can safely be ruled out of order.

**Mr. Niamatullah Khan :** This is a provincial matter.

*(Interruptions)*

**Mr. Chairman :** You are all violating the rules of the House. While sitting you are quarreling.

[Mr. Chairman]

آپ کو آداب مجلس تو ہونے چاہئیں۔ -

The basis of your adjournment motion, Mr. Kamran Khan, was that Governor had repeatedly stated in his statement at the airport that Mr. Bazanjo, Mr. Mengal and Sardar Marri had been detained by the Baluchistan Government. Your argument was : why should the Prime Minister be consulted before their release which according to you is an encroachment upon provincial autonomy? Now, this has been denied by the Governor, and the denial has been conveyed through the honourable Minister.

**Mr. Kamran Khan :** Read out the text.

**Mr. Chairman :** No interference please. If an honourable Member of your calibre violates the rules, how can I blame Haji Sahib and anybody else ? Now, I am supported, in this view of the matter, by a decision of the Chair, Legislative Assembly (Central) 1921-1940 :

“26. Government Distputes facts stated therein : President accepts Government’s version of facts unless there is a proof to the contrary.

A member desired to move for the adjournment of the House to discuss the forcible occupation by the military of a Muslim Idgah in the Central Provinces. After hearing the Government Member the President said that the Government denied the correctness of the facts stated in the motion and he had to accept Government Member’s statement unless there was any proof to the contrary.”

Since the Governor has denied the fact attributed to him that he never stated those words, I accept the version of the statement he has made, and therefore, rule out of order the adjournment motion. Now, next item.

#### MOTION RE : ENORMOUS INCREASE IN THE EXPENDITURE OF CIVIL ADMINISTRATION

**Mr. Chairman :** There are two motions under Rule 187. This motion was moved by Khawaja Safdar and an objection was raised by the other side of the House. I had deferred consideration of this motion till today. I recollect that Mr. Khurshid Hasan Meer, Minister-in-charge, raised an objection and I said that this motion could be taken up on the next Private Members’ Day. I would like to know whether any honourable Member from the Government side would like to support or oppose the motion as unfortunately Mr. Khurshid Hasan Meer is not present in the House for unavoidable reasons.

**Mr. M. Rafi Raza (Minister for Production, Industries and Town Planning) :** I will take up the matter.

**Mr. Chairman :** Yes, if you please from the Government side.

**Mr. M. Rafi Raza :** \*It is not a question of opposing the motion or taking it up from the Government side, as this motion raises some fundamental issues. It is not merely a question of whether the expenditure on the civil administration of the Federal Government is excessive or not. The Government can on the proper forum and proper occasion support and justify its expenditure. It has also been approved by the National Assembly. This motion raises two issues : What are the powers of the Senate under the

\*Speech not corrected by the honourable Minister.

Constitution, and what is the relationship between the Senate and the National Assembly? These are two very fundamental questions and, therefore, as I said this is not just a question of what the Government says and what the Opposition would like to say.

We are all Members of the Senate and we should consider the powers of the Senate in this spirit. As far as the Money Bills are concerned, the Constitution is very clear. The constitutional provision is that the Annual Budget statement shall be laid before the National Assembly and after it is approved by the National Assembly it shall, without being transmitted to the Senate, be presented to the President for his assent. Now, I quite appreciate that this is not a Money Bill. This is really a motion. The question then arises whether through this means - through the means of a motion - can one do indirectly what the Constitution does not permit to be done directly. The matter requires discussion of some of the constitutional provisions and I will seek your indulgence but I assure the House that I will be brief and not waste the time of the House.

The Constitution is a very carefully and delicately constructed document. It has tried to strike a balance between the provinces. It has safeguarded the rights of the smaller provinces without taking away anything or derogating from the rights of the majority province. We have a situation in Pakistan where the population of one province is larger than the population of the remaining provinces. This is a fact and the Constitution has been so made as to see that the majority province's rights are protected fully and so the minority provinces' rights. In this respect there are two provisions. As far as financial matters are concerned the Provincial Governments have been given specific representation in terms of the National Economic Council. Article 156 of the Constitution specifically provides that the membership of the National Economic Council will consist of one from each Province on the recommendation of the Provincial Government; and the National Economic Council has far-reaching powers. Similarly under Article 160 of the Constitution, which deals with the National Finance Commission, it is mentioned that the Commission will deal with the distribution of assets and money between the Provinces. Its composition has been provided under Article 160 as comprising the Finance Ministers of the Federal and the Provincial Governments, and such other persons as may be appointed by the President in consultation with the Provincial Governments. So, under Article 156 and Article 160, together with the Council of Common Interests, the Provinces have been given a considerable say and voice in the economic affairs and the financial matters of the Federation, Sir, but the Constitution specifically provides that as far as Money Bills are concerned, these will be dealt with only and solely by the National Assembly.

Sir, this was agreed to in the Constitution Accord of October, 1972. It is the unanimous recommendation, without exception, of the Constitution Committee appointed by the National Assembly, and this provision now finds itself in Article 73 of the Constitution. Sir, Article 73 says, "Notwithstanding anything contained in Article 70 or Article 71, a Money Bill shall originate in the National Assembly and after it has been passed by the Assembly it shall, without being transmitted to the Senate, be presented to the President for assent."

Sir, let us follow what happens to a Money Bill under our constitutional arrangement, under our permanent Constitution. The Constitution Committee

[Mr. M. Rafi Raza]

discussed the question of whether there should be appropriations Bills. In many countries they have two steps : one is that the budget is discussed and then you have an appropriations Bill which allows appropriations to be made from the Consolidated Fund. This is a practice which the Americans follow in the Constitution of the United States of America, and is also part of the Indian Constitution, which is a copy of the Government of India Act, 1935. In fact, in modern practice this is considered a duplication, because first the budget is discussed the items are there, the cut-motions are there on the budget, and then again each appropriation is made. Then to have an Appropriations Bill—before the Legislature appeared redundant. The Constituent Assembly felt that this double work was not necessary, and instead has provided that once a Bill is passed, the Annual Budget Statement and the Finance Bill is passed, no Appropriation Bill is necessary ; and in this connection I will read from Article 83 of the Constitution. It provides for a schedule of authorised expenditure, and if I might read Article 83, with your permission Sir, “The Prime Minister shall authenticate by his signature a schedule specifying :—

- (a) the grants made or deemed to have been made by the National Assembly under Article 82, and
- (b) the several sums required to meet the expenditure charged upon the Federal Consolidated Fund but not exceeding, in the case of any sum, the sum shown in the statement previously laid before the National Assembly.”

Now, to read clause (2) of Article 83, which is really a key clause : “The schedule so authenticated shall be laid before the National Assembly, but shall not be open to discussion or vote thereon.” And clause (3) “Subject to the Constitution, no expenditure from the Federal Consolidated Fund shall be deemed to be duly authorised unless it is specified in the schedule so authenticated and such schedule is laid before the National Assembly as required by Clause (2).”

So, Mr. Chairman, as you can see from the wording of Article 83, even the National Assembly which has debated the Budget, which has passed the Budget, which has been given fully opportunity to do so, once that debate is over and the schedule of authenticated expenditure is laid before the National Assembly, even the National Assembly is precluded from debating items of expenditure of the budget after that.

Sir, the motion which was presented before us, which has been moved by Khawaja Sahib attempts to deal with the situation arising out of the enormous increase in the expenditure on Civil Administration of the Federal Government of Pakistan. Sir, the expenditure on the Civil Administration of the Government of Pakistan is one of the items voted upon. It is, in fact, voted upon item-wise, Ministry-wise by the National Assembly. Whatever the National Assembly has passed or allowed in terms of Article 82 and 73 is then put in the form of the Statement which I have referred to. This is covered by Article 83 ; and the Federal Government cannot withdraw any more than that amount, and no sums can be withdrawn from the Federal Consolidated Fund other than those actually mentioned in that schedule of authorised expenditure under Article 83. So, what the Federal Government spends, what the Federal Government draws for its expenditure from the Federal Consolidated Fund are the items which have been specifically authorised by the National Assembly.

Sir, as I pointed out under the provisions of Clause (2) of Article 83, even the National Assembly is precluded from further debating items of expenditure which it has passed at the time of the Budget, the Finance Act. In the case of even supplementary and excess grants, sometimes a supplementary grant is sought, sometimes if there is slight excess it has to be subsequently approved so to speak, by the National Assembly. Even when this comes up before the National Assembly, and these are provided under Article 84, it is a well established principle of parliamentary practice that even at the time of debate on these supplementary grants and excess grants there cannot be a general debate on items of expenditure. The debate even in the National Assembly—and this is the practice established by the House of Commons—is to be limited to the specific items for which supplementary or excess grant is sought and for this I would quote with your permission, Mr. Chairman, from May's Parliamentary Practice. I do not have the latest edition. I have the sixteenth Edition with me—at page 38 it says here: "The debate on supplementary and excess grants is restricted to the particulars contained in the estimates on which those grants are sought and to the application of the items which compose those grants and the debate cannot touch the policy or the expenditure sanctioned on other heads by the Assembly on which the original grant was obtained except so far as such policy or expenditure is brought before the committee by the items contained in the supplementary or excess estimates." It goes on at some length.

**Mr. Chairman :** It is quite clear.

**Mr. M. Rafi Raza :** \*As I have said, the National Assembly under Article 83 clause (2) is precluded from further debate. If supplementary grants and excess grant Bills are brought before the House, the debate can only be confined, must only be confined to those items of supplementary or excess grant only. Now, what this motion seeks to do is to discuss in the Senate the question of expenditure on civil administration which expenditure has been approved, which has been authenticated and which can only be expended in terms of what has been approved and authenticated by the National Assembly. Sir, the question arises, therefore, whether in the first place this House can debate the matter and secondly, if, for the sake of argument, it is felt that we can, whether we should debate it keeping in view the relationship between the two Houses. Sir, on the question of whether we can debate it first I would like to make a few submissions. As I have pointed out, under our Constitutional provisions at no time is the Senate at all apprised of the budget, the annual budget statement. It is not laid before the Senate either before or after consideration by the National Assembly. It is in fact specifically that it shall not be transmitted to the Senate. These are the provisions in the Constitution and to decide whether we can debate the subject and what would be the effect of these provisions, I think a comparison will have to be made with the provisions of other constitutions to have an understanding of the effects of these two provisions which say that the annual budget statement as well as the schedule of authorised expenditure are only to be laid before the National Assembly and not transmitted at all to the Senate. One must not forget that the whole business of laying anything before the House is that the House gets seized of its jurisdiction over the matter once it is laid before that House. Here there is specifically no mention that any of these financial matters will be laid before the Senate. Sir, the closest parallel—I do not want to rely on the American Constitution where the powers of the Senate itself

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\*Speech not corrected by the honourable Senator.

[Mr. Mohammad Rafi Raza]

are completely different and also not the British one and the Indian Constitution which I will touch upon. In this connection I would briefly summarise the position in India. Under Article 112 of the Indian Constitution there is provision that the annual budget or what they call annual financial statement shall be laid before the House of People and the Council of State which you might say is the Senate. Regarding annual financial statement which in terms of our Constitution is the same as the annual budget statement, it is specifically stated "provided that the annual financial statement shall be laid before both Houses." It is, therefore, discussed by both Houses under the Indian Constitution. But under Article 113 it is specifically provided that there are two types of expenditure—one is that which is charged by virtue of the Constitution, for example the salaries of the Judges of the Supreme Court, the President the Speaker, etc., and the other is what is proposed to be drawn up and under Article 113 of the Indian Constitution they have a system of appropriations Bill which they call Demands for Grants, which we do not have and these demands for Grants in terms of the proposed expenditure—not the charged expenditure—are submitted only to the House of People which is their National Assembly. So, there is specific provision for the annual financial statement to be laid before both Houses but the Demands for Grants which is the appropriations, is only done by the House of People, the Lok Sabha. Here, I may quote from these two provision, the exact text. I will not quote the whole of Article 112 of the Constitution which is rather long but just the relevant part, Mr. Chairman, Sir. Article 112(2) reads: "The President shall in respect of every financial year cause to be laid before both the Houses of Parliament a statement of the estimated receipts and expenditure of the Government of India for that year, in this part referred to as the annual financial statement." Then it proceeds to say how the estimates are to be prepared, etc. which is not relevant. And then I will quote, Mr. Chairman, Sir, from Article 113 which says: Clause (1)—"So much of the estimates as relates to expenditure charged upon the consolidated fund of India shall not be submitted to the vote of Parliament but nothing in this clause shall be construed as preventing discussion in either House of Parliament of any of those estimates." So, there is specific provision for discussion in both Houses.

Clause 2 of Article 113 reads—"So much of the said estimates as relates to other expenditure shall be submitted in the form of Demands for Grants to the House of People." It is only to the House of People and the House of People shall have power to assent, or to refuse to assent, to any demand or to assent to any demand subject to the reduction of the amount specified therein. So, this in fact is following more closely the Government of India Act 1935 except that under the Government of India Act 1935 there was specific provision that the demands for grants are to be submitted to both Houses also. Here under the Indian Constitution there is provision that the demands are only submitted to the House of People and whereas the annual budget statement, the annual financial statement is submitted to both Houses.

Sir, having seen the provisions in the Indian Constitution, I revert to the provisions of our own Constitution, which, as I have earlier described or mentioned, clearly state that financial matters, financial Bills, will not come to the Senate; and, more so, I would place reliance on the provisions of Article 83 which lays down that once the Schedule of Expenditure as authenticated by the Prime Minister is laid before the National Assembly, it shall not be open to discussion even by the National Assembly.

Mr. Chairman: Are you referring to Clause (2) ?

Mr. M. Rafi Raza : Yes, clause 2.

Mr. Chairman : It is quite clear.

Mr. M. Rafi Raza : Therefore, as I think, to the question whether the Senate can discuss through this sort of motion, the matters, which otherwise they are not allowed to be discussed by the Constitution, I would respectfully submit that it cannot, for the reasons stated by me, for the difference of terminology in our Constitution, the Indian Constitution and the Government of India Act. And what is more, I would say that even if some of the Members feel that the Senate can, I would go so far as to say that we should not discuss it, as it is a matter, which has been described in the May's Parliamentary Practice as the "privilege" of the House of Commons, namely money matters. And, I think, if we in this manner debate expenditure, which has been approved by the National Assembly and which under the terms of the Constitution the National Assembly cannot debate—if we thus sit in judgement—we will be in breach of the Privilege of the National Assembly. I therefore feel that we should not be commit a breach of this right given to the National Assembly and we should not in breach of this privilege of the National Assembly. And, therefore, I feel that we should not discuss this sort of motion in the Senate. And for this reason, I feel that, if there is to be a tradition, a Parliamentary tradition, of good relations between the two Houses, such a motion should not at this stage be brought before the Senate. I would suggest that to avoid specific ruling by the Chair, the honourable Member from Punjab, Khawaja Sahib may consider withdrawing this motion to avoid any possible conflict with our new and young Parliament. Thank you.

خواجہ محمد صفدر : جناب چیئرمین! میں نے فاضل ممبر کی تقریر نہایت توجہ سے سنی ہے اور مجھے افسوس سے کہنا پڑتا ہے کہ ان کے دلائل و براہین سے مجھے قطعی طور پر اختلاف ہے۔ جس بنیاد پر انہوں نے اپنے دلائل کی عمارت استوار کی ہے وہ بنیاد ہی سرے سے موجود نہیں ہے۔ وہ فرماتے ہیں کہ میں بجٹ کو زیر بحث لا رہا ہوں۔ میں بجٹ کو زیر بحث نہیں لایا۔ میں مرکزی حکومت یا فیڈرل گورنمنٹ کی ہر پالیسی کو زیر بحث لا سکتا ہوں اور میں اس ایوان کو اتنا کمزور نہیں سمجھتا کہ اس میں مرکزی حکومت کی کسی پالیسی کو خواہ وہ اقتصادی پالیسی ہو، خواہ وہ سماجی پالیسی ہو، خواہ وہ اندرونی پالیسی ہو، خواہ وہ مالی یا کوئی اور ہو اسے زیر بحث نہ لایا جا سکے۔ میں اس سے اتفاق کرنے کے لیے کسی صورت میں تیار نہیں ہوں۔ میری تحریک کے الفاظ یہ ہیں کہ اس ملک میں ایک ایسی صورتحال پیدا ہو گئی ہے اور ہماری گورنمنٹ نے اپنی سول انتظامیہ پر اخراجات میں بے پناہ اضافہ کر دیا ہے اس صورتحال کو زیر بحث لایا جائے۔ اب اس صورت میں یہ درست ہے کہ مجھے کسی وقت شاید بجٹ سے کوئی اقتباس پڑھنا پڑے۔ بجٹ ایک دستاویز نہیں ہے جسے ہاتھ نہیں لگایا جا سکتا یا اس کا اس ایوان میں حوالہ نہیں دیا جا سکتا۔

[Khawaja Mohammad Safdar]

یہ گورنمنٹ کی شائع کردہ دستاویز ہے اور اس کا حوالہ دیا جا سکتا ہے۔ بجٹ ایسی بنیادی دستاویز ہے جس میں سال بھر کے مرکزی حکومت کے اخراجات کی تفصیل درج ہے اور یہ کوئی خفیہ دستاویز نہیں۔ میں نے یہ موشن رول ۱۸۷ کے تحت پیش کی ہے اور اس کے تحت جناب والا! آپ کو اچھی طرح معلوم ہے کہ جب تک اس موشن میں کوئی صاحب ترمیم نہیں کریں گے اس پر ووٹ نہیں ہو سکتا۔ اس موضوع پر ہر ممبر اپنی رائے کا اظہار کر سکتا ہے۔ ہوگا اس پر یہ ایوان اپنی رائے کا اظہار کرے گا میں نے دانستہ طور پر نہیں دیا اس لیے کہ میں نہیں چاہتا کہ یہ ایوان اجتماعی طور پر اس کے متعلق اپنی رائے کا اظہار کرے البتہ ایوان کے اراکین انفرادی طور پر اپنی رائے کا اظہار کریں۔ یہ میری رائے ہے اب جناب والا! اس بات کو سمجھنے کے لیے کہ آئین کی رو سے اس ایوان میں کون کون سے موضوعات پر بحث کرنے پر پابندی عائد کی گئی ہے جس پر اس ایوان میں اجتماعی طور پر رائے کا اظہار نہیں کیا جا سکتا یعنی ان کو منظور نہیں کیا جا سکتا یا نامنظور نہیں کیا جا سکتا۔ وہ Money Bill ہے اور Budget Estimate ہے۔ مجھے اپنے فاضل دوست سے مکمل اتفاق ہے کہ اس ایوان میں کوئی Money Bill پیش نہیں کیا جا سکتا اور مجھے یقین ہے کہ میرے فاضل دوست مجھ سے اتفاق فرمائیں گے کہ مقبری یہ تحریک Money Bill نہیں ہے۔ کچھ اس قسم کی بات انہوں نے اپنی تیریر میں فرمائی کہ یہ Money Bill نہیں ہے اور Money Bill کو اس ایوان میں پیش نہیں کیا جا سکتا۔ جب وہ اقرار کر رہے تھے کہ یہ Money Bill نہیں ہے تو پھر ان کا یہ اعتراض کہ اس تحریک پر بحث نہیں کی جا سکتی ہے زائل ہو جاتا ہے۔ دوسری بات جو انہوں نے ارشاد فرمائی وہ یہ ہے کہ Annual Budget Statement زیر بحث نہیں آ سکتی۔ میرے فاضل دوست نے یہ بھی درست فرمایا لیکن میرے فاضل دوست کو معلوم ہے کہ Annual Budget Statement کو زیر بحث لانے کا ایک طریقہ ہے۔ ایک خاص Procedure ہے۔ ایک خاص ضابطہ ہے اور وہ طریقہ کیا ہے؟ جناب والا! آرٹیکل ۸۰ میں پہلے یہ بتایا گیا ہے کہ Annual Budget Statement کیا ہے؟

Annual Budget Statement—Article 80—Sir, I quote Article 80 :

“(1) The Federal Government shall, in respect of every financial year, cause to be laid before the National Assembly a statement of the estimated receipts and expenditure of the Federal Government for that year in this Part referred to as the Annual Budget Statement.

(2) The Annual Budget Statement shall show separately :—

- (a) the sums required to meet expenditure described by the Constitution as expenditure charged upon the Federal Consolidated Fund ; and
- (b) the sums required to meet expenditure described and proposed to be made from the Federal Consolidated Fund ; ”

اب حضور والا ! آرٹیکل ۸۱ میں charged expenditure کی تعریف کی گئی ہے۔ اس کا ذکر کرنے کی یہاں ضرورت نہیں۔ آرٹیکل ۸۲ میں وہ ضابطہ تحریر کیا گیا ہے کہ Annual Budget Statement Budget estimate کو کیسے زیر بحث لایا جائے گا۔ اس میں یہ ضابطہ دیا گیا ہے کہ اس Budget Statement کے دو حصے ہوں گے۔ پہلا حصہ charged expenditure کا ہوگا اور اس پر نیشنل اسمبلی میں بحث ہو سکتی ہے مگر کمی بیشی نہ ہو سکتی ہے۔ دوسرا حصہ other expenditure کا ہے۔ آئین کے الفاظ میں other expenditure کو مطالبات زر کی شکل میں نیشنل اسمبلی کے سامنے پیش کیا جائے گا اور نیشنل اسمبلی مطالبات زر میں تخفیف بھی کر سکتی ہے۔ اب جناب والا ! میں نے کوئی ایسا مطالبہ نہیں کیا کہ Annual Budget Statement کو یہاں پیش کیا جائے اور ہم اس کے پہلے حصے پر بحث کریں اور اس کے دوسرے حصے پر کٹوتی کی تحریک پیش کر کے بحث کریں گے۔ میں نے یہ مطالبہ نہیں کیا کہ جس کی آرٹیکل ۸۳ کے Part 2 میں ممانعت کی گئی ہے۔ میرے فاضل دوست نے ارشاد فرمایا ہے خصوصیت کے ساتھ آرٹیکل ۸۳ کا ذکر فرمایا ہے اور اس میں خصوصیت کے ساتھ آرٹیکل ۸۳ کے پارٹ ۲ کا۔ اب جناب والا ! سوال یہ پیدا ہوتا ہے اگر کوئی تحریک procedure کے خلاف ہو، اگر کوئی تحریک آئین کے خلاف ہو تو وہ ضرور خلاف ضابطہ قرار دی جائے گی۔

جناب والا ! آرٹیکل ۸۳ کے تحت وزیر اعظم کو اختیار دیا گیا ہے کہ جو مطالبات زر آرٹیکل ۸۲ کے تحت نیشنل اسمبلی منظور کر لے تو وزیر اعظم صاحب ان کی تصدیق کر دیں گے۔ وزیر اعظم کے تصدیقی دستخطوں کے بعد اخراجات کے گوشوارے پر دوبارہ بحث نہیں ہوگی۔ ظاہر ہے کہ جن مسائل پر دو چار روز پہلے بحث ہو چکی ہے اور اسمبلی نے ان اخراجات کی منظوری دے دی ہوتی ہے اس پر دوبارہ بحث کی اجازت نہیں ہونی چاہیے۔ مطالبات زر جو کہ نیشنل اسمبلی منظور کر کے ان کو واپس بھیج دے اور اس پر حال ہی میں بحث ہو چکی ہو انہیں دوبارہ زیر بحث نہیں لایا جا سکتا نہ ان پر دوبارہ ووٹ لیا جا سکتا ہے۔ اس کا مطلب محض اتنا ہے اور کوئی مطلب نہیں ہے۔

[Khawaja Mohammad Safdar]

جناب والا ! میں اپنے فاضل دوست سے آپ کی وساطت سے پوچھنا چاہتا ہوں ، میں نے رات کو بھی مطالعہ کیا ہے سال رواں کے بجٹ میں صرف ۱۵۲ مطالبات زر ہیں ۔ ان میں سول ایڈمنسٹریشن کے نام کا کوئی مطالبہ زر نہیں جس میں ایسی کوئی گرانٹ ہو جس کا نام سول ایڈمنسٹریشن ہو تو مجھے بتائیں ۔ اس میں ۴۲ محکمہ مطالبات زر (ڈیپارٹمنٹل گرانٹس) جن کو کہتے ہیں موجود ہیں ۔

(مداخلت)

خواجہ محمد صفدر : میں جناب والا ! عرض کر رہا ہوں ۔ ۱۵۲ مطالبات زر میں سے کسی کا نام سول ایڈمنسٹریشن نہیں ہے ۔ میرے پاس یہ موٹی سی بجٹ کی کتاب ہے اس میں یہ لفظ استعمال نہیں کیا گیا ہے ۔ اس کا مطلب یہ ہے کہ یہ لفظ استعمال نہیں ہوا اس لیے میرا مدعا یہ ہے کہ میں حکومت کی مالی پالیسی پر بحث کروں جس سے آئین اور قواعد کی رو سے مجھے کوئی نہیں روک سکتا ۔ ویسے میں آپ کے فیصلہ کا پابند ہوں ۔ جہاں تک میں سمجھتا ہوں میں اسے اپنے حق کے اندر سمجھتا ہوں اس ایوان کا ادنیٰ رکن ہوتے ہوئے ۔ میں جناب والا ! حکومت کی مالی پالیسی پر اسی طرح بحث کر سکتا ہوں جس طرح میں حکومت کی داخلہ پالیسی پر بحث کر سکتا ہوں یا ان کی اقتصادی پالیسی پر کرتا ہوں یا ان کی صنعتی پالیسی پر کرتا ہوں یا خارجہ پالیسی پر کرتا ہوں ۔ پالیسی زیر بحث ہے جہاں تک بجٹ کا تعلق ہے ، اس کا صرف حوالہ دیا جا سکتا ہے ، ہر روز دفتروں میں بجٹ کا حوالہ دیا جاتا ہے ۔ جناب والا ! میرے دوست نے فاضلانہ تقریر کی ہے مجھے بڑا لطف آیا ہے ان کی تقریر بڑی لطف اندوز تھی ۔

جناب چیئرمین : آپ کی تقریر بھی بڑی لطف اندوز ہے ان سے زیادہ پر لطف ہے ۔

خواجہ محمد صفدر : شکریہ جناب والا !

جناب والا ! آرٹیکل ۸۳ سب آرٹیکل ۲ میں پابندی اس بات پر ہے کہ نیشنل اسمبلی نے بجٹ پر اپنی رائے کا اظہار کیا ہوا ہے ۔ وزیر اعظم نے اس کی تصدیق کر دی ہے ۔ اس پر اپنے دستخط کر دئے ہوں تو اس صورت میں پابندی ہے نیشنل اسمبلی پر کہ وہ دوبارہ بجٹ پر بحث اور نہیں کر سکتی ان گزارشات کے ساتھ میں درخواست کرتا ہوں ۔ ۔ ۔

جناب والا ! ایک بات اور جو آپ کی خدمت میں عرض کرنا چاہتا ہوں وہ یہ ہے کہ یہ نیا ادارہ ہے۔ پہلی بار معرض وجود میں آیا ہے۔ اس سے قبل اس ملک میں یہ ادارہ کبھی موجود نہ تھا۔ اس کے لیے بہتر روایات ہم نے پیدا کرنی ہیں۔ بھارت میں اس ادارے کو راجیہ سبھا یا کونسل آف سٹیٹس کہتے ہیں۔ اس کو بجٹ پر بحث کرنے کا اختیار ہے۔ یہ نیا ادارہ ہے۔ اس نے اپنی روایات قائم کرنی ہیں اس نے اپنے اختیارات کی حدود متعین کرنی ہیں۔ اس کی قوت میں اضافہ کرنا ہے آئین کی خلاف ورزی کیے بغیر اس کی قوت میں اضافہ کرنا ہے اور یہ اس کرسی نے کرنا ہے جس پر آپ تشریف فرما ہیں یا کسی حد تک ہم نے کرنا ہے۔ ہم نے صرف درخواست کرنی ہے درخواست آپ نے قبول کرنی ہے۔ لیکن اگر آپ ہماری درخواست قبول نہیں فرمائیں گے تو ہماری درخواست صدا بصرہ ثابت ہوگی اس ایوان کو مقتدر ادارہ بنانے کے لیے اس کے اختیارات کو اس حد تک کم نہ فرمائیں کہ یہ ادارہ بجٹ کو ہاتھ بھی نہ لگا سکے۔ میں یہ نہایت ادب سے عرض کروں گا کہ اسے Debating Society نہ بنائیے کہ یہ اس قدر مفلوج ہو کر رہ جائے اور یہ مفلوج ادارہ پارلیمنٹ کا حصہ بن کر رہ جائے خدارا اس پہلو پر بھی غور فرمائیے۔ برسبیل تذکرہ میں عرض کروں گا کہ میرے دوست نے US سینٹ کا ذکر فرمایا ہے۔ جناب والا ! ریاستہائے متحدہ امریکہ کا سینٹ اتنا مقتدر ادارہ ہے کہ اس کی مثال کم ملکوں میں ملتی ہے۔ اس لیے ہمیں صحت مند روایات قائم کرنی چاہئیں۔ امریکن آئین کے بغیر عمل کریں تو میری رائے میں یہ مختصر ترین دنیا بھر کے دساتیر میں مختصر ترین دستور ہے مگر جناب والا ! وہاں کے پریزیڈنٹ نے سپریم کورٹ سے مل کر اس دستور کو اتنا مضبوط اور مؤثر بنا دیا ہے وہاں کی سنٹرل گورنمنٹ کو جو حکومت ۲۰۰ سال قبل محض ۱۳ نوآبادیوں کا غیر مربوط گٹھ جوڑ تھا آج دنیا کی عظیم ترین اور طاقتور ترین ملک بن گیا ہے خدارا اس ادارے کو جہاں یکساں طور پر ہر صوبے کے نمائندے مساوی تعداد میں بیٹھے ہیں یکساں تعداد میں بیٹھے ہیں۔ میں تو بڑے صوبے سے تعلق رکھتا ہوں۔ ان کو اپنے حقوق سے محرومی کا احساس نہیں ہونے دینا چاہیے۔ چھوٹے صوبوں کے نمائندوں کو یہ محسوس ہو کہ وہ حکومت کے ہر شعبہ پر اپنی رائے کا مؤثر طریق سے اظہار کر سکتے ہیں۔

Mr. Chairman : No, we never expect him to go against the mandatory provisions of the Constitution.

خواجہ محمد صفدر : نہیں جناب میں ان کی مخالفت نہیں کروں گا۔ جہاں تک

[Khawaja Mohammad Safdar]

آئین کا تعلق ہے ، میں اس کی مخالفت نہیں کروں گا۔ میرے دوست بھی اس کی مخالفت نہیں کریں گے۔ باقی آج یہ ختم ہو یا نہ ہو اگلے جمعہ کو ہو جائے۔ تو کوئی بات نہیں ہے۔

**Mr. Chairman :** I do not think if there is any gentleman to express his views on the matter. We have debated the question threadbare. There is very little left for any gentleman. So, I would like to keep it pending and reserve my ruling on this. I would like to go a bit in depth into Constitutional provisions.

Now, there is another motion under rule 187. This motion is tabled by Mr. Qurban Ali Shah.

Yes, Mr. Qurban Ali Shah.

**MOTION RE : UNSUCCESSFUL METER GAUGE SYSTEM AND OUT MODERED RAILWAY ENGINES**

**Mr Qurban Ali Shah :** Sir, I beg to move the motion under rule 187 :

“That the situation arising out of complete failure of the railways on the meter gauge system in the District Tharparkar be taken into consideration.”

**Mr. Chairman :** There is something more than that.

**Mr. Qurban Ali Shah :** “ failure of railways on the meter gauge system in District Tharparkar and the entire railway system being paralysed due to old and outmoded railway engines be taken into consideration.”

**Mr. Chairman :** Why are you avoiding reference to old things ?

جناب قربان علی شاہ : جناب old تو بہت سی اور چیزیں بھی ہیں۔

**Mr. Chairman :** So, the motion moved by Mr. Qurban Ali Shah is :

“That the situation arising out of complete failure of railways on the meter gauge system in District Tharparkar and the entire railway system being paralysed due to old and outmoded railway engines be taken into consideration.”

Is there any objection ?

**Ch. Mohammad Hanif Khan :** Actually, I would like to make a statement.

**Mr. Chairman :** No, do you want to oppose it or support it or to make a general statement ?

**Ch. Mohammad Hanif Khan :** I want to make a general statement and perhaps the honourable Member may be prepared to withdraw his motion and some other method may be found to solve this problem, because this is not my subject. Mr. Khurshid Hasan Meer the Minister-In-charge is not available.

**Mr. Chairman :** But it is not a very technical subject.

**Ch. Mohammad Hanif Khan :** It is not a very technical subject. I want to say that sometime ago the honourable Member had put

certain questions on this very subject, and quite a large number of supplementaries were also put and those supplementaries were answered. I have got a statement prepared by the railway authorities before me and as far as that statement goes every thing would appear to be absolutely perfect and very good but I would submit that nothing can be perfect and there may be certain defects and instead of arguing it because that point has already been discussed when these questions were put, instead of arguing it and instead of going to have a lengthy discussion on this matter which is not going to serve any purpose, it will be better if the honourable member is prepared to withdraw his motion and subsequently sits with us. I will talk to the Minister concerned as well and then let us know what are those defects so that we are in a position to take those defects into consideration.

Mr. Qurban Ali Shah : Point of order, Sir.

Mr. Chairman : There is a point of order.

جناب قربان علی شاہ : جناب چیئرمین ! میرے خیال میں بہتر یہ ہوگا کہ میں چند نئی چیزیں اس موشن کے ذریعے اس معزز ایوان میں آپ کے توسط سے معزز وزیر کی خدمت میں عرض کر دوں۔ میرے بیان کے بعد اگر وہ کوئی وضاحت کریں تو زیادہ اچھا ہوگا۔

جناب چیئرمین : نہیں نہیں انہوں نے صرف اتنا کہا ہے کہ میں statement دے دوں گا اور کہا ہے کہ آپ نے سوالات پوچھے پھر ضمنی سوالات پوچھے ان کے جوابات دئے گئے اگر ان کی تسلی نہیں ہوئی اور ان کو جو تکلیف ہے جو شکایت ہے وہ ہمارے ساتھ بیٹھ کر بات کریں کہ ٹرینوں کی سروس ٹھیک نہیں ہے۔ ٹرینیں پرانی ہیں کم چلتی ہیں۔ خراب میں جو کچھ بھی ہے ہم اس کا کوئی بندوبست کر دیں گے۔ سروس کو بہتر بنا دیں گے اگر آپ motion move کرنا ضروری سمجھتے ہیں تو ٹھیک ہے۔ آپ کے اوپر اس کا دار و مدار ہے۔ آپ کو انہوں نے جو offer کی ہے اس کو قبول کر لیں بیٹھے تشریف تو رکھیے۔ اپنی شکایات ان کو پیش کریں وہ ان پر غور کریں گے اس کا کوئی بندوبست کر دیں گے یا آپ کہہ دیں کہ آپ ان کے ساتھ کوئی بات کرنے کے لیے تیار ہیں اور ایوان میں اس موشن کو move کرنا چاہتے ہیں۔

It is up to you.

جناب قربان علی شاہ : ایک نمائندے کی حیثیت سے میں سارے طریقے اختیار کر چکا ہوں۔ نہ صرف وزیر ریلوے کے پاس گیا ہوں جو ریلوے کے المہارج ہیں ان کے پاس ہمارے علاقے کے لوگ گئے ہیں بلکہ لوگوں نے کئی اور طریقوں سے کوشش کی ہے کہ یہ مسئلہ حل ہو جائے اب مجھ پر وہاں کے لوگوں کا حق ہے اور میرا یہ اخلاقی فرض ہے کہ میں آپ کی وساطت سے اپنے علاقے

[Mr. Qarban Ali Shah]

کے اس اہم مسئلے کی طرف توجہ دلاؤں اور اس کے بعد ایوان میں جو یقین دہانی کرائی جائے ٹھیک ہے۔ پہلے میری بات سن لیں تاکہ میرے کے لوگوں کو یقین ہو جائے کہ ان کے مسئلے کا کوئی حل ہو گیا ہے۔

جناب چیئرمین : ٹھیک ہے۔ آپ فرمائیں۔

جناب قربان علی شاہ : \*جناب چیئرمین! اس سے پہلے جیسے وزیر موصوف نے فرمایا ہے کہ میں نے سوالات کے ذریعے اس بات کی کوشش کی کہ تھرپارکر میں ریلوے میٹر گاج کی جو حالت زار ہے اس کا کچھ علاج ہو جائے۔ اس کا کچھ تدارک ہو جائے لیکن افسوس سے کہنا پڑتا ہے کہ ریلوے کے محکمے نے غلط جوابات وزیر موصوف کو مہیا کئے اور اس بات کی نفی ہو گئی کہ وہاں انجن ناکارہ ہیں۔ ریلیں دیر سے چلتی ہیں ریل میں پانی مہیا نہیں کیا جاتا۔ یا کمپارٹمنٹ میں بجلی نہیں ہوتی تو پھر مجھے اس موشن کے ذریعے صحیح صورت حال کو ظاہر کرنے کا موقع ملا ہے۔ جناب چیئرمین! ویسے تو ریلوے کی حالت زار پاکستان کے کسی باشعور آدمی سے ڈھکی چھپی نہیں ہے۔ آپ اخبارات کا جائزہ لیں کل ۱۹ اپریل ۱۹۷۳ء کا جنگ اٹھا کر دیکھ لیجیے کراچی کا جنگ اخبار دیکھ لیجئے جس میں سودیشی ریل کا ذکر ہے کہ ریل خراب ہو گئی۔ پھر مسافروں نے پانی ڈالا اور بڑی مشکل سے ریل منزل مقصود پر پہنچی۔ ۱۰ تاریخ کا نوائے وقت، اخبار جہاں دیکھ لیجیے لیکن بہاری حالت اس سے قطعی مختلف ہے۔ بہارا مسئلہ تھرپارکر کے لوگوں سے تعلق رکھتا ہے بدقسمتی سے اردو اور انگریزی کے جو اخبارات شائع ہوتے ہیں وہ وہاں کی بہت کم خبریں چھاپتے ہیں اور وہاں کی زیادہ تر خبریں وہاں کے سندھی اخبارات میں شائع ہوتی ہیں۔ ”ہلال پاکستان“ جو سرکاری پارٹی کا ترجمان ہے اور سندھی میں شائع ہوتا ہے، اس میں وہاں کی خبریں شائع ہوتی ہیں۔ جناب والا! پاکستان کو آزاد ہونے آج ۲۷ سال کا عرصہ گزر چکا ہے اور انگریز بہادر ریلوے میں جو نشانیاں چھوڑ گئے ہیں ان کو آج بھی ہم اپنے سینے سے لگائے ہوئے ہیں۔ پرانے انجن جو اب بھی میٹر گاج پر چل رہے ہیں۔ بالکل ناکارہ ہو چکے ہیں بالکل کنڈم ہو چکے ہیں اسی ایوان میں بتایا گیا تھا کہ پانچ نئے انجن خریدے گئے ہیں۔ لیکن جب ضمنی سوال پوچھا تو کہا گیا کہ وہ پانچ انجن گئے نہیں تھے بلکہ وہ مشرق پاکستان سے لیے گئے ہیں اور وہ وہاں چل چل کر ناکارہ ہو چکے تھے میں مزید دلائل دینے

دلائل دینے سے پہلے کچھ الفاظ پڑھ کر سناتا ہوں۔ ”میرپور خاص اور حیدر آباد میں میٹر گاج کا نظام درہم برہم وہ“ یہ ۲ مارچ کا ہلال پاکستان ہے۔ میرپور خاص میں ریلوے کا انتظام بالکل خراب ہو چکا ہے۔ مسافروں کو کسی قسم کی سہولتیں مہیا نہیں کی جاتیں۔ ریلیں دیر سے منزل مقصود پر پہنچتی ہیں اس لیے کہ ریلوے انجن بالکل پرانے اور ناکارہ ہو چکے ہیں کمپارٹمنٹ کی حالت خراب ہے کمپارٹمنٹ میں بجلی نہیں ہوتی صفائی کا کوئی انتظام نہیں۔ یہ ایک editorial ریلوے پر لکھا ہوا ہے اسی قسم کے کئی editorial لکھے گئے ہیں۔ جناب والا! مارچ میں ایک ایسا واقعہ ہوا ہے جو بڑا اہم ہے اور میں آپ کی وساطت سے معزز وزیر کے گوش گزار کرنا چاہتا ہوں۔ ایک ٹرین جو میرپور خاص سے نواب شاہ جانے والی تھی اس نے حسب معمول وقت پر چلنے سے جواب دے دیا۔ انجن نے چلنے سے جواب دے دیا بیچارے ڈرائیور نے تین چارے گھنٹے کوشش کی کہ کسی طرح انجن start ہو جائے مگر انجن ٹس سے مس نہ ہوا آخر نوبت یہاں تک پہنچی کہ مسافروں نے تنگ آ کر ڈرائیور کو مارنا شروع کر دیا۔ ٹرین ماسٹر نے میرپور خاص Police Station کو فون کیا وہاں سے ایک SHO صاحب آئے اور اس نے ڈرائیور کو مسافروں سے نجات دلائی۔ اس کے بعد دوسرا انجن لایا گیا اور تب ریل وہاں سے آگے گئی۔

**جناب چیئرمین :** معلوم نہیں ہوتا بیچارے ڈرائیور کی کیا غلطی ہے ؟

**جناب قربان علی شاہ :** جناب چیئرمین ! مثال کے طور پر اگر حاجی صاحب کو کہا جائے ایک من کا وزن اٹھا کر دو میل کی race لگائیں تو ظاہر ہے وہ تو چل بھی نہیں سکیں گے۔ اسی طرح انجن کا بھی کوئی قصور نہیں ہے۔۔۔

**جناب چیئرمین :** بھائی ! بات یہ ہے کہ خراب انجن ہوا مگر سزا ڈرائیور کو ملی۔ اس بیچارے کا کیا قصور تھا، اسے کیوں مارا گیا ؟

**جناب قربان علی شاہ :** صرف یہی نہیں ہے جناب چیئرمین ! بلکہ ڈرائیور تنگ آ کر میرے پاس آئے اور مجھے بتایا کہ صاحب انجنوں کی یہ حالت ہے ہم غریب تو خواہ مخواہ مارے جا رہے ہیں۔ ہمیں مسافر مارتے ہیں ہمارے لیے کچھ کیا جائے۔ میں جناب وزیر مواصلات کے پاس گیا میں اس وقت سینیٹر نہیں تھا اور میں نے انہیں اس صورت حال سے آگاہ کیا، انجن کی حالت زار بتائی لیکن ابھی تک کوئی توجہ نہیں فرمائی۔ جناب والا ! میرا طبع اپنی حدود کے اعتبار سے مندہ کا سب سے بڑا ضلع ہے اور پسماندہ ہے جس کی ایک

[Mr. Qarban Ali Shan]

تخصیص نواب شاہ ضلع کے برابر ہے۔ آدھے سے زیادہ علاقے میں ریلوے لائن ہے اور کوئی روڈ نہیں ہے یعنی اور کوئی متبادل سواری نہیں ہے، ریلوے کی یہ حالت ہے کہ نہ اس میں پانی ہے نہ بجلی ہے ٹرین پوری پوری رات اور پورا پورا دن جنگل میں کھڑی رہتی ہے۔ مسافر بغیر کھائے پیے جنگل میں بیٹھے ہوتے ہیں۔ بچے، بوڑھے اور بیمار مسافر اس ریلوے انجن کے ساتھ مصیبت کاٹتے ہیں۔ جناب والا! یہ باتیں میں نے کئی بار وزیر موصوف کی خدمت میں عرض کی ہیں۔ جناب والا! میں آپ کو ایک مثال دوں گا۔ ۸ مارچ کو مہران ایکسپریس میں ممبر صاحبان میٹنگ attend کرنے کے لیے کراچی جا رہے تھے راستے میں وہ حواج ضروریہ سے فارغ ہونے کے لیے لیٹرین میں گئے اور جب فارغ ہوئے تو ہانی کی ٹوٹی کھولی مگر ہانی ندارد۔ اس کے بعد وہ وہاں سے کس طرح نکلے یہ میں نہیں بتاؤں گا۔ جناب والا! دوسری مثال میں آپ کو اس واقعہ کی دیتا ہوں جو کہ ۱۸ تاریخ کے نوائے وقت میں درج ہے اور وہ یہ ہے کہ ڈیڑھ لاکھ روپے کا مال آ رہا تھا راستے میں ریلوے ویگن میں گم ہو گیا اور یہ واقعہ عوامی حکومت ہی کا ہے اور میں وزیر موصوف کی توجہ آپ کی وساطت سے اس طرف دلانا چاہتا ہوں ایک اور واقعہ جو کہ اس عوامی حکومت سے پہلے کا ہے وہ یہ ہے کہ ایک غریب آدمی نے قربانی کے لیے ایک بکرا ڈیڑھ سو روپے کا خرید کر گھر بھیجا۔ اس وقت بکرے اتنے مہنگے نہ تھے جب اس کا رشتہ دار بکرا لینے کے لیے سٹیشن پر گیا تو اسے تیس روپے کا بکرا پیش کیا گیا۔ اس غریب آدمی نے استفسار کیا تو اسے کہا گیا کہ میاں صاحب! ہم نے تمہارے بکرے سے کچھ کاٹ تو نہیں لیا جیسا تھا ویسے ہی آپ کے حوالے کر دیا لہذا وہ ڈیڑھ سو روپے کے بکرے کے بجائے تیس روپے کا بکرا گھر لے گیا۔ جناب چیئرمین! اس صورت حال کو دیکھ کر مجھے بڑے دکھ کے ساتھ یہ کہنا پڑتا ہے کہ بیوروکریسی اس ملک میں صدر ایوب کے زمانے کے طریقہ کی اب بھی موجود ہے۔ ارباب اقتدار کو یہ کہا جاتا ہے کہ سب ٹھیک ہے۔ افسران غلط رپورٹ لکھتے ہیں اور کہتے ہیں کہ جناب سب ٹھیک ہے ریلیں دیر سے نہیں آتی جب کہ جناب والا! ٹرین آٹھ آٹھ گھنٹے late پہنچتی ہے۔ کیا اس طرح جاتا ہے کہ ٹرین کی روانگی کا time نہیں درج کیا جاتا بلکہ ٹرین جب پہنچتی ہے تو پہنچنے کا ٹائم درج کیا جاتا ہے اور کہا جاتا ہے کہ سب ٹھیک ہے۔ جناب والا! میں خود جانتا ہوں کہ ٹرین دیر سے چلتی ہے انجن اپنا کام کر چکے ہیں اب ان کے مزید بس میں نہیں ہے کہ وہ کام دے سکیں یہاں اس معزز ایوان میں اور وزیر موصوف کو غلط اطلاعات مہیا کی

جاتی ہیں کہ ٹرین دیر سے نہیں چلتی - حضور والا ! تحقیقات کرائی جائیں میں یہ بالکل صحیح عرض کر رہا ہوں - میرا ضلع پہلے کافی ہمساندہ ہے اگر ذرائع ابلاغ کا یہ سلسلہ جاری رہا تو اس کا خدا حافظ - تاجر اوگ اپنا مال کیسے ادھر ادھر لے جائیں جب کہ سارا دارومدار ریلوے پر ہے -

جناب والا ! اگر ریلوے کی حالت زار اسی طرح رہی تو پھر یہ کاروبار کیسے چلے گا - میں سمجھتا ہوں کہ محکمہ ریلوے کا اگر یہ حال ہے تو باقی اداروں کی بھی کم و بیش یہی حالت ہوگی - ۱۹۷۳ء میں نو کروڑ روپے کا خسارے کا بجٹ پیش کیا گیا - جناب والا ! جیسا کہ آپ جانتے ہیں - مسافر ریلوے کے سفر کو آرام دہ اور محفوظ سمجھتے ہیں - مگر میرے علاقہ میں جو ٹرین چلتی ہے اس میں نہ پانی ہے اور نہ بجلی بلکہ چلتے چلتے جنگل میں جواب دے دیتی ہے تو جناب والا ! میں آپ کی وساطت سے وزیر موصوف کی خدمت میں نہایت ادب سے یہ درخواست کروں گا کہ اب ہمیں یہ کہہ کر نہ ٹرکھا دیا جائے کہ انجنوں کی مرمت کروائی جا رہی ہے - اب میرے نقطہ نظر سے ان کی مرمت کئی دفعہ ہوتی ہے اور اب ان کی مزید مرمت کی گنجائش نہیں ہے - انہوں نے اپنا کام ختم کر لیا ہے اب ان پر رحم کریں کوئی فائدہ نہیں ہے ان کی مرمت کا جیسا کہ میرے محترم دوست اور وزیر بے محکمہ جناب خورشید حسن میر نے قومی اسمبلی کے اجلاس میں فرمایا تھا کہ ہم کچھ نئے انجن منگوا رہے ہیں تو اللہ ہمیں بھی ان سے کوئی میٹر گاج عنایت فرما دی جائے - دوسرے علاقوں میں تو بجلی سے ٹرینیں چل رہی ہیں اور انہیں انجنوں سے کوئی دلچسپی نہیں رہی لیکن حضور والا ! ہم تو یہی استدعا کریں گے کہ خدا کے واسطے ہمیں نئے انجن ہی دے دے جائیں ہم خوش ہو جائیں گے اور اگر یہ سمجھتے ہیں کہ ریلوے اتھارٹی کو اس سے بے حد دلچسپی ہے - - - تو میں کہوں گا کہ اگر جارج سٹیون کے بنائے گئے پہلے انجن کی تلاش کی جائے تو بھی کہیں تھرپارکر میں نہ لگے تو میں جناب والا ! عرض کروں گا کہ نئے انجن جو ہیں وہ میٹر گیج کے لیے مہیا کیے جائیں - میٹر گیج کے لیے باہر سے نئے انجن منگوانے جائیں - دوسری بات کہ پرانے اور ناکارہ ڈبے وہاں سے ہٹا کر نئے ڈبے ریلوے میں مہیا کیے جائیں - جناب ! تیسری گزارش میری یہ ہے کہ پانی کا بھی انتظام کیا جائے - اگر جاتے ہی پہلے نل نہ دیکھے اور حوائج ضروری سے فارغ ہو جائے جیسا کہ میرے دوست جس کے ساتھ یہ واردات ہوئی ہے - میں انہیں وزیر صاحب سے ملا سکتا ہوں پہلے پانی کا بندوبست کیا جائے - جاتے جاتے صاحب مجھے ایک اور

[Mr. Qarban Ali Shah]

ضروری بات یاد آگئی ٹائم بھی ہے آپ کی اجازت بھی ہے تو یہ کہ ایک صحافی بڑے مشہور صحافی ہیں جرنلسٹ ہیں۔ میں ان کا نام نہیں لینا چاہتا کیونکہ وہ ماضی میں بدنام سیاستدان بھی رہے ہیں اور صحافی بھی ہیں انہوں نے کہا کہ میں جس ٹرین میں سفر کر رہا تھا اس میں لائٹ نہ تھی جب وہ صدر پر پہنچی تو دوسری ایک مسافر ٹرین ساتھ آ کر کھڑی ہوئی تھی وہ فرسٹ کلاس میں بیٹھے تھے تو سامنے والی ٹرین میں بھی لائٹ نہیں تھی تو سامنے والی ٹرین میں شاید تھرڈ کلاس کا ڈبہ تھا اور وہ چہ میگوئیاں کر رہے تھے ایک نے کہا شاید جانوروں کی گاڑی ہے جس میں صحافی بیٹھے ہوئے تھے۔ دوسرے نے کہا نہیں یہ قیدیوں کی گاڑی ہے۔ تیسرے نے کہا بیوقوف قیدیوں کو اندھیرے میں کیسے رکھیں گے ورنہ وہ بھاگ جاتے تو اس کا کہنا یہ کہ جب گاڑی بہاری کوٹری پہنچی تو ان کے بھائی بھی سندھی زبان کے مشہور محقق ہیں وہ کراچی سے حیدر آباد آ رہے تھے تو کوٹری میں آ کر دونوں گاڑیاں کھڑی ہوئی تھیں۔

مفتی ظفر علی نعمانی : پوائنٹ آف آرڈر۔

جناب چیئرمین : جی ہاں۔

مفتی ظفر علی نعمانی : وہ کسی زمانے میں صحافی تھے وہ اس وقت کیا ہیں نام نہ لیں وہ یہ بتا دیں اس وقت کیا ہیں؟

جناب قربان علی شاہ : تو صاحب کراچی سے جو ٹرین آ رہی تھی اس میں ان کے بھائی بھی آ رہے تھے ان کے ساتھ یہ tragedy تھی کہ ان کے ڈبے کی لائٹ بند نہیں ہو رہی تھی انہوں نے بٹن کے ساتھ بہت کوشش کی لیکن وہ بند نہ ہوئی ان کے بھائی کے ہاں بجلی جلنے کا نام نہیں لیتی تھی۔ انہوں نے کہا مجھے پھر یہ شبہ ہوا غالب کے کہنے کے مطابق کہ ایک لائن پر لگائے نہ لگے دوسری لائن پر بجھائے نہ بجھے۔

جناب چیئرمین : غالب کا کیا شعر ہے وہ تو پڑھیے۔

جناب قربان علی شاہ : صاحب میں تو لگائے نہ لگے بجھائے نہ بجھے کو جانتا ہوں۔

(مداخلت)

جناب قربان علی شاہ : عشق پر زور نہیں ہے یہ وہ آتش غالب

جو لگائے نہ لگے اور بجھائے نہ بجھے

تو صاحب انہوں نے جنگ اخبار میں لکھا مجھے یہ یقین ہوا شاید ریلوے میں بھی عشق کا جذبہ کارفرما ہے کیونکہ ایک لائن پر سلسلہ تھا لگائے نہ لگے

اور دوسری لائن پر سلسلہ تھا بجھائے نہ بجھے تو میں رانا صاحب سے گزارش کروں گا میں نے ان سے بھی کہا تھا آپ خود اپنے کسی خاص آدمی کو یہ حالت دیکھنے کے لیے بھیج سکتے ہیں۔ میں کم از کم آپ کی مہربانی سے کہ آپ نے مجھے موقع دیا یہ موشن پیش کرنے کے بعد یہ چند الفاظ بولنے کے بعد اپنے فرض سے سبکدوش ہو چکا ہوں کم سے کم یہ یقین ہے کہ لوگ یہ نہیں کہیں گے کہ آپ نے اپنی ڈیوٹی نہیں دی۔

جناب چیئرمین : نہیں آپ نے بڑی اچھی ڈیوٹی دی ہے۔ اخباروں میں جائے گا وہ پڑھیں گے۔

چوہدری محمد حنیف خان : میں اخباروں کے لیے کہہ دوں۔

جناب چیئرمین : آپ بھی وعدے بہت کر لیں کون پوچھتا ہے کہ پورے کیے ہیں کہ نہیں کیے۔

چوہدری محمد حنیف خان : یہ بری بات ہے کہ وعدے کر کے پورے نہ کیے جائیں۔

جناب چیئرمین : وہ تو کہتے ہیں کہ آپ نے وعدہ کیا لیکن پورا نہ کیا۔

چوہدری محمد حنیف خان : نہیں میں نے کوئی وعدہ نہیں کیا۔ میرے پاس نہیں ہے۔

جناب چیئرمین : وہ کہتے ہیں کہ میں نے جب بھی وعدہ کیا ہے پورا کیا ہے۔ ان کی سنٹے ناں۔

مفتی ظفر علی نعمانی : جناب والا! اس کو وزیر موصوف کے آنے تک ملتوی کیا جائے۔ ان کے آنے پر اس پر بحث کی جائے یہ بڑا اچھا رہے گا۔

جناب چیئرمین : یہ نہیں ہو سکتا وہ جواب دے دیں گے۔

**Ch. Mohammad Hanif Khan :** \*I will make a reply on his observations. Actually, in the very beginning I made a statement that as far as the statement of the railway authorities was concerned, it was before me, and I would read it out. I told you very frankly that as far as the statement was concerned, everything appeared to be absolutely all right. There is nothing wrong with it. But at the same time it is also very difficult for me, not difficult but impossible for me to disregard the statement which has been made by the honourable Member. Definitely it has got sufficient weight. If somebody tells that everything is right with the railway, then that will be something which will be ill-conceived and not really well-founded. Not only one Department but actually right from the beginning, right from the inception of Pakistan, the Government Departments, semi-Government and autonomous

[Ch. Mohammad Hanif Khan]

Departments have always been responsible for something wrong with them, and a good deal is needed to be done in order to remove the defects which are existing in those Departments. Actually, when the honourable Member was making a statement that an incorrect information was supplied to the Minister, I was reminded of something very interesting which I would like to bring to the notice of this august House. During the Summit Conference, I had to go to Lahore and I thought that I should be better going by train. So, I asked my staff to reserve a saloon for me. I was, of course, not feeling well, but not because that I was not feeling well, but for other reasons, too, I told my staff that the railway authorities should be asked to attach my saloon somewhere in middle of the train. I have already told you that that was one of the reasons. There was another reason too that when the train stops, most of the people want to see the Minister and when the saloon is attached in the middle, then the people find very easy to meet the Minister. If it is attached at the tail end and the people want to see the Minister, they have to run a long distance before they can reach the saloon. By the time they reach at the tail end the train is ready to go. If it is in the middle, then we can dispose of our official work because these are the times when we get a little bit of relief and look into the files etc. When a saloon is attached towards the tail of the train, then actually you cannot do anything. Apart from becoming sick due to jerks and inability to do some office work in the saloon due to this you cannot do anything at all and people face difficulties. So, I kept on telling two or three officials to do this work. They promised that certainly the saloon would be attached in the middle of the train. When I reached the railway station, I found that it was attached at the tail end. So, I enquired what was the reason. I had been telling them for the last so many days that it should be attached in the middle but in spite of that the saloon was attached at the tail end. I was told by an official that it was difficult to do so because there was the difficulty of detaching it at the Lahore railway station although the railway rules provided that it should be attached in the middle of the train. That was the reason why they did not attach my saloon in the middle. I had faced this experience previously also. Once before I had requested the railway authorities to attach my saloon in the middle of the train but they did not do it. I had to travel from Sahiwal to Lahore and Pindi in the saloon attached towards the tail and when I reached here, my whole family was sick. I was also sick and could not even dispose of my work because if the saloon is at the tail, you cannot write anything. It is so much jolting and jerking all the time. So I had that experience. I therefore thought that instead of going by train for the Summit Conference I should better go to Lahore by car. When I reached the railway station, the railway authorities told me that they would attach the saloon which was at the tail in the middle. But I told them that it was no use doing that because by the time that would be done, the train would leave and I was not going to detain the train. So, I left by car and on the following day I came back to Rawalpindi by car.

But yesterday my P.S. gave me a telegram which reads :

“Missing TSR/74-HOR in from connection with journey performed by Minister from Rawalpindi to Lahore and back on 10th of March and 11th of March have not been received. Furnish report for. . .”

It is something like that because according to them I actually travelled from here by train and came back by train. So, Sir, to be very frank this would be . . . not say what is happening in the railways. We

know everything what is happening in this Department. So, this is a dishonesty on my part to say that the statement which has been made by the honourable Member is not correct. There might be so many defects and the instance which the honourable Member has narrated, there is no reason why I should say that that is not correct. There is no doubt about it. That is why right in the beginning, I made a statement that, in view of these things, in view of the circumstances, let the Minister for Communications come, and then we can sit together where all these things can be sorted out. If we find that there are these defects prevalent then we will try to find a proper solution for that. As far as the statement is concerned, I have to read it because it is before me and for the benefit of the honourable Members of this august House, I have to read the statement of the railway authorities, because that must go on record and what I have said and what the honourable Member has said they must also go on record. But I may submit, Sir, that at Lahore when these railway authorities did not really attach my saloon in the middle, I forgot all about it. But this time I had a mind to bring it to the notice of the authorities that your local officers have not obeyed the orders of the Minister or may I say have not conceded to the request of the Minister. They have completely disregarded it. I had a mind, but after two or three days, of course, I thought, I should better forget that all. It does not make any difference. Why should anybody suffer. But now this is adding insult to injury that now they want that the document should satisfy, whereby I admit that I have travelled from Rawalpindi to Lahore by train and came back from Lahore to Rawalpindi by train. I say that it is adding insult to injury. That is the reason that I say that they have got to be corrected and I will see what can be done about it. They have said :

“It is not correct that the Railway organisation has failed completely on the Metre Gauge Section in District Tharparkar or on the entire Metre Gauge System as a result of old and outmodded railway engines. The entire Metre Gauge System on the Pakistan Western Railway is located in Tharparkar, Sanghar and Nawab Shah districts. The larger length of Metre Gauge Section is however in Tharparkar District. Thirty-six Metre Gauge steam locomotives are provided for running trains on the Metre Gauge System, out of which 19 YD class locomotives are now under age and in good working conditions. These 19 locomotives operate train services in the Tharparkar area where the permissible train speed is 30 mile per hour and all train operation. . .”

جناب قربان علی شاہ : پوائنٹ آف آرڈر - جناب والا ! یہ Railway authority والے اپنے بیان کی خود تردید کر رہے ہیں - ۱۹ انجنوں کے ساتھ New کا لفظ لگا رہا ہے ہیں جب کہ اسی ایوان میں وزیر ریلوے جواب دے چکے ہیں کہ ہائیڈرو انجن منگوائے گئے ہیں -

**Ch. Mohammad Hanif Khan :** The honourable Member should feel satisfied that I have made a very clear statement.

جناب قربان علی شاہ : جناب والا ! ریلوے کو ان سفید ہاتھوں

بچائیے -

**جناب چیئرمین :** وہ بھی بہت تکلیف رسیدہ ہیں ستم زدہ ہیں۔ آپ جانتے ہیں کہ ریلوے کی سروس زیادہ آرام دہ ہوتی ہے۔ دوسرا version آپ کے سامنے ہے کہ پانی نہیں ہے بجلی نہیں ہے old rotten engine راستے میں کھڑے ہو جاتے ہیں انہوں نے ایک نمائندہ کی حیثیت سے یہاں پر ایک بیان دیا ہے اور اپنی تکالیف کی تفصیلات بیان کر دی ہیں۔ دوسری طرف یہ جواب دیا جاتا ہے کہ وہاں کوئی تکلیف نہیں۔ گاڑی خوب چلتی ہے سب اچھا ہے ان کے جھوٹ بولنے کا کوئی موشن نہیں ہے۔

**Ch. Mohammad Hanif Khan :** Why should not he make a complaint.

**Mr. Chairman :** About that something must be done.

**جناب چیئرمین :** لیکن دوسری طرف motion یہ ہے کہ گاڑی چلتے چلتے خراب ہو جاتی ہے انجن بہت خراب ہیں اور بہت سی تکالیف ہیں۔

This is not quite right.

وہ خود کہتے ہیں کہ گارڈ صاحب اور ریلوے ڈرائیور اپنی غلطی مانتے ہیں کہ old rotten engine ہیں۔ میرے خیال میں اس کے لیے کچھ ضرور ہونا چاہیے۔

**Ch. Mohammad Hanif Khan :** I have.....

**Mr. Chairman :** You give serious attention to it.

**Ch. Mohammad Hanif Khan :** I have already in the beginning said ..

**جناب چیئرمین :** حاجی صاحب کے علاقہ میں بھی میٹر گیج کے سسٹم ہے۔ ان کو بھی تکلیف ہے۔

**Ch. Mohammad Hanif Khan :** I know this is a very serious problem and it has got to be looked into, and the defects have got to be removed. People will have got to be appointed and people have got to be brought. I have already stated that this is a reckless and serious negligence on the.....

**Mr. Chairman :** The other day you might have read in the paper that there was some gentleman murdered, and a reply to the question was put in the Provincial Assembly, but later on it turned to be incorrect information. The man was arrested at once and an inquiry had been ordered against him.

**Ch. Mohammad Hanif Khan :** I personally think that should have been done. This has got to be looked into. The railway authorities must have known that this sort of treatment which was given to a Minister by the local railway authorities.....

**Mr. Chairman :** This is a very serious thing.

**Ch. Mohammad Hanif Khan :** If I had not forgotten about that the person would not have exonerated. The person did not bother what the Minister was

**Mr. Chairman :** This happened in Pindi and Lahore and what about Tharparkar which is out of the way at a great distance from Lahore, the headquarter.

**Ch. Mohammad Hanif Khan :** Sir. I want to tell you because it is our responsibility, we will have to do it, we will have to correct it and I am going to make a promise to the honourable Members that I will take up the matter with the Railway Minister concerned and all those complaints which have been brought to the notice of this honourable House, they will be sorted out and looked into to find out as to who is responsible for this. They will be certainly taken to task because now time has come that we must take a firm stand and those who are found guilty actually they will be thrown out of their jobs.

**Mr. Chairman :** Thank you very much. So, this motion is only considered and discussed. Nothing more is to be done about it.

جناب قربان علی شاہ : جناب والا ! میں وزیر موصوف کا شکر گزار ہوں ۔  
انہوں نے حق کہا ہے اور میں آپ کا بھی شکر گزار ہوں کہ آپ نے اس کی  
حاجت کی ہے ۔

حاجی نعمت اللہ خان : ماڑی الہس اور بنوں کے درمیان بھی گاڑی مولہ  
کہتاوں میں پہنچانی ہے اس کا بھی خیال رکھیں ۔ حالانکہ یہ صرف ۸۰ میل کا  
فاصلہ ہے ۔

**Mr. Chairman :** Now, there is no business left for the House to transact.  
The House stands adjourned to meet again tomorrow at 10.00 a.m.

(The House adjourned to meet again at ten in the morning on Saturday the  
20th April, 1974)