



THE  
SENATE OF PAKISTAN

DEBATES

OFFICIAL REPORT

Wednesday, November 20, 1974

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## SENATE DEBATES

### SENATE OF PAKISTAN

Wednesday, November 20, 1974

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

#### LEAVE OF ABSENCE

**Mr. Chairman :** Now, we commence the business. There is a leave application from Rao Abdus Sattar, Leader of the House. He says :-

“I am unable to attend the Senate meeting on the 20th and 21st due to illness. Kindly grant me leave”.

Should the leave be granted to him for 20th and 21st.

*(Leave was granted)*

**Mr. Chairman :** Now, we take up privilege motion.

**Mr. J. A. Rahim :** Mr. Chairman, before you take up the business of the day on the agenda, may I request you to give me a minute to hear me. I am not making full statement but I find that on the 5th of August the Minister for Interior.....

**Mr. Chairman :** May I know the rule ?

**Mr. J. A. Rahim :** Mr. Chairman, his statement is slanderous to me. At that time I was away.

**Mr. Chairman :** Mr. J. A. Rahim, may I know the rule which entitles you to make a statement which you are about to make? After all we are governed by these rules. You, please, point out to me any rule under which you can make a statement.

**Mr. Abdul Hafeez Pirzada :** Point of order, Sir.

**Mr. J. A. Rahim :** Mr. Chairman, let me explain.

**Mr. Chairman :** But he is on point of order and the point of order takes precedence over every other point.

#### POINT OF ORDER RE: MODE OF RAISING A QUESTION IN THE HOUSE

**Mr. Abdul Hafeez Pirzada :** Mr. Chairman, what we have heard from the honourable Senator is a reference to proceedings of this august House. He has got some objection with regard to the statement made by a Minister before the Senate. Now in these circumstances, he could either raise a point of privilege that a breach of his personal privilege has occurred or if there is a deliberate misstatement by a Minister then it is a breach of privilege of the Senate. This is what he can do. Now alternatively if there is something attributed to him which he wants to explain, then there can be a point of personal explanation. This is how we do it, and this is the way the business takes place. He must give it in writing, so that the Treasury Benches can get notice of it. This procedure has been established, and there is no difficulty whatsoever, and nobody tried to stop the honourable Senator to say whatever he wants to say but he can't take priority over other urgent business that is before the House.

**Khawaja Mohammad Safdar :** Mr. Chairman, I respectfully agree with Mr. Abdul Hafeez Pirzada, the honourable Minister, but I must refer him to rule 58.

**Mr. Chairman :** What is the rule ?

**Khawaja Mohammad Safdar :** Rule 58. I think, Mr. J. A. Rahim is trying to raise a point of privilege, a question of privilege and that question of privilege can be raised at any moment during a sitting without any prior notice. Sir, In this respect I read rule 58.

“A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document”.

Mr. Chairman, this is very important :

“Provided that the Chairman may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions”.

and, I think, Mr. J. A. Rahim.....

**Mr. Abdul Hafeez Pirzada :** How is he entitled? Where is the urgency?

**Khawaja Mohammad Safdar :** It is the discretion of the Chair.

**Mr. Abdul Hafeez Pirzada :** It is the discretion of the Chair but normally what is the rule? He has to give a notice in writing.

**Khawaja Mohammad Safdar :** No, no, not necessarily.

**Mr. Abdul Hafeez Pirzada :** Khawaja Sahib, we have gone through the proceedings. Now, the Senate has been sitting for a long time. National Assembly has been in session and you know this. Unless there are very compelling circumstances.....

**Mr. J. A. Rahim :** Sir, let me explain what I wanted to explain.

**Mr. Abdul Hafeez Pirzada :** Mr. Chairman, I have got up with your permission. The dignity and the decorum of the House demand that while one Member is in possession of the floor other honourable Members should listen to him. Of course, the honourable Member will have his say.

**Mr. Chairman :** The Honourable Member is supposed to know all these rules. Mr. J. A. Rahim, I will give you an opportunity.

**Mr. Abdul Hafeez Pirzada :** Sir, let me finish. I have not finished as yet. I am on a point of order.

**Mr. J. A. Rahim :** Sir, I know exactly what the Government tactics are. I will not be brow beaten by Government tactics.

**Mr. Chairman :** I have given the floor to Mr. Pirzada.

**Mr. Abdul Hafeez Pirzada :** Sir, the breach of privilege of the Senate is being committed by the honourable Member because he is violating the rules laid down for the conduct of business in the Senate, while you have not conceded the floor to the honourable Member. You have given the floor to me on a valid point of order of which you took notice. I am still on my legs and the honourable Member is repeatedly disturbing me, and then he says that he will not be brow beaten by Government tactics. All these Government tactics are the tactics of the honourable Member. Nobody is going to stifle him or gag him but he has to follow the procedure that has been laid down. If he doesn't follow the procedure that is laid down, then he has to make extraordinary circumstances which should compel you Mr. Chairman to exercise or abandon the rules or suspend the rules. What are those extraordinary circumstances? If he moves a motion just now, it will come up for consideration tomorrow. Senate is also going to sit tomorrow, and nobody is going to stop him. There is nothing to hide whatsoever.

**Mr. J. A. Rahim :** Mr. Chairman, he has not said correctly what I wanted to say.

**Mr. Chairman :** But for the time being, we are discussing rule 58.

**Mr. J. A. Rahim :** Mr. Chairman, first I wanted to say some thing and you will let me speak. Let me say what I wanted to tell you, and I am sure you will have no objection. At least listen to me.

**Mr. Chairman :** I will listen to you.

**Mr. J. A. Rahim :** I am quite willing to wait for the presence of the Minister for Interior and raise the point and then he can answer. I didn't have the proceedings before. I now have them.

**Mr. Chairman :** Mr. Rahim, I will give you an opportunity to have your say but before that I would like to ask Khawaja Sahib to explain certain things because he has raised a point that relates to rule 58. According to him the privilege motion can be moved even at this stage, so I was just going to tell him that rule 58 has two parts. No. 1 and No. 2.

No.1 of Rule 58 of the Rules of Procedure :-

“A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day question is proposed to be raised. If the question is based on a document, the notice shall be accompanied by the document.”

Now, this obviously relates to a matter which has occurred before the commencement of the proceedings.

*(Interruption)*

**Mr. J. A. Rahim :** This statement has occurred on the floor of the House. It is a breach of the privilege of the House.

**Mr. Chairman :** If we discuss this matter in this manner, then there will be no end to it. Let me have my say, and you should know that when the Chair is addressing the House nobody can interrupt him. Now, I repeat. It does obviously relate to a matter which has taken place or occurred before the commencement of the proceedings, and in that case a Member must give a notice in writing to the Secretary accompanied by a document if the motion is based on a document. Then we come to the second part of rule No. 58 :-

“Provided that the Chairman may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions”.

This part relates to a case in which a Member had no opportunity to give notice in time. Supposing, immediately after the commencement of the proceedings or shortly before the commencement of the proceedings, certain matter has occurred which causes a breach of privilege of some Member, he has no opportunity to give notice and he raises that privilege motion immediately during the course of the proceedings of Senate. Because, something has happened immediately before the commencement of the proceedings or shortly after the commencement of the proceedings, and the Member has no opportunity to give notice in writing to the Secretary accompanied by the document, therefore, it is within the discretion of the Chair to allow it to be moved. Why? Because there will be compelling circumstances preventing a Member from giving a notice earlier because it has occurred very recently. Now, what you are referring to and what is being objected to by you, as you know, took place about two or three months back. The Interior Minister on a privilege motion said something, which I do not remember exactly what he did say at that time. Now, your objection, what I understand from what you have said, is that the Interior Minister, during the

(Mr. Chairman)

course of his statement in connection with a privilege motion, which had been moved by Khawaja Mohammad Safdar, had said something unpalatable and which according to you is incorrect, false or wrong. He said something and you want to reply to that. If this is the case, that is not right.

**Mr. J. A. Rahim :** In that case, I am willing to wait until the Interior Minister is back.

**Mr. Chairman :** I hope a senior parliamentarian like you will not compel me to resort to other rules.

**Mr. J. A. Rahim :** I know other rules also. I was a Member under the British Parliamentary Procedure. If a Minister goes out of the Ministry, he is entitled to make a statement on his own behalf.

**Mr. Chairman :** Would this repeated interruption of the Chair strengthen your case and help you. If you think that by repeatedly interrupting me your case is strengthened, I am sorry you are mistaken. I request you that you should not interrupt me.

**Mr. J. A. Rahim :** Then, give me opportunity to speak also. I want to explain my case.

**Mr. Chairman :** That is what we call interruption.

**Mr. J. A. Rahim :** Don't gag me.

**Mr. Chairman :** I am not satisfied about the urgency of the matter that it was so urgent that it robbed you of an opportunity to give notice in writing, since you have enough time to give notice or move a privilege motion. Even now you have got an opportunity to move a privilege motion at any time and, of course, in this crude manner we cannot allow any Member to get up and reply to the statement of the Minister made two or three months earlier. We are bound by these rules. As has already been pointed out, he can bring in a privilege motion. It will be entertained, if the rules allow. I would allow him if the rules allow and he will be given a chance to have his say. So, that closes this chapter for the day.

**Mr. J. A. Rahim :** That does not close the chapter at all.

**Mr. Chairman :** Khawaja Sahib, would you kindly explain to him?

**Mr. J. A. Rahim :** I have got a privilege of not being gaged by the Chair. That does not close the chapter.

**Mr. Abdul Hafeez Pirzada :** The Chair has given a ruling that the matter cannot be raised today. The honourable Member should take a queue. And for a point of information, I may like to inform the House and for his benefit, that it is not just waiting for the Interior Minister to come back. The rules are that a notice has to be given in writing.....

**Khawaja Mohammad Safdar :** As early as possible.

**Mr. Abdul Hafeez Pirzada :** As early as possible, and if a document is referred to, and if he wants to rely upon some document or the proceedings of this House, he has to attach that along with his notice. So, even when the Interior Minister is back, and he does not give notice, he will not be entitled to raise this matter, and after he has raised it, the Chair will decide whether it has been raised with due diligence and with due promptness.

**Mr. Chairman :** As a matter of fact, I had been requested by the gentleman, Mr. J. A. Rahim, to get him a copy or to allow him a copy of the record relating to the statement of the Interior Minister about him, and I had asked the Secretary to furnish a copy of the proceedings regarding the statement of the Interior Minister. So, naturally, when he comes to this House on a privilege or adjournment motion, he will have to attach that document with his privilege motion or adjournment motion. Then, I will consider this case on merits, and if this

comes on merit, the privilege motion or the adjournment motion will be allowed. You will be supplied a copy of that and you can come to this House, if you are advised, on a privilege motion.

**Mr. J. A. Rahim :** What I was telling is that I would raise the question. I said I would point out that this was a false statement, and this is for you to decide whether the majesty of the House has not been offended by the statement of the Interior Minister.

**Mr. Chairman :** But there is no privilege motion before the House.

**Mr. J. A. Rahim :** You allow the Minister to get away with it.

**Mr. Chairman :** Will you kindly listen to me. There is no privilege motion, no adjournment motion, nothing of the sort before us to discuss.

**Mr. J. A. Rahim :** Therefore, I said I would bring it up when the Interior Minister is in the House, and so I wanted to study the record. I said nothing more on that, and you want to rule it out from the very beginning, and you would not allow me to speak.

**Mr. Chairman :** My ruling does not prevent you from coming to the House on a privilege motion. You can bring the privilege motion even tomorrow but you must come with a notice. My ruling does not mean and does not suggest that you cannot come to the House on a privilege motion. My ruling is that if you want to move a privilege motion, you are welcome to do it. But you will have to do it according to the Rules. You must give a notice to the Secretary.

**Mr. J. A. Rahim :** Because of a misstatement of the Minister, you ruled the motion out of order.

**Mr. Chairman :** We do not call that he has made a misstatement.

**Mr. J. A. Rahim :** Agreeing to the statement of the Interior Minister you ruled the original motion out of order.

**Mr. Chairman :** I don't remember. I am not supposed to remember off hand the proceedings of every day and the statements of the Minister. All right this chapter is closed down now. No more.

**Mr. Abdul Hafeez Pirzada :** In the last sentence, he came up with a new problem.

**Mr. Chairman :** You give him some allowance for his age.

**Mr. Abdul Hafeez Pirzada :** Thank you very much, Sir.

**Mr. Chairman :** Yes, now, Khawaja Sahib, we take up your privilege motion.

**Khawaja Mohammad Safdar :** Mine, Sir?

**Mr. Chairman :** I am sorry. Haji Sayed Hussain Shah, you want to move a privilege motion? Yes, come on.

PRIVILEGE MOTION RE: SENATOR ABDUL WAHID KURD BEING  
TREATED AS 'C' CLASS PRISONER

**Haji sayed Hussain Shah :** Sir, I beg to raise a question involving a breach of privilege of a Member as well as that of the Senate.

The facts which resulted in the aforesaid breach of privilege of a Member of the Senate as well as of the Senate are as follows :-

Mr. Abdul Wahid Kurd, Member of the Senate, was arrested on the 5th November, 1974 at Quetta. He is kept in a police lock-up, and is treated as a 'C' class prisoner. He is still in Quetta Cantonment Police Station lock-up, and is being treated as an ordinary prisoner. Thus, the privilege of a Senator as well as that of the Senate is being infringed upon.

**Malik Mohammad Akhtar :** It is opposed, Sir. It is opposed on the grounds, firstly, that the privilege motion itself states :

“He is kept in a police lock-up and he is treated as a ‘C’ class prisoner, and he is still in Quetta Cantonment Police Station lock-up”.

Sir, there are no classes ‘A’, ‘B’ and ‘C’ when a person is in a police lock up. Secondly, these classes are given in a jail under the orders of a competent court. Thirdly, Sir, the privileges of the Members are defined in Article 66 (i) of the permanent Constitution and Article 18 of the Legal Framework Order. I consider that there has been no breach of privilege, and the privilege motion is technically defective, and it may kindly be ruled out of order. Then, Sir neither there is any evidence to the effect that there is any maltreatment, rather the document itself is defective, nor there is any such privilege conferred by the Constitution under the Article which I have referred to or the Legal Framework Order. As such, I request that the privilege motion may please be ruled out of order.

**Mr. Chairman :** What do you say to the objection raised by the Minister of State?

حاجی سید حسین شاہ: جناب والا! میر عبدالواحد کرد سینٹ کے ایک معزز ممبر ہیں۔ اسی طرح غوث بخش بزنجو، عطاء اللہ مینگل اور خیر بخش سری - ایم-پی-اے ہیں۔ انہیں ابھی تک سزا نہیں ہوئی اور وہ lock-up میں ہیں۔ ان کے ساتھ کس قانون کے تحت ”اے“ کلاس قیدیوں والا سلوک کیا جا رہا ہے۔ انہیں ایک ریسٹ ہاؤس میں رکھا گیا ہے۔ جناب چیئرمین: آپ کیا چاہتے ہیں کہ انہیں بھی اسی کلاس میں رکھا جائے؟

حاجی سید حسین شاہ: جناب والا! وہ تو ایم۔ پی۔ اے ہیں اور میر عبدالواحد کرد تو سینٹ کے ممبر ہیں۔ جناب چیئرمین: ایک ممبر ہے، ایک چیف منسٹر ہے، ایک وزیر ہے، ایک سینیٹر ہے۔ اسی طرح بہت سے ہیں اس سے کیا فرق پڑتا ہے؟ حاجی سید حسین شاہ: جناب! خیر بخش سری تو ایک ایم۔ پی۔ اے ہیں۔۔۔

جناب چیئرمین: وہ جو کچھ بھی ہیں۔ اس کا سینٹ کے ساتھ کیا تعلق ہے؟

خواجہ محمد صفدر: جناب والا! اکبر بگٹی کا لڑکا طلال بگٹی ایک قتل کے مقدمہ میں ماخوذ ہے۔

He is still under trial and is being treated as a ‘B’ class prisoner.

**Mr. Abdul Hafeez Pirzada :** Under trial is a different thing.

جناب چیئرمین: یہ کوئی discretionary powers ہیں یا اس کے متعلق کوئی rules ہیں یہ کوئی privilege ہے یا یہ discretionary ہوتا ہے؟

**Malik Mohammad Akhtar :** No privilege, Sir.

Mr. Chairman : I may exercise my discretion in favour of one and not in favour of the other. It all depends upon different facts and different cases.

ایک تو discretion ہے۔ اس کا مطلب یہ ہے کہ ایک آدمی کا status اس کے حالات، اس کی پوزیشن وغیرہ دیکھ کر اسے ”اے“، ”بی“ یا ”سی“ کلاس دیں۔ ایک یہ ہے کہ اس کا حق ہو۔ پھر آپ کہہ سکتے ہیں کہ اس کے استحقاق کی خلاف ورزی ہوئی ہے، یہ اس کا حق ہے جو اسے نہیں دیا گیا۔ اگر آپ کہتے ہیں کہ یہ اس کا حق ہے اور اس کی خلاف ورزی ہوئی ہے تو پھر آپ یہ بتائیں کہ کس دستور کے تحت، کس ایکٹ کے تحت، کس رول کے تحت، کس رول آف پروسیجر کے تحت اس کا یہ حق بنتا ہے جو اسے ضرور ملنا چاہیئے۔ یہ کہنا کہ فلاں شخص کو فلاں کلاس ملی ہے اور فلاں شخص کو نہیں ملی یہ تو کوئی بات نہیں۔  
حاجی سید حسین شاہ: جناب والا! یہ تو یک نام و دو ہوا والا

معاملہ ہوا۔

جناب چیئرمین: بڑے بڑے لوگ ”بی“ کلاس میں رہے ہیں۔ ”سی“ کلاس میں رہے ہیں اور ”اے“ کلاس میں بھی رہے ہیں۔ اس سے تو کوئی فرق نہیں پڑتا۔

جناب زمرہ حسین: جناب! یہ اندھے کی ریورٹیاں نہیں جو اپنی مرضی کے مطابق بانٹ دی جائیں اگر ایک شخص سینیٹر ہے تو وہ کیوں ”اے“ کلاس کا حقدار نہیں یا اگر اس تحریک استحقاق میں کوئی فنی خامی ہو تو اور بات ہے۔

جناب چیئرمین: وہ تو ہ نومبر کو گرفتار ہوئے تو انہوں نے پہلے یہ تحریک کیوں نہ دی۔

حاجی سید حسین شاہ: یہ تو مجھے کل ہی معلوم ہوا ہے۔

جناب چیئرمین: وہ ۵ نومبر کو گرفتار ہوئے اور آپ کو ۱۸ تاریخ

کو اس کا علم ہوا؟

حاجی سید حسین شاہ: مجھے یہ معلوم نہیں تھا کہ انہیں کس

کلاس میں رکھا ہوا ہے۔ ان کی گرفتاری کا تو مجھے علم تھا۔ جب ہمارے ایک سینیٹر انہیں جا کر ملے تو ان سے مجھے پتہ چلا کہ وہ کس کلاس میں ہیں۔

جناب چیئرمین: یہ تو اخبارات میں بھی آچکا ہے۔

حاجی سید حسین شاہ: جناب! یہ تو اس بات کے متعلق ہے کہ ان

کے ساتھ کیا سلوک کیا جا رہا ہے۔

جناب چیئرمین: لیکن آپ نے تو کلاس کے متعلق کہا ہے۔

Mr. Chairman

You must have availed of the earliest opportunity.

آپ یہاں ۱۷ تاریخ کو تشریف لائے۔ آپ نے اسے ۱۸ تاریخ کو پیش نہیں کیا۔ آپ اسے کل ۱۹ تاریخ کو پیش کر دیتے۔ لیکن آپ نے کل بھی پیش نہیں کیا۔ رول میں earliest opportunity کا لفظ بے معنی نہیں ہے۔ اس کے کچھ معنی ہیں۔

حاجی سید حسین شاہ: جب زمرہ حسین صاحب ان سے ملاقات کر کے آئے اسکے بعد مجھے معلوم ہوا کہ عبد الواحد کرد صاحب کو ایک معمولی قیدی کے طور پر اور ایک اخلاقی قیدی کے طور پر رکھا گیا ہے۔ اسکے بعد میں نے یہ تحریک پیش کی۔

جناب چیئرمین: انہیں بھی علم نہیں تھا۔ وہ پہلے تحریک پیش کر دیتے۔

حاجی سید حسین شاہ: انہیں پتہ ہوگا۔ مجھے پتہ نہیں تھا۔

جناب چیئرمین: انہوں نے خود کوئی تحریک استحقاق پیش نہیں کی اور نہ ہی آپ سے پیش کرنے کو کہا۔ خواجہ صاحب مجھے بتائیں۔

Khawaja Sahib, I think; you will help. How can the Senate intervene? What power has the Senate to intervene in this matter? Is it within the powers of the Senate to classify a prisoner that he should be given 'A' 'B' or 'C' class? If we have got powers surely then I will exercise my own discretion or I will put it to the House. But has the Senate any power to intervene in the matter of classification of the prisoners?

خواجہ محمد صفدر: جناب والا! جہاں تک میں معلوم کر سکا ہوں

مینیٹ کے ممبر اور قومی اسمبلی کے ممبر پاکستان کے Warrant of Precedence میں نمبر ۱۶ پر ہیں۔ ان کے بعد لیفٹینینٹ جنرل اور ایڈیشنل جج آتے ہیں۔

جناب چیئرمین: اس میں جیل خانے کا privilege بھی ہے؟

خواجہ محمد صفدر: جیل خانے میں کیا استحقاق ہونگے یہ تو درج

نہیں ہیں۔ اس میں حکومت پاکستان کے سیکریٹری اور وزارتوں اور ڈویژنوں کے انچارج شامل ہیں۔ یہ لوگ اس سلک کے ایسے طبقے سے تعلق رکھتے ہیں جنہیں یہ اعزاز بخشا گیا ہے اور جنہیں اس زمرے میں رکھا گیا ہے جس میں اس Order of Precedence کے مطابق ہائی کورٹ کے جج صاحبان اور حکومت کے نمائندے آتے ہیں۔ انہیں عرف عام میں وی۔آئی۔پی کہتے ہیں۔ اگر وی۔آئی۔پی کا یہی حال ہوتا ہے جو میر عبد الواحد کرد صاحب کا ہو رہا ہے کہ وہ کسی حوالات میں سڑ رہے ہیں تو اسی کو وی۔آئی۔پی کے زمرہ سے خارج کروا دیں اور Warrant of Precedence سے نکال دیں۔

Mr. Chairman: Malik Mohammad Akhtar, do you know for a certain whether...

(Interruption)

**Mr. Chairman :** Don't interrupt me, Mr. Shahzad Gul. Don't interrupt me.

I put a question to the Minister. Do you know for certain whether this gentleman is in Police Lock-up by now or has been sent to jail or is on bail? Because, as you know, normally a man can be detained in police lock-up for 14 days. He was arrested on 5th, and so presumably by now he must have been out of police lock-up and he must have been sent to jail. I want to know for my information, do you know whether he is in police lock-up still or he has been sent to judicial lock-up. I hope you see the difference between the police lock-up and the judicial lock-up.

**Malik Mohammad Akhtar :** Yes, Sir.

**Mr. Chairman :** All right. Normally, the question of classification is considered at a time when a man is sent to judicial lock-up. So, I want to know whether he is in police lock-up or judicial lock-up. This is one point. Number two point is, whether he is still enjoying C Class (laughter) or has been punished B or A class.

**Malik Mohammad Akhtar :** According to the wording of the privilege motion itself, and we go by the wording of the privilege motion, it reads :-

"Mr. Abdul Wahid Kurd, Member of the Senate, was arrested on the 5th November, 1974, at Quetta. He is kept in a police lock-up and he is treated as a 'C' class prisoner. He is still in Quetta Cantonment Police Station lock-up....."

**Mr. Chairman :** That was on 19th. This is the 14th day of his arrest. He was arrested on 5th. This privilege motion was moved on 19th. So far the Police can detain for 14 days in police lock-up.

**Mr. Abdul Hafeez Pirzada :** No Sir. It is not the Constitutional position. Article 10(2) deals with this. Within 24 hours the custody has to change from the hands of Police. Now, the court can decide whether a person is to be held in police custody or in judicial custody or in jail custody.

**Mr. Chairman :** Yes. That is quite clear.

**Mr. Abdul Hafeez Pirzada :** So, it must have been under the orders of the court. Remand must have been obtained within 24 hours. Wherever the person, the honourable Senator is being held at the moment, it is under the order of a court of law. And it must be decided that if he is in police custody today, then he must be under the orders of the court.

**Mr. Chairman :** Yes, it is under the orders of the court.

**Mr. Abdul Hafeez Pirzada :** Therefore, the custody is not really of police.

**Mr. Chairman :** What I wanted to say was that normally the court can hand over a man to the police for a fortnight.

**Mr. Abdul Hafeez Pirzada :** Normally, Sir, but it can be six months. We have come across cases where persons have been in police custody because investigations are going on and investigations are not complete even for six months or a year.

**Mr. Chairman :** Does anybody know whether he is in police lock-up or in judicial lock-up?

**Malik Mohammad Akhtar :** According to this document which has been signed by the honourable Member, Haji Sayed Hussain, he is still in Quetta Cantonment police lock-up, and as yet he is in that very police station, of course under the orders of some court. But he is in police lock-up means that he is detained in a police station, confined in room, and he is in the custody of police, of course,

[Malik Mohammad Akhtar]

subject to the supervision of the court. There are no A, B or C class rooms in police stations.

**Mr. Chairman :** I have this information as required by the rules from the Superintendent of Police, Quetta, that he had been arrested on 6th November, 1974, at 18.05 hours, and he is under the custody of Crimes Branch, Quetta, for 10 days with effect from 7th November, 1974 to 16th November, 1974. He is under interrogation. This was sent on 7th November, 1974. So, the police has taken remand for 10 days.

**Malik Mohammad Akhtar :** Then, as far as the present privilege motion is concerned, according to my humble submission, it should be ruled out of order as drafted, and if after that he is given some class, and they claim that the gentleman may be given a higher class, and if later he is not given that class then they can come with a fresh privilege motion. There is no necessity to keep this privilege motion. It must be ruled out in the present circumstances.

**Mr. Chairman :** You want to give another chance.

**Malik Mohammad Akhtar :** Of course, that chance if at all technically that does arise, we can look into that but this privilege motion is not maintainable.

**Mr. Abdul Hafeez Pirzada :** With respect, Sir, I would like to point out that the Senate would not violate the Constitution. This is a presumption and we have to presume that. Now, I would draw your kind attention to Article 199 (b) (i). According to that, we don't have the jurisdiction because the jurisdiction has been conferred by the Constitution on the superior courts in this respect. So, if there is any grievance with regard to the manner of detention or holding, then they must go to the superior courts :-

“199 (1) Subject to the Constitution, a High Court may, if it is satisfied that no other adequate remedy is provided by law,—

(b) on the application of any person, make an order,—

(i) directing that a person in custody within the territorial jurisdiction of the Court be brought before it so that the Court may satisfy itself that he is not being held in custody without lawful authority or in an unlawful manner;”

Now, I emphasised the latter part. What is being said today is that he is being held in an unlawful manner.

**Mr. Chairman :** He says that he should be given B or A class and not C class.

**Mr. Abdul Hafeez Pirzada :** Now, therefore, they will come to us only if some law or Act says that a Senator or a Member of the National Assembly is to be treated in a particular manner. So, taking their best case that this provision of law and rules are part and parcel of law, then they must go to the court of law.

جناب شہزاد گل : جناب والا ! آپ کی رولنگ موجود ہے ۔ زمرہ  
حسین اور عزیز کرد کے کہنے میں انکو آپ کے کہنے کے مطابق اے کلاس دی  
گئی ۔ یہ رولنگ ۱۹۷۳ء کی ہے جناب والا !

**Mr. Chairman :** You can help me. I will give you an opportunity, Mr. Shahzad Gul. There are three points, as far as I have been able to understand from your privilege motion, to be explained by you. (1) whether it is a constitutional or legal or statutory rights of this gentleman, Abdul Wahid, to put him in class A or B, and he has not been given that, and that would be tantamount to a breach of privilege; (2) Why did not you come at the earliest possible opportunity

TREATED AS 'C' CLASS PRISONER

to this House? Why did not you avail of the earliest opportunity on 18th?  
 (3) You tell me how the Senate can intervene. Can we issue orders to the Provincial Government to put him in class A or B? These are the three points.

**Malik Mohammad Akhtar :** And Sir, the fourth one, if you like, so that that is also answered....

**Mr. Chairman :** Let him try to satisfy me on these three points. So far as the question of earliest opportunity is concerned, they say he did not know on 18th. He learnt it for the first time on 19th, although Mr. Zamarud Hussain knew it on 18th, but he did not care to come to this House on a privilege motion. Now, you tell me under what law he is entitled to be classified as A class prisoner or B class prisoner.

**جناب شہزاد گل :** جناب والا! میں عرض کر رہا ہوں کہ زمرہ حسین اور عزیز کرد کے کیس میں privilege motion move ہوا کہ ان دونوں کو کلاس C میں رکھا گیا ہے لہذا ان کو بہتر کلاس میں رکھا جائے۔ یہ رولنگ جس طرح خواجہ صاحب نے فرمایا ہے کہ - - - - -

**Mr. Chairman :** But were those privilege motions admitted? No. They were ruled out.

**جناب شہزاد گل :** ان پر بحث کے بعد آپ نے کہا کہ میں ہوم منسٹر کو درخواست کروں گا کہ ان کو بہتر کلاس دی جائے۔

**Mr. Chairman :** I remember. Please listen to me, that will help you. I gave this ruling that on merits the privilege motion is ruled out but asked the Interior Minister, if I remember correctly, that he may please instruct the Provincial Government to treat a man according to his position and status. Well, that was not my ruling. That was only a personal request to see that a gentleman is given a proper class, whether A, B or C. I said this only. If he were here, I would have repeated the same request, but so far as this privilege motion is concerned either it has to be admitted or it has to be ruled out of order.

میں نے اتنا کہا تھا اور میں یہی کہہ سکتا ہوں۔ اب آپ مجھے یہ بتائیں کہ میں نے آپ کو کہا تھا کہ کس قانون کے تحت آپ کو یہ حق حاصل ہے کہ آپ کو B یا A کلاس ملے گی۔ آپ نے آرٹیکل کا حوالہ دیا تھا وہ میں نے سن لیا ہے۔

Why did you not avail of the earliest opportunity?

**جناب شہزاد گل :** ایک شخص کے status of living کے مطابق یہ کلاس دی جاتی ہے۔

**جناب چیئرمین :** کون دیتا ہے؟ مینیٹ تو نہیں دیتا۔ میں نے آپ

کو یہ کہا کہ How can we intervene?

**جناب شہزاد گل :** اگر اس کو نہیں دیا تو یہ سارے Senate کی

بے عزتی ہے۔ ابھی کل جناب والا! یہاں پر ایک privilege motion move ہوا ہے کہ سینیٹر محمد ہاشم اور زمرہ حسین جب تھانے گئے تو ان کے

[Mr. Shahzad Gul]

ساتھ بہتر treatment نہیں کیا گیا - ایس پی کا رویہ خراب تھا اس نے ٹیلی فون پر بات نہیں کی -

**Mr. Abdul Hafeez Pirzada :** Mr. Chairman, I am referring my friends for their future use to the debates that have taken place before the Constitution Committee appointed by the National Assembly for the framing of Constitution. This was precisely the question that one senior honourable Member brought before the Constitution Committee, you can see the record it is the property of the Parliament, where it was said that even if a Member of the Parliament is caught *flagrante delicto* in the commission of an offence he should enjoy the privileges. You can't put him in 'A' and you can't put in 'B'. The Constitution Committee over ruled him twenty four to one and they have said that a Senator or a Member of Parliament is not above the law of the land. Suppose tomorrow you capture a Senator while committing a murder, do you mean to say that he is entitled to be treated above the law of the land. Is he superior to the common man. Now Sir, what I would submit is this that classification comes at a much later stage. At the moment he is not in jail custody where classification of 'A' 'B' 'C' is taking place. He is in police custody where investigations are going on with regard to an actual criminal offence. I don't say that he is guilty because this is for the court to determine but the police have got a case against him. If there is no *prima facie* case a Special Tribunal been has set up to grant him bail. Why doesn't he go and seek remedy before an appropriate court? How can we sit here and decide. What should be the manner in which investigating agency should hold a person who is accused of an offence?

**Mr. Chairman :** Well, I rule it out of order on the ground that it has not been specified as to which privilege has been breached. Now, we take up adjournment motions.

**Mr. Abdul Hafeez Pirzada :** Mr. Chairman, I seek your indulgence. Now, you are going to take adjournment motions. Would it be possible to take all the adjournment motions on the list today, because some of the Ministers.....

**Mr. Chairman :** Presumably, I will be able to take up hardly four adjournment motions.

**Mr. Abdul Hafeez Pirzada :** Fair enough.

**Mr. Chairman :** May be three or four at the most and not more than that.

**Mr. Abdul Hafeez Pirzada :** Adjournment motions No. 3, 4, 5 & 6, because adjournment motions Nos. 1 & 2 have already been disposed of yesterday.

**Mr. Chairman :** We will take up adjournment motions Nos. 3, 4, 5, & 6. I am not going to take up adjournment motion No. 7.

**Mr. Abdul Hafeez Pirzada :** Sir, I would like to make one more request. I have got adjournment motions which are not likely to come up tomorrow. They may come up day after tomorrow.

**Mr. Chairman :** No objection. You will be accommodated. Now, this adjournment motion No.3 is in the name of Khawaja Mohammad Safdar.

#### ADJOURNMENT MOTION *RE:* BOMB BLAST ON IQBAL ROAD, QUETTA

**Khawaja Mohammad Safdar :** Sir, I beg leave of the Senate to move a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance and of recent occurrence, namely :-

That two bomb blasts occurred within two minutes on Iqbal Road, Quetta injuring three persons as reported in the Daily Nawa-i-Waqat (Lahore Edition) of 9th November, 1974. This incident shows the hollowness of the Federal Government's claim that Baluchistan situation is well under control.

**Malik Mohammad Akhtar :** Sir, it is opposed. It is opposed on two grounds. I am grateful to my learned friend honourable Senator Khawaja Mohammad Safdar that he is very kind to express his allegations and his feelings in the last part of the adjournment motion which he moved and he says "that this incident shows the hollowness of the Federal Government's claim that Baluchistan situation is well under control". Sir, I have got many objections to make. Firstly, as far as the occurrences are concerned, the two bomb blasts were burst in Quetta, and, therefore, I would like to say that it is a provincial matter, and that it is for the Provincial Government to look into the affairs of law and order, and Sir, in this respect I would like to quote a ruling of the Chair from 1962—1965, probably when you are Interior Minister. It is ruling No. 10.

*Adjournment Motion* "Lathi Charge in Chitagong on students demonstrating against a Central Minister ruled out of order being provincial responsibility. Sir, I need not go into the details although it will be more appropriate to read three or four lines. "The whole question for consideration is whether it is primarily the concern of the Central Government or of the Provincial Government. An attempt has been made to show that it is a Central responsibility on account of the fact that a serious situation has arisen." This is what my friend is trying to do "on account of the fact that a serious situation has arisen, and, if not checked at its birth, it may spread further, and may create a very difficult situation for the smooth working of democracy in the country" So, Sir, these arguments in respect of lathi charge in Chitagong on students were ruled out of order being a provincial responsibility. Then, Sir, I consider that the Senate is not in a position to interfere. The Federal Government is not at all responsible for a matter which is clearly a responsibility of a Province and a primary function of a Province as your honour has been pleased to give a ruling yesterday. There are other questions that could be raised. This question of bomb blast may have been discussed many a times in this august House. I consider that it is being repeated. Thirdly, Sir I have got a very important ruling which may help us in respect of our all future proceedings in the House that the matter should be such which is of urgent public importance, and I am also giving a ruling from Lock Sahah. The ruling is that the matter should be such which brooks interference of the House.

**Mr. Chairman :** Is he addressing the Chair or is he addressing the ground?

**Malik Mohammad Akhtar :** I am addressing you, Sir. I am addressing the Chair. I was taking the book. Sir, it is a ruling in respect of "Escape of Mr. Liak Ali." The motion was moved which was dealt with at length that the matter should be such that is of such urgent nature that the entire House be put to that special precedence on the other business to that particular business. When this matter has been repeatedly discussed over here and when it is a provincial matter, I consider that we need not discuss it and we need not adjourn or give it precedent to the other business, because it is not a matter which is of grave importance by now, and moreover it is provincial subject, which is all together beyond our jurisdiction.

**Khawaja Mohammad Safdar :** Sir, let us adjourn the House for Maghrib prayers for fifteen minutes.

**Mr. Chairman :** Now, we break for fifteen minutes. We shall reassemble at 5.30. The House stands adjourned to meet at 5.30 just now.

*(The House was then adjourned till 5.30 for Maghrib prayers)*

*(The House reassembled after Maghrib prayers with Mr. Chairman in the Chair.)*

**Mr. Chairman :** Khawaja Sahib, you have moved your adjournment motion No.3.

**Malik Mohammad Akhtar :** Sir, I have already opposed it on two grounds that it is the concern of the Provincial Government, and it is a matter which is not urgent now.

**Mr. Chairman :** Now, I remember. This is with regard to the two bomb blasts in two minutes. Khawaja Sahib, is your complaint against bomb blasts or against the Government's claim that Baluchistan situation is well under control?

**Khawaja Mohammad Safdar :** Sir, it is a Federal subject.

**Mr. Chairman :** There are two different things.

**Khawaja Mohammad Safdar :** Sir, it is Federal subject and the Ministers are not telling the truth to the people.

**Mr. Chairman :** There are two issues. Firstly, two bomb blasts within two minutes, and secondly, the hollowness of the Federal Government's claim that Baluchistan situation is well under control. You sought clarification about the last thing.

خواجہ محمد صفدر : جناب چیئرمین! میرے محترم دوست جناب وزیر مملکت برائے پارلیمانی امور و قانون نے اعتراض کیا ہے کہ یہ صوبائی مسئلہ ہے اور اس کا تعلق مرکزی یا وفاقی حکومت سے نہیں، اس لئے یہ مسئلہ یہاں نہیں اٹھایا جاسکتا۔ اسی اعتراض کو انہوں نے مختلف الفاظ میں دہرایا ہے۔

جناب چیئرمین : آپ میری بات سمجھیں گورنمنٹ نے کہا ہے کہ بلوچستان کی صورتحال under control ہے۔ آپ کہتے ہیں کہ یہ بات غلط ہے اور hollow ہے۔

خواجہ محمد صفدر : جی یہ غلط ہے۔

**Mr. Chairman :** The whole thing narrows down to this that because of the two bomb blasts this statement of the Government that the situation is under control is hollow.

خواجہ محمد صفدر : جناب والا! اس سلسلے میں واجب الاحترام وزراء صاحبان خصوصیت سے پیرزادہ صاحب اور واجب الاحترام وزیراعظم صاحب بار بار یہ ارشاد فرما چکے ہیں کہ ۱۵ اکتوبر کے بعد اب بلوچستان کا مسئلہ نہیں رہا اور ان کے کہنے کے مطابق تمام شر پسند ہتھیار ڈال چکے ہیں اور اب وہاں حالات بالکل normal ہیں اور کوئی ایسی بات نہیں۔ یہاں تک کہ وہاں کی صوبائی حکومت نے نہیں بلکہ مرکزی حکومت نے ایک قرطاس ایض جاری کیا ہے۔ میں کہتا ہوں کہ یہ قرطاس ایض۔۔۔

**Malik Mohammad Akhtar :** Sir, I am sorry to interrupt my honourable friend. Sir, I am on a point of order. There is another adjournment motion probably by my honourable friend, Khawaja Safdar, on that very White Paper and he need not discuss it or refer it.

**Khawaja Mohammad Safdar :** That is a substantive motion.

**Malik Mohammad Akhtar :** There is another gentleman's adjournment motion and he wants to refer to it now.

خواجہ محمد صفدر: میں اسے زیر بحث نہیں لارہا ہوں۔ میں تو صرف

اسکی مثال پیش کر رہا ہوں۔

Mr. Chairman : He would not be allowed to discuss White Paper.

خواجہ محمد صفدر: میں اسے زیر بحث نہیں لارہا میں تو صرف اسکا

حوالہ دینا چاہتا ہوں۔ جناب والا! اس قدر مستند باتیں۔۔۔

Mr. Chairman : I hope you will confine yourself only to this.

Khawaja Mohammad Safdar : Only to this.

جناب چیئرمین: آپ مختصر کریں کیونکہ اگر آپ واٹ پیپر کا

حوالہ دیں گے تو ان کے پاس تو بہت سے واٹ پیپر ہیں۔

خواجہ محمد صفدر: جناب! میں دیکھ رہا ہوں کہ محترم وزیر مملکت نے

ایک پلندہ پکڑا ہوا ہے اور مجھے خوف آرہا ہے۔ تو جناب والا! مرکزی

حکومت نے ۱۵ اکتوبر کے بعد۔۔۔ میں صوبائی حکومت کا ذکر نہیں کر رہا ہوں۔

مرکزی حکومت نے یہ پوزیشن اختیار کی کہ باوجود چیریت ہے۔

تو میں نے اس تحریک میں ایک مثال پیش کی ہے کہ وہاں سب خیریت نہیں ہے

اور ہمیں اس مسئلہ کو سب خیریت نہیں سمجھنا چاہئے بلکہ اسے حل کرنے

کی کوشش کرنی چاہئے۔ میں یہ کہتا ہوں کہ سب خیریت کہنے سے یہ

مسئلہ حل نہیں ہوگا بلکہ اس پر غور کرنا چاہئے۔ بہر حال یہ دوسری باتیں

ہیں کہ کون کون صاحبان مل کر غور کریں۔ میں تو کہتا ہوں کہ

حکومت خود غور کرے لیکن جب تک ہم اس مسئلہ کی اہمیت کا اقرار نہیں

کریں گے اور اس کا کوئی حل تجویز نہیں کریں گے تب تک یہ مسئلہ

حل نہیں ہوگا۔ سب خیریت کا مطلب یہ ہے کہ no further steps may be

taken or should be taken تو میں اس تحریک التواء کے ذریعے ان کی توجہ

اس کی طرف منعطف کرانا چاہتا ہوں کہ وہاں سب خیریت نہیں۔ مسئلہ

جوں کا توں کھڑا ہے مہربانی کر کے اسے حل کرنے کا کوئی طریقہ نکالیں۔

میرا مطلب ان بزرگوں سے ہے جو پاکستان کی مسئلہ اقتدار پر بیٹھے ہوئے

ہیں۔ لیکن میں ان کی خدمت میں گزارش کرونگا کیونکہ جب مرکزی حکومت نے

اس مسئلہ کو مختلف طریقوں سے اپنا لیا ہے خواہ واٹ پیپر کے ذریعہ خواہ

زبانی تو میرے لئے لازم ہے کہ میں آپکو توجہ دلاؤں کہ یہ مسئلہ موجود

ہے۔

جناب چیئرمین: یہ تو بالکل درست ہے۔ یہ تو آپ نصیحتاً کہتے ہیں

لیکن میں ایک بات واضح کر دینا چاہتا ہوں کہ اگر دو بم blast ہونے سے

کسی حکومت کا یہ دعویٰ hollow ہے کہ حالات under control ہیں تو آپ

دنیا کا کوئی ملک ایسا بتائیں جہاں بم blast نہ ہوتے ہوں۔ ہندوستان میں

[Mr. Chairman]

and something more blast ہونے ہیں۔ ہنگامہ دیش میں ہم blast ہونے ہیں۔ آئرلینڈ اور امریکہ میں بھی ہونے ہیں۔ - - -

خواجہ محمد صفدر: تو وہ اس کا حل بھی سوچ رہے ہیں۔

جناب چیئرمین: تمام دنیا میں ہم blast ہو رہے ہیں۔ اب تو یہ روزانہ

کا معمول ہو گیا ہے۔ وہاں کوئی بغاوت نہیں حالات under control ہیں۔ نیویارک میں، واشنگٹن میں، انگلینڈ میں، U.K میں اور خاص کر آئرلینڈ میں روزانہ یہی کچھ ہو رہا ہے۔ تو میرا مدعا یہ ہے کہ دنیا میں کوئی ملک ایسا نہیں جہاں ہم blast نہ ہوتے ہوں۔ اس کا مطلب یہ نہیں کہ

all these countries are on fire. No. If their this claim that the situation is under control is hollow, and if this is hollow then this is hollow every where.

تو صرف دو ہم blast ہونے سے حکومت کا یہ دعویٰ غلط نہیں ہو جاتا کہ حالات کنٹرول میں ہیں۔ آپ دیکھ لیں ہمارے پڑوسی ملک افغانستان میں بھی یہی حالات ہیں

خواجہ محمد صفدر: جناب والا! میں نے دو ہم کی صرف مثال پیش کی ہے

وونہ جس خبر سے میں نے یہ بات نکالی ہے اس میں بہت سے اور واقعات بھی درج ہیں۔ میں نے یہاں مثلاً دو ہم کا ذکر کیا ہے۔ تو میں درخواست کرتا ہوں کہ۔ - - -

Mr. Chairman : I think, you are giving friendly advice to the Minister concerned and the Members of the Government party concerned to take notice of this situation.....

Khawaja Mohammad Safdar : Serious view .....

Mr. Chairman : that the situation is not as good as they think. That is a different matter. But so far as the urgency and the admissibility of this motion is concerned, I don't think it is in order. They have taken note of your friendly advice.

Now, this is motion No. 4. Yes Khawaya Mohammad Safdar.

#### ADJOURNMENT MOTION RE: UTTERANCES OF CHIEF MINISTER OF PUNJAB AGAINST AN MNA

Khawaja Mohammad Safdar : Sir, I beg leave of the Senate to move a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance and of recent occurrence, namely, the Chief Minister of the Punjab has abused Sahibzada Ahmad Raza Qasuri, MNA, and has called him a mad man and a jester as reported in Nawa-i-Waqt of 11.11.74. The failure of the Federal Government to teach proper manners to its nominee has greatly disappointed the public of Pakistan.

Malik Mohammad Akhtar : Opposed Sir, and I would not take long because the motion is hit by the Constitution itself, and I would like my honourable friend to go through Article 131 of the Constitution, page 59.

Mr. Chairman : That the Chief Minister is elected.....

Malik Mohammad Akhtar : Yes, Sir.

**Mr. Chairman :** That everybody knows with reference to that relevant Article, and he would concede that the Chief Minister is not a nominee, but he is elected by the House.

**Malik Mohammad Akhtar :** And we are nobody to teach him the manners.

**Mr. Chairman :** But you tell me how it is the primary duty and primary responsibility of the Federal Government to teach manners to a Provincial Minister.

آپ مجھے بتائیں کہ کیا یہ کوئی نئی بات ہے ؟  
خواجہ محمد صفدر : یہ بالکل کوئی نئی بات نہیں - جناب والا ! میرے  
محترم دوست - - -

جناب چیئرمین : آپ کے سب دوست ہیں - آپ بتائیں کہ اس وقت  
آپ کس دوست کو مخاطب کر رہے ہیں ؟  
خواجہ محمد صفدر : میرے واجب الاحترام اراکین سینیٹ اچھی طرح  
جانتے ہیں اور میں کوئی خفیہ راز بیان نہیں کر رہا ہوں کہ محترم رامے صاحب  
اپنی وجاہت ، اپنے تعلقات یا اپنی پوزیشن کی بنا پر پنجاب کے وزیر اعلیٰ  
نہیں بنے - آپ نے وہ طوطے والی کہانی سنی ہوگی کہ کسی کے سر پر  
طوطا بیٹھ گیا - - -

**Malik Mohammad Akhtar :** Sir, I am sorry that.....

خواجہ محمد صفدر : میں اس کا حوالہ نہیں دوں گا - میں صرف یاد  
دلاتا ہوں کہ کس طرح کسی بڑے آدمی کا کسی دوسرے شخص پر پر تو  
پڑ جاتا ہے تو اسے سنہری موقع مل جاتا ہے - تو وزیر اعظم صاحب نے کہا  
کہ اس شخص کو وزیر اعلیٰ بناؤ تو وہ بن گئے ورنہ میں ان کا جغرافیائی حدود  
اربعہ بھی اچھی طرح جانتا ہوں - - - Interruption

**Malik Mohammad Akhtar :** On a point of order, Sir. The conduct of an honourable and important leader of Punjab is being discussed unnecessarily through an adjournment motion which is hit by a constitutional provision and the honourable Member is taking liberty.

**Mr. Chairman :** This is exactly the question which has to be decided first by me if I hold it in order, and then by you if you adjourn the House.

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

**Mr. Chairman :** Just confine yourself to the motion.

خواجہ محمد صفدر : جناب والا ! میں صرف موضوع کی طرف آرہا ہوں -

**Mr. Chairman :** You don't go outside the framework of your adjournment motion.

خواجہ محمد صفدر : میں بالکل اس کے اندر رہوں گا -

جناب چیئرمین : آپ "نوائے وقت" مورخہ ۱۱ نومبر کا حوالہ دے

رہے ہیں ؟

خواجہ محمد صفدر : جی ہاں - اب میں اسے پڑھتا ہوں :

[Khawaja Mohammad Safdar]

”وزیر اعلیٰ نے کہا کہ مجھے اس واقع کا بے حد دکھ ہے اور مجھے یہ بھی معلوم ہوا ہے کہ مسٹر احمد رضا قصوری کہہ رہے ہیں کہ اس میں حکومت کا ہاتھ ہے۔ مسٹر رامے نے کہا کہ احمد رضا قصوری غلط سمجھے ہیں۔ حکومت ایسے اقدامات کا سوچ بھی نہیں سکتی۔ مسٹر رامے نے یہ بھی کہا کہ مسٹر قصوری پاگل آدمی ہے اور حکومت سیاسی طور پر ایسے بے ضرر انسان کے خلاف ایسا کرنے کا تصور تک نہیں کر سکتی۔ وزیر اعلیٰ نے کہا کہ مسٹر احمد رضا قصوری کو opposition میں مسخرے کی سی حیثیت حاصل ہے ان کے اپنے حلقہ نیابت میں کسی سے دشمنی ہو گئی“ وغیرہ وغیرہ

تو حضور والا! کیا کسی Chief Minister کو یہ زیب دیتا ہے؟ میرے دوست یہ کہتے ہیں کہ ان کی ذات شریف کو زیر بحث نہ لایا جائے۔ جو شخص اس قسم کی زبان استعمال کرے اگر اس کے سابقہ کردار پر روشنی ڈالی جائے تو کوئی برائی نہیں۔ کیا ان کو معلوم نہیں کہ ابھی چند سال قبل مسٹر رامے کنونشن لیگ کے آفس سیکریٹری تھے۔ اب ان کے سر پر طوطا بیٹھ گیا ہے تو۔۔۔

**Mr. Tahir Mohammad Khan :** Point of order, Sir. Respectfully I have to submit that the conduct of a person is being discussed in this august House, the man who is neither present in this House nor he is a Member of this House. It is against the basic principles of parliamentary democracy.

**Mr. Chairman :** Do you want to suggest that we can only mention the names of those who are present.

**Mr. Tahir Mohammad Khan :** Only the Government, Sir. A person who is a Member of this House his conduct can be discussed. Mr. Ramay is not a Member of this House, and he cannot defend himself before Mr. Mohammad Safdar Khawaja. Only the Federal Government is answerable to this House. The Provincial Government is not answerable to this House.

خواجہ محمد صفدر: جناب والا! دنیا جانتی ہے کہ مسٹر رامے مرکزی حکومت بلکہ محترم وزیراعظم صاحب کے نامزد کردہ ہیں اور وزیراعظم صاحب نے ایسا کرنے میں شدید غلطی کی ہوئی ہے کہ جس شخص کو اخلاق کے بنیادی تقاضوں کا اتنا بھی پتہ نہیں کہ وہ اس طرح۔۔۔

**Mr. Chairman :** This is not conceded that he has said these words. It has not been conceded by the other side that he has actually uttered these words.

**Khawaja Mohammad Safdar :** They have not denied that.

**Mr. Chairman :** But they have not even admitted.

**Malik Mohammad Akhtar :** Sir, I have raised a constitutional objection.

**Mr. Chairman :** Whether Mr. Ramay actually uttered these words or not is one thing, and the second thing is that supposing he uttered these words, how does the Senate come into the picture? How can the Senate make a decision about this matter?

خواجہ محمد صفدر: میں عرض کرتا ہوں جناب والا! کہ میں نے اس

موشن کے ذریعے وزیراعظم صاحب کی خدمت میں عرض کی ہے -

**Mr. Chairman :** You have said that the Federal Government has failed to teach manners to the Chief Minister. How can we teach manners to the Chief Minister?

خواجہ محمد صفدر: ان کے لئے اسکول کھولیں ان کو اخلاقیات سکھانے

کے لئے کوئی کلاس کھولیں -

**Mr. Chairman :** He is the elected Leader of the House, elected by the Provincial Assembly of the Punjab.

**Khawaja Mohammad Safdar :** Elected at the instance of the Prime Minister.

**Mr. Chairman :** Rightly or wrongly, he has been elected. I don't think that the Federal Government is involved in this matter. The Federal Government has no responsibility to teach manners to a Chief Minister of a Province who is an elected representative of the House.

Adjournment motions' time is over. Now, we take up legislative business.

Malik Mohammad Akhtar, have all the Ministers assembled to congratulate you?

(laughter)

**Malik Mohammad Akhtar :** No, Sir, they are assigning me their work for tomorrow.

**Mr. Chairman :** You are to move item No. 2 of the agenda.

THE LAW REFORMS (AMENDMENT) BILL, 1974

**Malik Mohammad Akhtar :** Sir, I beg to introduce:

The Bill further to amend the Law Reforms Ordinance, 1972, (The Law Reforms (Amendment) Bill, 1974)".

**Mr. Chairman :** The Bill stands introduced. Next item.

THE ASSOCIATED CEMENT (VESTING) BILL, 1974

**Malik Mohammad Akhtar :** Sir, on behalf of Mr. Rafi Raza, Minister for Production, Industries and Town Planning, I beg to introduce :

"The Bill to provide for the vesting of the Associated Cement in the State Cement Corporation of Pakistan (The Associated Cement (Vesting) Bill, 1974)".

**Mr. Chairman :** This Bill also stands introduced. Now, there is no other business. We meet tomorrow at what time? I think, we should meet in the morning.

خواجہ محمد صفدر: جناب والا! اتنا کام تو ہے نہیں - اس لئے کل دس

بجے کا وقت مناسب ہوگا -

**Mr. Chairman :** Ten or earlier, as you please.

**Senators :** Ten is all right, Sir.

**Mr. Chairman :** The House stands adjourned to meet tomorrow at 10.00 a.m.

The House adjourned till ten of the clock in the morning on Thursday, November 21, 1974.