



THE  
SENATE OF PAKISTAN

DEBATES

OFFICIAL REPORT

Wednesday, July 2, 1975

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SENATE DEBATES  
SENATE OF PAKISTAN

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Wednesday, July 2, 1975

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

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*(Recitation of the Holy Quran)*

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**MESSAGE FROM THE NATIONAL ASSEMBLY RE : ADOPTION  
OF THE INSURANCE (AMENDMENT) BILL, 1975**

**Mr. Chairman :** Gentlemen, there is a message from the Secretary, National Assembly, addressed to the Secretary, Senate Secretariat. It reads :

“In pursuance of rule 109 of the Rules of Procedure and Conduct of Business in the National Assembly, I have the honour to inform the Senate Secretariat that the National Assembly passed the Insurance (Amendment) Bill, 1975, on the 1st July, 1975. A copy of the Bill is transmitted herewith. Kindly acknowledge receipt.”

**MESSAGE FROM THE NATIONAL ASSEMBLY RE : ADOPTION  
OF THE EMPLOYEES' COST OF LIVING (RELIEF)  
(AMENDMENT) BILL, 1975**

**Mr. Chairman :** There is another message from the same Secretariat:

“In pursuance of rule 109 of the Rules of Procedure and Conduct of Business in the National Assembly, I have the honour to inform the Senate Secretariat that the National Assembly passed the Employees' Cost of Living (Relief) (Amendment) Bill, 1975, on the 1st July, 1975. A copy of the Bill is transmitted herewith. Kindly acknowledge receipt.”

Now questions and answers.

**STARRED QUESTIONS AND ANSWERS**

**Rao Abdus Sattar :** Question No. 1, on behalf of Khawaja Mohammad Safdar.

**Mr. Chairman :** Have you been authorised by him ? You can ask on your own behalf. (No reply) All right, Question No. 1.

## ALLEGATIONS AGAINST CERTAIN ML. &amp; C DEPT. OFFICIALS

1. \***Khawaja Mohammad Safdar** : Will the Minister for Interior, State and Frontier Regions be pleased to state :

(a) whether it is a fact that one Mian Mohammad Amin, Retd. Supdt., P.M.L.C. Service, resident of Jhelum, made several complaints, from 17-1-1970 to 16-9-1973, to the Pakistan Special Police Establishment alleging certain grave offences committed by certain officials of the Pakistan Military Land and Cantonment Service ;

(b) whether it is a fact that an inquiry No. 176/72, was initiated by the Special Police Establishment, and one Mr. Willayat Mohammad, Sub-Inspector, visited the complainant at Jhelum on several occasions and brought back certain documents, etc. connected with the inquiry ; and

(c) the result of the inquiry, if any ?

**Mr. Chairman** : Mr. Abdul Qaiyum Khan, it is your question.

**Mr. Abdul Qaiyum Khan** (Minister for Interior) : The Minister of State will answer it.

**Sardar Abdul Aleem** : (on behalf of Mr. Abdul Qaiyum Khan) :

(a) Mr. Mohammad Amin, Retired Superintendent, Military Lands and Cantonment Department, had submitted three complaints to the Special Police Establishment between June, 1972 to August, 1973. In these complaints, he had, *inter alia*, alleged that he had been superseded in the year 1958-59 by one of his juniors in the matter of promotion to a higher post because he did not pay the illegal gratification demanded by the officers dealing with the case of promotion. The inquiry was numbered as Inquiry No. 177/72.

(b) Inquiry No. 176/72 related to certain allegations against a Sanitary Inspector of Cantonment Board, Mangla, that he had employed fictitious persons as sweepers and misappropriated their salaries. According to the report submitted by Sub-Inspector, Willayat Mohammad, who has since retired. Mr. Mohammad Amin has given him only a copy of the appointment letter of that Sanitary Inspector, who was dealt with departmentally, and whose services were terminated by his Department on those very charges.

(c) The allegations made by Mr. Mohammad Amin related to a matter which occurred in the year 1958. He failed to produce any oral or documentary evidence to substantiate the allegations of criminal nature made by him. The inquiry was, therefore, closed. Some of the allegations regarding supersession, etc. were of an administrative nature and did not fall within the purview of the Special Police Establishment. No inquiry into such allegations was held by the S. P. E. On a fresh representation from Mr. Mohammad Amin, another Inquiry Officer of the S. P. E. was deputed to look into the matter subsequently. This Officer contacted him to provide evidence to substantiate the allegations made by him but Mr. Mohammad Amin failed to do so.

**Sardar Mohammad Aslam** : Supplementary question, Sir.

سوال کے پیرا (b) میں وزیر صاحب نے فرمایا ہے کہ :

“Inquiry For 176/72 related to certain allegations against a Sanitary Inspector of Cantonment Board, Mangla, that he had employed fictitious persons as sweepers and misappropriated their salaries.”

تو کیا اس کے لیے صرف departmental service terminate کرنا کافی تھا یا اس کے علاوہ کوئی criminal case بھی register کیا گیا ہے کیونکہ complaint misappropriation کی گئی ہے -  
سردار عبدالعلیم : جس کے خلاف یہ الزامات تھے اس کی services terminate کی گئی ہیں - اس کے خلاف یہ action ہوا ہے -

Mr. Chairman : Sardar Sahib, address through me.

Sardar Abdul Aleem : Sorry, Sir.

سردار محمد اسلم : جناب ضمنی سوال یہ پوچھا ہے کہ جواب میں یہ admit کیا گیا ہے کہ جو complaint کی گئی ہے اس میں جو allegations دیئے گئے ہیں وہ ثابت ہوئے اور جس آدمی کے خلاف complaint کی گئی ہے اس کی services terminate کر دی گئی ہیں - Allegations یہ تھے کہ اس نے fictitious آدمی employ کئے ہوئے تھے اور ان کی services misappropriate کیں - Charges prove ہوئے تو اس کی services terminate کی گئیں - کیا اس کے خلاف criminal case بھی register کیا گیا ہے یا نہیں ؟

Sardar Abdul Aleem : I need notice for that.

Mr. Chairman : It is a Supplementary. If the charges were proved then whether any criminal case has been made on the basis of those charges. That is a Supplementary.

Sardar Abdul Aleem : I need notice.

Mr. Chairman : Yes, Sardar Sahib, he wants notice.

Sardar Mohammad Aslam : Yes.

Mr. Chairman : Now, Qureshi Sahib, you present the Report.

#### STANDING COMMITTEE REPORT RE : THE LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT) BILL, 1975

Mr. Zafar Ahmad Qureshi : Sir, on behalf of the Standing Committee on Cabinet, Establishment, Law and Parliamentary Affairs, Education and Provincial Co-ordination, National Affairs and Overseas Pakistanis, Tourism and Minorities Affairs, I present the Report on the Legal Practitioners and Bar Councils (Amendment) Bill, 1975.

Mr. Chairman : Now, we take up legislative business.

THE EMPLOYEES' COST OF LIVING (RELIEF) (AMENDMENT)  
BILL, 1975

**Mr. Abdul Sattar Gabol :** Sir, I beg to move :

“That the Bill further to amend the Employees' Cost of Living (Relief) Act, 1973 [The Employees' Cost of Living (Relief) (Amendment) Bill, 1975] as passed by the National Assembly, be taken into consideration.”

**Mr. Chairman :** That motion moved is :

“That the Bill further to amend the Employees' Cost of Living (Relief) Act, 1973 [The Employees' Cost of Living (Relief) (Amendment) Bill, 1975], as passed by the National Assembly, be taken into consideration.”

Any opposition ? Any objection ?

**Rao Abdus Sattar :** Sir, I beg to move that the Bill may be referred to the Standing Committee concerned. It is an oral amendment.

**Mr. Chairman :** The amendment moved by the Leader of the House is :

“That the Bill further to amend the Employees' Cost of Living (Relief) Act, 1973 [The Employees' Cost of Living (Relief) (Amendment) Bill, 1975] be referred to the Standing Committee concerned.”

**Mr. Abdul Sattar Gabol :** No objection.

**Mr. Chairman :** Do you agree ? So, I put the question now. The question before the House is :

“That the Bill further to amend the Employees' Cost of Living (Relief) Act, 1973 [The Employees' Cost of Living (Relief) (Amendment) Bill, 1975] be referred to the Standing Committee concerned.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill stands referred to the Standing Committee concerned. No other business ?

MOTION RE : CONSIDERATION ON THE NATIONAL REGIS-  
TRATION (AMENDMENT) BILL, 1975, WITHOUT  
WAITING FOR STANDING COMMITTEE'S  
REPORT

**Mr. Abdul Qaiyum Khan (Minister for Interior, States and Frontier Regions) :** Sir, I have given notice of a motion. The Senate had decided on 30th June, 1975, to refer the National Registration (Amendment) Bill to the Standing Committee. The Minister of State for Law and Parliamentary Affairs, on a question being asked by the Deputy Chairman, stated that the Report of the Committee would be presented to

the House 'day after tomorrow', *i.e.* 2nd July, 75. No meeting of the Standing Committee has been held so far. In fact, we went there at the stipulated time. We sat there for half an hour, and there was no quorum. This means that the Committee has failed to present its report within the time allowed to it. I would like to move that under sub-rule 3 of Rule 140 of the Rules of Procedure and Conduct of Business in the Senate the matter.....

Mr. Chairman : Which rule is it ?

Mr. Abdul Qaiyum Khan : Rule 140, sub-rule (3). It reads :

"If a Committee does not present its report within the period prescribed or the time allowed, the Bill, subject or matter referred to it may be considered by the Senate without waiting for the report, upon a motion by any member or by the Minister concerned."

So, I am moving this motion, and I have to say something in support of what I have to say, Sir. The trouble is this, Sir, that we have to divide our time between Senate and the Assembly, the Cabinet meetings and so many things. When I moved this Bill, and it was of a non-contentious nature, it was stated that the Law Minister had decided that every Bill which is moved will be referred to the Standing Committee. So, most reluctantly I agreed to it. Now, another important Bill—The Senate (Election) Bill, 1975, consisting of 80 clauses, when it came up, the decision of the Law Minister was gone by, and it was passed without even thinking of the Standing Committee. Now, Sir, this is a non-contentious Bill of two or three clauses. We are so busy. We have got so much work : Cabinet meetings, Defence Production Committee meetings, this meeting, that meeting, office work, Assembly, Senate. Then, if the quorum is not completed, why there is this insistence on Standing Committee, Sir ? Well, Sir, we have no objection to the Standing Committee meeting. Then we have to leave all our work and sit there for half an hour to look at the door that someone will turn up. If the enthusiasm for the Standing Committee is merely confined to insistence on references and also a determination not to have quorum, then it is very difficult for a Minister to be present. Therefore, I submit, Sir, that under this Rule the Bill may be taken up tomorrow. And then many days have elapsed. If somebody wanted to move amendments, he can easily move in the House. It is a Bill of non contentious nature and the work is held up."

Mr. Chairman : I have no objection. But I am told that three Members of the Standing Committee concerned are present here. They can hold the meeting just immediately after we adjourn.

Mr. Abdul Qaiyum Khan : Well, I have to go to the Assembly. There are adjournment motions and privilege motions which are to be answered.

Mr. Chairman : Well, I am sure, the adjournment motions must have been over by this time, because immediately after the question hour, half an hour is reserved for the adjournment motions. That time

[Mr. Chairman]

is over. And if there is any other business, I can't prevent you from attending to your work. That is also very important. For your information, I suggest that if you agree, three of the Members are present here, and they can go into the Standing Committee meeting immediately after I adjourn this House, if it is not inconvenient to you, if it is not a burden on you, and if it suits you.

Mr. Abdul Qaiyum Khan : Well, I will have to agree to it. I think, it is not only a burden, but it is a torture.

Mr. Chairman : Let us try this time.

Mr. Abdul Qaiyum Khan : But, Sir, in future, the honourable Members may kindly be present because we have got so much work.

Mr. Chairman : This is a disease, you see. We are in a way having race with the Opposition while they have *en bloc* cut out. We don't attend either this House or the Standing Committee meetings. It comes to the same thing. It makes no difference. The deadlock is created in the transaction of business. We are suffering. I quite agree with you and appreciate your difficulties. There is no doubt about it.

Mr. Abdul Qaiyum Khan : They are standing at a net and swallowing an elephant.

Mr. Chairman : Let us give a last chance, you see. I am told that the three honourable Members of the Standing Committee are present today. It is not a Bill of very important or controversial nature. I think it won't take very long. I just request the honourable Members who are present here that immediately after the House is adjourned, they should go to the Committee Room and take up the business at once. I think, it will be done today because the quorum is there. You are suffering because of the lack of quorum. That is the only difficulty, you see. And we have been trying our level best to solve it out, and we have found no solution of this malady of absence from the House or the Standing Committee. What can I do ?

Mr. Abdul Qaiyum Khan : In deference to your wishes, I will go to the Committee Room when the honourable Members should be present there.

مولوی ظہور الحق : جناب والا ! خان صاحب نے جو کچھ فرمایا ہے واقعی اگر دیکھا جائے تو یہ بڑی ہی افسوس ناک بات ہے لیکن وزیر کے بھی کچھ آداب اور فرائض ہیں۔ اگر ممبروں کو وقت پر اطلاع ملتی تو ایسا نہ ہوتا۔ جناب والا ! جو بل اسٹینڈنگ کمیٹی میں زیر غور ہونا تھا وہ ہمیں اب دیا جا رہا ہے بلکہ یہ بھی بہاری ڈیمانڈ پر دیا جا رہا ہے۔ یہ بھی ٹھیک ہے کہ ممبروں کا بھی فرض ہے کہ وہ وقت پر حاضر ہوں لیکن کچھ ان کے فرائض ہیں کہ وہ ممبروں کو وقت پر اطلاع دیں۔ جو کچھ بھی زیر غور آنا ہے ان کو پہلے سے دیا جائے۔ اگر صرف وہاں جانے کا مقصد یہ ہے کہ وہاں جا کر دستخط کر دیں، اگر صرف دستخط ہی کرانے ہیں تو ہم پھر دستخط یہاں بھی کر سکتے ہیں۔ خان صاحب

ٹھیک ہے مصروف ہیں - ان کی مصروفیات ہیں - لیکن ان کا عمامہ تو مصروف نہیں ہے -

جناب عبدالقیوم خاں : جناب والا ! یہ میرے عملے کا کام نہیں ہے یہ اسمبلی کے عملے کا ہے -

مولوی ظہور الحق : جناب والا ! اس میں کوئی ذاتی بات تو نہیں ہے -

جناب عبدالقیوم خاں : جناب والا ! پہلے یہ فیصلہ ہو -

جناب چیئرمین : نہیں ، نہیں ، کوئی ایسی بات نہیں ہے -

مولوی ظہور الحق : نہیں جناب ! میں وزیر صاحب کی بات نہیں کرتا ہوں میں نے concerned محکمہ کی بات کی ہے -

خان عبدالقیوم خاں : جناب والا !

Mr. Chairman : One at a time please.

اب بولیئے

مولوی ظہور الحق : جناب والا ! میں نے concerned محکمہ کی بات کی ہے - کہ یہ ان کا فرض ہے - یہ محکمہ کچھ سست ہے - ٹھیک ہے ممبر بھی سست ہیں مگر ممبروں سے properly deal کیا جائے تو وہ چست ہو سکتے ہیں - دیکھئے نا ابھی اگر کسی اسٹینڈنگ کمیٹی کی میٹنگ ہو تو وہاں پر غور ہوگا اور جناب والا ! یہ جو ایجنڈا ہمیں دیا گیا ہے ، یہ بھی ہمارے مانگنے پر دیا گیا ہے - یہ جو سیکریٹری ہیں یا جو کچھ بھی ہیں ، ان کو چاہئے کہ وہ وقت پر ممبروں کو اطلاع دیں اور جو ایجنڈا زیر غور آتا ہے ، اس کو مطالعے کے لئے وقت سے پہلے ممبروں کو دیں تاکہ اس پر اسٹینڈنگ کمیٹی میں - -

جناب عبدالقیوم خاں : جناب والا !

Mr. Chairman : I will give you a chance.

مولوی ظہور الحق : جناب والا ! میں عرض کر رہا تھا کہ اس پر اسٹینڈنگ کمیٹی میں غور سے مفید نتائج نکل سکیں -

جناب چیئرمین : ٹھیک ہے ، وہ تو ہو گیا نا -

Yes, Qalyum Khan ?

Mr. Abdul Qalyum Khan : I want a decision, Sir. The honourable Member has suggested that it is the duty of my staff to inform the Members. I want a decision (if it is the duty of my staff or of the Assembly staff.

[Mr. Abdul Qaiyum Khan]

تو پھر ان کو وضاحت کرنی چاہئے۔

Mr. Chairman : No, not your staff.

نہیں ان کا مطلب . . . . .

جناب عبدالقیوم خان : میرے اسٹاف کا اس سے کوئی تعلق نہیں ہے۔  
آپ کو اطلاع دینے کے لئے ہم اسمبلی کے اسٹاف کی جگہ تو نہیں لے سکتے ہیں۔  
جناب چیئرمین : وہ بات نہیں ہے۔  
جناب عبدالقیوم خان : ہمارا کام یہ نہیں ہے یہ اسمبلی کے اسٹاف کا کام ہے۔

Mr. Chairman : Let us hope that in future they are prompt in their duty.

مولوی ظہور الحق : میں معذرت کرتا ہوں ، میں نے متعلقہ محکمہ کا کہا تھا۔

جناب عبدالقیوم خان : آپ نے پہلے یہ کہا تھا کہ میرے اسٹاف کی کاپی ہے۔ میں اس کی وضاحت کرنا چاہتا ہوں۔

جناب چیئرمین : وہ غلط فہمی ہو گئی ہے۔ انہوں نے متعلقہ محکمہ کا کہا تھا۔  
یہ مجھے اچھی طرح یاد ہے۔

اب تین صاحبان راؤ صاحب وغیرہ موجود ہیں۔ آپ کمیٹی کے ممبر ہیں؟

راؤ عبدالستار : جی ہاں۔

جناب چیئرمین : آپ غیر حاضر تھے؟

راؤ عبدالستار : نہیں میں غیر حاضر نہیں تھا لیکن میں ایک بات عرض کرنا چاہتا ہوں کہ خان صاحب کو شاید یہ چیز ناگوار گزری ہے ورنہ intentionally کوئی ایسی بات نہیں ہوئی۔ ایک ہمارے ممبر جناب مولوی ظہورالحق صاحب حاضر نہیں تھے کیونکہ وہ کچھ مصروفیت کی وجہ سے نہیں آسکے۔ اپوزیشن نے ویسے بھی ہائیکٹ کیا ہوا ہے اس لئے ہمارا کورم پورا نہیں ہو سکا۔ ورنہ ایسی کوئی بات نہیں ہے۔ سینٹ کے الیکشن کا بل ضروری تھا اس لئے اسے اسی دن پاس کر دیا تھا۔

Mr. Abdul Qaiyum Khan : I want to make one thing clear.

میں نو بجے پہنچ گیا تھا۔ راؤ صاحب دیر سے آئے تھے۔ ویسے مجھے کوئی بات ناگوار نہیں گزری۔

راؤ عبدالستار : جناب چیئرمین ! میں نے پہلے سیکرٹری صاحب کو کہہ دیا تھا۔  
(مداخلت)

جناب چیئرمین : جب میں نے راؤ صاحب کو کہہ دیا تو آپ میری تو بات منٹے۔ میں نے آپ کو روکا تو نہیں ہے لیکن میں صرف یہ عرض کر رہا تھا کہ وہ بول رہے ہیں۔ آپ ذرا صبر کریں وہ ختم کر لیں تو پھر آپ بولیں۔ اب میں سمجھتا ہوں کہ اس پر بہت غیر ضروری باتیں ہو چکی ہیں اور اب زیادہ مناسب نہیں ہے کیونکہ اب فیصلہ ہو چکا ہے۔ میں کہتا ہوں کہ میں ابھی ہاؤس adjourn کرتا ہوں اب ویسے بھی اور کام نہیں ہے۔ آپ بھی موجود ہیں۔ مولوی ظہور الحق صاحب، نصر اللہ صاحب اور متعلقہ منسٹر بھی موجود ہے۔ میں آدھ منٹ میں ہاؤس adjourn کرتا ہوں تو آپ دو منٹ میں کمیٹی روم پہنچ جائیں۔ اس میں کوئی دقت نہیں ہوگی اور فیصلہ ہو جائے گا۔

Do you agree to it ?

Rao Abdus Sattar : Yes, Sir.

Mr. Chairman : Maulvi Sahib, do you also agree ?

Maulvi Zahoorul Haq : Yes, Sir.

Mr. Chairman : And Mr. Nasrullah Khan is always ready.

So, it has been decided now that immediately after the House is adjourned you please—Rao Sahib, Maulvi Sahib and Mr. Nasrullah Khan and the Minister concerned, immediately move on to the Committee Room concerned, and you debate this matter, and decide it today. Thank you very much.

We meet tomorrow in the evening. In the morning we cannot meet because all the Speakers, Deputy Speakers and Presiding Officers of all the four provinces and the Centre are meeting the Prime Minister in the morning at probably 10.30 a. m. and the meeting may continue till 1.30 p. m. So, we meet in the evening. What time will suit you ?

Voices : 6.00 p. m.

Mr. Chairman : Why not earlier, i.e. 5.00 p. m.

Voices : 6.30.

سردار محمد اسلم : جناب سنا ہے کہ آپ ڈار دے رہے ہیں۔

Voices : 6.30 p. m.

Mr. Chairman : No, 6-30 will be late. All right the House stands adjourned to meet tomorrow at 6.00 p. m.

*The Senate then adjourned till Six of the clock, in the evening, on Thursday, July 3, 1975.*