



THE
SENATE OF PAKISTAN

DEBATES

OFFICIAL REPORT

Monday, July 7, 1975

CONTENTS

	PAGES
Fatcha for the victims of bus accident near Changla Gali ...	47
Starred Questions and Answers	47
Standing Committee Report Re : The Employees Cost of Living (Relief) (Amendment Bill, 1975—Presented) ...	53
Standing Committee Report Re : The Insurance (Amendment) Bill, 1975—Presented	53
The National Registration (Amendment) Bill, 1975—Adopted...	53
The Legal Practitioners and Bar Councils (Amendment) Bill, 1975—Adopted	56

SENATE DEBATES
SENATE OF PAKISTAN

Monday, July 7, 1975

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

(Recitation from the Holy Quran)

FATEHA FOR FIFTY-TWO VICTIMS OF BUS ACCIDENT
NEAR CHANGLA GALI

راؤ عبدالستار (قائد ایوان) : ہم بڑے دکھ و رنج سے اپنے جذبات و خیالات کا اظہار کر رہے ہیں۔ کل جو المناک حادثہ پیش آیا ہے۔ اس سے بہت سے گھروں کے چراغ گل ہو گئے۔ ان کے لیے آج ہم بہت رنجیدہ ہیں۔ آپ کی وساطت سے ہم اپنے جذبات کی ترجمانی کر رہے ہیں اور ان کے ہمسانہ گان کو ہماری طرف سے آپ سے روٹی کا پیغام پہنچا دیں اور ہم دعا گو ہیں کہ اللہ تعالیٰ انہیں مغفرت نصیب کرے۔ آمین۔

Mr. Chairman : Well, I fully associate myself with the sentiments expressed by the Leader of the House. Really it was a very tragic accident, unbearable. It is a national loss, and it was quite appropriate on the part of the Leader of the House to make reference to yesterday's incident. So, let us first say offer 'fateha', and then I will convey the feelings of the whole House to the members of the bereaved families.

(Fateha was offered)

STARRED QUESTIONS AND ANSWERS

Mr. Chairman : Yes, now we take up questions. Yes, question No. 10.

TARBELA DAM REPAIRS

10. *Khawaja Mohammad Safdar (Put by Rao Abdus Satter) : Will the Minister for Fuel, Power and Natural Resources be pleased to state :

(a) whether it is a fact that WAPDA has paid a sum of Rs. 10,00,00,000.00 to the Tarbela Joint Ventures as advance free of interest for carrying out repairs to Tarbela Dam ; and

(b) the security, if any, given by the said contractors for this huge advance ?

Mr. Mohammad Yusuf Khattak (Read by Malik Mohammad Akhtar, Minister of State for Parliamentary Affairs) : (a) It is a fact that an interest free temporary advance from the Tarbela Development Fund which is administered by the World Bank is being given to TJV for repairs to the Tarbela Dam. Upto the end of May, 1975, a total amount of Rs. 11.7 crores at contract exchange rate of 1 \$ = Rs. 4.76 had been advanced to the Contractor.

(b) Security from the Contractor against the advance has not been considered necessary. Firstly WAPDA itself is a beneficiary alongwith the Contractor under the insurance policy and the Insurance money is to be received in the joint name of TJV and WAPDA. Secondly a performance Bond in the sum of \$ 25 million is also available to the Employer under the contract. Thirdly a retention money in the amount of Rs. 5 crores is also retained by WAPDA under the contract. Fourthly the Contractor's equipment worth Rs. 30 to 40 crores is at site which cannot be removed without the permission of the Employer.

Mr. Chairman : Any Supplementary ? No. Next.

HUB DAM CASE

11. *Khawaja Mohammad Safdar (Put by Rao Abdus Sattar) : Will the Minister for Fuel, Power and Natural Resources be pleased to state :

(a) whether it is a fact that contract for the construction of Hub Dam was awarded to one Mr. Allah Rakha Patel ;

(b) whether it is a fact that despite the lapse of a long period no work on the site was carried out ;

(c) whether it is a fact that the said contractor had never pre-qualified for the contract before its award to him ;

(d) whether it is a fact that the said contractor had been paid Rs. 20,00,000.00 as advance ;

(e) whether it is a fact that the said contractor brought a civil suit against WAPDA in the Karachi High Court and the High Court refused to issue temporary injunction in favour of the said contractor ; and

(f) whether it is a fact that WAPDA has paid Rs. 28,00,000.00 to the said contractor as damages and he has withdrawn the case ?

Mr. Mohammad Yusuf Khattak (Read by Malik Mohammad Akhtar) :

(a) The contract for construction of Hüb Dam spillway was awarded to

M/s. Pak. National Construction Company of which Mr. Allah Rakha Patel was a partner and Managing Director.

(b) No.

(c) The Contractor was pre-qualified conditionally by WAPDA for the said work prior to the invitation for tenders. The conditions of pre-qualification were that he would procure the requisite plant and equipment and appoint experienced and qualified supervisory staff.

(d) No.

(e) It is a fact that the Contractor brought a Civil Suit against WAPDA in Sind Baluchistan High Court, but it is not a fact that the High Court refused to issue temporary injunction in favour of the said Contractor.

(f) It is not a fact that WAPDA paid Rs. 28,00,000.00 to the said Contractor as damages but it is a fact that after a compromise was effected between WAPDA and the Contractor and filed in the Court, the Sind-Baluchistan High Court dismissed the case.

Mr. Chairman : Any gentleman wishes to ask supplementary ? Yes, Sardar Mohammad Aslam.

Sardar Mohammad Aslam : Supplementary, Sir.

جناب سوال کے پارٹ (b) میں دریافت کیا گیا ہے کہ :

“Whether it is a fact that despite the lapse of a long period no work on the site was carried out ?”

اس کے جواب (b) میں “No” کہا گیا ہے۔ کوئی ورک نہیں کیا گیا ہے۔ یا کچھ work کیا ہے کوئی portion ہوا ہے۔ یا کیا ہوا ہے ؟

Mr. Chairman : Whether it is a fact that despite the lapse of a long period no work on the site was carried out. The answer to it is ‘No’.

Malik Mohammad Akhtar : Sir, the answer is in the negative. As a matter of fact, some work was carried out and I can give the amount of that work. That was worth 7,42,500 rupees.

Mr. Chairman : Yes, Sardar Mohammad Aslam !

سردار محمد اسلم : سو! جس طرح انہوں نے کہا ہے کہ سات لاکھ اور کچھ ہزار کا اس نے کام کیا ہے۔ سوال کے حصہ (f) میں انہوں نے خود جواب دیا ہے۔

“It is not a fact that WAPDA paid Rs. 28,00,000.00 to the said contractor as damages but it is a fact that after a compromise was effected between WAPDA and the Contractor, and filed in the Court, the Sind-Baluchistan High Court dismissed the case.”

تو کیا اس وقت 28 کروڑ کی payment کی گئی ہے اور سات لاکھ کا کام کیا گیا ہے ؟

ملک محمد اختر : 28 لاکھ -

جناب چیئرمین : یہ misprint ہے -

سردار محمد اسلم : چلو 28 لاکھ ہی سہی - اگر سات لاکھ کا کام ہوا ہے تو

mutual compromise سے 28 لاکھ کی payment کیوں کی گئی ہے ؟

Malik Mohammad Akhtar : Sir, I frankly admit that a sum of Rs. 28,00,000.00 were paid to the Contractor as compensation for his machinery because the work was discontinued.

Sardar Mohammad Aslam : Supplementary, Sir.

جناب سوال کا (c) پارٹ یہ ہے -

“Whether it is a fact that the said contractor had never pre-qualified for the contract before its award to him ?”

اس کے جواب میں یعنی (c) کے جواب میں کہا گیا ہے -

“The contractor was pre-qualified conditionally by WAPDA for the said work prior to the invitation of tenders.”

آگے انہوں نے یہ reason دی ہے -

“The conditions of pre-qualification were that he would procure the requisite plant and equipment and appoint experienced and qualified supervisory staff.”

اس وقت تو اس کے پاس کچھ موجود نہیں تھا اس understanding پر کام لے

کر آئندہ plant بھی لگائے گا - مشینری بھی اور qualified آدمیوں کی services بھی

حاصل کرے گا - تو کیا اس وقت کوئی ایسا tenderer نہیں تھا جو یہ ساری

conditions fulfil کرتا ؟

Malik Mohammad Akhtar : Sir, there are two parts of this supplementary. The first is : Whether the WAPDA entertained a contractor. Yes, he was entertained and conditionally pre-qualified, *i.e.* if he brings the requisite machinery, he will be eligible to compete, and that he brought. The second part was probably : Whether some other contractor was available ? The contractors may be available. It was a competition and he got. He fulfilled the conditions. Then the work was stopped due to one reason or the other, and a compromise was arrived at, and he went to the court, and I need not go into the merits of the case which have been debated in the court.

Mr. Chairman : I think, his supplementary remains unanswered. His question was : Whether you could not get any pre-qualified contractor, any other person ?

Malik Mohammad Akhtar : Sir, the contractor was pre-qualified conditionally by WAPDA that he would bring the machinery had he did bring the machinery and, Sir, I consider that is sufficient. If he wants more information, I would request him to bring more questions and we will try to satisfy him.

Mr. Chairman : Yes, Sher Mohammad Khan.

جناب شیر محمد خان : جناب ! میں منسٹر صاحب سے یہ ضمنی سوال پوچھنا چاہتا ہوں کہ جب دوسرے کنٹریکٹرز موجود تھے تو conditionally اس کو خواہ مخواہ کیوں accept کیا گیا؟ اس کے ساتھ مشینری نہیں تھی۔ اس کے ساتھ سپروائزری مٹاف نہیں تھا۔ آخر یہ جو جھگڑا ہوا پھر compromise ہوا اس کو 28 لاکھ روپے ادا کیے گئے تو دوسرے کسی آدمی کو یہ کنٹریکٹ کیوں نہیں دیا گیا؟

Malik Mohammad Akhtar : Sir, he was the lowest and there could be some major saving. So, this contractor was allowed the contract, and he fulfilled the conditions which were made necessary for him to procure and obtain the contract.

جناب چیئرمین : دیکھیے نا - سردار محمد اسلم صاحب نے یہی سوال کیا تھا - انہوں نے انگریزی میں ضمنی سوال کیا تھا اور انہوں نے اردو میں کیا ہے - ان کا سوال یہ ہے کہ کیا آپ کو pre-qualified contractors نہیں ملے تھے ان کے سوا کہ اس کو آپ نے conditionally pre-qualified سمجھ کر کام اس کے حوالے کر دیا -

That is the question.

Malik Mohammad Akhtar : *Sir, according to the best of my information available with me, the information is quite complete that we made a condition. We can make conditions in addition to the conditions which are already there and this is a general practice. This is not an exception in this case. We sometime do allow the new contractors with the condition that they will satisfy us, and we issue them the tenders, and then they go in the competition, and if they are the lowest we have to entertain them. We cannot bypass a contractor who is the lowest. Then, Sir, finally as I have explained, I will only refer to it, the matter was compromised in a court after negotiations.

Mr. Chairman : Yes, no other question ?

Sardar Mohammad Aslam : Is it possible for the Minister concerned to lay the information on the table of the House as to who were the other contractors who submitted their tenders, and what were their qualifications ?

Malik Mohammad Akhtar : Sir, certainly if a fresh notice is given to me.

Mr. Chairman : Yes, you can give a notice.

Malik Mohammad Akhtar : Sir, if a fresh notice is given, I humbly request and I assure him that we will give him the maximum possible information available with us. But he may kindly.....

(Interruption)

Mr. Chairman : No, no. But you want him to lay the information on the table of the House.

*Speech not corrected by the honourable Minister.

Malik Mohammad Akhtar : No, Sir.

Mr. Chairman : No, no, I am asking Sardar Mohammad Aslam.

Sardar Mohammad Aslam : Yes, Sir.

Mr. Chairman : You want the information with regard to your supplementary to be laid on the table of the House. So, still it is a question. It will be an unstarred question. The question is there. You, see there are two sorts of questions, starred and unstarred. You want an answer to your unstarred question.

Sardar Mohammad Aslam : No, Sir, it was my supplementary question. The answer given by the concerned Minister was not complete as he said that the complete information was not available. There might be some other contractors who might have submitted their tenders.

Mr. Chairman : But he wanted a notice for that.

Sardar Mohammad Aslam : All right, Sir. But my submission is that pre-qualification means qualification possessed before submitting the tenders. Who were the persons who qualified the conditions for submitting the tenders? The Company which was not fulfilling all the conditions...

Mr. Chairman : No, no. He does not refuse to answer that question but he wants a notice for that. You can give a notice. It does not cost you anything. If you give a notice, he will answer in this Session.

Sardar Mohammad Aslam : All right, Sir.

Mr. Chairman : Yes, please.

Rao Abdus Sattar : Question No. 12, Sir.

Malik Mohammad Akhtar : On behalf of the concerned Minister, Sir.

Mr. Chairman : Yes.

TARBELA JOINT VENTURE

12. ***Khawaja Mohammad Safdar (Put by Rao Abdus Sattar) :** Will the Minister for Fuel, Power and Natural Resources be pleased to state :

(a) whether it is a fact that the WAPDA has paid Rs. 2,25,00,000.00 to the Tarbela Joint Venture as bonus for completing the Dam before the stipulated period ; and

(b) whether it is a fact that after revising terms of its contract with the Tarbela Joint Venture the WAPDA has paid Rs. 25,00,00,000.00 to the said contractors ?

Mr. Mohammad Yusuf Khattak (Read by Malik Mohammad Akhtar) :
(a) Yes, the contractor was paid a bonus of Rs. 2,25,00,000.00 for completing before schedule certain works as specified in the contract.

(b) No, it is not a fact that the contractor has been paid Rs. 25,00,00,000.00 after revising the terms of its contract.

Mr. Chairman : No supplementary ? No.

Now, we take item No. 3. Yes, Mr. Nargis Zaman Khan Kiani.

STANDING COMMITTEE REPORT *RE* : THE EMPLOYEES' COST OF LIVING (RELIEF) (AMENDMENT) BILL, 1975

جناب نرگس زمان خان کیانی : میں ملازمین کے اخراجات زندگی (امدادی) ایکٹ مجریہ ۱۹۷۳ء میں مزید ترمیم کرنے کے بل [ملازمین کے اخراجات زندگی (امدادی) (ترمیمی) بل ۱۹۷۵ء] پر متعلقہ قائمہ کمیٹی کی رپورٹ پیش کرتا ہوں۔

Mr. Chairman : Yes laid on the floor of the House.

Now No. 4. Yes, Mr. Ihsanul Haq.

STANDING COMMITTEE REPORT *RE* : THE INSURANCE (AMENDMENT) BILL, 1975

Mr. Ihsanul Haq : Sir, I have the privilege to submit on behalf of the Committee its report on Insurance (Amendment) Bill, 1975.

Mr. Chairman : Laid on the table of the House.

Now, we move on to the legislative work. The first item is No. 5. This is in the name of Mr. Abdul Qaiyum Khan.

Are you doing it, Malik Mohammad Akhtar ?

Malik Mohammad Akhtar : Yes, Sir.

Mr. Chairman : All right.

THE NATIONAL REGISTRATION (AMENDMENT) BILL, 1975

Malik Mohammad Akhtar : Sir, I beg to move :

“That the Bill to amend the National Registration Act, 1973 [The National Registration (Amendment) Bill, 1975], as reported by the Standing Committee, be taken into consideration at once.”

Mr. Chairman : The Motion moved is :

“That the Bill to amend the National Registration Act, 1973 [The National Registration (Amendment) Bill, 1975], as reported by the Standing Committee, be taken into consideration at once.”

Yes, Malik Mohammad Akhtar.

Malik Mohammad Akhtar : *Sir, the objects of the Bill are that we are amending Sections 2 and 3 and we are providing, Sir, that a post of Joint Registrar General and a number of posts of Registrars and Registration Inspectors are to be created for efficient functioning of this new organisation. Then, Sir, in Section 4, we have to receive several application forms which are to be processed and, Sir, if I go to the

*Speech not corrected by the honourable Minister.

[Malik Mohammad Akhtar]

Bill itself, it is necessary to look into the Act. The Act provides for the issue of the Identity Cards to all those citizens who are of 18 years or above, and it also provides for the registration of the children of 18 years of age. But the Act does not provide any time-limit in which a newly-born child should be registered. Time-limit is to be provided, so that all the children are to be registered. For this purpose, it is proposed to lay down a limit of 60 days. So, Sir, firstly, the new-born child is to be got registered within a limit of 60 days. Then Section 5, the form of identity card has been included in Schedule No. 2 to the Act, and so it has become more specific now. Then, Sir, in case of death of the Identity Card holders, the next of his kin has been made responsible to report to the Authority so that the record is to be rectified; but nothing was provided in the Act regarding reporting of death of the child below 18 years of age who may die after registration. A provision has been made to report the birth as well as the death of all the persons who are below the age of 18 years. Then, Sir, no punishment was provided for the persons verifying the....

Mr. Chairman : You mean punishment?

Malik Mohammad Akhtar : Yes, punishment, Sir. No punishment was provided for the persons verifying the certificate to be found incorrect. So, a clause of the penalty of the same has been provided. That is all. This is normal and routine amendment. Some lacuna was there in the original Act about reporting the birth and death, and no penalty was given in it. That is all, Sir. We have brought it in the form of an Ordinance, and now we are rectifying the lacuna in the form of a Bill.

Mr. Chairman : Any opposition? Any objection? Any amendment? No. Then, I put the question. The question before the House is :

“That the Bill to amend the National Registration Act, 1973 [The National Registration Amendment Bill, 1975], as reported by the Standing Committee, be taken into consideration at once.”

(The motion was adopted)

Mr. Chairman : Now, we take up Item No. 6. No, no, We take up clause by clause consideration, and we start from Clause 2.

The question before the House is :

“That Clause 2 form part of the Bill”.

Should we not take all the clauses together because there is no amendment?

Malik Mohammad Akhtar : Yes, Sir.

Mr. Chairman : Let us first dispose of this Clause 2.

Malik Mohammad Akhtar : All right, Sir.

Mr. Chairman : Now, I put the question before the House is :

“That Clause 2 forms part of the Bill.”

(The motion was adopted)

Mr. Chairman : Clause 2 forms part of the Bill.

Since there is no amendment, therefore, we take up all the remaining clauses together. So, I put one question covering all the clauses. The question before the House is :

“That Clauses 3, 4, 5, 6, 7 and 8 form part of the Bill.”

(The motion was adopted)

Mr. Chairman : Clauses from 3 to 8 form part of the Bill.

Now, we are left with Clause 1. The question before the House is :

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

Mr. Chairman : Preamble and Short Title and Clause 1 form part of the Bill. Yes, Malik Mohammad Akhtar :

Malik Mohammad Akhtar : Sir, I beg to move :

“That the Bill amend the National Registration Act, 1973, [The National Registration (Amendment) Bill, 1975] be passed”.

Mr. Chairman : The motion moved is :

“That the Bill to amend the National Registration Act, 1973, [The National Registration (Amendment) Bill, 1975], be passed.”

Malik Mohammad Akhtar : No opposition and no speeches.

Mr. Chairman : No opposition, no speeches? Anybody wants to speech? No.

Mr. Ihsanul Haq : One information from the Minister concerned about Clause 2.

Mr. Chairman : You are referring to which clause?

Mr. Ihsanul Haq : Clause 2, Sir. I am sorry, Sir.

Mr. Chairman : All right.

Malik Mohammad Akhtar : Thank you.

Mr. Ihsanul Haq : I am sorry.

Mr. Chairman : No opposition. Now, I put the question before the House.

The question before the House is :

“That the Bill to amend the National Registration Act, 1973, [The National Registration (Amendment) Bill, 1975] be passed.”

(The Bill was adopted)

Mr. Chairman : So, the Bill stands passed.

Now, we take up the next item, No. 7, Mr. Miraj Khalid.

**THE LEGAL PRACTITIONERS AND BAR COUNCILS
(AMENDMENT) BILL, 1975**

Malik Mohammad Akhtar : On his behalf, Sir, I beg to move :

“That the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973. [The Legal Practitioners and Bar Councils (Amendment) Bill, 1975], as reported by the Standing Committee, be taken into consideration at once.”

Mr. Chairman : The motion moved is :

“That the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 1975], as reported by the Standing Committee, be taken into consideration at once.”

Malik Mohammad Akhtar : Sir, it is a substantial amendment. Sir, a procedure was laid down in section 16 of the Legal Practitioners and Bar Councils Act, 1973, for filling the casual vacancy and this was in respect of Pakistan Bar Council and the Provincial Bar Councils and, Sir, this is the same as if we were holding the general election. Now, supposing there is a vacancy, then in the case of the Provincial Bar Council all the members on the Roll of the Electoral Colleges from various districts will constitute electoral college. Sir, we have reverted to the old method that was there in the form of an Act, and that is that after the elections are conducted, the persons obtaining the highest number of votes are the persons nominated against that very number. Supposing there are 10 seats and 10 persons secure the highest votes. Now, if there is a vacancy somehow either due to death or going abroad of one of the members, then we are providing in case of that vacancy that the person on number eleven will get automatically elected. In case of election to the Provincial Bar Council, we have also adopted the same provisions contained in the Act of 1965. We have simplified the action.

Mr. Chairman : Yes Mr. Ihsanul Haq.

Mr. Ihsanul Haq : *Sir, as far as Clause 2 is concerned, clause (a) says ‘in the case of the Pakistan Bar Council, the vacancy shall be filled by a person elected in accordance with the provisions of section 11’. Clause (b) is in regard to the Provincial Bar Council. It says, “the vacancy shall be filled by the person who received, in the same election and from the same district or, as the case may be, group of districts, the highest number of votes next after the member the vacancy in whose seat is to be filled, or if there be no such person, by a person, eligible for election to that Council from the same district or, as the case may be, group of districts who is co-opted by the Provincial Bar Council.” So, as far as Provincial Bar Council is concerned.

یہاں تو انہوں نے یہ پرویزن کر دی ہے کہ اگر کوئی اس طرح چلا جائے تو اس کی جگہ اس کے مقابلے میں جس نے کم ووٹ لیے ہیں اس کو لے آئیں گے لیکن

*Speech not corrected by the honourable Member.

وہاں جہاں پاکستان بار کونسل میں casual vacancy ہوگی اس کو اس طریقے سے پر نہیں کیا جا رہا ہے اور جیسا کہ منسٹر صاحب نے کہا ہے کہ اگر اخراجات کو بچانا ہے یا وقت ضائع ہوتا ہے تو سارا کام پھر اسی طریقے سے ہونا چاہیے - میرے خیال میں یہ مناسب ہوتا کہ پاکستان بار کونسل میں ابھی سیٹیں اسی طریقے سے پر کر لی جاتیں کیونکہ ”پراونشیل لیول“ پر تو خرچ بہ نسبت پاکستان بار کونسل کے کم ہوتا ہے - اس لیے میں چاہتا تھا کہ اگر منسٹر صاحب اس پر کچھ روشنی ڈالیں تو زیادہ بہتر ہوگا -

Thank you.

Malik Mohammad Akhtar : Sir, the matter is very simple. The electoral college in respect of election to Bar Council of the provinces is very wide. The number of persons on the electoral college are a large number. As far as persons concerned to be elected on the Pakistan Bar Council, we have referred to section 11. It is a very relevant point and section 11 is very clear. But, Sir, I consider it is a good suggestion, and we will give it due consideration. But I request that at present this Ordinance...

Mr. Chairman : At present it is a Bill and not an Ordinance.

Malik Mohammad Akhtar : It was an Ordinance originally. In any case, it will have to be considered at length by the Law Department and then submitted through so many channels. I consider that the Bill in the present form may be adopted. I quite agree with him. It is a good suggestion.

Mr. Chairman : What is your reaction to his appeal, to his personal request to you ? He has asked you to withdraw your suggestion.

Mr. Ihsanul Haq : I do not have any objection. Sir, it was an Ordinance. Now, it has come in the shape of a Bill. I was trying to understand the logic behind. The honourable Minister must have worked hard and his department too must have worked hard. I wanted to know what exercise was done,

Mr. Chairman : Are you satisfied with the answer ?

Mr. Ihsanul Haq : Yes, Sir.

Mr. Chairman : Is no other gentleman anxious to speak ? Yes, Mr. Waheed Akhtar.

جناب احمد وحید اختر : جناب اور کوئی بات نہیں ہے بس یہی ایک بات تھی جو میان احسان الحق صاحب نے کہا دی ہے تو ملک صاحب نے کہا ہے کہ ان کی منسٹری یا ان کا محکمہ اس پر توجہ کریگا اور اگر امینڈمنٹ کی ضرورت محسوس کریں گے تو امینڈمنٹ کر لیں گے فی الحال تو ٹھیک ہے -

Mr. Chairman : I will now put the question. The question before this House is :

“That the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 1975], as reported by the Standing Committee, be taken into consideration at once.”

(The motion was adopted)

Mr. Chairman : The motion is carried. Now, we will take it up clause by clause. It is a two-clause Bill. So, we put Clause 2 to the House.

The question before that House is :

“That Clause 2 forms part of the Bill.”

(The motion was adopted)

Mr. Chairman : Clause 2 forms part of the Bill.

Now, the question before the House is :

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

(The motion was adopted)

Mr. Chairman : Clause 1, Preamble and Short Title form part of the Bill.

Malik Mohammad Akhtar : Sir, I beg to move :

“That the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 1975] be passed.”

Mr. Chairman : Yes, would you like to say anything ? Would you like to throw some light ?

Malik Mohammad Akhtar : I have already stated about that.

Mr. Chairman : He wanted you to throw some light.

Malik Mohammad Akhtar : Sir, I concede where I am weak, and I do not concede where I am strong.

Mr. Chairman : Was there any Ordinance ?

Malik Mohammad Akhtar : Sir, I am sorry to say that it is as said by your honour.

Mr. Chairman : In your earlier speech you said : “That is only an ordinary Ordinance.” I told you that we had a Bill before the House. There was no Ordinance promulgated with regard to this subject. You just check up your papers. There is no hurry about it.

Malik Mohammad Akhtar : Had there been any Ordinance, there would have been the 3rd clause to repeal the Ordinance. So it is the case.

Mr. Chairman : So, is there no Ordinance ?

Malik Mohammad Akhtar : I consider so, Sir.

Mr. Chairman : So, was there no Ordinance ?

Malik Mohammad Akhtar : I consider, there was no Ordinance.

Mr. Chairman : Do you consider or are you sure that there is no Ordinance ?

Malik Mohammad Akhtar : Sir, I consider that there is the first clause that contains that.

Mr. Chairman : But are you dead sure cent-per-cent that there was no Ordinance on the subject ?

Malik Mohammad Akhtar : Then, Sir, give me time.

Mr. Chairman : All right. I give you full time. You go through your papers and see that there was no Ordinance.

Malik Mohammad Akhtar : At present there is no Ordinance, because the Bill is designed to achieve this purpose.

Mr. Chairman : Was there no Ordinance even earlier ?

Malik Mohammad Akhtar : We had some law in the Act of 1973.

Mr. Chairman : We had law but no Ordinance.

Malik Mohammad Akhtar : We have enacted through the Bill.

Mr. Chairman : You do not want to say anything. Now, I put the question.

The question is :

“That the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 1975], be passed.”

(The motion was adopted)

Mr. Chairman : This is another feather to your cap.

Malik Mohammad Akhtar : Sir, I am just an humble servant of this House, and I am grateful to the Members.

Mr. Ihsanul Haq : Sir, his cap is becoming very heavy with feathers. Every day we are adding some feathers to his cap.

Mr. Chairman : You may pluck out some feathers from his cap.

Malik Mohammad Akhtar : Sir, I am going to transfer these feathers to his cap.

Mr. Chairman : Now, there is no other business. We meet tomorrow morning.

Malik Mohammad Akhtar : Sir, in the morning or according to the convenience of the House.

Mr. Chairman : All right, you feel that we should meet in the morning. At what time ?

Mr. Ihsanul Haq : At 11 o'clock.

Mr. Ahmad Waheed Akhtar : At 10 a.m.

Mr. Chairman : All right. The House is adjourned to meet tomorrow at 10 a.m.

The House adjourned to meet at Ten of the Clock in the morning on Tuesday, July 8, 1975.
