



THE
SENATE OF PAKISTAN
DEBATES

OFFICIAL REPORT

Saturday, July 12, 1975.

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SENATE DEBATE

SENATE OF PAKISTAN

Saturday, July 12, 1975

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

(Recitation from the Holy Quran)

STARRED QUESTION AND ANSWER

Mr. Chairman : Yes, now, the questions.

CONFERENCE LINES FREIGHT HIKE

16. *Khawaja Mohammad Safdar (Put by Rao Abdus Sattar) : Will the Minister for Communications be pleased to state :

(a) whether it is a fact that U. K.-Pakistan-India Conference Lines have imposed a port surcharge @ 10% on import and export cargoes from May 6, 1975 ;

(b) whether Japan-India-Pakistan-Gulf Conference Lines have proposed a freight hike of 28% on our import and export cargoes ; and

(c) the steps so far taken by the Federal Government to persuade the Lines to desist from freight hike or imposition of port surcharge ?

Mr. Mumtaz Ali Bhattu : (Read by Malik Mohammad Akhtar, Minister of State for Parliamentary Affairs) : (a) Yes.

(b) The Japan-India-Pakistan-Gulf Conference Lines (JAPPERCON) gave notice to shippers on 1st March, 1975 for an upward revision by 28% in the freight rates with effect from 1st June, 1975. The date of effect of the increase in freight rates was subsequently postponed to 1st July, 1975. No other notice of effecting the increase from 1st July, 1975, or its further postponement has been received so far.

[Mr. Mumtaz Ali Bhutto]

(c) Protest has been lodged with the Conference Lines against the increase in freight charge especially in the case of Raw Cotton. The Conference Lines have not so far reacted favourably in that respect.

Mr. Chairman : Any supplementary ? No. Now, next question.

DEFERRED STARRED QUESTIONS AND ANSWERS

(Originally set down for answer on the 5th July, 1975)

HIRE-CHARGE OF VEHICLES REQUISITIONED BY ARMY IN EAST PAKISTAN

5. *Khawaja Mohammad Safdar (Put by Rao Abdus Sattar) : Will the Minister for Defence be pleased to state:

(a) whether it is a fact that many repatriates from Bangladesh owned vehicles such as Buses and Trucks in former East Pakistan, which were requisitioned in 1971 by the Pakistan Army ;

(b) whether it is a fact that many of these repatriates have approached the Government for payment of hire money as well as damages for the requisitioned vehicles which were never returned to them ;

(c) whether it is a fact that one Mr. Abu Nasar Nehal Ahmad, proprietor of a Bedford Diesel Truck No. Dacca-NA. 190 which was required by the army authorities on 2nd April, 1972, when called upon to produce documents had produced the original requisition letter as well as other letters from the army authorities at Dacca addressed to him in this connection ; and

(d) the reasons for not paying hire-charges and damages for loss of truck to the said Mr. Abu-Nasar Nehal Ahmad and others with similar claims ?

Mr. Aziz Ahmed : (Read by Malik Mohammad Akhtar) (a) & (b), 21 repatriates from Bangladesh have preferred claims for hire, charges or damage to or loss of their vehicles, which are stated to have been requisitioned by the Army in 1971 in East Pakistan ;

(c) Mr. Abu Nasar Nehal Ahmad is one such claimant. The only document he produced was a "requisition slip" which too did not bear office seal of the requisitioning authority. His claim could not, therefore, be entertained. He could not produce any documentary evidence in support of his claim ; and

(d) In the absence of independent documentary evidence to support the claim, it is not possible to settle such claims since the concerned authorities are not in possession of relevant official records to verify the claims.

Mr. Chairman : Would any gentleman like to put any supplementary ?

No. All right, next question.

ACREAGE OF RESUMED AND ALLOTTED LAND

6. *Khawaja Mohammad Safdar : (Put by Rao Abdus Sattar) : Will the Minister for Food and Agriculture and Under-developed Areas be pleased to state :

(a) the total acreage of land resumed under M. L. R. 115 and out of that the land allotted/leased out in each of the four Provinces ;

(b) the total acreage of land resumed under M. L. R. 118 and out of that the land allotted/leased out ;

(c) the number of persons in each Province to whom ownership of land resumed under M. L. R. 115 has been transferred ;

(d) the number of persons to whom ownership of land resumed under M. L. R. 118 has been transferred ;

(e) the total area of each resumed Shikargah in Pakistan with the name of its former owner ; and

(f) whether it is a fact that the Shikargah lands have not so far been allotted to landless peasants, and are still under the management of the former owners in their capacity as managers ?

Sheikh Muhammad Rashid (Read by Malik Mohammad Akhtar) :
(a) Acreage of land resumed and allotted under M.L.R.-115 upto 31st May, 1975, Province-wise, is as under :—

<i>Province</i>	<i>Land Resumed (Acres)</i>	<i>Land Allotted (Acres)</i>
Sind	2,26,302	1,16,961
Punjab	3,54,758	1,71,162
NWFP	1,40,210	1,25,139
Baluchistan	2,88,889	27,286
Total	10,46,159	4,40,548

(b) There is neither any MLR-118 nor any area has been resumed or distributed thereunder.

[Malik Muhammad Akhtar]

(c) The number of persons, province-wise to whom ownership rights under MLR-115 have been transferred is as under :—

					<i>Number of persons</i>
Sind	...	...	...	...	10,512
Punjab	...	...	...	...	32,412
NWFP	...	...	...	...	9,429
Baluchistan	...	...	...	...	2,331
Total				...	54,864

(d) As there is no MLR-118, therefore neither any land has been resumed nor distributed thereunder.

(e) The area of each Shikargah in Pakistan and the names of their former owners are as under :—

					<i>Total Area (Acres)</i>
1.	Shikargah belonging to Mr. Zulfikar Ali Bhutto in Larkana District	...	...	...	178-31
2.	Shikargah belonging to Mr. Ghulam Mustafa Jatoi in Nawabshah District	...	...	...	3,850-14
3.	Shikargah belonging to Mr. Sultan Ahmad Chandio in Larkana District	...	...	...	1,25,520
4.	Shikargah belonging to Mir Ali Murad Khan Talpur in Khairpur District	...	...	...	5,240-21
5.	Shikargah belonging to Pir Mohyuddin Shah of Ranipur in Khairpur District	...	...	...	367-08
6.	Shikargah belonging to Amir of Bahawalpur	...	...	...	20,000-00

(f) The Shikargah lands have been and are being distributed like other resumed land to landless peasants. The details are as under :—

	Area allotted	No. of persons benefited
(i) Shikargah belonging to Mr. Zulfikar Ali Bhutto in Larkana District.	178-31	39
(ii) Shikargah belonging to Mr. Ghulam Mustafa Jatoi in Nawabshah District.	3,850-14	123
(iii) Shikargah belonging to Mr. Sultan Ahmad Chandio in Larkana District.	16,627-04	958

The Shikargah belonging to Mr. Sultan Ahmad Chandio in Sind was unsurveyed and its area was roughly estimated at 1,25,520 acres. It is now being surveyed and so far an area of 80,000 acres has been surveyed. The exact area of this Shikargah will be known on completion of survey operations.

(iv) Shikargah belonging to Mir Ali Murad Khan Talpur in Khairpur District.

This has been transferred to Wild Life Management Board.

(v) Shikargah belonging to Pir Mohyuddin Shah of Ranipur in Khairpur District.

This has been transferred to Wild Life Management Board.

(vi) Shikargah belonging to Amir of Bahawalpur.

The Deputy Land Commissioner resumed this area *vide* his orders dated the 16th Jan., 1974 under para 16 of the Regulation. The Amir filed a Writ before the High Court and the order of the DLC was suspended. The stay order has been vacated recently and the DLC has been directed to allot the land. The hearing of the Writ Petition has been concluded by the High Court and the judgment reserved.

Mr. Chairman : Next question.

W. F. P. AID UNDER W. M. P. IN HAZARA DISTRICT

7. *Sardar Mohammad Aslam : Will the Minister for Food and Agriculture and Under-developed Areas, be pleased to state :

(a) whether the World Food Programme prepared a scheme involving expenditure to the tune of Rs. 10 crore under the Watershed Management Programme in Hazara District ; and

(b) whether it is a fact that the Frontier province has been deprived of W. F. P. aid which was to be made available to Hazara District ; and, if so, the reasons therefor ?

Sheikh Muhammad Rashid (Read by Malik Mohammad Akhtar) : (a) Yes, the cost is estimated at Rs. 14.46 crore. (b) No.

Mr. Chairman : Next question.

PROPOSAL FOR EXPANSION OF W. M. PROJECT

8. *Sardar Mohammad Aslam : Will the Minister for Food and Agriculture and Under-developed Areas be pleased to state :

(a) whether a high powered team of World Food Programme visited Hazara district during August, 1974 and evaluated the on-going W. F. P. Watershed Management Project ;

(b) if answer to (a) be in affirmative, whether it is a fact that the said team had recommended to the Government of NWFP expansion of this project throughout the Hazara district and asked for the project documents to be submitted to the W. F. P. authorities through the Government of Pakistan ; and

(c) if answer to (b) above be in the affirmative, whether it is a fact that the authorities concerned delayed the submission of the report as a result of which the project has not been expanded upto now ; if so, the reason therefor ?

Sheikh Muhammad Rashid (Read by Malik Muhammad Akhtar) : (a) Yes.

(b) Yes.

(c) There was no delay. Government of NWFP submitted the proposal to the Ministry on 31-1-1975 and it was immediately transmitted to World Food Programme on 3-2-1975.

Sardar Mohammad Aslam : Supplementary, Sir.

Mr. Chairman : Do you want to ask supplementary ?

Sardar Mohammad Aslam : Yes, Sir.

Mr. Chairman : Yes.

سردار محمد اسلم : جناب کیا وزیر صاحب یہ بتائیں گے کہ World Food Programme کا جو پروجیکٹ 14.46 کروڑ روپے کا Sanction ہوا ہے اور اسکیم بنی ہے اس کے شروع ہونے کا امکان کب ہے ؟

Malik Mohammad Akhtar* : I am grateful to the honourable Member that he is very clear in his supplementary. It is only a scheme as he has suggested, which has been prepared, and this scheme was submitted, as I have said, to the Frontier Government, and they have already submitted their papers and, now, Sir, the Government, as explained, has forwarded this scheme to the World Food Programme and, Sir, their meetings are held twice a year and their next meeting is supposed to be held probably in September, and I consider that all the efforts are being made to promptly deal with this matter, and his area, I assure him, will benefit from this plantation and afforestation at the fullest speed and most rapidly, and a huge amount will be placed at the disposal of the Pakistan Government. No delay will be there.

Mr. Chairman : Next.

REPATRIATION FROM NEPAL

9. ***Khawaja Mohammad Safdar :** (Put by Rao Abdus Sattar : Will the Minister for Foreign Affairs be pleased to state :

(a) the number of stranded Pakistanis repatriated from Nepal since 29th November, 1974 ;

(b) the number of Pakistanis still in Nepal awaiting repatriation ; and

(c) the approximate period during which Pakistanis mentioned in (b) above will be repatriated ?

Mr. Aziz Ahmed (Read by Malik Mohammad Akhtar) : (a) 1,000 non-Bengalee refugees.

(b) Approximately 1,300 non-Bengalee refugees.

(c) There are already 38,000 non-Bengalee refugees still unrehabilitated, living in 87 camps. The question of how soon more of such refugees can be brought in will depend on the rate at which we are able to rehabilitate those who are living in camps so as to make room for fresh arrivals ; it will also depend on how soon UNHCR can arrange to airlift them, in regard to which we are maintaining contact with him.

Mr. Chairman : The Question Hour is over.

*Speech not corrected by the honourable Minister.

STATEMENT OF ASSURANCE LAID ON THE TABLE OF THE HOUSE

(Assurance given by Mir Afzal Khan, Minister for Commerce, on 16-1-1975, regarding representation to provinces in the executive council of the Pakistan Tobacco Board, in reply to the points raised by Senator Khawaja Mohammad Safdar, during the discussion of the Pakistan Tobacco Board (Amendment) Bill, 1975.)

As already mentioned by the Minister for Commerce in the Senate on 16th January 1975, there is no substantial cultivation of tobacco in the Provinces of Baluchistan and Sind, and whatever is being produced there, is not of the type required for cigarette manufacture or export. The entire quantity is consumed within the Provinces in *hookah* or chewing tobacco. Notwithstanding this, all the provinces are represented on the Pakistan Tobacco Board. Unfortunately, the officials of Baluchistan and Sind have not been regularly attending the meetings of the Pakistan Tobacco Board, except for the recent meeting of the newly-constituted Board held on May 19, 1975, in which the official nominee of the Province of Sind was present.

2. The executive functions of the Board are performed by the Board through its Chairman to whom certain administrative and financial powers have been delegated. The Committee, which is constituted under Section 12 of the Ordinance, is the "Tobacco Development Committee" and not the "Executive Committee" mentioned in the Senate proceedings. The functions of the Tobacco Development Committee, which have been defined in Section 13 of the Ordinance, are as follow :—

"The Committee shall execute the policies of the Board in the matter of rendering assistance in the development of the existing and new tobacco growing areas and establishment of model tobacco farms in accordance with such schemes as may be approved by the Central Government, render assistance to cultivators to improve their production, and perform such other functions as the Board may, with approval of the Central Government direct."

3. The constitution of the Tobacco Development Committee is as follows :—

1. Chairman of Pakistan Tobacco Board.
2. One member to be appointed by the Federal Government, who has been elected to the Board by the cigarette manufacturing association of Pakistan from the NWFP, or the Punjab.
3. One member to be appointed by the Federal Government from amongst the persons nominated to the Board by the Provincial Governments of NWFP, and Punjab from the Tobacco growers of the two provinces (two from each province).

4. One member to be appointed by the Federal Government, from amongst the four official nominees of the Provincial Governments.

4. The proposal made by the honourable Senator Khawaja Mohammad Safdar, is to the effect that Tobacco Development Committee should also include representatives of the provinces of Baluchistan and Sind. As mentioned earlier, the official representatives of these two Provinces are members of the Board, and the Tobacco Development Committee would place its proposal and schemes before the Board for ultimate approval. The composition of the Tobacco Development Committee has been purposely restricted to a small number so that it can formulate and discharge its functions effectively.

POINT RE : INCORRECT REPORTING BY NAWA-I-WAQT

راؤ عبدالستار (قائد ایوان) : جناب چیئرمین ! آپ کی اجازت سے میں عرض کرنا چاہتا ہوں کہ کل privilege motion پر جو بحث ہوئی ، اس کے متعلق آج نوائے وقت نے بڑی غلط reporting کی ہے ۔ آج کے نوائے وقت میں back page پر انہوں نے تحریر کیا ہے کہ جن ممبران نے تحریک پر بحث میں حصہ لیا ان کے خیال میں سینٹ کے ارکان جیل میں ”اے کلاس کے مستحق نہیں ہیں“ ۔ میری request یہ ہے کہ آپ اخبار کو تنبیہ کریں کہ وہ اس کی correction کرے کیونکہ جن ممبروں نے تحریک پر بحث میں حصہ لیا انہوں نے یہ نہیں کہا کہ وہ ”اے کلاس“ کے حق دار نہیں ۔ انہوں نے کہا ہے کہ social status qualifications اور سوسائٹی میں ان کا مقام ان چیزوں کو مدنظر رکھتے ہوئے سینٹ کے ممبران اس category میں آتے ہیں اور وہ ”اے کلاس“ کے مستحق ہیں اس لئے ہاؤس کی جانب سے میری request ہے کہ آپ اس اخبار کو کہیں کہ وہ correction کریں ورنہ اس کے خلاف کارروائی کی جائے ۔

Mr. Chairman : I think, if I recollect correctly, none of the gentlemen present here had said that a Senator was not entitled to 'A' class. None of them said that. Only Mr. Qamaruzzaman Shah, when he was reading the report of the Committee concerned, had said that there was nothing in Jail Manual with regard to the granting of class 'A'. That is all. As far as I remember, almost every Member was of the view that a Senator, as a matter of right, in view of his social status and other considerations, is entitled to 'A' class. Yes, I remember. Mr. Ihsanul Haq you also participated in this discussion. Did you say that a Senator is not entitled to 'A' class ?

Mr. Ihsanul Haq : No, Sir. The only thing we were saying was that keeping in view the social status and social background a Senator should be given 'A' class. We said the same thing as you have rightly observed.

Mr. Chairman : Sardar Mohammad Aslam, did you make any remark to the effect that a Senator is not entitled to class 'A' ?

Sardar Mohammad Aslam : Sir, how can somebody say that a Senator is not entitled to 'A' class? How can anybody expect this thing from a Member of the Senate?

کوئی ممبر کیسے کہہ سکتا ہے کہ سینٹ کے ممبران "اے کلاس" کے entitle نہیں ہیں؟ کوئی ممبر نہیں کہہ سکتا۔

جناب چیئرمین : مسٹر وحید اختر آپ نے بھی حصہ لیا تھا؟

جناب احمد وحید اختر : میں نے بھی گذارشات پیش کی تھیں اس وقت یہ بات کہی گئی تھی۔

جناب چیئرمین : جہاں تک مجھے یاد ہے کسی بھی سینیٹر نے یہ نہیں کہا کہ سینیٹروں کو "اے کلاس" نہیں دینی چاہیے اور وہ اس کے مستحق نہیں ہیں۔

جناب احمد وحید اختر : آپ کی یادداشت بالکل درست ہے۔

جناب چیئرمین : میرا تو یہی recollection ہے۔

Yes, Haji Sahib, do you want to say anything?

Mr. Niamatullah Khan : Mr. Chairman, Sir, even Mr. Qamruzzaman Shah was not against Class A. It was not said that this House was against Class A. We all supported for 'A' Class, and what has been written in the newspaper is wrong.

Mr. Chairman : Well, I think, personally this is not correct reporting. The words :

جن ممبروں نے تحریک پر بحث میں حصہ لیا ان کے خیال میں سینٹ کے ارکان کلاس "اے" کے مستحق نہیں ہیں۔

This is not correct.

Malik Mohammad Akhtar : Sir, if you issue directions, we will get it rectified.

Mr. Chairman : Oh, yes. There is no question of تنبیہ or warning or anything. I think, this may be misprint, or misreporting to the paper by their correspondent. Anyhow, I am sure this is not correct. So, I will ask the paper concerned to make necessary correction on this point in tomorrow's issue.

جن ممبروں نے تحریک پر بحث میں حصہ لیا ان کے خیال میں سینٹ کے ارکان کلاس "اے" کے مستحق نہیں ہیں Its correction would be جن ممبروں نے تحریک پر بحث میں حصہ لیا ان کے خیال میں سینٹ کے ارکان کلاس "اے" کے مستحق ہیں۔

MESSAGE FROM THE NATIONAL ASSEMBLY *Re* : ADOPTION
OF THE FEDERAL MINISTERS AND MINISTER OF STATE (SALARIES,
ALLOWANCE AND PRIVILEGES) BILL, 1975

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Only **میں** has to be replaced by **ہیں**. This is the only correction needed. So, I would ask the paper concerned to make necessary correction in tomorrow's issue.

MESSAGE FROM THE NATIONAL ASSEMBLY *RE* :
ADOPTION OF THE FEDERAL MINISTER AND MINISTERS
OF STATE (SALARIES, ALLOWANCES AND PRIVILEGES)
BILL, 1975

Mr. Chairman : Now, there are two messages from the Secretary, National Assembly addressed to this Secretariat. One 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 Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Bill, 1975 on 11th July, 1975. A copy of the Bill is transmitted herewith. Please acknowledge receipt."

MESSAGE FROM THE NATIONAL ASSEMBLY *RE* :
ADOPTION OF THE VALIDATION OF LAWS BILL, 1975

Mr. Chairman : There is another message from the Secretary, National Assembly addressed to the Secretary, Senate. 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 Validation of Laws Bill, 1975 on 11th July, 1975. A copy of the Bill is transmitted herewith."

Yes, I mentioned two. There are three messages. There is a third also. (After a pause.) There are more. So, I correct myself. I said two, there are more than two.

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

Mr. Chairman : This is from the same quarter addressed to the Secretary Senate. 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 Banking Companies (Amendment) Bill, 1975 on the 11th July, 1975. A copy of the Bill is transmitted herewith."

MESSAGE FROM THE NATIONAL ASSEMBLY *RE* :
ADOPTION OF THE COMPANIES (MANAGING
AGENCY AND ELECTION OF DIRECTORS)
(AMENDMENT) BILL, 1975

Mr. Chairman : There is a fourth message from the Secretary

[Mr. Chairman]

National Assembly addressed to Secretary, Senate. 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 Companies (Managing Agency and Election of Directors) (Amendment) Bill, 1975 on 11th July, 1975. A copy of the Bill is transmitted herewith.”

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

Mr. Chairman : There is also a fifth message from the same quarter to this 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 Divorce (Amendment) Bill, 1975 on the 10th July, 1975. A copy of the Bill is transmitted herewith.”

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

Mr. Chairman : This is the sixth message addressed by the Secretary, National Assembly to Secretary, Senate. It reads :

“In pursuance of Rules 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 Telegraph (Amendment) Bill, 1975 on the 10th July, 1975. A copy of the Bill is transmitted herewith.”

MESSAGE FROM THE NATIONAL ASSEMBLY RE : ADOPTION
OF THE FEDERAL BOARD OF INTERMEDIATE
EDUCATION BILL, 1975 AND SECONDARY

Mr. Chairman : This is the seventh message. I made a big mistake. I thought there were only two. Well it is from the Secretary, National Assembly addressed to the Secretary, Senate. 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 Federal Board of Intermediate and Secondary Education Bill, 1975 on the 10th July, 1975. A copy of the Bill is transmitted herewith.”

Now, gentlemen, we take up the next item, legislative business. We start with item No. 3. It is in the name of Malik Miraj Khalid, Minister for Law and Parliamentary Affairs. Is he coming or will you be piloting the Bill ?

Malik Mohammad Akhtar : I will be doing it, Sir. He is busy in that meeting. With the permission of the House, Sir.

Mr. Chairman : Oh, yes.

THE VALIDATION OF LAWS BILL, 1975

Malik Mohammad Akhtar : Sir, I beg to move :

“That the Bill to validate certain President’s Orders, Martial Law Regulations, Martial Law Orders and other laws [The Validation of Laws Bill, 1975], as passed by the National Assembly, be taken into consideration.”

Mr. Chairman : Yes, the motion made is :

“That the Bill to validate certain President’s Orders, Martial Law Regulations, Martial Law Orders and other laws [The Validation of Laws Bill, 1975], as passed by the National Assembly, be taken into consideration.”

Any opposition, any objection, gentlemen ? None. Yes ?

Malik Mohammad Akhtar : Sir, the motion may be put. I will be making a short statement at the Third Reading.

Mr. Chairman : All right. Now, the motion made is :

“That the Bill to validate certain President’s Orders, Martial Law Regulations, Martial Law Orders and other laws [The Validation of Laws Bill, 1975], as passed by the National Assembly, be taken into consideration.”

Now, this is question. Motion has already been put. The question before the House is :

“That the Bill to validate certain President’s Orders, Martial Law Regulations, Martial Law Orders and other laws [The Validation of Laws Bill, 1975], as passed by the National Assembly, be taken into consideration.”

(The motion was adopted)

Mr. Chairman : Now, we take up clause by clause consideration of the Bill. It is a simple thing. Nothing except various laws, Ordinances, Regulations, Martial Law Orders have been enumerated in it.

So, I will first put Clause 2.

The question before the House is :

“That Clause 2 forms part of the Bill.”

(The motion was adopted)

Mr. Chairman : Next, Schedule. Now, the question before the House is :

“That Schedule forms part of the Bill.”

(The motion was adopted)

Mr. Chairman : Now, we are left with Clause 1.

The question before the House is :

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

(The motion was adopted)

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

Yes, you can move the next.

Malik Mohammad Akhtar : Sir, I beg to move :

“That the Bill to validate certain President’s Orders, Martial Law Regulations, Martial Law Orders and other laws [The Validation of Laws Bill, 1975], be passed.”

Mr. Chairman : Yes, the motion made is :

“That the Bill to validate certain President’s Orders, Martial Law Regulations, Martial Law Orders and other laws [The Validation of Laws Bill, 1975], be passed.”

Any opposition ? Any objection ?

Malik Mohammad Akhtar : Sir, I will be making a short statement.

Mr. Chairman : Oh’ yes.

Malik Mohammad Akhtar : *Sir, we are meeting a constitutional requirement. It has been provided in Clause 1 of Article 270 that the laws, Martial Law Orders, President’s Orders, Martial Law Regulations and other proclamations made during the period of 25th of March till 19th of December, 1971 would be placed before the House for validation within a period of two years. Of course, under Clause 4, powers were given that even earlier any Government or anybody could make any motion or resolution for their disapproval. No such motion or resolution was made. Now, what the Government has been doing, Sir. They sent the list of these laws to all the Provincial Governments and all the administrative departments of the Federal Government seeking their opinion on the point that the laws which are undemocratic may be removed from the list of laws.

Sir, then a large number of these laws were repealed under Clause 2 and Clause 3 of Article 280 of the Interim Constitution, and so far as many as 37 out of 54 President’s Orders, 88 out of 98 Proclamations,

*Speech not corrected by the honourable Minister.

Martial Law Regulations together with 5 Ordinances have already been omitted.

Similarly, Sir, 28 out of 75 West Pakistan Ordinances have been repealed or omitted. Sir, we have taken due care that all the necessary steps may be taken to preserve which ever law is reasonable and good. Sir, we are complying with Clause 1 of Article 250 and we are bringing before the House laws in respect of Salaries. Now, Sir, (whatever is left, is left in respect of dissolution of One Unit. It is left in respect of elections, it is left in respect of general proceedings and general orders which were every beneficial. After all in two years some beneficial orders were also made. Sir, an objection was taken that we should have brought this law in a form of...

Mr. Chairman : Nobody has taken.

Malik Mohammad Akhtar : Sir, it was taken some time back.

Mr. Chairman : No objection was raised by anyone.

Malik Mohammad Akhtar : Sir, I come to...

Mr. Chairman : You need not reply to any objection raised outside the House.

Malik Mohammad Akhtar : Then, Sir, I will only refer, may I come to the date. It was 1st October, 1955.

Mr. Hussain Saheed Suhrawardy brought similar validation Bills.

Mr. Ihsanul Haq : Point of order, Sir.

Mr. Chairman : Yes.

Mr. Ihsanul Haq . Sir, as far as I think the Bill is very important and not only it is important but it is simple also because these all Ordinances, Presidential Orders or Martial Law Regulations etc. are invogue since the Interim Constitution and then the Permanent Constitution. Now, the question is of revalidating them by the Parliament as provided by the Government. So, I do not think there is any need of going so deep into the time of Mr. Suhrawardy.

Malik Mohammad Akhtar : Sir, I conclude my speech.

Mr. Ihsanul Haq : So, I would request the honourable Minister to kindly be brief because every Member knows it. Secondly, it is the requirement to validate it by the Parliament, and if there is any objection from any Member then he can reply. This is what I remark, Sir.

Malik Mohammad Akhtar : Sir, I conclude my speech. I am grateful to the honourable Member.

Mr. Chairman : Thank you very much.

Now I put the question.

The question before the House is :

“That the Bill to validate certain President's Orders, Martial Law Regulations, Martial Law Orders and other

[Mr. Chairman]

Laws [The Validation of Laws Bill, 1975] be passed."

(The motion was adopted)

Mr. Chairman : The Bill stands passed unanimously.

Yes, Malik Akhtar, will you move the next one too ?

Malik Mohammad Akhtar : Yes, Sir.

Mr. Chairman : Yes.

**THE FEDERAL MINISTERS AND MINISTERS OF STATE
(SALARIES, ALLOWANCES AND PRIVILEGES) BILL, 1975**

Malik Mohammad Akhtar : Sir, I beg to move :

"That the Bill to determine the salaries, allowances and privileges of the Federal Ministers and Ministers of State [The Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Bill, 1975], as passed by the National Assembly, be taken into consideration."

Mr. Chairman : The motion moved is :

"That the Bill to determine the salaries, allowances and privileges of the Federal Ministers and Ministers of State [The Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Bill, 1975], as passed by the National Assembly, be taken into consideration".

Any opposition ? Any objection ?

Senators : No, Sir.

Mr. Chairman : None ? Malik Sahib, would you like to say anything ?

Malik Mohammad Akhtar : No, Sir.

Mr. Chairman : Then, I put the question before the House.

The question before the House is :

"That the Bill to determine the salaries, allowances and privileges of the Federal Ministers and Ministers of State [The Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Bill, 1975], as passed by the National Assembly, be taken into consideration."

(The motion was adopted)

Mr. Chairman : Now, we take up clause by clause consideration of the Bill. I think, there is no amendment moved from any quarter. Am I correct, Malik Sahib ?

Malik Mohammad Akhtar : Yes, Sir.

Mr. Chairman : No amendment is moved, so I will put all the clauses in one question, except Clause 1. The question before the House is :

“That Clauses from No. 2 right upto No. 23 form part of the Bill”.

(The motion was adopted)

Mr. Chairman : Clauses from No. 2 to No. 23, both inclusive, form part of the Bill. Now, I will put Clause 1.

(Malik Mohammad Akhtar stood up in the meantime)

Mr. Chairman : You please give me one minute.

The question before the House is :

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

(The motion was adopted)

Mr. Chairman : Clause 1, Short Title and Preamble form part of the Bill. Yes, Malik Sahib, you can now move the next item.

Malik Mohammad Akhtar : Sir, I beg to move :

“That the Bill to determine the salaries, allowances and privileges of the Federal Ministers and Ministers of State [The Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Bill, 1975] be passed.”

Mr. Chairman : The motion was moved :

“That the Bill to determine the salaries, allowances and privileges of the Federal Ministers and Ministers of State [The Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Bill, 1975] be passed.”

Any opposition ? Any objection ?

Senators : No, Sir.

Malik Mohammad Akhtar : Sir, I would like to add two words that we are only complying with the Constitutional obligation which is under Article 250 of Clause 1, that the salaries and the allowances of the certain Officers including the Federal Ministers and Ministers of State would be determined by a Law within the period of two years, and unless determined as such the salaries, allowances and privileges would be the same as were existing before the commencing day. Sir,

[Malik Mohammad Akhtar]

there is no major change in the Bill and we are only complying with the orders.

Mr. Chairman : Thank you. Any gentleman wishing to speak ?

Senators : No, Sir.

Mr. Chairman : Then I put the question before the House.

The question before the House is :

“That the Bill to determine the salaries, allowances and privileges of the Federal Ministers and Ministers of State [The Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Bill, 1975], be passed.”

(The motion was adopted)

Mr. Chairman : The Bill stands passed unanimously.

(Malik Mohammad Akhtar went to Ch. Mohd Hanif Khan)

Mr. Chairman : Now that you have got this Bill passed with regard to your salaries, you are leaving your seats to congratulate each other.

Malik Mohammad Akhtar : No, Sir.

Ch. Mohammad Hanif Khan (Minister for Finance, Planning and Economic Affairs) : Sir, two very.....

Mr. Chairman : He moved to your seat.

Ch. Mohammad Hanif Khan : He is telling me that the House wants that we should go on. Sir, these were the two important Bills but the remaining two Bills are unimportant.

Mr. Chairman : You don't want the other Bills to be moved ?

Ch. Mohammad Hanif Khan : I want, Sir, that is why I am here, Sir. I have no objection.

Mr. Ihsanul Haq : Point of Order, Sir.

Mr. Chairman : Yes, Mr. Ihsanul Haq, what is your point of order again ?

POINT OF ORDER RE : HASTY LEGISLATION

Mr. Ihsanul Haq : *Sir, the position is that we have already passed the two Bills. When we reached this House, we received the message

*Speech not corrected by the honourable Member.

from the National Assembly today and these Bills came on the Table of the House. So, the position is, I think, whether a Bill is or is not of a very important nature, may be small, the Members may be allowed to study them because as far as myself is concerned, I am not as brilliant as the honourable Minister of Parliamentary Affairs. At least one has to go through the clauses of the Bill. If somebody wants to give some suggestions or wants to study, he may be allowed. So, I do not think there is any reason for rushing with the legislative business like this. From one side the message comes and the same way on the same day we start it. If it is so urgent, then I will suggest the honourable Minister to adjourn the House for half an hour or one hour, and then if the Bill is so important, we will reassemble. They should allow us at least to go through the clauses to know what they are because just now we have received it. This is my view, Sir.

Mr. Chairman : I quite appreciate your point of view.

There is a suggestion by the honourable Senator Mr. Ihsanul Haq that if the business could not be postponed for some other day, then the other course would be to adjourn for half an hour, one hour or one and a half hours, mainly to study the Bill and go through it. Then, we can come back and transact the remaining legislative business.

Ch. Mohammad Hanif Khan : I would have explained it here but if the honourable Member wants to break for half an hour or so, I will only say that these Bills are very simple. Mr. Ihsanul Haq says he has not gone through these Bills but, I think, the last one is very simple, and we can take that up. That is a very ordinary Bill. So far as the other two Bills are concerned we may consider them later.

Mr. Chairman : Mr. Ihsanul Haq, would you agree to the suggestion that we adjourn for about 30 or 40 minutes, and after going through the Bill, you think you can participate in the discussion when we can take it up, if the House is satisfied.....

Mr. Ihsanul Haq. My suggestion is that at least there are certain known ways of work, certain traditions of the Parliament, and both the Houses constitute the Parliament of the country. So, I am taking it that way. I am not objecting to the passing of the Bills. My objection is in the normal course of things. We should allow the normal procedure to follow. It should not be done this way that a message comes from the National Assembly that the Bill is passed, and the next morning we take it up. The rules provide that these Bills should go to the Standing Committee. If we are not sending it to the Standing Committee, then we should be allowed at least a clear day to study the Bills. My objection is that it should not be made a routine because the National Assembly transacts business in the evening, and in the morning we receive a message, and we are told that the business is important, and that is rushed without the Members going into the details of the clauses. That is my humble suggestion to the honourable Minister and the Members of this House. If they want to continue in a democratic and parliamentary way, then the Members must be allowed some time to go through these things.

Mr. Chairman. Then you make a formal motion, as to what you want. Whether you want it to be referred to the Standing Committee concerned? You move a formal motion, Mr. Ihsanul Haq. If you want that, you can make a formal motion.

Mr. Ihsanul Haq : I do not say that it should go to the Standing Committee. My submission is to the Minister and to the Leader of the House that at least we should adopt this practice.

Mr. Chairman : If the Minister concerned agrees to your suggestion, it is O K. But supposing he does not agree, then you will have to move a formal motion. If he accepts your proposal, the matter ends there. If he does not agree, then the next thing for you will be to make a formal motion.

راؤ عبدالستار : جناب والا! میری request یہ ہے کہ Monday تک اسے deffer کر دیں - پھر اس کے بعد اسے اسٹینڈنگ کمیٹی میں refer کر لیں گے -

Mr. Chairman : Let me hear the Minister concerned.

Ch. Mohammad Hanif Khan : Are we going to meet on Monday? On Monday in the evening there is National Assembly session.

Mr. Chairman : Mr. Ihsanul Haq, do you agree to take it up on Monday morning?

Mr. Ihsanul Haq : Yes, Sir.

Ch. Mohammad Hanif Khan : I will have to come here in the morning and then again in the evening in the National Assembly. That is why I was saying we take it in the evening.

Mr. Chairman : All right. Let it go to Monday. Do you agree to Monday morning?

Senators : Yes, Sir.

Ch. Mohammad Hanif Khan : The honourable Members say it should be Monday evening.

Mr. Chairman : I am talking of these rules, whether some motion has to be made that it should be postponed or automatically it goes on Monday. (Pause) All right. Item Nos. 7 and 8 regarding Bill further to amend the Companies (Managing Agency and Election of Directors) Order, 1972 [The Companies (Managing Agency and Election of Directors) (Amendment) Bill, 1975], as passed by the National Assembly, stands postponed to Monday morning.

Ch. Mohammad Hanif Khan : On Monday morning there will be no quorum because the Members will be going to their homes.

Mr. Chairman : Malik Akhtar will look after your interests.

Ch. Mohammad Hanif Khan : Sir, I will do my work myself when I am here. When I am busy, I make a request to Malik Akhtar.

Mr. Chairman : I assure you, he never lets you down. All right. We are holding next sitting on Monday evening. So, this stands postponed to Monday evening, 6 o'clock.

Ch. Mohammad Hanif Khan : Next one, Sir.

Rao Abdus Sattar : Monday evening, Sir.

Mr. Chairman : All right, that also stands postponed to Monday evening.

Ch. Mohammad Hanif Khan : No, Sir, this is very simple.

Mr. Chairman : You can move. Let us see.

Rao Abdus Sattar : This is also very important. It will also go to Monday.

Ch. Mohammad Hanif Khan : My honourable colleague wants it to be postponed for Monday. I have no objection.

Mr. Chairman So, items 7 and 8 can be deferred to next sitting of the Senate. The House stands adjourned till day after tomorrow, Monday evening at 6-00 p. m.

The House adjourned till six of the clock in the evening on Monday, July 14, 1975.

(Later the House was prorogued).
