



THE  
SENATE OF PAKISTAN  
DEBATES

OFFICIAL REPORT

Wednesday, August 6, 1975

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# SENATE OF PAKISTAN

## List of Members

### BALUCHISTAN

1. Mir Abdul Wahid.
2. Qazi Faizul Haque.
3. Capt. (Retd) Gul Mohammad.
4. Mir Hazoor Bakhsh.
5. Haji Sayed Hussain Shah.
6. Mir Mahmood Aziz Kurd.
7. Mr. Mohammad Hashim Ghilzai.
8. Mir Nabi Bakhsh Zehri.
9. Mr. Tahir Mohammad Khan.
10. Sheikh Umer Khan.

### N. W. F. P.

11. Mir Afzal Khan.
12. Mr. Ghulam Ahmad Bilor.
13. Mr. Habibullah Khan.
14. Mr. Kamran Khan.
15. Sardar Mohammad Aslam.
16. Malik Mohammad Sharif.
17. Haji Niamatullah Khan.
18. Mr. Shahzad Gul.
19. Mr. Sher Mohammad Khan.
20. Mr. M. Zahurul Haq.

### PUNJAB

21. Rao Abdus Sattar.
22. Mr. Ahmad Waheed Akhtar.

23. Miss Asifa Farooqi.
24. Mr. Farooq Ahmad Khan.
25. Mr. Ihsanul Haq.
26. Mr. Masud Ahmad Khan.
27. Ch. Mohammad Aslam.
28. Mr. Mohammad Haneef Ramay.
29. Khawaja Mohammad Safdar.
30. Moulvi Zahoorul Haq.

#### SIND

31. Mr. Abdul Lateef Ansari.
32. Mr. Afzal Khan Khoso.
33. Sardar Ghulam Mohammad Khan.
34. Mr. Ghulam Rasool A. Siddiqui.
35. Mr. Kamal Azfar.
36. Mr. Muhammad Sulleman M. Samejo.
37. Mr. Qamaruz Zaman Shah.
38. Mr. M. Rafi Raza.
39. Maulana Shah Ahmad Noorani Siddiqi.
40. Syed Zulfiqar Ali Shah Jamote.

#### FEDERAL CAPITAL

41. Mr. Aziz Ahmed.
42. Mr. Nargis Zaman Khan.

#### FEDERALLY ADMINISTERED TRIBAL AREAS

43. Mr. Ajab Khan.
44. Malik Nasrullah Khan Afridi.
45. Mr. Niamatullah Khan Shinwari.

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**SENATE OF PAKISTAN**

**CHAIRMAN**

**Mr. Habibullah Khan.**

**DEPUTY CHAIRMAN**

**Mr. Tahir Mohammad Khan.**

**SECRETARY**

**Mr. Aslam Abdullah Khan.**

**JOINT SECRETARY**

**Mr. Mohammad Taqi Khan.**

**SECTION OFFICERS**

**Mr. Akhtar Hussain Khan.**

**Mr. Iqbal Ali Siddiqi.**

**Mr. Abdur Rauf.**

**EDITOR OF DEBATES**

**Sahibzada Mubarak Ali Khan.**

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**MINISTERS OF STATE**

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# GOVERNMENT OF PAKISTAN

## PRESIDENT

Mr. Fazal Elahi Chaudhry

## PRIME MINISTER

Mr. Zulfikar Ali Bhutto

## FEDERAL MINISTERS

Mr. Abdul Qaiyum Khan	Minister for Interior, States and Frontier Regions.
Sheikh Muhammad Rashid	Minister for Food & Agriculture, Co-operatives, Works & Under-developed Areas and Land Reforms.
Mr. Abdul Hafeez Pirzada	Minister for Education, Science & Technology and Provincial Co-ordination.
Ch. Mohammad Hanif Khan	Minister for Finance, Planning and Economic Affairs.
Malik Miraj Khalid	Minister for Law and Parliamentary Affairs.
Mr. Mumtaz Ali Bhutto	Minister for Communications.
Mr. M. Rafi Raza	Minister for Production, Industries and Town Planning.
Maulana Kausar Niazi	Minister for Religious Affairs.
Mr. Mohammad Yusuf Khattak	Minister for Fuel, Power and Natural Resources.
Mir Afzal Khan	Minister for Commerce.
Mr. Hafeezullah Cheema	Minister for Labour, Health, Social Welfare and Population Planning.

## MINISTERS OF STATE

Mr. Aziz Ahmed	Minister of State for Defence and Foreign Affairs.
Syed Qaim Ali Shah Jillani	Minister of State for Industries.

<b>Major-General (Retd.) Jamal Dar</b>	Minister of State for Establishment and Kashmir Affairs.
<b>Malik Mohammad Akhtar</b>	Minister of State for Parliamentary Affairs.
<b>Mr. Abdul Sattar Gabol</b>	Minister of State for Labour.
<b>Ch. Jahangir Ali</b>	Minister of State for Works.
<b>Malik Mohammad Jaffar</b>	Minister of State for Minorities Affairs and Tourism.
<b>Sardar Abdul Aleem</b>	Minister of State for States & Frontier Regions.
<b>Mian Mohammad Attaullah</b>	Minister of State for Railways.
<b>Mir Taj Mohammad Khan Jamali</b>	Minister of State for Natural Resources.
<b>Shahzada Saeed-ur-Rashid Abbasi</b>	Minister of State for Science and Technology.

#### PARLIAMENTARIES SECRETARIES

<b>Sahibzada Mohammad Nazeer Sultan</b>	Fuel and Power Division.
<b>Ch. Mumtaz Ahmad</b>	Commerce Division.
<b>Mrs. Nargis Naeem Sandhu</b>	Health & Social Welfare Division, Population Planning Division,
<b>Makhdoom Muhammad Amin</b>	Cabinet Division.
<b>Malik Sikander Khan</b>	Finance Division, Planning & Development Division, Economic Affairs Division, Production Division, Town Planning & Agrovilles Division.
<b>Ataliq Jafar Ali Shah</b>	
<b>Sardar Inayat-ur-Rahman Khan Abbasi</b>	Communication Division.
<b>Col. (Red.) Habib Ahmad</b>	Food & Agriculture Division.

#### ATTORNEY GENERAL

Mr. Yahya Bakhtiar

## SENATE DEBATES

[Official Report of the First Session of the Senate of Pakistan held on Second election of half of its Members under Article 59 (3) of the Constitution of the Islamic Republic of Pakistan.]

### VOLUME III

#### SENATE OF PAKISTAN

Wednesday, August 6, 1975

The Senate of Pakistan met in the Senate Chamber, (State Bank Building), Islamabad, at nine of the clock in the morning.

#### NOMINATION OF MR. QAMARUZ ZAMAN SHAH AS PRESIDING OFFICER

Mr. Secretary (Mr. Aslam Abdullah Khan): Honourable Senators, Assalam-o-Alaikum.

I have to make an announcement. The President has been pleased to nominate Mr. Qamaruz Zaman Shah as the Presiding officer for this Session.

[Mr. Presiding Officer (Mr. Qamaruz Zaman Shah) Occupied the Chair.]

(Recitation from the Holy Quran)

#### PROCEDURE FOR MAKING OATH BY TWENTY-THREE NEWLY-ELECTED SENATORS

Mr. Presiding Officer: Honourable Senators, Assalam-o-Alaikum.

[Mr. Presiding Officer]

We must congratulate our new Members. You are welcome to this august House. The first item is the administration of Oath. The Oath will be taken by Members in alphabetical order. Secretary would call out the names. The Senators would rise one by one in their seats and read the Oath. A copy of the Oath is there on your desks. It is both in English and in Urdu. Anyone who cannot read will be administered the Oath verbally/first I will read it and he will follow it. I would now ask the Secretary to announce the names one by one.

### OATH AND SIGNING OF ROLL OF MEMBERS

**Mr. Secretary :** The names will be announced in the alphabetical order of Provinces. The first Province is Baluchistan. Qazi Faizul Haque.

[Qazi Faizul Haque took the prescribed Oath]

**Mr. Presiding Officer :** Please come and sign the roll. You can call the second.

**Mr. Secretary :** Capt. Gul Mohammad.

[Capt. (Retd.) Gul Mohammad took the prescribed Oath and signed the roll of Members.]

**Mr. Secretary :** Mir Mahmood Aziz Kurd. He has probably not arrived here.\*  
Next, Mr. Tahir Mohammad Khan.

[Mr. Tahir Mohammad Khan took the prescribed Oath and signed the roll of Members.]

[Mr. Secretary Kept on calling out the names of the newly-elected Senators, who continued to make Oath and sign the roll of Members in the like manner.]

Sheikh Umer Khan.

Sardar Mohammad Aslam.

Mr. Ghulam Ahmad Bilor.

Malik Mohammad Sharif.

Haji Niamatullah Khan.

Mr. Shahzad Gul.

Miss Asifa Farooqi.

Mr. Farooq Ahmad Khan.

Mr. Masud Ahmad Khan.

Chaudhury Mohammad Aslam.

Mr. Mohammad Haneef Ramay.

Mr. Abdul Lateef Ansari.

Mr. Afzal Khan Khoso.

Mr. Ghulam Rasool A. Siddiqui.

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\*Senator Mir Mahmood Aziz Kurd made Oath at about 2 P.M.

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3 POINT OF ORDER RE : LACK OF P.V. ARRANGEMENT TO SHOOT OATH MAKING  
SESSION OF THE SENATE

Mr. Kamal Azfar.

Maulana Shah Ahmad Noorani Siddiqi.

(\*Not Present)

Mr. Aziz Ahmed.

Mr. Ajab Kkan.

Mr. Niamatullah Khan Shinwari.

ADDRESS BY MR. PRESIDING OFFICER

Mr. Presiding Officer : Honourable Senators, I congratulate you once again. You have entered your new life of Parliamentary responsibility. You are aware that Senate is a new institution in Pakistan. It has to build its own traditions. In the past two years it has proved its usefulness. The Members have maintained the harmony, decorum and the integrity, sovereignty and solidarity of Pakistan. They have while performing their duties as Senators kept the national interest uppermost in their minds. I hope we will continue to strive forward, and work hard to make this Institution a success and this nation a great nation.

PROGRAMME FOR ELECTION OF CHAIRMAN AND  
DEPUTY CHAIRMAN

Mr. Presiding Officer : I will now announce the procedure and programme for the election of Chairman and Deputy Chairman. The nomination papers for the election of the office of the Chairman and Deputy Chairman will be received by the Secretary of the Senate in his office adjoining the Chamber. It can be given before 12 noon. The nomination papers or the forms are already on your desks and they are to be validly filled in and also to be accompanied by the statement. The scrutiny of the nominations will take place at 12.30. The withdrawal of the nominations can be made any time before the election.

The election will take place at 1 o'clock. So, we adjourn till 1 o'clock.

POINT OF ORDER RE : LACK OF T.V. ARRANGEMENT  
TO SHOOT OATH-MAKING SESSION OF THE SENATE

میر نبی بخش زہری : پوائنٹ آف آرڈر ! جناب کی اجازت سے میں یہ پوائنٹ آف آرڈر پیش کرتا ہوں کہ Constitution of Pakistan میں سینٹ کی حیثیت اور مقام واضح ہے۔ آج کے اہم فنکشن میں جبکہ چیئرمین اور ڈپٹی چیئرمین حلف اٹھانے والے ہیں اور نئے ممبرز نے حلف اٹھایا ہے یہاں ٹیلیویژن کا کوئی انتظام نہیں ہے۔

\*Senator Maulana Shah Ahmad Noorani Siddiqi made Oath the next day, on 7th August, 1975.

**Mr. Presiding Officer :** I think, this is no point of order.

میر نبی بخش زہری : جناب والا ! میں آپکی وساطت سے یہ کہتا ہوں کہ .....  
.....

**Mr. Presiding Officer :** This is no point of order, Mr. Zehri, you know it fully well.

میر نبی بخش زہری : پوائنٹ آف پریویج جناب والا ! غیر اسلامی اور غیر جمہوری فنکشنوں میں توٹی - وی کا انتظام کیا جاتا ہے - یہ آج کا فنکشن جمہوری بھی ہے اور اہم بھی ہے - اس کے لیئے ٹی - وی کا انتظام ہونا چاہیئے تھا -

**Mr. Presiding Officer :** It is not the breach of the privilege of Members of the House Kindly resume your seat.

میر نبی بخش زہری : جناب یہ بہت اہم بات ہے -

**Mr. Abdul Hafeez Pirzada (Minister of Education; Science Technology and Provincial Coordination) :** I submit that we are violating the Constitution. By allowing this sort of speech we are violating the Constitution. Article 60 of the Constitution says that after the oath has been taken, without conducting any other business, we have to proceed with the election of Chairman and Deputy Chairman. No point of order ; no point of privilege can be raised.

**Mir Nabi Bakhsh Zehri :** Point of protest.

**Mr. Presiding Officer :** So, we adjourn to meet again at 1.00 p.m.

*The senate then adjourned till 1.00 p.m.*

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*The House reassembled at 1.00 p.m.*

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**ELECTION OF CHAIRMAN : MR. HABIBULLAH KHAN  
ELECTED UNOPPOSED**

**Mr. Presiding Officer :** I think, some of the Members have not taken the oath. If they are present, they can be called and they should take the oath. (After consulting Secretary) All right since neither of them is here, I want to announce the result of the nominations for the post of the Chairman. Certain nomination papers of Mr. Habibullah Khan alone have been received. Eight persons have proposed his name. They are :

1. Mr. Mohammad Haneef Ramay,
2. Qazi Faizul Haque,
3. Mr. Mohammad Sulleman M. Samejo,
4. Mr. Abdul Lateef,
5. Mr. Namatullah Shinwari,
6. Mr. Nimatullah Khan,
7. Mr. Aziz Ahmed and
8. Sardar Mohammad Aslam.

Since there is no other nomination, I declare Mr. Habibullah Khan elected unanimously as the Chairman of Senate. I think, the unanimous election is a proof of the way you have conducted the Senate for the last two years, and that you have really stirred in such a way in maintaining the decorum and the dignity of the House, and much will depend on you in future also. May I now request you to please come for your swearing in.

*[Mr. Habibullah Khan took the Oath of the Office of the Chairman].*

**Mr. Presiding Officer :** Congratulations.

**Mr. Habibullah Khan :** Thank you.

*[At this stage Mr. Chairman, (Mr. Habibullah Khan) took the Chair].*

**ELECTION OF DEPUTY CHAIRMAN : MR. TAHIR MOHAMMAD KHAN  
ELECTED UNOPPOSED**

**Mr. Chairman :** Now, gentlemen, I will announce the results of the election of Deputy Chairman. There were six nomination papers for Mr. Tahir Mohammad Khan filed by proposers :

1. Mr. Kamal Azfar,
2. Mr. Mohammad Haneef Ramay,
3. Qazi Faizul Haque,
4. Malik Nasurillah Khan,
5. Mr. Ajab Khan and
6. Malik Mohammad Sharif.

All have been found valid. There has been no other candidate, so he has been returned unopposed and uncontested unanimously. I declare him elected. Now, I will request him to come and take oath of the office.

*[Mr. Tahir Mohammad Khan took the Oath of the Office of the Deputy Chairman].*

**Mr. Chairman :** Congratulations.

**Mr. Tahir Mohammad Khan :** Thank you very much, Sir.

## FELICITATIONS ON ELECTION OF CHAIRMAN AND DEPUTY CHAIRMAN

**Rao Abdus Sattar (Leader of the House) :** \* Mr. Chairman, Sir, with your permission, I want to make a congratulatory reference. Sir, it is a great privilege and honour for me to welcome the new Members in this august House. I congratulate them, Sir. I will fail in my duty if I do not acknowledge services rendered by the outgoing Members of the Senate. They made good traditions and discharged their duties with responsibility in this House, Sir. We must acknowledge their services, and I assure you, Sir, that we will follow their footsteps and do our best to enhance the prestige and honour of this House with your co-operation. Sir, it is also my proud privilege to congratulate Chairman and Deputy Chairman for their re-election of the Senate. I assure you, Sir, that we will co-operate with you. Your personality, your conduct in the Senate is appreciable. You did your duties according to the Constitution with impartiality. You treated us as younger brothers. You always, Sir, guided us and I assure you, Sir, in future we will co-operate and we will try our level best to enhance the honour and prestige of this House. I again congratulate and thank you.

**Mr. Abdul Hafeez Pirzada (Ministers, for Education, Science, Technology and Provincial co-ordination) :** \*Mr. Chairman, Sir, it is indeed a matter of great happiness and satisfaction for me and my colleagues to see you back for second term in the high Office of the Chairman of the Senate of Pakistan. We extend to you our felicitations and congratulations. You, Mr. Chairman, are not a new comer to politics of Pakistan. You have behind you a very rich, vast and wide experience of political activities within the country. You held high public representative offices and have often been returned elected to these offices. During your first term as a Chairman, when this august Senate came into being for the first time in the history of Pakistan, you showed remarkable qualities of guidance and leadership, which this young and immature House at that time needed very badly. Under your able guidance, both sides of this House responded and reciprocated and helped establish traditions which should be beneficial to serve the interest of democracy and integrity of Pakistan in future. It gives us immense pleasure to see your great services to the country being so richly rewarded. From the Treasury Benches you, of course, have been receiving instant support and co-operation which you so richly deserved, Sir. We, either as Members of the Senate or those who, under the Constitution, have the right of participating in the business of the Senate, will strive to stabilise and consolidate these institutions under your sole guidance. The Senate has started working today after its first reconstitution. As you know, Sir, under our Constitution the Senate is not subject to dissolution. Therefore, we have this phenomena today that half of the Members have walked out whereas the other half have continued to be in their offices including yourself. This was done deliberately because the Constitution fully recognized and realised the importance of this august House which must be a continuing House unlike the National Assembly which is subject to dissolution. In this House there are representatives who have come by indirect franchise from the Provincial Assemblies within Pakistan. This underlines the importance of this august House in as much as it is the custodian of the interest of the Provinces under a federal structure which our Constitution has given us. We are confident, Sir, that under your Chairmanship, under your able guidance, this august

\* Speech not corrected by the honourable senator.

\*Speech not corrected by the honourable Minister.

House of the Senate will further continue to get inspiration to do its duties and discharge its functions under the Constitution. I thank you very much, and congratulate you.

جناب نعمت اللہ شنواری : \*جناب چیئرمین ! میں سینٹ میں اپنے ساتھیوں اور . ۷ ہزار قبائلیوں کی طرف سے آپ کو بلا مقابلہ منتخب ہونے پر مبارک باد پیش کرتا ہوں۔ یہ پہلا موقع نہیں ہے کہ آپ اس مقتدر کرسی پر بیٹھے ہیں۔ اس سے پہلے بھی آپ ہائی کورٹ کے جج کی حیثیت سے، اس ملک کے وزیر داخلہ کی حیثیت سے اور پچھلے دو سال سے سینٹ کے چیئرمین کی حیثیت سے اس کرسی پر بیٹھ چکے ہیں اور مجھے امید ہے کہ آپ اس کرسی کی عزت میں مزید اضافہ کریں گے اور ان روایات کو برقرار رکھیں گے جو سینٹ کے چیئرمین کی حیثیت سے اس کرسی سے وابستہ ہیں آپ کا بلا مقابلہ چیئرمین منتخب ہونا اس بات کی علامت ہے کہ آپ اس کرسی کے لیٹے موزوں شخصیت ہیں۔

جناب والا ! میں جناب طاہر محمد خان کو بھی ڈپٹی چیئرمین منتخب ہونے پر مبارکباد پیش کرتا ہوں اور امید رکھتا ہوں کہ وہ بھی اس کرسی کی روایات میں مزید اضافہ کریں گے میں ایک بار پھر اپنی طرف سے اور اپنے ساتھیوں عجب خان، نصر اللہ خان آفریدی کی طرف سے دلی مبارک باد پیش کرتا ہوں۔

**Malik Mohammad Akhtar : Mr. Chairman.**

**Mr. Chairman : Yes, Malik Mohammad Akhtar.**

**Malik Mohammad Akhtar (Minister of State for Parliamentary Affairs) :**

\*Sir, I congratulate you not on the unopposed election but on the fact that the entire House has reposed its confidence in you. Sir, without taking along, I will just give a small historical quotation from one of the leading jurists, Mr. George B. Galloway .

“Formerly, the ‘King’s Man’, and later the majority leader, has been its impartial umpire since 1839. He is elected by the Commons from among its members subject to the approval of the Crown. He is impartial servant of the whole House ; its presiding officer and the protector of its rights and liberties. It seems probable that his role evolved as it did because the Government was present on the Front Bench as a group of members, plus the strength of the leadership and the role of the Opposition party in the House. The English Speaker holds a position of great dignity and authority enhanced by the wig and gown he wears. Without a bell or gravel to keep order, he rules the House with a firm hand. He is not opposed on re-election in the House as long as he wishes to serve.”

Sir, the same feelings I express for the honourable Deputy Chairman, the young Senator and able man, the protector of the liberties, privileges and rights of the House.

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

جناب نبی بخش زہری : \*جناب والا ! میں آپ کو بلا مقابلہ منتخب ہونے پر دلی مبارکباد پیش کرتا ہوں۔ میں نے آپ کو رسمی مبارکباد پیش کی ہے۔ اب میں آپ کو تہ دل

\*Speech not corrected by the honourable senator.

\*Speech not corrected by the honourable Minister.

[Mir Nabi Bakhsh Zehri]

سے مبارکباد پیش کرتا ہوں اور میں خوش ہوں کہ ایک ایسی شخصیت کی خدمات اس معزز ہاؤس کو پھر حاصل ہوئی ہیں جس سے ہم بھی فائدہ اٹھا سکتے ہیں۔ آپ سے یہ کہنا بے جا نہیں ہو گا کہ آپ نے اس ہاؤس کے وقار، عزت اور ممبروں کے حقوق کا تحفظ کیا ہے۔ جن کا کہ آپ ہر بھروسہ ہے اور آپ نے اس کا خیال رکھا ہے۔ جس ممبران کی مدت ختم ہو گئی ہے وہ آج ہم میں موجود نہیں ہیں لیکن ان کی بھی بڑی خدمات ہیں۔ ابتدا میں انہوں نے جو اس عمارت کو پایہ تکمیل تک پہنچانے کے لئے خدمات انجام دیں ہیں وہ خدمات قابل تعریف ہیں اور جو نئے ممبر منتخب ہوئے ہیں ان کو بھی خوش آمدید کہتا ہوں۔ ان سے توقع کی جا سکتی ہے وہ بھی یہاں اپنے بہترین تجربے سے ہماری رہبری کریں گے۔ اور ہم سب مل کر اپنے ملک کی سالمیت کے لئے وسائل پیش کریں گے۔ جناب والا! میں آپ کو یقین دلاتا ہوں کہ میری ذات اور جو میرے دوست ہیں وہ آپ سے مکمل تعاون کریں گے اور آپ سے توقعات وابستہ ہیں کہ جن مخصوص عہدوں پر فائز رہے ہیں ان پر اپنے تجربے کی وجہ سے بہتر طریقے سے خدمات انجام دیں گے۔

جناب والا! اسکے بعد میں جناب دپٹی چیئرمین، طاہر محمد خان کو بھی مبارکباد پیش کرتا ہوں اور ان سے توقع رکھتا ہوں۔ جیسا کہ میرے دوست نے کہا ہے کہ وہ ینگ سینیٹر ہیں اور اس عہدے کی ذمہ داری کو پورا کریں گے۔ یہ اپنے آپ کو جوان نہ سمجھیں بلکہ بوڑھا سمجھیں۔ اس عہدے کے لحاظ سے معزز ایون کی ذمہ داری اٹھانے کا وقت آئے تو وہ پہلے سے زیادہ ذمہ دار نہ حیثیت سے ذمہ داری اور کردار کا ثبوت دیں۔ میں انہیں دلی مبارکباد پیش کرتا ہوں۔

جناب والا! میں ایک بات پوائنٹ آؤٹ کرتا ہوں کہ ملک اختر صاحب نے جتنی دفعہ لفظ 'سر' کی جگہ 'شر' کہا ہے اس ریکارڈ میں 'سر' قرار دیا جائے۔

Mr. Chairman : Mr. Ramay Sahib.

Mr. Mohammad Haneef Ramay : Mr. Chairman, I am a new comer to this House, and as a novice I have come here with great expectations. Sir, I would like to submit today in this august House that if we go back to our history and see what has happened to our country, we shall find that many of our faults, many of our shortcomings, many of our defects were due to lack of a real federal system in existence in our country. If there were a real federal system, not just a promise of federal system, not just tall talk about a federal system, things would have been different. At the time when our Constitutions were framed, it was very much emphasised that they were federal in spirit but we know that unless the necessary instruments, elements and institutions of federal system are constituted, a real federal system cannot come into existence. It is for the first time in the history of Pakistan that we have proved really true to what we professed and when we claimed that it would be federal Constitution, we right away constituted this august House as a fundamental and basic instrument of federal system. Sir, it is a great contribution of Mr. Zulfikar Ali Bhutto and his Government that they have given a Constitution to Pakistan but I think the greater contribution is that this Constitution, is federal in letter as well as spirit.

Sir, this gives me the hope and this generates great expectations which I have talked about. Sir, the expectations are that this House in delivering the goods, in meeting the responsibility, in meeting the challenge will act as an instrument, and source of strengthening democracy in Pakistan.

Sir, I would congratulate you as a new comer but I can congratulate you only in terms of future. I hope that you will lead us and the Deputy Chairman will lead us and help us in delivering the goods and coming up to the expectations of the people who have sent us here as their representatives.

Sir, the Constitution of Pakistan lays down that Senate is a permanent instrument of democracy and it is not subject to dissolution. Therefore, as against all others, Senate is the most permanent, the most fundamental pillar of democracy in Pakistan. When we go back to the rationale of the Senate we find that it has been created because Pakistan as a federation consists of a number of federating units. As all the federating units do not have equal populations, therefore, a forum has to be there where all the provinces could have equal representation. And that was the forum which was lacking in our history. Once this forum is there, it is our duty to make it more viable and more effective. Sir, this House must be further strengthened, it must be made more vital, it must be made more meaningful, and this is the duty which falls on us as Members, and this is the duty which rests on you as Chairman, and I expect, I hope and I pray that we all will prove equal to the task, and we will not fall short of this duty. Sir, I remember the day when the Constitution was finally accepted and finally framed. I was present in the National Assembly. Sir, there was a comment by Mr. Nural Amin that if such a Constitution had been there two years before this day, this country would not have fallen apart and there would have been no secession. We must not ignore the fact that it was because of the lack of a true federal system that a sense of deprivation developed among the federating units. Sir, I hope that with the Senate in existence, with its effectiveness and with its meaningfulness no other day will dawn in Pakistan when any such feeling will be there in any federating unit. We expect that under your leadership, we will serve the real cause and the real purpose of the creation of this august House.

Thank you very much.

**Mr. Afzal Khan Khoso :** \*Mr. Chairman, I myself happen to be a novice as Mr. Haneef Ramay said about himself. I am a Senator from Sind, and I take this opportunity to congratulate you from the core of my heart on your election and on the election of honourable Deputy Chairman. Sir, the fact that this is the second time you have been elected unopposed, shows the way you have met your responsibilities. I would say the same words about the Deputy Chairman.

This is a federal Constitution, Sir, in which each House has got its own responsibilities. We over here feel that we also have a certain part to play in the task of nation building, and we assure you that with your kind co-operation, we will do our best to do that, and that is our mission and that is why we are here. Sir, it is the cardinal principal of Prime Minister Bhutto that all the

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\*Speech not corrected by the honourabl Senator.

[Mr. Afzal Khan Khoso]

four federating units should feel sense of participation, and this is depicted and established by the fact that you, coming from a smaller unit and Mr. Deputy Chairman coming from the smaller unit, have been elected for this august office. This is an evidence of protections of the rights of smaller provinces, and this is something to be commended. Once again, Sir, I feel that we will all be here and this House will do its best, and we want to play our part in a meaningful way. Sir, justice it is said—of course, it is an old dictum—that it should not only be done but it should seem to be done, and I am sure with you over there, we will have this opportunity.

Thank you.

Mr. Chairman : Yes, Mr. Sher Mohammad Khan.

جناب شیر محمد خان : جناب چیئرمین ! میں سرحد سے آپکو اور اپنے عظیم دوست کامریڈ طاہر محمد خان کو بیحد ڈپٹی چیئرمین اور آپکو چیئرمین بلا، قابلہ منتخب ہونے پر اپنی طرف سے دلی مبارکباد پیش کرتا ہوں۔ یہاں پر مجھے یہ بھی گزارش کرنی ہے۔ بلکہ اپنے عظیم قائد جناب ذولفقار علی بھٹو کو ان کے تدبیر پر خراج تحسین پیش کرنا ہے جنہوں نے ان جمہوری اداروں کو چلانے کیلئے ان جمہوری اداروں کے اندر اور باہر جن لوگوں کا انتخاب کیا ہے وہ بہترین انتخاب ہے اس ایوان کے اندر اس ایوان کے چیئرمین کی حیثیت سے آپ کا انتخاب ہمارے لیئے یقیناً باعث مسرت ہے کیونکہ گذشتہ دو سال میں آپ نے اپنے تجربے اور بزرگی کی بناء پر اس ایوان کو جس انداز سے چلایا ہے وہ یقیناً ہمارے لیئے خوشی اور اطمینان کا باعث ہے۔ ایک طرف آپ جیسے بزرگ کا انتخاب اور دوسری طرف جناب طاہر محمد خان جیسے نوجوان لیڈر کا انتخاب ہمارے لیئے اور پیپلز پارٹی کے بنیادی کارکنوں کیلئے ہر درجہ اطمینان بخش ہے کیونکہ ہم نے پاکستان میں انسانی نظام کیلئے جہاں بزرگوں کی بزرگی اور ان کے تجربے سے استفادہ کرنا ہے وہاں نوجوان کی ہمت، جرأت اور استقلالی سے بھی استفادہ کرنا ہے۔ پاکستان میں صحیح انسانی نظام لانے کے لیئے ان جمہوری اداروں کو اپنے جیسے بزرگوں اور جناب طاہر محمد خان جیسے نوجوان راہنما کو انشاء اللہ زبردست کامیابی ملے گی اور ہمیں پورا پورا یقین ہے کہ جس طرح گذشتہ دو سال میں آپ کی غیر موجودگی میں جناب طاہر محمد خان نے اس ایوان کے تقدس اور اس ایوان کی عظمت اور ایوان کے ایک ایک رکن کی عزت کا خیال رکھا ہے وہ انشاء اللہ بدستور جاری رہے گا۔ میں اپنی طرف سے ایک بار پھر آپ کو دلی مبارکباد پیش کرتا ہوں۔

جناب طاہر محمد خان (جناب ڈپٹی چیئرمین) : جناب والا ! میں آپ کو دوبارہ بلا، قابلہ منتخب ہونے پر اپنی طرف سے اور اپنے ساتھیوں کی طرف سے مبارکباد پیش کرتا ہوں۔ آپ کا انتخاب جیسا کہ میرے دوست نے فرمایا ہے اس بات کی دلیل ہے کہ آپ نے

جس تدبیر سے اس ایوان کو سابقہ دو سالوں میں چلایا اور اس سینٹ کا جو مقام بنایا۔ اس کے پیش نظر ابھی آپ کی راہنمائی کی ہمیں مزید ضرورت ہے۔ جناب والا! میں اپنے تمام دوستوں کا فرداً فرداً شکریہ ادا کرتا ہوں۔ جنہوں نے میرے انتخاب پر بھی مسرت کا اظہار کیا ہے مجھے میرے قائد اور میری پارٹی نے سینٹ کیلئے دوبارہ نامزد کیا اور اتفاق کی بات ہے کہ بہت سے میرے ساتھی جو لیاقت؛ دیانت اور محنت میں مجھے سے زیادہ بہتر تھے وہ اتفاقاً یہاں نہیں آسکے۔

ہماری جماعت ٹٹی جماعت ہے، نیا خون ہے ابھی اس میں شاید تجربہ کی کمی ہے اس وجہ سے ہمارے قائد کی یہ کوشش ہے کہ تمام لوگوں کو قوم کی اسکرین پر آنے کا موقع دیا جائے تاکہ وہ اپنے جوہر کا اظہار کر سکیں۔ میں اپنے پارٹی لیڈر اور پارٹی کی پارلیمانی کمیٹی کا بھی ممتون ہوں کہ انہوں نے دوبارہ مجھے سینٹ میں منتخب کرایا اور اگر مجھے منتخب نہ بھی کراتی تو بھی میں خوشی محسوس کرتا جب کہ میرے بڑے دوست نے فرمایا جو نئے آئے ہیں مجھ سے زیادہ قابل ہیں۔ سینٹ میں میں نے دو سال اپنی خدمات انجام دیں، میرا ریکارڈ میرے ملک اور میرے صوبے کے عوام کے سامنے ہے اور میری یہ خدمات اپنی پارٹی کے قائد کے سامنے ہیں اور انہیں خدمات کی بنا پر یہ اعزاز مجھے دوبارہ بخش گیا ہے تو میں پارٹی اور اپنی پارٹی کے ساتھیوں کا بے حد ممتون ہوں اور ان دوستوں کا جنہوں نے میری نامزدگی پر اور ان دوستوں کا جو میری سپورٹ کر رہے تھے، ان کا بھی ممتون ہوں کہ انہوں نے مجھے اس قابل سمجھا کہ میں بحیثیت ڈپٹی چیئرمین کے ان کی اور اس معزز ایوان کی خدمت انجام دوں۔ جناب والا! دو سال میں سینٹ نے جو روایات قائم کی ہیں ان میں میرے ان دوستوں کا بھی حصہ ہے جو آج اس ایوان میں موجود نہیں ہیں، اگر ان دوستوں کے حصہ کا اعتراف نہ کیا جائے تو بڑی زیادتی ہوگی، میرے دوستوں نے اندر یا باہر نظم و ضبط کا مظاہرہ کیا، اپنی لیاقت و دیانت سے سینٹ کے ایوان میں اور سینٹ کی کمیٹیوں میں جو کام بھی ممکن ہو سکتا تھا اس ملک کی بھلائی اور بہتری کے لئے انہوں نے انجام دیا۔ میں توقع کرتا ہوں کہ میرے جو دوست دوبارہ منتخب ہوئے ہیں یا جو دوست نئے منتخب ہو کر آئے ہیں ملک کی سینٹ کے وقار کا خیال رکھیں گے اور ان روایات کا خیال رکھیں گے جن روایات کی ہم نے یہاں پر اپنے خون جگر سے آبیاری کی ہے اور جن روایات سے ہم نے اس ایوان کے وقار کو قائم کیا۔ میں جناب والا! آپ کا اور اپنے تمام ساتھیوں کا ایک بار پھر شکریہ ادا کرتا ہوں۔

جناب عبدالطیف انصاری : جناب چیئرمین صاحب! میں آپ کو مبارکباد دیتا ہوں اور جناب ڈپٹی چیئرمین صاحب کو بھی ان کے منتخب ہونے پر مبارکباد پیش کرتا ہوں میں بھی اس معزز ایوان کا ایک نیا ممبر ہوں۔ جن معزز ممبر صاحبان نے مجھے مبارکباد دی ہے میں ان کا بھی شکریہ ادا کرتا ہوں۔ جناب والا! اس سے پہلے جتنے بھی دستور بنے ان میں یہ نہیں تھا کہ چھوٹے جتنے صوبے ہیں ان کو صحیح نمائندگی ملے

[Mr. Abdul Lateef Anari]

یا ان کے صحیح حقوق کی حفاظت ہو لیکن اس دستور کے تحت یہ جو مسئلہ تھا ختم ہوا اور یہاں پر اس ہاؤس کے ذریعے ہم اپنے ملک اور علاقے کی خدمت کر سکتے ہیں لیکن یہ سارا سہرا ہمارے اس محبوب قائد کے سر ہے اور انہیں کی قیادت ہے جس نے اس ملک کو ایسا دستور قومی اسمبلی کے ذریعے دیا اور جس نے ملک کے ہر علاقے کی حفاظت کی۔ مجھے یقین ہے کہ جو ذمہ داریاں اس معزز ایوان کی ہیں اور جس طریقے سے پہلے دوست خدمات انجام دیتے رہے ہیں اب بھی ایسا ہی ہوگا۔ ہم جناب قائد عوام کی لیڈر شپ میں اپنی پوری صلاحیتوں کے ساتھ اپنے اس ایوان کی اور ملک کی خدمت کرتے رہیں گے۔ میں ان الفاظ کے ساتھ آپ کا پھر شکریہ ادا کرتا ہوں۔

Mr. Chairman : Thank you, yes Miss Asifa.

مس آصفہ فاروقی : \*جناب چیئرمین صاحب ! میں آپ اور جناب ڈپٹی چیئرمین صاحب کے بلا مقابلہ منتخب ہونے پہ مبارکباد پیش کرنے میں فخر محسوس کرتی ہوں۔ یہ آپکی پیپلز پارٹی اور قائد عوام سے گہری وابستگی کا نتیجہ ہے کہ آپ اپنی ذہانت ، محنت اور قابلیت کی وجہ سے دوبارہ منتخب کیے گئے ہیں ، میں امید کرتی ہوں کہ آپ دوبارہ اسی جذبے ، لگن اور محنت سے خدمات سر انجام دیں گے اور دنیا کے دوسرے ممالک پر ظاہر کر دیں گے کہ ہمارے ملک کی جو سینٹ ہے وہ اور ممالک کی سینٹ سے کم نہیں ہے اور دوسرے اس سلسلے میں میں قائد عوام کا بھی شکریہ ادا کرتی ہوں جنہوں نے اس ملک میں بر سر اقتدار آئے ہیں یہاں سینٹ کو بھی بنانا ضروری سمجھا جیسے آپ کو اور مجھے خود معلوم ہے کہ اس سے پہلے ہمارے ملک کی سینٹ نہیں تھی۔ اب جناب چیئرمین ! میں امید کرتی ہوں کہ آپ اسی جذبے ، محنت اور لگن سے کام کر کے اور تمام دوسرے میرے بھائی جو نئے آئے ہیں اور جو پہلے سے ہیں ان کے تعاون سے زیادہ سے زیادہ خدمات انجام دیں گے۔ شکریہ۔

Mr. Chairman : Thank you.

#### ADDRESS BY MR. CHAIRMAN

Mr. Chairman : Honourable Members of the Senate, I express my deep and heart felt gratitude to you all for the honour you have done me in re-electing me for a second term as Chairman of this august House. I started my first term as Chairman of the Senate with a sense of humility and consciousness. Today, I begin my second term with a still deeper sense of humility and consciousness of my failings and deficiencies. The experience of presiding at the deliberations of this august House for the past two years has made me

\* Speech not corrected by the honourable Senator.

realise how difficult and demanding duties of this Office can be. I know now what it takes to reconcile two conflicting points of view forcibly put forward and to hold the balance even between these opposing demands. I know also that at times the Presiding Officer finds himself in a very delicate situation and he has to summon all his skill and draw upon the storehouse of his experience and knowledge to meet the situation. I confess that I may not have always been measured upto the expectations and may have erred in my judgement at times, but I must say that I have entered upon the Office of Chairman for a second term with a clear conscience. I have always endeavoured to do justice and uphold parliamentary traditions. I pray to Almighty Allah that with his infinite mercy. He may continue to guide me along the path of justice, fair play and impartiality.

I must add gentlemen that, but for the ungrudging support and unflinching co-operation of the Members of the Senate, I would not have seen able to discharge the duties of my post in the manner in which I was able to discharge them. All the Senators, including the outgoing ones, had displayed a very high sense of discipline and responsibility. I can say with pride that in the two years of its life, the Senate has not witnessed any unpleasant incident unworthy of it nor I found myself in an embarrassing situation. Of course, there have been events which are common to all parliaments. There have been walk-outs but they were not very frequent. Unfortunately, one walk-out turned into something more than a simple or a token walk-out, and with occasional breaks, it evidently still persists. You all know, as well as I do that the Opposition has a very vital role to play, and it can do so only by participating in the deliberations of the House. I feel a little handicapped in the discharge of my duties in the absence of a vocal and articulate Opposition. The Members of the Senate from both sections of the House have worked in a friendly atmosphere and always upheld the dignity of the Chair and decorum of the House. I remember how readily and willingly the Members, irrespective of their party affiliations submitted to the decisions and rulings of the Chair. This is indeed creditable for a new House and the credit is equally shared by the Members who are no longer with us in this House. I wish the outgoing Senators well, and I have no doubt in my mind that they have retired from the Senate with the satisfaction that comes from a job well done.

I now address myself to my new friends. I heartily congratulate them on their election to the Senate and welcome them to this august House. I know some of them are old parliamentarians but some are new comers. I have no doubt that our new Senators will soon get initiated into the complexities of legislative business and other parliamentary work. I hope that we shall continue to work with understanding of each other's point of view and in a friendly and brotherly atmosphere. I also confidently trust that the Chair will continue to enjoy the confidence, support and co-operation of all the Members of the Senate.

Lastly, I expect that each Member will contribute his might in making the Senate an ideal institution and in realisation of its aim for which it was created. I thank you, gentlemen once again for the confidence that has been reposed in me. Thank you.

Mr. Abdul Hafeez Pirzada : Mr. Chairman, Sir, one Member who was brought from Quetta at the special request of the Opposition for the purpose of taking Oath on his re-election, is waiting outside in the lobby. He may be brought in, so that he can take Oath.

Mr. Chairman : What is the name of the Senator ?

**Mr. Abdul Hafeez Pirzada :** Mir, Mahmood Aziz Kurd. He is sitting in the lobby.

**Mr. Chairman :** Yes, he may be brought.

[Senator Mir Mahmood Aziz Kurd enters the House and takes seat].

**Mr. Chairman :** Now, I will ask Mir Mahmood Aziz Kurd to make his oath of membership.

[Mir Mahmood Aziz Kurd makes his oath and signs the roll of Members]

**Malik Mohammad Akhtar ;** Sir, what time should we meet tomorrow?

They want to meet tomorrow at 5 p.m. if possible.

**Mr. Chairman :** Does that suit you?

**Mr. Abdul Hafeez Pirzada :** As a matter of fact, we have no other business for the time being, except election of Members of the Standing Committees.

**Mr. Chairman :** All right, we meet at 5-30 p.m. Is it all right?

**Mr. Abdul Hafeez Pirzada :** We will talk to the Opposition also. I do not know in what frame of mind they are. For the first time a tradition has been created that at the time of the election they have stayed out. I mentioned it to them that this is the normal business of the Senate and yet they have stayed out.

جناب چیئرمین : آپ کچھ کہنا چاہتے تھے ؟

#### PRIVILEGE MOTION RE : CONTINUOUS DETENTION OF

#### MOVER IN JAIL

میر محمود عزیز کرد : میں یہ گزارش کر رہا تھا جی کہ میں نے یہاں اس معزز ہاؤس کے ممبر کی حیثیت سے ۱۹۷۳ء میں بھی حلف اٹھایا تھا۔

**Mr. Abdul Hafeez Pirzada :** On what point, Sir?

میر محمود عزیز کرد : میں یہ گزارش کر رہا ہوں کہ میں پھر جیل جا رہا ہوں۔ جیل سے آیا ہوں اور پھر جیل جا رہا ہوں۔

جناب چیئرمین : جو کچھ آپ فرما رہے ہیں وہ ہمیں پتہ ہے۔ آپ کوئی adjournment motion پیش کر رہے ہیں یا privilege motion، کس point پر آپ اٹھے ہیں؟

میر محمود عزیز کرد : privilege motion سمجھ لیں ۔

جناب چیئرمین : آج تو privilege motion کا دن نہیں ہے ۔

میر محمود عزیز کرد : اس کے بعد میں یہاں نہیں ہوں گا ۔

جناب چیئرمین : اگر آپ مقدمے سے بری ہو جائیں گے تو آ جائیں گے ۔

میر محمود عزیز کرد : بری میں کب ہوں گا ! میں نے دو سال جیل میں گزارے

ہیں اور اب یہ term جیل میں گزارنے کے لیئے میں پھر جیل جاؤں گا ۔

جناب چیئرمین : یہ دن تو election اور oath taking کے لیئے تھا ، اس پر کوئی

اور بزنس نہیں ہو سکتا ۔

Therefore, the House stands adjourned to meet tomorrow at 5.30 p.m.

The House adjourned till half-past five of the clock in the evening on Thursday, August 7, 1975.