



**THE**  
**SENATE OF PAKISTAN**  
**DEBATES**

**OFFICIAL REPORT**

**Wednesday, December 10, 1975**

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SENATE DEBATES  
SENATE OF PAKISTAN

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Wednesday, December 10, 1975

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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.

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*(Recitation from the Holy Qur'an)*

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STARRED QUESTIONS AND ANSWERS

**Mr. Chairman :** Now we take Questions, gentlemen.

First question is No. 90.

Yes, who is to reply this question ?

No Minister is here except one Minister of State.

Yes, Mian Sahib, can you answer this question ?

**Mian Mohammad Ataullah (Minister of State for Railways) :** I am not prepared but the answer is placed on the Table of the House, and if there is any supplementary, then the question may be deferred for the next day.

**Mr. Chairman :** Who is the Minister concerned ?

**Mian Mohammad Ataullah :** Mr. Aziz Ahmed is the Minister concerned.

**Mr. Chairman :** So, he is the Minister concerned.

**Mian Mohammad Ataullah :** He is in the Cabinet meeting.

**At this moment Cabinet meeting is going on, Sir.**

**Mr. Chairman :** Why is he not here ?

**Mian Mohammad Ataullah :** There is a Cabinet meeting going on, Sir.

**Mr. Chairman :** Is that meeting more important than the Senate meeting ? What is your view ? Is that meeting very important ?

**Mian Mohammad Ataullah :** There is a Cabinet meeting.

**Mr. Chairman :** Cabinet meeting ?

**Mian Mohammad Ataullah :** Yes, Sir.

**Mr. Chairman :** Then, he should have asked somebody else, or the Minister of State.

**Malik Mohammad Akhtar (Minister of State for Parliamentary Affairs) :** I am sorry, Sir. May I, with your permission intervene? I was busy in the meeting, Sir. I have got instructions to deal with the questions.

**Mr. Chairman :** Malik Sahib, you don't keep the Senate waiting for one individual.

**Malik Mohammad Akhtar :** I apologise, Sir.

Six Members were there and I thought that ....

**Mr. Chairman :** You know sitting had to start at 10.00 but for lack of quorum we are late by half an hour, and you are late by more than half an hour.

**Malik Mohammad Akhtar :** Sir, I apologise.

**Mr. Chairman :** Have some respect for the House, if not for the Chair.

**Malik Mohammad Akhtar :** Sir, I came at quarter-past ten with the papers, and placed my papers over here. Then, I went to attend the meeting. There was some difficulty in the meeting.

**Mr. Chairman :** You know when the Minister concerned is absent because of the Cabinet meeting, I did not know that. Nobody informed me that there is a Cabinet meeting, and he woul'nt be coming; and I have been waiting for him, but now I am told that you had been assigned this job.

**Malik Mohammad Akhtar :** Papers are here, Sir, which I left when there was no quorum.

**Mr. Chairman :** You please do'nt do it in future. Please come in time or at least you should send me a chit that you will be late or you will hand over this job to somebody else, your papers to some other Minister, for example, Mian Sahib. He could have answered it had you only handed over your papers to him.

Yes, question No. 90, Malik Akhtar.

**Mr. Tahir Mohammad Khan :** Sir, I want to say one thing. We have bitter experience, instructions ....

**Mr. Chairman :** Press the button?

**Mr. Tahir Mohammad Khan :** Sir, I have pressed the button.

Sir, we have bitter experience in this House that unfortunately some of the Ministers are sometime very busy...

**Mr. Chairman :** Please listen to me. I have been informed just now that there is a Cabinet meeting, therefore, Mr. Aziz Ahmed could not be present here. That I understand now, but it had been assigned to Malik Akhtar.

**Mr. Tahir Mohammad Khan :** Question can be deferred to some other day.

**Malik Mohammad Akhtar :** Sir, I may point out that the Senate will not be meeting for some days and let us not postpone the business as the question may lapse.

**Mr. Chairman :** The question may lapse, but what do you mean by postpone or not postpone ?

**Malik Mohammad Akhtar :** By not postponing, Sir, I mean that we have got 3 or 4 working days more and so let us try to dispose of the business, when under the rules we can do.

**Mr. Chairman :** Are you in a position to answer this question ?

**Malik Mohammad Akhtar :** Sir, I consider, I am in a position to answer.

**Mr. Chairman :** O' yes, then do it.

**Malik Mohammad Akhtar :** Although there was a question in respect of Communications but the answer itself was wrong.

#### PIA FARE RATES

**Captain (Retd.) Gul Mohammad** (put by **Mr. Tahir Mohammad Khan**) : Will the Minister of State for Defence and Foreign Affairs be pleased to state :

(a) whether it is a fact that the PIA charge different rates of fare for a flight of one-hour duration ;

(b) whether it is a fact that for a flight of one-hour duration the PIA charge :—

Rs. 220.00	Quetta to Karachi
Rs. 250.00	Quetta to Lahore, and
Rs. 420.00	Quetta to Islamabad.

If so, will it be possible to charge equal fare for the flights mentioned above ?

**Mr. Aziz Ahmed** (read by **Malik Mohammad Akhtar**) :

(a) Yes. The principles underlying the fare structure of PIA are the same in all other carriers in the industry.

(b) The existing one way economy fare between Quetta—Karachi is Rs. 220.00 and Quetta—Lahore and Quetta—Islamabad Rs. 295.00 and Rs. 350.00 respectively.

It is not possible to charge an equal fare for different sectors as a number of factors other than flight time are involved in determining the rates.

**Mr. Tahir Mohammad Khan :** Supplementary, Sir. I do not think that this is logical fare because the distance actually covered from Quetta to Rawalpindi should have been the criterion for determining it.

**Mr. Chairman :** Are you moving a resolution or asking a supplementary ?

**Mr. Tahir Mohammad Khan :** I am not moving a resolution. I wanted to ask so many questions from the Minister of State for Defence. I am sure Malik Akhtar cannot reply to many questions.

**Mr. Chairman :** No such thing. No such thing that he cannot reply.

**Mr. Tahir Mohammad Khan :** We have bitter experience. Naturally, he cannot reply, for instance, what is the air distance from Quetta to Islamabad ?

**Malik Mohammad Akhtar :** I regret, I am unable to answer that.

**Mr. Tahir Mohammad Khan :** What was the use of this reply of the honourable Minister on the floor of the House.

**Malik Mohammad Akhtar :** I consider, the question may not arise out of the supplementary.

**Mr. Tahir Mohammad Khan :** It arises out of the supplementary.

**Malik Mohammad Akhtar :** Then a fresh notice may be given.

**Mr. Tahir Mohammad Khan :** No question of a fresh notice.

**Malik Mohammad Akhtar :** He is sitting as a Member and not as Chairman.

**Mr. Chairman :** No personal remarks. You cannot prevent the Minister from asking for fresh notice, if he is not in a position to reply to your question. He has already answered the question.

**Mr. Tahir Mohammad Khan :** If I am convinced that the Minister would come today, then we can adjourn the Senate because none of the questions would have been satisfactorily replied.

**Mr. Chairman :** Now, you decide for yourself. Do you really not know the distance? He can give information on a point which you do not know. Now, what is the distance between Karachi and Quetta? You want us really to believe that you do not know the distance between Quetta and Islamabad. You should know it more than anybody else because you come from Quetta. Probably, you want to corner him.

**Mr. Tahir Mohammad Khan :** I am sorry.

**Mr. Chairman :** Do you know the distance between Quetta and Rawalpindi ?

**Mr. Tahir Mohammad Khan :** No, Sir, I do not know the air distance between Quetta and Rawalpindi.

**Mr. Chairman :** Has he measured the air distance? All right. Now, he asks for fresh notice. Any other question ?

**Mr. Tahir Mohammad Khan :** Sir, we compare the distance between Quetta and Karachi and the commercial traffic on that side and the commercial traffic between Quetta and Islamabad. So will it not be feasible for the P I A to decrease the P I A fair between Quetta and Rawalpindi in order to encourage more people to travel by P I A ?

**Mr. Chairman :** But what is the information you want to ask by asking the question. The intention is always to seek information. You are making a suggestion.

**Mr. Tahir Mohammad Khan :** It is not a suggestion whether.....

**Mr. Chairman :** Deputy Chairman is over-ruling the Chairman.

**Mr. Tahir Mohammad Khan :** Sir, I am sorry. I am not Deputy Chairman in the House. I am working as member of this honourable and august House. Sir, as a Member I think .....

**Mr. Chairman :** When I give decision obliquely, indirectly, you cannot say 'no' to it. No, not like that. How you are over-ruling me? Probably you forgot what you had said. I made certain remarks and you said, 'no', it is not correct. Any further supplementary you can ask.

**Mr. Tahir Mohammad Khan :** I would like to ask the honourable Minister what is the criterion for fixing fares from two different stations ; whether it is the mileage or the duration of hours ?

**Malik Mohammad Akhtar :** Sir, there are five conditions ; (1) cost of operation, (2) traffic potential, (3) traffic amenity, (4) nature of route, and (5) other competitive means of transportation.

**Mr. Chairman :** Any other supplementary? None. Yes, next, Mr. Farooq Ahmad Khan Leghari.

#### BASIC AMENITIES IN TRAINS

91. **Mr. Farooq Ahmad Khan Leghari :** Will the Minister of State for Railways be pleased to state :

(a) whether it is a fact that trains with dilapidated bogeys, frequently with no water and electricity facilities for passengers, are being run between Multan and Dera Ghazi Khan/Rajanpur : if so, the reasons therefore ;

(b) the steps proposed to be taken by the Government to provide at least basic amenities to passengers in trains on Multan-Dera Ghazi Khan-Kashmore Line ;

(c) whether Government intends to run an express/mail train between Lahore/Multan and Quetta *via* D. G. Khan ; and

(d) whether Government intends to run fast rail cars between D. G. Khan and Multan ; if so, when ?

**Mian Mohammad Ataullah :**

(a) The Railway has a very large number of old and overage carriages which could not be replaced for want of funds. Provision has been made for new carriages for meeting requirements of additional traffic and for replacing the overage carriages but it will take some time before the arrears of replacement are cleared. However, every effort is being made to keep these carriages in as good condition as possible.

(b) Every effort is made to provide the basic amenities to the travelling public. In the absence of a specific complaint it is not possible to give a specific reply.

(c) A new direct passenger train 55 UP/56 DN has been provided between Multan Cantt. and Quetta *via* Kot Adu, D. G. Khan, Kashmore and Jacobabad with effect from 20-11-1975. These trains are being hauled by Diesel Electric Engines instead of steam Engines and the running time is expected to be reduced as soon as the ballasting of the track is completed.

(d) Railcars are not available. However, a shuttle train in lieu of a Railcar has already been introduced between Multan Cantt and D. G. Khan from 1-7-1975.

**Mr. Farooq Ahmad Khan Leghari :** Supplementary, Sir. Whether the Minister is aware that the Railways have not been able to develop sufficient load factor to D. G. Khan and Multan on account of poor service which they offer and, therefore, they cannot compete with buses ?

**Mian Mohammad Ataulah :** No, Sir, it is not correct. The Multan, D. G. Khan and beyond these was some difficulty and the direct track needed to be strengthened. Because of these difficulties we could not run additional trains. We have started this year. We had a shuttle service going all the way upto Quetta, I assure the honourable Senator that we are making all the arrangements but as it is a very lengthy process it takes some time. All these difficulties will be overcome in the near future.

**Mr. Farooq Ahmad Khan Leghari :** Supplementary, Sir. In reply to part (c) of the question, the honourable Minister has stated that the trains would be run faster after the ballasting of the track has been completed.

My question is whether there are any plans to introduce an express train service between either Islamabad *i.e.* Rawalpindi, Lahore and Quetta via D.G. Khan or not after the ballasting has been completed ?

**Mian Mohammad Ataulah :** At the moment there is no plan but I will inform the honourable House that the ballasting in that section will be completed in certain areas by the end of this year. It is nearing completion and after that we propose to speed up this particular train going from Multan to Quetta but the other trains like Quetta Express going all the way from Rawalpindi to Quetta on the main line we find that there is not enough traffic over and above this train, and if we find that there is enough traffic to run an additional train the Railway will certainly consider this also.

**Mr. Afzal Khan Khoso :** Supplementary, Sir. I would like to ask the honourable Minister whether he is aware of the fact that due to inconvenient timing the people of Jacobabad are facing great hardships on this 55 UP train that the honourable Minister has mentioned going to Kashmore—from Jacobabad to Kashmore.

**Mian Mohammad Ataulah :** Sir, if the honourable Senator has any suggestions, I would like to have them, and we will duly consider and try and adjust the timings.

**Mr. Chairman :** You can sometimes see him, meet him, write to him about anything that you want to be done.

**Mr. Afzal Khan Khoso :** Thank you, Sir.

**Mr. Chairman :** No more supplementaries ? Well, now we turn to question No. 92.

#### PIA SERVICE TO D.G. KHAN

**Mr. Farooq Ahmad Khan Leghari :** Will the Minister for Defence be pleased to state :—

(a) whether there are any plans to provide service from Islamabad, Lahore, Multan or Karachi to D. G. Khan, or not ;

(b) If the answer is in the affirmative, the approximate schedule for starting the operations ; and

(c) whether it is possible to open PIA Booking Office in D. G. Khan and to provide PIA coach-service between Multan and D. G. Khan connecting the main flights from Karachi and Lahore till such time as air service is provided to D. G. Khan ?

**Mr. Aziz Ahmed** (read by Malik Mohammad Akhtar) :

(a) Yes. The Department of Civil Aviation is examining the question of constructing an airfield at D. G. Khan.

(b) No definite period can be indicated at this stage.

(c) Opening of a PIA Office in D. G. Khan is under the consideration of the management. Introduction of a coach-service between D. G. Khan/Multan would not be economically feasible at this stage.

**Mr. Farooq Ahmad Khan Leghari** : Supplementary, Sir,

**Mr. Chairman** : Yes ?

**Mr. Farooq Ahmad Khan Leghari** : Sir, in reply to part (c) of the question the honourable Minister has stated that introduction of a coach-service between D. G. Khan and Multan would not be economically feasible at this stage. I would like to know whether this conclusion has been arrived at on the basis of any study which has been conducted in the recent past or whether it is just a statement that he made ?

**Malik Mohammad Akhtar** : Sir, if I am allowed, I will give a brief statement, and that may satisfy him.

**Mr. Chairman** : You first try to understand his supplementary. His supplementary is whether any survey had been conducted in this connection, and on the basis of some report by the surveyor you have come to the conclusion that it is not feasible or you say this at random ?

**Malik Mohammad Akhtar** : No, Sir. I would tell him that we are taking all the possible measures to meet the objection raised in the question, and with your permission, Sir, I will just take about one minute to explain it.

PIAC *i.e.* Pakistan International Airlines Corporation has been requested to furnish traffic survey and economic feasibility of operation to D. G. Khan topographic survey maps of the area were requisitioned from the Surveyor General of Pakistan, estimates of CAD for the survey of site selection and soil testing were being examined after which a PC-1 would be sent.

That was done, Sir, early in June this year.

(Interruption)

**Malik Mohammad Akhtar** : Actually, I am trying to meet his point. I am giving a short statement. As a matter of fact, it is now, Sir, that on 7th November, 1975, DGCA has informed that he had obtained the traffic report of the D. G. Khan from PIAC, and it was now being examined in the Civil Aviation Department. The distance between D. G. Khan and Multan via Muzaffargarh over the bridge is about 120 miles which does not justify the introduction of a coach-service by PIA.

**Mr. Chairman** : Oh, Yes. His answer rightly or wrongly is that his conclusion is based on the report of certain officials who had surveyed the area and the distance, and there are so many other factors to be taken into consideration as you know. So, the conclusion has been arrived at on the basis of some report after a survey was conducted.

**Mr. Farooq Ahmad Khan Leghari :** Supplementary, Sir. The honourable Minister in his lucid statement has mentioned topographical surveys and other factors which are not really relevant to the question that I asked. I said that he had in reply to part (c) of the question stated that introduction of a coach-service between D. G. Khan and Multan would not be economically feasible at this stage. Now earlier, on an earlier day in the Question Hour, the Minister of State had stated that as far as Jacobabad and Sukkar were concerned, they were willing to provide a coach-service. Now, the distance there was even less than 120 miles—it is about 55 or sixty miles while in this case the distance is 120 miles. He has mentioned about topographical surveys etc., but that does not answer the question. My question was whether the decision not to start a coach service between D. G. Khan and Multan was taken on the basis of a survey which would have taken into account the load factor etc., or whether it was done at random and it appears it has been done at random.

**Malik Mohammad Akhtar :** No, that is not correct. The position is, Sir, as I have already stated in my short reply, which I made to satisfy the honourable Member, that the distance between D. G. Khan ....

**Mr. Chairman :** Instead of satisfying him you are provoking him.

**Malik Mohammad Akhtar :** No, Sir, I am telling him that the distance is about 120 miles which does not justify the introduction of a coach-service by PIA.

**Mr. Chairman :** Well like a lawyer you cannot confront one Minister with the statement of another Minister pointing out the discrepancy that while in one case in his opinion a distance of 260 miles ..

**Mr. Farooq Ahmad Khan Leghari :** Mere 55 or 60 miles.

**Mr. Chairman :** Oh, yes. Well, that is Mr. Aziz Ahmed's view. Malik Mohammad Akhtar's view is that 120 miles is too short a distance to justify a coach service. Well, it is upto him,

Any other supplementary please, Mr. Leghari ?

**Mr. Farooq Ahmad Khan Leghari :** No, thank you, Sir.

**Mr. Chairman :** Next question.

#### GHAZI GHAT BRIDGE

**\*Mr. Farooq Ahmad Khan Leghari :** Will the Minister for Communications be pleased to state :—

(a) whether the bridge over River Indus at Ghazi Ghat connecting Dera Ghazi Khan with Multan is included as an integral part of the Indus Super Highway Project ; and

(b) if answer to (a) above be in the affirmative, the approximate time schedule for construction.

**\*Mr. Mumtaz Ali Bhutto (read by Malik Mohammad Akhtar) :**

(a) No.

(b) The question does not arise.

**Mr. Farooq Ahmad Khan Leghari :** Supplementary, Sir. Whether the honourable Minister is aware that the Director-General of the Indus Super

Highway Board had in a meeting of the Planning and Development Department, Government of Punjab made a firm commitment that the bridge over river Indus at Ghazi Ghat would form an integral part of the Indus Super Highway or not ?

**Malik Mohammad Akhtar :** Sir, I consider that at present the Indus Super Highway Board is preparing a list of link roads including bridges which will be required. The present estimated cost of Indus Super Highway at Rs. 310 crores does not include the cost of link roads and bridges.

The position as it stands at present is that it does not include but there may be many proposals which may be implemented later on but at present it has not been included as pointed out in the answer to the question.

**Mr. Farooq Ahmad Khan Leghari :** Sir, you will bear me out that this is not really a reply to the question that I have asked.

**Mr. Chairman :** Well, I myself have not been able to follow the question the supplementary and the answer. Your question (a) was "whether the bridge over River Indus at Ghazi Ghat connecting Dera Ghazi Khan with Multan is included as an integral part of the Indus Super Highway Project" Do you want an answer to that ?

**Mr. Farooq Ahmad Khan Leghari :** I got that answer. It said, No !

**Mr. Chairman :** No, no, you see, he said 'No'. Then, you tried to contradict him. You say there is some other body, organisation or Authority which is of the view that that is an integral part of the Indus Super Highway. You told him that there is an Authority. Did You mention some Authority ?

**Mr. Farooq Ahmad Khan Leghari :** I was talking about the Managing Director of the same Authority-the Indus Super Highway Project Board.

**Mr. Chairman :** So, you have the information already with you ?

**Mr. Farooq Ahmad Khan Leghari :** I happened to attend that meeting myself also.

**Mr. Chairman :** Oh, yes. Then, you know the information.

**Mr. Farooq Ahmad Khan :** But I want to know whether the Minister is aware of that ?

**Malik Mohammad Akhtar :** I am quite aware of that meeting but I may again point out...

**Mr. Chairman :** Well, the recommendations of your Committee might have been rejected by the Minister concerned. You wanted this to be treated as a part of that Super Highway. They might have come to another decision. It is possible.

**Mr. Farooq Ahmad Khan Leghari :** Yes, Sir.

**Mr. Chairman :** Next, question No. 94.

## PENSIONS OF DEFENCE PERSONNEL

**\*Khawaja Mohammad Safdar** (put by Mr. Abdul Latif Ansari) : Will the Minister for Defence be pleased to state whether the pensions of the retired Defence Personnel have been revised upwards or any dearness allowance is paid to them ; if not, the reasons therefor ?

**Mr. Aziz Ahmed** (read by Malik Mohammad Akhtar) : Pensions have been revised upwards for retired Defence Personnel from time to time. Revision of pensions of the Armed Forces is again under consideration of the Government.

1. Dearness increases sanctioned by the Government from time to time, as under, are paid to them :—

(i) *Ad hoc* increase at the following rates has been allowed to the pensioners drawing pension upto Rs. 500/- w. e. f. 1st June 1973 :—

*Amount of Pension**Ad hoc increase*

(a) Not exceeding Rs. 50.00

20% subject to a minimum of Rs. 5/-

(b) Exceeding Rs. 50/- but not exceeding Rs. 100.00

15% subject to a minimum of Rs. 10/-

(c) Exceeding Rs. 100.00 but not exceeding Rs. 500.00

15% subject to a maximum of Rs. 30.00 with marginal adjustment for pension upto Rs. 530.00

(ii) Dearness Increase @ 15% of the gross pension to the Pensioners drawing pension upto Rs. 700/- per month, subject to a maximum of Rs. 35/- p. m. from 1-8-1973.

(iii) Special Dearness Increase @ 15% of gross pension to all pensioners subject to a maximum of Rs. 100/- per month w. e. f. 8-6-1974.

(iv) Additional Dearness increase @ 10% of the gross pension to all Pensioners subject to maximum of Rs. 25/- per month with effect from 7-4-1975.

**Mr. Chairman** : No supplementary ? All right.

## LEAVE OF ABSENCE

**Mr. Chairman** : Now, we take leave applications. This is by Mr. Qamaruz Zaman Shah. He has sent a telegram. It reads :

“Kindly get me leave of the House for remaining absent for the month of December as I am leaving for Haj on the 6th”.

**Mr. Qamaruz Zaman Shah** has left for Haj on the 6th, and he wants the sanction of the House for leave. Should this leave be granted ?

(LEAVE WAS GRANTED)

**Mr. Chairman :** All right. Leave is granted.

Now, there are some messages from the National Assembly Secretariat addressed to the Secretary of this Secretariat.

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MESSAGE FROM THE NATIONAL ASSEMBLY RE : ADOPTION OF  
THE SUPPRESSION OF TERRORIST ACTIVITIES (AMENDMENT)  
BILL, 1975

**Mr. Chairman :** 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 Suppression of Terrorist Activities (Amendment) Bill 1975, on the 9th December, 1975. A copy of the Bill is transmitted herewith”.

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

**Mr. Chairman :** Next message is :

“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 Industrial Relations (Amendment) Bill, 1975 on the 9th of December, 1975. A copy of the Bill is transmitted herewith”.

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MESSAGE FROM THE NATIONAL ASSEMBLY RE : ADOPTION OF  
THE ANTIQUITIES BILL, 1975

**Mr. Chairman :** Yes, there is a third message with regard to another Bill.  
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 Antiquities Bill, 1975, on the 9th December. A copy of the Bill is transmitted herewith”.

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MESSAGE FROM THE NATIONAL ASSEMBLY RE : THE  
PAKISTAN INTERNATIONAL AIRLINES CORPORATION  
(AMENDMENT) BILL, 1975.

**Mr. Chairman :** There is a fourth message from the same Secretariat. It reads :

“In pursuance of rule 112(d) of the Rules of Procedure and Conduct of Business in the National Assembly, I have the honour to inform the Senate Secretariat that the Pakistan International Airlines Corporation (Amendment) Bill, 1975, passed by the Senate with amendments, was re-considered by the National Assembly and passed on the 9th December. A copy of the Bill is transmitted herewith”.

INTIMATION RE : RELEASE OF SENATOR MOHAMMAD  
HASHIM GHILZAI

**Mr. Chairman :** Now, there are some telegraphic informations sent to this House by the authorities concerned. One is from the Commissioner, Karachi to the Chairman, Senate, Islamabad. This information is to the House through me. It reads :

“Senator Mohammad Hashim Khan Ghilzai has been released on bail on 26th November by Court.

Commissioner, Karachi.

This is one information. As you know the rules provide for the information on release or arrest.

The second information is :

“Chairman”.

Senate of Pakistan.

“Superintendent, Central Prisons, Karachi informed that Senator Mohammad Hashim Khan Ghilzai has been released on bail on 24th November”.

Well, I don't understand myself. Commissioner Karachi writes that he has been released on bail on 26th November and the Home Secretary writes that he has been released on bail on 24th November. Well, as I have pointed out to you, Commissioner, Karachi informs us that he has been released on 26th November and the Secretary Home Department inform us that he has been released on 24th November. These dates are given in the telegrams which we have received. But there is a postal information from Mr. Nazar Abbas Siddiqi to the Home Secretary. According to that :

“This is to inform you that Senator Mohammad Hashim Khan Ghilzai has been released on bail from the Court of Additional City Magistrate, Karachi on the 26th and not on 24th. It is requested that the Chairman, Senate may kindly be informed accordingly.”

So, 24th is a wrong date. I don't think it is breach of privilege, Yes, Minister of State for Parliamentary Affairs !

**Malik Mohammad Akhtar :** Sir, they had intention to inform us and.....

**Mr. Chairman :** The correct date is 26th but the Secretary, Home Department writes that he has been released on 24th.

**Mr. Ihsanul Haq :** Sir, may I explain it. He may have been released on 24th, and then any other officer may have arrested him and released him on the 26th. Both the information may be correct.

**Mr. Chairman :** That is a good idea. You can reconcile the two irreconcilables in this way. Yes, we take up legislative business. Who is deputising for the Law Minister ?

**Malik Mohammad Akhtar :** That is my Department, Sir. I am his Minister of State.

**Mr. Chairman :** No, no, I don't say that you are not a Minister of State. That I know. In my agenda, the name is Malik Meraj Khalid, Minister for Law.

**Mr. Mohammad Akhtar :** I will be doing on his behalf.

**Mr. Chairman :** That is what my point was. Who is deputising for him means that who is doing on his behalf.

THE SUPPRESSION OF TERRORIST ACTIVITIES (SPECIAL COURTS) (AMENDMENT) BILL, 1975

**Mr. Mohammad Akhtar :** Sir, I beg to move :

“That the Bill to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 [The Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1975], as passed by the National Assembly, be taken into consideration”.

**Mr. Chairman :** The motion made is :

“That the Bill to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 [The Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1975], as passed by the National Assembly, be taken into consideration.”

Any amendment, any objection, any opposition ? None. Yes, Mr. Akhtar.

**Malik Mohammad Akhtar :** Sir, a brief statement from the humble servant of this House.

The Suppression of Terrorist Activities (Special Court) Ordinance, 1974 was promulgated by the President on 5th October, 1974 to provide for suppression of acts of sabotage, subversion and terrorism. Sir, in the aforesaid Act, we could not provide any power for the Special Court to punish for its contempt. Subsequently, Sir, some incidents happened wherein the Honourable Presiding Officer was in one or two cases, mocked at, and some misbehaviour was done by certain of the accused persons. So, we consider that the contempt proceedings be lodged in case of such recurrence and as such. Sir, the first amendment empowers the Court to proceed and punish in case of contempt, and Sir, then there is the second amendment in which it has been provided that the Provincial Government can file, in case of acquittal, appeal against decision of Special Court. These are two simple amendments, and they are routine amendments, Sir, contained in all the laws.

سردار محمد اسلم : جناب چیئرمین ! میں سمجھتا ہوں کہ اس بل کے ذریعہ  
Suppression of Terrorist Activities (Special Courts) Act, 1975  
amendment لائی جا رہی ہے یہ ضروری amendment تھی کیونکہ ایک تو اس کے Original Act  
acquittal کے خلاف یا کسی بھی صورت میں گورنمنٹ کو جو اس مقدمے کا  
فریق ہوتی ہے right of appeal نہیں تھا - convicted person کو اپیل کا حق  
تھا کہ وہ اسپیشل ٹریبونل کے فیصلے کے خلاف سزا کے حکم کے خلاف ہائیکورٹ

(Sardar Mohammad Aslam)

میں اپنی اپیل دائر کر سکتا تھا۔ اب اس امینڈمنٹ کے ذریعے گورنمنٹ کو اپیل کا حق دیا گیا ہے جو کہ پہلے بھی ضروری تھا لیکن پہلے منسٹر صاحب کو علم ہوگا کہ کس بناء پر اپیل کا حق گورنمنٹ کو نہیں دیا گیا تھا تو اب اس امینڈمنٹ کے ذریعے وہ حق دیا گیا ہے اور دوسری امینڈمنٹ The Contempt of Court Act کے applicationors پر ہے کیونکہ اسپیشل ٹریبونل بذات خود ایک عدالت ہے اور Judicial Proceedings کرتی ہے اور Judicial Process کے دوران اگر کسی قسم کا کوئی حادثہ جو کہ contempt of court کے مترادف ہو واقع ہو جائے تو اسپیشل ٹریبونل کے پاس Contempt of Court کے تحت action لینے کی کوئی پاور نہیں تھی۔ اب اس امینڈمنٹ کے ذریعے ان کو یہ پاور دی گئی ہے کہ The Contempt of Court Act کو وہاں اپلائی کر کے proceed کر سکتی ہے یا action لے سکتی ہے۔ یہ مختصر سا بل ہے، اس لئے میری گزارش ہے کہ اس کو پاس کیا جائے۔

**Mr. Afzal Khan Khoso :** Mr. Chairman, Sir, in this amending Bill, as my learned friend, Sardar Mohammad Aslam, has pointed out, there are two very important things—one is that the person sitting in Court should be given the protection which should normally all the other courts enjoy with regard to the contempt of court. We all know, Sir, that there have been many instances of terrorist activities in the last two to three years in this country. Blowing of bridges, maiming of persons, bomb explosions and so on so forth and those persons who sit in courts must also have certain cover, Sir, which is very important, because unless they have the cover of law, it will not be feasible and it will not be possible for them to discharge their duties properly under the present circumstances. So, I think, that this amendment is necessary, and I fully support that amendment. The next amendment with regard to the Bill, is that when there are two parties proceedings then if one party has got the right of appeal, I think, the other party too should have the right to appeal, as we have in Section 417, Criminal Procedure Code, which provides that the Provincial Governments have the right to go and file appeal as an acquittal appeal. So, I think, it is within the fitness of things that this right should also be given to the other party, which is the Government. So, I fully support both the amendments.

**Mr. Chairman :** Thank you. Any other gentleman wishing to participate? No. Well, I put the question.

The question before the House is :

“That the Bill to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 [The Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1975], as passed by the National Assembly, be taken into consideration.”

*(The Bill was adopted)*

**Mr. Chairman :** Now, we take up Second Reading of the Bill. We take up Clause 2,

The question before the House is :

“That Clause 2 forms part of the Bill.”

*(The motion was adopted)*

**Mr. Chairman :** Clause 2 is adopted. Then, we take Clause 3.  
The question before the House is :

“That Clause 3 forms part of the Bill.”

*(The motion was adopted)*

**Mr. Chairman :** Clause 3 form part of the Bill.

Clause 4. The Question before the House is :

“That Clause 4 forms part of the Bill.”

*(The motion was adopted)*

**Mr. Chairman :** Clause 4 forms part of the Bill.

I think, there was no amendment moved to any of these clauses. No ?  
All right.

Now, we are left with the last question.

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 Mohammad Akhtar, No. 4.

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

“That the Bill to amend the Suppression of Terrorist  
Activities (Special Courts) Act, 1975 [The Suppression  
of Terrorist Activities (Special Courts) (Amendment)  
Bill, 1975], be passed.”

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

“That the Bill to amend the Suppression of Terrorist  
Activities (Special Courts) Act, 1975 [The Suppression  
of Terrorist Activities (Special Courts) (Amendment)  
Bill, 1975], be passed.”

Would you like to add to what you have already stated ?

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

**Mr. Chairman :** Any gentleman wishing to say anything on the subject ?  
Anybody wishes to participate ?

No.

So, I put the question.

The question before the House is :

“That the Bill to amend the Suppression of Terrorist  
Activities (Special Courts) Act, 1975 [The Suppression  
of Terrorist Activities (Special Courts) (Amendment)  
Bill, 1975], be passed.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill is adopted unanimously. Now, the next is also yours. So Item No. 5.

### THE INDUSTRIAL RELATIONS (AMENDMENT) BILL, 1975

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

“That the Bill further to amend the Industrial Relations Ordinance, 1969 [The Industrial Relations (Amendment) Bill, 1975], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill further to amend the Industrial Relations Ordinance, 1969 [The Industrial Relations (Amendment) Bill, 1975], as passed by the National Assembly, be taken into consideration.”

You will give some time to the honourable Members of the House. Is there any objection, any amendment, any opposition? (Pause) Any gentleman objecting to the motion?

Any amendment? Any opposition?

(Pause) No.

Yes, Malik Mohammad Akhtar.

**Malik Mohammad Akhtar :** Sir, it is a simple Bill. We are seeking to amend section 1, sub-section (3). We are making this amendment with the object of excluding the Security Staff of the Pakistan International Air Lines Corporation from the purview of the Industrial Relations (Amendment) Ordinance, 1969, and thereby bringing this Security Staff at par with the other forces of the country, for example, the Industrial Relations Ordinance is not applicable to various other forces like Police, Federal Security Force, and some other Civil Forces. We only want to bring this Staff also at par and at level with those forces, so that discipline could be maintained in this very important organisation which is not only national but international.

**Mir Afzal Khan :** I would like a bit of clarification, if I may be permitted, from the honourable Minister. I would like to know what are the benefits accruing to the Security Staff from the liability.

**Mr. Chairman :** You seek clarification on what point?

**Mir Afzal Khan :** This amending Bill, whether it gives certain protection to the Security Staff? Does it give certain rights, or does it put certain liabilities on them? I want a bit of clarification from the Minister.

**Malik Mohammad Akhtar :** Sir, as a matter of fact, we do not want that any unions should be formed. That is the main object as far as Security Staff is concerned, otherwise all the privileges enjoyed by other Government servants are available to them barring one that they will not have the right of forming any association or union.

**Mr. Chairman :** Are you satisfied with the clarification?

**Mir Afzal Khan Khoso :** Yes, Sir, I am satisfied with the clarification.

**Mr. Chairman :** Any other gentleman who wants to speak? (Pause)  
No. So, now I will put the question.

The question before the House is :

“That the Bill further to amend the Industrial Relations Ordinance, 1969 [The Industrial Relations (Amendment) Bill, 1975] be passed.”

*(The motion was adopted)*

**Mr. Chairman :** Now, we take up the Second Reading of the Bill. I will take up Clause 2.

The question is :

“That Clause 2 form part of the Bill.”

*(The motion was adopted)*

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

The next question is with regard to Clause 3.

The question before the House is :

“That Clause 3 forms part of the Bill”.

*(The motion was adopted)*

**Mr. Chairman :** Clause 3 forms part of the Bill.

Now, the question before the House is :

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

*(The motion was adopted)*

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

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

“That the Bill further to amend the Industrial Relations Ordinance, 1969 [The Industrial Relations (Amendment) Bill, 1975] be passed.”

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

“That the Bill further to amend the Industrial Relations Ordinance, 1969 [The Industrial Relations (Amendment) Bill, 1975] be passed.”

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

**Mr. Chairman :** Any gentleman wishes to speak? Yes, Mr. Khoso?

**Mir Afzal Khan Khoso :** Yes, Sir. Just a few words, with your permission. The clarification that I sought from the honourable Minister was that they will not have a right to form unions.

**Mr. Chairman :** If that was the question put, its answer was very easy.

**Mir Afzal Khan Khoso :** Yes, Sir, the question was about the formation of unions and associations. Now, as far as the basic principle of formation of unions and associations is concerned, we are not opposed to that but in the present context as the Security Staff is meant for the security of the national airlines, passengers and cargo, I feel this amendment is quite necessary otherwise the work of PIA will be hampered and there will be lot of hardship for the entire people of Pakistan. So, with these words I support the amendment and I take my seat.

**Mr. Chairman :** Yes, any other gentleman.

**Haji Niamatullah Khan :** Sir, it is very necessary and I support the amendment. Pakistan International Airlines is doing national service, and for the good and efficient maintenance of this, we want that, just like Federal Security Force and other forces, PIA should also be exempted. So, I support the Bill. Thank you.

**Mr. Chairman :** Thank you. Any other gentleman? (Pause) No gentleman from this side? (Pause) All right, then I put the question.

The question before the House is :

“That the Bill further to amend the Industrial Relations Ordinance, 1969 The Industrial Relations (Amendment) Bill, 1975 be passed.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill is passed unanimously. Next.

**Malik Mohammad Akhtar :** Sir, we may defer items 7 and 8 till tomorrow because there will be no other business.

**Mr. Chairman :** What day is tomorrow?

**Malik Mohammad Akhtar :** Thursday.

**Mr. Chairman :** Tomorrow? Why not today?

**Malik Mohammad Akhtar :** Sir, I consider we have been observing this tradition that not more than two legislations are taken at a time. So, I consider, if the House, permits we may take these tomorrow.

**Mr. Chairman :** No, no, they are not going to confront you.

**Malik Mohammad Akhtar :** I am a very humble servant of the House.

**Mr. Chairman :** They won't be harsh to you.

**Malik Mohammad Akhtar :** No, Sir, we work as a team.

**Mr. Chairman :** They just want to introduce some life.

**Malik Mohammad Akhtar :** Yes, Sir, I am here to satisfy them.

**Mr. Chairman :** All right, then let us proceed with the Bill.

## THE ANTIQUITIES BILL, 1975

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

“That the Bill to repeal and re-enact the law relating to the preservation and protection of antiquities [The Antiquities Bill, 1975], as passed by the National Assembly, be taken into consideration.”

**Mr. Chairman :** Yes, the motion moved is :

“That the Bill to repeal and re-enact the law relating to the preservation and protection of antiquities [The Antiquities Bill, 1975], as passed by the National Assembly, be taken into consideration.”

**Mr. Ahmad Waheed Akhtar :** Mr. Chairman, Sir.

**Mr. Chairman :** Yes Mr. Ahmad Waheed Akhtar.

جناب احمد وحید اختر : جناب والا ! میرا خیال ہے اس کو سٹینڈنگ کمیٹی کے پاس بھیج دیا جائے کیونکہ یہ خاصا اہم بل ہے۔ اس کی چھتیس کلوزز ہیں۔ آج ہی صبح ملا ہے اور دوستوں نے اسے پڑھا بھی نہیں اور اس کا آرڈینینس بھی Lapse نہیں کر رہا ہے۔ تو اس کو اسٹینڈنگ کمیٹی کے پاس بھیج دیتے ہیں اور اس کو وہاں دیکھ لیں گے۔

**Mr. Chairman :** Well, it is upto you. I do not stand in your way. When the House is in a mood to proceed with this then it is upto the House.

Well, I will just have the sense of the House. What is your reaction ?

**Mr. Afzal Khan Khoso :** I personally feel that we have just received the Bill, and in the fitness of things it may be referred to the Standing Committee.

**Mr. Chairman :** Mr. Kamal Azfar what is your view ?

**Mr. Kamal Azfar :** Sir, the view of most of the members is that we can deal with it better in the Standing Committee, because it is an important Bill. It deals with our heritage.

**Mr. Chairman :** Do you agree Leader of the House ?

**Rao Abdus Sattar :** Sir, the sense of the House is that it should be referred to the Standing Committee.

**Mr. Chairman :** All right, then somebody has to make a formal motion.

**Mr. Afzal Khan Khoso :** Mr. Chairman, Sir, with your permission I move this amendment that this Bill be referred to the Standing Committee concerned.

**Mr. Chairman :** Yes, the amendment moved is :

“That the Bill to repeal and re-enact the law relating to the preservation and protection of antiquities [The Antiquities Bill, 1975], as passed by the National Assembly, be referred to the Standing Committee concerned.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill stands referred to the Standing Committee concerned.

Now, what about the next meeting ? We are still short of some days to complete the 90 day constitutional period fixed for the Senate. I think, there are three days.

**Malik Mohammad Akhtar :** Sir, it may be checked up so that we can chalk out the programme accordingly.

**Mr. Chairman :** I think, we are short of three days. We have to meet for three days more, and then we can complete the period Constitutionally laid down for the Senate.

**Malik Mohammad Akhtar :** That means we meet tomorrow and day after. Then only one day will be left.

**Mr. Chairman :** You want to meet tomorrow, then on 12th December probably it is Private Members Day. Would you like to enjoy holiday on that day ?

**Malik Mohammad Akhtar :** Sir, I think, we should meet if the Senators decide to meet on Friday which is a Private Members day.

**Mr. Masud Ahmad Khan :** Sir, we cannot meet on Friday because we have a joint Committee meeting on 12th December at 10.00 a.m. consisting of about eight Senators and the rest of the MNAs to look into the laws which are against the Fundamental Rights under the Constitution.

**Mr. Chairman :** So, we meet tomorrow. Then, we adjourn to meet after Eid. We will be able to complete the three days we are short of. We meet tomorrow, and on 12th and 13th December there will be no sitting, then Eid days ; we will be meeting after Eid and we will have enough time to complete three days requisite period.

All right, the House stands adjourned to meet tomorrow at 10.00 a.m.

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*The Senate then adjourned till ten of the clock in the morning on Thursday, December 11, 1975.*

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