



# THE SENATE OF PAKISTAN DEBATES

## OFFICIAL REPORT

Monday, March 29, 1976

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SENATE DEBATES  
SENATE OF PAKISTAN

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Monday, March 29, 1976  
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The Senate of Pakistan met in the Senate Chamber (State Bank Building), Islamabad, at five of the clock in the evening, Mr. Chairman (Mr. Habibullah Khan) in the Chair.

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(Recitation from the Holy Qur'an)  
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STARRED QUESTION AND ANSWER

**Mr. Chairman :** Now, we take up questions. No question, I think ?

**Mr. Kamran Khan :** There is one question, Sir.

**Mr. Chairman :** Where is one ? Yes, it is the question No. 71, on behalf of Mr. Ghulam Ahmad Bilore.

**Mr. Kamran Khan :** On behalf of Mr. Ghulam Ahmad Bilore Question No. 71.

**Mr. Chairman :** Yes.

BROAD GAUGE RAILWAY LINES

71. **\*Mr. Ghulam Ahmad Bilore (Put by Mr. Kamran Khan) :** Will the Minister for Railways be pleased to state :

- (a) the total length of broad gauge railway lines in Pakistan, and
- (b) the length of broad gauge railway lines in each Province ?

**Mr. Hafeezullah Cheema :**

|                          |     |    |    |          |        |
|--------------------------|-----|----|----|----------|--------|
| (a) Route miles          | ... | .. | .. | 4818.695 | miles. |
| Track miles              | ..  | .. | .. | 6969.638 | "      |
| (b) <i>Route milas :</i> |     |    |    |          |        |
| Sind                     | ..  | .. | .. | 1099.910 | miles. |
| Punjab                   | ..  | .. | .. | 2791.535 | "      |
| N. W. F. P.              | ..  | .. | .. | 195.050  | "      |
| Baluchistan              | ..  | .. | .. | 732.200  | "      |
|                          |     |    |    | 4818.695 | "      |

[ Mr. Hafeezullah Cheema ]

*Track miles:*

|             |     |     |    |          |        |
|-------------|-----|-----|----|----------|--------|
| Sind        | ... | ..  | .. | 1922.693 | miles. |
| Punjab      | ... | ... | .. | 3900.161 | "      |
| N. W. F. P. | ... | ... | .. | 240.718  | "      |
| Baluchistan | ... | ... | .. | 906.066  | "      |
|             |     |     |    | -----    |        |
|             |     |     |    | 6969.638 | "      |

**Mr. Chairman:** Break-up is there. Yes, no other question. Now, we take up leave applications.

LEAVE OF ABSENCE

**Mr. Chairman:** One application is by Senator Afzal Khan Khoso. He has requested, "I may be granted leave for absence from House from 29th uptill 31st, both days inclusive, as I have to attend to certain functions in connection with the visit of the Prime Minister to Baluchistan". Should the leave be granted?

**Mr. Chairman:** No objection? Is the leave granted?

*(The leave was granted)*

**Mr. Chairman:** Leave is granted. There is another application from Khawaja Mohammad Safdar: "I will not be able to attend the Senate Session on Monday, the 29th March. I, therefore, seek leave for absence from the House. I shall be obliged if the business standing in my name is deferred."

Yes, should the leave be granted to Khawaja Mohammad Safdar for today?

*(The leave was granted)*

**Mr. Chairman:** Leave is granted. Yes, now we take up adjournment motions.

This is adjournment motion No. 39. It is in the name the Senator Haji Sayed Hussain Shah. Is he present?

**Voices:** Yes, Sir.

**Mr. Chairman:** He is present. Yes, please Haji Sahib.

**Haji Sayed Hussain Shah:** I beg leave of the House to move a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance and of recent occurrence, namely, the news stated by Nawa-i-Waqt that Pakistan Railway has increased 20% in the fare of.....

**Mr. Chairman:** No, no, this is not the motion before me. Motion No. 39, the news as reported by the daily Dawn of Karachi of 17th March. It is about some railway incident there.

ADJOURNMENT MOTION *RE* : DERAILMENT OF A LOCAL TRAIN  
NEAR POWER HOUSE RAILWAY CROSSING AT KARACHI CITY  
RAILWAY STATION

**Haji Sayed Hussain Shah** : Yes, Sir, it is 39. I beg leave of the House to move a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance and of recent occurrence, namely, the news as reported by the Daily dawn of Karachi.....

**Mr. Chairman** : Yes.

**Haji Sayed Hussain Shah** : .....of 17th March 1976 that three coaches and a locomotive of a local train were derailed near the Power House Railway Crossing at Karachi City Railway Station in which the three coaches and the locomotive were damaged and many persons received injuries. Failure of the Railway authorities to put an end to such accidents has caused grave apprehension in the minds of the public of Pakistan.

**Mr. Chairman** : Will you kindly read out from the Dawn dated 17th March, what the news is ? Yes, a few lines, yes read out the news item given in the daily Dawn.

**Haji Sayed Hussain Shah** : I will read out.

**Mr. Chairman** : I will read out for you. 'Three coaches and a locomotive of a local train derailed yesterday morning near the Power House Railway Crossing. Three coaches and a locomotive slightly damaged'—*Slightly*, you are omitting the word "slightly" in your adjournment motion.

**Haji Sayed Hussain Shah** : It was damaged, Sir, slightly or badly.

**Mr. Chairman** : No, no, you have quoted word by word the news item minus the word 'slightly'—'three coaches and a locomotive *slightly* damaged. Only a few passengers' and here is *a few passengers* and you said 'many passengers', all right 'received bruises.'

**حاجی سید حسین شاہ : اس سلسلے میں ، میں گزارش کروں گا۔**

**Mr. Chairman** : Wait, wait, and 'we have provided first aid on the spot. The cause of the derailment was not known. Investigation was being made. Yes?

**حاجی سید حسین شاہ : اس سلسلے میں میری گزارش یہ ہے۔**

**جناب چیئرمین : پہلے مجھے معلوم کر لینیے دیں کہ وہ منظور کرتے ہیں**

**یا اپوز کرتے ہیں۔**

**Mr. Hafeezullah Cheema** (Minister for Railways): I would like to make a brief statement giving the actual facts.

**Mr. Chairman** : Do you accept it or oppose it ? You want to make a statement ?

**Mr. Hafeezullah Cheema :** I also want to give facts.

**Mr. Chairman :** It is possible that he may be satisfied by your statement.

**Mr. Hafeezullah Cheema :** Sir, the accident took place due to the negligence on the part of the Train Despatcher and Pilot Jamadar, who failed to settle the pad-lock point properly. They have been placed under suspension, and a Divisional Officer joined the inquiry. The inquiry has been ordered to investigate into this accident. So far as the part of the adjournment motion is concerned that several persons were injured it is incorrect. Nobody has been injured. So far as that aspect is concerned, the statement by the hon'ble Member is not correct, and also the report is not correct.

**Mr. Chairman :** Yes, Shah Sahib, you please.

**حاجی سید حسین شاہ :** جناب والا ! میں گزارش کروں گا کہ اس تحریک

التوا سے چند روز پہلے بھی میں نے ایک تحریک التوا پیش کی تھی جس میں یہ عرض کی تھی کہ کراچی میں ریلوے ٹرین کے اوپر اتنا رش ہوتا ہے کہ Peak hour میں لوگ انجن کے اوپر بیٹھے ہوتے ہیں لہذا یہی رش overloading اور over crowding کا سبب ہوتا ہے۔ اگر ریلوے کے حکام پیش بینی سے کام کرتے اور حفظ ما تقدم کو مد نظر رکھتے تو یقیناً یہ حادثات پیش نہ آتے اور ملک کو اتنا نقصان نہ پہنچتا۔ اس سلسلے میں گزارش کروں گا کہ ریلوے کی طرف سے انکوائری ہو رہی ہے اس میں ریلوے ہی کے حکام ہوتے ہیں اس میں انتظامیہ اور عدلیہ کا کوئی فرد نہیں ہوتا ہے اگر ریلوے کی انکوائری میں عدلیہ کے کسی جج یا انتظامیہ کے کسی افسر کو مقرر کیا جائے تو شاید حقائق سامنے آجائیں۔ میں جناب ریلوے وزیر صاحب سے گزارش کروں گا کہ اس سلسلے میں جو تحقیق ہو رہی ہے اس کے نتائج سے ہمیں بھی آگاہ کریں۔

**Mr. Chairman :** Are you not pressing it ?

**حاجی سید حسین شاہ :** اگر یہ یقین دہانی کراتے ہیں تو ٹھیک ہے۔

**Mr. Chairman :** He wants an assurance that he and the House will be apprised of the result of your inquiry. There is no harm.

**جناب حفیظ اللہ چیمہ :** ٹھیک ہے

**Mr. Chairman :** No, no, you are only to inform the House, the gentleman is concerned about the result of your inquiry as to what action has been taken.

**Mr. Hafeezullah Cheema :** We will inform the House.

جناب چیئرمین : وہ کہتے ہیں کہ ہم آپ کو اور ایوان کو اطلاع دینگے  
کہ انکوائری کے کیا نتائج برآمد ہوئے ہیں ۔

حاجی سید حسین شاہ : ٹھیک ہے ہمیں بھی اسی کا انتظار ہے، میں  
پریس نہیں کروں گا ۔

**Mr. Chairman :** Then are you not pressing your motion ?

**Haji Sayed Hussain Shah :** Not pressing, Sir.

**Mr. Chairman :** All right, this adjournment motion is not pressed.

ADJOURNMENT MOTION *RE* : TEAR GAS AND LATHI CHARGE  
ON STUDENTS OF JEHAN ZEB COLLEGE HOSTEL, SAIDU SHARIF

**Mr. Chairman :** This is Mr. Kamran Khan. It is your adjournment motion.  
Yes ?

**Mr. Kamran Khan :** I beg leave of the House to move a motion for the ad-  
journment of the business of the House to discuss a definite matter of urgent public  
importance and of recent occurrence, namely, the excesses committed by the police  
in using tear gas and lathi charge on the students of Jehan Zeb College, Saidu Sharif  
in their hostel and the arrests of a number of students. This news has been reported  
in the Daily Nawa-i-Waqt, Rawalpindi, dated 20th March, 1976, and has created  
resentment in the country.

**Mr. Chairman :** Well, it is obviously a Provincial matter,

**Mr. Kamran Khan :** Sir, it is....

**Mr. Chairman :** This is purely a Provincial matter. I am withholding my  
consent.

**Mr. Kamran Khan :** Sir, you would allow me to make a submission. In  
the Constitution, there is a provision.

**Mr. Chairman :** Where is this ? This is purely a Provincial matter.

**Mr. Kamran Khan :** Sir, there is a constitutional provision. Federal Govern-  
ment has also a say in the affairs of the Provincial administration.

**Mr. Chairman :** I know the Constitution, but I am concerned with only the  
incident. The police has tear gased and lathi charged the students and arrested  
them. This is the question of law and order purely unadulterated Provincial matter.

**Mr. Kamran Khan :** Sir, if you permit me.

**Mr. Chairman :** I am withholding my consent. That will be a very bad pre-  
cedence. No, no, if I had even very little, least doubt in my mind, I would have  
just allowed you.

[Mr. Chairman]

Your adjournment motion, as you say, is that there was lathi charge and tear gasing by the police; then it is a law and order question.

**Mr. Kamran Khan :** It is a tribal area. Swat is tribal area. It is not fulfilled district like other districts.

**Mr. Chairman :** I thought Swat is a district.

**Mr. Kamran Khan :** Yes, Sir, it is district.

**Mr. Chairman :** But this lathi-charging, tear gasing and arrests of students by the Police come under the Province. It is the Provincial Government which is concerned with this and not the Federal Government.

**Mr. Kamran Khan :** Sir on a previous occasion in the month of April, 1974, I gave a notice of an adjournment motion about Swat and Dir, and similar objection was raised with regard to that adjournment motion, and it was said that since the Prime Minister was seized with the situation, he would personally visit the area and look into the matter. Sir, at that time it was not ruled out of order.

**Mr. Chairman :** I do not think that this case is at par with that one. I do not think it is identical and a similar case. Well, I could not have held Dir as tribal area, and I do not remember this case, but anyhow, I could not have held Dir as tribal area, which is in the jurisdiction and the administrative competence of the Federal Government.

**Mr. Kamran Khan :** Sir, if you kindly refer to Article 247 Clause 4.....

**Mr. Chairman :** My dear friend, you are going like this that it is not Provincial subject because the Chief Minister is appointed by the Governor and the Governor is appointed by the Prime Minister, therefore, this matter concerns the Federal Government.

**Mr. Kamran Khan :** No, Sir, I do not say like this.

**Mr. Chairman :** Then what is the confusion ?

**Mr. Kamran Khan :** Sir, it is like this that the Provincial Governor makes regulations for the tribal area with the consent and with the approval of the President of Pakistan.

**Mr. Chairman :** That approval is always necessary.

**Mr. Mohammad Hashim Ghilzai (Leader of the Opposition) :** Point of order.

**Mr. Chairman :** Yes.

**Mr. Mohammad Hashim Ghilzai :** My point is that Swat is centrally administered area, and it is not provincial area, and when it is centrally administered area, then it is governed by the Centre.

**Mr. Chairman :** Is it a point of order ? It is a statement in support of his arguments. What I want to say is that, according to my own knowledge, Swat is a district, and it is within Peshawar Division and within NWFP.

STUDENTS OF JEHAN ZEB COLLEGE HOSTEL, SAIDU SHARIF

**Mr. Mohammad Hashim Ghilzai :** No, Sir, it is not in Peshawar Division, it is in Malakand Division. Malakand is a district and it has got a special status.

**Mr. Chairman :** Malakand Division is different from Swat District.

**Mr. Mohammad Hashim Ghilzai :** No, Sir. There is Malakand Division and also there is Malakand Agency.

**Mr. Chairman :** I am sorry, yes, one Malakand is Division and the other is Malakand Agency. Anyhow, so far as the administration of this area is concerned, we are only concerned with this point. We need not go into other aspect of this question. Law and order is within the administrative competence of the Provincial Government, and this was what I was trying to say all the time, and that arrest by the police, lathi charge by the police, tear-gassing by the police, this is the concern of the Provincial Government. The making of the law, legislation and other matters, this is quite a separate thing. We are concerned with the law and order situation. You know the alleged lathi charge by the police, tear gas by the police, arrest by the police, this is a law and order question, a purely law and order question and it is within the administrative competence of the Provincial Government. That was what I was conveying to you and explaining all the time that this is law and order question, and it is Provincial subject. With regard to the enactment, of regulations and legislation, we are not concerned with that. I am sorry, well, I have already withheld it ; it appears to me so.

مولانا شاہ احمد نورانی صدیقی : میرے خیال میں موور سے دریافت فرمالیجئے

کہ وہاں فیڈرل سیکورٹی فورس تو نہیں تھی۔

جناب چیئرمین : انہوں نے کہا ہے کہ پولیس نے لائھی چارج کیا ہے اور

اگر وہاں فوج، فیڈرل فورس، ملیشا، فرنٹیر کور، رینجر اور کئی چیزیں ہوں گی یہ وہاں ہوں یا نہ ہوں اس سے اس کا کیا تعلق ہے انہوں نے کہا ہے کہ پولیس نے لائھی چارج کیا ہے فیڈرل سیکورٹی فورس نہیں تھی۔

مولانا شاہ احمد نورانی صدیقی : میں یہ عرض کر رہا تھا کہ اب پولیس

فیڈرل سیکورٹی فورس ہے ان سے پوچھ لیں۔

جناب چیئرمین : میں کیوں پوچھوں انہوں نے تو مجھے لکھ کر دیا ہے کہ

پولیس نے لائھی چارج کیا ہے۔

**Mr. Kamran Khan :** Since it was reported in the newspaper that the Police lathi charged, this is what I have stated.

**Mr. Chairman :** This thing is just like weeping over the split milk.

Now, we take adjournment motion No. 44.

[Mr. Chairman]

ADJOURNMENT MOTION *RE* : INCREASE IN THE PRICES OF  
FURNACE OIL, CEMENT AND NATURAL GAS

جناب چیئرمین : جی حاجی صاحب آپ فرمائیے یہ نمبرم ہے -

This adjournment motion is regarding increase in the prices of furnace oil, cement and natural gas.

حاجی سید حسین شاہ : یہ تو ڈیفر ہو گئی تھی -

جناب چیئرمین : کیا ڈیفر ہو گئی تھی ؟

مولانا شاہ احمد نورانی صدیقی : یہ ۲۵ کو بدھ کے لئے ڈیفر ہو گئی تھی -

جناب چیئرمین : میرے پاس تو کوئی اطلاع نہیں ہے -

**Haji Sayed Hussain Shah :** It was deferred for Wednesday.

**Mr. Chairman :** Anyhow, it stands deferred. Any other motion ?

**Mr. Mohammad Yusuf Khattak (Minister for Fuel, Power and Natural Resources) :** Sir, I think, there was an adjournment motion of the same nature in the National Assembly also, and it was decided here that they should discuss, and after their discussion of this motion in the National Assembly, it will be taken up here.

**Mr. Chairman :** What is the next motion. Let me look up. It is adjournment motion No. 42.

ADJOURNMENT MOTION *RE* : INCREASE IN THE *EX*-FACTORY  
PRICE OF CEMENT

**Mr. Chairman :** It reads " the Federal Government has increased the *ex*-factory price of cement". This is about 'cement'. As far as I understand, there are a number of motions regarding increase in the prices of cement, oil, furnace oil, gas, electricity and something like that. There are about 3 or 4 motions, and there is one similar resolution. I do not know whether it is cent per cent, I mean, adjournment motion pending consideration in the National Assembly. Also it is coming up for discussion, when ?

**Mr. Mohammad Yusuf Khattak :** Tomorrow.

**Malik Mohammad Akhtar (Minister for Law and Parliamentary Affairs) :** We may defer till day after tomorrow.

**Mr. Chairman :** Will that be discussed tomorrow ?

**Malik Mohammad Akhtar :** Yes, Sir, in the National Assembly.

**Mr. Chairman :** After it is discussed there, you will discuss it here. Does the Opposition agree to it ?

**Malik Mohammad Akhtar :** We have made compromise.

**Maulana Shah Ahmad Noorani Siddiqi :** The hon'ble Minister has promised that they will not oppose on the technical ground.

**Mr. Chairman :** All right. Let us wait until tomorrow. When the discussion on the motion will take place in the National Assembly, then if you agree you can discuss it here.

**Malik Mohammad Akhtar :** Sir, I was absent yesterday, and I do not know what was agreed to between the parties.

**Mr. Chairman :** Anyhow, the adjournment motion regarding increase in the prices of oil and cement etc. stands deferred until we know the results of the debate in the National Assembly.

Any other adjournment motion?

#### ADJOURNMENT MOTION *RE* : INCREASE IN RAILWAY FARE AND FREIGHT

**Mr. Chairman :** I do not know how you can take it up along with other adjournment motions. The Railway Minister has left.

**Malik Mohammad Akhtar :** There is a motion about Railways also in the National Assembly. So, we can discuss it.

**Mr. Chairman :** Do you want to include increase in the railway fare and freight charges also in the same motion ?

**Malik Mohammad Akhtar :** It may be deferred till Wednesday, if the honourable Members agree.

**Mr. Chairman :** This is about 15% increase made in the freight of all kinds of goods. So, this also should be taken up along with others ?

**Maulana Shah Ahmad Noorani Siddiqi :** Yes, Sir.

حاجی سید حسین شاہ : ٹھیک ہے جناب۔

**Mr. Chairman :** All right, this also stands deferred.

#### ADJOURNMENT MOTION *RE* : RISE IN POWER TARIFF OF WAPDA

**Mr. Chairman :** Now, the next one relates to the Minister Mr. Mohammad Yusuf Khattak regarding increase of 20% in power tariff of WAPDA.

**Mr. Mohammad Yusuf Khattak :** Sir, they are all interrelated. Since they are interrelated they can be discussed all together. We have no objection to the discussion.

**Mr. Chairman :** All right.

ADJOURNMENT MOTION *RE* : RISE IN DOMESTIC FARES OF  
PAKISTAN INTERNATIONAL AIRLINES

**Mr. Chairman :** Then, the other motion is with regard to 25% increase in the domestic fares of Pakistan International Airlines. Should this also be included in that ?

**Malik Mohammad Akhtar :** It is of the same nature.

**Mr. Chairman :** If both sides agree, then will you have a general debate on all round increase ?

**Malik Mohammad Akhtar :** Yes, Sir, all round debate. They can give their point of view, and we will put in our point of view.

**Mr. Chairman :** There is nothing about the Navy. You (referring to the honourable Members of the Opposition) have given motions on the Railways and the Airlines.

**Malik Mohammad Akhtar :** Even this may be deferred on the same basis, and whatever the basis, that can be looked into the proceedings.

**Mr. Chairman :** All right, any other adjournment motion ?

(Pause)

**Mr. Chairman :** There is no other adjournment motion left. Any adjournment motion in the name of Khawaja Mohammad Safdar, because he had made a request for postponement ?

(Pause)

**Mr. Chairman :** If there are any adjournment motions in the name of Khawaja Mohammad Safdar apart from this alleged increase in prices then they all stand adjourned, because he had made a request. They do not fall through.

Now, we take up legislative business.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL, 1976.

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

“That the Bill further to amend the Code of Criminal Procedure, 1898 [The Code of Criminal Procedure (Amendment) Bill, 1976], as passed by the National Assembly, be taken into consideration”.

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

“That the Bill further to amend the Code of Criminal Procedure, 1898 [The Code of Criminal Procedure (Amendment) Bill, 1976], as passed by the National Assembly, be taken into consideration”.

**Haji Syed Hussain Shah :** Opposed.

**Mr. Chairman :** There is one amendment in the name of Khawaja Mohammad Safdar, Haji Sayed Hussain Shah and Maulana Shah Ahmad Noorani. Is it opposed ?

**Haji Sayed Hussain Shah :** Yes, Sir, it is opposed.

Sir, I beg leave of the House to move :

“That the Code of Criminal Procedure (Amendment) Bill, 1976 be referred to the Standing Committee concerned.”

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

“That the Code of Criminal Procedure (Amendment) Bill, 1976 be referred to the Standing Committee concerned.”

**Malik Mohammad Akhtar :** Sir, I have got no objection. I accept the amendment, but at the same time, I would request that the Bills may be brought without undue delay.

**Mr. Chairman :** You are requesting whom ?

**Malik Mohammad Akhtar :** The House.

**Mr. Chairman :** It is not for the House, it is for the Standing Committee.

**Malik Mohammad Akhtar :** In any case, the Members of this House constitute the Committee.

**Mr. Chairman :** No, if the Standing Committee hurries up the work and send it back tomorrow, we can take it up. It is up to the Standing Committee to do their work in time.

**Malik Mohammad Akhtar :** Still we can ask them to proceed with the work and do it.

**Mr. Chairman :** We can take it up after we receive it from the Standing Committee. It is Standing Committee's job.

**Malik Mohammad Akhtar :** All right, Sir, I have got no objection.

**Mr. Chairman :** Haji Sahib, your amendment is not opposed. So, I will put the amendment to the House.

The question before the House is :

“That the Code of Criminal Procedure (Amendment) Bill, 1976 be referred to the Standing Committee concerned.”

*(The motion was adopted)*

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

Then, item No. 4 and 5 cannot be moved. They become redundant.

**Malik Mohammad Akhtar :** No. 5, is different, Sir.

**Mr. Chairman :** No. 3 and 4, I am sorry. Now, we take up next.

## THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL, 1976

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

“That the Bill further to amend the Code of Civil Procedure, 1908 [The Code of Civil Procedure (Amendment) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill further to amend the Code of Civil Procedure, 1908 [The Code of Civil Procedure (Amendment) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

**Maulana Shah Ahmed Noorani Siddiqi :** Opposed.

**Mr. Chairman :** Yes.

**Maulana Shah Ahmed Noorani Siddiqi :** Sir, I beg to move :

“That the Bill be referred to the Standing Committee concerned.”

**Malik Mohammad Akhtar :** Not opposed.

**Mr. Chairman :** All right, I will put the amendment to the House.

The question before the House is :

“That the Bill be referred to the Standing Committee concerned.”

*(The motion was adopted)*

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

Now, No. 6 cannot be moved, so, you move item No. 7.

THE MEMBERS OF PARLIAMENT AND PROVINCIAL ASSEMBLIES  
(EXEMPTION OF ADVISERS FROM DISQUALIFICATION)  
BILL, 1976

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

“That the Bill to declare the holders of the office of Adviser to the Governor not to be disqualified from being elected or chosen as, and from being, a member of Parliament or a Provincial Assembly [The Members of Parliament and Provincial Assemblies (Exemption of Advisers from Disqualification) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill to declare the holders of the office of Adviser to the Governor not to be disqualified from being elected or chosen as, and from being, a member of Parliament or a Provincial Assembly [The Members of Parliament and Provincial Assemblies (Exemption of Advisers from Disqualification) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

**Haji Sayed Hussain Shah :** Opposed, Sir. I beg to move :

“That the Bill be referred to the Standing Committee concerned”.

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

“That the Bill be referred to the Standing Committee concerned.”

**Malik Mohammad Akhtar :** Not opposed.

**Mr. Chairman :** Then the question before the House is :

“That the Bill be referred to the Standing Committee concerned”.

*(The motion was adopted)*

**Mr. Chairman :** The Bill stands referred to the Standing Committee concerned. So, item No. 8 cannot be moved. We come to item No. 9.

THE WITHDRAWAL OF REMISSION OF SENTENCE BILL, 1976

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

“That the Bill to withdraw the remission of sentences granted to, or earned by, certain prisoners [The Withdrawal of Remission of Sentence Bill, 1976], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill to withdraw the remission of sentences granted to, or earned by, certain prisoners [The Withdrawal of Remission of Sentence Bill, 1976], as passed by the National Assembly, be taken into consideration.”

**Maulana Shah Ahmed Noorani Siddiqi :** Opposed.

I beg to move :

“That the Withdrawal of Remission of Sentences Bill, 1976, be referred to the Standing Committee concerned.”

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

“That the Bill be referred to the Standing Committee concerned.”

**Malik Mohammad Akhtar :** Not opposed, Sir.

**Mr. Chairman :** Do you accept it ?

**Malik Mohammad Akhtar :** Yes, Sir.

**Mr. Chairman :** All right.

The question before the House is :

“That the Bill be referred to the Standing Committee concerned.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill stands referred to the Standing Committee concerned. No. 10 becomes redundant, not moved. Now, No. 11.

THE LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT) BILL, 1976

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

“That the Bill further to amend the Legal Practitioners and Bar Councils Act ; 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

**Maulana Shah Ahmad Noorani Siddiqi :** Opposed, Sir. I beg to move :

“That the Bill be referred to the Standing Committee concerned.”

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

“That the Bill be referred to the Standing Committee concerned.”

**Malik Mohammad Akhtar :** Not opposed.

**Mr. Chairman :** It is not opposed.

The question before the House is :

“That the Bill be referred to the Standing Committee concerned.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill stands referred to the Standing Committee concerned. Item No. 12 not moved. Now, Item No. 13.

THE NATIONAL AND PROVINCIAL ASSEMBLIES (ELECTIONS TO RESERVED SEATS) BILL, 1976

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

“That the Bill to provide for the conduct of elections to the reserved seats in the National Assembly and the Provincial Assemblies [The National and Provincial Assemblies (Elections to Reserved Seats) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill to provide for the conduct of elections to the reserved seats in the National Assembly and the Provincial Assemblies [The National and Provincial Assemblies (Elections to Reserved Seats) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

**Haji Sayed Hussain Shah :** Opposed, Sir.

**Mr. Chairman :** It is opposed. Yes.

**Haji Syed Hussain Shah :** Sir, I beg to move.

“That the National and Provincial Assemblies (Elections to Reserved Seats) Bill, 1976 be referred to the Standing Committee concerned.”

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

“That the said Bill be referred to the Standing Committee concerned.”

**Malik Mohammad Akhtar :** Not opposed, Sir.

**Mr. Chairman :** Not opposed. Then, I will put the question.

The question before the House is :

“That the said Bill be referred to the Standing Committee concerned.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill stands referred to the Standing Committee concerned. Now, 15.

THE CONFORMITY WITH FUNDAMENTAL RIGHTS (AMENDMENT  
OF LAWS) BILL, 1976

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

“That the Bill to amend certain laws in pursuance of clause (4) of Article 8 of the Constitution of the Islamic Republic of Pakistan [The Conformity with Fundamental Rights (Amendment of Laws) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill to amend certain laws in pursuance of clause (4) of Article 8 of the Constitution of the Islamic Republic of Pakistan [The Conformity with Fundamental Rights (Amendment of Laws) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

**Maulana Shah Ahmad Noorani Siddiqi :** Oppsed, Sir.

**Mr. Chairman :** Yes !

**Maulana Shah Ahmad Noorani Siddiqi :** Sir.

“That Conformity with Fundamental Rights (Amendment of Laws) Bill, 1976 be referred to the Standing Committee concerned.”

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

**Malik Mohammad Akhtar :** Not opposed, Sir.

**Mr. Chairman :** Before I put the motion to the House ? There seems to be some secret treaty between you and the Opposition.

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c **Mr. Chairman** : How is it ? Is it a mere coincidence that they move an amendment and you accept it readily which you have never done before ?

**Malik Mohammad Akhtar** : There is a custom that the Bills are referred to the Standing Committees, and I want to keep up the good convention of the Senate, and I hope that they will express the same feelings when the Bills come for discussion.

**Mr. Chairman** : Well, it is hoped that both sides would follow and act upon the precedents and practices. So, I was putting the amendment. Now, I put the question.

The question before the House is :

“That the Bill be referred to the Standing Committee concerned.”

*(The motion was adopted)*

**Mr. Chairman** : The Bill stands referred to the Standing Committee concerned. Yes, next ?

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

“That the Bill to provide for the trial by a Special Court of certain offences . . . ,

**Mr. Chairman** : Which are you moving ?

**Malik Mohammad Akhtar** : 19, Sir.

**Mr. Chairman** : What about 17 ? Don't be so generous as not to move at all. I think, there is no such clause in your secret treaty that you would not move it at all. Yes !

#### THE LAW REFORMS (AMENDMENT) BILL, 1976

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

“That the Bill further to amend the Law Reforms Ordinance, 1972 [The Law Reforms (Amendment) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill further to amend the Law Reforms Ordinance, 1972 [The Law Reforms (Amendment) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

Yes, not opposed ?

**Haji Sayed Hussain Shah** : Opposed, Sir.

**Mr. Chairman** : Yes !

**Haji Sayed Hussain Shah :** Sir, I beg to move :

“That the Law Reforms (Amendment) Bill, 1976, be referred to the Standing Committee concerned.”

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

“That the Bill be referred to the Standing Committee concerned.”

**Malik Mohammad Akhtar :** Not opposed, Sir.

**Mr. Chairman :** All right. I will put the question.

The question before the House is :

“That the Bill be referred to the Standing Committee concerned.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill stands referred to the Standing Committee concerned. Yes, now the last.

THE CRIMINAL LAW AMENDMENT (SPECIAL COURT) BILL, 1976

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

“That the Bill to provide for the trial by a Special Court of certain offences [The Criminal Law Amendment (Special Court) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

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

“That the Bill to provide for the trial by a Special Court of certain offences [The Criminal Law Amendment (Special Court) Bill, 1976], as passed by the National Assembly, be taken into consideration.”

**Maulana Shah Ahmad Noorani Siddiqi :** Opposed, Sir.

I beg to move :

“That the Criminal Law Amendment (Special Court) Bill, 1976 be referred to the Standing Committee concerned.”

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

“That the Bill be referred to Standing Committee concerned.”

**Malik Mohammad Akhtar :** Not opposed, Sir.

**Mr. Chairman :** The question before the House is :

“That the said Bill be referred to the Standing Committee concerned.”

*(The motion was adopted)*

**Mr. Chairman :** The Bill stands referred to the Standing Committee concerned. I don't think there is any further business.

**Am I correct ?**

**Voices :** Yes, Sir.

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**Mr. Chairman :** Yes, no further business. When should we meet tomorrow ?

**Malik Mohammad Akhtar :** Tomorrow afternoon, Sir, so that we can do some business in the Committees concerned, and bring at least something in the House.

**Mr. Chairman :** Do you want the next sitting tomorrow afternoon ?

**Malik Mohammad Akhtar :** At 5 O' Clock.

**Maulana Shah Ahmad Noorani Siddiqi :** Yes, at 5 O' Clock, because we can come after 'Asar' prayers.

**Mr. Chairman :** Is not 5 O' Clock late ?

**Maulana Shah Ahmad Noorani Siddiqi :** After 'Asar' prayers, Sir.

**Mr. Chairman :** We can have a break for Asar' prayers. Why not 4 ?

**Maulana Shah Ahmad Noorani Siddiqi :** In that case we will have to break for 'Asar' prayers.

**Mr. Chairman :** I only wanted to inform you that a Parliamentary delegation from Turkey is here, and a dinner has been arranged for them tomorrow.

**Maulana Shah Ahmad Noorani Siddiqi :** Then, there will have to be a break for 'Asar' prayers.

**Mr. Chairman :** Oh' yes, I will do that.

**Maulana Shah Ahmed Noorani Siddiqi :** And then after 'Asar' for 'Magrib' prayers also.

**Mr. Chairman :** No, no, we will start at 4. There will be break for 'Asar' prayers, and then we will continue because tomorrow.....

**Mr. Ihsanul Haq :** Sir, there is one submission. Our party meeting is going to be held at 3 O' Clock tomorrow.

**Mr. Chairman :** But nobody has notified me.

**Mr. Ihsanul Haq :** Sir, it has been notified, and you may be receiving a notice.

**Mr. Chairman :** I do not know about that. Is it at 3 ?

**Mr. Ihsanul Haq :** Yes, Sir.

**Mr. Chairman :** Then, we can't meet at 4 because all of you will be away, and because of the party meeting you would not be able to reach here at 4. Then, we fix 5.00 p.m.

**Mr. Ihsanul Haq :** Yes, Sir. We will make ourselves available here by 5.00 p. m.

**Mr. Chairman :** Yes, the honourable Minister for Home Affairs has come.

**Mr. Abdul Qaiyum Khan** (Minister for Interior, States and Frontier Regions) : Sir, I was answering an adjournment motion in the other House.

**Mr. Chairman** : No, no, no adjournment motion relating to your Ministry has been moved here. You have not been marked absent. You have come at the lag end of our proceedings when we are just thinking of the time of next sitting tomorrow. So, we meet tomorrow at 5.00 p.m. Do you agree, Rao Sahib ?

**Rao Abdul Sattar** (Leader of the House) : Yes, Sir.

**Mr. Chairman** : All right. The House stands adjourned to meet tomorrow at 5.00 p. m.

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*[The House then adjourned to meet again at five of the clock in the evening on Tuesday, March 30, 1976]*

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