



THE
SENATE OF PAKISTAN
DEBATES

OFFICIAL REPORT

Tuesday, August 3, 1976

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SENATE DEBATES
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Tuesday, August 3, 1976

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

(Recitation from the Holy Quran).

LEAVE OF ABSENCE

Mr. Chairman : Gentlemen, there is a request by Senator Mahmood Aziz Kurd. He has sent a telegram for leave from this House. It says ;

“Chairman, Senate of Pakistan, Islamabad. I am detained in the Central Jail, Muchh since August 1973. Please grant me leave for the session. 2nd August, Mahmood Aziz Kurd, Senator.”

Should the leave be granted ?

(The leave was granted)

Mr. Chairman : Leave granted. There is also another application. This is by Mr. Ramey.

“Dear Sir, I may please be excused for attending the session of the Senate.....”

Does he want to be excused for attending the Senate or not attending the Senate ?

Khawaja Mohammad Safdar : For not attending.

Mr. Chairman : “...from 2nd August to 8th August as I am wanted in the Supreme Court and Punjab Special Tribunal in connection with certain cases pending in these Courts.

With highest regards,

Sd : Mohammad Haneef Ramey”.

Should this leave be granted ?

(The leave was granted)

Mr. Chairman : Leave granted. Is there any third application ?

(Pause)

Mr. Chairman : But there are many gentlemen absent. No other leave application ?

Maulana Shah Ahmed Noorani Siddiqi : No.

Mr. Chairman : All right. Malik Sahib, are we not very late today again?

Malik Mohammad Akhtar (Minister for Law and Parliamentary Affairs) : We are, Sir.

MR. CHAIRMAN'S CONCERN OVER LATE FORMATION OF QUORUM IN THE HOUSE

Mr. Chairman : Why are you punishing me and the staff and the punctual Members, the press representatives and other officials concerned ? Why are they being punished ? If you wanted to come at 11.20 or 11.15 we should have fixed this time. What is the sense in fixing 10 a.m. ? After all there is a limit to everything. I was wearing out my buttocks in the chair without doing any work. My staff was sitting tight here. They could not dispose of any of their work. The press representatives were tied down to their seats. I think, we are also deteriorating. We are not going up, we are going down. We should have some regard for the time of the House, you see. There are so many important things to do. We are simply wasting time. I am really sorry to express my sadness over this delay. I am really very sad. I wish I could help. I am helpless. When you do not attend I cannot do any business. Well, if in a House of forty five, even we cannot get hold of twelve Members it is a pity. I ask you always what time should be fixed. I say 9.00 a.m. you say, "No No, 9.10 a.m.", somebody says, "No it should be 10.00 a.m. and I say all right 10.00 a.m. but nobody turns up at 10.00 a.m. Nobody turns up even at 11.00 a.m. Today we met at 11-17 a.m. Don't you think it is not desirable ? What is your opinion ? I would like to know from your side.

Malik Mohammad Akhtar : Sir, we are sorry that there has been some sort of inordinate delay in getting the quorum yesterday and even today, but the reason was, Sir, that many of our friends were stuck in the way. Some have arrived today and have been late. For example, Maulana Shah Ahmed Noorani came by air, and the plane was quite late yesterday, and even today one or two friends have arrived. In any case, Sir, we will try to improve it.

Mr. Chairman : Malik Sahib, you see, you are not arguing case in a High Court.

Malik Mohammad Akhtar : We will try to improve it, Sir.

Mr. Chairman : Well, the quorum was there, the Members were there, but you were not attending this House. You were attending some other place. The quorum was all right in the Cafeteria. The quorum was there—more than quorum, but nobody was coming here.

Malik Mohammad Akhtar : They only went to take tea.

Mr. Chairman : I have no objection to their taking tea at 9 or 9.30 a.m. or before 10.00 a.m. There is no objection.

Malik Mohammad Akhtar : Sir, we were not in quorum when we went for tea.

Mr. Chairman : They were allured to the Cafeteria, rather kidnapped.

Malik Mohammad Akhtar : We are sorry, Sir, and we will try to be very punctual.

Sardar Mohammad Aslam : We are very sorry, but when we went to Cafeteria we were only nine. When we went to Cafeteria there was no quorum.

Mr. Chairman : When you go to Cafeteria how can there be quorum here? This is a contradiction in terms.

Sardar Mohammad Aslam : When quorum was complete we came back.

Mr. Chairman : Eight were there, six were here. Neither the quorum was there, nor the quorum was here.

Sardar Mohammad Aslam : Actually, at 10.00 a.m. we were only three Members here, and when we went to Cafeteria there were nine Members.

Mr. Chairman : This is my complaint. Why were there three Members, why not twelve?

Sardar Mohammad Aslam : We cannot answer for those who are not present. They can answer it.

Mr. Chairman : But I am not complaining against you personally. I am complaining against the House as a whole. I am not giving vent to my grievance against one particular individual but everybody. If every gentleman waits for another to come in, there will be no quorum. The simplest and the easiest way to complete the quorum is that anybody who comes here, he should take his seat. That is all. The quorum will be complete. If I am standing outside, and I am looking for others whether there is anybody there and if there is none then I should go away, then the quorum will never complete. Anyhow, this reflects very badly on the whole House. I am not complaining against any particular individual—no, that is not the thing, but the House as a whole. Anyhow, we are not getting good reputation. Uptil this time this is my feeling that our reputation was very good, very high, that we are punctual, and we transact our business in all seriousness. There is no difficulty, no trouble, no fireworks—nothing of the sort but now! Anyhow, you know more than I do. If you want to come at 12, say 12, and I will fix 12. If you want to come at 11, I will fix 11, but after all time is time. Even this Bill is so solicitous about the time of the courts. This very Bill says that in order to save the time of the courts this is being done. It is all right. We should also see that our time is not wasted. Time is precious for everybody—not in my capacity as an individual but as Chairman of the Senate my time is very precious. Your time may be otherwise not very precious but as the Minister-In-Charge of the Bill your time is very precious, and so is the time of every honourable Member here. After all we are being paid for this job. We are not doing it honorarily.

1. Yes, please?

[Mr. Chairman]

**THE SUPPRESSION OF TERRORIST ACTIVITIES (SPECIAL COURTS)
(AMENDMENT) BILL, 1976**

Malik Mohammad Akhtar : Sir, I beg to introduce a Bill further to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 The Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1976.

Mr. Chairman : The Bill stands introduced. It will automatically go to the Standing Committee concerned ?

Malik Mohammad Akhtar : Yes, Sir.

Mr. Chairman : What is the other business ?

BRIEF SITTINGS OF THE SENATE

Malik Mohammad Akhtar : May I make a small explanation in respect of the business of the Senate. Sir, whenever there are opening sessions whether in the National Assembly or in the Senate, the business is comparatively short. I say this because I feel yesterday it was reported that the Senate only met for fifteen minutes. In the opening week, Sir, naturally we do not get sufficient time because either the work is awaited to be transmitted from the National Assembly or some of the work has got to go necessarily to the Committees. For instance, Sir, we have introduced the present Bill. This is in part 2 of the Concurrent Legislative List, and naturally it is being originated over here, and our friends in the Press need not worry because it is only due to the procedural hurdles that sometime we have got short sessions otherwise when the quorum is there everybody is very serious to sit and transact the business but the rules are to be followed otherwise there would have been six suspensions of rules if we had taken up this Bill straightaway and we have a convention not to break the rules unless and until it is very necessary. That is just an explanation, Sir, why we are holding small sessions.

Mr. Chairman : Thank you very much for that but that was not the point at all.

Malik Mohammad Akhtar : Sir, not concerning your remarks but it appeared in the press.

Mr. Chairman : When the quorum is not here we can't meet and this is exactly what I say. We can't meet when the quorum is not here.

Malik Mohammad Akhtar : I am not answering your worthy observations, rather we will try to abide by them and be very punctual. We feel that we should come at the appointed time. I was only saying this because it will be reported that the House met only for two, three or five minutes.

Mr. Chairman : But would there be wrong reporting if they say that we met only for fifteen minutes ?

Malik Mohammad Akhtar : No, Sir, we only met for fifteen minutes yesterday and it was reported in the Press. But I want to clarify that the nature of the business was such, and because that was the opening day, a Bill was brought before the House, and it was even circulated yesterday, and there was no fun in taking up that Bill without any amendments or any debate or any study by the honourable Members.

Mr. Chairman : But we could have taken up adjournment motions.

Malik Mohammad Akhtar : Sir, for that the reason was there. The Ministers concerned were not present, and naturally if they don't turn up someone else would take up their business. They are in Quetta. The adjournment motions concerned to only one Minister, *i. e.*, Minister of State for Defence and Foreign Affairs.

Mr. Chairman : But in the case of an adjournment motion even the Law Minister is quite competent to handle it.

Malik Mohammad Akhtar : I had his directions. There were some papers concerning sensitive matters.

Mr. Chairman : You are an old Parliamentarian, you are an old politician and now you have been Minister for quite a long time. I have yet to remember a single adjournment motion in which you have said Okay or I accept it. Now, it is always opposed, first on technical grounds and then on facts. So far as the technical side of the matter is concerned, it is upto you, it is your job if the adjournment motion is moved from that side and if the Minister concerned is not here, to oppose it on technical grounds. Technical ground always is the responsibility of the Law Minister unless you are inclined to accept and agree to the adjournment motion. But if you oppose, you oppose it on technical grounds and for technical grounds you need not go into details of the adjournment motion. Technical grounds are quite clear.

Malik Mohammad Akhtar : But the concerned Minister had made a request. He may be liking to make some sort of statement in respect of some of the adjournment motions and that is all I have to submit. Now, we can decide at what time we meet tomorrow.

Mr. Chairman : I leave it to you at whatever time you want the House to meet, whether it is at 7-00 a.m. or whether it is at 12.00 in the noon, When you fix a time then we must be present in the House and not waiting for each other.

Malik Mohammad Akhtar : Sir, we discussed.....

Mr. Chairman : But this is quite a commonsense, Malik Sahib, and you don't feel aggrieved. If I come and look to the House, nobody is present and I stay away, then another gentleman comes and says: "Oh, there is one man and it would not complete quorum if I go there". He also stays away. Well, then the quorum will never be complete. If everybody comes and sits here waiting for the others to come in then the quorum will be complete within a couple of minutes. But if everybody is standing outside, and he wants others to come to the House and then to follow, the quorum will take very long to complete. That is why I made a request. I am really sorry, my throat is very bad. I have hurt my throat not, of course, with drink or food but only with shouting at telephones. You excuse me for my bad throat.

Malik Mohammad Akhtar : Sir, tomorrow we are having morning sitting.

Mr. Chairman : Whatever time you fix now, I would like you to be present in the House. I don't mind even if you want to fix 12 or 11 or even 1.00 p.m. I don't mind.

Malik Mohammad Akhtar : Sir, we have consulted, and for tomorrow the sitting may be in the evening because the National Assembly is meeting in the morning.

Mr. Chairman : But why not National Assembly should meet in the evening because we are meeting in the morning ?

Malik Mohammad Akhtar : That is their first day, and the Assembly has been summoned by the President to meet in the morning. I think, I am correct. It is meeting in the morning.

Mr. Chairman : All right. If it is President's Order, that cannot be changed. I see the point. If the President has fixed it in the morning, it can't be shifted to the evening. So, we meet tomorrow in the evening. At what time ?

Malik Mohammad Akhtar : At any time convenient to you and to the House.

Mr. Chairman : Any time you fix which is convenient to you.

(At this stage Sardar Mohammad Aslam stood up in his seat).

Mr. Chairman : But Sardar Mohammad Aslam Khan, whatever time you suggest, I would like you all gentlemen to be present and to be in attendance at that time, whatever is suitable to you, whatever is convenient to you, whatever is comfortable to you, any time which suits your convenience.

Sardar Mohammad Aslam : Agreed, Sir. Six O'Clock will be all right. We will come exactly at 6 O'Clock.

Mr. Chairman : No, no, there is no question of your coming at 6 O'Clock. The question is that you must be in your seats at 6 O'Clock.

Sardar Mohammad Aslam : Sir, we were in our seats right at 6 O'Clock but after full one hour there was nobody in the House, so we went out. We, five or six persons, were here in our seats, and as there was nobody so we went out.

سردار محمد اسلم : جناب والا ! جتنے معزز ممبران یہاں بیٹھے ہیں یہ تو یہاں بیٹھے رہتے ہیں - یہ دس بجے تشریف لائے اور آدھا پونا گھنٹہ یہاں بیٹھے رہے - جب کوئی ممبر تشریف نہیں لائے تو یہ اٹھ کر باہر چلے گئے -

جناب چیئرمین : یہ آپ آؤٹ سائڈر کے متعلق نہیں کہتے کہ کوئی نہیں آیا - یہ آپ ممبران کے متعلق کہتے ہیں - This is exactly my complaint یعنی میں باہر سے کوئی منگوا کر یہاں بٹھا دوں ؟

سردار محمد اسلم : جناب والا ! جن کے متعلق آپ فرما رہے ہیں وہ تو نہیں ہیں -

جناب چیئرمین : کون ؟

سردار محمد اسلم : جناب والا ! اصل میں جن کو ہم سنانے آئے ہیں وہ یہاں موجود نہیں ہیں - تو ہم کس کو سنائیں ؟

جناب چیئرمین : جو موجود ہیں اگر وہ دس بجے آجاتے ہیں تو کورم پورا ہو جاتا ہے -

سردار محمد اسلم : جناب ! جو آخر میں آئے ہیں ؟

جناب چیئرمین : جو نہیں آئے ان کو چھوڑ دو - جو اب موجود ہیں، اگر دس بجے آجاتے ہیں تو کورم پورا ہوتا ہے - اس لیے جو ٹائم آپ مناسب سمجھیں مجھے بتا دیں -

سردار محمد اسلم : جناب والا ! چھ بجے شام کا وقت ٹھیک رہے گا -

جناب چیئرمین : مسٹر نرگس زماں کیانی ، چھ بجے شام کا وقت ٹھیک ہے ؟

جناب نرگس زماں کیانی : جی ، ٹھیک ہے -

جناب چیئرمین : افضل خاں کھوسو صاحب ، آپ کا کیا خیال ہے ؟

جناب افضل خاں کھوسو : جناب والا ! شام چھ بجے کا وقت ٹھیک ہے -

جناب چیئرمین : مسٹر مسعود احمد خاں ، آپ بتائیں ؟

Mr. Masud Ahmad Khan : Sir, you rightly put this question to Mr. Khoso, but I was right in time this morning also.

جناب چیئرمین : کل شام چھ بجے کا وقت ٹھیک ہے ؟

سردار محمد اسلم : جناب والا ! اگر سڑکیں اور پل ٹھیک ہوئے تو ہم چھ بجے شام آجائیں گے -

جناب چیئرمین : کل تو میں آپکا امتحان لونگا -

سردار محمد اسلم : جناب والا ! اگر سڑکیں اور پل ٹھیک نہ ہوئے تو پھر

مشکل ہے - اگر یہ ٹھیک ہوئے تو پھر چھ بجے شام آجائیں گے -

جناب چیئرمین : لیڈر آف دی ہاؤس ، چھ بجے شام کا وقت ٹھیک ہے ؟

Rao Abdus Sattar (Leader of the House) : Yes, Sir. Today we are really very sorry, and in future we will be careful.

جناب چیئرمین : یہ ساری ذمہ داری آپ کی ہے - لیڈر آف دی ہاؤس ہوتا

ہی اسی واسطے ہے - کہ وہ اپنے ممبران کو وقت پر جمع کرے -

His main job is to muster and collect his quorum and he should not depend upon the Opposition Members that they should complete his quorum. Malik Sahib, tomorrow we meet at 6.00, and you please see that all the

[Mr. Chairman]

gentlemen—by all the gentlemen I mean those who are present today; those who are absent and who may be held up for some time more I can't address them—who have come here to Islamabad in spite of this road and rail disruption are all here. So, please see tomorrow that they come in time and we start exactly at 6.00. Let us set up this precedence that 6 O'Clock was fixed and all the Members who are now here, the quorum at least, were present here at 6.00. Thank you. The House stands adjourned to meet tomorrow at 6.00 p.m.

[The House then adjourned to meet again at six of the clock in the evening on Wednesday, August 4, 1976.]
