



THE
 SENATE OF PAKISTAN
 DEBATES
 OFFICIAL REPORT

Friday May 6, 1977

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PRINTED AT THE DOGARSONS ART PRINTERS, 17—URDU BAZAR, LAHORE
 PUBLISHED BY THE MANAGER OF PUBLICATIONS, KARACHI.

Price : Paisa 50

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SENATE DEBATES
SENATE OF PAKISTAN

Friday May 6, 1977

The Senate of Pakistan met in the Senate Chamber, (State Bank Building), Islamabad, at half past nine of the clock in the evening, Mr. Chairman (Mr. Habibullah Khan) in the Chair.

(Recitation from the Holy Quran)

LEAVE OF ABSENCE

Mr. Chairman : Yes, the leave application by Mr. Afzal Khan Khoso. It has been sent by telegram. It reads :

“Request absence leave for 5th and 6th May. Unavoidable circumstances. Also request deferment of my resolution”.
Senator Afzal Khan Khoso.”

Should the leave be granted ?

(The leave was granted)

Mr. Chairman : The leave is granted.

Here is another application for leave. It is from Senator Ghulam Mohammad. He says :

“Due to death of my close relative, I am unable to attend.”
It means leave. Should the leave be granted ?

(The leave was granted)

Mr. Chairman : Leave is granted.

MESSAGE FROM THE NATIONAL ASSEMBLY *RE* : ADOPTION
OF THE LAND REFORMS (BALUCHISTAN PAT FEEDER
CANAL (AMENDMENT) BILL, 1977

Mr. Chairman : Now, there is a message from the Secretary, National Assembly Secretariat.

“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 Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Bill, 1977, on the 5th May. A copy of the Bill is transmitted herewith.”

MESSAGE FROM THE NATIONAL ASSEMBLY *RE* : ADOPTION
OF THE PRIVILEGES OF MEMBERS OF THE NATIONAL
AND PROVINCIAL ASSEMBLIES (AMENDMENT) BILL, 1977.

Mr. Chairman : There is also another message.

“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 National Assembly passed the Privileges of Members of the National and Provincial Assemblies (Amendment) Bill, 1977, on the 5th May. A copy of the Bill is transmitted herewith.”

RESOLUTION *RE* : PROHIBITION OF THE USE OF HARAM
ARTICLES IN OFFICIAL FUNCTIONS

Mr. Chairman : Now, we take up resolutions. The first resolution is in the name of Khawaja Mohammad Safdar. This resolution at items No. 2 was, as a matter of fact, moved by Khawaja Mohammad Safdar on 24th December. He is not here. So we have to postpone its consideration. Do you agree ?

Voices : Yes, Sir.

Mr. Chairman : Do you want to say anything, Mr. Law Minister ?

Should it be postponed?

Mr. S. M. Masud : (Minister for Law and Parliamentary Affairs) :

Yes, Sir.

Mr. Chairman : All right. This resolution No. 2 is postponed, because of the absence of the mover.

RESOLUTION *RE* : SMALL DAMS SCHEME FOR BARREN
LANDS OF KARACHI AND SIBI DISTRICTS OF BALUCHISTAN

Mr. Chairman : Yes, it will meet the same result, because Mr. Afzal

Khan Khoso, to whom you have granted leave today, is absent and he has also made a request for the postponement of the motion standing in his name.

Mr S. M. Masud : Sir, this resolution has already.....

Mr. Chairman : Yes, this resolution had been moved by him, but he is absent. Should it be postponed ?

Voice : Yes.

Mr. Chairman : Resolution No. 3 also stands postponed.

RESOLUTION RE : SETTING UP OF AGRO-BASED INDUSTRIES
IN JACOBABAD DISTRICT ON TOP-PRIORITY BASIS

Mr. Chairman : Then there is another resolution. This is No. 4. It is also in the name of Mr. Afzal Khan Khoso. Probably this also will have to be postponed. Yes, Then No. 5.

RESOLUTION RE : PROVISION OF FUNDS BY WAPDA FOR
ACCELERATING FIGHT AGAINST THE MENACE OF
WATER-LOGGING AND SALINITY IN JACOBABAD
DISTRICT DURING 1977-78

Mr. Chairman : This resolution is also in the name of Mr. Afzal Khan Khoso.

Mr. Mohammad Hanif Khan (Minister for states and Frontier Regions & Kashmir Affairs) : All the resolutions are in the name of Mr. Afzal Khan Khoso.

Mr. Chairman : But there is an amendment by Mr. Mohammad Khalid Khan with regard to this resolution.

Mr. Mohammad Khalid Khan, you have moved an amendment to the resolution already moved by Mr. Afzal Khan Khoso.

So, both have to be postponed. Do you agree ?

Mr. Mohammad Khalid Khan : Yes, Sir.

Mr. Chairman : All right, the amendment and the resolution stand postponed. Now, Resolution No. 6.

RESOLUTION RE : SUI GAS PROVISION TO JACOBABAD
TOWN DURING THE FINANCIAL YEAR—1977-78

Mr. Chairman : It is postponed for the same reason. Resolution No. 7.

RESOLUTION *RE* : BANNING OF THE IMPORT OF
ALL LUXURY GOODS

Mr. Chairman : It also has to be postponed, resolution No. 8.

RESOLUTION *RE* : MAKING SHALWAR QAMEEZ OF
PAKISTAN CLOTH OBLIGATORY FOR MEMBERS OF
PARLIAMENT WHILE ATTENDING PARLIAMENTARY
SESSION OR OTHER PUBLIC FUNCTIONS

Mr. Chairman : This is also in the name of Mr. Afzal Khan Khoso. It has to be postponed.

Then, we take up motion under rule 187.

MOTION *RE* : UNSATISFACTORY CONDITION PREVAILING
IN PAKISTAN RAILWAYS PASSENGER TRAINS

Mr. Chairman : This is in the name of Ch. Mohammad Aslam. This motion was moved by Mr. Afzal Khan Khoso in his absence. Ch. Sahib is not here, and he has not asked for leave, and he has made no request for postponement. Then, what should I do? Mr. Law Minister, you may advise me. The mover of this motion is not present in this House. He has not asked for any leave, and he has not requested for postponement.

Mr. S. M. Masud : It appears that he is not interested.

Mr. Chairman : Well, that is a different matter. What about the rule? He is not here. What have I to do?

Mr. S. M. Masud : Since it had been moved, so it can be withdrawn with the leave of the House.

Mr. Mohammad Hanif Khan : Sir, if the resolution had already been moved, and the House is seized with the resolution, then it is the property of the House. I think, we should proceed with it.

Mr. Chairman : It has already been moved. The mover is not here. If any gentleman wants to speak on the motion, he is welcome. This is at Serial No. 9 of the Orders of the Day.

Mr. S.M, Masud : Mr. Chairman, if you look at it, it says :

“9. Discussion on the following motion moved by Mr. Afzal Khan Khoso on behalf of Ch. Mohammad Aslam.”

Mr. Chairman : Yes, he moved it on behalf of Ch. Mohammad Aslam but today both are not present, and I have received no request for its postponement.

(Interruption)

Mr. Abdul Latif Ansari : Sir, the concerned Minister is also not present.

Mr. Chairman : That is a different matter. The position is that the mover is not present. This is No. 1. No. 2, he has not asked for leave. No. 3, he has not asked for postponement. At least the Chair was entitled to the courtesy that he should have written that it should be postponed, Now, what should I do ?

Mr. Mohammad Hanif Khan : As I have already submitted, the absence of the Member in whose name the resolution stands, will only be considered when the resolution is not moved or is not made in the House. When the resolution is moved, and the Chair has permitted another person to move a motion on behalf of another person, in whose name the resolution stands, then after the resolution is moved, the mover has got nothing to do with it, because once the resolution is moved, and if thereafter he wants to withdraw it, then he cannot withdraw it without the leave of the House. The House only can permit the withdrawal. He himself cannot withdraw. Once it is moved, it is the property of the House. It does not matter whether the Member is present or absent, and the House will discuss it. At the most, he will be deprived of the right of reply. That is all. That is the only punishment. The right of reply cannot be postponed to any other day after the discussion concludes. He forfeits that right, and the discussion will be carried.

Mr. Chairman : Yes, I agree. So, we should proceed with the discussion of the motion.

Any gentleman wishing to speak ?

(Pause)

Mr. Chairman : None ?

So, I will put the question. This is a motion, not resolution. It is to be talked out.

Mr. Mohammad Hanif Khan : It is only to be discussed. That is all.

Mr. Chairman : Nobody wants or wishes to participate. So there will be no discussion.

Mr. Mohammad Khalid Khan : Mr. Chairman Sir.

Mr. Chairman : Are you not too late Mr. Mohammad Khalid Khan ?

Mr. Mohammad Khalid Khan : No, Sir, I am not late. I want to speak, something on this subject.

Mr. Chairman : I had invited anybody who wanted to speak, but at that time you were quiet.

Mr. Mohnmmad Khalid Khan : Sir, the discretion lies with the Chair, Whatever you decide, I will obey that.

Mr. Chairman : Do you want to speak ?

Mr. Mohammad Khalid Khan : Yes, your Honour.

Mr. Chairman : All right.

جناب خالد محمد خان : جناب والا ! میں یہ ضروری سمجھتا ہوں کہ اس بنیادی مسئلے پر کچھ عرض کروں جو کہ پاکستان کی اکثریت کا مسئلہ ہے اور ایک علاقے سے دوسرے علاقے تک جاتے وقت ، ریلوے میں سفر کرتے وقت انہیں جن مشکلات سے گزرنا پڑتا ہے ۔ کئی بار مسافر کی حیثیت سے میں نے خود یہ دیکھا ہے کہ عام لوگوں کے لیے اور عام مسافروں کے لیے نہ تو بیٹھنے کی جگہ ہوتی ہے اور نہ ان سے صحیح بات کی جاتی ہے ۔ وہاں اتنا رش ہوتا ہے اور بھیڑ ہوتی ہے کہ وہ بیٹھ نہیں سکتے اور نہ آرام کر سکتے ہیں تو اس صورت میں جناب والا ! یہ بہت ضروری ہے کہ کم از کم بوگیوں میں اضافہ کیا جائے اور ساتھ ہی جو بنیادی ضروریات ہیں ، وہ مہیا ہوں ۔ اس سلسلے میں میں یہ بھی کہوں گا کہ نہ تو پانی کا انتظام ہوتا ہے اور جو ضروری انتظامات ہونے چاہئیں وہ بھی نہیں ہوتے ۔ تو اس نکتہ نظر سے کم از کم جو بنیادی انسانی ضروریات ہیں ، اس لیول تک عام مسافروں کو سہولیات مہیا کی جائیں کیونکہ یہ مسافروں کا حق ہے ، وہ کرایہ دیتے ہیں اور پیسے دیتے ہیں ۔ اس لیے مسافروں کو آرام پہنچایا جائے اور انہیں موقع دیا جائے تاکہ وہ سفر کر سکیں ۔ اب جو حالت ہے وہ ابتر ہے اور کم از کم ایسی ریفارم کی جائیں تاکہ عام مسافروں کو ایک جگہ سے دوسری جگہ سفر کرتے وقت جن تکالیف کا سامنا کرنا پڑتا ہے ، اس سے رہائی ہو اور انہیں بہتر سیٹ ملے ، آرام کرنے کے لیے ، ہاتھ منہ دھونے کے لیے ، پانی کا انتظام ہو ۔ اس کے لیے ضروری ہے کہ اس بھیڑ کو ختم کیا جائے اور یہ اسی طرح ہو سکتی ہے کہ بوگیوں میں اضافہ کیا جائے تو جناب والا ! یہ میری گزارشات تھیں جو میں نے پیش کی ہیں ۔

جناب محمد حنیف خان : (وزیر ریاستی امور ، سرحدی علاقہ جات و امور کشمیر) : جناب چیئرمین ! اب چونکہ تقریر ہو چکی ہے تو اس کے جواب میں میں اتنا عرض کرنا چاہتا ہوں کہ ریلوے بہت پرانی ہے اور پاکستان میں ریلوے سسٹم کے متعلق یہ شکایات کوئی نئی نہیں ہیں اور یہ آئے دن ہوتی رہتی ہیں اور ہر حکومت جو آتی ہے ، وہ یہی کوشش کرتی ہے کہ انتظام بہتر سے بہتر بنایا جائے اور موجودہ

حکومت ریلوے کی طرف خصوصی توجہ دے رہی ہے اور ریلوے میں جو عوامی کمپارٹمنٹ ہیں، ان کی سہولت کے لیے خاص طور پر رعایت بھی دی گئی ہے اور خاص انتظام بھی کیا جا رہا ہے اگر میرے معزز دوست اور آنریبل رکن سینیٹ کسی خاص چیز کی طرف توجہ دلاتے جو کوئٹہ جانے والی ٹرین میں میسر نہ ہو تو ہم وہ دور کر دیتے۔ میرے تو خیال میں ہمیں کوئٹہ کی ٹرین کے لیے سواریوں کی تلاش ہوتی ہے اور سواریاں کم ہوتی ہیں اور اگر کسی دوسری لائن پر کوئی ایسی شکایت ہو تو وہ دور کرنے کے لیے تیار ہیں۔

جناب چیئرمین : آپ یہ کہہ کر کہ ہمیں تلاش کرنے سے بھی سواریاں میسر نہیں آتیں، ان کے آرگومنٹ کی تائید کر رہے ہیں۔ وہ تو یہی کہہ رہے ہیں۔ ان کی تو یہی شکایت ہے کہ گاڑی میں سفر کرنے سے اتنی تکلیف ہوتی ہے کہ لوگ گاڑی میں سفر نہیں کرتے۔

جناب محمد حنیف خان : انہوں نے کہا ہے کہ گاڑی میں بھیڑ بہت ہوتی ہے۔ میں نے اس کے جواب میں عرض کیا ہے کہ ہمیں ڈھونڈنے سے بھی سواریاں نہیں ملتیں بہر حال ان کی تمام شکایات جائز ہیں اور اہم نوعیت کی ہیں۔ ان پر مناسب غور کیا جائے گا۔

M. Chairman : Thank you.

The debate stands concluded. That is all.

You have got no right of reply to Mr. Mohammad Khalid Khan. That was only available to the mover.

So, the debate is concluded.

Now, we move on to the next. We take up legislative business.

THE PRIVILEGES OF THE MEMBERS OF THE NATIONAL
ASSEMBLIES (AMENDMENT) BILL, 1977

Mr. Chairman : Mr. S. M. Masud, you move your motion which is item No. 10.

M. S. M. Masud : Mr. Chairman, Sir, I beg to move :

“That the Bill further to amend certain laws relating to the privileges of the members of the National and Provincial

[Mr. S. M. Masud]

Assemblies [The Privileges of Members of the National and Provincial Assemblies (Amendment) Bill, 1977], as passed by the National Assembly, be taken into consideration.”

Mr. Chairman : The motion made is :

“That the Bill further to amend certain laws relating to the privileges of the members of the National and Provincial Assemblies [The Privileges of Members of the National and Provincial Assemblies (Amendment) Bill, 1977], as passed by the National Assembly, be taken into consideration”.

Mr. Chairman : Yes !

M. S. M. Masud : Mr. Chairman, Sir, this Bill has arisen out of an Ordinance which was promulgated on account of televised broadcast made by the Prime Minister on 12th March, 1977, in respect of certain privileges granted to the Members of National and Provincial Assemblies which exempted them from appearing before the Election Tribunal during the fortnight before and after the session. Sir, in the past this privilege resulted in the delay of the proceedings before the Election Tribunals and there were a lot of complaints that even the term of the entire office of the Members of the Parliament expired before the Election Tribunals could finally conclude the petitions which were pending before them. This was bringing a lot of criticism about this law that this is being misused. The result was that the Prime Minister assured the public that if there are really genuine complaints, these will be disposed of within six months and for that matter the privilege that was available to the Members of the Provincial Assembly and the National Assembly, that was withdrawn through promulgation of an Ordinance. In the Ordinance itself, the privilege of exemption from appearance before the Civil and Revenue Court was also taken away. But in the amended law as passed by the National Assembly that privilege has been restored to the Members of National and Provincial Assemblies, in respect of appearance as far as the Civil and Revenue Courts were concerned. Now, it only relates to the tribunals like Election Tribunals where the Members of the Parliament will have to appear and that privilege will no longer be available. I think this will be in consonance not only with the assurance given by the Prime Minister but also it will enhance the dignity of the Members of Parliament. If there is some doubt created in respect of their election, they will have a right to go before the competent tribunals and get themselves clarified. So, this privilege is being withdrawn. I think it will be in the enhancement of the democratic process in our country and it will result in the better formation of the institutions and creating new kinds of institutions. I think it will also result in the enhancement of prestige of the Members of the Parliament. Thank you.

Mr. Chairman : Thank you. Yes please ?

Mr. Ghulam Hussain (Minister for Railway): Mr. Chairman, Sir, the honourable Law Minister has just now informed the House that the privilege which was taken away earlier has been restored and that the Members of the House, whether of the Senate or of the National Assembly, are exempt from

appearance in civil courts. I recall of two rulings, of Peshawar High Court and also of the Supreme Court that the Supreme Court and High Courts are not the civil courts. It is, therefore, difficult to understand if the Supreme Court and the High Courts are not the civil courts, then what are these courts where the Members have the privilege of not attending while the session is on. That explanation is very necessary because the restoration of the privilege sought in this amendment will be subject to those rulings of the superior courts which will be binding upon the Members. The rest of the proposed amendment relating to the withdrawal of the privilege is fully supported.

Mr. Chairman : Yes, you will make it clear while replying to the debate. You will have to wind it up, and then reply. Is there any other gentleman? Yes, Mr. Fakhar Zaman.

Mr. Fakhar Zaman : Mr. Chairman, Sir, as already said by the honourable Law Minister, the Bill under consideration is meant to withdraw the privilege of the Members of the House regarding the exemption from attendance a fortnight before and after the sessions. He has rightly said that this is meant to further the process of democracy and to strengthen the democratic institutions in the country. This is a solid and substantial gesture on the part of the Government to give expeditious remedy to those who go to the Election Commission or in respect of those where the Election Commission takes an action suo moto. So, in my opinion, whereas this will promote the democratic process, it will also give more facilities to those disgruntled elements, according to whom something has been done in certain constituencies. So, they can go to the Election Commission without any further delay and can seek the remedy there. With these words I fully support the motion.

Mr. Chairman : Thank you. Any other gentleman wishing to take part in the debate?

Dr. Ghulam Hussain : Mr. Chairman, Sir, I am sorry for coming a bit late. The motion about my department has been discussed, but if you permit me I want to make a statement to that effect and circulate a sort of report on the Table of the House.

Mr. Chairman : After this Bill is disposed of.

Dr. Ghulam Hussain : Right, Sir.

Mr. Chairman : When this Bill is disposed of then you can. I will allow you, but it would not look quite nice now.

Dr. Ghulam Hussain : Sir, I am sorry for that. My item was at No. 9, and I thought it will take some time.....

(Interruption)

Mr. Chairman : No, No, I would not allow you to run away. I want

[Mr. Chairman]

to detain you here for some time more. If you exercise the right of speech, then you will leave the House. That I do not want. I don't think there is any gentleman willing to take part in this debate. Now, may I call upon the Law Minister to wind up.

Mr. S. M. Masud : Mr. Chairman, Sir, the point which has been raised by the honourable Member of this House, is quite valid because in the past also the privilege which was available to the Members of the Parliament and the Provincial Assemblies was in respect of appearance only in the tribunals, civil courts and revenue courts. The High Courts were already not covered by the existing law. The High Courts have never been considered as civil courts and the privilege was never available as in the criminal courts also the privilege was not available. So, that distinction was already there that the appearance in the High Courts was not a privileged one. What we have done by this amendment is that we are not creating new kinds of privileges. What we are doing is that we are taking away one privilege which the honourable Members of the National Assembly and Provincial Assemblies had already with them. I may point out at this stage that we are not taking away the Privilege of the Members of the Senate by this legislation. It only deals with the National Assembly and the Provincial Assemblies. So, the Members of the Senate can be well satisfied because this law is not touching upon any of the Privileges which are available to them. This only deals with the Privileges available to the Members of the National Assembly and Provincial Assemblies, and the High Court has never been considered a civil court, and I think that distinction will continue because that privilege was not withdrawn. So we are not adding any privilege.

Mr. Chairman : That is quite clear. So, your query is answered by him. Now, I will put the question.

The question before the House is :

“That the Bill further to amend certain laws relating to the privileges of the Members of the National and Provincial Assemblies [The Privileges of Members of the National and Provincial Assemblies (Amendment) Bill, 1977], as passed by the National Assembly, be taken into consideration.”

(The motion was adopted)

Mr. Chairman : The motion is carried. Now, we take up second reading of the Bill. It is a short Bill. No amendment has been moved to any of the Clauses. It is a three Clauses Bill. We take up Clause 2 and 3 together.

The question before the House is :

“That Clauses 2 and 3, both inclusive, form part of the Bill.”

(The motion was adopted)

Mr. Chairman : Clauses 2 and 3, both inclusive, form part of the Bill.

No, the question before the House is :

“That Schedule, forms part of the Bill.”

(The motion was adopted)

Mr. Chairman : The Schedule forms part of the Bill.

Last question.

The question before the House is :

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

(The motion was adopted)

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

Now item No. 11.

Mr. S. M. Masud : Mr. Chairman, Sir I beg to move :

“That the Bill further to amend certain laws relating to the privileges of the members of the National and Provincial Assemblies [The Privileges of Members of the National and Provincial Assemblies (Amendment) Bill, 1977], be passed.”

Mr. Chairman : The motion made is :

“That the Bill further to amend certain laws relating to the privileges of the members of the National and Provincial Assemblies [The Privileges of Members of the National and Provincial Assemblies (Amendment) Bill, 1977], be passed”.

No speeches ? All right. I will put the question.

The question before the House is :

“That the Bill further to amend certain laws relating to the privileges of the members of the National and Provincial Assemblies [The Privileges of Members of the National and Provincial Assemblies (Amendment) Bill, 1977], be passed.”

(The motion was adopted)

Mr. Chairman : The Bill is adopted unanimously.

Now, Mr. Ghulam Hussain you can, give your statement.

RAILWAY MINISTER'S STATEMENT *RE*: CONDITIONS
PREVAILING IN PAKISTAN RAILWAYS PASSENGER TRAINS

Dr. Ghulam Husain : Mr. Chairman, Sir, the honourable Member has not specified in what way the conditions are unsatisfactory. However, presuming that the honourable Member is referring to the cleanliness of the coaches, railway premises, amenities, in the coaches and platforms and punctuality of the trains, I would like to inform the House that satisfactory and adequate arrangements exist for providing maximum facilities and amenities to the travelling public. Railway platforms provide facilities for clean drinking water, waiting halls which have been provided with electric fans at most of the stations. The train compartments are cleaned and washed before the trains leave the points of origin. Arrangements exist for cleaning the compartments en route and the passengers are advised to avail themselves of these facilities. Staff with distinct uniform and badges have been provided at these stations with necessary equipment and the passengers are encouraged to call them and make use of their services. Announcements are made at the stations at regular intervals to inform the passengers of the availability of this facility.

As regards lights and fans in the compartments, there used to be some pilferage enroute with the result that it caused inconvenience to the travelling public. This problem attracted my attention soon after I assumed the office of the Minister incharge for Railways. I issued immediate instructions to bring about an improvement in the existing state of affairs. A number of measures were taken for ensuring passenger amenities and to curb the prevalent malpractices on the railway system relating to leakage of revenue and to personnel matters and staff welfare. These instructions are placed on the Table of the House as Annex I.

In order to make sure that the instructions given by me are effectively implemented, the Chairman, Railway Board was directed to set up a machinery to keep a regular watch. As a result of this, the following measures have been introduced :-

- (1) A monitoring system has been set up in the Central Control Office of Headquarters which collects information from Divisional Superintendents both by day and night about lights and fans in the compartments.
- (2) Two inspection teams have been set up, one for North Zone and the other for South Zone, to remedy the deficiencies on the spot and to punish the staff found neglecting their duties.
- (3) The public has been advised through press to contact the Chairman direct about complaints concerning lights, fans, water, etc.

As regards punctuality, I have introduced a special reporting system whereby daily reports are obtained and analysed so that remedial steps are taken to bring about more and more improvement.

Mr. Chairman, Sir, I would like to place the statistics regarding train punctuality since I assumed office, on the Table of the House as Annex II.

As for the overcrowding in trains, specially on branch lines due to shortage of passenger coaches, the situation is being tackled through gradual replacement of the old coaches by new ones, and increased manufacture of new passenger coaches in the Carriage Factory, Islamabad. At present, there are 617 old coaches of which 515 are over 35 years old. These are due for replacement. To overcome the above situation during the year 1975-76, the Railway built 55 carriages in the Carriage Factory and 25 carriages (an old under frames) in the Moghalpura Shops.

During the current year, the Carriage Factory is expected to turn out about 100 carriages and the Moghalpura Workshops about 50 re-built carriages.

All efforts are being made to ensure that branch line carriages are properly cleaned, repaired and provided with lights and water to minimise public complaints.

The other document I have already requested to be placed on the Table of the House, and the honourable Members can go through it and see what measures we have taken. Sir, I assure you that we are taking all measures and the Government is interested in public welfare. We know, this is a commercial organisation and we have to attract the public and we are trying our best to improve the punctuality as well as maximum comfort for our passengers. I assure you, Sir, that even during the disturbing days, our whole staff behaved as patriotic Pakistanis and you will appreciate that not only a single person went on strike but we did our best to see that nobody was able to jam the wheels of the railways. The Railway people must be commended for their patriotic service which they have rendered during these days. Even in this crisis, they have proved to be most efficient staff which has got patriotic thinking and whose aim is to serve the people to the maximum. I assure you, Sir, that in the near future the rest of the complaints which have been made to us will be removed and we will try to satisfy our passengers as much as we can.

Thank you, Sir.

Mr. Chairman : Thank you very much. Do you want to speak on this Ch. Mohammad Aslam? No, that can't be done. This was as a special case that I permitted the Minister to reply to the debate. There can be no discussion after the Minister has made a statement, according to Rules. This was as a special case that I permitted him.

Ch. Mohammad Aslam : Sir, I was the mover.

Mr. Chairman : Mr. Ghulam Hussain, there is one point which has been left unanswered. There was a serious difference of opinion over that point. It has confused the Members' mind. While Mr. Khalid Khan was complaining that compartments are over-crowded. Mr. Hanif Khan replied that despite strenuous efforts, they do not get enough number of passengers to travel to Quetta. What is the real position?

ڈاکٹر غلام حسین : حقیقت یہ ہے کہ ہمارے پاس کیریجز کی شارٹیج ہے - جیسا کہ میں نے پہلے عرض کیا ہے کہ ہم اسلام آباد اور مغلیہ کی ورکشاپوں میں کیریجز بنا رہے ہیں - اور کوشش کر رہے ہیں کہ جلدی سے جلدی اس شارٹیج کو دور کیا جا سکے جناب والا ! آپ کو پتہ ہی ہے کہ ہمارے پاس پچاس پچاس سال پرانے کیریجز ہیں ، ہمارے پاس جو ڈبے ہیں وہ بعض بہت پرانے ہیں ان کی حالت کافی خراب ہے اور خاص طور پر برانچ لائنوں پر بہت ہی خراب ڈبے ہیں - اس لیے میں نے ہدایت کی ہے کہ برانچ لائنوں پر ان ڈبوں کو تبدیل کیا جائے اور یہ کام ، جیسے جیسے پیداوار بڑھے گی ، ہم کرتے رہیں گے - ہماری یہ کوشش ہے کہ جلد از جلد ٹرینوں میں بھیڑ کو کم کریں -

جناب والا ! آپ نے پیپرز میں دیکھا ہوگا کہ ہم نے بلا ٹکٹ مسافروں کی چیکنگ کے بارے میں بہت امپروومنٹ کی ہے اس طرح ۵ لاکھ روپے کا فائدہ ہوا ہے - اس طریقے سے ہم کوشش کر رہے ہیں کہ اپنے محکمے کی کارکردگی بہتر کریں اور زیادہ منافع کما کر زیادہ انسویٹمنٹ کریں اور اس طرح بہتر حالات پیدا کریں -

THE LAND REFORMS (BALUCHISTAN PAT FEEDER CANAL) (AMENDMENT) BILL, 1977

Mr. Chairman : Yes, now we move on to next item, No. 12.

Mr. S. M. Masud : Mr. Chairman, Sir, I beg to move :

“That the Bill further to amend the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972 [The Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Bill, 1977], as passed by the National Assembly, be taken into consideration.”

Mr. Chairman : The motion made is :

“That the Bill further to amend the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972 [The Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Bill, 1977], be taken into consideration.”

Yes, Mr. Masud.

Mr. S. M. Masud : Mr. Chairman, Sir, the Ordinance, which was promulgated and later on passed by the National Assembly as Bill, has

extended the target date of the *suo moto* jurisdiction of the Federal Government in respect of revisional powers from 31st March, 1977 to 31st March, 1977.

Sir, it was necessitated on account of the fact that the total area which vested in the Government under the provisions of the Land Reforms (Baluchistan Pat Feeder Canal) Regulation 1972, is about 5,21,116 acres. Out of this 3,32,553 acres area lie in Pat Feeder Sub-division the remaining area is in the Nasirabad Sub-division. Under sub-para (iii) of para 5 of the Regulation, any person who immediately before the commencement of the Regulation had any right or interest in the land to be resumed, such resumption had the effect of rendering him indigent and he was allowed to retain land for life not exceeding 32 acres. Applications were invited by the Board of Revenue, Baluchistan, under this provision and 1,72,97 acres were allotted to 8,978 persons. Subsequently, Prime Minister announced that this right which was available to them for lifetime should be abolished and life-grant should be abolished and the proprietary rights be confirmed on tenants in cultivating possession. Such grants were to be made to the extent of 16 acres. As a result of the conversion of life-grants into permanent proprietary rights and reduction of scale of allotment, the work which was done previously by the Regulation had to be done all over again.

Now, 25,831 applications have been received out of which 10,180 have been accepted, and the area allotted against these accepted applications is 2,67,510 acres. The appeals are being filed before the members of the Board of Revenue, and the work is being disposed of. Now, it has necessitated that the Federal Government should have *suo moto* powers to look into irregularities which may be committed at the lower level, and the period is now being considered to be extended upto 31st March, 1978.

Now, this Bill intends to make a change that the period should be extended upto 31st March, 1978, in the existing powers which already vested in the Federal Government.

Mr. Chairman : Yes. It is a simple matter. I will put the question to the House.

Now, the question before the House is :

“That the Bill further to amend the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972 [The Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Bill, 1977], as passed by the National Assembly, be taken into consideration.”

(The motion was adopted)

Mr. Chairman : The motion is carried.

Now, we take up clause by clause consideration of the Bill. No amendment has been made to any of the clauses. So, we can take all the clauses together.

The question before the House is :

[Mr. Chairman]

“That Clauses 2 and 3, both inclusive, form part of the Bill.

(The motion was adopted)

Mr. Chairman : Clauses 2 and 3 form part of the Bill.

Now, the question before the House is :

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

(The motion was adopted)

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

Mr. S. M. Masud : Mr. Chairman, Sir, I beg to move :

“That the Bill further to amend the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972 [The Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Bill, 1977] be passed.”

Mr. Chairman : The motion made is :

“That the Bill further to amend the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972 [The Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Bill, 1977] be passed.”

Don't you want to say anything ? So, I will put the question.

The question before the House is :

“That the Bill further to amend the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972 [The Land Reforms (Baluchistan Pat Feeder Canal) (Amendment) Bill, 1977], be passed.”

(The motion was adopted)

Mr. Chairman : The Bill is adopted unanimously.

Now, before we rise, I would request Chaudhry Mohammad Aslam whether he wants to say something. Yes, now you are welcome. You can say.

چوہدری محمد اسلم : جناب والا ! جس موشن پر ڈاکٹر صاحب تقریر

کر رہے تھے وہ موشن بجھ سے متعلق ہے، اب آپ نے اس کا فیصلہ فرما

دیا ہے۔

جناب چیئرمین : میں کیا کر سکتا ہوں اب ۔ اگر آپ سیری جگہ پر ہوتے تو آپ بھی یہ فیصلہ کرتے ۔

چوہدری محمد اسلم : جس طرح آپ فرماتے ہیں ، ٹھیک ہے ۔

جناب چیئرمین : اس کے علاوہ اور کوئی طریقہ ہی نہیں تھا ۔ اس کا فیصلہ تو اب ہو گیا ہے ۔ اس پر ووٹ تو لینے نہیں تھے ۔ جس جس نے تقریر کرنی چاہی ، اس نے کر لی ۔ اب اس کا فیصلہ ہو گیا ہے ، بحث ختم ہو گئی ہے ۔

چوہدری محمد اسلم : میں نے اجازت چاہی تھی کہ مجھے موقع دیا جائے ۔

جناب چیئرمین : اب مردے کو کیسے زندہ کر سکتے ہیں ؟

چوہدری محمد اسلم : یہ مجھ سے متعلق تھی ، اس پر شاید میں کچھ کہتا ۔

جناب چیئرمین : بعض بیماریاں ایسی ہوتی ہیں کہ ان کا علاج نہیں ہوتا ہے ۔

اب میں کیا کروں ؟ اس کا فیصلہ ہو گیا ہے ۔

سردار محمد اسلم : میرے خیال میں ان کو موقع ملنا چاہئے ۔ ان کو

موقع دیا جائے ۔

جناب چیئرمین : میں موقع تو دوں مگر اب وقت گزر گیا ہے ۔ اب تو یہی

صورت ہو سکتی ہے کہ میں مینیٹ کا اجلاس ختم کر دیتا ہوں اور بعد

میں اس پر بحث کر لیتے ہیں ۔ اس طرح تو رولز کی خلاف ورزی ہو گی ۔

سردار محمد اسلم : جناب والا ! میں اسی لیے کہہ رہا ہوں کہ اس سوشن

سے عجیب اتفاق ہوا ہے کہ کبھی موور صاحب موجود نہیں ہیں تو منسٹر انچارج

موجود نہیں ہیں اور ان کی غیر حاضری میں کشمیر افیئر کے منسٹر نے جواب دیا

حالانکہ کشمیر ریل جاتی ہی نہیں ہے اس کے بعد منسٹر صاحب آئے اور درمیان

میں ایک اور آئیٹم آ گیا اور اب متعلقہ منسٹر صاحب آئے ہیں اور انہوں نے سٹیٹ منٹ

دیا ہے تو اس کو بھی موقع دیا جائے کہ یہ بھی سٹیٹ منٹ دے دیں ۔

جناب چیئرمین : آپ ان کے لیے پلیڈ کر رہے ہیں ، کاش آپ ان کی جگہ

تقریر کر لیتے ۔

چوہدری محمد اسلم : میں تو منسٹر صاحب کی اسپروومنٹ کے لیے کچھ باتیں عرض کرنا چاہتا ہوں۔

ڈاکٹر غلام حسین : یہ سوور صاحب جو آنریبل ممبر ہیں اور یہ جو ایکسپلینیشن دی گئی ہے اور جو سٹیٹمنٹ آن دی ٹیبل رکھی گئی ہے اگر یہ اقدامات ٹھیک ہیں اور یہ ان سے مطمئن ہیں تو یہ بتا دیں اور مطمئن نہیں ہیں، تو ہم کچھ اور کریں گے۔

چوہدری محمد اسلم : ڈاکٹر صاحب نے یہاں جو سٹیٹمنٹ دی ہے میں اس سے مطمئن ہوں اور امید کرتا ہوں کہ ڈاکٹر صاحب مزید اسپروومنٹ کریں گے۔

جناب محبوب الرحمن : بنوں اور درگئی کے متعلق اس میں ایڈیشن نہیں ہے اور اس میں بڑی پرابلہم ہے اگر ان لائینوں میں تھوڑی سی چینج ہو جائے تو صوبہ سرحد کے لوگوں کی تکالیف بھی ختم ہو جائیں گی۔

ڈاکٹر غلام حسین : میں آنریبل ممبر سے گزارش کروں گا کہ وہ لکھ کر اپنی تجاویز مجھے بھیج دیں تو ہم ضرور انکارپوریٹ کریں گے۔

جناب چیئرمین : آپ کوئی سوال کر دیں، کوئی موشن کر دیں، کوئی ریزولوشن موو کر دیں۔

جناب محبوب الرحمن : بنوں کی جو نیرو گیج لائن ہے

سردار محمد اسلم : پوائنٹ آف آرڈر!

جناب ڈاکٹر صاحب نے فرمایا ہے کہ آنریبل ممبر اگر ان رائٹنگ دے دیں تو ہم انکارپوریٹ کر دیں گے۔

I am sorry, with due respect to the Minister, he cannot incorporate, as, Sir, the amendment is given for this motion.

موشن تو اب ختم ہو چکا ہے۔

How can the Minister incorporate that amendment ?

Mr. Chairman : Now, that chapter is closed.

ڈاکٹر غلام حسین میں نے تو ویسے ہی اتنا عرض کیا ہے کہ اگر وہ
ان رائٹنگ گائڈینس فرمائیں گے تو :

As a matter of policy we can discuss and incorporate in our
development.

جناب چیئرمین : محبوب الرحمن صاحب ! آپ کو جو بھی تکلیف ہے ، آپ
سوال کر سکتے ہیں موشن سو کر سکتے ہیں ، ایڈجرنمنٹ موشن لا سکتے ہیں اگر
آپ کو بہت تکلیف ہے ۔ کوئی چیز آپ کر سکتے ہیں اور سیشن تو ابھی چل
رہا ہے ، آپ کے لیے ریملی بھی ہے ۔

جناب محبوب الرحمن : شکریہ ۔

جناب چیئرمین : کل آپ ایڈجرنمنٹ موشن لا سکتے ہیں ۔

جناب محبوب الرحمن : بنوں اور درگئی کا بہت ضروری ہے ۔

جناب چیئرمین : بنوں کا تو میں کہہ نہیں سکتا اور درگئی کا مجھے پتہ

نہیں ہے ۔

Now, when should we meet next, Leader of the House ?

Rao Abdus Sattar (Leader of the House) : On Wednesday, Sir.

Mr. Chairman : On Wednesday, in the morning or evening ?

کیا شام کو ملنا ہے یا پچھلے پہر یا صبح ملنا ہے جیسے آپ کی مرضی ،
ملک شریف صاحب ! آپ کچھ کہنا چاہتے ہیں ؟

ملک محمد شریف : میرے خیال میں آفٹرنون میں رکھا جائے ۔

Mr. Chairman : It is up to you.

راؤ عبدالستار (قائد ایوان) : منڈے کو میٹنگ ہونی ہے اور ہم سب یہاں

ہوں گے تو اس کے بعد ۔۔۔

جناب چیئرمین : کیسی میٹنگ ہے ؟

راؤ عبدالستار : پارلیمانی گروپ کی میٹنگ ہے ۔

جناب چیئرمین : وہ منڈے کو یا دس تاریخ کو ؟

راؤ عبدالستار : دس تاریخ کو شام چار بجے ہے

جناب چیئرمین : ہم صبح مل سکتے ہیں -

راؤ عبدالستار : گیارہ تاریخ کو ہم صبح مل سکتے ہیں -

Mr. Chairman : All right, the House stands adjourned to meet again on 10th in the morning at 9.30 a.m.

Voices : 11th, Sir.

Mr. Chairman : I am sorry, you see.

Sardar Mohammad Aslam : Sir, now it has been announced. We don't want to.....

Mr. Chairman : No, no, I never feel shy of admitting my mistake, you see. Do you want to meet on 10th or 9th ?

Voices : 11th, Sir.

Mr. Chairman : All right. My previous announcement stands cancelled. So, we will meet on 11th at 9.30 a.m.

[The Senate then adjourned to meet again on Wednesday, May 11, 1977, at 9.30 a.m.]
