

SENATE OF PAKISTAN
SENATE DEBATES

Wednesday, March 6, 1991

The Senate of Pakistan met in the Senate Hall (Parliament House) Islamabad, at five of the clock in the evening, with Mr. Deputy Chairman (Syed Muhammad Fazal Agha) in the Chair.

(Recitation from the Holy Quran)

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَآمِنُوا بِرُسُولِهِ يُؤْتِكُمْ كِفْلَيْنِ مِنْ رَحْمَتِهِ

وَيَجْعَلْ لَكُمْ نُورًا تَمْشُونَ بِهِ وَيَغْفِرْ لَكُمْ وَاللَّهُ غَفُورٌ رَحِيمٌ ١٥

لَيْسَ يَعْلَمُ أَهْلُ الْكِتَابِ إِلَّا يَفْقِرُونَ عَلَى شَيْءٍ أَمِنْ فَضْلِ اللَّهِ

وَأَنَّ الْفَضْلَ بِيَدِ اللَّهِ يُؤْتِيهِ مَنْ يَشَاءُ وَاللَّهُ ذُو الْفَضْلِ الْعَظِيمِ ١٦

ترجمہ۔ اے ایمان والو! اللہ سے ڈرو اور اس کے پیغمبر پر ایمان لاؤ! اللہ تم کو اپنی رحمت سے دو کھیت دے گا اور تمہارے لئے وہ نور پیدا کر دے گا کہ تم اس لئے جلوہ گرد

SENATE OF PAKISTAN
SENATE DEBATES

Wednesday, March 6, 1991

The Senate of Pakistan met in the Senate Hall (Parliament House) Islamabad, at five of the clock in the evening, with Mr. Deputy Chairman (Syed Muhammad Fazal Agha) in the Chair.

(Recitation from the Holy Quran)

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَآمِنُوا بِرُسُولِهِ يُؤْتِكُمْ كِفْلَيْنِ مِنْ رَحْمَتِهِ

وَيَجْعَلْ لَكُمْ نُورًا تَمْشُونَ بِهِ وَيَغْفِرْ لَكُمْ وَاللَّهُ غَفُورٌ رَحِيمٌ ١٥

لَيْسَ يَعْلَمُ أَهْلُ الْكِتَابِ إِلَّا يَفْقِرُونَ عَلَى شَيْءٍ أَمِنْ فَضْلِ اللَّهِ

وَأَنَّ الْفَضْلَ بِيَدِ اللَّهِ يُؤْتِيهِ مَنْ يَشَاءُ وَاللَّهُ ذُو الْفَضْلِ الْعَظِيمِ ١٦

ترجمہ۔ اے ایمان والو! اللہ سے ڈرو اور اس کے پیغمبر پر ایمان لاؤ! اللہ تم کو اپنی رحمت سے دو کھیت دے گا اور تمہارے لئے وہ نور پیدا کر دے گا کہ تم اس لئے جلوہ گرد

ترجمہ : اے ایمان والو! اللہ سے ڈرو۔ اور اس کے پیغمبر پر ایمان لاؤ اللہ تم کو اپنی رحمت سے دو حصہ دے گا۔ اور تمہارے لیے وہ نور پیدا کر دے گا کہ تم اس لیے چلو پھرو گے اور وہ تم کو بخش دے گا اور اللہ بڑا مغفرت والا ہے بڑا رحم کرنے والا ہے اور یہ دونیں اس لیے عطا کرے گا تاکہ اہل کتاب کو قیامت میں معلوم ہو جائے کہ انہیں اللہ کے فضل کے کسی چیز پر بھی دسترس نہیں اور یہ کہ فضل اللہ ہی کے ہاتھ میں ہے وہ جسے چاہے عطا کرے اور اللہ بڑے فعل والا ہے۔

PANEL OF PRESIDING OFFICERS

Mr. Deputy Chairman: In pursuance of sub-rule (1) of Rule 14 of the Rules of Procedure and Conduct of Business in the Senate, 1988, I nominate the following members in order of precedence to form a panel of presiding officers for the March 1991 Session of the Senate of Pakistan:

1. Syed Abbas Shah.
2. Dr. Bisharat Elahi.
3. Dr. Noor Jehan Panezai.

POINT OF ORDER ; *Re* : AWARD OF QUOTA TO SENATORS FOR INSTALLATION OF PCO

میر سہراب خان کھوسہ جناب والا! ہماری حکومت نے long distance PCQ ہمیں ایک نوٹ لکھ کر عطا فرمایا تھا جب کہ ممبران قومی اسمبلی کو بین کا کوٹہ دی گیا تھا اس لیے جناب والا! میں دریافت کرنا چاہوں گا کہ اس غیر مساویانہ سلوک کی وجوہات کیا ہیں۔

جناب ڈپٹی چیئرمین میر سہراب خان صاحب اس وقت یہ پوائنٹ آف آرڈر نہیں ہے اور وزیر متعلقہ بھی تشریف نہیں رکھتے۔ اس لیے اس کو میرے خیال میں کسی اور وقت کے لئے اٹھا رکھتے ہیں۔

میر سہراب خان کھوسہ : وہ آئیں گے ہی نہیں۔

جناب ڈپٹی چیئرمین: وہ آئیں گے انشاء اللہ، کیوں نہیں آئیں گے۔
اخونزادہ بہرور سعید: ایک سینیٹر اور ایک ایم این اے میں یہ تفریق کیوں رہا
رکھی گئی ہے اس کا کیا جواز ہے۔

جناب ڈپٹی چیئرمین: شکریہ اخونزادہ صاحب! آپ کی بات بالکل بجا ہے یہ فرق
کیوں ہے، کیسے ہے اور کب سے ہے، اس کے متعلق متعلقہ وزیر صاحب ہی بتا سکیں گے۔
اخونزادہ بہرور سعید: ہم تو جناب آپ کے نوٹس میں لائے ہیں آپ ان سے پوچھیں
کہ یہ تفریق کیوں رکھی گئی ہے۔

جناب ڈپٹی چیئرمین: اخونزادہ صاحب وہ تشریف نہیں رکھتے ہیں۔
اخونزادہ بہرور سعید: اجماعی ہماری ضرورت باقی ہے، وقت آئے گا۔
جناب ڈپٹی چیئرمین: آپ کی ضرورت تو ہر وقت رہے گی انشاء اللہ، آپ نے بہت
کام کیا ہے اسی کوئی بات نہیں ہے لیکن جب وزیر صاحب آئیں گے تو ان سے پوچھیں گے۔
آپ کا حق بنتا ہے اور آپ کو ممبران قومی اسمبلی کے برابر حق ملنا چاہیے۔
میسر سہراب خان کھوسو: جناب دوسرے وزیر تو بیٹھے ہوئے ہیں۔

Mr. Hasan A. Shaikh: Mr. Chairman, the Law Minister
is here.

Syed Fakhar Imam: Mr. Chairman, I will try to find
out from my honourable colleague. As I have just stated I
cannot have words put in my mouth which I may not be
able to

Mr. Deputy Chairman: That is right. But Akhunzada
Sahib we assure you that we will manage to get this for
you.

Syed Fakhar Imam: I shall try and ascertain Sir, from
my hon'ble colleague this issue that has now been raised
here.

Mr. Deputy Chairman: Thank you. Yes Mr. Soomro

Sahib.

(Interruption)

Mr. Ahmedmian Soomro: Actually there is a question about it which is coming up on the 9th instant. They have given extra telephone quota to MNAs raising it from two to five whereas the Senators have got the same two. So, I have given a question, answer of which is expected on the 9th, then, as a supplementary any member of the House could also ask in respect of PCOs.

Mr. Deputy Chairman: Thank you very much. You mean apart from asking a question, I think the Senators and MNAs are to be treated at par.

میری گزارش یہی ہوگی کہ وزارت اس پر دوبارہ غور کرے اگر ان کو ۵ دیتے ہیں تو سینٹ
 والوں کو بھی ۵ دینے چاہئیں اور ان کے لئے پی سی او کی تعداد زیادہ ہے تو سینٹرز کا حلقہ
 ایک لحاظ سے ایسی چیز زیادہ مہیا چوڑا ہوتا ہے وہ اپنے میول پر بھی کوشش کریں گے۔

Syed Fakhar Imam: Mr. Chairman, I will convey the feelings and sentiments of this House to my hon'ble colleague Sir.

Mr. Deputy Chairman : Thank you very much, and i am sure the House will get it.

QUESTIONS AND ANSWERS

Mr. Deputy Chairman : Yes, Shad Mohammad Khan Sahib, Question No. 2.

AYUB NATIONAL PARK, RAWALPINDI

2. ***Mr. Shad Mohammad Khan :** Will the Minister for Defence be pleased to state :

(a) the details of existing facilities and future planning of the Ayub National Park, Rawalpindi ; and

- (b) the terms and conditions of establishment of playland adjacent to Ayub National Park ?

Sahabzada Yaqub Khan : (a) Existing facilities are :

- (i) a restaurant for refreshment.
- (ii) two artificial lakes provided with motor boats, paddle boats and rowing boats.
- (iii) one open air theatre for musical concerts, dramas etc.
- (iv) five children parks equipped with different recreational items like swings, see-saws, merry-go-round, slides etc.
- (v) a "baradari" and two other picnic spots.
- (vi) a rose garden and a jasmine garden in addition to afforestation around the Park.
- (vii) jogging/walking tracks.

II. Future Plans are :—

- (i) development of a botanical garden.
- (ii) provision of botanical name-plates on trees.
- (iii) expansion of the existing nursery and to undertake extensive plantation of flowering plants and the trees of different varieties.
- (iv) provision of barbed wire fencing around the Park,
- (v) provision of 3 steel gates including civil work,
- (vi) provision of steel grill and civil work along the main gate.

Development the park and provision of additional facilities is a continuous process and Rawalpindi Cantonment Board is undertaking these works in accordance with the priorities of the works. At present work in respect of serial No. (v) and (vi) is already in progress.

[Sahabzada Yaqub Khan]

The Government is taking special interest in development of Ayub National Park in making it self-supporting, aesthetic and good for all classes and ages of citizens. To this end, the Government has recently made a special grant-in-aid of Rs. 1 million for the improvement of the park. Additionally, services of a horticulture/arboriculture expert from Japan are being arranged through the Economic Affairs Division.

(b) according to the lease agreement between Cantonment Board Rawalpindi and the lessee, the major terms and conditions are :—

- (i) land measuring 100 kanals was leased out in 1983 for establishing play land.
- (ii) the lease is for 10 years extendable upto 30 years at the option of the lessee on payment of annual rent Rs. 50/- per Kanal for the first 5 years and Rs. 75 per Kanal for the subsequent 5 years. For the next each term of 10 years the rent will increase by 30%. A copy of the lease agreement between the parties containing detailed terms/conditions is attached at Annex-I.

(Annexure has been placed in the Senate Library)

Mr. Deputy Chairman: Any supplementary? No supplementary. Next is question No. 14, on his behalf.

PROMOTION OF O.M.G. OFFICERS

14. ***Mr. Abdul Rehman Jamali** (on his behalf). Will the Minister Incharge of the Establishment Division be pleased to state :

- (a) number of O.M.G. Officers (Section Officers B.S. 18) eligible for promotion to the post of Deputy Secretary and the number of vacant posts of Deputy Secretary in the Federal Secretariat as on 14-10-1990;
- (b) whether it is a fact that in the meeting of the Central Selection Board held on 14-10-1990 promotion of only 14 Section Officers was approved against the reported vacancies of 72 whereas 30 D.M.G. Officers (B.S. 18) were approved for B.S. 19 against 10 vacancies ; If so, the reasons thereof ; and
- (c) whether there is any proposal under consideration of the Government to accommodate the eligible Section Officers by promoting them as Deputy Secretary ?

Syed Fakhar Imam : (a) (i) A civil servant, according to law, can be

promoted to a higher post in a service or cadre to which he belongs. Since the post of Deputy Secretary is not a cadre post of Office Management Group (OMG) Section Officers do not have a vested right for promotion to the post of Deputy Secretary. However, in order to provide career advancement, 25% of the posts have been reserved, according to rules, for promotion of Section Officers. Although they are eligible for promotion upto 25% of the posts, the number of Section Officers promoted as Deputy Secretary is much more than 80%. Hence no Section Officer is eligible for promotion at present.

(ii) The number of tentative vacancies of Deputy Secretaries, including anticipated requirement on 14-9-1990 was 52.

(b) (i) It is correct that 14 officers were recommended for promotion as Deputy Secretary.

(ii) It is incorrect that the number of vacancies was 72.

(iii) It is not correct that 30 DMG officers were approved for BPS-19 against 10 vacancies.

(c) No.

Mr. Deputy Chairman: Any supplementary? Yes, Behrawar Saeed Sahib on a supplementary.

انھوں نے ارادہ بہرہ و سیدہ ان کی جو پروموشن ہوتی ہے کیا اس کے لئے کوئی میٹر قرار ہے کہ پروموشن کیسے ہوگی کیا کوئی طریق کار مقرر ہے۔ آپ نے فرمایا کہ اس کے لئے کوئی خاص حق نہیں ہے لیکن ان کی پروموشن کے لئے ۲۵ فیصد کوٹ پھر بھی رکھا گیا ہے۔ میں یہ پوچھ رہا ہوں کہ کیا یہ اس ۲۵ فیصد کوٹ میں جو selection ہوتی ہے اس کے لئے بھی کوئی طریقہ کار ہے یا نہیں کیا یہ ان کی ڈسکریژن ہے یا ان کی اپنی مرضی ہے،

Mr. Deputy Chairman: It must be by seniority.

Syed Fakhar Imam: There is definitely a criterion, there is a selection committee through which they are promoted by a certain criterion.

انھوں نے ارادہ بہرہ و سیدہ کیا یہ صحیح ہے کہ مسز منیر مظفر حسین کو ایسی کو بلا لحاظ کہ وہ کتنی

[Akhunzada Behrawar Saeed]

جونیئر ہے پرموٹ کر دیا گیا یہ کہاں تک درست ہے۔
سید فخر امام کس کو جی۔
اخونزادہ بہرہ ورسید، مسز منیر حسین۔
جناب ڈپٹی چیئرمین؛ سوال میں تو نہیں ہے۔
اخونزادہ بہرہ ورسید نہیں ہے لیکن معنی سوال تو ہے۔
سید فخر امام، میرے پاس تفصیل نہیں ہے۔ ویسے میرے پاس لسٹ
 ہے لیکن مسز منیر حسین کا نام نہیں ہے۔
جناب ڈپٹی چیئرمین، اس کے لئے نیا سوال دے دیں۔ قاضی عبدالحمید
 صاحب۔

Mr. Abdul Majid Kazi : It has been said that it is not correct that the number of vacancies is 72; it is not correct that 30 DMG officers were approved. I want to know how many vacancies were there and how many officers were promoted.

Mr. Deputy Chairman : Thank you, yes, Fakhar Imam Sahib.

Mr. Fakhar Imam: Presently, there are 306 sanctioned posts of Deputy Secretaries in the Federal Secretariat of which DMG officers are entitled to only 77 which is only 25%. Out of 280 Deputy Secretaries, borne on the cadre of the Secretariat Group, at present 266 are promoted. Therefore, you can appreciate Mr. Chairman, and through you to my hon'ble learned friend, they have far exceeded that quota.

Mr. Deputy Chairman: Thank you, any other supplementary. No—next is question No. 18,— reply not received.

Lt. Gen. (Retd) Saeed Qadir : "Reply not received", is not quite fair because this question I have repeated for several years and I will continue to insist that they must understand the implications of introducing daylight saving time and it is very wrong for the Government to keep on saying that they cannot decide this issue. It is

matter of great significance for the economy of this country and saving of electricity. So, if you convey this to the Government, the Ministers must understand what I am trying to say. In fact, if I would read out the letter which I have received in reply from the Ministry of Interior, I do not want to use those words over here in the House of this august standing that other than those who are totally ignorant of what they have written as "what 'daylight saving' means", they do not understand even that much and I have got a reply in writing from the Ministry of Interior that this is not the requirement of this country. So, what do I do, to whom do I try to explain as to what is daylight saving time.

Mr. Deputy Chairman : Yes, Fakhar Imam Sahib.

Syed Fakhar Imam : Sir, I am not specifically dealing with this Ministry Mr. Chairman, but my hon'ble colleague is saying about daylight time saving. This is the first time I have seen this question. I will talk to him afterwards but I will see to it myself and talk to the relevant people and perhaps we might come up with an answer.

Mr. Deputy Chairman: Gen. Sahib, will you please read your original question. What was the question? Here they have referred to question number such and such.

Lt. Gen.(R) Saeed Qadir: The question was not as it is now stated here because I have made the question slightly different so that the Senate Office may not shoot it down. Because this question has been coming up in the past. The question that I have now raised is, "will the Minister of Interior be pleased to refer to starred question No. 99 replied on 23-8-1990 and state whether the Government has decided to introduce the "daylight time saving" system in the country w.e.f. 15 April, 1991".

In the original question which the Chair has just referred to, I raised the question, "has the Government made up its mind with regard to introducing the daylight time saving system in the country", the reply given was the letter which I have got.

Mr. Deputy Chairman: Yes, I think we must know something about what is written in the letter.

Lt. Gen. (Rtd.) Saeed Qadir: The letter states that this is not a requirement of this country. This is what the Ministry of Interior has replied.

Mr. Deputy Chairman: So, - why cannot they give the same reply on the floor of the House.

Lt. Gen. (Rtd.) Saeed Qadir: No, the question is that then they do not understand what daylight time saving system is. I have tried to explain on the floor of this House in the past

several years as to what the system is. Now, one item only which concerns the saving of electricity, I say categorically that if you introduce daylight time saving system you will save at least 150 mega watts, if not more. Now, if you have loadshedding today and if this can be reduced or totally given up by adopting that system then why not introduce it. Then, the question is simply this that in this country which is called Islamic Republic of Pakistan and there everybody is claiming that Shariah should be introduced, so, I am assuming that your daylight starts at the prayer time in the morning. Now, even today the 3rd of March at what time does the sun rise? At 5 or 6'o clock is bright sunlight. So, if you advance the clocks by one hour you will be getting up one hour earlier and using that daylight which is totally going waste. So, you do not have to put the lights on and at night you will sleep an hour earlier and you will be switching off the lights an hour earlier. So, using more of daylight and less of darkness is the saving that you need to have for conserving electricity besides the advantage of using daylight. Now, I cannot understand why a Government behaves so ignorantly while this system is being practised in a large number of countries and this excuse that we are not educated enough to change our clocks twice a year is not acceptable. All we have to do is to say on the TV that this is now 7'o clock instead

of 6'o clock and within an hour everybody will change his clock, whether you are in a village or in a city.

Mr. Deputy Chairman: Do not you think General Sahib, we can adopt another means for this point, which you have raised, which is very important, either through the standing committee concerned or through any other procedure in the House, and we can debate it in detail.

Lt. Gen.(Retd.) Saeed Qadir: When the honourable Chairman of the Senate Mr. Wasim Sajjad was the Minister of law I had raised this issue at that time and he agreed with me that the Government has sufficient powers to do so. I wanted to introduce a Bill and infact I produced a Bill. The Law Minister at that time said that there is no need to introduce a bill, because the Government has the powers to introduce this otherwise. It was an agreement at that time between the Government and myself that the Government will look into seriously with regard to introducing the system under its administrative authority. Now, overall these years we find that the Government is going back on this issue by saying that they don't need to introduce it.

Mr. Deputy Chairman: Sir, will you agree with me if we refer this issue to the Water & Power Committee on that subject?

Lt. Gen.(Retd.) Saeed Qadir: I don't think Mr. Chairman, this is an issue at all. The Government can, in its own right, and the Government has a right to say that it is a stupid idea and we don't want to introduce it, I will accept that. But then the Government should say so that it is a stupid idea otherwise I will have to say that the Government is acting in a manner which is contrary to the measures being taken for economising electricity and the Government is acting in a manner which does not behave the Government.

Mr. Deputy Chairman: Thank you. Fakhar Imam Sahib.

Syed Fakhar Imam: Sir, I think the honourable Member has a very valid point and he has worked out the quantum of power (electricity) which is likely to be saved on account of bringing the daylight time saving system. I know, it is being practised in several countries in the world. Perhaps the Ministry might not have examined this. I don't have any detail at present, but possibly this has not been examined from this point of view. I can assure the honourable Member that I will definitely talk to him just after the question hour to have it taken up at some forum. At least let the Government have examined it and then we would come back to him, Sir.

Mr. Deputy Chairman: So, I think the Committee on Power & Water may also take cognizance of this issue and you please look into that. Syed Abbas Sahib, you please will also look into this.

Syed Abbas Shah: Sir, the committee is an appropriate forum for this and we will prepare a report accordingly.

Mr. Muhammad Ali Khan: Sir, there is nothing new, time was advanced by one hour during the last 'Great war' and the government had done it earlier too. So, I would suggest that it has nothing to do with any Standing Committee. This should be taken up in the Cabinet and an executive order should be issued.

Mr. Deputy Chairman: That's right. If the Minister agrees to this it will straightaway go to the Cabinet, otherwise we have to select some forum to discuss the issue with the authorities concerned.

Mr. Hasan A. Shaikh: The former Law Minister had agreed. Why not this one?

Syed Fakhar Imam: My agreement would have been there if I was dealing with the Ministry concerned. I think many of the honourable Members have been the Ministers here, the normal procedure is that a summary is taken up by the Ministry and put up for Cabinet for decision, I have to consult the Ministry, because I don't have a note on this unfortunately.

Mr. Deputy Chairman: Prof. Sahib, on a point of order.

پروفیسر صاحب آپ کو کہنا چاہتے ہیں۔

پروفیسر خورشید احمد: جناب چیئرمین! میرا پوائنٹ آف آرڈر یہ ہے کہ جن سوالات

کے جوابات ہمیں دئے گئے ہیں ان میں سے تین سوالات ایسے ہیں جن کے جوابات ۲۲ دسمبر کو آنے تھے اور ان میں سے کسی ایک کا جواب اس وقت نہیں دیا گیا اور ہم سوالات جو آج کی تاریخ کے لئے تھے ان میں سے ان کے جوابات نہیں دئے گئے ہیں۔ میرا ایک unstarred سوال تھا، اس کے متعلق بھی کہا گیا ہے کہ جواب موصول نہیں ہوا۔ اب اس حکومت کو زماں اقتدار سنبھالے ہوئے چوتھا مہینہ جا رہا ہے، ہم نے انہیں پچھلے سیشن میں رعایت دے دی تھی کہ اگر آپ پہلی دفعہ جوابات بروقت نہیں دے سکے تو چلیے یہ قابل معافی ہے، لیکن اس اجلاس میں جوابات کا نہ آنا میں سمجھتا ہوں بہت serious معاملہ ہے آپ کو چاہیے کہ اس کا نوٹس لیں۔

جناب ڈپٹی چیئرمین: آپ کا پوائنٹ آف آرڈر بالکل جائز ہے اور میں

سمجھتا ہوں کہ یہ کافی serious issue ہے۔ یہی ایک طریقہ ہے جس کے ذریعے ہم بہت سارے معاملات کے بارے میں معلومات حاصل کر سکتے ہیں، وزارتوں اور ڈویژنوں پر جو غور و فکر بہت چیک ہو سکتا ہے وہ اسی ذریعہ سے ہو سکتا ہے۔ اگر وزارتیں یہ escape route اختیار کر لیں کہ 'جواب موصول نہیں ہوا' اور یہی کہتے رہیں تو پھر تو اس ہاؤس میں کام کرنا بڑا مشکل ہو جائے گا اور ہمارے یہاں آنے والا کوئی فائدہ بھی نہیں ہو گا، اس

[Mr. Deputy Chairman]

لیے میری وزارت صاحبان سے گزارش ہے کہ اپنی اپنی متعلقہ وزارتوں اور ڈویژنوں کو باقاعدہ
ٹھکانہ پر ہدایات جاری کریں تاکہ آئندہ اس قسم کی بات نہ ہی ہوتی بہتر ہے۔ میں سمجھتا
ہوں کہ ۱۵ دن جواب دینے کے لئے کافی ہوتے ہیں۔ بہت شکریہ۔

Syed Abbas Shah: Sir, at this occasion I take this opportunity. A case was referred to us by the CEC (to the committee) about the disturbance at Sui fields. We, as the committee, solved that problem. The Government, was losing 10 million dollars per month. We prepared a report and submitted it to the Government. in consultation with the Ministry. The last date which we have given to the people of Bugti tribe, labours and local Sardars was 5th. Sir, I don't know what method should I adopt to treat it as a breach of privilege. This is my own Government but it is not only a matter of privilege, it is a very serious matter and I have been receiving calls for the last 3 days from different places from Quetta region. Because the provincial government at that time had failed to specify the question. The Minister, when I see him, avoids me and he goes to the different side. Sir, what proper procedure should we adopt to get this thing done or should we announce to the people that we are not being able to help you in this respect?

Mr. Deputy Chairman: The last date is 5th of what?

Syed Abbas Shah: 5th of March, Sir.

Mr. Deputy Chairman: Today is 6th, so, I think this is not a much time.

Syed Abbas Shah: But, Sir, this is a very serious matter, I know you belong to that area.....

Mr. Deputy Chairman: That is right.

Syed Abbas Shah: The Government does not actually care, the Ministry does not care. I am calling them, because I have the responsibility to answer to the people of my

country. I have the responsibility to my Government, I have the responsibility to this House to reply. Sir, in these circumstances it is impossible for us to work.

Mr. Deputy Chairman: Fakhar Imam Sahib, this is also an important issue. Please take note of this and the concerned Ministry may please be directed to respond positively and in time.

Mr. Abdul Majid Kazi :Point of order Sir. There was a meeting two weeks ago in which the Minister said that within 3 to 4 days I would sort it out. The date has been given by our Chairman to the people there and this is very vital issue and you know these are essential services i.e. gas supply etc., etc.

Mr. Deputy Chairman: But the honourable Members failed to catch hold of the Ministry, I think.

Mr. Abdul Majid Kazi: The Law Minister can help us on this.

Mr. Deputy Chairman: Mohammad Ali Khan Sahib.

Mr. Muhammad Ali Khan: Sir, a very important issue has been raised in this august House. I feel that it is rather a serious one because the committee had given a dead line which expired yesterday. So, this shows the interest of the Ministers which they take in the proceedings of this House. So, I would suggest that the Minister Incharge must be asked to take it up not only day after tomorrow but tomorrow definitely.

Syed Abbas Shah: I will pass this request through the House and with the permission of the House to the Prime Minister because now it requires the indulgence of the Prime Minister. I have approached the Finance Minister also and he has not been able to reply. So, I will ask leave of the House that it should be passed on to the Prime Minister.

Mr. Deputy Chairman: Thank you very much. I think, there are 6 or 7 full-fledged Ministers over here and one of them having the courage to tell to the Prime Minister what is happening over here. Fakhar Imam Sahib, please take serious note of this issue.

Syed Fakhar Imam: Sir, I will definitely convey to the honourable Minister or the Prime Minister whoever the honourable Member would like to have information to be passed on.

Mr. Deputy Chairman: Thank you. Shad Mohammad Khan Sahib.

جناب شاد محمد خان۔ جناب والا! میرا اس کمیٹی سے تعلق ہے، میں اس دن موجود تھا جو وہ ڈیپارٹمنٹ کر رہے تھے، اس سے وزیر صاحب نے اتفاق نہیں کیا۔ انہوں نے کہا کہ ہم یہ package رشوت کے طور پر نہیں دے سکتے، اس کے لئے میٹنگ کریں گے۔ میٹنگ کے لئے ان کو contact کرنا چاہیئے تھا لیکن میٹنگ نہیں بلانی گئی۔

جناب ڈیپٹی چیئرمین۔ میٹنگ کون بلاتا ہے۔

جناب شاد محمد خان۔ میٹنگ چیئرمین صاحب بلاتے ہیں یا وزیر صاحب بلاتے ہیں۔

Syed Abbas Shah: The submission of the honourable Member is wrong. It was in the second session and Qazi Sahib would bear me out that he agreed with each and every point and the tape is there to verify the statement.

اور اگر کوئی غلط سیٹنٹ دی گئی ہو تو میں اپنے استحقاق کی پروٹیکشن اس ہاؤس سے چاہوں گا۔

Mr. Deputy Chairman: Statement by whom Sir?

شاد محمد خان صاحب، شاید اس میٹنگ میں نہیں تھے۔

Syed Abbas Shah: On the second session he was not there.

جناب ڈپٹی چیئرمین - خان صاحب، جب ان کی بات ہوئی تو شاید آپ اس
میٹنگ میں نہیں تھے۔

Syed Abbas Shah : The word he used is very offensive.

Mr. Deputy Chairman: That is finished, I think. Qazi Sahib on a point of order.

Mr. Abdul Majid Kazi : I just want to clarify the facts. The Minister said that he would come up with the package within two to three days I don't know when that time will expire.

Mr. Deputy Chairman: It is already expired. Thank you. Next No. 1 Dr. Bisharat Ilahi Sahib.....

Railway Crane at Moghulpura Dry Port.

Dr. Bisharat Elahi : (on his behalf) :

2. Will the Minister for Railways be pleased to state whether it is a fact that the Railway crane at the Moghulpura Dry Port is out of order for the last one year. If so, the reasons thereof ?

Mir Hazar Khan Bijarani : Yes. Only one out of five cranes of Lahore Dry Port is out of order since July 1990 due to technical defects. Arrangements are being made to get the Cranes repaired through specialized Agencies.

Mr. Muhammad Ali Khan: Supplementary. Sir, how long would it take?

Mir Hazar Khan Bijarani: Sir, in fact the spare parts of this particular crane are not available in Pakistan. So, it will definitely take some time to get these spare parts from Italy. Because the crane is an Italian make but the work is not suffering. We have already made arrangements at the dry port. We have got alternate arrangements. The work is not suffering.

Mr. Abdul Majid Kazi: Have any steps been taken to procure the spare parts from Italy?

Mir Hazar Khan Bijarani: Sir, the authorized agents were contacted but the prices they quoted were exorbitant, and very high. So the negotiations are still going on with the same group because they are the sole agent of that company. We will try to place orders as early as possible.

Mr. Hasan A. Shaikh: Sir, the Minister for production can help him to fabricate the parts.

Mr. Deputy Chairman: That will take more time Shaikh Sahib.

Mr. Hasan A. Shaikh: No. No. Sir, our skill is very high.

Mr. Deputy Chairman: But we must initiate something.

Mr. Hasan A. Shaikh : Yes, we should begin it and we will do it every time.

Mr. Deputy Chairman: That is right, good point. Thank you very much. Next - question No. 3. Again reply not received. Next—Malik Abdul Wahid No. 4.

PROMOTION IN CIVIL AVIATION AUTHORITY

4. *Malik Abdul Wahid : (on his behalf) :

Will the Minister for Defence be pleased to state :

- (a) whether it is a fact that in the Civil Aviation Authority, ten per cent posts are reserved for the dependants of retired employees of Air Force; if so the levels at which the said quota is observed; and
- (b) whether it is a fact that the DPC meeting of Civil Aviation Authority has not been held for the last two years, if so its reasons ?

Sahabzada Yaqub Khan: (a) No.

[Sahabzada Yaqub Khan]

(b) No. Meetings of the DPC for the staff i.e. employees in PG-3 to PG-6 have been regularly held in the years 1988 and 1989. Similarly the meeting of DPC for officers was also held in 1988. However, no meeting of DPC for officers could be held in 1989 or 1990 as the establishment of the CAA was under review.

Mr. Deputy Chairman: Any supplementary?

(pause)

Mr. Deputy Chairman: No Supplementary. No. 5 -
Malik Abdul Wahid.

CIVIL AVIATION AUTHORITY

5. *Malik Abdul Wahid (on his behalf) :

Will the Minister for Defence be pleased to state :

- (a) the details of the benefits approved by the Civil Aviation Authority for its employees vide letter No. CAA/2902/11/P dated 3-1-1989; and
- (b) whether the above decision was implemented if not, the reasons thereof?

Sahabzada Yaqub Khan: (a) The benefits approved by CAA for its employees is annexed at 'A'.

(b) Only the benefits of Technical Pay and Rating Allowance have not been paid. Reasons for the non-payment are as under:—

- (i) The grant of Rating Allowance has since been reconsidered and revised by the CAA Board in their 38th meeting held on 30th October, 1990 wherein the applicable rating as well as the admissible allowance have been rationalized. The applicable ratings have been unified in homogenous groups and revised Rating Allowance to the extent of Rs. 1000/- p.m. has been sanctioned by the Board from the date of award of such ratings.
- (ii) Technical Pay sanctioned for Graduate Engineers is in the process of review and rationalization and will be submitted to the CAA Board for reconsideration and decision in the next meeting of the Board.
- (iii) Both the Rating Allowance and Technical Pay are subject to the laid

down policy and procedure and applicable criteria which have since been issued in respect of the Rating Allowance. Similar policy and procedure and criteria will be laid down for the Technical Pay for Graduate Engineers after review of the case by CAA Board.

(Annexure has been placed in the Senate Library).

Mr. Basheer Ahmed Matta: At the end of part (b) (i) of the answer they say that:

"The applicable ratings have been unified in homogeneous groups and revised Rating Allowance to the extent of Rs. 1000/- p.m. has been sanctioned by the Board from the date of award of such ratings."

Now, what is the date of award? There is a mystery about it. What does the date of award mean? They should specify that it means such and such date.

Syed Fakhar Imam: "The grant of Rating Allowance has since been reconsidered and revised by the CAA Board in their 38th meeting held on 30th October, 1990 wherein the applicable rating as well as the admissible allowance have been rationalized." 30th October, 1990.

Mr. Basheer Ahmed Matta: My second supplementary is, when they say that in technical pay such and such things shall be submitted to the CAA Board for reconsideration and decision in the next meeting, will the Minister be pleased to specify at least when that meeting is going to take place, Sir?

Syed Fakhar Imam: Mr. Chairman, the meeting is being held today.

Mr. Basheer Ahmed Matta: Alright. Thank you very much.

Mr. Deputy Chairman: Thank you. No. 6 - Hussain Bakhsh Bangulzai.

(pause)

Mr. Deputy Chairman: Again reply not received. Deferred. Next No. 7. Hafiz Hussain Ahmed Sahib. Again reply not received.

حافظ حسین احمد: یہ ذرا جی ریشو بتائیں کہ کتنے جوابات موصول ہوئے ہیں اور کتنے سوالوں کے جوابات موصول نہیں ہوئے۔
جناب ڈپٹی چیئر مین: آج تو بہت ساروں کے جوابات موصول نہیں ہوئے ہیں۔ اس کا سوال بغیر ائمہ صاحب۔

RAILWAY LOCOMOTIVE FACTORY RISALPUR

8. *Mr. Basheer Ahmed Matta :

Will the Minister for Railways be pleased to state (a) when the Railway Locomotive Factory, under construction at Risalpur, is expected to become operationa; and

(b) whether any training facility exists in the N.W.F.P. to train engineering diploma holders to enable them to take up responsibilities in the factory when it is operationa; if not, its reasons and the time by which such facility will be provided ?

Mir Hazar Khan Bijarani: (a) The Locomotive Factory is scheduled to start manufacture of locomotives during 1992-93.

(b) Pakistan Railways do not have training facilities in the NWFP to train engineering diploma holders. The diploma holders will be recruited as per requirement. who will get on the job training in the Factory. They may also get training in other training institutions of Railways in Moghalpura, Walton and Karachi.

Mr. Basheer Ahmed Matta: I have just one supplementary, Sir. They say that:

"The diploma holders will be recruited as per requirement who will get on the job training in the factory."

[Mr. Bashir Ahmed Matta]

Now Sir, if the requirement is that they should be trained in that case since the Frontier Province has no training facilities, simple engineering diploma holders from there may not be recruited at all. Because of the condition that they should be trained, those engineers who have training facilities at Moghalpura, Walton and Karachi available to them, will have precedence over the engineers from the Frontier, although the factory is situated there. So, I would request the honourable Minister that they may provide an institution for imparting training to the engineering diploma holders in the Frontier, somewhere near the factory; this will be a satisfactory arrangements from the point of view of that province. The people there are backward and this industry is very welcome there. It will boost up the engineering capabilities of the area further if a training institution is also provided there.

Mir Hazar Khan Bijarani: Sir, for the moment we do not have any training facilities in the Frontier Province but we do have three certain institutions one in Karachi, one in Walton, and one at Moghalpura, Lahore but the recruitment will be made from the fresh engineers and on the job training will be given to them in the factory itself. But it is a good suggestion from the honourable Senator. We can provide a training institute in NWFP. We will certainly do that.

Mr. Deputy Chairman: Thank you very much.

Mr. Abdul Majid Kazi: Is this locomotive a diesel engine locomotive or a steam engine locomotive?

Mir Hazar Khan Bijarani: Sir, this is a diesel electric locomotive and initially it is under a phased programme of deletion. For the first year it will not be totally 100 per cent indigenous. We will import spare parts because our production in the first year would be limited to five locomotives, in the second year, it would be ten to fifteen and gradually it will go upto to twenty five locomotives per

year per single shift. The deletion programme is also phased out in a similar way. Ultimately our aim is to manufacture our own locomotives in Pakistan which would be hundred per cent deletion ultimately.

Mr. Abdul Majid Kazi: In the first year we are going to have the siccative condition; we will have to import that and then assemble them here and then by the next year we are going to have some sort of phasing out programme — five percent, ten per cent. What is that per-centage?

Mir Hazar Khan Bijarani: Sir, as regards the exact percentage of deletion, I am sorry, I would not be able to give right away but as I mentioned earlier it is a phased deletion programme and we will go according to that. If the Member is interested I will lay the information at the table of the House.

Mr. Hasan A. Shaikh: Moghalpura workshop must have already started fabricating some parts because it has been working for so many years. Would he let us know as to how much they have already succeeded?

Mir Hazar Khan Bijarani: Sir, Moghalpura Workshop does not manufacture the locomotives.

Mr. Hasan A. Shaikh: No, spare parts, Sir.

Mir Hazar Khan Bijarani: Sir, we do manufacture certain spare parts but the factory that we are putting in Risalpur now is specifically for the diesel electric locomotives which will manufacture spare parts as well over a period of time.

Mr. Hasan A. Shaikh: How many years?

Mir Hazar Khan Bijarani: Sir, this will take about five years for hundred percent manufacturing.

Mr. Hasan A. Shaikh: For five years we will not be here in this House, Sir.

Mr. Deputy Chairman: Why not? We expect you till the last. Thank you very much. Next. Question No. 9 - Prof. Khurshid Ahmed.

POSTING OF STAFF IN THE MINISTRY OF INFORMATION (ABROAD)

9. *Prof. Khurshid Ahmed (on his behalf) :

Will the Minister for Information and Broadcasting be pleased to state :

- (a) the procedure for selection of Assistants, Stenographers, UDCs, LDCs, Naib Qasids etc. in his Ministry for posting to the Press/Information Sections of our Embassies abroad ;
- (b) whether it is a fact that selection on these posts during the year 1989-90 was made by the PPP Government ignoring the seniority of these incumbants; if so, its reasons; and
- (c) the steps the present government have taken to do justice with those who were ignored by the previous government ?

Shaikh Rashid Ahmed : (a) The selection of Stenographers, Stenotypists, Assistants, UDCs, LDCs and Naib Qasids etc. for posting in the Information Sections abroad are made according to the approved guidelines.

(b) Yes. However it may be added that seniority is not the sole criterion for selection. The creterion is laid down in the guidelines at annex 'A'. The selection were made in accordance with the guidelines.

(c) Does not apply.

GOVERNMENT OF PAKISTAN
MINISTRY OF INFORMATION AND BROADCASTING

REVISED GUIDELINES FOR THE SELECTION OF STAFF FOR POSTING
TO INFORMATION SECTIONS ABROAD

The following guidelines have been approved by the competent authority for the selection of staff in various Basic Pay Scales for posting to Information Sections abroad.

1. **Basis of Selection**

- (i) Officials working in the Secretariat of the Ministry of Information and Broadcasting against the following posts having the minimum length of service mentioned against each will be eligible for foreign posting on the recommendation of the Departmental Selection Committee who will scrutinise the record of the respective officials after completion of their prescribed length of service. The successful officials will get their seniority in the foreign posting roster from the date of clearance of the DSC.

(a) Stenographers	3 years service as Stenographer.
(b) Stenotypists	5 years service as Stenotypist.
(c) Assistant-in-Charge	5 years service as Asstt-in-Charge.
(d) Assistants	5 years service as Assistant.
(e) U.D.C.	5 years service as U.D.C.
(f) L.D.C.	5 years service as L.D.C.

- (ii) Only the officials cleared by the Departmental Selection Committee will be brought in their respective foreign posting roster. The roster will also indicate the date of birth, educational qualification, number of children at the time of selection and previous posting, if any, with date. The roster will be an un-classified document.
- (iii) In case an official is recalled to the headquarters for a non-disciplinary reason, his seniority on the roster for his next posting shall be fixed on the following basis :—

(a) Recall after less than one year.	To be placed on the top of the roster in respect of his category.
(b) Recall after less than two years.	To be placed just above the officials in his category who spend

at the headquarters on return from a foreign posting less than one year.

- (c) Recall after more than two years but less than three years. To be placed just after the officials in his category who have spent less than three years at the headquarters.
- (iv) Such of the staff as have already been abroad on foreign posting and have completed the full tenure abroad, will take seniority on the roster from the date of joining the headquarters.
- (v) An official who is recalled from foreign posting on disciplinary grounds shall not be reconsidered for posting abroad for at least 5 years and even then his posting will depend on "good" performance during all these 5 years.
- (vi) Persons who decline promotion to secure postings abroad will not be considered for posting abroad.
- (vii) In no case an official who is officiating in a higher *ex-cadre* post shall be considered for posting in a lower grade post abroad unless he has completed a service of two years in the lower grade post after his reversion from the *ex-cadre* post.

2. Size of Family

The instructions issued by the Ministry of Foreign Affairs in this regard shall be followed. These instructions, *inter alia*, provide that for some stations numbers of the staff could be considered for posting who do not have more than four children. For all other stations, only those members of staff could be considered who do not have more than three children. In a very exceptional case, an additional child over the limit may be allowed to be taken with the permission of DGEP/Additional Secretary provided the budget of the concerned Information Section can stand additional expenditure on medical treatment etc.

3. Mode of Selection

All postings and transfers shall be made on the recommendations of a Departmental Selection Committee consisting of:—

- | | |
|---|-------------|
| (a) Addl. Secretary | — Chairman |
| (b) J.S. (A&C) | — Member |
| (c) DG (EP) or a Director nominated by DGEP | — Member |
| (d) D.S. (E)/S.O. (E.II) | — Secretary |

The seniority roster of the officials of relevant Grade alongwith the annual confidential reports shall be submitted to the Departmental Selection Committee on

the fixed date and time. The confidential reports of the last 5 years shall be studied by the members of the Committee and the following principles may be followed in making selections :

- (i) An official who receives three or more average reports during the last 5 years may not be considered for posting. An adverse entry in any of the last 5 confidential reports or a special entry in the dossier will debar a person from posting abroad.
- (ii) Suitability may be determined by the Committee on the basis of the requirements of each station, confidential reports on the candidate, his personality, completion of his family and demeanour.
- (iii) The recommendations of the Departmental Selection Committee about the selections made by it shall be subject to the approval of the competent authority in the Ministry, i.e. Secretary.
- (iv) A representation, if any, against the orders of the selection shall be entertained by the Ministry within one week of the issuance of orders in case of officials posted at headquarters. Representations against transfers to Pakistan from officials posted abroad shall be carefully scrutinised by the Head of Mission before they are forwarded to the Ministry within two weeks from the date of receipt of the orders. If a representation has little merit, the Head of the Mission should refuse to forward it. The decision of the Ministry on such representation shall be final and no appeal against the decision shall lie.

1. Tenure of posting and transfers

- (i) An official shall be posted to a Mission normally for 3 years which may be reduced to such period as may be required in public interest. On completion of tenure, he shall return to the headquarters. There will be no inter-mission transfer.
- (ii) The tenure of posting shall be clearly specified in the letter of posting. If the official wishes to return before completion of tenure, at his own request, he will be liable to pay the expenses himself and his seniority on the roster will not be fixed as stated in item 1 (iii) above. The Ministry shall take a sympathetic view of applications requesting permission to send back a member of his family due to some illness or reasons of education. Such applications shall be recommended to the Ministry of Finance for the grant of passage provided the Press Minister/Counsellor Attache certifies the genuineness of the case.
- (iii) Refusal on the part of an official to proceed to a station for which he has been selected without any valid ground would constitute an act of defiance and render him liable to disciplinary action under the relevant rules. He may also be debarred from foreign posting.

Medical Fitness

The staff selected should be medically fit according to the standard prescribed for foreign posting. If a person is not found fit on medical ground by the Civil Surgeon for posting abroad, his case may again be considered for foreign posting after a period of 2 years subject to medical fitness.

Miscellaneous

- (i) The other terms and conditions of posting abroad including pay, allowances, TA, medical facilities etc. shall be regulated under the rules applicable to the staff of the Ministry of Foreign Affairs.
- (ii) The competent authority (Secretary) may, in his discretion, allow an exception in the selection procedure prescribed above in public interest.

جناب ڈپٹی چیئرمین، میاں عالم علی لائیکا صاحب -

جناب عالم علی لائیکا: جناب پروفیسر خورشید احمد صاحب نے اپنے سوال کے حوالہ (الف) میں یہ پوچھا ہے کہ اسٹنٹ، سٹینوگرافر، اپر ڈوٹیشن کلرک، لوئر ڈوٹیشن کلرک، نائب قاصد وغیرہ کی پوسٹنگ کا پروسیجر کیا ہے۔ جو پریس انفارمیشن سیکشنز میں بیرون ملک جاتے ہیں۔ اس کے جواب میں وزیر صاحب نے فرمایا ہے کہ

The selection of Stenographers, Stenotypists, Assistants, UDCs, LDCs and Naib Qasids etc. for posting in the Information Sections (abroad) are made according to the approved guidelines.

اب یہی تو وہ پوچھنا چاہ رہے ہیں کہ وہ approved guidelines کیا ہیں اور اس کا جواب انہوں نے اسی زبان میں دے دیا ہے کہ approved guidelines --- (مداخلت)

شیخ رشید احمد: اگر قابل احترام ممبر صفحہ ۷ پر دیکھنا پسند کریں تو شاید ان کی تشنگی دور ہو جائے۔

جناب ڈپٹی چیئرمین، شکریہ جی۔ منسلک پٹریس تو اس سے واضح ہو جائے

سکا۔ نمبر ۱۰ پروفیسر خورشید صاحب۔

Reply again not received. اگلا سوال نمبر ۱۱

جواب موصول نہیں ہوا۔ اگلا سوال نمبر ۱۲۔ حافظ حسین احمد صاحب، آپ کا جواب بھی نہیں آیا۔

حافظ حسین احمد، پوائنٹ آف آرڈر۔

جناب ڈپٹی چیئرمین، جی پوائنٹ آف آرڈر۔ ویسے بھی آپ کی باری ہے آپ بات کر سکتے ہیں۔

حافظ حسین احمد جناب گزارش یہ ہے کہ ہم پیپلز پارٹی کے دور میں پلیس منٹ میور کے متعلق کوئی بیس ماہ تک سوالات کرتے رہے لیکن ان کا جواب بھی نہیں ہوتا تھا کہ ان کے پاس بھی ریکارڈ نہیں ہے اور آپ کے پاس بھی ریکارڈ نہیں ہے۔ اگر اس میں کوئی ایسا خفیہ مواد ہے تو آپ بند کمرے میں جواب دے دیں۔ جناب ڈپٹی چیئرمین، شکریہ جی۔ فخر صاحب آپ حافظ صاحب کے پوائنٹ پر کچھ روشنی ڈالیں گے۔

جناب حسن اے شیخ، پوائنٹ آف آرڈر۔

جناب ڈپٹی چیئرمین، جی پوائنٹ آف آرڈر۔

Mr. Hasan A. Shaikh: Sir, it appears that the treasury benches are not taking any interest in the Senate business.

جناب ڈپٹی چیئرمین، شکریہ جی

قاضی عبداللطیف، پوائنٹ آف آرڈر

جناب ڈپٹی چیئرمین، جی قاضی عبداللطیف صاحب پوائنٹ آف آرڈر پر۔

قاضی عبداللطیف، میرا سوال نمبر ۱۰ کیوں چھوڑ دیا گیا ہے۔

جناب ڈپٹی چیئرمین، آپ کا جواب نہیں آیا۔

قاضی عبداللطیف، انہوں نے جواب نہیں دیا اور آپ نے سوال بھی حذف کر دیا۔

جناب ڈپٹی چیئرمین، آپ کو ابھی کال کرتے ہیں۔ فخر امام صاحب واقعی حافظ صاحب سے سوال کا جواب آنا چاہیے تھا۔ اس میں کوئی اتنی لمبی چوڑی بات تو ہے نہیں اور پلیسمنٹ یورو پیئر کئی دفعہ اس ایوان میں بحث ہو چکی ہے اور ہمیشہ یہی ہوتا ہے کہ جواب نہیں ہے اور صحیح معلومات نہیں ہیں۔

Syed Fakhar Imam: Sir, unfortunately I do not have the relevant information pertaining to the Ministry concerned.

Mr. Deputy Chairman: Right, but I will request you to instruct them in a very strict manner that the Division and the Ministry concerned must be prepared to answer the question and this has been a very serious issue. It has been discussed here many a times and the members are still not satisfied with it. So, I hope you will convey this to them.

Thank you very much. Next Question No. 14, Hafiz Hussain Ahmed.

APPOINTMENTS MADE DURING THE PRESENT GOVERNMENT

14. *Hafiz Hussain Ahmed :

Will the Minister Incharge of the Establishment Division be pleased to state the number of persons appointed in different Ministries and autonomous bodies under the Federal Government since the induction of the present Government into office indicating also the procedure adopted in these requirements?

Syed Fakhar Imam: Since the induction of the present government into office 362 persons have been appointed in BPS-17 and above on the recommendations of the FPSC. Another 17 officers from the Armed Forces were inducted, re-employed on the recommendation of the Defence Services Officers Selection Board.

2. Information regarding appointments in BPS-16 through the Federal Public Service Commission during this period and appointment in different Ministries and autonomous bodies prior to the current ban on recruitment is being collected from other Ministries/Divisions/Departments and will be placed on the table of the august House.

حافظ حسین احمد: ضمنی سوال ہے۔ انہوں نے جواب میں فرمایا ہے کہ

موجودہ حکومت نے زمام اقتدار سنبھالنے کے بعد وفاقی پبلک سروس کمیشن کی سفارشات پر گریٹر ۱۷ اور اس سے بالا گریڈوں میں ۳۶۲ افراد کی تقرریاں کیں ہیں۔ یہ تقرریاں کب ہوئیں اور پھر کتنے دن کے بعد بین لگایا گیا اور کس انداز سے انہوں نے تقرریاں کیں؟

جناب ڈپٹی چیئرمین: شکریہ جی۔ منجھراما صاحب جی۔

سید منجھراما = یہ ہو ban on fresh recruitment لگایا گیا تھا وہ میں پڑھ کر سنا دیتا ہوں۔

The undersigned is directed to state that the Cabinet in its meeting held on 12th November, 1990 has decided to impose a complete ban on recruitment in all the Federal Ministries, departments, autonomous and semi-autonomous organizations, financial institutions and other agencies of the Government for a period of three months. The ban (this is the relevant point) would, however, not cover the cases processed through the Federal Public Service Commission and these appointments were made through the Federal Public Service Commission.

جناب ڈپٹی چیئرمین: شکریہ جی۔

حافظ حسین احمد: جناب میرا ضمنی سوال یہ ہے کہ کیا بغیر قواعد و ضوابط کے بھی بھرتی کرنے کا آپ کا کوئی ارادہ ہے۔ یعنی ban جب ہٹے گا تو قواعد و ضوابط سے بالاتر ہو کر بھرتی کرنے کا کوئی ارادہ ہے۔

(مداخلت)

جناب ڈپٹی چیئرمین: شکریہ! اس کی بھی آپ وضاحت فرمادیں کہ ban کا

مقصود کیا ہے؟ جس طرح پبلک سروس کمیشن نے بعض اسامیوں پر تو appointments کیں اور بعض کی advertisement انہوں نے کیمنسل کر دی ہیں بعض کے cases پچھلے تین چار مہینوں سے انٹرویو کر کے انہوں نے پینڈنگ رکھے ہوئے ہیں اس کی وضاحت کر دیں میں خود اس پر بڑا confused ہوں۔ اس لئے کہ اس situation میں

[Mr. Deputy Chairman]

ہم سب چھٹے ہوئے ہیں۔ آپ مہربانی کر کے اس کی ذرا وضاحت کر دیں۔
سٹیڈ فخر امام : میں اس کی وضاحت کرتا ہوں۔ فیڈرل پبلک سروس کمیشن ایک
 آئینی ادارہ ہے۔

It works under the Constitution. It is an independent body and when it is furnished and asked by different Ministries or departments to recruit on their behalf, it carries out that exercise. So, this ban does not relate to this recruitment because this recruitment is made entirely on merit and as a constitutional body—the Federal Public Service Commission keeps on working. So, this ban does not in any way come in the way of the Federal Public Service Commission.

جناب ڈپٹی چیئرمین : شکریہ جی۔ حافظ صاحب۔
 حافظ حسین احمد : کیا وزیر موصوف بیان فرمائیں گے کہ اگر اس دور میں پلیسینٹ
 بیورو کے ذریعے کچھ ایسے ملازم بھرتی کیے گئے جو اس وقت پبلک سروس کمیشن کے عیار
 یا مقررہ قواعد و ضوابط پر پورا اترتے ہیں تو کیا وزیر صاحب ان کی ملازمت بحال کریں
 گے یا نہیں؟

سٹیڈ فخر امام : جناب بد قسمتی تو یہی ہے کہ پلیسینٹ بیورو یا کوئی اور ادارہ بنانے کی ضرورت
 کیا تھی۔ جب کہ آئین کے تحت پہلے ہی ایک ادارہ موجود تھا۔ اگر اس کے ذریعے بھرتی کی
 جاتی تو یہ سوال ہی آج نہ اٹھتا۔

جناب ڈپٹی چیئرمین : شکریہ جی۔ قاضی عبداللطیف صاحب۔
 قاضی عبداللطیف : جناب میں عرض کروں گا کہ اس ban کے باوجود بھی سٹریکٹ
 پر بعض لوگوں کو اس وقت بھرتی کر رکھا جا رہا ہے اس کا طریقہ کار کیا ہے ہمیں جتلا یا جانے گا۔

جناب ڈپٹی چیئرمین : شکریہ جی۔
سٹیڈ فخر امام : جناب جہاں تک مجھے معلومات حاصل ہیں کوئی ایسے لوگ ریکروٹ
 نہیں ہو رہے۔ کیونکہ یہ مین ۱۲ نومبر کے بعد لگایا گیا تھا اور ابھی تک نافذ ہے۔
 (مداخلت)

حافظ حسین احمد: ان کی معلومات کے لئے عرض ہے کہ وزارت مواصلات نے پلیسمنٹ بیورو کے ذریعے جتنے بھی سندھ سے افراد بھرتی کئے تھے وہ تمام کے تمام بحال رکھے گئے ہیں کیونکہ وہاں سیاسی حالات کچھ ایسے ہیں۔

جناب ڈپٹی چیئرمین: فخر صاحب کیا یہ حقیقت ہے۔ وہ کہہ رہے ہیں کہ وزارت مواصلات میں جتنے لوگ پلیسمنٹ بیورو کے ذریعے رکھے گئے تھے اور ان کی reversion or termination کے جو نوٹس جاری ہوئے تھے اس کے بعد کیا منسٹری نے کوئی سٹینڈ لیا ہے اور وزارت مواصلات ایک ایسی وزارت ہے جس میں ان لوگوں کو retain کیا گیا ہے جو پلیسمنٹ بیورو کے ذریعے آئے تھے Is this a fact?

Syed Fakhar Imam: Mr. Chairman, for this particular question a fresh notice is required because it is very specifically related to the Ministry of Communications, therefore, I do not have off-hand information.

Mr. Deputy Chairman: Right.

Mr. Abdul Majid Kazi: I want categorical assurance that during this ban no appointments in autonomous bodies or in Ministries, Divisions or departments have been taken place.

Mr. Deputy Chairman: But the honourable Minister has made it clear that to his knowledge no appointments have been taken place.

Mr. Abdul Majid Kazi: But he should make it very clear that no appointments have been made.

Mr. Deputy Chairman: Then you have to bring a fresh question. It is the courtesy of the Minister that we are going out of the scope of the question.

جناب اعجاز علی خان جتوئی: پوائنٹ آف آرڈر۔

جناب ڈپٹی چیئرمین: پوائنٹ آف آرڈر ہے یا سیمپلٹری سوال؟

جناب اعجاز علی خان جتوئی: پوائنٹ آف آرڈر، جناب والا! انہوں نے ابھی فرمایا ہے کہ اگر وہ حکومت پبلسنٹ بیورو نہ بناتی تو آج ان لوگوں کو یہ حالات دیکھنے نہ پڑتے۔ میں یہ پوچھنا چاہتا ہوں کہ وہ تو ایک سیاسی حکومت تھی جس نے وہ فیصلہ کیا جس طرح سے آج اس حکومت نے یہ فیصلہ کیا ہے کہ de-regulation کئی پالیسی اختیار کی جائے۔ de-nationalization کئی پالیسی اختیار کی جائے کل کو دوسری حکومت آتی ہے اسی کو ختم کر کے وہ کہے گی کہ جی نہیں یہ اقدامات غلط تھے تو پھر ان لوگوں نے کون سا فقور کیا ہے جو کہ ایک مستحق امیدوار بھی تھے اور وہاں پر ملازم ہوئے اب ان کو بے روزگار کرنے کے لئے یہ بہانہ بنا نا کہ جی اس حکومت نے یہ غلط پالیسی اختیار کی تھی اس لئے ہم ان افراد کو نکال رہے ہیں، میں سمجھتا ہوں کہ یہ مناسب نہیں ہے۔

جناب ڈپٹی چیئرمین: جنوئی صاحب یہ پوائنٹ آف آرڈر تو نہیں بنتا۔

Syed Fakhar Imam: Sir, the question is - were the appointments made in accordance with the prescribed procedure? This is the question. ادارہ چاہے کوئی ہو۔

Whether the appointments were made in accordance with the prescribed procedure? This is the test, this is the litmus test this is the criterion that was the yardstick. This is the value by which it has to be judged all those people whose services have been terminated. They were not recruited in accordance with the prescribed procedure.

Mr. Deputy Chairman: Mr. Aijaz Ali Khan Jatoui on point of order.

جناب اعجاز علی خان جتوئی: جناب والا! پاکستان میں آج تک کون سی چیز پوچھ کر کے مطابق کی گئی ہے۔ یہ مجھے بتادیں کہ آئین کے تحت کون سی چیز کی گئی ہے ہاں اگر آئندہ کے لئے یہ پالیسی بنا لیں تو that is something else آئندہ

دیکھ لیں گے کیا یہ فرشتے آگئے ہیں۔ یہ کیا کرتے ہیں ان کو بھی دیکھ لیں گے لیکن بات یہ ہے ابھی تک یہ جو کہہ رہے ہیں کہ according to procedure بھرتی نہیں کی گئی تو اس میں قصور کس کا ہے کیا ان اداروں کا جہاں ہم کھڑے ہیں۔ کس کا قصور ہے آئین کا تحفظ کون کرتا ہے۔ آئین کی خلاف ورزی کون کرتا ہے جناب احتساب میں سارے اداروں کو شامل کیا جائے۔ فوج کو بھی شامل کیا جائے پھر سب ایجنسیوں کو شامل کیا جائے۔ وہاں پر بھی تو گیدہ گیارہ بارہ بارہ جبر نیلوں کو کمر اس کر کے اور پر لایا جاتا ہے وہاں کس طرح ہوتا ہے۔ پھر صرف یہی کیوں آپ یہاں کیوں نکالتے ہیں آپ آئین اور احتساب کا ایک پورا عمل کریں اور سب عوامی عدالت میں آئیں پھر بیٹھ کر فیصلہ کرتے ہیں کہ جنرل ضیاء الحق بارہ جبر نیلوں کو کیسے کمر اس کر گیا تھا پھر آج جو جنرل صاحب بیٹھے ہیں وہ کس طرح آئے ہوئے ہیں یہ تو کوئی بات نہیں ہے مذاق بنایا ہوا ہے ان لوگوں نے۔

Mr. Deputy Chairman: Mr. Jatoi, let me dispose of this point of order.

پہلی بات تو یہ کہ یہ پوائنٹ آف آرڈر نہیں ہے۔ جتنوی صاحب ہر جگہ پر کام کرنے کے لئے کوئی طریق کار اختیار کیا جاتا ہے اس طریق کار کو آپ چیلنج کریں اس پلیسٹنٹ میور کے کیس میں کوئی پروسیجر ایڈاپٹ نہیں ہوا۔ آپ یہ درست فرماتے ہیں کہ وہ افراد جن کو بڑی مشکل سے نوکریاں ملی ہیں اور سال ڈیڑھ سال تک وہ کام کرتے رہے ہیں ان میں سے بہت سارے overage ہونے کو ہیں لیکن حکومت نے ایک decision لے لیا ہے وہ political decision ہے اس کو آپ کسی اور طرح سے reverse کرائیں پوائنٹ آف آرڈر کے ذریعے اس کو نہیں کر سکتے جہاں تک پروسیجر کا تعلق ہے وہ follow نہیں کیا گیا iam sorry جناب اعجاز علی خان جتنوی: جناب یہاں ہمارے ملک میں وہ کون سے ادارے

[Mr. Aijaz Ali Khan Jatoti]

پس جہاں صبح پر ویکٹر ایڈاپٹ کیا جاتا ہے۔
 جناب ڈپٹی چیئرمین: یہ تو پھر لمبا مسئلہ ہے۔
 جناب اعجاز علی خان جتوئی: آپ سچی بات کا سامنا کیوں نہیں کرتے۔
 جناب ڈپٹی چیئرمین: آپ سکوپ سے باہر کی بات کر رہے ہیں۔
 جناب اعجاز علی خان جتوئی: جناب یہ victimize کیوں کر رہے ہیں اس
 حکومت کا یعنی آئی جے آئی کی حکومت کی اور پیپلز پارٹی کی حکومت کی ان بن ہے اور وہ
 ایک دوسرے کو victimize کرتے ہیں۔

جناب ڈپٹی چیئرمین: یہ سب مل کر کریں گے تاکہ ان بن نہ ہو۔

“UNSTARRED QUESTION AND ITS REPLY”

Housing Societies in Islamabad.

1. *Prof. Khurshid Ahmed :

Will the Minister for Interior be pleased to inform the House

- what are the legal as well as operational arrangements for the formation and promotion of housing societies in Islamabad.
- how many societies have been registered, on what terms and how much land has been acquired by each of them ;
- what arrangements are being made to ensure that these societies do not misuse their resources ;
- is it correct that large scale corruption has been rampant in some of these societies, particularly in Lui area ? If so, what action has been taken against the officers responsible for the misappropriation of such facilities as well as resources ?

(Reply not received)

Mr. Deputy Chairman: The House is adjourned to meet again after twenty minutes.

[The House then adjourned for prayers].

[The House re-assembled after interval with Mr. Deputy Chairman (Syed Muhammad Fazal Agha) in the Chair].

LEAVE OF ABSENCE

جناب ڈپٹی چیئرمین: جناب ڈاکٹر بشارت الہی صاحب ذاتی وجوہ کی بنا پر لاہور گئے۔
 ہیں۔ تہذا انہوں نے ایوان سے آج مورخہ ۶ مارچ کی رخصت کی درخواست کی ہے۔
 کیا آپ ان کی رخصت منظور فرماتے ہیں۔
 (رخصت منظور کی گئی)

جناب ڈپٹی چیئرمین: چوہدری شام علی خان اور چوہدری شجاعت حسین نے اطلاع دی ہے کہ وہ سرکاری مصروفیات کی وجہ سے آج ایوان میں حاضر نہیں ہو سکیں گے۔
 پروفیسر خورشید صاحب تشریف لے گئے ہیں۔ لہذا ان کے پیریوکلج اور ایڈجبرنٹ موشنرز دونوں ڈیفریہوں گے۔۔۔۔۔
 جناب محمد علی خاں صاحب۔

Mr. Muhammad Ali Khan: Mr. Javed Jabbar rang me up that his father has got a heart attack and he has been admitted in the hospital and he will not be able to attend this session.

Mr. Deputy Chairman: Thank you. Dr. Mahbubul Haq.

Dr. Mahbubul Haq: Mr. Chairman, may I have your permission to make a very short statement?

Mr. Deputy Chairman: Yes please.

EXPRESSION OF GRATITUDE

Dr. Mahbubul Haq: Mr. Chairman, this is going to be my last appearance in this House since I am leaving

[Dr. Mehbubul Haq]

tonight and I am not contesting the next Senate elections. I felt Mr. Chairman, that I could not leave this Chamber without thanking you and my Senate colleagues for their constant encouragement, their steady support, their unlimited affection, their unlimited love. I am proud Mr. Chairman, that as a Senator I have been a part of a very noble tradition in this Senate, a tradition that, I feel, will be remembered with great affection and with great respect by the history. There are times in the life of a nation Mr. Chairman, when some institutions come to symbolize the very democratic soul of the nation, when some institutions become the voice of its conscience, the Senate has been such an institution.

There are times in the life of a nation Mr. Chairman, when some people with courage and with conviction take causes and issues larger than themselves. This Senate represents those people. My own contribution Mr. Chairman,

to this Senate has been a modest one, but I have been privileged to be a part of a much larger canvas, a much nobler cause, a much larger tradition. Six years ago I entered this chamber as an august in democratic traditions. Today, I leave much enriched and much enlightened and today, I leave Mr. Chairman, with my head unbowed and my spirit unbent. Today, I leave with tremendous appreciation for all that my fellow Senators have taught me in the art of politics and democracy during these six years. As I leave today, Mr. Chairman, I will make it the shortest statement that I made in this Senate. As I leave today, I leave only with this message that:

"Individuals don't matter, only institutions do, only traditions do and please get those traditions with your life and may God protect you all."

Thank you very much.

Mr. Deputy Chairman : Thank you Dr. Sahib. Muhammad

Ali Khan Sahib.

Mr. Muhammad Ali Khan: Sir, it is indeed a very sad occasion that we are parting company with a very talented personality like our colleague Dr. Mahbubul Haq who was here with us for six years and we learnt a lot from him. Whenever we faced certain difficulties we used to look towards him and he was extremely kind to give us the correct guidance. We hope that Insh Allah even in future he would be guiding us as we still consider him a source of great strength not only for the country but for democracy as well. Whatever we may say we cannot bring those six years back but we will always feel his absence and remember him with gratitude. I thank you, Sir.

Mr. Deputy Chairman: Thank you. Dr. Sahib, on behalf of this House your services and contributions to this House and the Government in particular will be long remembered and we hope that you will please continue in your own capacity to honour this House and the Government of Pakistan with your valuable suggestions and advice and guidance and we wish you good luck in your future. Thank you very much.

سید فصیح اقبال : میں دو جملے کہنا چاہتا ہوں۔

جناب ڈپٹی چیئرمین : آپ اپنی تحریک استحقاق پیش کر دیں۔

سید فصیح اقبال : تحریک استحقاق نہیں۔ میں چاہتا ہوں کہ اس موضوع پر کچھ بحث کروں۔

I have said a few words on behalf of the House.

جناب ڈپٹی چیئرمین : نہیں نہیں۔ فصیح صاحب وہ ہو گیا۔

آپ تحریک استحقاق پیش کریں کیا فخر امام صاحب آپ حکومت کی طرف سے

کچھ کہنا چاہتے ہیں !

Syed Fakhar Imam: Sir, I just wanted to say a few words to Dr. Sahib if I may kindly be permitted.

(interruption)

سید فیض اقبال: جناب یہ ایران کی روایت رہی ہے۔
 جناب ڈپٹی چیئرمین: مجھے آپ سے اختلاف نہیں ہے لیکن اس کے لئے
 پھر آپ تحریک پیش کر دیں اور باقی اہل روایت کو معطل کر لیں۔ سید آف دی ہاؤس
 نے کہہ دیا ہے۔ میرے خیال میں وہ سب کی طرف سے کافی ہے مگر امام صاحب
 دو چار جملے حکومت کی جانب سے کہنا چاہیں گے۔ شکریہ!

Syed Fakhar Imam: Thank you Mr. Chairman. Mr. Chairman, I would like to, in very few words, pay attributes to the honourable Senator, Dr. Mahbubul Haq. Dr. Mahbubul Haq is one of those few individuals this country has produced who has distinguished himself both within Pakistan and on the larger canvas of the international forum. His knowledge goes beyond the national boundaries. His talent both as a student at Cambridge University subsequently with the Planning Commission, finally as a Minister both for Planning and Finance, I think there are very few minds in Pakistan's history which have produced such a fertility of mind, the intuitive, innovative, creative talent that honourable Dr. Mahbubul Haq has shown in this country in different capacities at different times, I think, his contribution both as a legislator, as a Minister, as a humanitarian is very valuable. Because I always remember his speeches made in the National Assembly in the 1985-86 days when he used to resort constantly to alleviate the sufferings of those who were not privileged in this society. Having left some of his life abroad he could see the comparison of those who have not had the opportunities in Pakistan. I think, if I may say that his greatest contribution will be in the future if he can keep on enlightening the different areas of the world with his knowledge, with his rich experience and with his dream that one day Pakistan shall stand amongst the comity of nations which call itself developed. Thank you Mr. Chairman.

ڈاکٹر نور جہاں پانیزمی: جناب مجھے بھی تھوڑا سا وقت دیں۔

Mr. Deputy Chairman: Thank you. Dr. Sahiba for that I am sorry.

ڈاکٹر نور جہاں پانیزمی: بنواتین کی طرف Positive attitude رکھیں جناب۔ انہیں حق منا چاہیے

جناب ڈپٹی چیئرمین، اچھا میں فرمیں۔

ڈاکٹر نور جہاں پانیزمی: شکریہ جی۔ جناب چیئرمین! آج ڈاکٹر صاحب نے ایک سیٹینٹ دی ہے وہ جارہے ہیں یہ یقیناً پورے ایوان کے لئے کوئی خوشی کا موقع

ہیں۔ میں کہتی ہوں کہ یہ اس ایوان کے لئے ایک عظیم سانحہ ہے۔ مجھے مختلف مواقع پر ڈاکٹر صاحب کے ساتھ کام کرنے کا موقع ملا ہے۔ ڈاکٹر صاحب internationally known figure صرف national ہی نہیں بلکہ

ہیں۔ ان کا intellectual statics اتنا اونچا ہے کہ میرے خیال میں اس ملک میں بہت کم لوگ ان جیسے ہوں گے۔ میں ایک بات کہنا چاہتی ہوں کہ ہماری حکومت جو ابھی اقتدار میں آئی ہے اس کا manifesto بنانے والی کمیٹی میں ڈاکٹر صاحب کے ساتھ میں بھی شامل تھی۔ ہر کام میں ڈاکٹر صاحب کا رویہ بڑا مثبت تھا۔ کام ہو یا نہ ہو اس کی تو میں گارنٹی نہیں دے سکتی لیکن انہوں نے کبھی کسی چیز پر منفی رویہ نہیں رکھا یقیناً ڈاکٹر صاحب کی جو خدمات ہیں وہ یہاں بڑی دیر تک یاد رہیں گی اور میں امید رکھتی ہوں کہ ڈاکٹر صاحب یہ جگہ کبھی نہ بھولیں گے۔ ہو سکتا ہے کہ سیٹینٹ کے آئندہ ایکشن میں ڈاکٹر صاحب پھر آجائیں۔ شکریہ!

جناب ڈپٹی چیئرمین: شکریہ! آپ فیصلہ کر لیں۔ محمد علی خان صاحب آپ لوگوں کی کیا مرضی ہے۔ اگر اسی بات پر چلائی ہے تو میں کسی اور کو انکار نہیں کر سکوں گا ہر ایک کو موقع دوں گا ورنہ باقی حضرات مجھ سے ناراض ہوں گے۔

سیّد فیض اقبال: ایک کو آپ نے اجازت دی ہے۔

جناب ڈپٹی چیئرمین: انہوں نے ایک پروویج لیا ہے کہ وہ خاتون ہیں اور واحد خاتون ہیں، پاکستان کی پوری پارلیمنٹ میں اکیلی ہیں مگر صاحب کی شان میں جتنا بھی کہا جائے، صبح تک کہا جائے پھر بھی ہم ان کا حق ادا نہیں کر سکتے۔ اس میں کوئی شک نہیں۔

سید فصیح اقبال: آپ نے جو کچھ کہا ہے اسی کو قرار داد بنا کر ایوان کی طرف سے پیش کر کے ختم کر دیں۔

جناب ڈپٹی چیئرمین: ٹھیک ہے وہ قرار داد پیش کر دیں۔ محمد علی صاحب اس اثنا میں قرار داد بنانا چاہیں تو بنالیں۔ بعد میں اسے پیش کر دیں۔

جناب محمد علی خان: وہ بعد میں کر لیں گے۔

جناب ڈپٹی چیئرمین: ٹھیک ہے۔ فصیح صاحب آپ کی اور آفریدی صاحب کی تحریک استحقاق ہے اسے پڑھ دیں۔

PRIVILEGE

RE : ARREST OF SENATOR M. HASHID KHAN

سید فصیح اقبال: منیر آفریدی صاحب اسے پڑھ دیں۔ میں اس کی تائید کروں گا۔

Mr. Muhammad Munir Afridi: Sir, I beg to move that according to press reports Senator Muhammad Hashim Khan has been arrested and is now in the custody of the Crimes Branch NWFP Police. The information regarding the arrest of the Senator should have been conveyed to the Chairman Senate under the rules of the Senate. But this has not been done which is a clear breach of the privilege of the House and the Senator. Further we have received information from the Press (Nawa-i-Waqt 24-2-1991) that---

قاضی عبداللطیف: لموانٹ آف آرڈر۔ جناب ترجمہ نہیں ہو رہا۔

سید فصیح اقبال: آپ اس چیز کا نوٹس ہی نہیں لیتے جب بھی قاضی صاحب

کہتے ہیں۔ کبھی ترجمہ ہوتا ہے تو غلط ہوتا ہے۔ اس کی تحقیقات کرائیں کہ آپ کے سرپرست کہاں ہیں۔

جناب ڈپٹی چیئرمین: فصیح صاحب اس کانوش تو اس وقت نہ آپ سے
سکتے ہیں نہ میں۔ اس لئے کہ میں نے بھی ایئر فون نہیں لگایا ہوا اور آپ نے بھی
نہیں لگایا ہوا۔ قاضی صاحب ہمارے نوٹس میں یہ بات لائے ہیں۔ سیکرٹری
صاحب سے یہ گزارش ہے بلکہ strict instructions ہیں کہ آج ضرور اس
کا کوئی مداوا کیا جائے جس کی وجہ سے ہماری پولزیشن بھی خراب ہو جاتی ہے۔
اور پورے ایوان کو embarrassment میں ڈال دیتے ہیں۔ وہاں بیٹھے ہیں
تعمدًا ہمیں لے رہے ہیں ان کی ڈیوٹی ہے تو پھر کیوں ترجمہ نہیں ہو رہا شکریہ چاہتا

Mr. Muhammad Munir Afridi: ... that the Senator is being subjected to torture to compel him to make a false confession. The subjection of the Senator to torture is against the Constitution and the Law. The Senator is being harassed because of political reasons and by virtue of his position as a Senator. It is, therefore, requested that this privilege motion be admitted and action taken according to the Law and Rules of Business of the House.

جناب ڈپٹی چیئرمین: شکریہ جی، فصیح اقبال صاحب۔

سید فصیح اقبال: میں اس کی تائید کرتا ہوں لیکن میں کچھ بولنا بھی چاہتا ہوں۔

Mr. Deputy Chairman: Is it being opposed? Do you want to make a statement?

Syed Fakhar Imam: Sir, I don't have the brief unfortunately.

سید فصیح اقبال: جناب چیئرمین! اس سے پہلے بھی اخبارات کے ذریعے
پتہ چلا تھا کہ سندھ میں سید شہنشاہ صاحب کو بھی جو ہمارے ایک معزز سینیٹر

[Syed Faseih Iqbal]

میں بغیر اطلاع کے گرفتار کیا گیا تھا۔ جب ہم نے یہاں تحریک استحقاق پیش کی تو اس دن سندھ حکومت نے آپ کو وزارت داخلہ کی وساطت سے پیغام پہنچایا کہ ان کو چھوڑ دیا گیا ہے۔

Mr. Deputy Chairman: Mr. Hasan A. Shaikh on point of order.

Mr. Hasan A. Shaikh: Mr. Chairman, under Rule 65 of the Rules of Procedure, the Chairman can hold (and that will be yourself now) the motion to be in order and it shall stand referred to the Committee on Rules of Procedure and Privileges unless the Senate decides to consider the question itself.

Mr. Deputy Chairman: That is right.

Mr. Hasan A. Shaikh: I suggest if it is within the rules according to your conception, you may hold the motion in order and call upon the Privileges Committee to complete the report by day after tomorrow, and present it to the House.

Mr. Deputy Chairman: Please let us first listen to the honourable Minister and then I will give my ruling also.

Mr. Hasan A. Shaikh: No. The honourable Minister seems to be not very much moved by what the members are saying.

Syed Fakhar Imam: No, Sir. It is not a matter of not being moved. It is just that un-fortunately I do not have the brief on this. I think the honourable Minister for Interior has sent to you a message today.

Mr. Hasan A. Shaikh: He (Mr. Fakhar Imam) is the senior most Minister in the House today.

Mr. Deputy Chairman: That is right. But as far as I am concerned from the record it is clear that the 'Nawa-i-Waqt' published the statement on 24th of February 1991, whereas the Frontier Government has written a letter to the Secretariat on the 27th February, three days later.

قاضی عبداللطیف : جناب والا! میں گزارش کروں گا کہ تحریک استحقاق کی بہر حال یہ نمبر تائید کرے گا۔ اتنی گزارش ہے کہ جب اولین قرصت میں اس کی مخالفت نہیں کی جاتی تو اس کے بعد وہ خود بخود انڈسٹ سہو جاتی ہے لہذا میں گزارش کروں گا کہ اس کو استحقاق کمیٹی کے حوالے کیا جائے اور فوری طور پر ان سے جواب طلب کیا جائے۔

Mr. Hasan A. Shaikh: Then Rule 67 applies.

جناب ڈپٹی چیئرمین : - اس پر میں clear سمجھوں۔

Mr. Ahmedmian Soomro: What are we here for? We are here to guide you, to give you our views on the legal aspects. If you are not prepared to hear that then, I think, it is useless for us to be here.

Mr. Deputy Chairman: O.K. You can tell me, you can guide me.

Mr. Ahmedmain Soomro: All I want to tell you Sir, is that under Rule 65 if you hold it in order and as you know that a privilege motion has precedence over everything

Mr. Deputy Chairman: That is right.

Mr. Ahmedmian Soomro: That means it is very important. Notice of this has been given to you before and it concerns the privilege of members of this House who have elected you and whom you represent to safeguard their rights. If you find that it is in order and no Minister comes

[Mr. Ahmedmian Soomro]

forward so far to oppose it then it is your duty to refer it to the Privileges Committee.

Mr. Deputy Chairman: But you have not allowed me to fulfil my duty. You got angry before that I did.

Mr. Hasan A. Shaikh: Sir, I fully agree with him and I only suggest to get the report by day after tomorrow.

Mr. Aijaz Ali Khan Jatoi : Sir, I want to know whether it is in order or not ?

Mr. Deputy Chairman : It is my discretion as to what and when I have to say something. But first I have to listen to the mover, to the honourable Minister and then I have to give my ruling on a motion

(Interruption)

Mr. Deputy Chairman: But I have to clarify the facts and figures, Mr. Jatoi. Please take your seat.

The honourable Senator was arrested on 19th and the letter to the Secretariat was written on 23rd and a reminder on 27th. I think, this is a fit matter for the judgement of the Committee. So, this privilege motion stands referred to the concerned Standing Committee on Privileges.

Mr. Hasan A. Shaikh: The Standing Committee may be asked to report by day after tomorrow and then you (Mr. Chairman) start taking action under Rule 67.

Mr. Deputy Chairman: The Standing Committee on Privileges should submit its report within the shortest possible time. Thank you.

ADJOURNMENT MOTIONS

Mr. Deputy Chairman: Prof. Khurshid Ahmed (Not

present) All are in his name.

MESSAGE FROM THE NATIONAL ASSEMBLY SECRETARIAT

Mr. Deputy Chairman: There is a message from the National Assembly that in pursuance of Rule 109 of the Rules of Procedure and Conduct of Business in the National Assembly, 1973, the National Assembly having passed the following Bills have transmitted the same to the Senate for information and approval:

— Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1991.

— The Criminal Law (Amendment) Bill, 1991.

— The Parliament and Provincial Assemblies (Disqualification for Membership) (Amendment) Bill, 1991.

— The Census (Amendment) Bill, 1991.

جناب اعجاز علی خان جتوئی: جناب میں نے بھی تین تماریک التوا پیش کی تھیں۔
جناب ڈپٹی چیئرمین: وہ آج نہیں آ رہی ہیں وہ اپنی باری پر آئیں
کی، جی فخر امام صاحب۔

your papers

are to be laid before the Senate.

ORDINANCE LAID ON THE TABLE OF THE HOUSE

1 Fakhar Imam: Thank you, Mr. Chairman.

Mr. Chairman, I hereby lay before the Senate the following Ordinances as required by clause (2) of Article 89 of the Constitution of the Islamic Republic of Pakistan:

1. The Parliament and Provincial Assemblies

[Syed Fakhar Imam]

(Disqualification for Membership) (Second Amendment) Ordinance 1991, (VI of 1991).

2. The Suppression Terrorist Activities (Special Courts) (Amendment) Ordinance 1991, (VII of 1991).
3. The Political Parties (Amendment) Ordinance, 1991, (VIII of 1991).
4. The Pakistan Engineering Council (Amendment) Ordinance 1991, (IX of 1991).

Mr. Deputy Chairman: The Ordinances stand laid. Thank you.

Mr. Ahmedmian Soomro on point of order.

Mr. Ahmedmian Soomro: Sir, the Ordinance Number (VI of 1991) laid today was passed on the 15th of February and I would like to draw the attention of the honourable Minister that according to the procedure of the Senate and the rulings it should have been laid as soon as possible and not so late.

Mr. Deputy Chairman: When was this passed, Mr. Soomro?

Mr. Ahmedmian Soomro: On 15th of February, We were in session after that. So, it should have been laid at the earliest opportunity.

Mr. Deputy Chairman: That is right. Syed Fakhar Imam, please take care of this thing in future.

Syed Fakhar Imam: Mr. Chairman, we tried to lay it as soon as possible but I will find out why it was not done earlier. But the rules just say 'as soon as may be'.

جناب ڈپٹی چیئرمین:۔۔۔ as soon as possible. کامطلب دونوں طرف
 لیا جاسکتا ہے کیونکہ بہتر یہ ہوگا کہ قریب سے قریب تر ہو جائے۔

Mr. Ahmedmian Soomro: What is your ruling on my point of order Mr. Chairman?

Mr. Deputy Chairman: Was the House in session on 15th of February?

(INTERRUPTION)

Mr. Deputy Chairman: When we adjourned it?

Syed Fakhar Imam: We adjourned it on the 2nd of February.

Mr. Deputy Chairman: The House was not in session on 15th of February. So, that is not a point of order.

Next Item No. 4.

Syed Fakhar Imam: Mr. Chairman, I hereby move:-

that the Bill further to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 - [The Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1991], as passed by the National Assembly, be taken into consideration.

Mr. Deputy Chairman: It has been moved by Syed Fakhar Imam, Minister for Education, Law, Justice and Parliamentary Affairs, to move:

that the Bill further to amend the Suppression

[Mr. Deputy Chairman]

of Terrorist Activities (Special Courts) Act, 1975
- [The Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1991], as passed by the National Assembly, be taken into consideration.

(The motion was adopted)

Mr. Deputy Chairman: Next is No. 5.

THE SUPPRESSION OF TERRORIST ACTIVITIES (SPECIAL COURTS) AMENMENT) BILL, 1991

Syed Fakhar Imam: Mr. Chairman Sir, I hereby move that the Bill further to amend the Suppression of Terrorist activities (Special Courts) Act, 1975.....

Mr. Ahmedmian Soomro: Point of order Sir.

Mr. Deputy Chairman: Yes, point of order.

Mr. Ahmedmian Soomro: Actually I am neither raising objection to the real point nor do I want to hinder this Bill but you must understand Sir, when after consideration of an amendment two days notice is required for the members, therefore, in doing this and preparing the programme the rights of the members cannot be ignored. However, since this Bill is so important I am not pressing my point.

(interruption)

تاجی عبداللطیف : جناب والا! بل خود سوچو چکا ہے -

Mr. Deputy Chairman: Now, the question is:-

that clause 2 do form part of the Bill.

(the motion was adopted)

Mr. Deputy Chairman: Clause 2 do form part of the Bill. Now, the question is:

"That the preamble, short title and clause 1 do form part of the Bill."

(the motion was adopted)

Mr. Deputy Chairman: The preamble, short title and clause 1 do form part of the Bill.

Syed Fakhar Imam: I move:-

"that the Bill further to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 [The Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1991], be passed.

Mr. Deputy Chairman: It has been moved.

that the Bill further to amend the Suppression of Terrorist Activities (Special Courts) Act, 1975 [The Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1991], be passed.

(the bill was adopted)

Mr. Deputy Chairman : The Bill is passed. Next, item No. 6.

THE CRIMINAL LAW (AMENDMENT) BILL, 1991

Syed Fakhar Imam: Mr. Chairman Sir, I hereby move:

that the Bill further to amend the Pakistan Penal Code and the Code of Criminal Procedure, 1898 [The Criminal Law (Amendment) Bill, 1991], as passed by the National Assembly, be taken into consideration.

Mr. Deputy Chairman: It has been moved.

[Mr. Deputy Chairman]

that the Bill further to amend the Pakistan Penal Code and the Code of Criminal Procedure, 1898 / The Criminal Law (Amendment) Bill, 1991 /, as passed by the National Assembly, be taken into consideration.

(the motion was adopted)

Mr. Deputy Chairman: Now, the question is:

"that clause 2 do form part of the Bill.

(the motion was adopted)

Mr. Deputy Chairman: Clause 2 forms part of the Bill. Now, the question is:

"That clause 3 do form part of the Bill".

(the motion was adopted)

Mr. Deputy Chairman: Clause 3 forms part of the Bill. Now, the question is:

the preamble, short title and clause 1 do form part of the Bill".

(the motion was adopted)

Mr. Deputy Chairman: The Preamble, short title and clause 1 form part of the Bill. Item No. 7, Syed Fakhar Imam.

Syed Fakhar Imam: Mr. Chairman, I hereby move:

That the Bill further to amend the Pakistan Penal Code and the Code of Criminal

Mr. Deputy Chairman: It has been moved:

(the motion was adopted)

Mr. Deputy Chairman : The Bill stands passed. Next item is general discussion on the reports of the Special Committee.....

اُس کو اب Take up کرنا چاہیے۔

Next discussion on the report of the Special Committee to examine in depth.

(interruption) ,

Mr. Ahmedmian Soomro: There should be an explanation by the Minister as to what is the Bill for, to what is it about, not just it is passed and passed. This is not what Senate expects.

Mr. Deputy Chairman: In future we must look in this aspect also. Thank you very much. Now, item No. 8, Muhammad Ali Khan Sahib.

Mr. Muhammad Ali Khan: Prof. Khurshid has taken leave and gone to Lahore, and he was the person who was to move one of the items. So, I suggest that it should be left for next time.

Mr. Deputy Chairman: Thank you very much. Is this the sense of the House?

Mr. Muhammad Ali Khan: The members are also

[Mr. Muhammad Ali Khan]

probably not prepared for it.

Mr. Deputy Chairman: Right. So, now, we adjourn to meet again on Saturday, at 10.00 a.m. 9th. March. The House stands adjourned now, thank you.

[The House then adjourned to meet again at Ten of the Clock in the morning on Saturday, the 9th. March, 1991].