

SENATE OF PAKISTAN

SENATE DEBATES

Tuesday, August 9, 1988

The Senate of Pakistan met in the Senate Hall (Parliament House), Islamabad, at ten of the clock in the morning, with Mr. Chairman (Mr. Ghulam Ishaq Khan) in the Chair.

Recitation from the Holy Quran

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

فَأَقِمْ وَجْهَكَ لِلدِّينِ حَنِيفًا ۖ فِطْرَتَ اللَّهِ الَّتِي فَطَرَ
النَّاسَ عَلَيْهَا ۚ لَا تَبْدِيلَ لِخَلْقِ اللَّهِ ۚ ذَلِكَ الدِّينُ
الْقَيِّمُ ۚ وَلَكِنَّ أَكْثَرَ النَّاسِ لَا يَعْلَمُونَ ۝ مِّنْبِينَ
إِلَيْهِ وَالْقُوَّةُ ۚ وَاقِيمُوا الصَّلَاةَ وَلَا تَكُولُوا مِمَّا
الْمُشْرِكِينَ ۝ ۚ مِنَ الَّذِينَ فَرَّقُوا دِينَهُمْ وَكَانُوا شِعَا
كُلُّ حِزْبٍ بِبَالٍ دِينِهِمْ فَهَوْنًا ۝

(سورہ الزم ۲۰ تا ۲۲)

ترجمہ : تو تم ایک طرف کے ہو کر دین خدا کے راستے پر سیدھا
منہ کئے چلے جاؤ اور خدا کی فطرت کو جس پر اس نے لوگوں کو
پیدا کیا ہے اختیار کئے رہو خدا کی بنائی ہوئی فطرت میں تغیر و تبدل
نہیں ہو سکتا۔ یہی سیدھا دین ہے لیکن اکثر لوگ نہیں جانتے

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مومنو! اسی خدا کی طرف رجوع کئے رہو اور اس سے ڈرتے رہو اور نماز پڑھتے رہو اور مشرکوں میں نہ ہونا اور ان لوگوں میں نہ ہونا جنہوں نے اپنے دین کو ٹکڑے ٹکڑے کر دیا۔ اور خود فرقے فرقے ہو گئے۔ سب فرقے اسی سے خوش ہیں جو ان کے پاس

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QUESTIONS AND ANSWERS

جناب چیئرمین : - بسم اللہ الرحمن الرحیم - سوالات ، جناب
پروفیسر خورشید صاحب -

AEROPLANES FOR THE CHIEF MINISTERS

108. *Prof. Khurshid Ahmed (Put by Mr. Javed Jabbar) : Will the Minister Incharge of the Cabinet Division be pleased to state whether it is a fact that while in June, 1987 use of large cars was discarded for the Prime Minister, the President, Chief Ministers, Ministers, etc. special aeroplanes were sanctioned for all the four Chief Ministers of the Provinces over and above the availability of private planes for the Governors ?

Mr. Wasim Sajjad: No special aeroplanes have been sanctioned for the four Chief Ministers of the Provinces after June, 1987.

Mr. Javed Jabbar: Supplementary, Sir. What about before June, 1987.

Mr. Wasim Sajjad: Sir, even before June, 1987, the Chief Ministers have not been given any planes. The entitlement to an aircraft is of the Governors and not of the Chief Ministers.

Mr. Javed Jabbar: Can they share the aeroplane?

Mr. Wasim Sajjad: Sir, if a request is made to the Governor and the Governor grants that request then the aircraft can be used by the Chief Minister and anybody else.

Mr. Chairman: Next question—Prof. Khurshid Ahmed.

INCREASE IN PENSION

109. ***Prof. Khurshid Ahmed** (Put by Mr. Javed Jabbar) : Will the Minister for Finance and Economic Affairs be pleased to state the steps the Government is taking to increase the scale of pension in order to enable the pensioners to overcome hardships created by inflation ?

Dr. Mahbubul Haq : Following pensionary benefits have been sanctioned with effect from 1-7-1988:—

- (1) Indexation of pension @ 7 per cent.
- (2) Minimum gross pension of a retired government employee shall be Rs. 300 p.m.
- (3) Family pension of widows which had ceased to be payable before 1-7-1983 and were revived from 1-7-1985 have been allowed all dearness/*ad hoc* increases which would have been admissible if these pensions had not ceased.
- (4) 1988-89 Budget has made a total provision of Rs. 5.535 billion for civil and military pensioners.

Mr. Javed Jabbar : Supplementary, Sir. Would the honourable Minister confirm whether the Government has taken a decision to index certain allowances such as housing allowance. This issue was raised recently in the House?

Dr. Mahbubul Haq : Sir, so far as pensions are concerned these allowances are not relevant but so far as regular salaries are concerned, we have not yet indexed the provision of housing allowance. We have done it for conveyance allowance for ever.

Mr. Chairman : Thank you. Next Question—No. 110,

EVASION OF INCOME TAX

110. ***Prof. Khurshid Ahmed** (Put by Mr. Javed Jabbar) : Will the Minister for Finance and Economic Affairs be pleased to state the total number of cases of tax evasion registered and prosecuted by the Government during the last five years indicating also the details of final decision in the above cases with yearwise breakup?

Dr. Mahbubul Haq : The desired information in respect of Income Tax Department, Central Excise & Customs Department is as under:—

Income Tax:

S. No.	Assessment Year	No. of Tax evasion cases registered	No. of cases prosecuted	Final Decision
1.	1982-83	1	1	Pending in court.
2.	1983-84	2	2	Do.
3.	1984-85	nil	nil	
4.	1985-86	nil	nil	
5.	1986-87	nil	nil	
	Total	3	3	

Central Excise:

S. No.	Year	No. of cases registered/prosecuted	Details of final decision
1.	1982	—	—
2.	1983	—	—
3.	1984	1	The Manager of the company was convicted.
4.	1985	1	The case is under trial in the court.
5.	1986	2	The cases are under trial in the court.
6.	1987	—	—
7.	1988	1	The case is under investigation.

Customs:

A total number of 1800 cases were registered under the Customs Act, 1969, during the last five years. A number of 597 cases out of 1800 cases have been decided whereas 1203 cases are still pending for decision before the courts of law. It is not presently possible to give details of final decision of each case as it would take a long time to collect such information from the field offices. However, year-wise break-up of the cases registered and prosecuted during the last five years is as under:—

Year	No. of cases registered	Total No. of cases decided	No. of cases pending
1983-84	371	124	247
1984-85	416	181	235
1985-86	310	118	192
1986-87	419	91	328
1987-88	284	83	201
Total	1800	597	1203

Mr. Javed Jabbar: Supplementary, Sir.

Does the honourable Minister wish to comment on the remarkably low number of cases registered from 1982-87, does the Minister see anywhere abnormal state of affairs?

Dr. Mahbubul Haq: Sir, I agree with the honourable Senator. The number of cases which were registered under tax evasion and which have been prosecuted are only three in the last five years. This is the system where we are revising it fundamentally. As I have announced that a new Tax Ordinance will be there during the course of this month and the cases will be prosecuted under that. We believe that there has to be a more strict enforcement of the Tax Laws of the country and more strict prosecutions and this state of affairs that has been reported here in the past is simply not acceptable for the future.

Mr. Javed Jabbar: Supplementary, Sir.

Mr. Chairman, while one appreciates the measures that he has taken in the current budget, would he not agree that more specific measures are required to take action against those officials and that system which fails to initiate tax evasion cases when it is well known that thousands of people in this country evade taxes?

Dr. Mahbubul Haq: Sir, the proposed Ordinance which I mentioned and which we shall be bringing out soon, contemplates equal punishment for the tax evaders and the corrupt officials.

Mr. Chairman: Mr. Ahmedmian Soomro.

Mr. Ahmedmian Soomro: Sir, may I ask the Minister what action the Government has taken against the Collector of Customs in the famous scandal rebate involving crores of rupees at Karachi?

Dr. Mahbubul Haq: Sir, there should be a separate question on that but I can respond to it however briefly as I don't have the specifics with me. The case is being investigated and I think the officer is at the moment under suspension.

Mr. Chairman: I think, it requires a separate notice. Mr. Javed Jabbar.

Mr. Javed Jabbar: Does the honourable Minister through the new Ordinance contemplate some mechanism by which the very heavy backlog of cases since 1983-84 which are still pending, will they be expedited in any way? Will the Ordinance take any measures to do this?

Dr. Mahbubul Haq: Sir, there are about 40,000 cases at the moment which are pending in the courts of appeal. Two measures were taken—one with the help of Ministry of Justice we are trying to increase the number of Income Tax Tribunals from present three to actually thirty during the course of the year, though this expansion will come a little gradually and not immediately. Secondly, we are having these 40,000 cases reviewed. We will see which are the most important ones they should be cleared up and the others which should be settled out of court so that this backlog is cleared. Thirdly, we are trying to define a time period of two months within which a case should be settled by the Income Tax Tribunals once the necessary expansion in these Tribunals has been achieved.

Mr. Chairman: The answer to the question does not refer to the 40,000 cases. I don't know what we are talking about?

Mr. Javed Jabbar: Mr. Chairman, on page 3—the number of cases pending for 1983-84 alone, 247 cases are still pending.

Mr. Chairman: That is right.

Mr. Javed Jabbar: So, I was wondering how we would be able to overcome that backlog?

Mr. Chairman: But the overall number of pending cases given in the answer is 1203 relating to Customs. The Minister was referring to 40,000 cases pending.....
(Interruption).

Dr. Mahbubul Haq : Sir, the situation there is, I should have clarified it, that answer to question relates to the number of cases of tax evasion and the prosecution for that. It does not refer to the cases relating to the differences in assessment and which are being appealed, and those are the cases as I said that there are 40,000 cases under appeal, which are at the moment stuck up in the Tribunals.

Mr. Chairman: Right. Next Question—Mr. Mohammad Mohsin Siddiqui—No. 111.

Mr. Wasim Sajjad : Sir, I have the answer to this question although the answer sheet indicates that it has not been received, with your permission I would like to read Sir.

Sir, the answer to (a) is Yes. That is that whether government has achieved capability for nuclear power generation?

Mr. Javed Jabbar: Point of order, Mr. Chairman.

Mr. Chairman: Yes.

Mr. Javed Jabbar: Since the answer has only been provided separately from the printed list, may I request you under the relevant Rule of Procedure to set aside time. That sometime be made available as a result of a Starred Question for discussion because this question raises very substantive issues about nuclear energy and I don't think, Sir, that just one answer in this form can satisfy the many supplementaries that will arise.

Mr. Chairman: Well. Let the answer come on record then you can always raise questions about anything which is on record.

NUCLEAR POWER GENERATION

111. **Mr. Muhammad Mohsin Siddiqui:** Will the Minister Incharge of the President's Sectt. be pleased to state:

(a) Whether Government has achieved capacity for nuclear power generation;

(b) If reply to (a) is in affirmative, the details of nuclear-based power projects, undertaken so far; and

(c) Whether Government has prepared any comprehensive plan to exploit nuclear resources for power generation at larger scale to overcome problem of energy shortage?

Mr. Wasim Sajjad : (a) Yes.

[Mr. Wasim Sajjad]

(b) Generation of power from nuclear energy resources has been given very high priority in Pakistan's Nuclear Programme. The PAEC has embarked upon a clearly defined plan of action to harness nuclear energy for meeting electric power needs of the country. It has been operating the Karachi Nuclear Power Plant (KANUPP) without any foreign assistance for the last 12 years, in spite of the complete embargo imposed by Canada on political grounds on the supply of fuel, heavy water and spare parts for this plant. The PAEC scientists and engineers, however, not only managed to keep the plant operating safely by locally manufacturing a large number of spare parts and assemblies, but also fueling it with indigenously fabricated fuel, using our own uranium and other nuclear minerals. This has entailed setting up of a long chain of such industrial scale operations as exploration for uranium, mining of ores, production of uranium concentrate, its refining and fuel fabrication etc. It may be mentioned that all these facilities had to be planned, designed, set up and commissioned without any foreign technical advice and entirely through the sustained efforts of the dedicated staff of PAEC. These achievements have placed Pakistan among the 12 countries of the world which have mastered the front-end nuclear fuel cycle. The Karachi Nuclear Power Plant, ever since its commissioning in 1972, has generated over 5000 millions kwh of electricity so far, meeting nearly 10% of the total electricity needs of the Karachi grid.

Pakistan will need several nuclear plants to bridge the gap between demand and supply over the next 15 years. With the realisation that despite maximum utilisation of all the available fossil fuel resources and exploitation of additional hydro-power potential, domestic supplies of energy will not be able to cope with the demand, and that nuclear power will have to be introduced in a big way to overcome the shortage, Pakistan has been making all out efforts over the last 12 years for purchasing more nuclear power plants from abroad. This, however, has not been possible so far because of the political strings attached and the insistence by the vendor countries that Pakistan must sign the Nuclear Non-Proliferation Treaty (NPT) first. An offer made by France last year for the supply of a 900-MW power plant is being considered with the understanding that the plant shall be operated under IAEA safeguards, but without signing the NPT. The offer is, however, contingent upon satisfactory and equitable resolution of pending dispute with the French Government over the suspended supply of a reprocessing plant. Negotiations are going on between both the governments for finding a mutually acceptable solution of this outstanding problem.

Pakistan has, therefore, no choice but to go for indigenisation of its entire nuclear power programme. The PAEC has developed a comprehensive plan of action aimed at achieving maximum self-reliance in the field of nuclear power as quickly as possible. The PAEC already has acquired essential technologies for the exploration of

uranium resources and other materials, production of uranium concentrate and oxide, and manufacture of nuclear fuel elements, ready to be used in power reactors. At the same time it has been decided to undertake the development of necessary infrastructure for designing and manufacturing a large number of other facilities including nuclear power plants. However, it must be realized that acquisition of such high technology facilities will require considerable time and money, specially in view of the prevailing international climate and the continuing unwarranted embargo against Pakistan in the field of nuclear technology.

Mr. Muhammad Mohsin Siddiqui: Supplementary, Sir.

Would the honourable Minister be pleased to inform the House as to what was the contribution in this uranium refinement by Pakistan Atomic Energy Commission and the Kahuta Reprocessing Plant?

Mr. Wasim Sajjad: Sir, obviously I cannot give the technical details but I would like to inform the honourable Senator that in this preparation of nuclear fuel the istan Atomic Energy Agency scientists have played a very significant role.

Mr. Muhammad Mohsin Siddiqui: May I, Mr. Chairman, request that the answer is not very satisfactory. Has the Atomic Energy Commission any facility for refining and reprocessing uranium?

Mr. Chairman: They have. I am a witness to that. They have.

Mr. Javed Jabbar: Mr. Chairman, under Rule 158 may I move that you kindly allot half an hour for discussion on this particular question.

Mr. Chairman: Give a separate notice for that.

Mr. Javed Jabbar: Right, Sir.

Mr. Muhammad Mohsin Siddiqui: Sir, in part (c) of the reply, the honourable Minister has referred to the nuclear plant which was supplied by Canada in 1972. He says that for 12 years they have been trying to run it. May I know during these 12 years how many months this plant has been working and how many years it has remained closed?

Mr. Wasim Sajjad: Sir, I would require fresh notice. I do not have this particular detail but the fact is, Sir, that purely on account of our indigenous efforts this plant is in operation and as I have stated 10% of the energy requirement of Karachi is being met out of this plant.

Mr. Muhammad Mohsin Siddiqui: I would submit that this is not a new question. It does not require new notice. It arises from your answer and you must be equipped with it. I think you, Mr. Chairman, will agree with me. Although I have hurriedly read it, you say in the reply that in 12 years you (referring to the Minister) have been able to do this and this. I want to know whether this plant was running for a couple of months or a couple of years and for how many years it has remained closed because we know it as a fact (I reside in Karachi) that for most of the 12 years it has remained closed. Why this figure is not available with you? This is a very important and a very sensitive question.

Mr. Chairman: I think the operation of a power plant can be judged by the total output. You may be absolutely correct that for years or for months the plant may have been shut down but what the Minister has indicated, and I have read the answer just now, is that over this period the plant has generated over 5000 million kwh of electricity. So, that is the total output and that is the total contribution. As to what period of time it remained closed that certainly would require fresh notice.

Mr. Muhammad Mohsin Siddiqui: And what is the total capacity of the plant? Then you can judge how much percentage it has been working.

Mr. Chairman: Right.

Mr. Muhammad Mohsin Siddiqui: Let him tell us at least how much is the total capacity of the plant and how much is the production? Then we can find the arithmetical proportion.

Mr. Wasim Sajjad: Sir, I think the answer is clear on this. It says that the Karachi Nuclear Power Plant ever since its commissioning has generated over 5000 million kwh of electricity so far meeting 10% of the requirements.

Mr. Chairman: Now what the honourable member is enquiring is the utilization of the plant—for what period of time it has been working, what is the total capacity and what has been the capacity utilization?

Mr. Wasim Sajjad: For that I will require fresh notice.

Mr. Muhammad Mohsin Siddiqui: Then Mr. Chairman I will very humbly request that this question may be deferred and he may come prepared because fresh notices would not solve the matter. My question was very comprehensive in three parts. The answer also gives some details but he should be equipped with other details otherwise as my colleague Mr. Javed Jabbar has said.....

Mr. Chairman: If you are not satisfied with any part of the answer you are always free to give a fresh notice of the specific points which have not been covered and arise out of this answer. That is the correct procedure Mr. Siddiqui.

Mr. Muhammad Mohsin Siddiqui: If this is your wish I will do that but my next question is that more than 16 years have passed, this period was good enough for the Government to train our own engineers, to send them abroad for this training and not only run this plant successfully but also embark on new nuclear plants. Why has the Government failed to utilise these 16 years to train our own people and not to depend upon the foreign persons?

Mr. Wasim Sajjad: As far as the training of our own people is concerned that process, of course, is going on all the time. I have indicated in reply to part (c) of the question as to why we were not able to establish nuclear power plants over this period and it is because of the unreasonable demands being made on political grounds by the vendor countries and it is for this reason that I have indicated also in my answer that because of these grounds Pakistan has decided to go in for indigenization of its nuclear power programme. This is not a simple matter. It is a process which will take time. It needs training of people, it needs development of our own resources. It is a very expensive matter, Sir, and we are fully conscious of our responsibility *i.e.* that we will have to rely on our own resources to bridge the energy gap between demand and supply which we expect over the next 15 years.

Mr. Muhammad Mohsin Siddiqui: Mr. Chairman, I seek your protection.

Mr. Chairman: I think you have asked more than three questions.

Mr. Wasim Sajjad: Sir, I have not been attacking the honourable Senator why does he need protection.

Mr. Muhammad Mohsin Siddiqui: I seek protection because.....

Mr. Chairman: By protection what he means is indulgence.

Mr. Muhammad Mohsin Siddiqui:.....Because there are so many words used but no concrete information is being given. My question was different and his reply is different. My question is that in 16 years why Government of Pakistan did not arrange for sending our young scientists for training so that in these 16 years we would have a couple of hundred people who would have manned this plant as well as would have embarked on new nuclear plants. This is my question.

Mr. Chairman: If I have understood the Minister correctly he has said that the plant is being run 100% by Pakistanis who have been trained specially for this purpose.

Mr. Muhammad Mohsin Siddiqui: Sir, how many people have been trained?

Mr. Chairman: Now that requires a separate notice.

Mr. Muhammad Mohsin Siddiqui: The last question I will put because as, Mr. Chairman, you will agree that none of the replies are satisfactory.

Mr. Chairman: No, I do not agree to that but you go ahead and ask your question.

Mr. Muhammad Mohsin Siddiqui: Sir, on every point we have to give a fresh notice. My question is; have any efforts been made by the Government to involve the private sector so that the private sector by their own resources could bring the technology as well as the facilities to meet this challenge for the nation about the energy generation?

Mr. Wasim Sajjad: Sir, in certain sectors the participation of the private sector will be considered *i.e.* when the downstream industry is developed as a result of our programme to indigenize our entire nuclear power programme but of course the bulk of the efforts will have to be borne by public sector.

Mr. Muhammad Mohsin Siddiqui: Is the honourable Minister aware that all over the world it is the private sector which is generating, not the public sector?

Mr. Wasim Sajjad: Sir, I would not agree that all over the world it is the private sector.

Mr. Muhammad Mohsin Siddiqui: Generation, not the nuclear bombs. The generation of the electricity, it is in private sector.

Mr. Wasim Sajjad: Sir, I do not agree with the honourable Senator on this point.

Mr. Chairman: Let us move to the next question. 112 Mr. Muhammad Mohsin Siddiqui.

Mr. Muhammad Mohsin Siddiqui: As a matter of fact for this question No. 112 I would request through you Sir, that since this report has come to me this morning and this report must be studied before genuine supplementaries can be put, I have got some supplementaries but they are just **on my own** knowledge. They may not be correct because this book can give me the clues where the targets have been met, where they have not been met and what has been the causes for not meeting these targets.

Mr. Chairman: So it should be deferred for answer to the next rota day.

Mr. Muhammad Mohsin Siddiqui: Yes Sir.

Dr. Mahbubul Haq: May I make a suggestion with your indulgence Mr. Chairman. We have Senate Standing Committee on Finance and Planning and Development under the able leadership of Lt. Gen. (Retd.) Saeed Qadir. It may be even better Sir, if this report alongwith the Sixth Plan evaluation is fully discussed there so that we can benefit from the views of the honourable Senators.

Mr. Muhammad Mohsin Siddiqui: We want to discuss it in the House.

Mr. Chairman: You want to keep this question (No. 112) on record.

Mr. Muhammad Mohsin Siddiqui: Yes.

Mr. Chairman: Right. Then I think we can defer it (No. 112) to some other occasion when he is ready and has read the report. Next question Mr. Muhammad Mohsin Siddiqui.

UNUTILIZED FOREIGN AID

113. ***Mr. Muhammad Mohsin Siddiqui:** Will the Minister for Finance and Economic Affairs be pleased to state:

(a) the total amount of grants and aid received from donor countries during the last three years which has remained unutilized indicating also the reasons thereof;

(b) whether Government has any plan to utilize the unutilized foreign aid and grant; and

(c) the quantum of grant and aid and the countries from which these were obtained by Pakistan during the current financial year?

Dr. Mahbubul Haq: (a) The required information in respect of total amount of grants and aid received from donor countries during the last three years is given below:—

	\$ Million	
(i) Amount committed	2,913	(ii—iii) will not equal to (i)
(ii) Amount utilized	865	because of exchange rate
(iii) Un-utilized balance on 1-7-1988	2,289	adjustments.

An analysis of the un-utilized balances, carried out by the Economic Affairs Division indicates that about 80 per cent of the un-utilized aid represents commitments which are not yet due for disbursement as per implementation schedule. The remaining 20 per cent represents aid commitments which lagged due to slow implementation of projects by the concerned ministries and organizations.

(b) The un-utilized foreign aid and grant stands fully allocated for financing of projects and import of commodities as under:—

	\$ million
(i) project aid	1,852
(ii) commodity aid	437
Total ...	2,289

(c) The required details are as follows:—

Country	\$ million amount
Germany	7918
Italy	115.4
Japan	322.0
Netherlands	53.4
Norway	12.4
U.K.	6.3
U.S.A.	350.0
Czechoslovakia	38.0
Kuwait	2.5
Total	979.8

Mr. Chairman: Supplementary?

Mr. Muhammad Mohsin Siddiqui: What action, would the honourable Finance Minister inform us, has been taken by the Government against the officials who were responsible for the lapsing and non-utilization of foreign aid?

Dr. Mahbubul Haq: Sir, I would like to explain what the non-utilization of foreign assistance means in this case; 80% of non-utilized funds are such that they have to lay there for projects which will take 4 to 5 years to complete. As such non-utilization does not mean non-performance. It only means that the time schedule is such that they cannot be utilized immediately. It is true that about 20% of the funds are such in the pipeline which can be utilized now according to the previous time schedule and there the limitation has been the shortage or the inadequacy of domestic resources in this question of mobilizing sufficient domestic resources to ensure that the projects are completed on time.

Mr. Muhammad Mohsin Siddiqui: I would like the honourable Minister to inform as to why these aids, grants and loans are not utilized through private sector which can generate local resources. Why are they being kept in government simply because the public sector is unable to generate local currency and local resources?

Dr. Mahbubul Haq: Sir, a number of loans and grants are also channelled to development financial institutions like PICIC, IDBP, Agriculture Development Bank, NDFC, Small Business Finance Corporations in order to be retailed to the private sector and are utilized there. The question whether we should increase that

amount to be channelled to DFIs for utilization in the private sector is a pertinent one and I certainly shall consider it. We already this year are increasing lending through our Small Industries Corporation and Small Business Finance Corporation for which an additional loan of 50 million dollar has been obtained from the Asian Development Bank and we intend to also increase the role and scope of other DFIs.

Mr. Chairman: Mr. Javed Jabbar.

Mr. Javed Jabbar: The question asks about the total amount of grants and aid whereas the answer gives only a composit figure, would the honourable Minister confirm that the percentage of grants received as part of aid has declined dramatically over the past five years?

Dr. Mahbubul Haq: Sir, it is correct that there has been a decline in the share of grants and the total assistance that we have been getting I cannot lay my hands precisely on the figures at this stage but if the honourable member is interested what the trend has been over the last ten years, we shall be glad to place it on the table of the House.

Mr. Chairman: Thank you. Mr. Muhammad Mohsin Siddiqui.

Mr. Muhammad Mohsin Siddiqui: Would the honourable Minister inform us as some of these grants and aid are interest free and non refundable and most of the loans are on a very low rate of interest, why 14% that 11 plus 3 percent is being charged, why not these loans be given because they increase the cost of the project, the debt servicing and it becomes a great burden both on the public sector as well as the private sector, why the Government may not consider the desirability of giving these loans on the same rates with service charges for the Government as well as for exchanges so that they may be better utilized and sooner utilized and they may add to the progress of the country.

Dr. Mahbubul Haq: Sir, the Government has a re-lending policy according to which the grants and loans are passed on to the development financial institutions at a certain standard rate which is generally between 11 to 14% for various institutions, irrespective of the cost at which the Government obtains these loans or this foreign assistance and the reasons therefor are two-fold. One, we do wish to reflect in the economy in general and in the private sector the real opportunity cost of these loans. They should not be available at a lower cost than the domestic loans or otherwise it will only increase the tendency to utilize assistance from outside in preference to utilizing or mobilizing our own domestic resources. Secondly Sir, the Government also incurs a lot of loans on which it spends in the public sector. Many of these are for infrastructure, many of these are for those facilities that the industries utilize, from which the Government is not getting a direct return and unless it gets an indirect return on the loans it channelled to the private sector, we will not have sufficient funds to repay our debt liability.

Mr. Chairman: Does it cover the exchange risk also?

Dr. Mahbubul Haq: I am glad, you reminded me that it does cover the exchange risk also.

Mr. Chairman: Mr. Javed Jabbar.

Mr. Javed Jabbar: Would the honourable Minister confirm that the net transfer of aid, as a percentage of gross disbursements, has declined from as much as 56% ten years ago to as little as 13% in 1985-86; is that correct?

Dr. Mahbubul Haq: That is correct Sir, that there has been a major decline in net transfer of resources to Pakistan. This shows that we are now in net terms less and less dependent on foreign assistance and a lot of our current borrowing is to re-pay past debts and it is not really to finance our future development.

Mr. Chairman: Many of these issues as the Minister had suggested previously, I think can be taken up for discussion in greater details in the relevant committees. Next question.

Mr. Muhammad Tariq Chaudhry Sahib, Q. No. 114.

ALLOTMENT OF PLOTS TO PARLIAMENTARIAN

114. ***Mr. Muhammad Tariq Chaudhry:** Will the Minister Incharge of the Cabinet Division be pleased to state:

(a) the names of those members of Parliament who were allotted residential or Industrial and Commercial plots in Islamabad during the period from 23-3-1985 to 29-5-1988;

(b) the details (including area, purpose and name of the party etc.) of the agricultural farms allotted during the above period; and

(c) the names of those persons from whom applications for the allotment of plots had been received by the department concerned and were pending for decision as of 29th May, 1988?

Mr. Wasim Sajjad: (a) Names are given in the lists at Annexure 'A' (Residential) and Annexure 'B' (Industrial). No commercial plot was allotted to any member during the said period.

(b) No agricultural plot was allotted to any member of the Parliament during the said period.

(c) No application of MNAs/Senators for allotment of plots are pending with CDA.

Annexure 'A'

LIST SHOWING THE NAMES OF MEMBERS OF THE PARLIAMENT TO WHOM RESIDENTIAL PLOTS WERE ALLOTTED DURING MARCH, 1985 TO MAY, 1988

S. No.	Names of Allottees
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1. Rana Shaukat Hayat Noon, MNA.
 2. Senator Sahibzada Ilyas.
 3. Mr. Kunwar Qutabuddin Khan, MNA.
 4. Ch. Muhammad Iqbal, MNA.
 5. Begum Ishrat Ashraf, MNA.
 6. Syed Ali Asghar Shah, MNA.
 7. Pir Muhammad Ashraf, MNA.
 8. Ch. Amanullah Khan Badhrana, MNA.
Mir Muhammad Arif Jan, Muhammad Hasni, MNA.
Capt. (Retd.) Sanaullah, MNA.
 11. Ch. Muhammad Nawaz Bosal, MNA.
 12. Malik Ghulam Muhammad Mujtaba Ghazi Khar, MNA.
 13. Sardar Wazir Ahmed Jomezai, MNA.
 14. Mr. Dil Murad Jamali, MNA.
 15. Lt. Col. (Retd.) W. Herbert Baluch, MNA.
 16. Syed Ahmed Alam Anwar, MNA (offer only).
 17. Mian Shamim Haider, MNA (offer only).
 18. Raja Muhammad Afsar, MNA (case of double allotment).
 19. Mr. Aman Ullah Khan Shahani, MNA.
 20. Mr. Hameed Khan, MNA.
 21. Haji Nadar Shah, MNA.
 22. Maher Khuda Dad Khan Lak, MNA.
 23. Haji Javed Iqbal Abbasi, MNA.
 24. Senator Muhammad Ali Khan Hoti.
 25. Sardar Muhammad Sarfraz, MNA.
 26. Nawab Amanullah Khan Sial, MNA.
 27. Syed Manzoor Hussain Shah, MNA.
 28. Ch. Muhammad Bashir Randhawa, MNA.
 29. Mr. Muhammad Abdullah Ghazi, MNA.
 30. Mr. Feroz-ud-Din Ansari, MNA.
 31. Mian Riaz Ahmed Khan Daultana, MNA.
 32. Sardar Muhammad Jehangir Khan, MNA.
 33. Pir Ali Gohar Shah, MNA.
 34. Ch. Mumtaz Ahmed Jajja, MNA.
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S. No.	Names of Allottees
35.	Agha Atta Muhammad Khan, MNA.
36.	Mir Mehran Khan Bijarani, MNA.
37.	Mr. Shahabuddin Shah Hussainy, MNA.
38.	Haji Khair Muhammad Panhwar, MNA.
39.	Mr. Muhammad Qasim Khan, MNA.
40.	Mr. Yaqoob Khan Jadoon, MNA.
41.	Mr. Seth Chiman Das, MNA.
42.	Mrs. Rehana Aleem, Mashhadi, MNA.
43.	Begum Bilquees Shahbaz, MNA.
44.	Dr. Miss Noor Jehan Panezai, MNA.
45.	Brig. (Retd.) Iftikhar-i-Bashir, MNA.
46.	Brig. (Retd.) Muhammad Asghar, MNA.
47.	Mr. Muhammad Akram Khan, MNA.
48.	Pir Muhammad Sanaullah Bodla, MNA.
49.	Nawab Yamin Khan, MNA.
50.	Mir Nawaz Khan Marwat, MNA.
51.	Mr. Atta Muhammad Marri, MNA.
52.	Malik Abdul Rauf, MNA.
53.	Sahibzada Muhammad Ahmed, MNA.
54.	Allama Mustafa Al-Azhari, MNA.
55.	Mr. Ghulam-ud-din Khan Marwat, MNA.
56.	Begum Bilquis Nasrum Minnallah, MNA.
57.	Mr. Gohar Ayub, MNA.
58.	Senator Nawabzada Sheikh Muhammad Umar.
59.	Mr. Fateh Muhammad Khan, MNA.
60.	Mr. M. P. Bhandara, MNA.
61.	Begum Salma Ahmed, MNA.
62.	Mian Muhammad Asif, MNA.
63.	Senator Maulana Sami-ul-Haq.
64.	Malik Muhammad Aslam, MNA. (offer only).
65.	Raja Muhammad Afazal Khan, MNA.
66.	Ch. Muhammad Sarwar, MNA.
67.	Mrs. Farrukh Mukhtar, MNA. (case of double allotment).
68.	Shabzada Mohiuddin, MNA.
69.	Mr. M. Ayub Khan.
70.	Senator Ishaq Baluch.
71.	Mr. Proomal Kolhi, MNA.
72.	Mr. Fazal Dad Khan, MNA.
73.	Mr. Muhammad Saalehm Khan Khalil.
74.	Mr. Arif Hussain.
75.	Sahibzada Noor-ul-Hussan, MNA.
76.	Rai Sallah-Uddin Khan, MNA.

S. No.	Names of Allottees
77.	Senator Zulfiqar Ali Chishti.
78.	Maqbool Ahmed Khan, MNA.
79.	Senator Malik Gulab Khan.
80.	Senator Malik Abdul Qayyum Khan.
81.	Senator Muhammad Hashim Khan.
82.	Mr. Ghulam Muhammad Ahmed Khan.
83.	Pir Muhammad Sabir Shah, MNA.
84.	Senator Abdul Majid Qazi.
85.	Malik Saadullah Khan, Senator.
86.	Rana Tanweer Hussain, MNA.
87.	Maula Dad Khan, MNA.
88.	Senator Hussain Bakhsh Bangulzai.
89.	Senator Yousaf Khan Sasoli.
90.	Senator Shah Muhammad Khan.
91.	Mr. Ahmed Memon, MNA. (offer only).
92.	Mr. Khan Muhammad Bhurgari.
93.	Mr. Qamar-Ul-Zaman Shah Khagga, MNA.
94.	Khawaja Muhammad Safdar, MNA.
95.	Begum Sarwari Sadiq, MNA.
96.	Sardar Masood Ahmed Khan Leghari, MNA.
97.	Senator Syed Abbas Shah.
98.	Syed Shahid Mehdi Naseem, MNA.
99.	Senator Jan Karam Ali.
100.	Senator Ghulam Muhammad Khan Mehar.
101.	Senator Brig. (Retd.) Abdul Qayyum.
102.	Maulana Muhammad Rehmat Ullah, MNA.
103.	Mian Gul Aurangzeb, MNA. (offer only).
104.	Mr. Bhagwan Das K. Chawala.
105.	Mr. Guljee, MNA.
106.	Mir Zafar-Ullah Khan Jamali, MNA.
107.	Haji Fazal Manan, MNA.
108.	Dr. Shafiq Ch., MNA.
109.	Senator Rasool Bux Lehri. (offer only).
110.	Nawab Abdul Subhan Khan. (offer only).
111.	Malik Nadir Khan, MNA.
112.	Senator Malik Faridullah Khan.
113.	Mr. Ghulam Muhammad Chishti, MNA.
114.	Senator Malik Muhammad Ali.
115.	Sahibzadi Mehmooda Begum, MNA.
116.	Senator Asghar Ali Shah.
117.	Begum Naseem Majid, MNA.
118.	Rai Mansab Ali Khan, MNA.

S. No.	Names of Allottees
119.	Mr. Muhammad Aslam Katchala, MNA.
120.	Nawabzada Mazhar Ali, MNA.
121.	Rai Ahmed Nawaz.
122.	Prince Jan Muhammad Yousaf, MNA.
123.	Senator Abdul Rehman Jamali.
124.	Senator M. Munir Afridi.
125.	Senator Habib-Ullah Memon.
126.	Senator Engr. Muhammad Fazal Agha.
127.	Senator Aman-i-Room.
128.	Malik Mahboob Hussain, MNA.
129.	Senator Ahmedmian Soomro.
130.	Mumtaz Ahmad Tarar, MNA.
131.	Ch. Amir Hussain, MNA.
132.	Pir Shujaat Hussain Qureshi, Senator.
133.	Ammanul Zafar, MNA.
134.	Anwar Ali Cheema, MNA.
135.	Senator Mian Amir Haider Qureshi.
136.	Raja Shahid Saeed, MNA.
137.	Senator Malik Inayat Khan Afridi.
138.	Senator Khial Said Mian.
139.	Mr. Islamuddin Shaikh, MNA.
140.	Senator Malik Abdul Waheed Mehmand.
141.	Haji Khial Shah, MNA.
142.	Haji Noor Sher Khan, MNA.
143.	Haji Gul Sher Khan, MNA.
144.	Malik Umar Din Bungush, MNA.
145.	Senator Pir Shah Mardan Sahab-II (Pir of Pagarah).

Annexure 'B'

**LIST SHOWING THE NAMES OF MEMBERS OF THE PARLIAMENT TO
WHOM INDUSTRIAL PLOTS WERE ALLOTTED DURING MARCH,
1985 TO MAY, 1988.**

S. No.	Names of Allottees
1.	M/s. S. S. M. Biscuits, Owned by Mr. Nawab Muhammad Yamin Khan.

S. No.	Names of Allottees
2.	M/s. Electronic System, Owned by, Begum Salma Ahmed.
3.	M/s. Gulmerg & Company, Owned by, Sheikh Rasheed Ahmed.
4.	M/s. Khokhar Corporation, Owned by, Mr. Muhammad Nawaz Khokhar.
5.	M/s. Imran Food Products, Owned by, Mr. Mehran Khan Bajarani.
6.	M/s. Paramount Engineering Services, Owned by, Mr. Kunwar Qutab-ud-Din Khan.

جناب چیئرمین : ضمنی سوال۔

جناب محمد طارق چوہدری : جواب میں بتایا گیا ہے پارلیمنٹ کے ۱۴ ممبران کو رہائشی پلاٹ الاٹ کئے گئے اور ۶ انڈسٹریل پلاٹ الاٹ کئے گئے، تو کیا کسی ایک ممبر کو ایک سے زیادہ پلاٹ دیئے گئے۔

جناب چیئرمین : جناب وسیم سجاد صاحب !

جناب وسیم سجاد : جناب ذرا ”تفصیل“ کو دیکھنا پڑے گا۔

لیکن،

Off hand I would say Sir, that by mistake double allotments were made in two or three cases which was a mistake and obviously they will not be given two allotments. It also appears Sir, that as far as residential plots are concerned no person was given more than one plot.

جناب چیئرمین : جناب ، طارق چوہدری صاحب۔
جناب محمد طارق چوہدری : کیا کسی نمبر پارلیمنٹ کی فیملی کے کسی
دوسرے فرد کو پلاٹ دئے گئے۔

جناب چیئرمین : جناب وسیم سجاد۔

Mr. Wasim Sajjad: No, Sir, I don't think so. The detail of the persons who were given these plots is given in this answer.

Mr. Javed Jabbar: Mr. Chairman, apart from political patronage what were the other considerations employed. Because there are names from people who do not belong to the then ruling party. Whether any special considerations in the allotment of these plots were given?

Mr. Wasim Sajjad: No Sir, no special considerations, the applications were received and the Chairman of the CDA, of course, under internal instructions allotted the plots in accordance with the laid down policy.

جناب محمد طارق چوہدری : الاٹمنٹ کا طریقہ کار کیا تھا۔ کون
الاٹ کرتا تھا، کس کو درخواست دی جاتی تھی۔

جناب وسیم سجاد : طریقہ کار یہ تھا کہ اگر کوئی درخواست موصول
ہوتی تھی تو اس پر غور کیا جاتا تھا، جن لوگوں نے درخواستیں دی
ہیں نہیں، ابھی ان کے ناموں پر غور نہیں کیا گیا، اگر کچھ حضرات
درخواست دینا چاہیں تو میں وہ بھی forward کر دوں گا۔

Mr. Javed Jabbar: Mr. Chairman, the Chairman of the CDA is presumably appointed by the President of Pakistan not by the Prime Minister, is that correct?

Mr. Chairman: No, no, that is not correct. Mr. Wasim Sajjad Sahib.

Mr. Wasim Sajjad: No, Sir, at that time the Chairman CDA was appointed by the Chief Executive which was the Prime Minister.

Mr. Chairman: That is right. Next question, No. 115—Mr. Tariq Ch.

IMPORT OF VEHICLES FREE OF DUTY BY CIVIL AND MILITARY OFFICERS

115. ***Mr. Muhammad Tariq Chaudhry:** Will the Minister for Finance and Economic Affairs be pleased to state the names and designations of those civil and army officers who were permitted to import vehicles free of duty during the period from 5th July, 1977, to 20th March, 1985, indicating also the name and model of each vehicle separately?

Dr. Mahbubul Haq : The names and designations of civilian and army officers who imported cars free of duty during the period from 5th June, 1977, to 20th March, 1985, are given in the statement placed below indicating name and model of each car.

STATEMENT SHOWING NAMES AND DESIGNATIONS OF CIVILIAN AND ARMY OFFICERS WHO IMPORTED DUTY FREE CARS DURING THE PERIOD FROM 5-7-1977 TO 20-3-1985

S. No.	Name	Designation	Year	Name and model of the car		
1	2	3	4	5		
1.	Mr. H. H. Amir of Bahawalpur	Governor of Punjab.	1977	Mercedes Benz 2800CC.		
2.	Lt. Gen. Fazal Haq	Governor of N.W.F.P.	1977	Mercedes Benz 2800CC.		
3.	Lt. Gen. Fazal Haq	Governor of N.W.F.P.	1977	Mercedes Benz 2000CC.		
4.	Air Marshal (Rtd.) Rahim Khan.	Chief of Air Staff.	1980	Mercedes	Benz	240D
5.	Mr. Karamat Rehman Niazi	Chief of Naval Staff.	1980	Mercedes	Benz	240D
6.	Gen. Muhammad Sharif.	Chairman Joint Chiefs of Staff.	1979	Mercedes	Benz	240D
7.	Lt. Gen. Sarwar Khan.	Governor of Punjab.	1979	Mercedes	Benz	200D
8.	Vice Admiral (Retd.) A. R. Khan.	Chief of Naval Staff.	1980	Mercedes	Benz	240D
9.	Lt. Gen. Fazal Haq.	Governor of N.W.F.P.	1979	Mercedes	Benz	280S
10.	Admiral Sharif.	Chairman Joint Chiefs of Staff Committee.	1979	Mercedes	Benz	200D
11.	Lt. Gen. Rahimuddin Khan.	Governor of Baluchistan.	1981	Mercedes	Benz	280SEL
12.	Gen. Muhammad Iqbal Khan.	Joint Chief of Staff Committee.	1980	Mercedes	Benz	240D
13.	Gen. Muhammad Musa.	General Retired.	1980	Mercedes	Benz	240D
14.	Muhammad Anwar Shamim.	Air Chief Marshal.	1981	Mercedes	Benz	230E

1	2	3	4	5
15.	Lt. Gen. S. M. Abbasi.	Governor of Sind.	1982	Mercedes Benz 280SEL 2800CC.
16.	Lt. Gen. Fazal Haq.	Governor of N.W.F.P.	1983	Mercedes Benz 280SEL 2800CC.
17.	Lt. Gen. Gul Hasan.	Lt. Gen. Retired.	1982	Mercedes Benz 280SEL 2800CC.
18.	Air Marshal Noor Khan.	Air Marshal Retired.	1980	Mercedes Benz 280SEL 2800CC.
19.	Mr. Abdul Hamid Khan.	Lt. General (Retired).	1980	Mercedes Benz 280SEL 2800CC.
20.	Mr. H.M.S. Choudhri.	Vice Admiral (Rtd.).	1981	Mercedes Benz 240D 2400CC.
21.	Mr. Muzaffar Hasan.	Vice Admiral (Rtd.).	1981	Mercedes Benz 240D 2400CC.
22.	Lt. Gen. Rahimuddin Khan.	Governor of Baluchistan.	1983	Mercedes Benz 380SEL.
23.	Lt. Gen. Ghulam Jelani.	Governor of Punjab.	1984	Mercedes Benz 280SEL.
24.	Maj. Gen. (Rtd.) Abdur Rehman Khan.	President of Azad Kashmir.	1984	Mercedes Benz 280SEL.
25.	Lt. Gen. Ghulam Jelani.	Governor of Punjab.	1984	Mercedes Benz 380SEL.
26.	Lt. Gen. Jehandad Khan.	Governor of Sind.	1984	Honda Accord Acr.1598CC.
27.	Lt. Gen. Ghulam Jelani.	Governor of Punjab.	1984	Toyota Crown 1600CC.
28.	Lt. Gen. Ghulam Jelani.	Governor of Punjab.	1984	Mercedes Benz 280SEL.
29.	Lt. Gen. Jehandad Khan.	Governor of Sindh.	1985	Toyota Crown Royal Saloon.

جناب چیئرمین : جواب پڑھا ہوا تصور کرتے ہیں اس کا بھی ضمنی سوال پوچھیں۔

جناب محمد طارق چوہدری : جناب چیئرمین ! اس کا جواب اتنا لمبا نہیں ہے۔ میں درخواست کرتا ہوں کہ یہ اس کو پڑھ دیں۔

جناب چیئرمین : وہ جواب تو پڑھ سکتے ہیں۔ لیکن آپ نام پڑھنا چاہتے ہیں؟

جناب محمد طارق چوہدری : جی ہاں۔ اگر یہ پڑھ کر سنا دیں گے تو بہت سوں کا بھلا ہوگا۔

جناب چیئرمین : مجھے کوئی اعتراض نہیں ہے لیکن دوسرے سوال پر وقت encroach کرے گا۔ ڈاکٹر صاحب سنا دیں اگر سنانا چاہتے ہیں۔
because these are meant for oral answers.

Dr. Mahbubul Haq : I think, it will be better to have supplementries because there is a long list of names.

Mr. Chairman: But, if the member is asking for the names to be read out, the questions are for oral answers then I think he has a right to ask for to be read out.

جناب محمد طارق چوہدری : میرا ضمنی سوال یہ ہے۔

جناب چیئرمین : اس کو پھر چھوڑ دیں۔

محمد طارق چوہدری : جی چھوڑ دیں۔

جناب محمد طارق چوہدری : انہوں نے یہ بتایا ہے کہ ۱۹۷۷ء سے ۱۹۸۵ء تک بغیر کسٹم ڈیوٹی کے ۲۹ کارین درآمد کرنے کی اجازت دی گئی۔ یہ کارین درآمد کرنے کی اجازت کس نے دی تھی اور کیا ایک فرد ایک سے زیادہ کارین درآمد کر سکتا تھا؟

جناب چیئرمین : جناب ڈاکٹر صاحب۔

Dr. Mahbubul Haq; Sir, the permission for import was given by the Ministry of Commerce under the policy of the Government at that time which allowed the Governors and Chiefs of Armed Services to import duty free cars. It was also the discretion of the President to allow import of any such duty free cars. Sir, these were imported under those rules.

Mr. Javed Jabbar: Supplementary Sir.

Mr. Chairman: Mr. Javed Jabbar.

Mr. Javed Jabbar: Thank you Mr. Chairman. The question asks the names and designations of civilian and army officers who imported cars free of duty and from the list given out of 29 names it is only one civilian who had this privilege and that to the Amir of Bahawalpur. Would the Minister care to comment on the extraordinary weightage in favour of the Armed Forces?

Dr. Mahbubul Haq: Sir, let me inform the honourable House of what the policy of the Government has been. Sir, following have been entitled to exemption of custom duty and sales tax on import of cars under different regulations.

- (1) President of Pakistan.
- (2) Prime Minister.
- (3) Governors of Provinces.
- (4) Chairman Joint Committee of the Chiefs of Staff.
- (5) Chief of Staff of the Armed Forces.
- (6) Ex-Commander-in-Chief of the Armed Forces.
- (7) Ex-Chief of Staff of the Armed Forces.
- (8) Vice Chief of the Army Staff.

In addition Sir, the President of Pakistan is entitled to exemption of customs duties, sales tax on official cars as well as on one car; Cadalac or Linkon or Mercedes 450 SEL or equivalent of any of these cars for his personal use under Act No. LVIII of 1975, dated 28th July, 1975. Sir, these privileges were set on 28th July, 1975 under certain Acts which have continued since then.

جناب محمد طارق چوہدری : ضمنی سوال - جناب جواب میں یہ بتایا گیا ہے کہ ۲۹ کاریں درآمد کرنے کی اجازت دی گئی۔ ان ۲۹ کاروں میں سے ۸ کاریں ایسی ہیں جن میں سے ۴ کی لیفٹیننٹ جنرل فضل حق صاحب اور ۴ کی لیفٹیننٹ جنرل غلام جیلانی صاحب کو اجازت دی گئی۔ جب کہ فضل حق صاحب نے ۷، ۷، ۷ سے ۸۳ تک چار کاریں درآمد کیں جب کہ جیلانی صاحب نے ۸۴ ہی میں چار کاریں درآمد کیں۔ کیا یہ چار چار کاریں درآمد کرنے کی ایک آدمی کو اجازت تھی اور کیا یہ کاریں ذاتی استعمال کے لئے تمھیں یا کوئی اور ان کا استعمال بھی تھا اور اتنا کروڑ پتی کون ہے پاکستان میں جو اتنی مہنگی اور اتنی کاریں رکھ سکے۔ ذرا اس کی وضاحت کر دیجئے۔

جناب چیئرمین : جناب ڈاکٹر صاحب ۔

Dr. Mahbubul Haq: Sir, I don't wish to pronounce whether it was right or wrong to do these things; I can only inform the House that the various exemptions that have been given, have been guided by the Act of 28th July 1975 passed by the National Assembly of Pakistan at that stage and various exemptions have been guided by that Act and have been allowed under that Act. As regards any specific case whether it fell strictly under that Act or not, if a specific question is raised Sir, we can always examine that.

جناب محمد طارق چوہدری : ایک ہی برس میں ایک ہی فرد کو چار کریں درآمد کرنے کی اجازت دے کر کیا آپ کی منسٹری نے بے قاعدگی نہیں کی ہے۔

Dr. Mahbubul Haq: Sir, this is done not to me personally, if this is what the honourable Senator implies, this was done till 1984, as this is made clear in the answer. But the specific question whether any particular person could have imported more than one car Sir, that is something that I will have to get examined and report back to the House.

Mr. Chairman: So, you require a fresh notice for this.

Dr. Mahbubul Haq: Yes Sir.

Mr. Hasan A. Shaikh: Sir, I am really going to say the same thing. May I ask this question that how do you justify that Lt. Gen. Ghulam Jilani gets four cars in 1984. Was there no check whatsoever in the waste of these foreign exchange, very important foreign exchange for Pakistan?

Mr. Chairman: No, I think what the Minister has stated is that if this was according to rules then this was an entitlement to which the gentlemen availed of in 1984. But he has to look into this.

Dr. Mahbubul Haq: Sir, I will have it examined, I think under the rules one car was allowed irrespective of what use it was put to. It was allowed for personal use. The rest may be for official use of the Governors' office or the Secretariat and they may have been allowed on specific basis but I shall have to check up as to under what particular rule it was allowed.

Mr. Chairman: Mr. Ahmedmian Soomro.

Mr. Ahmedmian Soomro : Sir, what are the conditions of allowing this that the person concerned would not take part in politics.

Dr. Mahbubul Haq: The Act of 1975 places no such restriction in that Act.

Mr. Chairman: Right.

Mr. Ahmedmian Soomro : May I point out that one of the members then of Tehriq-e-Istiqlal, an Admiral at Karachi was allowed because they all certified that they would not take part in politics and on the same ground Air Marshal Asghar Khan was not allowed because he could not give such an undertaking.

Dr. Mahbubul Haq: Sir, I may point out that the name of Air Marshal Noor Khan that appears on Sr. No. 18 after he retired but Sir, as to the individuals I think specific questions can be raised and we can always check up on that but what I am stating here is the policy of the Government and under that what entitlements were.

Mr. Chairman: Right.

Next Question—Mr. Muhammad Tariq Chaudhry.

EMPLOYEES IN GRADE 16 AND ABOVE IN ADBP

116. ***Mr. Muhammad Tariq Chaudhry:** Will the Minister for Finance and Economic Affairs be pleased to state the total number of employees from grade 16 and above working in the ADBP with province-wise break-up indicating also the names, designations, place of posting and place of domicile of the employees belonging to the province of Baluchistan?

Dr. Mahbubul Haq: The total number of employees from grade-16 and above working in the Agricultural Development Bank of Pakistan is 3953 as on 30-6-1988. Province-wise break-up of the officers is at Annexure-I. Names, designations, place of posting and domicile of employees belonging to Baluchistan province is at Annexure-II.

(Annexures have been placed in the Senate Library).

Mr. Chairman: Supplementary Question.

جناب محمد طارق چوہدری : اس کی صوبہ وار کوئی تفصیل ہے
کہ کتنے فیصد کس صوبے کا ہے۔

جناب چیئرمین : percentage نہیں دی گئی لیکن صوبہ وار آپ
اگر Annex-I میں دیکھیں

جناب محمد طارق چوہدری : اتنا بڑا ہے جی وہ ، اس کو پڑھتے
پڑھتے خاک ہو جائیں گے ہم۔

جناب چیئرمین : ہاں پھر دوبارہ اس کو پڑھ کر پھر اور فریش
نوٹس دے دیں اور سوال پوچھ لیں۔

جناب محمد طارق چوہدری : ان کے پاس ضرور ہوگا جی، ان کے
پاس پوری منٹری ہے، سیکشن آفیسرز ہیں۔

جناب چیئرمین : اگر ہے تو ڈاکٹر صاحب پھر بتا دیں۔

Dr. Mahbubul Haq: Sir, I assume the question is—as to what is the....

Mr. Chairman: Percentage of representation of the various Provinces in the list given in Annexure-I.

Dr. Mahbubul Haq: Right, Sir.

Sir, the percentage is as under:

Punjab	54.43%
Sindh	21.32%
Frontier	13.60%
Baluchistan	6.65%
Azad Kashmir	2.74%
Northern Areas and FATA	1.26%

جناب چیئرمین : جی چوہدری صاحب۔

جناب محمد طارق چوہدری : بس ٹھیک ہے جی۔

Mr. Ahmedmian Soomro : On a point of order, Sir.

Sir, placing the things in the Senate Library what do they expect that we should again break off from here and go there and read that and then come back, why cannot they supply us copies?

Mr. Chairman: I think, according to the practice, copies of Annexures are supplied to the member who is asking the question. But for the benefit of others it is placed on the table of the House. But the member, for example, in this case, Mr. Muhammad Tariq Chaudhry had asked the question and I think, he has the Annexures also with him. They have been supplied to him.

جناب محمد طارق چوہدری : جی ہاں۔ میرے پاس ہیں۔

Mr. Chairman: Next Question—Syed Abbas Shah No. 117.

INSTALLATION OF A TUBE-WELL IN G-10/2, ISLAMABAD

117. *Syed Abbas Shah: Will the Minister Incharge of the Cabinet Division be pleased to state:

(a) the total cost incurred on the installation of the tube-well meant to provide water to the residents of sector G-10/2, Islamabad; and

(b) whether it is fact that due to defective installation the said tube-well is not functioning properly; and if so, the action, if any, being taken against the concerned contractor responsible for the said lapse?

Mr. Wasim Sajjad: (a) Nil, as no tube-well has been installed in Sector G-10/2, Islamabad.

(b) Not applicable.

Syed Abbas Shah: Supplementary question, Sir.

Is there any programme of installing a tubewell in G-10/2 because it is a big sector?

Mr. Wasim Sajjad: Sir, the drilling for two tubewells near sector G-10/2 is in progress. The equipment machinery will be installed only if adequate quantity of water is found to be available after development of the tubewell bores.

Mr. Chairman: Right.

Syed Abbas Shah: Sir, what is the present system of providing water to sector G-10/2?

Mr. Wasim Sajjad: Sir, is it correct that Wafaqi Mohtasib has given water is pumped out by machines and this system has been working fairly satisfactory, so far.

Syed Abbas Shah: I have one more supplementary question.

Mr. Chairman: Yes Please.

Syed Abbas Shah: Sir, is it correct that Wafaqi Mohtasib has given instructions that there should have been some overhead tanks constructed in sector G-10/2?

Mr. Wasim Sajjad: Sir, if the question is with reference to sector G-10/2, I don't have any specific information available whether the Mohtasib has said that we should have overhead tanks available, Sir. Then we have to say that if this is necessary and if we have the funds and if it is feasible Sir, we will do it.

Mr. Chairman: Right. Mr. Javed Jabbar.

Mr. Javed Jabbar: Mr. Chairman, would the Minister not agree that in view of the fact that residents of Islamabad are obliged to complain to members of the Senate about their municipal and civic problems? Is the Government not contemplating the setting up of a democratically elected municipal body for Islamabad which is a long standing demand?

Mr. Wasim Sajjad: No such proposal is under consideration of the Government at the moment.

Mr. Chairman: But I think, there was a resolution passed by the House to that effect.

Mr. Javed Jabbar: Mr. Chairman, will the Minister confirm that this Government has not taken any note of that resolution passed by the Senate?

Mr. Chairman: Not to his knowledge at this stage.

Mr. Wasim Sajjad: Not to my knowledge, Sir. As I said, as far as I am concerned, the resolution of the House is not binding. It is considered by the Government and if possible, they take action; if not, then they cannot take action.

Mr. Javed Jabbar: Mr. Chairman, is it not binding for the Government?

Mr. Wasim Sajjad: But the Islamabad area is represented both in the National Assembly and in the Senate.

Mr. Chairman: Now, these questions which are raised are really trivial but I am allowing them for the simple reason that the Municipal Corporation of Islamabad is not there and this is the only forum directly responsible for the administration of CDA also where these questions can be raised otherwise ordinarily I would have not admitted these questions.

Mr. Javed Jabbar: Surely, Mr. Chairman, it reflects a very callous attitude on the part of the Government because it has not been considering such a proposal.

Mr. Chairman: It may be so, but I think, that raises a separate issue.

Mr. Wasim Sajjad: Sir, if this will satisfy the honourable Senator we will consider such a proposal.

Mr. Chairman: Next question—Syed Abbas Shah.

SANITARY CONDITIONS IN G-10/2, ISLAMABAD

118. ***Syed Abbas Shah:** Will the Minister Incharge of the Cabinet Division be pleased to state:

(a) whether it is a fact that there is no rubbish dump to deposit wastes in sector G-10/2, Islamabad; and if so,

(b) the steps the Government is taking to improve sanitary conditions in sector G-10/2?

Mr. Wasim Sajjad: (a) Yes, instead of dumps CDA is providing modern trollies in this sector.

(b) Trollies are being introduced as replacement of open dumping places. Upto date five trollies have been placed at suitable places. About fifteen more trollies are being provided in this area. These trollies are being assembled currently and will be placed within the next fortnight.

Syed Abbas Shah: No supplementary questions.

Mr. Chairman: No supplementary questions. Next Question—Syed Abbas Shah.

STREETS OF G-10/2, ISLAMABAD

119. ***Syed Abbas Shah:** Will the Minister Incharge of the Cabinet Division be pleased to state whether it is a fact that the streets of Sector G-10/2, Islamabad are in a dilapidated condition at many places as such rainy water forms pools in the broken portions of such streets causing great inconvenience to the residents of the area if so, the time by which the repairs of these are to be carried out by the CDA?

Mr. Wasim Sajjad: No. However, some of the roads in G-10/2 Sector are in bad shape. These roads will be improved during the current financial year subject to availability of funds.

Syed Abbas Shah: Sir, definitely the roads have further deteriorated I agree with the Chairman that these are really trivial questions but though these people are Government employees they cannot go to the newspapers or to the media and cry for their demands if there is no Municipal Corporation. So, I will insist again and ask the Minister that if this matter is taken up and a Municipal Corporation for Islamabad is considered by the Government.....

Mr. Chairman: Right. Next question—Mr. Shad Mohammad Khan, No. 120.

DATA CONTROL ASSISTANTS

120. **Mr. Shad Mohammad Khan:** Will the Minister for Finance and Economic Affairs be pleased to state:

(a) whether it is a fact that the computer allowance of the Data Processing Assistants has been raised from Rs. 500 to Rs. 1000 *w.e.f.* 1-7-1988 in the 1988-89 budget;

(b) whether it is also a fact that Data Control Assistants have not been given any monetary benefit in the new budget, and if so;

(c) whether there is any proposal under consideration of the Government to grant similar relief to the Data Control Assistants?

Dr. Mahbubul Haq: (a) Yes.

(b) Yes

(c) Yes. A special allowance of Rs. 500 p.m. is being allowed to Cadres (BPS-12), Data Control Assistants (BPS-14) and all data control staff upto BPS-14.

Mr. Shad Mohammad Khan: Supplementary, Sir.

What is the difference between the duties of the Data Processing Assistants and Data Control Assistants and why not they are given equal amount of allowance?

Dr. Mahbubul Haq: Sir, all the staff upto grade 14 including Data Control Assistants who were left out at the time of the budget are now going to be given the same special allowance of Rs. 500/- per month. So, we have accommodated the wishes of the honourable Senator already, Sir.

Mr. Chairman: Thank you. Next Question—Mr. Mohammad Raza Khan.

Mr. Shad Mohammad Khan: On his behalf.

ALLOTMENT OF LAND TO MR. AND MRS. MOHARRAM

121. ***Mr. Muhammad Raza Khan (put by Mr. Shad Mohammad Khan):** Will the Minister Incharge of the Cabinet Division be pleased to state:

(a) whether it is a fact that CDA has allotted plot No. 136 in Model Village Poona Faqiran to Mr. Moharram son of Ata Muhammad, resident of Sumbal Korak; and

(b) whether 12-1/2 acres of agricultural land has also been allotted to his wife Zardaan in district Sahiwal as compensation?

Mr. Wasim Sajjad: (a) Yes.

(b) Yes, but not as compensation. The land was allotted prior to her marriage with Mr. Moharram.

Mr. Chairman: No Supplementary question. Next Question.

ALLOTMENT OF LAND TO MR. SARWAR

122. ***Mr. Mohammad Raza Khan (put by Mr. Shad Muhammad Khan):** Will the Minister Incharge of the Cabinet Division be pleased to state:

(a) whether it is a fact that an owner/occupier of 4 kanals of land in Islamabad, is entitled by way of compensation to allotment of 12-1/2 acres of agricultural land in the province of Punjab if his land is acquired in Islamabad federal territory;

(b) whether it is a fact that land and super-structure built thereon of one Sarwar son of Qaim Din resident of Sumbal Korak, was acquired by CDA, if so, its details; and

(c) whether the said owner has been paid compensation for acquisition of his land, if not, its reasons?

Mr. Wasim Sajjad: (a) Yes, but not as compensation.

(b) Yes. An area of 2 **kanals** and 15 marlas of land and house No. 190 in village Sumbal Korak were acquired from Mr. Sarwar S/o. Qaim Din *vide* D.C. CDA awards dated June 15, 1962 and January 13, 1962 respectively.

(c) Yes. The owner was compensated as co-sharer alongwith his sister Mst. Rahim Jan.

Mr. Chairman: No supplementaries. Next question.

ALLOTMENT OF LAND TO MST. ANWAR JAN

123. ***Mr. Mohammad Raza Khan (put by Mr. Shad Muhammad Khan):** Will the Minister Incharge of the Cabinet Division be pleased to state:

(a) whether it is a fact that the house of one Mst. Anwar Jan W/o. Sher Zaman R/o. Sumbal Korak had been taken over by the CDA; and

(b) whether it is also a fact that she has not been allotted any plot of land in Islamabad in lieu thereof or given adequate compensation therefor as yet; if so, its reasons?

Mr. Wasim Sajjad: (a) Yes.

(b) Compensation stands paid to her. Since a joint permit in her/her husband's name for 100 **kanals** of agricultural land in the Colony District was issued. She is not eligible for a residential plot in Islamabad.

Mr. Chairman: Next Question.

REHABILITATION POLICY FOR DISPLACED PERSONS

124. ***Mr. Amir Abdullah Khan Rokri (put by Mr. Shad Muhammad Khan):** Will the Minister Incharge of the Cabinet Division be pleased to state;

(a) whether it is a fact that the Government has formulated a policy with regard to allotment of plots to the displaced persons of Islamabad; if so;

(b) whether the Government is prepared to place the said policy on the table of the House; and

(c) when the Government will implement the said policy?

Mr. Wasim Sajjad: (a) Yes.

(b) Rehabilitation Policy, 1984 has been placed in the Senate Library.

(c) The Policy came into force *w.e.f.* 1st October, 1984.

Mr. Chairman: No supplementaries. Next question.

ALLOTMENT OF PLOTS TO RESIDENTS OF SUMBAL KORAK

125. ***Mr. Amir Abdullah Khan Rokri (put by Syed Abbas Shah):** Will the Minister Incharge of the Cabinet Division be pleased to state whether it is a fact that CDA has allotted alternate plots to the residents of the village Sumbal Korak; Islamabad; if so, the names of the persons who have been allotted alternate plots and who have not been allotted such plots with reasons thereof?

Mr. Wasim Sajjad: The preparation of lists containing the names of the affectees of village Sumbal Korak, Islamabad, who have been allotted alternate plots and who have not been allotted such plots is a time consuming job. In view of the magnitude of work involved it is not possible to furnish the information asked for in such a short notice. The desired lists are, however, under preparation and will be placed on the table of the House at the earliest.

Mr. Chairman: Next question.

ALLOTMENT OF PLOTS TO R/O POONA FAQIRAN

126. ***Mr. Amir Abdullah Khan Rokri (put by Syed Abbas Shah):** Will the Minister Incharge of the Cabinet Division be pleased to state whether the Government has provided alternate plots to the affectees of village Poona Faqiran. If so, the location of these plots indicating also the names and total number of those affectees who have not yet been provided plots and the time by which they same will be provided to them?

Mr. Wasim Sajjad: The preparation of lists containing the names of affectees of village Poona Faqiran to whom the Authority has provided alternate plots alongwith the location of these plots indicating also the names and total number of those affectees who have not yet been provided plots, is a time consuming job. In view of the magnitude of work involved it is not possible to furnish the information asked for within the given time. The desired lists are, however, under preparation and will be placed on the table of the House at the earliest.

Mr. Chairman: Next question No. 128.

Dr. Mahbubul Haq: Sir, on Q. No. 127 I also had the answer from the Ministry of Industries.

Mr. Chairman: But with me it is written, "Transferred to the Industries Division"

Dr. Mahbubul Haq: Sir, the Ministry of Industries did send the answer and I was supposed to present it on their behalf but if it is raised I can deal with it now or it can be done on the next rota day.

Mr. Chairman: I think it should come on the next rota day because it would need to be printed.

Dr. Mahbubul Haq: Right, Sir.

Mr. Chairman: Next question No. 128.

LOCATION OF NATIONAL SAVINGS CENTRE, LAHORE

128. ***Mr. Ahmedmian Soomro :** Will the Minister for Finance and Economic Affairs be pleased to state:

(a) whether it is a fact that the National Savings Centre at Main Market Gulberg Lahore, has a very small accommodation and is situated in a unsuitable place;

(b) whether it is also a fact that customers have not enough arrangements for seating during the rush hours; and

(c) the steps taken by the Government for a suitable alternate premises?

Dr. Mahbubul Haq: (a) Yes. The Centre is accommodated in three shops (area 710 sq. ft.) on ground floor of a Plaza. The space is not quite adequate, particularly during rush hours and is not ideally situated.

(b) Seating arrangements falls short during the rush hours.

(c) The National Savings organization has been trying to shift the Centre to a suitable place. Two premises were located but could not be hired due to substantially higher rent demanded by the landlords. Rent ceiling is currently being revised by the Ministry of Finance to enable this organization as well as many other to get suitable premises.

May I add Mr. Chairman, that we are grateful to the honourable Senator to bring the conditions of this Centre to our attention and we shall be taking corrective action because it is correct that a Centre of this kind should not be located in the kind of location it is at the moment.

Mr. Ahmedmian Soomro : May I point out to the honourable Minister that this question was raised by me over a year back and at that time also it was said that it was under consideration. Would not they consider giving more powers to the Head of that Organization of discretion in such cases to enhance the rent.

Dr. Mahbubul Haq : Sir, the rent ceiling has been three rupees per sq. ft., and it has not been possible for many organizations to get their premises under that rule. We have recently reviewed it and we have allowed some organizations to rent it at a higher ceiling and we shall be able to do that in this case as well.

Mr. Ahmedmian Soomro : Thank you.

Mr. Chairman : Next question.

EMPLOYEES OF NATIONAL SAVINGS CENTRES

129. ***Mr. Ahmedmian Soomro :** Will the Minister for Finance and Economic Affairs be pleased to state:

(a) whether the employees of the National Savings Centres put in the same amount of work as employees of the Nationalized Banks; and

(b) whether there is any proposal under consideration of the Government bring the employees of the National Savings Centres at par with the employees of other Nationalized Commercial Banks in the matter of pay and allowances etc ?

Dr. Mahbubul Haq : (a) The nature and amount of work performed by the employees of National Savings Centres and that of banks is different from each other and cannot be compared.

(b) There is no such proposal under consideration of the Government. National Savings organization is an attached Department of Ministry of Finance whereas banks are commercial institutions and have their different pay structure due to their different nature of work.

Mr. Chairman : I think this brings us to the end of the Question Hour. The rest of the questions would be taken as read.

STAFF OF INQUIRY OFFICE G-6/1, ISLAMABAD

†130. ***Nawabzada Jehangir Shah :** Will the Minister Incharge of the Cabinet Division be pleased to state:

(a) the number of employees posted to and working at present at the Inquiry Office of sector G-6/1, Islamabad;

† The Question Hour being over the remaining questions and answers were placed on the table of the House.

(b) whether their performance is being regularly monitored; if so, whether authorities concerned are satisfied with their performance;

(c) the total number of quarters in sector G-6/1 with leaking roofs; and

(d) whether new electric fans have been provided in the quarters in G-6/1 Islamabad, during this year; if so, the number of such quarters and the procedure followed in installation of such fans?

Mr. Wasim Sajjad: (a) 83 employees of different trades.

(b) Yes.

(c) 237 quarters as per recent survey.

(d) Yes, 37. A physical and technical survey is conducted and the fans considered beyond economical repairs are replaced with new ones subject to availability of funds.

METALLING OF STREETS IN ISLAMABAD

131. ***Nawabzada Jehangir Shah:** Will the Minister Incharge of the Cabinet Division be pleased to state whether there is any proposal under consideration of the Government to metal those streets of Islamabad which are in a dilapidated condition; if so, when?

Mr. Wasim Sajjad: Yes, on approval of the PC-I of the scheme and provision of funds.

SANITATION CONDITION OF G-6/1, ISLAMABAD

132. ***Nawabzada Jehangir Shah:** Will the Minister Incharge of the Cabinet Division be pleased to state whether it is a fact that no arrangements for proper sanitation and cleanliness in sector G-6/1, Islamabad exist; if so, the measures being taken by the Government for the improvement of the said sector?

Mr. Wasim Sajjad: No Arrangement for proper sanitation, cleanliness, refuse collection and garbage disposal in Sector G-6/1 exist.

GRANT OF 20% SPECIAL ALLOWANCE TO NON-SECRETARIAT EMPLOYEES

133. ***Mr. Ahmedmian Soomro:** Will the Minister for Finance and Economic Affairs be pleased to state:

(a) whether it is a fact that a special allowance of 20 per cent of pay has been allowed to those Government servants who are working in Federal and Provincial Secretariat; and

[Mr. Ahmedmian Soomro]

(b) whether there is any special reason why the said allowance has been denied to employees of the attached departments of the Federal Government?

Dr. Mahbubul Haq: (a) Yes.

(b) To improve the quality of secretariat staff and to provide an incentive to them, as compared to field officers, the National Pay Committee, 1987, had recommended that employees of the Federal/Provincial Secretariats be given Secretariat Allowance. According to the Rules of Business, only Ministries/Divisions constitute the Secretariat and therefore the benefit of Secretariat Allowance could not be extended to the attached departments.

EXHIBITIONS ARRANGED BY PAEC.

40. ***Mr. Muhammad Mohsin Siddiqui:** Will the Minister Incharge of the President's Secretariat be pleased to state:

(a) the total number of exhibitions arranged by the PAEC so far in Islamabad and other parts of the country during the last five years;

(b) whether the products displayed at these exhibitions were manufactured indigenously; and

(c) the total amount spent on organizing these exhibitions and on the import of the exhibits if they were not of indigenous manufactured?

Mr. Wasim Sajjad: (a) PAEC arranged two exhibitions, one each at Lahore and Islamabad during the period in question.

(b) All the exhibits and models displayed in both these exhibitions were fabricated indigenously, mostly in PAEC Estts.

(c) Actual expenditure incurred on the organisation of these exhibitions comes to about Rs. 2.87 million, as follows:

(a) At Lahore	Rs. 1824500.00
(b) At Islamabad	Rs. 1046800.00

ALLOTMENT OF PLOTS TO ARMY AND CIVIL OFFICERS IN ISLAMABAD

43. ***Mr. Muhammad Tariq Chaudhry:** Will the Minister Incharge of the Cabinet Division be pleased to state the names of those army and civil officers including their dependents who were allotted plots in Islamabad during the period from 1st July, 1977 to 20th March, 1985, indicating also the size and the names of sectors where the plots in question were allotted?

Mr. Wasim Sajjad: In reply to Starred National Assembly Question No. 933 raised by Haji Mohammad Yunus Elahi, MNA, during the last session of the National Assembly the names of persons including army and civil officers to whom residential plots measuring 600 sq. yards and above were allotted during 1970—1985 were supplied and the lists of those allottees containing other related details are available in the National Assembly Library and may be referred to. However, details of allottees i.e. army/civil officers to whom plots of less than 600 sq. yard were allotted during the said period are given in Annexure 'A' to 'F'

(Annexures have been placed in the Senate Library).

ALLOCATION TO HBFC FOR BALUCHISTAN

69. ***Mr. Abdur Rehman Jamali:** Will the Minister for finance and Economic Affairs be pleased to state:

(a) the total amount allocated by the H.B.F.C. for the construction of houses in Baluchistan during 1988-89; and

(b) the reasons for discontinuing grant of loans by the H.B.F.C. in the province of Baluchistan?

Dr. Mahbubul Haq: (a) There is no separate allocation of Provincial quotas. However, Rs. 18.9 million was disbursed in 1987-88.

(b) Housing finance in Baluchistan was not discontinued. It was only suspended in May, 1988, just as in the rest of the country, due to exhaustion of funds, and has been resumed in the first week of July, 1988.

LEAVE OF ABSENCE

جناب چیئرمین : رخصت کی درخواستیں۔ جناب لیفٹیننٹ جنرل (ریٹائرڈ) سعید قادر نے قراتی مصروفیات کی بنا پر ایوان سے ۱۰ تا ۱۴ اگست، رخصت کی درخواست کی ہے۔ کیا ایوان ان کی رخصت منظور کرتا ہے۔
(رخصت منظور کی گئی)

جناب چیئرمین : جناب ایم منیر آفریدی اپنی علالت کی بنا پر ۱۴ جولائی تا ۱۴ اگست اجلاس میں شرکت نہیں کر سکے، اس لئے انہوں نے ایوان سے ان تاریخوں کے لئے رخصت کی درخواست کی ہے۔ کیا ایوان ان کی رخصت منظور کرتا ہے۔
(رخصت منظور کی گئی)

جناب چیئرمین : جناب صوبیدار خان اپنی علالت کی بنا پر ایوان میں ۳۱ جولائی تا ۴ اگست شرکت نہیں کر سکے۔ انہوں نے ایوان سے ان تاریخوں کے لئے رخصت کی درخواست کی ہے۔ کیا ایوان ان کی رخصت منظور کرتا ہے ؟
(رخصت منظور کی گئی)

جناب چیئرمین : جناب میر غلام حیدر خان تالپور نے ذاتی مصروفیات کی بنا پر ایوان سے ۳۱ جولائی تا ۱۱ اگست رخصت کی درخواست کی ہے۔ کیا ایوان ان کی رخصت منظور کرتا ہے۔
(رخصت منظور کی گئی)

جناب چیئرمین : جناب صاحبزادہ یعقوب خان وزیر خارجہ اطلاع دیتے ہیں کہ وہ سارک کانفرنس میں شرکت کے لئے کھٹنڈو تشریف لے جا رہے ہیں اس لئے وہ ایوان میں ۹ تا ۱۳ اگست شرکت نہیں کر سکیں گے۔

POINT OF PRIVILEGE REGARDING FULFILMENT OF AN ASSURANCE ABOUT REPEAL OF P.P.O.

Mr. Chairman: Next we take up adjournment motions.

Mr. Javed Jabbar: point of privilege. Mr. Chairman, under the proviso to Rule 61, I would like to seek your attention and the attention of the House to the fact that on the 10th of July, 1988, on Private Members Day when the House considered and adopted a resolution on the repeal of the Press and Publications Ordinance, the honourable Minister for Information was kind enough to state that the said Ordinance, which he agreed was a black law, would be repealed within a month. Now Mr. Chairman, today is the 9th of August, 1988. If we interpret a month in terms of numbers that month expires today and if we interpret it as being the 10th of August it will expire tomorrow. Therefore, I apprehend that an assurance given on the floor of

the House may not be fulfilled. I am sure the intention of the honourable Minister is an honourable one but I am most concerned that no sign has taken place or has become evident, that that assurance is going to be fulfilled. I, therefore, seek your comment on this because I think it is a very major issue. It has seized the attention of the country for the past 25 years and the representative bodies have also not been consulted, *i.e.* the Pakistan Federal Union of Journalists, the All Pakistan Newspapers Employees Confederation, even though this also was assured at that time.

Mr. Chairman: Mr. Illahi Bakhsh Soomro.

Mr. Illahi Bakhsh Soomro: Thank you, Sir. I think the honourable Senator's apprehensions are very wrongly placed. It is correct that exact period of month is over but the matter is in process. It has been lingering on for the last 25 years and my initial assessment that I will be able to get over all the governmental formalities within a month was apparently not right. Sir, the honourable Senator is also incorrect in assuming that there has been no consultation with the relevant bodies. We have had a number of meetings with APNS and CPNE and we have come to an agreed draft. It is pending with the relevant Ministry which is the Ministry of Law for vetting. I can assure him and I repeat my assurance that every effort is being made by the Government to see that this Ordinance is repealed as soon as possible and we are really working at a speed which is not the normal speed to come to a decision. I have every intention to keep my commitment before this honourable House and I would request the indulgence of the honourable Senator; he should not be as precise as a month is of 30 days. Sometimes in Government procedures it takes a little longer. Thank you, Sir.

Mr. Javed Jabbar: Mr. Chairman, if the honourable Minister wishes to interpret a month liberally, it is his prerogative but to me a month is a month and particularly where the law is a black law I must point out that the representative bodies of working journalists who have been at the forefront to ask for the repeal of this law, who have gone to prison, who have borne lashes, they have not yet been consulted.

Mr. Chairman: I am afraid it is not a question of privilege and I do not want to raise a discussion on this issue right now. You have raised the point and the Minister has replied.

Mr. Javed Jabbar: But Mr. Chairman, you have not interpreted whether the concept of a month is a month or not.

Mr. Chairman: I think it is not for me to do that. The concept of a month is defined and you can take it. If tomorrow there is a holiday or if the House does not meet, under the General Clauses Act the month can be extended for the period of holidays. At any rate, that is not the issue. The issue is whether it is a question of privilege and it has been raised in the right manner. So, I don't think it has been raised in the right manner.

Mr. Javed Jabbar: Sir, I have taken recourse to the proviso under Rule 61 which permits you to allow a member.

Mr. Chairman: That is right and I am not allowing it. This is what I am saying.

Mr. Javed Jabbar: Mr. Chairman, point of order. I seek your indulgence; I had submitted an adjournment motion yesterday at 8.00 p.m. I realize that the time available is short but I had submitted a request for being allowed to move it out of turn. I presume, it has reached you by now.....

Mr. Chairman: I don't think so, I have not seen anyone.

Mr. Javed Jabbar: Mr. Chairman, I submitted it at 8.00 p.m. last night. It concerns the dismissal notices issued to 88 workers of "*Mashriq*".

Mr. Chairman: Well, the Secretariat tells me that a notice is received but it is not accompanied by the document and the document has been received now. So, certainly it will take time.

Mr. Javed Jabbar: So, would you allow it to be moved now?

Mr. Chairman: After we have gone through whatever is there on the list at present. Adjournment motions. Mr. Ahmedmian Soomro.

ADJOURNMENT MOTIONS

(i) ADJOURNMENT MOTION; RE: DISMAL PERFORMANCE OF PRINTING CORPORATION OF PAKISTAN

Mr. Ahmedmian Soomro: Thank you Sir.

I ask leave to make a motion that this House do adjourn to discuss a matter of urgent public importance, recently reported in the 'Daily News' (evening) newspaper of Karachi dated 30th July 88, regarding the huge losses incurred by Printing Corporation of Pakistan whose accumulated loss as on 30th June, 1986, is reported to have stood at 92 million rupees which has further risen on 30th June, 88.

Sir, I have based my motion on a report.

Mr. Chairman: Let me ask whether it is being opposed.

Mr. Wasim Sajjad: Opposed, Sir.

Mr. Chairman: It is being opposed. But you may also consider that you have given notice of another motion also which deals more or less with a similar problem.

Mr. Ahmedmian Soomro : That deals with the other corporation, Sir.

Mr. Chairman: It deals with other corporations but the Government has something like 89 and 112 corporations and if we start discussing them individually.....

Mr. Ahmedmian Soomro : Sir, I am referring to a specific corporation, not to all the corporations.

Mr. Chairman: Right then please go ahead.

Mr. Ahmedmian Soomro : The Printing Corporation of Pakistan has been losing money ever since it was set up by the Government in 1969 and its accumulated losses as on June 30th, 1986, stood at more than 92 million rupees or 88% of its total equity. The irony is that when the PCP was formed nearly twenty years ago to operate Government Printing Presses at Islamabad, Lahore and Karachi the rationale given for its creation was that it would operate its presses on commercial lines and improve their efficiency. The PCP has been a consistent money loser despite reportedly charging a mark up of 20 to 25% from customers on the cost of paper purchased by the corporation. The mark up on paper has averaged about 15% of the sales of the corporation. The PCP also sub-contracted work to private presses. This sub-contracted work was also marked up by 15 to 20% over its actual cost in the bills submitted by the PCP to customers. Since all the PCP clients were government departments the financial burden from the mark ups ultimately had to be passed on to the national exchequer. The PCP's Lahore Press, located at Urdu Bazar on a 8,000 yards plot of land worth an estimated 40 million rupees current market price, is housed in a very dilapidated building and the machinery is old and outmoded. The use of such a valuable piece of real estate for the installation of a small press is obviously not a sound commercial proposition. The PCP also suffers from several managerial weaknesses. Its recovery of dues from its customers is unsatisfactory. Trade debts as on June 30, 1986, exceeded rupees 67 million. These included amounts relating to fiscal year 69-70 onwards. Over 60% of the amounts owed to PCP date back between 2 to 15 years. Another PCP's weakness is excessive loss of production due to ineffective checks and controls.

Mr. Chairman: Soomro Sahib, this is a statement of fact which you have read out but you have not explained how this motion becomes admissible as an adjournment motion.

Mr. Ahmedmian Soomro : Sir, it involves such a large amount of public money and is running into losses day by day.

Mr. Chairman: You can discuss the affairs of this corporation or for that matter of any other corporation on the basis of some other motion or on the basis of a resolution but please explain how it becomes an adjournment motion which deals only with matters which have arisen suddenly, emergently and not something which has been continuing from year to year and from period to period because that alone would be admissible as an adjournment motion.

Mr. Ahmedmian Soomro : Right, Sir.

Mr. Javed Jabbar: Mr. Chairman, may I wish to remind the member that I have filed a motion under Rule 194 to discuss the report on the performance of the government sponsored corporations which has been placed on the table of the House. Perhaps we could take this up then.

Mr. Chairman: Earlier than that I think there was a notice given by Prof. Khurshid also which has raised the same issue that the performance of the government sponsored corporation should be discussed by the House. Now, these motions, I think, the one which Mr. Ahmedmian Soomro has raised just now and the next one which deals with the losses suffered by the Trading Corporation of Pakistan and the Rice Export Corporation and CEC, I think, they can all be, unless it becomes too bulky, discussed separately under Rule 194 or on the basis of a resolution.

Mr. Ahmedmian Soomro : Do you permit me to move it, Sir?

Mr. Chairman: No. But the question is that if it is not admissible even if you move it, it would serve no purpose.

Mr. Ahmedmian Soomro : Sir, I think, if we discuss although it would be a very lengthy affair and these are places, I mean, look at the 1.87 billion loss, what are these corporations then for? I thought we would bring this to the notice of the Minister. Let us see what he has to say, it is not a small amount.

Mr. Chairman: That is quite true but I think the Minister can also throw some light on this. But since the issue is not one of losses, the issue is of the overall performance, the efficiency or performance, the policies followed by the Government, the price fixation etc.

Mr. Hasan A. Shaikh: He won't throw any light, he takes it lightly.

Dr. Mahbubul Haq: I assure the honourable Senator that I shall try to bring whatever information I have at the disposal of this honourable House. Sir, so far as the alleged losses of Cotton Export Corporation, Rice Export Corporation and Trading Corporation of Pakistan are concerned, first of all I would like to clarify that in 1986-87 the only corporation that experienced losses was the Cotton Export Corporation and not TCP or RECP. In fact the TCP had a gross profit of 46 million and a net profit

after taxes are deducted 27 million and RECP had a gross profit of 39 million in 86 calendar year and 34 million in 87 calendar year before taxation. So, this needs to be clarified first that RECP and TCP have not been in a loss but they have made profit during the year that has been reported in the press. Sir, the Cotton Export Corporation did incur a loss of 199 crores during 1986-87 and the reason was that the international price of cotton fell very low, at one time it was between 20 Cents to 24 Cents per Pound. Our domestic support prices at that time were roughly about 40 Cents per Pound as translated in international prices. And as such since we are committed to support a price to the grower and the Cotton Export Corporation paid them a price of around 40 Cents per Pound and they could dispose of their stocks in the international market at much lower price and thus sustained the loss of 199 crores that year. May I also brief the House that subsequently in 1987-88 when the International prices went up, there was a profit of around 400 crores that the CES would be making. Sir, these losses and profits are a necessary part of the stabilization policy of the Government and the support price that is given to the farmers and they should not be mixed up or confused with operational efficiency or in efficiency of the CEC. We do recognize that we have to improve the operational efficiency and the structures of all corporations and we are working on that but this particular loss does not come under that heading and I did wish to clarify this to the House.

Mr. Chairman: Thank you. I think the sense of the House is that the performance of the public sponsored or government sponsored corporations should, at some stage be discussed. I don't think we can discuss all the 98 or 112 whatever the number of the corporations is, but if the House would select say six or ten or twelve not more than that corporations which they would like to bring under discussion and focus attention of the House on the performance of those then I think, my suggestion would be that you agree to a discussion under Rule 194 on those selected corporations.

Dr. Mahbubul Haq : We shall be glad to do that Sir.

Mr. Chairman: Right.

Mr. Ahmedmian Soomro : We will also examine it in the Standing Committee concerned Sir.

Mr. Chairman: Of course, you are always free to do that.

Mr. Ahmedmian Soomro : Thank you.

Mr. Chairman: Next Adjournment Motion No. 98, Dr. Bisharat Elahi.

(ii) *RE: ENTRY OF ABOUT 5000 'AIDS' PATIENTS IN KARACHI*

Dr. Bisharat Elahi: I would request that the House be adjourned to discuss a matter of great national importance arising out of a press report that five thousand AIDS victims from Tanzania and Nigeria have managed to enter Karachi. Sir, AIDS is a killer and there is no known treatment for it. The entry of such a large number of persons suffering from AIDS is a matter of grave concern for the people of Pakistan.

Mr. Chairman: Is it being opposed?

Mir Hazar Khan Bijarani: Opposed.

Dr. Bisharat Elahi: In case the newspaper or the press report is incorrect Sir, then perhaps there may be some justification for the Minister in opposing it, otherwise if the newspaper information is correct there can be absolutely no justification for the Minister in opposing it. Because I have already said that AIDS is a killer and there is no known treatment for it and the number of persons who have entered according to the newspaper report is 5000. That is a very large number by any standard. The known cases or the registered cases of AIDS in the world today according to one of the very recent papers was about 150,000 but perhaps even that is not correct and AIDS is most prevalent in Africa where in some of the countries especially Uganda it has been said that 50% of the population is suffering from AIDS and all these countries are nearby Uganda borders with Tanzania, Nigeria. I am inclined to believe that the incidence of AIDS in Africa is extremely high and one should always suspect that a person from Africa may have it. And if the other thing which according to the newspaper is that the ladies who have managed to enter with this group whether they have come in one group or they have come over a period of time, I am not very certain, neither is the newspaper very clear about it but these ladies are involved in selling drugs or in drug trafficking. Sir, perhaps the Minister knows that there is a distinct link between AIDS and drug addiction, especially drugs which are being administered by injections and there is quite a high incidence of drug addiction in Pakistan. The two of them taken together, I think, is a matter of grave concern. Thank you Sir.

Mr. Chairman: What can be in your opinion the reason for 5000 of these patients from two countries to make a bee line in all the world for Pakistan?

Dr. Bisharat Elahi: As I have said Sir, if this information is incorrect then perhaps I may be sort of over reacting to it.

Mir Hazar Khan Bijarani: Sir, let me make the position clear. The newspaper report is not only incorrect but it is misleading also and has created a lot of misunderstanding and chaos among the public. I do not know how they have based their report and on what facts because the actual cases so far reported are 17 in all and

previously a question was put before this House and even in that answer a number was reported 17. As far as the AIDS itself is concerned Sir, it is a disease which has no cure, I agree with the honourable Senator, and the Health Department in Pakistan is very much alive to the situation. We have already taken some steps not for the cure but for the health education and how best we can do to contain the situation. As far as the 17 AIDS victims are concerned Sir, six of them were critical cases out of which four have already died. One is in a hospital in Karachi and the six persons are under the medical treatment in Kohat. The rest eleven of them are non clinical cases. Sir, out of these 17 cases so far reported only two were Tanzanians and there was no Nigerian AIDS patient as such. Therefore, Sir, I don't think the situation is that alarming as reported by the newspaper.

I would also request the honourable Minister for Information and Broadcasting to kindly see to it that no such disinformation is brought for the public at large because that creates a wrong impression. This is for the moment what we have for the information of the House and we have already moved a summary and we have requested the honourable Minister for Finance to provide certain funds because we have some plans in this regard and we intend to implement those plans in the near future.

Mr. Chairman: So, drop shot of your statement is that the motion is based on incorrect facts, if that is the situation, Dr. Sahib, would you persist with your motion or not press it.

Dr. Bisharat Elahi: Well Sir, perhaps if I am over reacting to this issue I believe the Minister is under reaction to it.

Mr. Chairman: That is not the point. The point is actually whether this report is correct or not and where facts are denied by Government ordinarily in these matters that statement is taken to be correct. So, I think, there would be no room for admitting this.

Dr. Bisharat Elahi: Perhaps you are right Sir, I agree with you but can I say something?

Mr. Chairman: Yes please.

Dr. Bisharat Elahi: Sir, the least we can do at this stage is to examine the blood of all donors before it is transfused into other patients and the second suggestion that I have is that all known drug addicts should be examined—their blood should be examined for AIDS. Thank you Sir.

Mr. Chairman: I am sure the Minister would take note of this and with regard to this news item also instead of relying on the Information Ministry, your's is a technical Ministry very competent to refute this on your own and please issue a contradiction to allay the apprehensions and fears in the general public.

Mr. Hasan A. Shaikh: Point of Order. Sir, is it necessary that the Minister should use the forum of the Senate to request the Information Minister to give publicity for a certain thing?

Mr. Chairman: This was exactly the point I had in mind and I requested him to issue a contradiction on his own. Janab Bangulzai Sahib.

میر حسین بخش بنگلڑی : جناب چیئرمین ! میں آپ کی وساطت سے ایوان کی توجہ اس طرف مبذول کرانا چاہوں گا کہ بقول وزیر صحت کہ یہ اخباری اطلاعات بالکل غلط ہیں اور پچھلے تین سالوں سے ہمارا یہ تجربہ چلا آرہا ہے کہ اخبارات میں اکثر غلط خبریں چھپتی ہیں اور جو اس ہائوس کے فورم پر contradict ہوئی ہیں۔ کیا اخبارات کی اس قسم کی اشتعال انگیز خبروں سے جو صرف وہ بزنس کے لئے چھاپتے ہیں اور لوگوں میں ذہنی پریشانی پیدا کرتے ہیں ، کوئی تادیبی اقدام نہیں کیا جا سکتا۔

Mr. Chairman: Mr. Javed Jabbar.

Mr. Javed Jabbar: May I invite the attention of the honourable Federal Minister for Finance to the points raised by Dr. Bisharat Elahi. I think, unless emergency financial grants are provided to the Ministry of Health and the Provincial Governments the kind of testing facilities that he is advocating cannot be implemented and that is the key to the whole question whether the Government will move fast enough in view of gravity of the threat of this disease.

Mr. Chairman: But I don't think that those tests are all that expensive. Dr. Sahib.

Dr. Mahbubul Haq: Sir, I would like to assure the honourable House that we shall immediately place the adequate funds at the disposal of the Ministry of Health. This is the kind of disease which is very serious. We do not wish that there should be any spread of this. Whatever is needed for this purpose will be immediately provided.

Mr. Chairman: Thank you. Next—Mr. Muhammad Tariq Chaudhry—
No. 100.

جناب محمد طارق چوہدری : جناب چیئرمین ! یہ میری ایڈجرنمنٹ موشن افغانستان کے مسئلے پر ہے اور صاحبزادہ یعقوب صاحب تشریف نہیں رکھتے ہیں اور میں یہ چاہوں گا کہ ان کے آنے تک اس کو اٹھا رکھا جائے گا کیونکہ حال ہی میں وہ روسی اکابرین سے بھی ملے ہیں۔ اس لئے وہ ہمیں تازہ ترین صورت حال سے آگاہ کر سکیں گے جو ہمارے لئے بہتر ہوگا۔

جناب چیئرمین : شکریہ !

جناب وسیم سجاد : جناب والا ! میں ان کی جانب سے حاضر ہوں۔ میں اس تحریک التوا کے بارے میں، بیان دوں گا۔

جناب چیئرمین : جی قاضی عبداللطیف صاحب -

قاضی عبداللطیف : جناب والا ! میری تحریک بھی اسی کے متعلق ہے کہ ابھی جو انہوں نے مشترکہ اعلامیہ جاری کیا ہے، اس سے جو تشویش پیدا ہوئی ہے، اس پر بحث کی جائے۔ بہر حال اس کا تعلق براہ راست وزارت خارجہ سے ہے۔

Mr. Chairman: I think, if they want the Minister to be present, these can be deferred till such time that the Foreign Minister is himself present in the House.

Well, this brings us to the end of the adjournment motions. We can take up the next item on the agenda.

DISCUSSION ON THE PRESIDENT'S ADDRESS TO THE HOUSE ON 20-7-88

Mr. Chairman: Discussion on the following motion moved by Mr. Wasim Sajjad, Minister for Justice and Parliamentary Affairs, on 2nd August, 1988:—

“This House expresses its deep gratitude to the President of Pakistan for his gracious Address to the Senate of Pakistan on the 20th July, 1988”.

On the last occasion, we said that the amendments if any should be moved and we have received an amendment which has been circulated to the House. I think, Mr. Javed Jabbar can move his amendment now formally.

Mr. Javed Jabbar: Thank you, Mr. Chairman.

I move that after the figure 1988, the following words be added:

“But regrets that in the course of this Address there has occurred a serious mis-interpretation of the Constitution concerning the binding obligation in Article 224(2) that elections be held within 90 days of the date of dissolution of the National Assembly”

Mr. Chairman: The amendment moved is:

“That after the figure 1988, the following words be added:

But regrets that in the course of this Address there has occurred a serious mis-interpretation of the Constitution concerning the binding obligation in Article 224(2) that elections be held within 90 days of the date of dissolution of the National Assembly”.

I believe, it is being opposed. What I would suggest is that together with your amendment you can also speak on the main motion if you (Mr. Javed Jabbar) so wish because this was the practice we adopted previously and as far as the debate is concerned that would be disposed of together except that the amendment may have to be put to vote separately and the main motion separately.

Mr. Javed Jabbar: Thank you, Mr. Chairman. بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Mr. Chairman, in moving an amendment to this motion, I do so with considerable regret and reluctance. Regret because in my view the office of the Head of State of any country must be above controversy. Because the Head of State represents the continuity of the State even though Governments may change, political parties may enter or leave office, the Head of State symbolically represents the permanence and dignity of the State itself. Therefore, in moving an amendment to

what is really a ceremonial motion of thanks and also a parliamentary device to initiate a debate, regrettably one has to take issue with the person delivering the Address to the House because of the extraordinary circumstances in which our country has lived for most of its 40 years but most particularly during the tenure of the present occupant of that office of Head of State.

I believe, Mr. Chairman, that the Address presented in the House on the 20th of July has to be seen in the context of what came before the 20th of July and what has come after the 20th of July, it cannot be seen in isolation. It is an Address that is self-contained. It is attendant to that Address as a whole process of actions, of omissions which have to be looked at, if we are to do justice to this motion moved by the honourable Minister and when we look at the situation in our country before 1977 which is a crucial date we notice that strangely enough a civilian popular government, extremely controversial of course, had to its credit taken the decision to call party-based elections well before they were constitutionally due. The irony is that the Government before 1977 could have, if it wanted to call elections in 1978 or indeed seek a constitutional amendment and prolong its tenure by another year such as has happened in Sri Lanka but a Government that has been very harshly criticised for some of its authoritarian tendencies and some of its gross political mistakes, also, we must acknowledge was willing to face party-based elections and it called it well ahead of time and it lived through the fire and the agony of the events between March and July, 1977 and then came of course 5th of July and one need not go into the details but except to point out that the Address of the 20th July has to be seen in the context of the what has happened to the Constitution of Pakistan since it was adopted unanimously in 1973. Before July 5, 1977, already as we know seven amendments had been moved to that Constitution and certainly some regrettable provisions had been included into the Constitution by which the Government, the executive arm of Government acquired an unhealthy degree of control over the independence of the judiciary, and certainly the original 1973 Constitution does contain the flaw by which the Head of State was reduced to a person whose signature could not be relied upon unless it was countersigned by the Prime Minister which is certainly not a dignified way of representing the Head of State in any Constitution and therefore, the Constitution of 1973 certainly deserves to be amended whereas time goes by we discover flaws. But in our case what has been happening to the Constitution since the 5th of July, 1977 is not what normally happens in countries where from time to time one amends the Constitution to take note of changing circumstances.

In our case, I mean, just to recount in 1977 on the 5th of July after suffering seven amendments the entire Constitution was put into abeyance, a kind of cold storage, deep freeze of the soul and the soul of Pakistan remained in the deep freeze until as you know the lifting of the Martial Law on the 30th of December, 1985 when that soul was only partly revived. In 1981—83, we must remember Mr. Chairman, that despite the Supreme Court verdict in the Nusrat Bhutto case which very clearly gave a very limited kind of interpretation to the abeyance of the Constitution, by no stretch of the imagination could the Supreme Court verdict in the Nusrat Bhutto case be taken to

[Mr. Javed Jabbar]

assume that you could play with the Constitution or keep it in deep freeze for 8 years that was not the thrust of the Supreme Court judgement and yet it was done and finally we were given the gift of the Provisional Constitution Order which was a complete defiance of the Supreme Court Judgement and I am very glad that there were members of the Supreme Court and the High Courts who stood up and said that they refuse to take fresh oath of office under a mutilation of that Constitution. In 1984, there was a further tampering with the Constitutional process in my view because a referendum was held and virtually unknown in constitutional history the name of a particular individual was made part of a Constitution. We have been with these actions done and undone to the Constitution and yet we accepted it. We said that for the sake of national unity and faced with so-called external threats we shall accept.

Then, came February 1985, when again a whole set of very substantive amendments to the Constitution were conducted and the people of Pakistan and the leaders of Pakistan—one admires their patience and their tolerance—are willing to accept in tampering with the solemn document of the Constitution because they felt there was a ray of light that now at least we might be able to come out and vote. Even though the decision to hold the polls on a non-party basis even in February, 1985 was anti-constitutional, I pay tribute to the people of Pakistan that even then over 50% of the people went out and voted out of sheer desperation. They wanted to express their basic inherent commitment to democracy. This illiterate nation of ours, this ill fed, under-employed, badly led country of ours still has these golden ideals in its heart of hearts, whether we are poor or impoverished, I think the people of Pakistan are one of the great nations of this earth because under the most repressive violations of the Constitution they are still willing to stand up and say we believe in democracy and we do not want to break up the country but do not test our patience unduly, do not assume that simply because we are complacent, we are not running riots in the streets, do not mistake this for what it has become fashionable to say, "what has happened to the nation of Pakistan; we have become apathetic, we are indifferent". I do not agree with this. I think the nation is simply going through a deep sense of shock and out of that sense of shock one day will come a certain re-assertion of what are the rights of the people—the rights of the people being the sanctity of the Constitution.

Now the sanctity of the Constitution, Mr. Chairman, in the light of the Address by the President of Pakistan on the 20th of July, 1988, becomes particularly relevant when we read even the ceremonial wording of the motion which says:

"This House expresses its deep gratitude to the President of Pakistan for his gracious Address to the Senate of Pakistan on the 20th July, 1988".

Now, I agree that you have got to use the words like 'deep' and 'gratitude' and so on. It fulfils certain ceremonial aspects but the point at issue is that we have a situation where that office is occupied by an individual who also is the Chief of Army Staff and I would dare to submit that this Address could be viewed as an Address by the

Chief of Army Staff to the Senate of Pakistan equally. One has the right to view this Address not as an address by the President of Pakistan but as an address by the Chief of Army Staff.

Mr. Chairman: Let me remind you that the Address was under Article 56(1) and it is only the President who has the privilege of addressing the House not the Chief of Army Staff, however, otherwise he may be placed. Please proceed.

Mr. Javed Jabbar: I understand that Mr. Chairman, but in the context of reality if a person is occupying a most sensitive position I, at least, am entitled to view that address in a dual capacity and since the person traces the occupancy of that office by virtue of the fact that he is the Chief of Army Staff one has to read the Address in that light.

As I said at the outset I do not wish to unduly make that office controversial but these are the facts that have to be unfortunately faced at the risk of unpleasantness and at the risk of much lack of perhaps grace because it is in the answer to that riddle that we might find the elements that we are searching for. How do we preserve the sanctity of the Constitution when that office continues to be occupied by a person already holding another position because it is that position that exerts the ultimate authority of might **override**. I mean, if we are talking about constitutional values about democracy, if we say that we have restored fundamental rights on the 30th of December, 1985, we are at the same time not accepting that 'right' prevails. We are *de-facto* accepting that whether our State is a Muslim State or not a Muslim State, what ultimately matters is who holds the power. Now are we condemned to live with this reality or can we change this reality? That is the question. It is a question that goes beyond, I think, the position of whichever party happens to be in power. The present political power system may arrange and re-arrange itself and we may get new permutations out of the Muslim League or new formulations but this basic truth cannot be avoided and ultimately if not now our children's generation will have to face that question. Therefore, I believe that this Address by which certain set of interpretations were made to the Constitution have to be examined in that historical and specific context.

Now, Mr. Chairman, why does one submit that the Address of the 20th of July, 1988, is a serious mis-interpretation of the Constitution. In fact, you might recall that I have already tried to move two motions of breach of privilege on that very Address. In your Chamber, however, you have felt it wise to refer them back to me to ask for further clarifications and I cannot answer those in the House but let me submit that my views are based on the very simple thesis that Article 224 (2) of the Constitution is a binding and a definitive article. The nature of the 1973 Constitution was so well probed and so well analysed by all segments of national opinion that if at that stage political parties felt that you could interpret holding of the election date nebulously or vaguely do we think that parties like the National Awami Party of the time or the other parties represented in parliament—Jamaat-e-Islami and all the other opposition

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parties would not have pin-pointed some clause and said let us not allow this leverage, this scope manoeuvre by the Head of State to interpret or mis-interpret as to whether the election should be held within 90 days or not held within 90 days. No. 1, there was no such provision made by the framers of the original 1973 Constitution.

Now, we come to 1985 with all the amended versions of the Constitution. What the action reveals is actually sheer human oversight. I mean even though the persons who are credited with being the legal advisers on the drafting and the amending of the Constitution are supposed to be very astute legal experts, I think, they actually slipped up because after all they are human beings and you can only be clever upto a certain point. You cannot be clever with the truth indefinitely. I think this is one human error by a great set of experts who simply did not realize that if they wanted to give an escape clause to the Head of State or if they wanted to have a provision which could allow scope for manoeuvre they should have had an enabling Article and not the Article whether it says:

“254. When any act or thing is required by the Constitution to be done within a particular period and it is not done within that period, the doing of the act or thing shall not be invalid or otherwise ineffective by reason only that it was not done within that period”.

That is simply functional. For example, a letter which is supposed to be signed by the Head of State is not signed on time, does not invalidate the entire process. In that case they would have allowed for a very specific article saying that in special circumstances of national emergency or in extraordinary circumstances the Head of State may exercise his discretion in extending the date for elections beyond 90 days to a maximum of say 180 days or 200 days. This would have been the logic of the constitutional amendments and the framing of the original Constitution because you find in this Constitution time and again so many small, relatively petty matters have been made part of the Constitution. I mean even the basic fundamental rights of the people of Pakistan have been made subject to an extraordinary set of qualifications which is very difficult to find in other Constitutions that even the freedom of speech is made subject to the order, subject to morality, subject to the public interest, subject to religion, subject to this subject to that which allows of course our beloved constitutional experts and those in power to interpret or misinterpret even that basic freedom of speech. So, when they did not allow the Head of State to find any kind of manoeuvre for that 90 day period it meant either that they did not intend for such scope to be allowed that it would be against the spirit of the 73 Constitution or it reflects pure human oversight and I am glad that that oversight took place at least it allows us to be reassured that some supermen not capable of imperfection are aiding and assisting in the various interpretations of the Constitution.

So, Sir, if we proceed from that assumption the main reason advanced in that Address on the 20th of July, if I remember correctly, the most substantive one, was that concerning delimitation as a result of shifts of population and the need to refer to the

1981 census. Now, here again I unfortunately take issue to the best of my knowledge as the records will show on clear investigation the Election Commission had already undertaken the work on re-examining the delimitation aspect I think in 1987 and that by April or May, 1988 much of the delimitation work had already been reviewed and this was within the knowledge of the then Prime Minister, I am sure, and in the knowledge of the Head of State because after all and here I come to a substantive issue that the appointment of the Chief Election Commissioner according to the Constitution is made by the President of Pakistan. The Chief Election Commissioner in that sense, therefore, is not responsible to whoever happens to be Prime Minister, he is responsible directly to the Head of State. So, surely if the census took place in 1981 we are now in 1988, did not the Chief Election Commissioner report to the President that major shifts of population have occurred, I should really be undertaking a delimitation exercise because basic realities have changed. If he did not report to his own appointing authority perhaps the appointing authority may have asked the Chief Election Commissioner at least once a year in that seven years period whether delimitation had been reviewed but it appears that in such a major instance of national concern this was not done and I find this very strange.

Now, Mr. Chairman, if you also look at the other reasons advanced during the course of that Address, one reason given was the climate, the weather that because by convention elections in Pakistan have never been held in this period, therefore, elections should not be held in July or August. Now, to my mind this is not a conclusive argument because elections in any case in Pakistan have been very few and far between and No. 2, we have numerous instances throughout the world, the contemporary world where elections were held during times of war. Iran is a case in point, our beloved neighbour, the nation engaged in war for over eight years has gone through elections. One may have different views on whether all the forces who wanted to participate in those elections were able to or not but the fact remains that elections were held. Fact also remains that in virtually all the other democracies the climate is never a guiding principle, I mean, it might be raining or snowing. Britain is a classic example, the weather in Britain is subject to extremes within the summer itself, you cannot predict English weather beyond two hours but that has not prevented the world's oldest parliamentary democracy from holding elections whenever the unwritten constitution demands it, they don't even have a written constitution and yet they respect, the principle of a regular elections. In fact as I mentioned earlier the proclamation of dissolution of the House of Commons contains within it, the date and the time at which the next parliament will meet, so committed are they to the principle of continuity.

Therefore, Mr. Chairman, I believe that the Address of 20th of July needs to be viewed in our ability as a legislature to act not only as a debating society, debating constitutional niceties in which many people may not be interested but in retaining the sanctity of the Constitution that if you look at the pattern from 77, if not 73, for 15 years the original will of the new Pakistan of 1971 has been violated time and again. By the early amendments which changed the independent nature of the judiciary and post,

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1977 by a series of measures that have created a *de-facto* situation in which the legislature has been made subject to the will of other institutions. And even though we are in a very limited state of power without the National Assembly, this pretence of keeping the House going I don't think deludes anyone. I mean, it might make the Minister for Justice and Parliamentary Affairs happy or he might come back to me and say if you call for the prorogation of the session it just shows that you are not committed to democracy and I would not mind agreeing with him because this is not really substantive democracy. This is a ceremony. What we are all going through is really ceremony to create the illusion in the mind of the people that some semblance of democracy exists in Pakistan. Yes, democracy in that sense exists but what kind of relevance or meaningfulness does it have when we know that this Senate was elected by four legislatures that were elected on a non-party basis, that the political parties of Pakistan have been deprived of the opportunity to be represented in Parliament, that to the best of my knowledge only one party actually took part in the non-party elections because the ruling party only took shape after the legislatures were created.

Therefore, Mr. Chairman, I move this amendment to that motion wishing to ensure that for the future of this country the office of Head of State remains above controversy, that the office of Head of State should not be shared with an office that is so basic to the interests of the country and so substantively a part of our national resources. It should be an office occupied in a purely political civilian capacity so that the legislatures can react on that basis and, therefore, I press the amendment to that motion. Thank you.

Mr. Chairman: Thank you very much. Any other member who may wish to speak either on the amendment or on the main motion or in fact both?

One thing I may remind the House that there is an adjournment motion coming for two hours' discussion. I think we will take this up round about 01.00 or 01.30, so in the meantime we can debate this particular item. Mr. Hasan A. Shaikh.

Mr. Hasan A. Shaikh: Sir, I am in agreement substantively on what Mr. Javed Jabbar has said about the President's Address. I do not want to create a controversy. I don't want to join issues with the President's Advisers on this question of President's Address but I don't think in the circumstances of this case President could even address the Senate. We have to take it for granted that we have been subjected to the address against our will because President has decided to exercise power he has. Mr. Javed Jabbar is perfectly right in saying that he has dual control over this House. It may be, he may not sound as controlling this House in his capacity as the Chief of Army Staff but the fact is that he is Chief of Army Staff, that the fact that he wields that power is bound to have effect on the Address he makes. But he could not make an Address under parliamentary practice without the advice of the Prime Minister whom he has not appointed after dissolution of the National Assembly and after dissolving the former Prime Minister's Cabinet. He has started a Cabinet without a Prime Minister with only a Leader of the House as he has been termed here or

his Senior Minister. I think it is mandatory part of the Constitution to dictate to us that 'there shall be a Prime Minister in this House'. If the Prime Minister is not there we have to look to nobody except the Constitution and to the Chairman of this Senate to protect us against the possible complaint that we are attacking the office of the President.

Sir, we know that President's Address requires certain sanctity. We have also to bow down to such sanctity. We can not question President's right of address. But you have to see before you allow people to use President's Address in his capacity as the President, as the Head of the State above controversy or with controversy. Today, the President is the Prime Minister as well as the President. Today, he presides over the Cabinet meetings and he also calls himself the President of Pakistan. There is no provision in the Constitution for the President to preside over the Cabinet meeting. It is the Prime Minister's prerogative to preside over the Cabinet meetings. Therefore, the President have reduced his office to a position which is not permissible under the Constitution. Sir, we have to consider whether we should not be or, we should be allowed to use the present position of the President as that of the Prime Minister and view it as such and place our views on that Address in that capacity. I am prepared to say that I do not accept, if you permit me Sir, to say so, that this is a President's Address, this is a Prime Minister's Address. He is not the President when he came to this House and gave his Address because there was no Prime Minister to advise him. He may have a Cabinet but a Cabinet without Prime Minister has no meaning. Therefore, my submission is that President has violated the Constitution, if anybody has violated the Constitution, it is the President who has violated the Constitution. Because he is today conducting the affairs of this country without the Prime Minister's advice, without the presence of the Prime Minister to advise him, it is immaterial for us whether Mr. Aslam Khattak is the Sr. Minister or the Prime Minister but he has not been designated as a Prime Minister that may show lack of confidence of the President in Mr. Aslam Khattak or that may show that weakness of Aslam Khattak to accept any position as long as he remains where he is but I must say Sir, as far as we are concerned, as far as Senators are concerned when the President came to the Senate, of course, we treated him with all respect, we will treat him with all respect even in the future but he had no authority to address this Senate without the advice of the Prime Minister and Prime Minister with the Cabinet—not a Cabinet without the Prime Minister. Therefore, my submission is that this Address has no constitutional validity. This Address is invalid in the Constitution. The Constitution does not provide for an Address of a President who is not advised by the Prime Minister because what happens in a presidential address, he comes with the advice of the Prime Minister and we say that he was not properly advised. We do not say President said this and President said that, whether this is right or this is wrong, we say that the advice was wrong, advice was erroneous, therefore, we attack the adviser—the Prime Minister, not the President.

But if the President chooses to keep himself both the positions together and he has that as a matter of fact. He has, since he has dissolved the National Assembly, since he has dismissed the Prime Minister, been presiding over all the Cabinet

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meetings. Under which provision in the Constitution does he preside over the Cabinet meetings? Under which provision of the Constitution he is operating without a Prime Minister? All the provisions in the Constitution, they point to the presence of the Prime Minister—advice of the Prime Minister which is said to be binding. If the Prime Minister was dismissed either there is a provision in the Constitution that Prime Minister could be continued until the next election that would have been a discretion of the President but if he did not and he appointed a Cabinet then he should have named somebody as the Prime Minister. Now, Sir, we are in a very very difficult situation in this country. We can not say anything against the President because it is an office which has to be respected. Somebody said Sir, that in the British House of Commons it is unwritten Constitution, yes, you know Sir, although we have gone through a mill, although Justice Munir, Chief Justice has ruled that all the acts which were not given assent to, all the constitutional provisions which had not been given assent to by the President are beyond authority or *ultra vires*. I am a witness Sir, to what happens in the House of Commons, on the day, the assent is to be given, a gentleman having a Black Rod knocks at the door of the House of Commons, the doors are immediately locked then he knocks and he says; the Queen commands—the Speaker, the Queen does not come there, the Queen's Commissioner comes there, the Queen probably in her palace, commands his Speaker. The Speaker goes there and I have worked in the House of Commons during that period and I have seen that what is carried is only the dockets with only the title of the "Act passed" the text of the act is not there, the Speaker texts the Act—the docket and only reads the title and the Commissioner does not, even sign anything, nothing is placed before the Commissioner. They only nod their head and when they nod their head—it is assent. That is the real democracy. That is the real parliamentary practice. Unfortunately, Sir, we had a precedent in which our Supreme Court decided that "no, this has to be given assent to physically by the President" and that Chief Justice of the Supreme Court later on withdrew that by saying that I was under pressure. I do not want to go into that history because it is not very happy to go into those things publicly.

One thing I must say Sir, every President of this country must realize if he calls himself a civilian President that he has to maintain good traditions not only for himself but for years to come, for centuries to come. If Pakistan has to continue in its existence as a democracy and it is most important that it exists as democracy then the President must set good example of democratic institutions democratic practices. Then the President must set good example of democratic institutions, democratic practices. Here, the Objectives Resolution does not start with the idea that Islam is to be the binding force: It starts with democracy. I read that other day. Sir, I will now read it again, if you permit me only two minutes, not more, Sir:

"Whereas the State shall exercise its powers and authority through the chosen representatives of the people; wherein principles of democracy—freedom, equality, tolerance, social justice as enunciated by Islam shall be fully observed".

Now, is there any provision in Islam that chosen representatives could be dismissed by the Head of State? Is there any precedent in Islam that chosen representatives can be dismissed by the Head of State? The Head of State is subordinate to the chosen representatives in totality. I must admit that a single member cannot say about the President. But in totality all the members of the National Assembly and the Senate together are above the President. The President is only a nominal Head of the country particularly in a democratic form of government and the Quaid-i-Azam always pointed out this everywhere that Pakistan will be run democratically. He never said that Pakistan will be under the President and I had told you Sir, on the last occasion that the first Cabinet gave all the powers to Quaid-i-Azam in his capacity as Quaid-i-Azam but he never exercised them, not as President; not as the Governor General but as the Quaid-i-Azam. The first Cabinet gave all the powers to Quaid-i-Azam but he never exercised them.

So, if Pakistan has to exist as an honourable country; if the people of Pakistan are not to be humiliated all over the world, if people of Pakistan are not to be looked down upon as people subjected to one man's rule in this country for years then whosoever becomes the President, once he becomes a President he has to forget that he was a Commander-in-Chief; he has to forget that he had all the powers—omnipotent powers, omniscient powers over the people of Pakistan; he must come down to a situation where he acts in a constitutional manner. He acts in a manner that will further the interest of Pakistan, of the people of Pakistan.

Now, Sir, I am not saying this but to this day the President who dismissed the Prime Minister has not told us as to why he dismissed him. He dismissed him, generally, he said—'corruption'. Now, all the front benches except probably one or two solitary exceptions there is the part of the corruption that he presented before the world, and they accepted that charge and yet became Ministers.

Mr. Chairman: I think, we have gone over this ground in the context of the two privilege motions moved by Senator, Mr. Javed Jabbar. You should kindly concentrate on the present motion which is before the House and try to wind up.

Mr. Hasan A. Shaikh: Sir, the present motion is also related to it. If you would not allow me, I would not go through that.

Mr. Chairman: That is true.

Mr. Hasan A. Shaikh: It is relatable. That probably Sir, you will have to concede gracefully.

Mr. Chairman: I concede that but let us be brief and not to refer to what we have discussed already.

Mr. Hasan A. Shaikh: No. I am saying this that the Prime Minister's doings whatever—or wrong doings or whatever corruption charges that were placed against the Prime Minister's altar they have not been placed before this House so far. That means there were weak grounds. The only idea was to take concentrated power in the hands of an individual who felt he was being ignored; who felt his powers are not being allowed to be exercised because the Prime Minister had all the powers under the Constitution. It is tactics that is important and how can we go into this wide world and call ourselves a democratic country and say that the Prime Minister is subjected to single will of one man. It is true that the Prime Minister can be dismissed but there is other provision; was that provision complied with. A notice should have been given to the Prime Minister, through the Cabinet that you have not proceeded on these lines; these are the lines dictated by the Constitution, and it is not so. On the other hand, clandestinely when the Prime Minister is out of the country and when he reaches this country, an order is issued not because of the President's power. The power was a power to which a reference was made by Mr. Javed Jabbar that is a residual power and is responsible for all the ills of Pakistan. One must admit that you have to give this discretion to somebody and you give it to the Head of State. But you presume that he will not misuse it; that this discretion will not be capriciously used; his discretion will not be used in furtherance of selfish interest; his discretion will not be used to use concentrated power for his own benefit for his personal, I should say aggrandizement or you can say something else but Sir, if that person does not do that what is the remedy? The remedy is that we should pass the amendment suggested by Mr. Javed Jabbar and that amendment is an understatement of what is really passing in our minds. That amendment has to be passed in that language because rules wouldn't permit because the Chairman, under the rules, will not allow us to suggest an amendment of the nature that we would like to. But I think, Sir, Head of the State if he leaves the Constitution to winds if he ignores the Constitution; if he ignores the worldwide conventions in respect of democratic conventions in respect of these matters then we have only one remedy *i.e.*—We should be allowed bluntly to say that whatever has happened in Pakistan is because concentration of power by uniting the two offices—the office of the President and the Chief of the Army Staff into one man and therefore, that has become dictatorship in Pakistan and the dictator has assumed full powers in Pakistan.

Thank you, Sir.

Mr. Chairman: Thank you. Anybody else. Mr. Shad Muhammad Khan.

جناب شاد محمد خان : حضور والا ! شکریہ ، ۲۹ مئی کے اعلانات جب ریڈیو اور ٹی وی پر سنے گئے تو اس وقت قوم ایک تذبذب کا شکار ہو گئی ، قومی اسمبلی کو اگر dismiss کیا گیا ہے تو اس کے

وجوہات بھی منظر عام پر لائی گئی ہیں۔ واضح طور پر یہ وضاحت کی گئی کہ یہ اسمبلی نفاذ شریعت میں ناکام رہی ہے، امن وامان کی حالت خراب ہو گئی ہے لہذا صدر مملکت نے ان آئینی اقدامات کو، جس کا انہیں آئین کے تحت حق حاصل تھا، بروئے کار لا کر اسمبلی کو dismiss کیا۔ قوم تذبذب میں مبتلا تھی، کہ اسے اس راستے پر لے جایا گیا ہے جہاں مارشل لاء کا نفاذ ہو سکتا ہے۔ یا بصورت دیگر ایک ایسے ریفرنڈم کی تیاری کی جا رہی ہے جس میں صدر اپنے لئے مزید پانچ سال کا مطالبہ کریں گے۔ لیکن ۲ جولائی کو جو بیان اس سینیٹ میں دیا گیا اس سے وہ تذبذب بالکل ختم ہو گیا اور وہ چیزیں منظر عام پر آ گئی ہیں جن سے معلوم ہوتا ہے کہ وہ مذکورہ اقدامات اٹھانے کا ارادہ نہیں رکھتے۔ ان اقدامات کی روشنی میں لوگ اس شک و شبہ کا اظہار کر رہے تھے کہ ۱۹۷۷ء کی طرح اس دفعہ بھی ۹۰ دن کے انڈر ایکشن نہ ہو سکیں گے، اور میں اس بات کا یہاں اعادہ کروں گا کہ اس وقت جو ایکشن ۹۰ دن میں نہیں ہو سکے اس کی وجہ یہ تھی کہ تمام پولیٹیکل پارٹیاں سامنے آئیں اور انہوں نے اپنے اس عندیہ کا اظہار کیا کہ کوئی پولیٹیکل پارٹی ایسی نہیں ہے جو ایکشن لڑ سکے لہذا اس ایکشن کو postpone کیا گیا۔

اب حضور والا! میں اس بات کا کھلے دل کے ساتھ اظہار کرنا چاہتا ہوں کہ ۲ جولائی کے بعد وہ خدشات دور ہو گئے ہیں اور

[Mr. Shad Muhammad Khan]

قوم کو یہ پروگرام دیا گیا ہے کہ ۱۶ نومبر کو انتخابات ہوں گے اور ضرور ہونگے لہذا ان خدشات کا ازالہ ہو گیا ہے جن کا اس سے پہلے لوگ اظہار کر رہے تھے، اس کے بعد اب پریشانی کی بات یہ ہے کہ اب بھی ایسی باتیں ہو رہی ہیں کہ ان اقدامات کو عدالتوں میں چیلنج کیا جائے گا حالانکہ آٹھویں ترمیم کی صورت میں انہیں یہ اختیارات حاصل تھے۔ پاکستان مسلم لیگ کی ورکنگ کمیٹی نے بھی اظہار کیا ہے کہ یہ غیر جمہوری اقدام تو ہو سکتا ہے لیکن یہ غیر آئینی نہیں ہے اس لئے کہ صدر کو یہ حق حاصل تھا کہ وہ اسمبلی کو dissolve کرے۔ لہذا جناب والا! اب بھی اگر غور سے دیکھا جائے اور پرکھ لیا جائے کہ کون سی ایسی سیاسی پارٹیاں ہیں جو اس قابل ہیں کہ وہ انتخابات میں حصہ لیں۔ انتخابات میں حصہ نہ لینے سے وہی صورت پیدا ہو گئی جو ۱۹۸۵ میں ہوئی تھی، جب کچھ لوگ ۱۹۸۵ء میں پٹری سے اتر گئے اور پھر پچھتاتے رہے۔ لہذا ان اقدامات کو سراہا جا رہا ہے، اب بھی کوئی پولیٹیکل پارٹی یا کوئی سیاسی مدبر عدالت کی طرف رجوع کرے گا تو قوم اس کو معاف نہیں کرے گی، اس لئے کہ واضح احکامات کو شک و شبہ سے نہ دیکھا جائے کیونکہ یہ بھی واضح ہو گیا ہے کہ ۱۶ نومبر کو نیشنل اسمبلی اور پھر صوبائی اسمبلیوں کے انتخابات ۱۶ نومبر کو ہو رہے ہیں۔ صدر کے اس اقدام کی تعریف کی جانی چاہیے اور قوم کو تیار کرنا چاہیے تاکہ وہ انتخابات میں حصہ لے اور انتخابات میں حصہ لے کر قومی اسمبلی

کو بحال کیا جائے جو کہ ہمارا ایک حصہ ہے، ہمارا ایک جزو ہے۔ اس کے بغیر میرا خیال ہے کہ سینٹ بھی اپنے فرائض مکمل طور پر ادا نہیں کر سکتی جب تک سینٹ کے پاس کردہ بل اسمبلی میں جا کر توثیق نہیں ہوں گے وہ میرے خیال میں ایکٹ کی صورت اختیار نہیں کر سکیں گے۔

حضور والا! میں یہ بھی کہوں گا کہ اس اعلان میں انتخابات کے ”جماعتی“ یا ”غیر جماعتی“ ہونے کے بارے میں ایک تذبذب تھا، لیکن جب میں اپنے گھر پہنچا تو پتہ چل گیا کہ انتخابات ”غیر جماعتی“ ہوں گے۔ میرے نقطہ نظر سے کوئی بھی پولیٹیکل پارٹی اس حیثیت میں نہیں ہے کہ وہ انتخابات جیت سکے۔ ممکن ہے کہ بعض شہروں میں جماعت اسلامی منظم ہو، ممکن ہے کہ بعض جماعتوں کا وجود ہی نہ ہو۔ ایسی پارٹیاں یہاں ہیں کہ ان کا صرف ایک سربراہ ہے اور اس پارٹی کا نام و نشان نہیں ہے۔ میں یہ کہوں گا کہ مسلم لیگ کی جڑیں عوام میں پھیلی ہوئی ہیں، سابقہ پروگرام کی وجہ سے مسلم لیگ کی خاص طور پر دیہات میں جڑیں پھیلی ہوئی ہیں اور دیہاتوں میں خاص طور پر مسلم لیگ مقبول ہوئی ہے۔ لہذا اگر مسلم لیگ اکٹھی ہو جائے اور یہ انتخاب جماعتی بنیاد پر اگر ہو جائیں تو ہم انشاء اللہ کامیاب ہوں گے اور اپنے پروگرام پر عمل کریں گے۔ لہذا جناب والا! اس اقدام کو شک و شبہ کی نظر سے نہیں دیکھنا چاہیے۔ صدر کے اقدام کی

[Mr. Shad Muhammad Khan]

تقریف کرنی چاہیے اور اس موقع سے قائدہ اٹھا کر انتخابات میں حصہ لینا چاہیے تاکہ ہم اپنی منزل کی طرف گامزن ہو سکیں۔ شکریہ۔

جناب چیئرمین : جناب محمود احمد منٹو صاحب۔

خواجہ محمود احمد منٹو : جناب والا ! جو امینڈمنٹ میرے دوست جبار صاحب نے پیش کی ہے ، میں اسکی تائید کرتا ہوں کیوں کہ اس سے بہتر اور کوئی ترمیم نہیں آئی لیکن اس ضمن میں چند معروضات میں پیش کرنا چاہتا ہوں اور وہ یہ ہیں کہ یہ اقدام آئین کے بالکل خلاف ہے کیوں کہ آئین کا interpretation بالکل واضح ہے اور clear ہے ، اس میں کوئی دو رائے نہیں ہو سکتی ہیں۔ کوئی legal luminary جو ان کا مشیر ہے اس معاملے میں ، انہوں نے اگر ان کو یہ مشورہ دیا ہے تو غلط مشورہ دیا ہے۔ ۹۰ کا مطلب ہے کہ ”۹۰ دن“ اور ۹۰ دن میں الیکشن ہونے چاہئیں تھے ، یہ نہیں ہے کہ ۹۰ دن گزرنے پر آپ یہ کہہ دیں کہ تیسرے سال میں الیکشن ہوں گے ، چوتھے سال میں ہوں گے۔ اب گورنر کا کہہ دیا ہے ، اگر دسمبر کہہ دیں یا اگلے سال کا کہہ دیں تو انہیں کون روک سکتا ہے۔ اب پوزیشن یہ ہے کہ میں نے کچھ دن ہوئے اخبار میں پڑھا تھا کہ ایک صاحب نے جو کہ اخباری نمائندے تھے صدر صاحب سے ایک سوال پوچھا جس کا جواب انہوں نے یہ دیا کہ میری constituency تو Army ہے۔ اناللہ وانا الیہ راجعون !

ایک شخص جو اس ملک کا صدر ہو اور جمہوریت کا قائل ہو وہ یہ کہے کہ میری constituency فوج ہے ، آپ اس کے متعلق اندازہ لگا سکتے ہیں کہ آیا وہ شخص as a President of the country کام کر رہا ہے یا چیف آف ڈی آرمی اسٹاف کے طور پر کام کر رہا ہے۔ وہ سمجھتے ہیں کہ میں آرمی کا representative ہوں، میں آرمی کا چنا ہوا ہوں۔ حالانکہ آئین میں اس کی کوئی گنجائش نہیں، مگر وہ دماغی طور پر یہی سمجھتے ہیں کہ وہ آرمی کے نمائندے ہیں۔ اگر وہ آرمی کے ہی نمائندے ہیں، آرمی کے ہی چنے ہوئے ہیں، آرمی ہی ان کی constituency ہے، تو ہم سے کیا چاہتے ہیں۔ ہم تو لوگوں کے سپنے ہوئے ہیں، لوگوں کے نمائندے ہیں، اسمبلی میں بھی اور سینیٹ میں بھی، لیکن اسی پس منظر میں انہوں نے یہ احکام جاری کئے ہیں۔ اور یہ احکام mis-interpretation of the Constitution پر مبنی ہیں۔ اس لئے میں اس امٹنٹ کی پر زور تائید کرتا ہوں جو جناب جاوید جمیل صاحب نے پیش کیا ہے۔

جناب چیئرمین: بہت شکریہ!۔۔۔۔۔ اور کوئی صاحب۔۔۔۔۔

بہرہ ور سعید صاحب۔

اخونزادہ بہرہ ور سعید: آعوذ باللہ من الشیطن الرجیم، بسم اللہ

الرحمن الرحیم، نحمدہ نصلی علی رسولہ الکریم، جناب چیئرمین صاحب! میں صدر مملکت کا مشکور ہوں کہ انہوں نے ۲ جولائی کو، اس اہم اعلان کے لئے چنا۔ یہ ٹھیک ہے کہ جناب شاد محمد خان صاحب

[Akhunzada Behrawar Saeed]

کی یہ فرمائش ، جس سے کم از کم ان کا دل تو شاد ہو گیا ، کہ وہ شکایات یا وہ شکوک جو لوگوں کے دلوں میں پیدا ہو گئے تھے ، کہ شاید الیکشن کی تاریخ مقرر نہ ہو ، دور ہو گئے ہیں کیوں کہ انہوں نے یہاں آکر الیکشن کی تاریخ کا اعلان کر دیا ہے۔

جناب چیئرمین صاحب ! شیخ صاحب سے اس مسئلہ پر متفق نہیں ہوں کہ صدر صاحب کو اس ایوان کو ایڈریس کرنے کا حق نہیں تھا۔ صدر صاحب کو آرٹیکل ۵۶ کے تحت اس ایوان کو ، نیشنل اسمبلی کو یا دونوں ایوانوں کو ایڈریس کرنے کا حق حاصل ہے۔ انہوں نے یہ حق یہاں استعمال کیا ہے اور صحیح استعمال کیا ہے۔ جہاں تک آئین کا تعلق ہے صدر صاحب نے اپنے اس خطاب میں چند ایسے مسائل کا ذکر کیا ہے جن کی طرف میں آپ کی توجہ مبذول کرانے کی کوشش کروں گا۔ انہوں نے ایک تو تحریک استحقاق پر مقررین کی نکتہ چینی کو کھلے دل سے سنا اور برداشت کیا بلکہ بعض مقررین کو خراج تحسین بھی پیش کیا۔ یہ جمہوری روایت ہے کہ تنقید چاہے پسند ہو یا ناپسند ہو ، مگر تنقید کا اختیار ہر ایک جمہوری ادارے میں ہر ایک فرد کو حاصل ہے۔ اور لیکن کے وہ الفاظ قابل غور ہیں کہ اگر کوئی جھوٹ پر بہت ہی زبردست تنقید کرے گا اور کوئی اس کو روکے گا تو

I will come and allow him to criticise me.

جناب والا ! ۱۵ نومبر کا اعلان ، حالات کے مطابق ، آئین سے باہر جا کر کہ وہ better late than never والی بات ہے۔ جہاں تک اس کی آئینی پوزیشن

کا تعلق ہے آیا صدر مملکت کو آئین کے آرٹیکل نمبر 224، آرٹیکل نمبر 58 اور آرٹیکل نمبر 48 کے مطابق یہ اختیارات حاصل تھے کہ وہ ۹۰ دن کے باہر کوئی تاریخ مقرر کریں تو میں یہ کہوں گا کہ آئین اس کی اجازت نہیں دیتا۔ اگر ہم نے واقعی آئین کے تقدس کو بحال رکھنا ہے اور واقعی ہم چاہتے ہیں کہ اس ملک میں آئینی حکومت ہو یا جس کو ہم کہیں گے کہ rule of the law ہو تو پھر آئین کے ہر آرٹیکل کی قدر کرنی چاہیے۔ اس کے مطابق کام کرنا چاہیے۔ پھر بھی صدر صاحب نے جو وجوہات اس delay کے لئے پیش کی ہیں۔ میں یہ عرض کروں گا وہ وجوہات بذات خود وزنی تو ہیں لیکن جب کوئی اقدام آئین اور آئین کے تقاضوں کے ساتھ متصادم ہو تو آئین کا جو تقاضا ہے اس کو پورا کرنا لازم ہوتا ہے۔ رہی الیکشن کمیشن کی بات تو الیکشن کمیشن ایک perpetual process ہے۔ الیکشن کمیشن کی یہ ڈیوٹی ہے کہ وہ ہر وقت انتخابات کروانے کے لئے تیار رہے اب یہ کہنا کہ ۱۹۸۱ء کی مردم شماری کے مطابق ان انتخابات کے لئے نئی حلقہ بندیاں تشکیل دی جائیں گی۔ اس کے لئے ہمیں اتنی مہلت چاہیے تو میں یہ کہوں گا کہ یہ عذر لنگ ہے یہ کم از کم بات ہے جو میں کہوں گا۔ درنہ میں یہ بھی پوچھنے کی جسارت کروں گا کہ یہ الیکشن کمیشن کیوں قائم کیا گیا تھا جب کہ وہ اس قوم کے خون پسینے کے کماٹی کھاتے ہیں تو وہ کیوں سوئے ہوئے ہیں یہ کیوں نہیں سوچتے کہ یہ ان کی ڈیوٹی ہے۔

[Akhunzada Behrawar Saeed]

حضور والا ! صدر گرامی قدر نے اپنے خطاب میں سینیٹ کی کارروائی کی طرف اشارہ کیا ہے۔ اور فرمایا ہے کہ سینیٹ نے اپنے معیار کو maintain کیا ہے (سابقہ اور موجودہ سینیٹ نے بھی) اور کمیٹیوں کے کام کو زیادہ تیز کرنے کی ترغیب دی ہے۔ میں ان کی اس تجویز پر مبارکباد دیتا ہوں۔ اگر سینیٹ کی کمیٹیوں کو حکومت کی protection حاصل ہو cooperation بھی حاصل ہو تو کوئی وجہ نہیں کہ یہ کمیٹیاں اچھے معیار کے مطابق کام نہ کر سکیں۔ اگر وہ یہی چاہتے ہیں اور مجھے یقین ہے کہ وہ یہی چاہتے ہیں تو پھر جناب چیئرمین صاحب ! اب جو کمیٹیاں تشکیل دی گئی ہیں (آپ کی سرپرستی میں) ان کو پورا موقع فراہم کیا جائے تاکہ وہ وہی کام کریں جس کی ان سے توقع کی جاتی ہے۔

جناب چیئرمین صاحب ! صدر صاحب نے جو چار اصول بیان کئے ہیں۔ وہ اچھے ہیں اور ان میں بڑا وزن ہے۔ ان چاروں کا اگر جائزہ لیا جائے تو وہ صدر مملکت سمیت ہر ایک پر لاگو ہوتے ہیں۔ عوام تو ان پر عمل کرنے کے لئے تیار ہیں اور ان سے یہ امید کی جاتی ہے کہ وہ اس پر پورے اتریں گے۔ مگر جو اس پوزیشن میں ہے تو وہ بھی ان چار رہنما اصولوں پر کاربند رہے۔ وہ چار اصول جناب ! سیاست کریں گے لیکن صاف ستھری سیاست۔ اب اگر اس کو ہم analyse کریں کہ صاف ستھری سیاست کیسے کریں گے

تو اس کے لئے مواقع چاہئیں، اس کے راستے میں کوئی رکاوٹ نہیں ہونی چاہیئے۔ اس کے لئے پھر میں وہی چیز کہوں گا کہ آئین کے مطابق کام کرنے کی اجازت ہونی چاہیئے اور آئین کے مطابق کام کرنا بھی چاہیئے۔ جمہوری ادارے بنائیں گے مگر صاف ستھرے معیاری ادارے۔ اب یہ جمہوری ادارے صاف ستھرے کیسے ہونگے یہ ایک ایسا مسئلہ ہے جس پہ جتنا زیادہ زور دیا جائے اور سوچا جائے اس کا حل زیادہ جلدی تلاش نہیں کیا جاسکتا۔ صاف ستھری سے کیا مطلب ہے؟ اگر صاف ستھری سے مراد اس کا معیار ان جمہوری اداروں کے مطابق مطلوب ہے جو اور محالک میں ہے یا ان اداروں کے نمائندوں کا معیار اتنا اونچا ہو تو اس میں تو وقت لگے گا۔ معیار تو خود بخود اونچا نہیں ہوگا۔ اس معیار کو حاصل کرنے کے لئے ہمیں کم از کم اس ملک میں پانچ چھوٹے انتخابات کرانے چاہئیں۔ اگر ایک الیکشن میں ۵ فیصدی اس قسم کے لوگ آتے ہیں تو اگلے الیکشن میں ہو سکتا ہے ۱۵ فیصدی معیاری لوگ آجائیں تو اس سے اگلے انتخابات میں پچاس فیصدی آجائیں۔ اور اس سے اگلے میں ۷۵ فیصد، مگر جہاں موقع ہی فراہم نہ ہو تو کیسے اس معیار کے لوگ آجائیں گے یہاں تو بات ہی الٹی ہے۔

جناب چیئرمین صاحب! یہاں جب انتخابات ہوتے ہیں تو ایسے ماحول میں ہوتے ہیں جہاں پھر گنتے والی بات ہوتی ہے، تولنے والی بات نہیں ہوتی ہے۔ پھر برادریوں، قبائل کا تعلق کام کرتا ہے اور پھر اس

[Akhunzada Behrawar Saeed]

میں ہوس اقتدار کے لئے جس طریقے سے اس پر پیسہ خرچ کیا جاتا ہے وہ قابل غور ہے۔ میں یہ اپنے آپ سے سوال کرتا ہوں کہ ایک ممبر دس لاکھ، پندرہ لاکھ، اگر گستاخی نہ سمجھیں تو پچھلے سیٹ کے انتخابات میں میرے صوبے میں کروڑوں روپیہ بھی خرچ کیا گیا ہے۔ آخر کس واسطے؟ ایک سیٹ کو حاصل کرنے کے لئے کیا وہ آؤسٹمنٹ کرتے ہیں اور پھر جب ہم return داخل کرتے ہیں تو کہتے ہیں nil تو یہ معیار حاصل کرنا، جمہوری اداروں کو زندہ رہنے دینا، پنپنے دینا، اور وقتاً فوقتاً انتخابات کروانے اور پھر اصولاً انتخابات کروانے سے یہ معیار حاصل ہو سکتا ہے۔ ویسے میں سمجھتا ہوں مشکل ہے۔

تیسری چیز یہ ہے کہ ہم اپنے حقوق کے لئے جدوجہد کریں گے مگر جائز حقوق کے لئے، حق تو ہمیشہ جائز ہوتا ہے۔ ناجائز تو حق نہیں ہوتا۔ ناجائز تو ناجائز ہے۔ اب اس حق کے لئے ہم کیسے جدوجہد کریں آپا پھر کہیں گے کہ جمہور یا اداروں کے ذریعے سے، آزادی پریس کے ذریعے سے، جلے جلوس کے ذریعے سے، خط و کتابت اور تقریر کے ذریعے سے، پھر بھی ہم کہیں گے کہ اگر مواقع فراہم ہوں تو تبا تو ہم حق کے لئے جدوجہد کر سکیں گے۔ ورنہ اگر وہ مواقع فراہم نہ ہوں تو پھر کیسے کریں گے۔ اب میں ایک سوال یہاں یہ پوچھوں گا۔ یہ ہمارا حق ہے کہ ہم اس ملک میں انتخابات کروائیں، یہ ہمارا حق ہے ہم اس ملک میں party basis پہ انتخابات کروائیں لیکن اب ہم اس کے لئے کیسے جدوجہد کریں یہ بات میری سمجھ میں

نہیں آتی۔ پھر وہی سوال اٹھے گا کہ جیسا کہ میرے دوست شاد محمد خان نے کہا ہے میں بھی کہوں گا اس لئے کہ

The beggars have no choice.

(مداخلت)

Mr. Chairman: No interruption please.

انخیزادہ بہرہ ور سعید : اپنے ووٹروں کی حق رسی کریں گے مگر کسی کی حق تلفی کئے بغیر۔ یہ ایسا مسئلہ ہے کہ پھر اس میں سارے معاشرے کی تطہیر کی ضرورت ہوتی ہے۔ پھر یہ سوال اٹھتا ہے کہ جہاں پر rule of law ہو، معاشرے کی تطہیر ہو سکتی ہے۔ جہاں پر وقتاً فوقتاً انتخابات ہوں تو تطہیر ہو سکتی ہے۔ اچھے آئے ہیں اور برے drop ہو سکتے ہیں۔ میں عرض کروں گا جناب عالی! کہ صدر گرامی قدر نے جو خطاب فرمایا۔ اگر میں اسے ۲۹ مئی کے خطاب سے منسلک کروں جو کہ اس سے الگ نہیں ہو سکتا۔ تو پھر یہ اسی قسم کا ایک ایکشن ہو گیا جو ۲۹ مئی کا ایکشن تھا۔ اور اگر اسے میں الگ کروں تو پھر بھی آئین کے تقاضوں سے تجاوز کرنا ہے۔ ہمیں کوشش کرنی چاہیے، خاص کر صدر مملکت کو کوشش کرنی چاہیے کیونکہ آئین کا تحفظ اور اس کے تقدس کو بحال رکھنا ان کا فرض ہے۔ کسی کو یہ اجازت نہیں دینی چاہیے کہ آئین کی کسی شق سے روگردانی کرے اور پھر بھی اگر آئینی حکومت نہیں چل سکتی تو وہ بھی اقدامات کر سکتی ہے۔ جناب اگر ۹۰ دن کے اندر انتخابات کرائے جاتے تو پھر شاید وہ ۲۹ مئی کا جو صدمہ اس قوم کو

[Akhunzada Behrawar Saeed]

پہنچا تھا۔ اس میں کمی آجاتی۔ مگر وہ ابھی تازہ تھا کہ مزید صدمہ پہنچایا گیا اور آگے خدا خیر کرے۔ خدا محفوظ رکھے اور کتنے surprise ہمارے لئے ہوں گے۔ میں یہی کہوں گا کہ خدایا! جو ملک آپ نے ہمیں عنایت فرمایا۔ آپ ہی اس کی حفاظت کریں۔

جناب چیئرمین : بہت بہت شکریہ !
 جناب حسن اے شیخ : پوائنٹ آف آرڈر۔ ملک کس نے عنایت

فرمایا؟

اخونزادہ بہرہ ور سعید : خدا نے

Mr. Chairman: This is no point of order.

جناب وسیم سجاد صاحب۔

قاضی عبداللطیف : یہ اس تقریر پر عمومی بحث ہے یا ترمیم پر بحث ہے۔

جناب چیئرمین : دونوں پر بحث ہے۔

قاضی عبداللطیف : اگر دونوں پر ہے تو پھر ہم بھی اس پر بات کریں گے۔ ہم تو یہ سمجھ رہے تھے کہ ترمیم پر بحث ہو رہی ہے۔
 جناب چیئرمین : میں نے پہلے ہی بتا دیا تھا کہ دونوں پر بحث ہے، مختصراً جو کچھ آپ عرض کرنا چاہتے ہیں، کیجئے۔ پھر طارق چوہدری صاحب بھی ہیں۔

قاضی عبداللطیف : میں تھوڑی سی گزارش کروں کہ اس میں دو جملے ایسے آئے ہیں۔ جن پر میں اپنے خیالات کا اظہار کروں گا۔

جناب صدر محترم نے فرمایا ہے کہ اس ایوان کو زیادہ سے زیادہ فعال بنایا جائے۔ اس کی فعالیت کی نوعیت کیا ہوگی جو دائرہ اختیار ہمارے لئے مقرر کیا گیا ہے۔ میرا خیال ہے اگر ہم اسے زیادہ سے زیادہ فعال بنائیں تب بھی ہم اسے فعال نہیں بنا سکتے، جس طرح یہاں ایک قرار داد آئی ہوئی تھی کہ اس کو مالی اختیارات دیئے جائیں۔ بجٹ پر بحث کا اختیار دیا جائے۔ لیکن آج تک وہ نہیں دیا گیا۔ لیکن کم از کم میں اتنی گزارش کروں گا کہ یہ تمام صوبوں کا نمائندہ ایوان ہے۔ اور صوبوں کے حقوق کے تحفظ کے لئے یہ بنایا گیا ہے تو کم از کم اتنا ہونا چاہیئے کہ صوبائی بجٹ اور صوبوں کو جو اس بجٹ سے مالی امداد دی جاتی ہے، وہ کم از کم اس ایوان میں ضرور بحث کے لئے پیش کی جائے۔ ایک بات تو یہ ہے۔ دوسری گزارش میری یہ ہوگی کہ اس کو فعال بنانے کے لئے یہ ضروری ہے کہ اس کو وزیراعظم کا انتخابی ادارہ بنایا جائے۔ جس طریقے سے وہ قومی اسمبلی سے ووٹ لے کر منتخب ہوتا ہے اسی طرح سینیٹ کو بھی یہ اختیار دیا جائے کہ وہ اپنے ووٹوں سے وزیراعظم کے انتخاب کے عمل میں شریک ہو سکے تب اس ایوان کا وقار بلند ہو سکتا ہے اور اس کی فعالیت برقرار رہ سکتی ہے۔

دوسری بات جو جناب صدر محترم نے فرمائی تھی وہ یہ ہے کہ ایکشن صوبائی اور قومی، دونوں ایک ہی دن میں ہوں

[Qazi Abdul Latif]

گئے۔ لیکن الیکشن کمیشن کو یہ اختیار ہے کہ اگر وہ انتظامی مجبوریوں
 کی بنا پر علیحدہ علیحدہ hold کرے تو وہ کر سکتا ہے اور آج
 انہوں نے اعلان کر دیا ہے کہ مرکزی ۱۴ کو اور صوبائی ۱۹ کو ہو
 گا۔ تجربے کے لحاظ سے یہ ہے کہ اگر دونوں کو علیحدہ علیحدہ کیا جاتا ہے
 تو بہ نسبت ان مجبوریوں کے جو ان کو انتظامی امور کے لحاظ سے
 پیش آتی ہیں اس میں زیادہ مجبوریاں ہیں اور اس میں زیادہ
 خرابیاں ہیں۔ ایک تو یہ ہے کہ جس گروپ یا جماعت کا آدمی
 کامیاب ہو جاتا ہے تو وہ صوبائی انتخابات پر بھی اثر انداز
 ہوتا ہے، وہ بحیثیت فاتح کے آتا ہے جب کہ دوسرے گروپ
 والے بحیثیت مغلوب کے سامنے آتے ہیں۔ لہذا یہ اس پر
 اثر انداز ہوتا ہے۔ اس کو ہم یقیناً یہ کہیں گے کہ یہ آزادانہ
 الیکشن نہیں ہوگا۔ دوسری بات یہ ہے کہ جب ایک گروپ یا
 ایک جماعت والے جیت جاتے ہیں یا ایک شخصیت جیت جاتی ہے تو
 مغلوب یا وہ شخصیت جو شکست خوردہ ہوتی ہے ان کے ساتھیوں
 کے جذبات انتہائی مشتعل ہوتے ہیں اور اس میں خون خرابے
 کا یقیناً خطرہ ہوتا ہے۔ اس لئے میں یہ گزارش کروں گا کہ اس
 آئٹم کو بالکل تبدیل نہ کیا جائے۔ ہماری قطعی رائے ہے کہ دونوں
 انتخابات ایک ہی دن میں ہونے چاہئیں۔ اگر یونین کونسلوں
 اور ڈسٹرکٹ کونسل کے انتخابات ایک دن میں ہو سکتے ہیں تو
 یہ دونوں انتخابات ایک دن میں کیوں نہیں ہو سکتے۔ میں گزارش
 کروں گا کہ دونوں انتخابات ایک ہی دن میں ہونے چاہئیں۔ جس

طریقے سے انہوں نے اپنی تقریر میں کہا تھا لیکن انہوں نے پچک رکھ دی تھی۔ اس وقت بھی ہماری گزارش یہ ہوگی کہ دولوں ایک ہی دن میں ہونے چاہئیں۔

جناب چیئرمین : بہت بہت شکریہ۔ جناب طارق چوہدری صاحبہ وقت بہت کم رہ گیا ہے، آپ سے درخواست ہوگی کہ مختصر بات کریں۔

جناب محمد طارق چوہدری : شکریہ جناب چیئرمین ! سب سے پہلے تو میں جاوید جبار صاحب کی ترمیم کی حمایت کروں گا۔ سینٹ میں صدر مملکت کا یہ خطاب ان کے تمام پچھلے خطابوں کے مقابلے میں بالکل مختصر خطاب ہے۔ اگرچہ یہ خطاب اپنے اندر بڑا وسیع پس منظر رکھتا ہے اور جتنا اس کا وسیع پس منظر ہے اس سے کہیں زیادہ وسیع اس کا پیش منظر ہے۔ مگر صدر مملکت کے مختصر ترین خطاب سے بھی زیادہ مختصر تقریر میں کروں گا کیوں کہ ابھی ہمیں انڈیا والے مسئلے کو بھی لینا ہے۔ اسمبلیوں کے ٹوٹنے کے بعد صدر مملکت نے اپنے خطاب میں اور بعد میں اپنی پریس کانفرنس میں بھی اس بات کا اظہار کیا تھا کہ الیکشن کمیشن آئین کے مطابق الیکشن منعقد کرنے کے اقدامات کرے گا۔ ۹۔ دنوں میں الیکشن منعقد کرانے کے اقدامات کرے گا اور الیکشن پارٹی بنیاد پر ہوں گے۔ اسمبلیاں توڑتے وقت اور اس کے فوری بعد یہ کچھ کہا گیا تھا۔ بہر حال اس کے بعد جو اقدام کئے گئے وہ

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after thought ہیں مثلاً یہ کہ ۹۰ دنوں میں عملاً الیکشنوں کا انعقاد ممکن نہیں ہے اور صدر مملکت نے ۱۶ نومبر کو الیکشن کے انعقاد کا اعلان کرنے کے لئے سینٹ کے ایوان کو منتخب کیا۔ یہاں آکر انہوں نے اپنے اس عہد کو دہرایا۔ ظاہر ہے کہ ایوان میں کسی بات کا عہد کرنا یا اقرار کرنا بجائے خود اس ایوان کے لئے عزت اور توقیر کا باعث ہے اور اس طرح سینٹ کے سامنے یقین دہانی کروانے کے بعد صدر مملکت کے اوپر ایک دہری ذمہ داری بھی عائد ہو گئی، ہمیں اس میں کوئی شک نہیں ہے کہ الیکشن جو ہیں وہ ۱۶ نومبر کو ہو جائیں گے لیکن یہ الیکشن کس طرح ہوں گے کن بنیادوں پر ہوں گے اس کے بارے میں صدر مملکت نے کوئی وضاحت نہیں فرمائی، اگرچہ اگلے دن پریس کانفرنس میں انہوں نے فرما دیا کہ الیکشن party basis پر نہیں ہوں گے، میں سمجھتا ہوں کہ ذاتی طور پر مجھے اور میرے جو چند ساتھی ہیں انہیں غیر جماعتی، انتخابات کی سب سے زیادہ ضرورت تھی کیوں کہ ہم نے کوئی پارٹی join نہیں کی اور نہ ہی ہم اتنی تیزی کے ساتھ کوئی فیصلہ کرنے کی پوزیشن میں تھے اس لئے ذاتی طور پر مجھے اور میرے ساتھیوں کو اس کی ضرورت تھی لیکن قومی معاملات میں ذاتیات سے بلند اور بالاتر ہو کر سوچنا پڑتا ہے۔ ہماری قومی بدقسمتی ہے کہ ہر شخص برسرِ اقتدار آکر اپنا نام پاکستان رکھتا ہے۔ آئین کے اوپر اپنی تصویر اور اس کے اندر اپنی تقریر چاہتا ہے اور اندر پھر جو اس کی اپنی تقریر ہے

اس کی وضاحت اور تشریح کے لئے انہیں بہت ہی قابل لائق وزرائے
تالون کی ضرورت ہوتی ہے جو دونوں طرف سے استعمال ہوتے ہیں
اس کی مخالفت میں بھی، حق میں بھی جس طرح کے دلائل چاہیں
وہ فراہم کرتے رہیں۔

دنیا میں قوموں کے ترقی کرنے کے صرف دو ہی طریقے ہیں۔ قوموں
کو اپنے مقاصد حاصل کرتے اور اپنے نصب العین تک پہنچنے کے لئے
دو ہی طریقے اختیار کرنے پڑتے ہیں یا تو یہ کہ ادارے مستحکم ہوں،
ادارے ایسے بنائے جائیں جس طرح یورپ کے اکثر ممالک میں ہیں امریکہ
میں ہے کہ انہوں نے ایسے اداروں کو ترقی دی اور ان اداروں کی وساطت
سے ان اداروں کی ترقی سے قومیں آگے بڑھتی رہیں اور بڑھ رہی
ہیں۔ دوسرا طریقہ کمیونٹ ملکوں نے اپنایا، انہوں نے ادارے ڈیولپ
کرنے کی بجائے قوم کو آرگنائز کیا، عوام کو آرگنائز کیا جیسے چین
اور روس وغیرہ جو بڑی قومیں ہیں، کروڑوں کی آبادیاں ہیں مگر
انہوں نے اپنی قوموں کو اس طرح آرگنائز کیا جیسے کوئی ایک اونٹ
اپنے سے اگلے اونٹ کی دم پکڑ کر جا رہا ہوتا ہے، سب کے ہاں نیکیل
ڈالی ہوئی ہے اور ایک دوسرے کی دم کے ساتھ بندھے ہیں
تو وہ سیدھے چلتے رہتے ہیں اس طرح یا تو قوم کو آرگنائز
کر کے اس سے کام لیا جاتا ہے اور یا ان اداروں کو ترقی دی جاتی
ہے۔ پاکستان میں کسی حکمران کے اندر یہ جرأت نہیں ہے کہ وہ قوم کو
آرگنائز کرنے والا محنت طلب کام کرے۔ ہر آدمی الگ چلتا ہے اپنی

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مرضا کے مطابق اپنا دن گزارنا چاہتا ہے، اپنے سٹیٹس کو برقرار رکھتا ہے لہذا وہ اس طرح کا کام کبھی کر ہی نہیں سکتا نہ ہی کرنا چاہتا ہے اور اداروں کو وہ اپنے ہاتھوں سے ٹوٹ بھوڑ دیتا ہے نہ قوم آرگنائز ہوتی ہے نہ ادارے develop ہوتے ہیں۔ اب دلیل یہ ہے کہ پارٹیوں کی بنیاد پر انتخابات اس لئے نہیں کروائے جاسکتے کہ کوئی پارٹی organized نہیں ہے اور قومی سطح پر وہ موجود نہیں ہے۔ پہلی بات تو یہ ہے کہ پارٹیاں جب تک الیکشن میں حصہ نہیں لیں گی جب تک لوگ ان کے لئے ووٹ نہیں ڈالیں گے، جب تک اس کے نتائج سامنے نہیں آئیں گے۔ صرف مفروضے کی بنیاد پر اپنی ذاتی رائے تو قائم کئے جاسکتی ہے لیکن اس ذاتی رائے کو پوری قوم کے اوپر مسلط نہیں کیا جاسکتا، دوسری بات یہ کہ فرض کریں یہی پوزیشن ہے تب بھی ہر آدمی منہ اٹھائے جس طرح اس کی مرضی ہو اپنا اپنا پروگرام وہاں دے کے آئے اس کے مقابلے میں یہ کہیں بہتر ہے کہ کسی پارٹی کے دس آدمی کسی پارٹی کے بیس آدمی کسی پارٹی کے تیس آدمی جو ہیں وہ ہاؤس میں آئیں جہاں وہ بیٹھ کر بہتر طور پر فیصلہ کر سکتے ہیں۔ اپنے آپ کو ایک دوسرے کے ساتھ ملا کر بہتر طور پر حکومت بنا سکتے ہیں اور حکومت چلا سکتے ہیں۔ ایک تجربہ کل فیل ہوا ہے، کل ہم اس تجربے سے گزر رہے ہیں، کل ہم نے غیر جماعتی انتخابات کو محکامی دی ہے، کل ہم نے اس پر لعنت بھیجی ہے، کل ہم نے یہ دیکھا ہے کہ نہ اس سے امن وامان قائم ہوا ہے نہ اس سے رشوت رکی نہ قوم کا کوئی مسئلہ اس کے

ذریعے سے حل ہوا لیکن ہم تاریخ کو کیا دہرائیں گے، ہم تو کل کو آج اور آج کو کل سے دہراتے چلے جا رہے ہیں یہ کوئی بہت پرانہ قصہ نہیں ہے، مارچ ۱۹۸۵ میں نئی اسمبلی آئی تھی، دو مہینے پہلے الیکشن ہوا تھا اور ابھی اس کو تین، سواتین سال گزرے ہیں ہم نے اس کی ناکامیوں پر تبصرے کئے ہم نے اس کی مذمت کی، ہم نے اس کو گالیاں دیں حتیٰ کہ زر جماعتی ایوان نے جو وزیراعظم چنا اس نے یہ وقت بہت پہلے سے محسوس کر لی اور صدر مملکت کو انہوں نے اعتماد میں لیا اور اس کے بعد انہوں نے ہاؤس کے اندر پارٹی بنا ڈی یعنی یہ بات پایڈ ثبوت کو پہنچ چکی ہے۔ نان پارٹی ہاؤس صحیح طریقے سے کام نہیں کر سکتا لیکن اس کے باوجود کیوں کہ حکمران طبقے کو یہ 'وارا' نہیں کھاتا ہے کہ پارٹی کی بنیاد پر الیکشن ہوں کیوں کہ اس صورت میں کوئی پارٹی ہیڈ آگے آئے گا۔ اور پارٹی ہیڈ ایک بڑا سیاستدان، ایک بڑے رتبے والا سیاستدان جس کو چاروں صوبوں میں عوام کی حمایت حاصل ہوگی، ہر ضلع میں اس کی آرگنائزیشن ہوگی، ہر قصبے میں اس کے ورکرز ہوں گے، اس کے ساتھ ٹکرا جاتا، اس سے ووٹ لے لینا، اس کو خرید لینا، اس کو اپنی مرضی سے چلا لینا کچھ زیادہ آسان نہیں ہوگا لیکن انفرادی طور پر منتخب شدہ لوگوں کی تھانیدار کے ذریعے، ڈپٹی کمشنر کے ذریعے، کمشنر کے ذریعے، ڈی، آئی، جی کے ذریعے، ایس، پی کے ذریعے، دمروڈی جاسکتی ہے۔ اسکا بازو جو ہے وہ توڑا جاسکتا

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ہے اور بڑی آسانی کے ساتھ اس کو اپنی مرضی اور اپنے مقاصد کے لئے استعمال کیا جاسکتا ہے۔ ایک طرف یہ کہا جائے کہ پارٹیاں آرگنائزڈ نہیں ہیں، دوسری طرف پارٹیوں کو آرگنائزڈ ہونے کا موقع ہی نہ دیا جائے اور پارٹیوں کی جو بنیادی ضروریات ہیں مثلاً الیکشن، حکومت، اس کی طرف ان کو آنے ہی نہ دیا جائے اور ان سے یہ توقع بھی رکھی جائے کہ وہ پوری قوم کو آرگنائزڈ بھی کریں، الیکشن بھی لڑیں تو وہ الیکشن کس طرح لڑیں یعنی یہ بنیادی سوال ہے، یہ ہماری بنیادی ضرورت ہے، لیکن بنیادی ضرورت سے ہم انحراف کرتے ہیں صرف طاقت کے زور پر۔ یہ رویہ جو ہے میں سمجھتا ہوں کہ ملک کے لئے، قوم کے لئے بہت نقصان دہ ہے۔ یہ مرحلہ بڑا دشوار گزار ہے اور یہ بہت منفی رویہ ہے۔ اس سے یہ تاثر برابر بڑھتا جا رہا ہے مثلاً میں نے اپنے بہت سے سندھی دوستوں سے یہ سنا کہ دیکھیے صاحب آپ تو ہم پر اعتماد ہی نہیں کرتے۔ سندھ میں ہم نے چیخ چیخ کر گورنر کو ہٹایا۔ آپ نے سب صوبوں میں گورنران کے اپنے صوبوں کے دیئے لیکن سندھ میں نہیں، ہم مشورہ چاہتے رہے اور اب ہمارا صوبہ صرف ایسا ہے جہاں ہمارا کوئی چیف منسٹر نہیں ہے اور گورنر بھی آپ نے بھیجا ہے تو باہر سے بھیجا ہے جب کہ پنجاب میں جو گورنر ہے وہ تو پنجاب کا ہے۔ سرحد میں جو گورنر ہے وہ پنجاب کا ہے۔ سندھ میں گورنر جو ہے وہ پنجاب کا ہے تو اس طرح جو کچھ بھی ایک فرد واحد کرتا ہے وہ میرے صوبے

کے اوپر آ کے گالی بن کے لگتا ہے۔ وہ ہمیں الزام دیتے ہیں، ہم
پرستان توڑتے ہیں تو اب ساڑھے چار لاکھ فوج جو ہے اس کی
بنیاد پر اگر اس کو سیاسی پارٹی تسلیم کر کے چلا جائے گا تو پھر
ساڑھے چار لاکھ فوج جو ہے صرف یہی منظم سیاسی جماعت ہے
جس کے چاروں صوبوں میں ورکرز موجود ہیں۔ اس کا مطلب یہ ہوا
کہ ایک آرگنائزڈ سیاسی جماعت جس کو قوم نے ہتھیار دیئے ہیں
اگر وہ اس کے زور پر یہ کام چلانا چاہے گی تو اس کا نتیجہ کیا
ہوگا۔ ہم نے چھوٹی سطح پر ایک تجربہ کر کے دیکھا ہے، یونیورسٹیوں
اور کالجوں میں ایک لمبے عرصے سے الیکشن ہوتے رہے ہیں، یونینز
بنتی رہی ہیں، لڑائیاں نہیں ہوتی تھیں۔ جسٹس نہیں ہوتے تھے
اور جب سٹوڈنٹس کی سٹرائیک ہوتی تھی تو وہ اجتماعی سٹرائیک
ہوتی تھی۔ سب سٹوڈنٹس حکومت کے خلاف احتجاج کرتے تھے۔
جب پیپلز پارٹی کی حکومت آئی تو پہلی دفعہ حکومت نے وہاں مداخلت
کرنا شروع کی۔ جب حکومت نے مداخلت کرنا شروع کی مجھے
اچھی طرح یاد ہے کہ پنجاب یونیورسٹی میں پہلی دفعہ الیکشن پر گولی
چلی، ایک استاد زخمی ہوئے اور ایک سٹوڈنٹ قتل ہوا۔ بھٹو صاحب
نے ایک فورس بنائی تھی جو شاید ایف ایف تھی اس کے چار
انسپکٹر پنجاب یونیورسٹی میں داخل کرائے گئے اور وہ چار انسپکٹر اپنے
ساتھ دوسرے لوگوں کو ملا کر لاء کالج کی سائٹ سے بیلٹ بکس
اٹھانے کے لئے فائرنگ کر رہے تھے کیوں کہ پنجاب یونیورسٹی میں

[Mr. Muhammad Tariq Chaudhry]

ہمیشہ ان کی مخالف یونین جیت جاتی تھی۔ وہاں سے بیلٹ بکس اٹھانے کے لئے فائٹنگ کی گئی جب وہ فائٹنگ کی گئی تو ایک لڑکا مارا گیا اور ایک استاد زخمی ہوئے۔ اب جو اس کا مخالف گروپ تھا اس کے پاس اس وقت اسلحہ نہیں ہوتا تھا تو انہوں نے بھی اب اسلحہ لانا شروع کیا کیونکہ بندوق یا سیون ایم ایم کی گولی کو وہ لاکھوں اور ڈنڈوں کے ساتھ نہیں روک سکتے تھے۔ نتیجہ یہ ہوا کہ یونیورسٹیوں میں پہلی دفعہ پستول introduce ہو گیا اور بڑھتے بڑھتے آج جو صورت حال ہے وہ کلاشنکوف تک پہنچ گئی ہے۔ اب ملکی سطح پر بھی قومی سطح پر بھی یہی صورت حال ہو گئی ہے۔ مشرقی پاکستان ہمارا بڑا.....

جناب چیئرمین : ذرا اختصار سے کام لیں۔

جناب محمد طارق چوہدری : جناب میں اس سے زیادہ مختصر نہیں کر سکتا اگر آپ حکم دیں تو بیٹھ جاتا ہوں۔

جناب چیئرمین : پہلے آپ نے ارشاد فرمایا تھا کہ طوالت میں صدر صاحب کی تقریر سے یہ کچھ کم ہو گئی، مجھے اب یہ احساس ہو رہا ہے یہ اس سے اب کچھ بڑھ رہی ہے۔

جناب محمد طارق چوہدری : کم نہیں میری اپنی تقریر۔ مشرقی پاکستان کے اندر یہ احساس بڑھتا چلا گیا کہ ہمارے اوپر طاقت کے زور پر مکرانی کی جارہی ہے اور پھر جب الیکشن ہوا تو اس میں عجیب نے میجر ٹی حاصل کر لی لیکن اس وقت کے فوجی صدر نے اقتدار منتقل کرنے

سے انکار کیا تو وہاں ایک ایسی ایجنسی ٹیشن ہوئی جو پاکستان کو اپنے ساتھ بہا کر لے گئی۔ اس کے بعد آپ دیکھیں اسی طرح کی ایک صورت حال اتنی شدت سے نہیں ہوتی تھی لیکن سرحد میں ہوتی تھی وہ روس نے ہمارا مسئلہ حل کیا، پختونستان والا جو مسئلہ تھا اور اس کے بعد بلوچستان میں تحریک اٹھی۔ اب بلوچستان کی آبادی کم ہے، بہت وسیع رقبہ ہے، وہاں ایک صورت حال پیدا ہوئی، اس کو فوجوں کی بنیاد پر کنٹرول کر لیا گیا لیکن وہ نفرت ہم نے آج بھی وہاں پر سلگتے ہوئے دیکھی ہے اور اس کے بعد یہاں چیز سبزہ میں پیدا ہوئی، اس کے بعد یہ سندھ کی طرف منتقل ہوئی اب اگر یہ احساس بڑھتا چلا جائے کہ یہ گھر میرا گھر ہے اس پر میرا ہی کوئی شریک قابض ہو جائے تو میں یہ چاہتا ہوں اس گھر کو جلا کر رکھ دوں لیکن اس میں اس کو رہنے کی اجازت نہ دوں۔ یہ گھر میرا ہے اگر اس میں میں نہیں رہ سکتا تو اس کو کیوں رہنے دوں۔

جناب پاکستان سب کا ملک ہے اور یہ تاریخی حقیقت ہے کہ پاکستان کو قائم کرنے میں سب سے پہلا نمبر بنگالیوں کا تھا۔ پاکستان کی بنیادیں بنگالیوں نے قائم کیں اور پاکستان کے قیام کی تائید سندھیوں نے کیا۔ پنجاب جہاں میں بیٹھا ہوں یہ اس تحریک میں سب سے بعد میں شریک ہونے والا صوبہ ہے لیکن آج یہ سب سے بڑا ٹھیکہ دار ہے۔ اس کے سر پر بیٹھ کر اس کے کندھوں پر بندوق رکھ کر پورے ملک میں شخصی حکومتیں قائم ہوتی ہیں اور کسی دن

[Mr. Muhammad Tariq Chaudhry]

یہاں پر بھی احساس محرومی پیدا ہوگا۔ ابھی بہت دلوں کی بات نہیں ہے، ہم نے یہ احساس بنگالیوں میں دیکھا اور بہت دلوں کی بات نہیں ہے، ہم نے ایران میں دیکھا، ہماری افواج سے بڑی افواج تھیں پھر قوم بجائے خود اور سیاسی پارٹیاں بجائے خود فوجی طرز پر آرگنائز ہو جایا کرتی ہیں۔ ساڑھے چار لاکھ سے زیادہ افراد کو مجتمع کر لینا کوئی بڑا مسئلہ نہیں۔ قوم کو اس مقام تک پہنچانے سے پہلے اس کے حقوق اس کو لوٹا دیئے جائیں، اس پر اعتماد کیا جائے، اس کی پارٹیوں پر اعتماد کیا جائے، اس کے عوام پر اعتماد کیا جائے، اور سیدھے سبھاؤ جو کچھ قوم چاہتی ہے جس کو قوم چاہتی ہے، جس پارٹی کو قوم چاہتی ہے، جن افراد کو قوم چاہتی ہے اقتدار ان کے سپرد کر دیا جائے۔ اپنی اہلیتوں کو اپنی صلاحیتوں کو پورے پاکستان میں سب سے اعلیٰ نہ سمجھا جائے۔

جناب چیئرمین : شکریہ ! جناب وسیم سجاد صاحب۔

Mr. Wasim Sajjad: Mr. Chairman, I am grateful to you.

Sir, the Senate of Pakistan is the highest legislative body in this country. It enjoys a distinctive position under the Constitution for two reasons. Firstly, Sir, it is a body which is perpetually in existence. Secondly, all the four provinces of Pakistan are equally represented in the Senate. It, therefore, Sir, represents the Federation of Pakistan. It enjoys respect and authority because of this special position given in the Constitution and it is a measure of respect due to the Senate that the President of Pakistan decided to make the important announcement regarding the date of the election in the Senate. In doing so, Sir, he utilized the privilege available to him under Article 56 of the Constitution. I think those honourable members who feel that the President does not have the power or the privilege to address the Senate under the Constitution may refer to Article 56 to which, Sir, you also kindly referred.

Mr. Javed Jabbar: Point of Order. No one questioned the right of President to address the Senate.

Mr. Chairman: No, one gentleman did.

(interruption)

Mr. Hasan A. Shaikh: I did not question it.

(interruption)

Mr. Chairman: Let him (Mr. Wasim Sajjad) proceed.

Mr. Wasim Sajjad: I never interrupted any of the honourable members, I do not know why they are getting agitated.

Syed Abbas Shah: We are correcting you, Sir.

Mr. Chairman: Please do not interrupt.

Mr. Wasim Sajjad: So, Sir, those honourable members or at least one honourable member who questioned the right of the President to address the Senate only have to refer to Article 56 of the Constitution where this right has been clearly given and this right was exercised, and the exercise of this right shows the extreme and deep respect which the President has for the Senate of Pakistan.

Sir, objection has been raised to the dual position of the President, namely, the position that he is occupying as the Chief of Army Staff and the position as the President of the country. Sir, we have been very vociferous, very open about our support for the Constitution and I admire and respect the honourable Senators and all of us—we are deeply committed to the Constitution. Sir, if we are committed to the Constitution then we have to respect what ever is contained in the Constitution. It is the Constitution which allows the President to enjoy these two positions at the same time. Not only that, Sir, it is this honourable House, it is the National Assembly of Pakistan which gave that position to the President to occupy those two positions. Whether they did it rightly or wrongly, whether correctly or incorrectly that is not the question but if we are committed to the Constitution, if we have respect for the Constitution and I do not doubt the honourable Senators who say that they have deep respect for the Constitution. Then, as far as we are concerned, Sir, this is the constitutional position, and this constitutional position rightly or wrongly is the position which is given to the President until March, 1990, by the Constitution of Pakistan.

Sir, it is this Constitution again which has given power to the President to dissolve the National Assembly under certain circumstances. Some honourable Senators have said that the National Assembly is not under the President and in making that argument, they have referred to the Objectives Resolution and to some other arguments. I think, Sir, it is a very simplistic way of looking at the Constitution

[Mr. Wasim Sajjad]

to say that somebody is under the Constitution and somebody is over the Constitution. Sir, nobody is under the President and nobody is over the President. Each authority, each functionary, each organ of the State has been given and assigned certain functions. The President has the power to dissolve the Assembly, the Assembly has the power to remove the President. The Assembly has certain powers to elect the Leader of the House or to appoint the Prime Minister. The President has certain powers with respect to the Assembly—he summons the Assembly, he can dissolve the Assembly. So, I think it is a very juvenile way of looking at the Constitution to say that because the President has the power to dissolve the Assembly, therefore, the Assembly has become under the President. No Sir, this is not the position. The Constitution assigns certain distinct functions to various authorities and organs of the State and these functions are independently enjoyed; who is over, who is under, I don't think this is a correct way of looking at this situation.

It was also argued Sir, that Pakistan has no democracy. Sir, I would like to strongly refute this argument. The very fact that we are today here making speeches, criticising the actions, analysing national issues is evidence of the fact that the democracy is functioning in Pakistan and by the grace of God Sir, the highest legislative body in the State is functioning, the press is functioning freely, the courts are enjoying their powers, fundamental rights are in operation, the Assembly stands dissolved but a date has been given and as the President very rightly remarked, he looks upon this as a temporary phase. He believes that the existence of the Assemblies is essential for the functioning of the democracy and he has made that commitment very clear as far as the Constitution itself is concerned. I think nobody has shown greater commitment to the Constitution than the President himself. Let me read Sir, now from the speech of the President:—

“All of us are aware that the Constitution is an important document, that is why I kept it intact from 1977 to 1985, even under extra-ordinary circumstances. Before the 1985 elections I merely tried to vitalise its certain weak points. Later the elected Parliament by adopting the Eighth Amendment strove to make it still better in the light of its own thinking”

Further on it says Sir :

“What I mean to say is that I am fully conscious of the pre-eminence of the Constitution and it will be my endeavour that every step taken by me should be in consonance with its requirements.”

Sir, what greater commitment, what greater obedience to the Constitution than the statement of the President himself. Sir, the President has exercised his powers under the Constitution by giving a date for the elections and God willing elections will be held in accordance with the announcement of the President himself. The honourable Senators have raised an objection that the interpretation given by the President is according to them not a correct interpretation. Perhaps if they had read the

President's speech more carefully they would have seen that the President had not given any interpretation of the Constitution. The President said that two points of view were presented before him. There was one point of view which said that the elections have to be held within 90 days. The other point of view was that the date has to be announced within 90 days. He says Sir, "I am not getting involved in this controversy". So, he is not giving any interpretation. In fact Sir, I would say it would be futile for me to give an interpretation. Whatever I say, whatever any honourable Senator says, whatever the press says, Sir, these are mere opinions and some of our opinions may be coloured by circumstances under which we operate. One political party will say, "It means, hold the election within 90 days", if they feel prepared for it, if they are not prepared for it they will say publicly to hold the election within 90 days and privately they will be demanding, clamouring, "please don't hold it within 90 days". Another party will say Sir, if they are well organized, "let us have party elections", secretly, if they are not well organized they will say "don't hold it within 90 days". Sir, our interpretations are likely to be coloured by certain circumstances and as I have said it is not the function of this House to interpret the Constitution. What I say, may be an opinion, a point of view. Ultimately these matters have to be decided by courts of law. And it is for this reason the President has said, "I do not want to get involved in this controversy". What he has said Sir, that the two points of view were before him but what should he do. I have to hold the election at the earliest date that I can give for holding the elections according to the Constitution. That is what I have given. He has listed the difficulties and the honourable Senators have recognized that there is a real difficulty being presented by Article 57.

Sir, if elections are not held within 90 days assuming for the sake of argument that the elections are to be held within 90 days. Then Article 254 says that even if you hold the election in 100 days, 120 days, 180 days the elections are valid. There are countless judgements of superior courts which say that these time limits are directory in nature. Those of my honourable colleagues who are lawyers would know that in 1957 in the famous case of our old colleague Mr. Zain Noorani, the Supreme Court held on the question of the time limit laid down in the then Constitution that this was a directory provision and although there was no Article 254 in the then Constitution, they said elections held are valid elections but Sir, what do you do if Article 51 is not complied with. The Constitution provides no answer and therefore it was this real difficulty he presented. He said, 'I would have wanted to hold it within a period of three months'. The President believes that the continuance of Assemblies is a requirement of the democratic process which he has introduced. It is a requirement of the Constitution. He would like to see the Assemblies functioning. He looks upon this phase as a temporary phase and this temporary phase must be followed by the election of representative bodies in Pakistan but he has presented us with a real problem.

The honourable Senators, some of them, have criticised the Election Commission. Sir, since I was holding the present position in December 1987 this

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question did come to the Government but let me tell you very frankly Sir, we did not envisage elections immediately in December, 1987. It was a problem which we looked upon as a far away problem coming in 1990. We were battling with this issue because it meant depriving certain areas of seats and giving those seats to certain other areas. For us it was a political problem and we were trying to tackle this problem to see how it could be resolved and this problem was seen by the Government as a problem which would arise sometime later, very much later. By then we would have resolved the issue but the dissolution of the Assembly came as a surprise to most of us and, therefore, Sir, the Election Commission was not prepared and had not delimited the constituencies in accordance with the census held in 1981.

Anyhow Sir, as I said it would be futile for me to try interpret the Constitution. It is irrelevant, I don't want to do it because what I say is only a point of view. Ultimately if these matters go to courts they will be resolved there. So, therefore, Sir, I would say the President has not interpreted the Constitution. We have to read the speech of the President in its entirety in order to say what the President has done or not done. Sir, some of the honourable members have made some unkind remarks. One honourable member said that the people of Pakistan are not beggars. Sir, this is an unkind remark, people of Pakistan are not beggars. Who says that the people of Pakistan are beggars. They are the masters, the Constitution makes them the masters of course subject to the sovereignty of Almighty Allah which is our belief. Subject to that Sir, which is the opening part of the Objectives Resolution the people of Pakistan are the masters. The Assemblies are elected by the people of Pakistan. When the House passes the 8th Amendment, it is as representatives of the people of Pakistan; when the National Assembly passes a law it is as representing the people of Pakistan and therefore Sir, to say that we are beggars, which is an unkind remark, I hope the honourable member will withdraw that remark.

Then Sir, lastly I would like to make mention of one argument. One of the honourable Senator said that one of the arguments given by the President was that the weather is not right. Sir, this is a very cruel way of putting across the misery of the people of Pakistan. It is not the question of weather Sir, it is a country afflicted by floods. Hundreds of people have died, thousands of houses are fallen, many cattle heads have perished. Those people Sir, who have seen them can realize the misery of people of Pakistan. Let us not gloss over it by saying Sir, the weather problem was put forward as an excuse. In England there is rain and the elections take place. Sir, this is very unkind, I would request the honourable members who make these remarks to be conscious of the misery of the people of Pakistan that they are going through at the moment. It is an emergency. We are going through this difficulty at the very moment.

So, Sir, to wind up I would say the President has made this Address before this House which shows the extreme respect that he has. He has fulfilled the requirement. The people were asking for it and he chose this honourable House to make the announcement about the elections on the 16th of November. He has

repeatedly said that he wants to stick to this date and that elections will be held on the 16th of November. As regards the party or non-party elections are concerned again Sir, I would like to assure this honourable House that the elections will be held according to the Constitution and that any right which has been conferred on a political party by Article 17(2) is not being taken away and cannot be taken away. So, therefore, Sir, these are misguided apprehensions, they are misplaced, they have no basis whatsoever. There cannot be any question of violating the Constitution in the presence of Article 17. Thank you, Sir.

Mr. Chairman: Thank you very much.

Mr. Javed Jabbar: The honourable Minister has chosen to imply that there was a disregard for the plight of the people of Pakistan in reference to the climatic conditions. He does not need to make this implication because it means that we did disregard the plight of the people. Indeed members of this House have moved adjournment motions to focus the attention of the Government on the plight of the people. Therefore, this kind of implication in the course of a constitutional discussion is not appropriate.

(2) **Mr. Chairman,** I do not agree with this contention that the legislature has no right to interpret the Constitution, of course, we do. It is an acknowledged right of all parliaments of the world and therefore, let it not become an article of faith.

Mr. Chairman: I think we are starting another debate. On this last point there have been several rulings of this very House. I don't think I would allow that debate to be opened again.

Mr. Javed Jabbar: Each instance has to be.....

Mr. Chairman: Right. But wherever it has been raised, there has been a ruling on that.

Mr. Javed Jabbar: And therefore, also, you know, he has not touched upon other substantive arguments that were presented.

Mr. Chairman: You can not force anybody to reply to every single point which is made in the debate. Please take your seat.

Mr. Javed Jabbar: We can not force but simply by the fluency and the force of your words, you can not take away the truth. He has not responded to specific points raised.

Mr. Chairman: The question is:—

“That the amendment moved by Mr. Javed Jabbar to the motion of thanks, moved earlier by the Minister for Justice and Parliamentary Affairs be approved”.

(The motion was negatived)

Mr. Javed Jabbar: Mr. Chairman, there were a total of eight speakers on that amendment out of which five, to the best of my knowledge, supported the amendment. I would like a counting because I like a division.

Mr. Chairman: Those who are in favour of the amendment may please rise in their seats. It does not matter whether they spoke in favour of the amendment, I am talking of votes.

(5 members rose in favour)

Mr. Chairman: Those who are against the amendment may please rise in their seats. *(Pause)* Now, count them yourself (pointing to Mr. Javed Jabbar).

The amendment is rejected. Now, let me put the main motion.

The motion before the House is:—

“That this House expresses its deep gratitude to the President of Pakistan for his gracious Address to the Senate of Pakistan on the 20th of July, 1988”.

(The motion was adopted)

Mr. Chairman: The motion is carried. We should have taken, time permitting another item also which was a call attention notice but neither the mover nor for that matter the Minister who has to reply is present. So, we would move straightaway to the discussion on the adjournment motion with regard to the accusation of the Indian Home Minister in the Upper House of the Indian Parliament. Who would like to open the debate? Mr. Javed Jabbar.

DISCUSSION ON THE ADJOURNMENT MOTION *RE* STATEMENT OF
INDIAN HOME MINISTER IMPLICATING PAKISTAN IN PLANNING
ASSASSINATION OF INDIAN LEADERS

Mr. Javed Jabbar: Thank you Mr. Chairman. The statement made in the Indian Parliament accusing Pakistan of complicity in planning the assassination of Indian political leaders is the latest symptom of the suspicion and mistrust, I think, that have characterized the relations between the two countries for the past forty years. Mr. Chairman, the Pakistan-India relationship is a unique relationship in states' history. It is difficult to find the parallel either in recent history or contemporary history where these two states, where states similar to these two states have been unable to resolve basic issues have lived next to each other, have shared many of the social and economic problems that confront the people of these two countries and yet have not been able to achieve a kind of break-through in the political area which would ensure peace and harmony in the region. Both Governments should, therefore, in my view ask themselves instead of being guided by the past, by the heritage that we have inherited the past of acrimony and mistrust instead of simply being guided by it or we being overwhelmed by the past. Both Governments should ask the question, whether instead of being emancipated by our history we have become entrapped and enslaved by that very history and that instead of using the lessons of the experience of our past to carve out a new future, are we not allowing those very lessons to be remained unlearned.

One truth is clear Sir, that whatever the Governments may do or not do both in the case of Government of India and the Government of Pakistan from time to time the people of Pakistan and the people of India both want to build peace and friendship between the two countries and I say this despite the fact that there have been three major wars and that there is much evidence to suggest that there is mass widespread hostility on either side nevertheless when you really take the sentiments and the condition of the people of these two countries one sees a clear desire to overcome the obstacles and to build a relationship of peace and harmony. Therefore, one must ask Governments on both sides of the border, and they doing enough in order to achieve what the will of the people dictates? Are they relying too heavily on conventional patterns and processes because Sir, two factors make me pose this question. No. (1), that there may be powerful vested interests both in India and Pakistan which find it suitable for the perpetuation of their own positions to sustain a level of hostility and suspicion and mistrust and I believe that these powerful vested interests do exist in Government and outside Government in the apparatus of state power and outside the apparatus of state power. No. (2), that the conventional methods by which foreign policy is conducted between India and Pakistan, I believe may have become too static, may have become stagnant that the mental conceptual processes which we employ to talk to each other or to negotiate with each other have become redundant, conditions have changed but our methodologies, our processes of shaping foreign policy and conducting foreign policy have not correspondingly changed. For instance Sir, the methodologies of our foreign policy *vis-a-vis* India, do they reflect the virility and the variety which is evident

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in the people sector of national life? When you look at the specific instances, you find that the larger if not the virtually exclusive part of contact between the two countries is monopolized by the Government. There are possibly only two areas where there is some people to people contact and that could be said to be sports obviously in the area of hockey and cricket and very occasionally and illicitly in the area of exchange of our video tapes featuring Indian films and *vice versa* on the other side of the border, video tapes featuring plays of Pakistan Television but that does not really constitute direct people to people contact and when we find this inadequacy of contact between people one is constrained to ask that even sports which has become accepted as a normal popular means of contact between the two countries is it really adequate? Because sports when you look at it, it is really aggression masquerading as comparativeness. It brings out even elements of Chauvinism because two teams become substitute for national pride and national valour and therefore, I don't think we should rely only on contacts in sports to build better relations.

I think that there is a vast Area which has been left untouched by the foreign offices of both countries even though from time to time they have said that they want to promote cultural contact. There seems to be some inherent insecurity in encouraging the exchange of newspapers, magazines, books so that the people of India and the people of Pakistan can better understand each other. I mean it is ironic that you can get a newspaper flown in from Newyork or London into Karachi or Lahore within forty eight hours, but you can not read newspapers from the other side of the border and *vice-versa* Pakistani literature and Pakistani films do not get across to the people of India and therefore, who really benefits is the existence of those powerful vested interests that work in this area. I propose, Mr. Chairman, that as one example of the sincerity of the people of Pakistan and the Government of Pakistan to break this wretched impasse between the two countries, a parliamentary delegation constituted by the members of the Senate should offer itself to visit India to remove any misgivings or suspicions that might exist because this statement was made on the floor of the Indian Parliament and we exist as the only vestige of Pakistan's Parliament. Let us made a revolutionary offer and let us see whether India reciprocates because parliamentary delegations have gone to all corners of the world. Since the restoration of Parliament in 1985, we have been to Central America, we have been to South America but to the best of my knowledge not a single parliamentary fullfledged delegation has been exchanged between India and Pakistan—between the very two countries which face such a basic problem of communication and, therefore, I think, that if we initiate this process through the parliamentary level, we may be able to initiate further changes in the government to government and people to people contact. Mr. Chairman, we have tried out cricket diplomacy. I think this statement in the Indian Parliament is an example of election diplomacy because whenever elections come around in India or rarely when they come around in Pakistan, the Indo-Pakistan issue is used as a measure to divert the people's attention from domestic problems and I believe that the responsibility for the present state of affairs must, of course, lie heavily in favour of India because of the size of the country; because of the

fact that it enjoys a geo-strategic position *i.e.* gives it a much greater advantage over other countries in the region. But let me add, Mr. Chairman, that we must not be inhibited by size or unduly impressed by size; let us not say that simply because India is big, India may ever be right because that has dangerous militaristic dimensions to it. Smaller though we may be than India, we are a sovereign independent country which must believe in the strength of its people and in its ability to relate on an equal level of dignity and mutual respect for each other's sovereignty and, therefore, I believe that the statement made in the Indian Parliament should be taken as an opportunity not just condemned out of hand but let us use it constructively to initiate some meaningful change in the relations between the two countries. Thank you, Sir.

Mr. Chairman: Thank you. Mr. Mahmood Ahmed Minto.

Mr. Mahmood Ahmed Minto: Thank you, Sir. I regret to say that his appreciation of this issue is completely wrong and reason may be that he has not dealt with the Hindus and the Indians at any stage of his life and we have dealt with them. History tells us that whenever any people have come to India, the Hindus—the people living there have tried to absorb the new comers and if they have not been able to absorb them and if the new comers have their distinct status then there has never been any kind of talk between them or cohesion between them. Now, we say that we have done not a single act in the past or in the last 40 years wherein they could take objection but if we get few boats or one submarine or two guns from anybody, they say 'no' it has disturbed the equilibrium but if they make blasts and they complacently say, " 'yes' it is our right because we are a big country". Now, big or small this country has got its rights. It came into being as the national demand of the Muslims and now it has come to stay, and if we have come to stay we are not going to be behaved as inferiors to any neighbour.

Now, you will see that at every issue they make such allegations. Not a single allegation of this kind has ever been made in any House of Parliament in Pakistan in the last 40 years against India and this is our grievance against our Government also. Perhaps our foreign policy towards India is very apologetic, for reasons—good reasons or bad reasons, best known to the people in power. We have always said 'yes', 'yes' to them and we have tried to make them friends, but to no use. They have always rejected this. As Mr. Javed Jabbar has himself said this is perhaps for the purpose of their elections' campaign and for that purpose what do they choose? They choose false and baseless accusations against Pakistanis. They implicate us in assassinating Rajiv Gandhi. Now Rajiv Gandhi, a poor fellow, is looking after his own interest there. He is trying to save his own life from his own people and why would any Pakistani dirty his hands while going there and assassinating him? Why would we do that; what do we gain by that? If such an accusation is made there should be some basis for it. If by assassinating Rajiv Gandhi, Pakistan will have any purpose served, there could be some doubt about it but there is no advantage to Pakistan in assassinating him because one Hindu or one Hindu Leader is as bad as the other. Regarding the people of Kashmir now they say that it was Jawahar Lal Nehru

[Mr. Mahmood Ahmed Minto]

who entered into some agreement. He was my pleader and I worked under him. He said, "‘Kashmir’, we must get. It is a sentimental and emotional thing for me because I am also a Kashmiri". Other people told to him that they were also Kashmiris. So, if you have got any sentimental or emotional thing to get Kashmir, then other people have also the same sentiments and to add further the population of Kashmir is overwhelmingly Muslims and the people want to side with Pakistan but they (the Hindus) said ‘no’ and we have so far or our Government so far has not even accepted the Northern Areas as a part of Pakistan. We have kept it pending. See! what is the difference between us and them and do not please equalize us, Mr. Javed Jabbar, do not put us on the same level. We are not on the same level because we have made several sacrifices for that.

I know Sir, that in the Northern Areas—in Skardu and Gilgit—and all other places when the Dogras were thrown out, Pakistan had no hand in that. There were no Pakistan Army no Pakistan Army Officer was there, yet the people rose up and threw out Dogras and the people themselves declared independence. The first thing that they said was as independent people freeing from the Dogras we side with Pakistan but we have not accepted them for certain reasons. Let us keep the issue alive because Jawahar Lal Nehru said that this was an open question and this would be decided by the will of the people. That has not been decided by the will of the people in the last 40 years and they say—

یہ ہمارا الٹ انگ ہے۔ یہ سچائی کے پتہ ستار، یہ پر ماتما کے پرچارک
یہ باتیں کر رہے ہیں۔

They come to fight with us; they have battles, wars with us. Pakistan since then says ‘no’, this question is open. Look at our attitude and their attitude. So, it is not only that we should say, “find ways and means of making friendship with them”. We should outrightly condemn them for making such false and baseless malicious accusation against Pakistanis and to adopt those other means to normalize the relations as some of our members wanted to do. Well, by all means as we are to a normalize our relations—with the other people but that will be on the basis of equality, on the basis that they should recognize our sovereignty, we are not then inferior to them and we do not take orders from them. If that is the basis, certainly, our President goes there and our people say it is a cricket diplomacy. I think that it is a very gentlemanly act that he did—a very nice act. It shows his true Islamic spirit and he went there and tried to make friendship with them. But what was the result? The result was the same because they have an inherent dislike of the people of Pakistan and Muslims and, therefore, unless we do something about that and change that fact nothing can be done. So, I say, Sir, that we should whole-heartedly, openly, strongly and vehemently condemn this accusation made by the Home Minister of India.

Mr. Chairman: Thank you. Next Mr. Tariq Chaudhry.

جناب محمد طارق چوہدری : شکریہ جناب چیئرمین ! بھارتی پارلیمنٹ میں آج سے کوئی مہینہ ڈیڑھ مہینہ پہلے پاکستان کی طرف سے پنجاب میں مداخلت کے حوالے سے مسلسل کئی دنوں تک شاید کئی ہفتوں تک پاکستان کے خلاف نفرت انگیز اور شدید پروپیگنڈا کیا جاتا رہا ، ریڈیو ، ٹیلی ویژن ، اخبارات سب نے پاکستان کو سکھوں کے معاملے میں ملوث کرنے کی کوشش کی۔ بھارتی حکومت کی طرف سے ، اپوزیشن کی طرف سے ایک ہی طرح کے بیانات شائع ہوتے رہے اور پاکستان نے متعدد دفعہ ایسی کسی مداخلت سے انکار کیا ، اب حال ہی میں پارلیمنٹ کے اندر ہونے والی پوری بحث تو ہمارے سامنے نہیں ہے لیکن جو کچھ اخبارات میں آیا یہ ”روزنامہ جنگ“ راولپنڈی ۴ اگست میں ہے کہ بھارتی پارلیمنٹ میں کہا گیا ہے کہ پاکستان کے خلاف اعلان جنگ کیا جائے اور اس میں اس کی ساری تفصیل جو ہے وہ درج ہے۔ تفصیل اس کی یہ ہے کہ کوئی ایک لبھانگہ انہوں نے پکڑا ہے اور اس سے کوئی خط برآمد ہوا ہے اور اس خط کے حوالے سے انہوں نے یہ کہا ہے کہ پاکستان لبھانگہ کے ذریعے سے راجیو گاندھی اور بھارتی وزیر داخلہ کو قتل کرنے کی سازش کر رہا ہے اور اگر بھارتی وزیر اعظم یا وزیر داخلہ کو کچھ ہو گیا تو پاکستان اس کا ذمہ دار ہوگا بلکہ یہ کہ کچھ ہونے سے پہلے ہی پاکستان کے خلاف اعلان جنگ کر دیا جائے ، اندرا گاندھی قتل ہوئی اور اس کا قتل اس کے اپنے گناہوں کی سزا ہے ، پاکستان کو اس میں ملوث نہیں کیا جاسکتا۔ ہمارے مقدس مقامات پر ہمارے خانہ کعبہ میں ، ہماری مسجد

[Mr. Muhammad Tariq Choudhry]

نبوٹا میں اگر کوئی اس طرح کی مداخلت کرے جس طرح کی مداخلت گولڈن ٹیمپل میں کی گئی ہے تو میں بھی وہ کروں گا جو ان بہادر لوگوں نے کیا۔ یہ ان لوگوں کا بالکل قدرتی رد عمل ہے لہذا اب اگر راجیو گاندھی اپنی ماں کے نقش قدم پر چلتے ہیں تو سکھ بیٹے اپنے ان لوگوں کے نقش قدم پر کیوں نہیں چلیں گے جنہوں نے پہلے اندرا گاندھی کو قتل کیا۔

ہندوستان قدرتی اعتبار سے، کلچر کے اعتبار سے، مذہبی اعتبار سے، لسانی اعتبار سے، جغرافیائی اعتبار سے، کسی بھی طرح ایک مملکت ہے ہی نہیں، ہندوستان میں بے شمار مسائل ہیں، تامل، گورکھے، آسام کے لوگ، مغربی بنگال، اس طرح اور، اب پنجاب اور مسلمان ان سب کے درمیان وہاں ایک لڑائی کسی نہ کسی جگہ ہر وقت جاری رہتی ہے۔ ہندوستان بظاہر ایک جمہوری مملکت ہے لیکن جمہوریت کے پردے میں وہاں پر ہندو اکثریت کی بدترین آمریت مسلط ہے لہذا اس آمریت سے نکلنے کے لئے، اس ظلم سے نکلنے کے لئے، اس جبر سے نکلنے کے لئے اس تشدد سے نکلنے کے لئے، اس قتل و غارت گری سے نکلنے کے لئے وہاں کے باشندے اگر کوئی قدم اٹھاتے ہیں تو وہ ان کا بالکل داخلی مسئلہ ہے۔ پاکستان کی ذمہ داری راجیو کو بچانے کی تب ہو سکتی ہے کہ اگر وہ راجیو گاندھی کے تحفظ کا ٹھیکہ پاکستانی فوج کو سونپ دے۔ اپنے وزیر اعظم کی وہ خود حفاظت کریں ”اس کا وہ خود دفاع کریں، پاکستان اس کا ذمہ دار نہیں ہے۔ ویسے بھی پاکستان کے اپنے مسائل ہیں، اپنے معاملات ہیں، ہندوستان میں

جیسی تیسری ایک جمہوریت موجود ہے۔ ایک وزیر اعظم قتل ہوگا دوسرا آجائے گا۔ دوسرا ہوگا تیسرا آجائے گا۔ ایک process ہے چلتا رہے گا۔ جناب ہمیں تو ایک اچھا سہرا بنا دینے کے لئے ۱۲، ۱۳ برس تک اس کو تربیت دینے کے لئے اپنے اوپر مسلط رکھنا پڑتا ہے یہ تاب، یہ مجال، یہ طاقت نہیں مجھے، اگر ہم وہاں کریں گے تو ہمارے یہاں ہوگا۔ ہم نیا حکمران کہاں سے لائیں گے۔ ہمارے یہاں تو بالکل anarchy پھیل جائے گی، ہمارے یہاں تو پتہ ہی نہیں کہ اس کے بعد کون آئے گا، لہذا ہم اس طرح کا risk تو کسی طرح سے لے ہی نہیں سکتے اور ہماری صورت حال تو یہ ہے کہ وہ نقاب پوش جو ہیں وہ ہم سے نہیں پکڑے جاتے۔ دھماکے کرنے والے ہم سے نہیں پکڑے جاتے۔ باہر سے آنے والے مداخلت کار ہم نے کبھی نہیں پکڑے ہماری خفیہ ایجنسیوں میں کبھی اتنی اہلیت ہی نہیں تھی کہ وہ خود پاکستان کے اندر کوئی مناسب کام کر لیں تو وہاں جا کر وہ کیا کریں گی یعنی عملی اعتبار سے یہ بھی ممکن نہیں ہے اور نظری اعتبار سے بھی ہمیں اس کی ضرورت نہیں ہے لہذا ہندوستان کی طرف سے اس طرح کے التزامات یعنی بالکل مفروضوں کی بنیاد پر ایک بات ذہن میں بٹھائی جاتی ہے۔ فرضی خط، فرضی لیٹھا سنگھ اور پھر اس کی بنیاد پر اس طرح پروپیگنڈا کیا جاتا ہے کہ ساری دھول پاکستان کے اوپر آکر پڑتی ہے۔

یہ ہماری خارجہ حکمت عملی کی بھی ناکامی ہے۔ دھماکہ وہ کرتا ہے،

[Mr. Muhammad Tariq Chaudhry]

ایٹم بم وہ بناتا ہے تو امریکہ ہماری امداد بند کرتا ہے۔ ہندویم ادھر پھٹے، اسلامی بم کا ایک مفروضہ کھڑا کر کے سارا بوجھ جو ہے وہ پاکستان کے اوپر آجاتا ہے۔ میں یہ سمجھتا ہوں کہ ہمارے ادارے ہر اعتبار سے نیچے، نیچے اور بہت نیچے چلے جا رہے ہیں۔ ان کی کارکردگی تسلی بخش نہیں ہے اور مقروضوں پر، فرض کر لیا جاتا ہے ایک کام کو اور اس پر پروپیگنڈا کیا جاتا ہے اور دنیا اس کی ہاں میں ہاں ملانے لگتی ہے، پاکستان کو معذرت خواہ ہونے کی ضرورت نہیں ہے۔ اس میں کوئی شک نہیں ہے۔ ابھی جناب جاوید جبار صاحب نے فرمایا کہ یہ الیکشن ڈپلومیسی ہے۔ یعنی جب بھی الیکشن قریب آتے ہیں تو پاکستان کے خلاف پروپیگنڈا شروع کر دیا جاتا ہے۔ اس سے آپ اندازہ کریں کہ وہاں پر کسی بھی پارٹی، کسی بھی شخص کو الیکشن جیتنے کے لئے ضروری ہے کہ وہ پاکستان کا بہت بڑا دشمن نظر آئے۔ اس کا مطلب یہ ہے کہ پاکستان اور ہندوستان کے اندر دشمنی، مخالفت اور مخالفت یہ حکمرانوں کا مسئلہ نہیں۔ گہری جڑوں تک ہمارے درمیان دشمنی موجود ہے۔ یہ ۵۰ برس کی دشمنی نہیں ہے، یہ اس وقت کی دشمنی ہے جب پہلی دفعہ مسلمان افواج یہاں داخل ہوئیں اور یہ دشمنی ہمیشہ برقرار رہنی ہے۔ ہمیں چاہیے کہ اس دشمنی کے برقرار رہنے کو ہم تسلیم کریں۔ یہ تسلیم کر کے ہم اپنی تیاری کریں۔ بلاشبہ پاکستان دس کروڑ آبادی کا ملک ہے اور ہندوستان ہم سے آٹھ گنا، نو گنا، دس گنا بڑا ہے لیکن پاکستان کے اندر یہ اہلیت

موجود ہے کہ وہ اپنا دفاع کرے، اپنا تحفظ کرے، اپنی حفاظت کرے، اپنے ملک کو بچائے اور پاکستان کو یہ حق حاصل ہے کہ وہ اپنے دشمن کے قدم روکے۔ اعلان جنگ کی باتیں بڑی آسانی سے کی جاسکتی ہیں لیکن اعلان جنگ بہت آسان بات نہیں ہے اور یہ شوق ہندوستان حکمران جب بھی چاہیں پورا کر سکتے ہیں۔ ایسی صورت میں بغیر کسی ذہنی تحفظ کے ہم پاکستانی فوج کا ساتھ دیں گے۔ ہندوستان کی جارحیت جو وہ کسی بھی وقت کر سکتا ہے، اس سے ٹکرانے کے لئے ہم ہر وقت تیار ہیں، پاکستان کو ہر وقت ہر لمحہ تیار رہنا چاہیئے۔ طاقت کے توازن کو بگڑنے نہیں دینا چاہیئے، اس طرح کے بہانوں سے ہندوستان کبھی بھی ہماری سرحدوں کی طرف بڑھ سکتا ہے، ہمیں اس کو روکنا ہے۔

جناب چیئرمین : جناب میر سہراب خان کھوسو۔

میر سہراب خان کھوسو : بھارت نے پاکستان پر الزام عائد کیا ہے، یہ کوئی نہیں بات نہیں ہے۔ ہندوستان جب اپنے اندورنی مسائل میں گھر جاتا ہے تو ہمیشہ پاکستان پر الزام تراشی کرتا ہے۔ ان کی جو بات ہے اس پر بھارتی عوام بھی غور کرتے ہیں۔ انڈین ایکسپریس، جو بھارت کا مشہور اخبار ہے اس نے بھی اس بارے میں ایک ادارہ تحریر کیا ہے کہ بھارتی حکومت نے اپنے علاقہ سکینڈل سے توجہ ہٹانے کے لئے یہ الزامات لگائے ہیں، خاص طور پر بوز اور بحری جہازوں کی خریداری سکینڈل کا تذکرہ کیا ہے۔ (Bofors)

[Mir Sohrab Khan Khoso]

اخبار انڈین ایکسپریس نے سوال کیا ہے۔ قتل کے منصوبے کا انکشاف ۹ تا ۱۸ مئی گولڈن ٹمپل پر آپریشن کے دوران ہوا۔ لیکن اس کا انکشاف اس وقت کیوں کیا گیا تاکہ ہندوستانی عوام کی توجہ ہٹانے کے لئے یہ منصوبہ اب ظاہر کیا جائے۔ بھارتی پارلیمنٹ میں کانگریس (آئی) کے ایک ممبر کے سوال کے جواب میں یہ انکشافات کئے گئے۔ جناب چیئرمین اس سے ظاہر ہوتا ہے کہ ہندوستان کے اندر بھی ان الزامات کو غلط جانا گیا ہے۔ میری یہ گزارش ہے کہ حکومت پاکستان اس غلط بیانی پر حکومت بھارت سے پرزور احتجاج کرے۔

جناب چیئرمین : بہت شکریہ! جناب حسن اے شیخ صاحب۔

Mr. Hasan A. Shaikh: Thank You, Sir. Mr. Chairman, India has an expression against Pakistan that Pakistan wants to carry out an assassination programme against Rajiv Gandhi or against Buta Singh is wholly unfounded. Pakistan has never at all thought of assassination on the Indian side. We are beset with our own problems, we have made so many problems that we cannot think of interfering with the other people. Allegation against Pakistan that they are indulging in what is happening in East Punjab is wholly unfounded. Why should Pakistanis go to the extent of helping the Sikhs to get their own *Khalistan* or some other territory they want. It is entirely an internal matter between India and Indians, between Indian Government and the Sikhs. We are really looking for our own development, we don't want to interfere with Indian affairs but we do think that Indians should not start these bogeys. These bogeys are intended we must be beware of the possible repercussion of India in their own difficulties, to solve their difficulties. They might take some foolish action against Pakistan and for that purpose we should always be ready but I do say Pakistan has no idea whatsoever of interfering with Indian affairs and we want Indians to solve their own problems.

We know that there was a possibility when Mrs. Indra Gandhi was alive of trying to attack Pakistan or attack Kahuta in Pakistan but we do feel that any such disadvantage, any such foolish act will create a holocaust in the sub-continent with which Indians cannot escape, therefore, the best thing for them to do is to develop good relationship with Pakistan rather than threaten Pakistan of consequences on which they will not escape whether they do it foolishly or for whatever reason whatsoever and I think Pakistanis are peace loving people, they want peace, they don't want anything

other than peace in Pakistan and Indian should realize this and Indian should help Pakistan to keep peace in this area. Thank you. Sir.

Mr. Chairman: Thank you. Qazi Abdul Latif Sahib.

قاضی عبداللطیف : نحمدہ وفضلہ علی رسولہ الکریم۔ جناب والہا
ہندوستان کی پارلیمنٹ میں پاکستان پر الزام لگائے گئے ہیں یہ
کوئی نئی بات نہیں ہے۔ بد قسمتی سے ہندوستان کو جس نظریے کے
بنیاد پر تقسیم کیا گیا تھا کہ دونوں قومیں علیحدہ علیحدہ رہ کر امن
و امان اور اپنی اقدار کے مطابق زندگی گزاریں گی۔ ہندوستان فطری
طور پر تنگ نظر واقع ہوا ہے اور ہندو نے آج تک پاکستان کو ذہنی
طور پر تسلیم نہیں کیا۔ یہ سالہ تاریخ اس کی گواہ ہے اور تین جنگیں
ہم پر مسلط کی گئی ہیں۔ اب صرف اور صرف ایک وجہ ہو سکتی ہے،
اس وقت ہندوستان پاکستان پر جو الزام عائد کر رہا ہے وہ افغانستان
کے جہاد سے حواس باختہ ہے۔ افغانستان کے جہاد نے دنیا کے نظریات
کو پلٹ دیا ہے اور دنیا اپنے منصوبوں پر نظر ثانی کرنے لگی ہے کہ
فتح و شکست اکثریت اور اقلیت اور اسلحہ کی بہتات پر نہیں بلکہ اس
کے لئے کچھ اور جوہر کی ضرورت ہے۔ افغانستان میں اس وقت
جو پوزیشن ہے آپ کو معلوم ہے اندرا گاندھی نے نہ صرف اپنے ملک
میں بلکہ باہر جا کر بھی یہ واویلا کیا ہے اگر افغانستان کے اندر منہ ہی
مجنونوں کی حکومت بن جاتی ہے تو یہ ہمارے لئے یقیناً ایک خطرہ ہے۔
اب اسی کے اندر ہم کو بھی ملوث کیا جا رہا ہے اور میں سمجھتا ہوں
کہ یہ بین الاقوامی سازش ہے کبھی روس کی جانب سے ہم

[Qazi Abdul Latif]

پر الزام عائد کیا جاتا ہے کبھی افغانستان کی جانب سے اور کبھی اس کی پٹھو حکومت ہندوستان کی جانب سے ہم پر الزامات عائد کئے جاتے ہیں۔ تاریخ گواہ ہے اور اس پر ہماری ۴۰ سالہ دندگی گواہ ہے کہ ہمارے عزائم کبھی جارحانہ نہیں رہے لیکن مسلمان کی تاریخ اس پر بھی گواہ ہے کہ اگر کسی نے ہم پر زیادتی کی ہے، ہم پر حملہ کیا ہے اور ہمیں مٹانے کی کوشش کی ہے تو اس کا انجام یہی ہوا ہے جو ایک بڑی سپر طاقت نے افغانستان پر حملہ کر کے دیکھ لیا ہے۔

عمر فلک غور نہ کر خاک میں ملا کر مجھے
تو بھی چین نہ لے گا کبھی ستا کر مجھے

میں ہندوستان سے یہ کہوں گا۔ جنگ کی باتیں آسان ہیں لیکن خدا نخواستہ اگر اس وقت جنگ چھڑتی ہے تو یہ صرف ہمارے لئے نہیں بلکہ تمام جنوبی ایشیا اور مشرقی وسطیٰ کی تباہی کا ذریعہ ہوگا اس لئے ہم اسے یہ للکار کر کہتے ہیں۔ ہم معذرت خواہانہ نہیں کہتے کہ ذرا ہوش میں آؤ اور اپنے بیانات میں ذرا ہوشی کا ثبوت دو اور اگر یہی کیفیت رہی تو مسلمان نے کبھی بزدلی کا ثبوت نہیں دیا۔ آج بھی الحمد للہ مسلمان مرنے کو بھی اپنی زندگی سمجھتا ہے، شہادت کو اپنا عروج سمجھتا ہے اپنی فلاح سمجھتا ہے۔ یہ وہ قوم ہے جس نے کہا تھا ہمارے ساتھ وہ قوم ہے جو موت سے ایسا پیار اور شوق رکھتی ہے جس طریقے

سے تم شراب سے شوق اور محبت رکھتے ہو۔ ہم موت کے پیچھے پھرنے والے ہیں اور افغانستان کے جہاد نے یہ ثبوت مہیا کر دیا ہے اس لئے میں ہندوستان سے کہوں گا کہ ہمارے عزائم کبھی بھی جارحانہ نہیں رہے لیکن ہم اپنا دفاع کرنا جانتے ہیں۔

جناب چیئرمین : میں وقت کا لحاظ رکھتے ہوئے آپ سے درخواست کروں گا کہ اپنی تقریروں کو بہت ہی مختصر رکھیں، کیونکہ وزیر صاحب نے بھی ابھی جواب دینا ہے۔ جناب بنگلزئی صاحب۔

میر حسین بخش بنگلزئی : حضور والا ! میرا خیال تھا کہ موضوع کے لحاظ سے، اس سبجیکٹ کو دوسرے دن بھی لے لیا جائے گا، لیکن ایسا نہیں ہوا اور آپ وقت کا خیال رکھتے کو بھی کہہ رہے ہیں اس لئے آپ کے حکم کی تابعداری کرتے ہوئے میں بھی اسی لحاظ سے تقریر کروں گا۔

جناب چیئرمین ! انڈیا کی پارلیمنٹ میں پاکستان پر یہ الزام لگانا کہ پاکستان ہندوستان کے وزیراعظم کے قتل اور بوٹا سنگھ کی سازش میں ملوث ہے، اس بات کا کھلا ثبوت ہے کہ اس ملک کے اندر کتنا انتشار ہے۔ اپنے انتشار کے الزام کو دوسرے ملک پر لگانا یہ ہندوستان کی پالیسی رہی ہے۔ اس چالیس سالہ تاریخ میں پاکستان کی خارجہ پالیسی کا بنیادی مقصد اور اس کا منظر یہ رہا ہے کہ اس زون کے اندر امن و امان قائم رہے۔ کیوں کہ

[Mir Hussain Bakhsh Bangalzai]

پاکستان اپنی خارجہ پالیسی کے حوالے سے اس بات کو اچھی طرح جانتا ہے کہ جب تک تیسری دنیا میں، تیسری دنیا کے ممالک میں امن و امان برقرار نہ ہو، اس وقت تک تیسری دنیا کے ممالک ترقی نہیں کر سکتے۔ اور آج تیسری دنیا کے ممالک کو ترقی کرنا ہے اس لئے کہ آج کا دور سائنس اور ٹیکنالوجی کا دور ہے۔

جناب والا! پاکستان کی اس بنیادی اور حقیقت پسندانہ خارجہ پالیسی کے پیش نظر جو اس زون کے اندر امن و امان کی ضمانت ہے۔ اور داعی ہے، اس بات کا ثبوت ہے کہ جب روسی افواج نے افغانستان پر حملہ کیا تو پاکستان نے اپنی خارجہ پالیسی کے حوالے سے اس بات کا اظہار کیا کہ اس حملہ کو، حملہ ہی کہا جائے، اس کو انقلاب نہ کہا جائے۔ اس زون کے اندر امن و امان کو برقرار رکھنے کے لئے پاکستان کی خارجہ پالیسی کا ہمیشہ یہ عملی اظہار رہا ہے، جب ایران اور عراق کے اندر جنگ چھڑی، پچھلے آٹھ سال میں، وہ غیر جانب دار رہا ہے۔

جناب والا! اس واضح خارجہ پالیسی کی روشنی میں پاکستان کا موقف ہمیشہ یہی رہا ہے اور اس کے بعد بھی یہی رہے گا کہ اس زون کے اندر جس حد تک ہم امن و امان کو پروموٹ کر سکتے ہیں، اس حد تک ہمیں پروموٹ کرنا چاہیے shoulder to

shoulder اس کا ساتھ دینا چاہیئے، اور اس زون کے اندر سیاسی فضا کو اس انداز میں رکھنا چاہیئے جس سے کہ پورے زون کے لئے کبھی بھی امن و امان کے لئے کسی قسم کے خطرے کا اظہار نہ ہو۔ لہذا آج

جب ہم یہ سمجھتے ہیں کہ انڈیا کو اپنی پالیسی کی وجہ سے کسی حد تک ناکامی کا سامنا کرنا پڑ رہا ہے ، اس کے لئے کوئی دوسرا طریقہ کار اور کوئی دوسرا راستہ نہیں کہ وہ اپنی ہر ناکامی کے لئے پاکستان پر الزام لگائے۔ ہم پاکستانی ہیں ، پاکستان اللہ کے فضل و کرم سے زندہ جاوید رہا ہے اور زندہ جاوید رہے گا۔ ہمیں کسی دشمن سے کسی threat کا کوئی خطرہ نہیں ، ان الفاظ کے ساتھ میں انڈین پارلیمنٹ کے اندر اس بحث کی مذمت کرتے ہوئے ، اس بات کا اظہار کرتا ہوں کہ پاکستان کی خارجہ پالیسی کے آئینہ میں پاکستان کی خارجہ پالیسی کا مطالعہ کیا جائے اور غلط قسم کے غیر ذمہ دارانہ بیانات سے احتراز کیا جائے تاکہ اس زون کے اندر کبھی بھی امن و امان کو خطرہ پیدا نہ ہو۔

جناب چیئرمین : بہت بہت شکریہ ! نواب زادہ جہانگیر شاہ جوگڑی۔

نواب زادہ جہانگیر شاہ : بسم اللہ الرحمن الرحیم ، جناب والا ہندوستان اور پاکستان کا قصہ نیا نہیں ہے ، یہ بہت پرانا ہے۔ اگر تقسیم کے وقت ہندوستانی لیڈروں میں اتنی عقل ہوتی کہ پاکستان کو اپنا حصہ دے دیتے تو آج نہ ان کو بیرون لوگوں سے پر الزام اسلحہ کے انبار لگانے کی ضرورت پڑتی اور نہ ہی ہمیں مدافعت کے لئے وہ کچھ کرتا پڑتا جو ہم کر رہے ہیں۔ یہ ان سیاست دانوں کا بالکل غیر ذمہ دارانہ رویہ تھا۔ ان کو یہ سمجھ نہیں تھی کہ ایک ملک کو تقسیم کرنے کے لئے

[Nawabzada Jehangir Shah]

جب حامی بھری ہے تو پھر اس کو تسلیم کرتے، لیکن انہوں نے ایسا نہیں کیا بلکہ اسی دن سے اس کے خلاف کارروائیاں شروع کر دی تھیں۔ یہ ہمیں پتہ ہے۔ پاکستان کے ساتھ اسی دن سے اللہ تعالیٰ کی رحمت شامل رہی ہے اور یہ صبر بھی ہمارے پاس ابھی تک موجود ہے کہ چار اضلاع کلٹن کے باوجود، کشمیر کے مسئلے کے باوجود، ہم نے وہ کام نہیں کیا جس کے لئے ہمیں مورد الزام ٹھہرایا جائے۔ لیکن ان کے دلوں میں خوف ہے۔ ان کو پتہ ہے کہ ہزار سال مسلمانوں نے ان پر حکومت کی، آج بھی اگر پاکستان سے باہر نکلیں تو وہ محفوظ نہیں ہیں۔ وہ یہ باتیں اپنے ڈر کی وجہ سے کر رہے ہیں۔ ان کو یہ باتیں کرنے دیں۔ میں تو اس صورت حال پر عرفی کا یہ شعر کہوں گا۔

عرفی تو کے اندیش ز غوغائے رقیباں
آواز سگاں کم نہ کند رزق گدرا

وہ تو یہ کہے گا لیکن ہمیں کیا کرنا چاہیے، ہمارے لئے فروی اور اول بات یہ ہے کہ اپنے آپ کو مضبوط کریں۔ دوسری بات یہ ہے کہ اپنے آپ کو متحد کریں۔ پھر انشاء اللہ تعالیٰ ہمیں ان سے کوئی خطرہ نہیں ہے۔ خدا کی قسم مجھے آج تک ان سے خطرہ محسوس نہیں ہوا اس لئے کہ ہندوؤں سے کیا خطرہ ہو سکتا ہے، ہندوؤں کو تو ہم

لوگوں نے دیکھا ہوا ہے۔۔۔ اسلحہ سے کیا ہوتا ہے۔ علامہ اقبالؒ کا
ایک شعر ہے کہ

عہد کافر ہے تو شمشیر پر کرتا ہے بھروسہ

مومن ہے تو بے تیغ بھی لڑتا ہے سپاہی

ہم تو بے تیغ سپاہی ہیں، انشا اللہ تعالیٰ لڑیں گے۔ ہمیں کسی قسم کا کوئی
ڈر نہیں ہے۔

جناب والا ہم راجیو کو کیوں قتل کریں گے، اس کے لئے خود مواد
موجود ہے، وہ خود ہی کریں گے، ہمیں کیا اس بات سے تعلق ہے۔
پہلے کس نے کیا تھا؟ اب بھی وہی کریں گے۔ ان کو چاہیے کہ سکھوں کا
حصہ ہم کو دے دیں، ہمارے ساتھ ان کو شامل کر دیں وہ آرام
سے بیٹھ جائیں گے۔ اور ان کو کوئی خطرہ نہیں ہوگا۔ ان الفاظ کے
ساتھ میں آپ کا شکریہ ادا کرتا ہوں۔

جناب چیئرمین : شکریہ ! جناب بہرہ ور سعید صاحب۔

اخونزادہ بہرہ ور سعید : بسم اللہ الرحمن الرحیم جناب چیئرمین
صاحب ! ہندو اور مسلمان کی مخالفت، ان کی دشمنی، بہت
پرانی ہے، بلکہ میں یہ کہوں گا جس دن پہلا ہندو برصغیر میں مشرف
بہ اسلام ہوا، اس وقت سے ہی ہماری مخالفت شروع ہو گئی تھی۔
چلتے چلتے جب انگریز حاوی ہونے لگا اور ۱۸۵۷ء میں پہلی جنگ
آزادی کی جنگ شروع ہوئی، اس وقت ہندو نے اس کو موقع
عنیت جان کر انگریز کا ساتھ دیا اور مسلمانوں کی پشت میں چھرا گھونپا۔ اس

[Akhunzada Behrawar Saeed]

وقت سے لے کر جب تک انگریز مسلط رہا ہندو کی پالیسی مسلسل یہی رہی کہ وہ مسلمانوں کو کسی طریقے سے دبا کر رکھے۔ تعلیمی لحاظ سے، تجارتی لحاظ سے، ثقافتی لحاظ سے، جیسے بھی ہوا انہوں نے یہ کوشش کی اور انگریز کا ساتھ دیتے رہے۔ لیکن جس دن سے یہ ملک تقسیم ہوا اور پاکستان بنا، انہوں نے یہ ٹھکان رکھا ہے کہ جیسے بھی ہو اس ملک کو ختم کرنا ہے۔ ان کو، جیسے میرے دوست نے کہا، اچھی طرح سے نظر آتا ہے کہ کشمیر پاکستان کی شہ رگ ہے۔ کسی وقت بھی، کسی حالت میں پاکستان اس سے دست بردار نہیں ہو سکتا۔ ہندوستان کے پیٹ میں اب بھی دکن حیدر آباد پڑا ہوا ہے۔ جونا گڑھ ہے، مناو در ہے۔ وہ جانتے ہیں کہ ہم اس کو کم از کم اس وقت کچھ کر نہیں سکتے، اس کو گھور بھی نہیں سکتے۔ اس لئے ان کے وزیر داخلہ کا یہ بیان کہ راجیو گاندھی اور بوٹا سنگھ کو قتل کرنے کی سازش ہو رہی ہے۔ ایسی باتیں سن کر میں بڑا خوش ہوتا ہوں کہ ہم ان کے دماغ پر اب اتنے مسلط ہو گئے ہیں، اتنے وہ الرجک ہو گئے ہیں کہ اگر انکے پیٹ میں درد اٹھتا ہے تو کہتے ہیں کہ یہ تو پاکستان کی وجہ سے اٹھا ہے۔

جناب والا! میں ایک ضروری پہلو کی طرف آپ کی توجہ دلاتا ہوں ہم سب کو یاد ہے کہ راجیو نے یہ پھر سوال اٹھایا کہ ایران میں جو بنیاد پرستوں کی حکومت قائم ہے۔ اگر افغانستان میں بھی بنیاد پرستوں کی حکومت قائم ہو گئی تو پھر مشکلات پیدا ہوں گی۔ وہ یہ رائے قائم کرنے میں حق بجانب ہے۔ دشمن جو ہوا۔ ہماری اس وقت توجہ دو فرنٹ

ہے، مغرب کی طرف اور مشرق کی طرف۔ اور انشاء اللہ وہ دن دور نہیں کہ جب ہماری اتواج ایک ہی سرحد پہ جمع ہونگی۔ جب افغانستان میں مجاہدین کی حکومت بنے گی۔ اور انشاء اللہ ہم اس طرف سے لاہور واہ ہو جائیں گے، اس طرف سے ہم پہ حملے کا کوئی خطرہ نہیں رہے گا اور ہماری ساری توجہ ایک محاذ پہ مرکوز ہوگی۔ جناب والا! اس اعلان جنگ کی آواز کو اگر ہم اس نظر سے دیکھیں کہ یہ دیوانے اور مجنون کی آواز ہے تو میں سمجھتا ہوں کہ نہیں۔ ہندو اس تاک میں ہے کہ جیسے بھی ہو اور کوئی موقع ہاتھ آئے تو ہندوستان پاکستان پر حملہ کرے گا۔ کام تو وہ کر رہا ہے اندرونی طور پر ان کے ایجنٹ کام کر رہے ہیں۔ وہ ہماری سرحدوں پہ کروڑوں اربوں روپے خرچ کر کے اپنی فوجوں کی مشقیں کر رہے ہیں لیکن ایسے موقع کی تلاش میں ہیں کہ کب ملے اور افغانستان کے جھگڑے سے پہلے پاکستان پر حملہ کیا جائے۔ جناب والا! اس کو اسی طرح نہ سمجھ لیا جائے کہ یہ کئی مجنون کی آواز ہے اور پارلیمنٹ میں بیٹھ کر اس کے ایک ہوم منسٹر نے کہہ دیا کہ پاکستان کے خلاف اعلان جنگ کیا جائے۔ اس کو معمولی بات ہمیں نہیں سمجھنا چاہیے۔ اس کو ایک پالیسی سٹیٹمنٹ سمجھنا چاہیے۔

میں اپنے جذبات کی حد تک یہ کہوں گا کہ کاش! ہم میں اتنی ہمت اور قوت ہوتی، ہم اتنی پلاننگ کر سکتے کہ ہم دشمنوں کو وہاں جا کر ٹھکانے لگانے تو مجھے بڑی خوشی ہوتی، میں فخر کرتا۔ میں

[Akhunzada Behrawar Saeed]

جاتا۔ میں اپنے بچے کو بھیجتا۔ مگر کاش! یہ موقع میسر آتا۔ ہندو نہ ہمیں معاف کر سکتا ہے اور نہ ہم کبھی ہندو کو معاف کر سکتے ہیں۔ چانکیہ کے یہ پرستار بغل میں چھری اور منہ میں رام رام، ہمیں دھوکہ نہ دے سکیں گے۔ ان کے ساتھ مفاہمت کی باتیں کرنا، میں کہوں گا کہ خوش فہمی ہے۔ ہم جس وقت اس پر اعتماد کریں گے وہ چھرا گھونپے گا۔ یہ ہمارا ازلی دشمن ہے۔ اٹل دشمن ہے۔ وہ جو کچھ کہہ یا کر رہا ہے میں سمجھتا ہوں کہ ایک دشمن کو ایسا ہی کرنا چاہیے۔ کاش ہم بھی ایسا کرتے۔ ہم کرکٹ کی ڈپلومیسی کو چھوڑ دیتے ہاکی کی ڈپلومیسی کو چھوڑ دیتے۔ ہم Peace کی Treaty بھی چھوڑ دیتے۔ ٹھیک ہے دنیا میں یہ پالیسی صحیح ہے کہ دنیا کو ہم یہ بتانے کی کوشش کر رہے ہیں کہ ہم تو امن پسند ہیں، ہمارا چھوٹا ملک ہے، ہمارے وسائل تھوڑے ہیں۔ وہ بڑا ملک ہے، اس کے وسائل زیادہ ہیں، وہ بڑی طاقت ہے۔ ہم تو اس پر کبھی حملہ نہیں کر سکتے۔ ٹھیک ہے یہ پالیسی لیکن وہ اقبالؒ کی بات

عہ آجھ کو بتاؤں میں تقدیر اُم کیا ہے

شمیر و سنان اول آگے شعر ایسے پڑھوں گا۔

شمیر و سنان اول، شمشیر و سنان آخر۔

انہوں نے جو پارلیمنٹ میں ہم پر الزام تراشی کی ہے یہ پہلی دفعہ نہیں کی ہے۔ راجیو بہر طور سے یہ کوشش کر رہا ہے کہ وہ افغانستان میں مداخلت کا کوئی جواز ڈھونڈے۔ مجھے یہ بھی اندیشہ ہے کہ وہ سری لنکا

کی طرز کا نجیب اور راجیو pact کریں اور اپنی فوج وہاں داخل کرے۔
مجھے یہ بھی اندیشہ ہے کہ وہ ہمارے ملک کے کسی حصے میں بغاوت
کروا کر یا اپنے آدمی بھیج کر وہی مشرقی پاکستان والا مسئلہ کھڑا کر کے
ہمارے ملک پہ حملہ آور ہو۔ اس لئے complacency سے کام لینا پاکستان
کے لئے صحیح نہیں ہے۔ بہت زیادہ چوکنا رہنے کی ہمیں ضرورت ہے۔

جناب والا! کون سا سال یا کون سا مہینہ گزرا ہے کہ جب ہندوستان
میں مسلمانوں کا قتل عام نہیں ہوا۔ ان غریبوں کا کیا قصور ہے جو وہاں
رہتے ہیں۔ اس لئے کہ وہ مسلمان ہیں۔ انڈیا ان کو تو معاف نہیں کرتا
جو پاس رہتے ہیں تو ہمیں کیسے معاف کرے گا کہ ہم مسلمان ہوتے
ہوئے آزاد ہیں۔ ہم مسلمان ہوتے ہوئے اس سے ٹکر لیتے ہیں۔ ہم
مسلمان ہوتے ہوئے ان کے مقابلے میں کھڑے ہیں اور اس کی
supremacy کو تسلیم نہیں کرتے۔ جناب یہ supremacy کی بات نہیں ہے
وہ کسی طریقے سے کوئی جواز پیدا کر کے افغانستان میں مداخلت
کرے گا۔ یا وہ افغانستان کا مسئلہ ختم ہوتے سے پہلے پاکستان پہ
حملہ آور ہوگا۔ اس لئے ہمیں تیاری کرنی چاہیے جس طرح سے
میرے دوست نے کہا کہ جب پاکستانی افواج ہندوستان کے خلاف
صف آرا ہونگی تو انشاء اللہ ہم سینہ بہ سینہ اس میدان میں جائیں گے،
ہندوؤں کے ساتھ لڑیں گے، ان کو ماریں گے اور انشاء اللہ ہم اس
کو میدان میں پسپا کر کے شکست دیں گے۔ شکریہ!

جناب چیئرمین: بہت بہت شکریہ۔ جناب بریگیڈیئر محمد حیات

صاحب۔

ملک محمد حیات خان : جناب چیئرمین ! یہ کوئی پہلی

بار نہیں ہے کہ ہندوستانی پارلیمنٹ میں پاکستان کے خلاف زہراگلا گیا ہے ہمیشہ جب بھی انہیں کوئی اندرونی پریشانی درپیش ہوتی ہے تو وہ پاکستان کے خلاف پروپیگنڈا شروع کر دیتے ہیں ۔

اس دفعہ انہوں نے ذرا زیادہ سختی سے کیا ہے اس لئے اسے lightly نہیں لینا چاہیے اور میں یہ گزارش کروں گا کہ ہندوستان نے گو پاکستان کے خلاف تین جنگیں لڑی ہیں اور تینوں دفعہ وہ ہی aggressor تھا کشمیر میں انہوں نے پہلے فوجیں بھیجیں ، 65 کی جنگ میں انہوں نے aggressor کیا ۔ اور اے ، کئی لڑائی جو بنگال کی ہے وہ ہم سب کو

یاد ہے ۔ لیکن دنیا کو یہ تاثر دیا گیا پاکستان ہی aggressor ہے جب بھی ہم باہر کسی ملک میں جاتے ہیں تو کہتے ہیں کہ تم ہندوستان کے خلاف کیوں aggressor بنتے ہو ۔ یعنی انہوں نے اپنے ذرائع ابلاغ کے ذریعے

دنیا کو یہ تاثر دیا ہے کہ ہم ہی ان پر attack کرتے ہیں جو بالکل غلط ہے ۔ جہاں تک اس incident کا تعلق ہے کسی کو کیا غرض ہے کہ راجیو گاندھی کو قتل کرے یا بوتا سنگھ کو کوئی قتل کرے ۔ یہ صرف انہوں نے اپنے ملک میں اشتعال پیدا کرنے کے لئے پاکستان کے خلاف

پروپیگنڈا شروع کیا ہے اور میرا اندازہ یہ ہے کہ یہ اس کو continue کریں گے اور اپنی قوم کو مشتعل کریں گے تاکہ وہ ہم پر

پریشرد الیں کہ افغانستان میں جو حکومت بن رہی ہے (جو انشاء اللہ وہ مسلمانوں کی حکومت بنے گی) کہ وہ نہ بن سکے اور اگر direct aggression

نہیں ہوا تو کسی اور طریقے سے ہمارے معاملات میں مداخلت کرتے کی کوشش کریں گے جس کا ہماری حکومت کو نوٹس لینا چاہیے۔ اور ایک تو ذرائع ابلاغ کو یہ بتایا جائے کہ ہمیشہ انہوں نے aggression کیا ہے اور ہمارا کوئی ایسا ارادہ نہیں ہے۔ بہر حال اگر ان کا ارادہ ہے تو ہم اپنے ڈیفنس کے لئے تیار رہیں۔ دوسرا یہ کہ ہماری فارن پالیسی جو ہے اسکو بھی تھوڑا اور تیز کرنا چاہیے تاکہ دنیا کو بتائیں کہ ہندوستان ہمیشہ aggressor بنا ہے اور اب بھی اس کے ارادے یہ ہیں جو غلط ہیں۔ اور تیسرا یہ کہ اندرونی حالات ہمارے خدا کے فضل و کرم سے ٹھیک ٹھاک ہیں لیکن ہم کو یہ خیال رکھنا چاہیے کہ ہمارے اندرونی معاملات میں بھی کوئی خفیہ مداخلت ہندوستان نہ کر سکے۔ شکریہ۔

جناب چیئرمین: بہت بہت شکریہ۔ جناب نسیم آہیر صاحب۔

Malik Naseem Ahmed Aheer: Sir, I completely identify myself with the sentiments expressed by the honourable members of this House and I have nothing to add to what has been very clearly stated by the honourable members. I think, I must congratulate also the members of his honourable House for their restraint, responsible and mature response to the highly provocative and the irresponsible statements—that came from the Indian Parliament. However, Sir, it is not the luxury of a Minister to indulge in any rhetoric but to set the record straight I have to make this brief statement before this honourable House.

Sir, the Government of Pakistan has noted with great dismay the identical statements made by the Indian Minister of State for Home Affairs and some members in both the Houses of the Indian Parliament on August 2, 1988. These statements falsely accuse Pakistan of complicity in an alleged plot hatched on Indian soil to assassinate their Prime Minister and the Home Minister. Some documents, claimed to have been recovered from the Golden Temple during the recent operation 'Black Thunder' have been taken as a conclusive evidence of Pakistan's involvement. These documents have surfaced nearly three months after their alleged recovery. The occasion has now been used for making totally unwarranted and highly intemperate statements.

[Malik Nasim Ahmed Aheer]

As stated by the spokesman of our Foreign Office on August 3, 1988, the Government of Pakistan categorically rejected this completely baseless accusation. It is part of a deplorable propaganda campaign to malign Pakistan, not only within India but also in third world countries. Indian leaders have resorted to this propaganda regardless of the venue and regardless of the diplomatic norms. As a dignified, responsible nation we have refused to be provoked. We have not thought it either proper or necessary to resort to the same tactics. We hope that the Indian leaders will take note of this and desist from continuing this unsavoury practice.

The hollowness of the charges made in the Indian Parliament becomes evident from the fact that the persons mentioned as the most important link *i.e.* Wassan Singh Zafarawal and Gurbachan Singh Manochahal, have been black-listed from entering Pakistan. This was done by us at the specific request of the Indian Government and they know it. Rather than appreciate our gesture, they have chosen to repeat the old allegations about these persons being in Pakistan when we had assured them to the contrary during the Interior Secretaries meeting in May, 1988.

In the spirit of cooperation the Government of Pakistan has at India's request also black-listed some other Sikhs residing abroad who are suspected by the Government of India of having criminal intent. Our authorities have taken appropriate action to deny all of them entry into Pakistan. None of the persons mentioned in the Indian statement has entered Pakistan. A recent case in point is Talwinder Singh Parmar and his son Narinder Singh. This is an act of sheer ungratefulness that instead of appreciating the cooperation extended by us, the Government of India continue vilifying Pakistan on this score.

The Indian side has not been able to substantiate the allegations about Pakistan's aid to the Sikh militants, supply of arms to them or their training. The assertions are based on unilateral interpretation of dubious evidence. The charges that the Sikh extremists held meetings in Pakistan turned out to be false. For example, the Indian Government has repeatedly asked for the return of Atinder Pal Singh, Sukhvinder Singh and Dhanna Singh to them. Each time, we assured them that these persons are not in Pakistan. In fact, the Indian Press has reported that the former two are active in the Indian Punjab. In other cases also, the Indians have frequently claimed the presence of various Sikh militants in Pakistan. Subsequently it has become known that they were in India. When confronted with this, the Indian authorities lamely argue that these persons keep shuttling between India and Pakistan. How is it that the Indian authorities know so exactly the movements and whereabouts of such persons in Pakistan but do not know where they are while in India.

It is inconceivable that, with the heavy deployment of forces on the Indian side of the border and other security measures to check illegal crossing, these people should still manage to keep coming in and out of India so often without being apprehended by the Indian agencies. Further, if they have so much knowledge about their

movement, why do the Indian authorities not furnish information to the Pakistan border agencies to facilitate the apprehension of persons illegally crossing the border. It has been agreed between the Interior Secretaries that this would be done on a reciprocal basis.

Another example of blatant falsehood is the frequently repeated Indian claim that many intruders from Pakistan have been captured or killed by the Indian Border Security Forces. The Indian Minister of State for Home Affairs has claimed that 54 Pakistanis were killed during the first six months of 1988. For the past four years, whenever such stories have appeared in any of the Indian newspapers, our Embassy in New Delhi has requested the Indian Minister of External Affairs to furnish full particulars of such persons and to allow Consular's access to those captured. Not once in the past four years has the Indian Government informed us of the identity of persons killed or captured. No dead bodies have been returned for burial. Strangely enough, there have been no enquiries from any families in Pakistan about the missing persons. I will give you a specific example of false propaganda. Earlier this year, the Indian Government announced in their Parliament that two Pakistani Rangers had been killed within Indian territory where they had gone to assist criminals. Since we had no missing Rangers, we asked the Indian side about this at the Interior Secretaries' meeting in May 1988. They replied that this information was based on Pakistani Press reports and did not emanate from them, so they could not vouch for it.

Allegations that Pakistan Government agencies are involved with Sikh extremists or that Pakistan Rangers are supplying arms to them are totally false. The Government of Pakistan has categorically rejected such charges in the past and wishes to reiterate that no department, agency or official of the Government of Pakistan provides assistance, encouragement or shelter to any Indian national or foreign citizen for any interference in the internal affairs of India. No doubt some illegal activities like drug-trafficking, smuggling, gun-running do take place along the Pakistan—India border, we have offered our fullest cooperation to the Indian authorities to control this.

Sir, in their own press it has appeared that this propaganda is aimed at diverting attention of the people of India. I have got some copies of the Indian newspaper "The World News" of 24th April, 1988. Sir, actually it is the Indian intelligence agencies which are busy in smuggling arms from Pakistan and they just want to use this pretext to blame the Government of Pakistan that we are supplying arms to the Sikh separatists or militants. This is totally incorrect. In their own press it appeared time and again and such responsible newspapers as the 'Indian Express' has also commented that "Rajiv's murder plan aimed at diverting attention". It is actually, Sir, their requirement, their need. I do not know what their motives are but all the time whenever they are facing some internal difficulties, they accuse the Government of Pakistan, the people of Pakistan that we are behind this. I think they should better look after their internal affairs more. They should give more attention to setting their house in order rather than accusing Pakistan with such baseless allegations.

[Malik Nasim Ahmed Aheer]

Sir, in the two meetings of the Interior Secretaries, we have done our utmost to allay Indian misgivings. At the first meeting in December, 1986, we agreed to include in the joint press release a reference to the effect that Pakistan "does not and will not provide any support to terrorist activities directed against India". By a strange twist of interpretation the Indians propagated this as an admission of guilt by Pakistan! In fact, we have noted with great disappointment that while the meetings of Interior Secretaries themselves have been positive and productive, the Indian projection of these meetings has invariably been negative and the main purpose of this projection has been to try and show that Pakistan's guilt was established. Nothing could be farther from the truth.

At the second meeting of the Interior Secretaries in May this year we also proposed some specific measures at the functional level. Most important was the proposal for joint patrolling of the Indo-Pakistan border in mutually agreed areas in the Punjab sector. The Indian side wanted this to include the hot chase of suspects by the Indian forces inside Pakistan's territory. We told them candidly that this was not acceptable nor would we want our forces to chase suspects into Indian territory. They finally agreed. Yet when the time came to implement the decision, they again raised the issue of "hot chase". Having obstructed the implementation of an agreed decision, they now have the temerity to allege that Pakistan is not sincere. We remain ready for coordinated action within our respective jurisdictions.

Sir, we have always stressed the need for practical measures of cooperation on the ground. We welcome the erection by India of barbed wire fence and control towers on its side of the border.

The most deplorable part of the statements made in the Indian Parliament relates to the so-called Pakistan's complicity in a plot to assassinate Prime Minister Rajiv Gandhi and Home Minister Buta Singh. This is an absurd and preposterous charge. Pakistan, as a responsible member of the international community, fully respects the norms of civilized inter-state relations. It holds leaders of all countries in high esteem. It is inconceivable that we could ever think of anything which might cause harm to an Indian leader. The Government of Pakistan, therefore, contemptuously rejects the allegation in the Indian statements and hopes that responsible circles in India will desist from making such malicious and unfounded charges.

Sir, I would like to reiterate that Government of Pakistan believes firmly in the principle of non-interference in the internal affairs of other countries. We do this not only because it is enjoined upon us as a member of the world community, but because we know it is in our own national interest. We do not want anybody to interfere in our internal affairs. We know what this can lead to. Since we expect others to refrain, we fully realize that it is our obligation also to refrain. In this context we find it most reprehensible that India should have stepped up its interference in the internal affairs of Pakistan. I do not wish to emulate the Indian spokesman and go into

hysterics about the growing Indian involvement in the fanning secessionist sentiments in Sind and other parts of Pakistan. I only want to say that we want to live as good neighbours and expect an equal measure of reciprocity from India.

Sir, I take this opportunity to renew Pakistan's offer to join India in undertaking solemn obligations in a binding treaty against allowing the use of their respective territories for any activities directed against the internal peace and stability or territorial integrity of the other State. Pakistan is also ready to join India in a declaration, on a reciprocal basis, to affirm respect for each other's unity and territorial integrity and even to go beyond this by denouncing separatist and secessionist movements, generally or specifically. India is reluctant to pick up this very reasonable proposal. Why? At least I fail to understand.

Sir, let me say that it is in the interest of good-neighbourly relations and cooperative relations that irresponsible rhetoric should be avoided. When this emanates from high government circles, it only serves to undermine the goodwill and the desire for peace which the people of both countries have. The Government and the media should instead make serious efforts to banish mistrust and suspicion. Pakistan will not allow itself to be deflected from the policy of seeking normalization of relations with India. We will persist in this effort and we hope India will also reciprocate some day. I thank you, Sir.

Mr. Chairman: Thank you very much. The Minister's statement brings to a close the discussion on the identical adjournment motions moved by Malik Muhammad Hayat, Mr. Muhammad Mohsin Siddiqui, Mr. Muhammad Tariq Chaudhry and Mr. Javed Jabbar. I think I will just add one "زبانی" of Iqbal winding up the whole debate;

نگاہ دارد برہمن کار خود را
بہا گوید کہ از تسبیح بگزر
بہی گوید بہ کس اسرار خود را
بدوش خود برد ز نار خود را

The House is adjourned to meet again on Thursday, the 11th of August at 10.00 a.m.

[The House adjourned to meet again on Thursday, the 11th of August, 1988 at ten of the clock in the morning.]

