

Q Discuss the nature of centre-province relations under the 1973 constitution



1 Introduction

Pakistan has a federation system which consist of a center and its provinces. The Power is divided among the provinces and its center. Center has executive power only to some defined areas. Provinces are given autonomy. Provinces can make laws for those subject which are not defined in the federal list. After 18th amendment, provinces are given more power. Now provinces can make laws and can work for their development. In 1973 constitution, Center and Provinces relation very well defined and detailed.

Centre - Province Relations and its nature.

2 | Extent of Federal and Provincial Law.

Federal has power to make laws for a whole or part of it and provinces have power to make law for whole province or part of it.

Federal can also make law for those areas which are not part of a province.

3 | Subject matter of Federal and Provincial Law.

Federal can make laws for those subjects which are ~~are~~ defined in the federal list. Provinces can make laws for those subjects which are not defined in the Federal legislative list. This is defined in article 142 of the constitution.

4 | Inconsistency between Federal and Provincial Law.

Provinces can not make laws which ~~are~~ badly affect on the law defined by the Federal. If a ~~constit~~ province make law which is not suitable for the national interest, Federal can make law and federal's law will prevail over province's law.

5 Power of the Federal to legislate for one or more provinces.

If one or more provinces pass resolution to allow federal to legislate law for a province, then it will be according to law for federal to make laws for those subjects which are not defined in the Federal legislative List.

6 Power of Federal to confer powers etc on province, officers or authorities.

Notwithstanding in the constitution, Federal can confer powers to province, officer and authorities. But it has to pay to them according to the defined in agreement.

7 Power of provinces can be entrust functions to Federal.

Provinces can make request to Federal and can ~~make~~ entrust certain functions to Federal.

8 Direction to the provinces.

Federal can give direction to the provinces to making laws

or on other subjects which are not defined in the constitution.

9 Acquisition of Land for Federal purpose.

A federal may, if it deems necessary for a federal to acquire land which is in a province, Federal can acquire land by a province by paying to it.

10 Council of Common Interest.

A council of common interest consist of Prime Minister who is the chairman of council, ~~4~~ chief Ministers of all provinces and 3 members selected by PM from federal. This council discuss issues of common interest of federal and provinces.

11 Complaint as to interfere in water issue.

If a problem which is related to natural water resource, is not solved by other forums then federal, provinces or thereof ^{interested} can register its complaint in Council of common interest. Then issue will be resolved by the majority of members.

of CCI.

12 National Economic Council:

National Economic Council consist of a Prime Minister who is chairman of NEC, ~~and~~ Chief Ministers of provinces and 4 members selected by CM from provinces. NEC discuss the economic condition of federal and provinces. They devised plan and formulate policie for good economy. They make sure that all resources are equally divided.

13 National Finance Commission.

National Finance Commission consist of ~~Prime~~ Fedtal Finance Minister and other finance minister of Finance departments. They make sure that All resources are equally divided. All provinces and Fedral participates in ~~revenue~~^{tax} collection and Revenue must be equally distributed according to the porpotion defind by, NFC award.

14 Electricity :

If Federal want to construct a dam or other electricity project, Federal can construct dam after the consent of province and provincial assembly.

15 Ownerless Property :

If there is a land or ~~prop~~ property which is ownerless, then province can include it in his authority, otherwise it will consider the property of federal.

If there is found a valuable mineral under the ~~continent~~ continent or under the water of oceans, rivers etc this valuable mineral will be possessed by Federal government.

16 Conclusion.

The centre and province relations are very well defined in the constitution of Pakistan. Pakistan is facing through several problems. ~~The~~ One of them is the lack of coordination and communication

between federal and provinces.
They must collaborate and coordinate
in such a manner that Pakistan
~~can~~ may progress in every field of
life. Federal and provinces must
communicate so that all issues can
be resolved and the whole Pakistan
may be developed and prosperous