

There is an opinion that some of the subjects handed over to the Provinces in 18<sup>th</sup> Amendment should be handed back to the centre. If yes, then what subjects and why? If not, then why?

Ans Introduction:

18<sup>th</sup> amendment was enacted on 19<sup>th</sup> April, 2010. It is also called as mini constitution as it changed almost one-third of the constitution of 1973. For the first time in history, a president willingly gave powers to the parliament. It was called a win of democracy by the major political parties at that time. Major important issues like provincial autonomy and provincial equality were settled via this amendment. Article 119 which gave powers to governors to dissolve provincial assemblies was omitted from the constitution. Under article 157, the approval of provincial assembly for the installment of hydroelectric power projects was made mandatory. Through NFC award, provinces were given their due financial share. This helped placate the small provinces as they felt a sense of resentment over unequal sharing of resources. Law and order, finances and education, along with many other departments, were handed over to provinces.

With the passage of time, various issues emerged regarding the subjects which were transferred to provinces. Members of the Parliament even expressed their reservations on the floor. Major apprehensions were regarding education and finances.

~~Quality~~ Quality of education has not

improved at all since 2010. This subject should be transferred back to the centre. However, financial share should be kept as it is according to the NFC award.

Following are the reasons given to justify this opinion.

### 1. Education should be a federal subject

Pakistan has 22.8 Million out of school children. The standard of primary and elementary education has gotten poorer. Education is the second most expensive subject after defense. Despite spending 1.7% of the GDP on education, no improvement has been seen in the system. Since Education became a provincial subject and concurrent list got abolished, various problems appeared regarding this matter.

#### a. Provinces lack proper apparatus for good education

A good education dept. is run by a few bureaucrats only

11- needs systematic and comprehensive framework of school, teachers, students and educationists. Miftah Ismail, ex finance minister said in an article that 4 out of 10 children in Pakistan are illiterate. These are alarming numbers. Pakistan is way behind on the MDGs as well. In 2015, Pakistan was supposed to have a literacy rate of 88%. Current literacy rate is 59.7%. (Ministry of Education, Punjab). Due to provincial lack of apparatus, these numbers are further dwindling.

b. Different curricula in the same country.

There are various different education curricula in Pakistan. A child first learns a local language in his primary school, then goes on to learn Urdu and later shifts to English. Each province has different education board and follows different syllabus. Moreover, madrasas, Govt. school, private schools, missionary schools, all offer different kinds of learning. Later on, when these students compete with each other in national level exams, they are unable to yield similar results.

c. Lack of accountability and federal oversight.

Since each province has a

separate curricula and distinct methodology of teaching, their standard cannot be measured with a single yardstick. There are thousands of ghost schools and ghost teachers in each province. At some place, cheating and plagiarism has become part of education culture. This system needs strict oversight which is only possible if education system and curriculum is similar all over the country.

Financial provision of 18<sup>th</sup> Amendment should be kept as such:

In 18<sup>th</sup> amendment, finances were handed over to provinces with better share and more autonomy. Although, some people are of the opinion that provinces are not able to utilise them properly, financial autonomy of provinces is in the best interest of state. Here are the reasons.

a) Fair sharing in NPC award:

In the NPC award, all provinces were given their due share. Before this, there were a lot of reservations and apprehension in the smaller provinces regarding their share and resources. This led to

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a. feeling of resentment. Through NAC award, a fair share has been given to each province which cannot be decreased without the approval of specific provincial assembly.

b. Creation of CCI and NEC:

Under 18<sup>th</sup> amendment, Council of Common Interest was re-established. It is chaired by the prime ministers and the chief ministers of all four provinces are its members. It meets once every 90 days. CCI is an effective conflict resolution apparatus. Similarly, National Economic Council was established. All four provinces and federal govt have their representation in NEC. NEC has an advisory role in financial matters concerning the provinces. This co-operation of financial matters between the centre and the provinces has been a great benefit of 18<sup>th</sup> amendment.

Conclusion:

18<sup>th</sup> amendment was a significant step towards democracy and supremacy of constitution. It has led to significant increase in provincial powers. Though most of the provisions of the 18<sup>th</sup> amendment have been beneficial, the subject of education should be transferred back to the federal govt.