

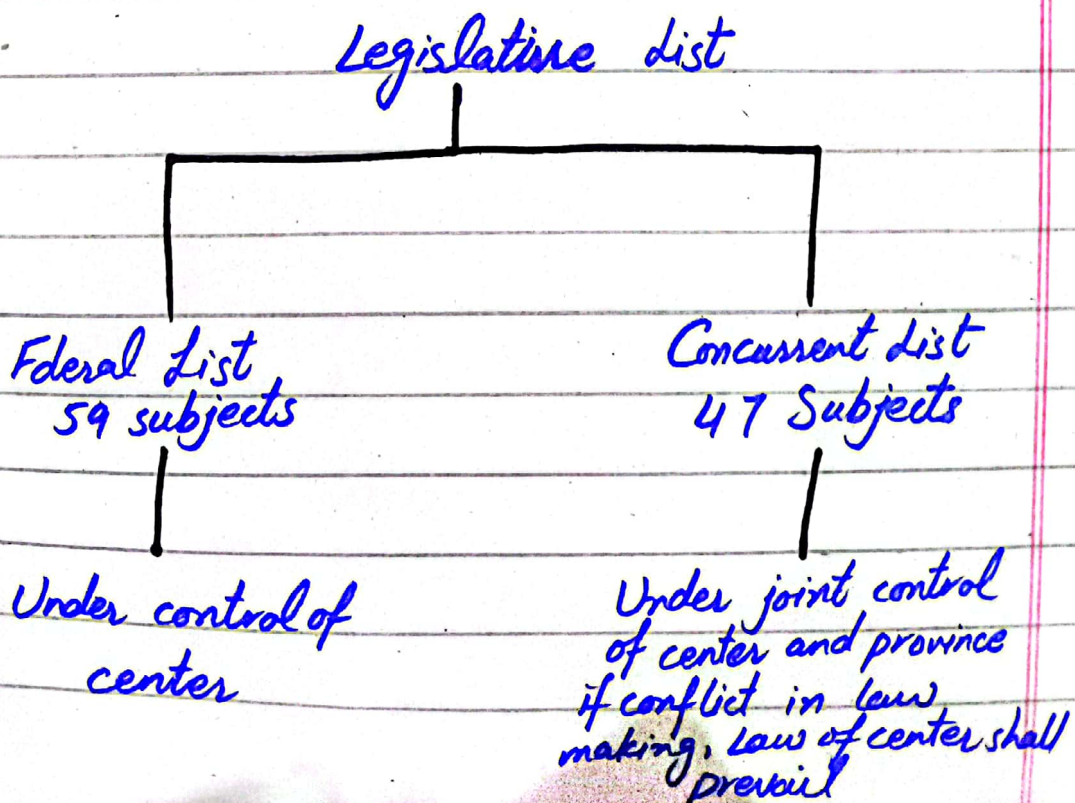
How far the nature of Center-Province relations has changed under various amendments to the 1973 constitution? Evaluate.

### Introduction:

Federalism and provincial autonomy is the founding principle of Lahore resolution 1940. The provinces were added on the basis of promise of autonomy. After the independence, Pakistan became the federal govt, but autonomy was not given to the provinces. The main reason behind fall of Dhaka is no provincial autonomy. But after the various constitutions and amendments, in 18<sup>th</sup> amendment this conflict was resolved with the major issue of democratic reforms. Provinces were given autonomy and powers were devolve to provinces and in grassroot levels. Various sections and articles were amended and the nature of center-province relations has changed.

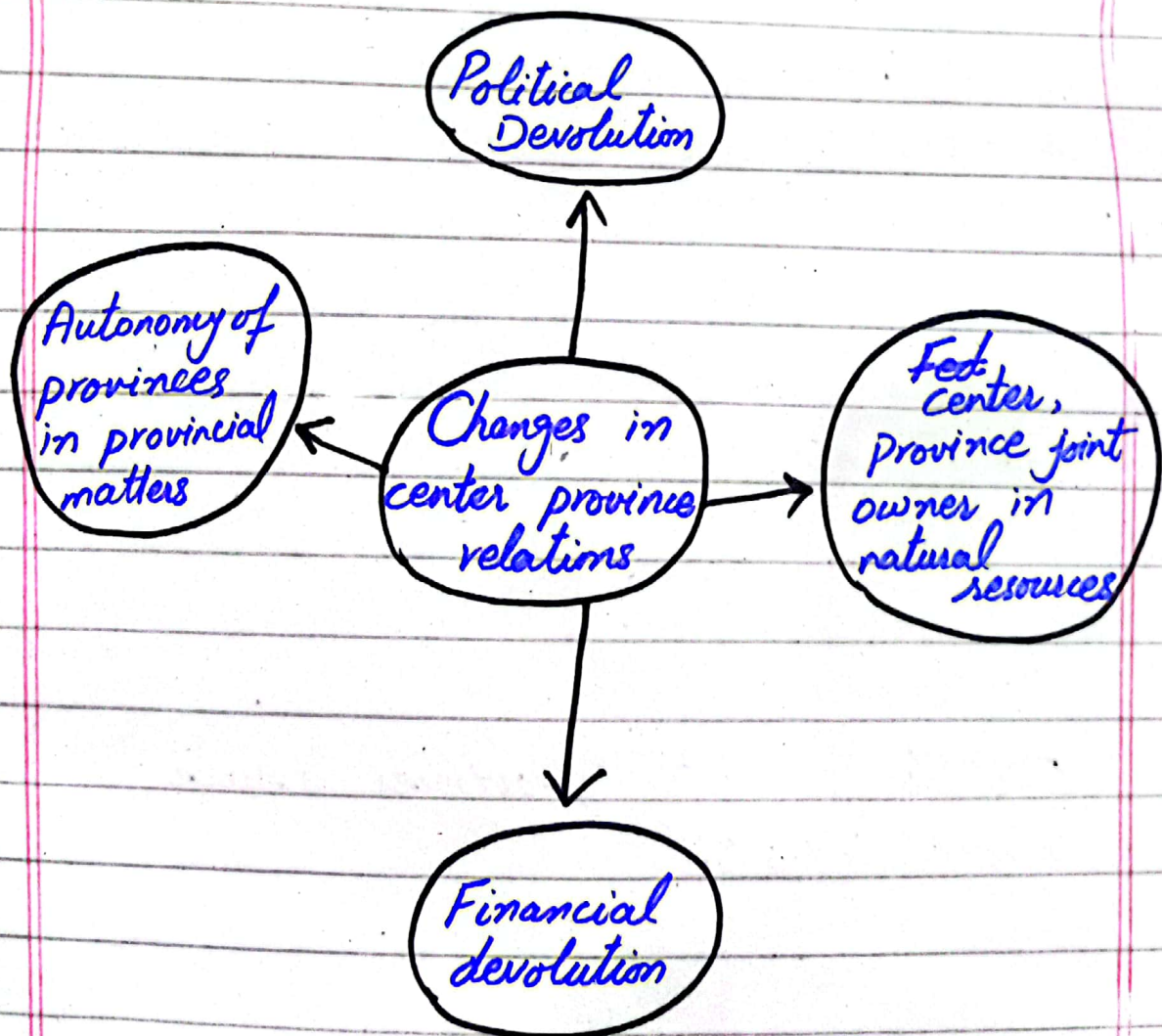
## Center and province relations under 1973 constitution:

In the 1973 constitution Pakistan was the federal govt but provinces lack the autonomy. There were two lists, 1 federal and 1 concurrent. All the subjects of federal list were under the federal govt for law making. On the other side, the 47 subjects of concurrent list were under control of both federal and provinces. If there were a contradiction, the law of center shall prevail. Provinces had not autonomy on legislature.



## Change in the relations of center-province after amendments.

After the 18<sup>th</sup> amendment, in 2010, center-province relations has changed. Provinces were given the provincial autonomy after a long struggle. Powers were devolved as well as financial devolution. Moreover, provinces were become equal owners in natural resources.



## Political devolution and transfer of ministries to provinces:

The two legislative lists, federal and concurrent were devolved and various changes were made in it.

Concurrent List was abolished.

44 subjects were transferred in provincial list. In addition, various ministries, provincial taxation system, health, education etc, these subjects were given under supervision of provinces. Provinces were autonomous to do legislature.

## Financial devolution and increase share of provinces:

Before the 18<sup>th</sup> amendment, the share of center in the financial resources was

52.5% while provinces share was 47.5%. But the criteria was set regarding divisible pool.

As many ministries were transferred,

the financial resources were also increased. Provinces got 57.5% and center got 42.2% for its subjects. Provinces were strengthened for the development and legislature.

### Fixed criteria of provincial fund in NFC Award:

In the article 160, it was mentioned that share of province in revenue distribution can not be less than previous share. Before the amendment, fixed revenue was not given to provinces, but later, center was bound to give ft share as per fixed criteria.

### Distribution of power in local government:

On the Article 140-A, the governing power was devolved into 3 tiers - federal government, provincial government and local government. In this article local government was mandatory.

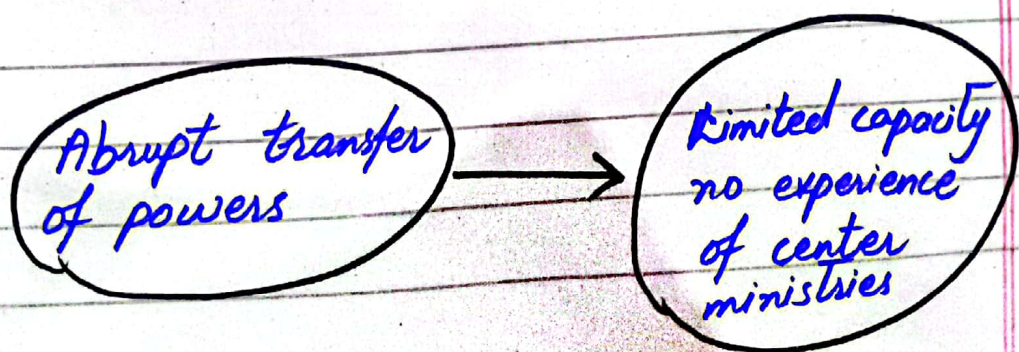
Center-provinces joint owner in natural resources:

Under Article 172, provinces become joint and equal share owners of natural resources in provinces - such as oil, gas, minerals and natural gas, water.

Furthermore, under Article 157, it was required to center to consult the respective provincial govt for any hydro-electric project in that province. Provinces had no such autonomy on natural resources but amendments changed the relations of center and provinces.

### Critical Analysis:

The relations were changed and powers were transformed but there are still many flaws and hurdles.



Increase in provincial share



Low budget of center to run various affairs

Political devolution in legislation



Lack of Political will to transfer powers in local level

### Conclusion:

The center and province relations has changed under various amendments. Provinces are autonomous in their internal development affairs. Fixed revenue share is given to them in budget. They have autonomy on their natural resources and equal share from them all as well. These powers were not given to them before, but now they are exercising the powers.

