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PART-II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF INTER PROVINCIAL COORDINATION

(IPC Division)

NOTIFICATION

Islamabad, the 19th July, 2010

S.R.O. 741(I)/2010.---In exercise of the powers conferred by clause 5 of Article 154 of the Constitution of the Islamic Republic of Pakistan, the Council of Common Interests is pleased to make the following Rules of Procedure, namely :---

**RULES OF PROCEDURE OF THE COUNCIL OF COMMON
INTERESTS**

1. Short Title and commencement. – (1) These rules shall be called the Rules of Procedure of the Council of Common Interests, 2010.

(2). These rules shall come into force at once.

2. Definitions.- In these rules, unless there is anything repugnant to the subject or context;-

- a) "Article" means an Article of the Constitution;
- b) "Chairman" means the Chairman of the Council of Common Interests;
- c) "Constitution" means the Constitution of the Islamic Republic of Pakistan;
- d) "Council" means the Council of Common Interests constituted under Article 153;
- e) "department" means a department of a Provincial Government;
- f) "Division" means a self-contained administrative unit of the Federal Government responsible for the conduct of its business in a distinct and specified sphere and declared as such by the Federal Government;
- g) "Federal Government" means the Government of Pakistan;
- h) "Provincial Government" means the Government of a Province;
- i) "Secretariat" means the Secretariat of the Council established under rule 3;
- j) "Secretary" means the Secretary of the Council appointed under rule 3; and
- k) "Schedule" means schedules to these rules.

3. Secretariat of the Council.- (1) There shall be a permanent Secretariat of the Council. The Chairman/Prime Minister shall appoint Secretary of the Council from amongst the serving BS-22 Civil Servants of the Federation.¹

(2) The Secretary shall be the administrative head of the Secretariat of the Council and shall be responsible for its efficient functioning.

¹ Substituted vide M/o IPC's Notification No.1(1)/2010-CCI dated 22nd April, 2021.

(3) The Secretary shall appoint such other officers and officials for the Secretariat, as he may think appropriate, in accordance with the rules prescribed by the Council:

Provided that appointment to the posts in BS-20 and above shall be made with the approval of the Chairman:

Provided further that representation of all the Provinces and regions in the service of the Council shall be ensured on the basis of provincial and regional quotas.

(4) The Secretary shall also be the Principal Accounting Officer of the Secretariat of the Council.²

(5) The Secretary shall directly report to the Chairman of the Council/Prime Minister.³

4. Functions of the Council.- The Council shall formulate and regulate policies in respect of matters given in the Schedule I and shall exercise supervision and control over related institutions.

5. Meetings of the Council.- (1) The Chairman may summon the meetings of the Council, to meet at such time and place as he thinks fit.

(2) The Council shall meet at least once in ninety days:

Provided that the Chairman may convene a meeting on the request of a Province on an urgent matter.

(3) The meetings of the Council shall be attended by its members.

(4) The Chairman may permit any other Federal Minister, or a Provincial Minister and any official to attend the meeting of the Council by special invitation.

(5) In a meeting of the Council four members shall form the quorum;

² Inserted vide M/o IPC's Notification No.1(1)/2010-CCI dated 22nd April, 2021.

³ Inserted vide M/o IPC's Notification No.1(1)/2010-CCI dated 22nd April, 2021.

provided that at least two Chief Ministers are present:

Provided further that a matter relating to a Province shall not be discussed unless the Chief Minister of that Province is present in the meeting.

(6) No case shall be discussed nor any issue be raised in a meeting unless summary relating to it has first been circulated:

Provided that the Chairman may dispense with this requirement in exceptional circumstances.

(7) Notice for the meeting shall ordinarily be issued at least ten working days in advance.

(8) For inclusion in the agenda of a meeting summary relating to the case shall reach the Secretary at least fifteen days in advance of the meeting:

Provided that, if a case is urgent and is required to be taken up at a short notice, the Secretary of Division or Chief Secretary of the concerned Province shall obtain approval of the Chairman for its inclusion in the agenda before it is transmitted to the Secretary.

(9) The Secretary of the Division or Chief Secretary of the Province concerned shall attend the meeting of the Council for the purpose of the case relating to his Division or Province. However, these officers may be asked to withdraw from the meeting before the Council starts discussion on the issue.

(10) The decisions of the Council shall be expressed in terms of the opinion of the majority.

6. Circulation and confirmation of minutes and decisions.- The Secretary shall circulate to the members, within seven working days of the meeting, a copy of the minutes and decisions of the Council for perusal. The members shall return the aforesaid copy of the minutes and decisions to the Secretary within fifteen working days of issue. The Secretary shall also supply to the Secretary of the Division or the Chief Secretary of the Province concerned for action, a copy of the relevant decision of the Council, and wherever considered necessary, of the relevant excerpts of the points made during the discussion.

7. Committees of the Council.- The Council may constitute its standing committees or special committees laying down their terms of reference and membership.

8. Procedure regarding Committees of the Council.- Meetings of a Committee of the Council shall be convened by the chairperson of the Committee concerned who shall also preside over such meetings:

Provided that the procedure for the meetings of the Council shall apply mutatis mutandis for the meetings of the Committees except that the recommendations of the Committee shall be placed before the Council.

9. Cases to be submitted to the Council.- The Council shall consider the cases mentioned in Schedule-I of these rules or those notified by the Federal Government from time to time in the Gazette of Pakistan.

10. Manner of submission of cases to the Council.- The manner of submission of the cases before the Council and preparation of summaries therefor shall be as given in Schedule-II and Schedule-III to these rules, respectively or as notified by the Secretariat from time to time.

11. Implementation of decisions of the Council.- (1) When a case has been decided by the Council, the Federal Government or Provincial Government concerned shall take prompt action to give effect to the decision unless it conveys its intention to make reference to the Parliament within fifteen days of its communication.

(2) When the decision of the Council is received by the Secretary of the Division or the Chief Secretary of the concerned Province, he shall –

- (a) acknowledge the receipt of the decision in the form provided;
- (b) transmit the decision to his Division or Department for action;
- (c) keep a register with him of the decisions received, for the purpose of ensuring that prompt and complete action is taken on those decisions; and
- (d) coordinate action with any other Division or a Province, which may be concerned with the decision.

(3) The Secretary shall monitor the implementation of decisions and the Secretary of the Division or Chief Secretary of a Province concerned shall supply to the Secretary such documents as the latter may, by general or special request, require, enabling him to complete his record of the case and to satisfy himself that the decision of the Council has been fully implemented.

12. Correction of minutes and decisions of the Council.- If a Member considers that there has been a mistake or omission in recording the minutes or decisions of the Council, he shall point it out to the Secretary in writing within fifteen working days of their issuance. The Secretary shall obtain orders of the Chairman and circulate the same to Members.

13. Reference against the decisions of the Council.- If the Federal Government or a Provincial Government is not satisfied with a decision of the Council, it may refer the matter to the Parliament in a joint sitting whose decision in this behalf shall be final.

14. Repeal.- The Rules of Procedure for the Council of Common Interests 1991, are hereby repealed.

SCHEDULE-I

[See rule 4]

CASES TO BE SUBMITTED TO THE COUNCIL

- 1) Railways;
- 2) Mineral oil and natural gas, liquids and substances declared by Federal law to be dangerously inflammable;
- 3) Development of industries, where development under Federal control is declared by Federal law to be expedient in the public interest; institutions, establishments, bodies and corporations administered or managed by the Federal Government immediately before the commencing day, including Water and Power Development Authority and Pakistan Industrial Development Corporation and all undertakings, projects and schemes of such institutions, establishments, bodies and corporations; industries, projects and undertakings owned wholly or partially by the Federation or by a corporation set up by the Federation;
- 4) Electricity;
- 5) Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of port authorities therein;
- 6) All regulatory authorities established under a Federal law;
- 7) National planning and national economic coordination including planning and coordination of scientific and technological research;
- 8) Supervision and management of public debt;
- 9) Census;
- 10) Extension of the powers and jurisdiction of members of a police force belonging to any Province to any area in another Province, but not so as to enable the police of one Province to exercise powers and jurisdiction in another Province without the consent of the Government of that Province; extension of the powers and jurisdiction of members of a police force belonging to any Province to railway areas outside that Province;

- 11) Legal, medical and other professions;
- 12) Standards in institutions for higher education and research, scientific and technical institutions;
- 13) Inter-provincial matters and co-ordination;
- 14) Council of Common Interests;
- 15) Fees in respect of any of the matters specified in Part-II of the Federal Legislative List but not including fees taken in any court;
- 16) Offences against laws with respect to any of matters in Part-II of the Federal Legislative List;
- 17) Inquiries and statistics for the purposes of any of the matters in Part-II of the Federal Legislative List;
- 18) Matters incidental or ancillary to any matter enumerated in Part-II of the Federal Legislative List;
- 19) Complaints as to interference with water supplies (Article 155);
- 20) Implementation of the directions given by the Parliament for action by the Council under Article 154(6);
- 21) Submission of Annual Report to both Houses of Parliament (Article 153(4); and
- 22) Resolution of disputes with respect to construction of Hydro electric station in any Province (Article 157(3).

SCHEDULE-II

[See rule 10]

MANNER OF SUBMISSION OF CASES TO THE COUNCIL

1. In respect of all cases to be submitted to the Council, Secretary of the Division or Chief Secretary of the Province concerned, shall transmit to the Secretary a concise, lucid and printed Summary, giving the background and relevant facts, points for decision and recommendations of the Federal Government or Provincial Government concerned, as the case may be.

2. The Summary shall be self-contained as far as possible, not exceeding two printed pages and may include as appendices only such relevant papers as are necessary for proper appreciation of the case.

3. Where a reference is made to a previous decision of the Council, the decision of the Council shall invariably be reproduced in the Summary or annexed to it.

4. Where a case concerns more than one Division or the Province, the Summary shall normally not be submitted to the Council until it has been considered by the Divisions and/or the Provinces concerned. In case of difference of opinion, the point of difference should be stated in the Summary.

5. The Provinces and the Divisions concerned of the Federal Government should furnish their comments or views on the summaries for the Council circulated for the purpose, within two weeks. The requirements of prior consultation may be waived in very exceptional circumstances but the Summary must, in that case, be sent to others concerned with the request to send their views direct to the secretariat of the Council by a given date. The secretariat would circulate the views, if received in time, alongwith or in continuation of the Summary.

6. It shall be the duty of the Secretary to satisfy himself that the summary submitted by the Federal or a Provincial Government is complete and in the prescribed form. He may return a case until the requirements of these rules, have been complied with.

SCHEDULE-III

[See rule 10]

PREPARATION OF SUMMARIES AND DOCUMENTS

A Summary for the Council shall include---

- a) name of the sponsoring Division of the Federal Government or Department of the Provincial Government;
- b) subject of the case;
- c) name and designation of the officer submitting the Summary (Secretaries/Additional Secretaries-in-Charge of Divisions concerned in case of Federal Government and Chief Secretaries in case of Provincial Government);
- d) place and date of submission; and
- e) serial number.

(2) The words "SUMMARY FOR THE COUNCIL OF COMMON INTERESTS" shall invariably appear at a prominent place, above "Subject". It shall be marked as "SECRET" at the top right corner on first page.

(3) All papers submitted to the Council shall be marked "SECRET" until discussion on them has taken place in the meeting. Thereafter, unless the Council has decided otherwise, the sponsoring Government shall decide the de-classification of these documents under intimation to the secretariat.

- (4) The members shall return to the Secretary -
 - (a) the summaries supplied to them for decision by discussion in a meeting of the Council or a Committee of the Council immediately after the discussion has taken place; and
 - (b) minutes and decisions circulated by the Secretary immediately after they have perused them, but not later than fifteen days.

[F.No.1(1)/2010-IPC-III date 19th July, 2010]

QURAT-UL-AIN,
Deputy Secretary (IPC)