

مختاب: احمد کنڈی صاحب، رکن صوبائی اسمبلی (ایم۔ پی۔ اے)  
کیا وزیر بین الصوبائی رابطہ ارشاد فرمائیں گے کہ:

سوال	جواب
(ا) آیا یہ درست ہے کہ آئین کے تحت مشترکہ مفادات کونسل کے ہر سال متعین شدہ وقت میں اجلاس منعقد ہوتے ہیں؟	مشترکہ مفادات کونسل کے طریقہ کار 2010 کے قواعد نمبر 5(2) کے مطابق کونسل 90 دن میں ایک بار اجلاس بلائے گی۔ تاہم ماضی میں اجلاس ہمیشہ ضرورت کے مطابق بلائے گئے ہیں۔ تاہم اجلاسوں کے انعقاد میں تعطل بھی آتا رہا ہے۔
(ب) آیا یہ درست ہے کہ وزیراعظم کسی صوبے کی درخواست پر مشترکہ مفادات کونسل کو اجلاس ہنگامی بنیادوں پر بھی بلا سکتا ہے؟	جی ہاں! مشترکہ مفادات کونسل کے طریقہ کار 2010 کے قواعد نمبر 5(2) کے مطابق چیئرمین کسی اہم معاملے پر کسی صوبے کی درخواست پر اجلاس بلا سکتا ہے۔
(ج) اگر (ا) و (ب) کے جوابات اثبات میں ہوں تو (۱) سال 2018، 2019 اور 2020 میں مشترکہ مفادات کونسل کے متعین شدہ وقت میں کتنے اجلاس منعقد ہوئے ہیں سال وائز تفصیل فراہم کی جائے (۲) سال 2018 سے 2020 تک صوبے کے درخواست پر کتنے اجلاس بلائے گئے ہیں سال وائز تفصیل فراہم کی جائے (۳) مذکورہ تمام منعقد شدہ اجلاسوں میں کون سے فیصلے کیئے گئے ہیں ہر ایک اجلاس کا ایجنڈا اور اس کے روداد فراہم کی جائے (۴) اب تک منعقد شدہ اجلاسوں میں کیے گئے فیصلوں پر کتنا عمل درآمد ہوا ہے اس کی تفصیل فراہم کی جائے۔	(۱) سال 2018، 2019 اور 2020 میں سی سی آئی کے 9 اجلاس منعقد ہوئے جس کی تفصیل لف ہے۔ (ضمیمہ۔ الف) (۲) صوبے کی درخواست پر اجلاس کے متعلق عرض یہ ہے کہ مشترکہ مفادات کونسل کے اجلاس قوت کے ساتھ ہو رہے ہیں اور اس لیے کبھی بھی صوبے کو یہ ضرورت محسوس نہیں ہوئی کہ ہنگامی بنیادوں پر اجلاس طلب کیا جائے۔ (۳) مذکورہ مدت 2018 تا 2020 کے دوران بلائے گئے تمام اجلاسوں کے ایجنڈے، فیصلے، روداد اور عمل درآمد کی تفصیل لف ہے۔ (ضمیمہ۔ ب) (۴) بعض فیصلے پالیسی / قانون / قواعد میں تبدیلیوں سے متعلق ہیں۔ ان فیصلوں کو CCI کی طرف سے فالو اپ کی ضرورت نہیں ہوتی ہے۔ بعض فیصلوں میں، سی سی آئی کسی وفاقی وزارت یا صوبے کو ہدایات دیتا ہے۔ جس کی عمل درآمدی صورتحال (ضمیمہ۔ ت) کو سی سی آئی کے بعد کی اجلاسوں میں دیکھا جاتا ہے۔ اس قسم کے فیصلوں پر عمل درآمد اس وقت تک جاری رہتی ہے جب تک کہ یہ مکمل نافذ نہ ہو جائیں۔

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**PART-II**

**Statutory Notifications (S. R. O.)**

**GOVERNMENT OF PAKISTAN**

**MINISTRY OF INTER PROVINCIAL COORDINATION**

**(IPC Division)**

**NOTIFICATION**

*Islamabad, the 19<sup>th</sup> 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.<sup>1</sup>

- (2) The Secretary shall be the administrative head of the Secretariat of the Council and shall be responsible for its efficient functioning.
- (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.<sup>2</sup>
- (5) The Secretary shall directly report to the Chairman of the Council/Prime Minister.<sup>3</sup>

**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.

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

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

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

- (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; 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 19<sup>th</sup> July, 2010]

QURAT-UL-AIN,  
*Deputy Secretary (IPC)*

**Subject: ADMITTED COPY OF STARRED / UN-STARRED ASSEMBLY QUESTION FOR THE NEXT / CURRENT SESSION OF THE PROVINCIAL ASSEMBLY**

**Details of the CCI meetings held during 2018, 2019 & 2020.**

A total of **09 meetings of CCI** have been held during years of 2018, 2019 and 2020. Following are its details: -

<b>35th meeting, February 26, 2018</b>	
	<b>Agenda items</b>
i.	Matter pertaining to Higher Education and other similar bodies in postEighteenth Amendment Scenario
ii.	Import of LNG
iii.	Endorsement of Policy Statement on Gas Sector Reforms
iv.	Implementation of Article 154 of the Constitution of Pakistan
v.	Payment of NHP to KP and Punjab
vi.	National Water Policy
vii.	Sugar Cane Payments to the Growers
viii.	Development of Special Economic Zones under CPEC
ix.	Allocation of 1200 Cusses (650.5MGD) Additional Water for Karachi City (K-IV Project)
x.	Resolution of Energy Problem of Balochistan Province/Enhancement of absorption capacity.
xi.	Draft Bill for the Establishment of National Metrology Institute of Pakistan
xii.	NEPRA's Annual Report 2014-15 and State of Industry Report 2015 NEPRA's Annual Report 2015-16 and State of Industry Report 2016
xiii.	Senior Citizen Privileges
xiv.	Short Supplies of Water in Pat feeder and Khirther Canals
xv.	Approval of National Inter-faith Harmony Policy
<b>36th meeting, March 27, 2018</b>	
	<b>Agenda items</b>
i.	National Water Policy
ii.	Monitoring and Oversight Committee of Senators for 5% Validation Exercise of Census Results.
iii.	Decisions of the Meeting of ECC of the Cabinet.
iv.	Presentation of Pakistan Alliance for Mathematics and Science
v.	Unconstitutional and unauthorized deduction by FBR from the Provincial Consolidated funds.
<b>37<sup>th</sup> meeting, April 24, 2018</b>	
	<b>Agenda items</b>
i.	National Water Policy
ii.	Implementation of Kazi Committee Methodology for Calculation of NHP

38th meeting, May 27 <sup>th</sup> , 2018	
	<b>Agenda items</b>
i.	Presentation by Indus River System Authority on water resources
ii.	Final Results of 6 <sup>th</sup> Population and Housing Census-2017 and 5% Validation Exercise.
39th meeting, September 24, 2018	
	<b>Agenda Items</b>
i.	Status Review of Decisions made in Previous CCI Meetings. a. Matter pertaining to Higher Education and other similar bodies in post-Eighteenth Amendment Scenario.
	b. Allocation of 1200 Cusses (650.5MGD) Additional Water for Karachi City (K-IV Project)
	c. Resolution of Energy Problem of Balochistan Province/Enhancement of absorption capacity.
	d. Short Supplies of Water in Pat feeder and Khirther Canals Implementation of Kazi Committee Methodology for Calculation of NHP.
ii.	Devolution of Employees old age benefit institution and workers welfare fund to provinces
iii.	Amendment in Petroleum Policy-2012
iv.	Import of LNG
v.	Harmonization of Standards and Enforcement Mechanism Between Pakistan Standards and Quality Control Authority and Provincial Food Authorities.
vi.	Establishment of Taskforces to streamline the Regulatory functions at the implementation level.
vii.	Launching of National Cleanliness Drive.
40th meeting, November 19, 2018	
	<b>Agenda items</b>
i.	Consideration of and Decision on the Recommendations of the Taskforce in Human Rights-in the Matter Regarding Alarming High Population Growth Rate in the Country.
ii.	Approval for the Privatization of 1230 MW Haveli Bahadur Shah and 1223 MW Balloki Power Plants owned by the NPPMCL
41 <sup>st</sup> meeting, December 23, 2019	
	<b>Agenda items</b>
i.	Progress Review of Important Decisions of 38 <sup>th</sup> , 39 <sup>th</sup> & 40 CCI Meetings:

	<p><b>a.</b> Implementation of Kazi Committee Methodology for Calculation of NHP.</p> <p><b>b.</b> Amendment in Petroleum Policy-2012</p> <p><b>c.</b> Import of LNG</p> <p><b>d.</b> Harmonization of Standards and Enforcement Mechanism Between Pakistan Standards and Quality Control Authority and Provincial Food Authorities.</p> <p><b>e.</b> Approval for the Privatization of 1230 MW Haveli Bahadur Shah and 1223 MW Balloki Power Plants owned by the NPPMCL.</p> <p><b>f.</b> Matter Regarding Alarming High Population Growth Rate in the Country.</p> <p><b>g.</b> Recommendation of the Attorney General for Pakistan concerning the Water Accord 1991.</p> <p><b>h.</b> Matter pertaining to Higher Education and other similar bodies in postEighteenth Amendment Scenario</p>
ii.	Funding of Devolved Vertical Programs of Health and Population Welfare.
iii.	Unauthorized deductions by Federal Government FBR'S claim on account of alleged outstanding withholding tax on Vehicles and 5% service charges deducted on account of collection of withholding Tax by the Government of Balochistan.
iv.	Unauthorized transfer of Public Money from Provincial consolidated fund (PCF) to Federal Consolidated fund by the SBP on the Direction of FBR.
v.	Unconstitutional and unauthorized deduction by FBR from the Provincial Consolidated fund
vi.	No Objection Certificate to CJ Hydro (Private) Limited
vii.	Recovery through Tariff of Markup on Bilateral Islamic/Commercial Loans Obtained by WAPDA for Payment of NHP to the Govt. of Khyber Pakhtunkhwa and Punjab.
viii.	Draft Recruitment Regulations for the Post of Chairman and Members WAPDA
ix.	Royalty on Liquefied Petroleum Gas (LPG) by the E&P Companies at the Market Value of LPG
x.	Implementation of Article 158 and 172(3) of the Constitution of Pakistan
xi.	Approval of Alternatives & Renewable Energy Policy 2019 (Are Policy 2019)
xii.	Census-Notification of its results

xiii.	Future Role and Functioning of National Commission for Human Development and Basic Education Community Schools to promote literacy in the Country.
xiv.	Report of the Committee constituted by CCI on Devolution of Employees Old Age Benefits Institution and Workers Welfare fund to the Provinces.
xv.	Amendment in OGRA Ordinance 2002-IMF's Extended Fund Facility (EFF) for Pakistan 2019-2022 Structural Benchmark and Performance Criteria.
xvi.	Annual Report of the CCI for the year 2016-17
<b>42<sup>nd</sup> meeting, August 6, 2020</b>	
	<b>Agenda items</b>
i.	Amendments in the Oil and GAS Regulatory Authority Ordinance, 2002
ii.	Handing over of Control of Lower Portion of Chasma Right Bank Canal and supply of full share of water from CRBS to Punjab
iii.	Future Role and Functioning of National Commission for Human Development and Basic Education Community Schools to promote literacy in the Country
iv.	Strategy to combat Covid-19

v.	National Health Emergency Response Act, 2020
vi.	Windfall Levy Crude Oil, Condense & Natural Gas under Petroleum Policy, 2012
vii.	Amendment in the Regulation of Mines and Oil Fields and Mineral Development (Govt. Control) Act 1948
viii.	Annual Reports of the Council of Common Interests (CCI) for the years 2018-19, 2018-19, and 2019-20
ix.	<p>Implementation Status of 41<sup>st</sup> CCI Decision.</p> <ul style="list-style-type: none"> <li>a. Recommendation of the Attorney General for Pakistan concerning the Water Accord 1991.</li> <li>b. Matter pertaining to Higher Education and other similar bodies in postEighteenth Amendment Scenario.</li> <li>c. Funding of Devolved Vertical Programs of Health and Population Welfare.</li> <li>d. Unauthorized deductions by Federal Government FBR'S claim on account of alleged outstanding withholding tax on Vehicles and 5% service charges deducted on account of collection of withholding Tax by the Government of Balochistan.</li> <li>e. Unauthorized transfer of Public Money from Provincial consolidated fund (PCF) to Federal Consolidated fund by the SBP on the Direction of FBR.</li> <li>f. Unconstitutional and unauthorized deduction by FBR from the Provincial Consolidated fund</li> <li>g. No Objection Certificate to CJ Hydro (Private) Limited.</li> <li>h. Approval of Alternatives &amp; Renewable Energy Policy 2019 (Are Policy 2019).</li> <li>i. Import of LNG</li> <li>j. Royalty on Liquefied Petroleum Gas (LPG) by the E&amp;P Companies at the Market Value of LPG.</li> <li>k. Implementation of Article 158 and 172(3) of the Constitution of Pakistan.</li> <li>l. Recovery through Tariff of Markup on Bilateral Islamic/Commercial Loans Obtained by WAPDA for Payment of NHP to the Govt. of Khyber Pakhtunkhwa and Punjab.</li> <li>m. Draft Recruitment Regulations for the Post of Chairman and Members WAPDA</li> <li>n. Implementation of Kazi Committee Methodology for Calculation of NHP</li> </ul>
<b>43<sup>rd</sup> meeting, November 11, 2020</b>	
i.	<b>Agenda items</b>
ii.	NEPRA's Annual Report 2018-19 and State of Industry Report 2019
iii.	Swap/Substitute Arrangement of one Exploration Block with another prospective Block in the Respective Province
iv.	Decisions of Second Meeting of Pakistan National Nutrition Coordination Council Oct 5, 2020 and Progress
v.	Implementation Status of Previous CCI Decisions

	<ul style="list-style-type: none"> <li><b>a.</b> Import of LNG.</li> <li><b>b.</b> Implementation of Article 158 and 172(3) of the Constitution of Pakistan</li> <li><b>c.</b> Royalty on Liquefied Petroleum Gas (LPG) by the E&amp;P Companies at the Market Value of LPG.</li> <li><b>d.</b> Amendments in the Oil and GAS Regulatory Authority Ordinance, 2002.</li> <li><b>e.</b> Windfall Levy Crude Oil, Condense &amp; Natural Gas under Petroleum Policy, 2012.</li> <li><b>f.</b> Recommendation of the Attorney General for Pakistan concerning the Water Accord 1991.</li> <li><b>g.</b> Handing over of Control of Lower Portion of Chasma Right Bank Canal and supply of full share of water from CRBS to Punjab.</li> <li><b>h.</b> Future Role and Functioning of National Commission for Human Development and Basic Education Community Schools to promote literacy in the Country.</li> <li><b>i.</b> Matter pertaining to Higher Education and other similar bodies in postEighteenth Amendment Scenario.</li> <li><b>j.</b> Funding of Devolved Vertical Programs of Health and Population Welfare.</li> <li><b>k.</b> Unauthorized deductions by Federal Government FBR'S claim on account of alleged outstanding withholding tax on Vehicles and 5% service charges deducted on account of collection of withholding Tax by the Government of Balochistan.</li> <li><b>l.</b> Unauthorized transfer of Public Money from Provincial consolidated fund (PCF) to Federal Consolidated fund by the SBP on the Direction of FBR.</li> <li><b>m.</b> Unconstitutional and unauthorized deduction by FBR from the Provincial Consolidated funds.</li> <li><b>n.</b> No Objection Certificate to CJ Hydro (Private) Limited.</li> <li><b>o.</b> Implementation of Kazi Committee Methodology for Calculation of NHP.</li> <li><b>p.</b> Harmonization of Standards and Enforcement Mechanism Between Pakistan Standards and Quality Control Authority and Provincial Food Authorities.</li> <li><b>q.</b> Allocation of Water for Islamabad.</li> </ul>
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**Immediate**  
**By Special Messenger/By TCS/By Fax**  
**Secret**

**GOVERNMENT OF PAKISTAN**  
**MINISTRY OF INTER PROVINCIAL COORDINATION**  
**(Secretariat of Council of Common Interests)**

No.2(163)/2017-CCI

Islamabad, the 7<sup>th</sup> March, 2018

Subject:- **MINUTES AND DECISIONS OF THE 35<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).**

A copy of the Minutes and Decisions of the 35<sup>th</sup> meeting of the Council of Common Interests (CCI), held on **February 26, 2018, in the Prime Minister's Office, Islamabad** is sent herewith for **further necessary action** in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010.

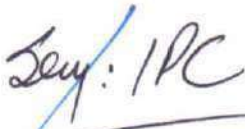
2. Action to implement the aforesaid decision(s) may please be initiated immediately and status of implementation be reported to this Secretariat accordingly.
3. The enclosed certificate acknowledging receipt of the CCI's Minutes and Decision(s) may be returned, duly completed and signed.

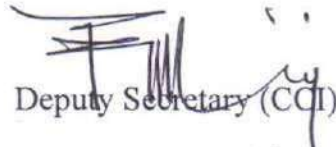
  
(Javed Iqbal)  
Deputy Secretary (CCI)  
Ph:051-9103551

1. The Secretary, Law and Justice Division, Islamabad.
2. The Chief Secretary, Punjab, Lahore.
3. The Chief Secretary, Sindh, Karachi.
- ✓ 4. The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
5. The Chief Secretary, Balochistan, Quetta.

**Copy for information to:-**

1. The PS to Federal Minister for IPC, Islamabad.
2. The SPS to Secretary, IPC, Islamabad.
3. The Section Officer (Progress), IPC Division, Islamabad

  
Secretary: IPC

  
Deputy Secretary (CCI)

  
Secretary

  
Chief Secretary  
Khyber Pakhtunkhwa

**[TO BE RETURNED IN ORIGINAL TO THE INTER PROVINCIAL  
COORDINATION DIVISION AFTER SIGNATURE]**

**C E R T I F I C A T E**

Certified that the Minutes and Decisions of the CCI meeting held **on February 26, 2018** in the Prime Minister's Office, Islamabad, have been received by me and I will keep the minutes and decisions in the personal/safe custody and take action in terms of rule 11 of the Rules of Procedure of the Council of Common Interests, 2010.

Signature : \_\_\_\_\_

(Official Seal)

Name : \_\_\_\_\_

Date : \_\_\_\_\_

To

**Ministry of Inter Provincial Coordination,  
[Mr. Javed Iqbal],  
Deputy Secretary (CCI)  
Room No.4037, Cabinet Block,  
Islamabad.**



**GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER-PROVINCIAL COORDINATION  
(IPC DIVISION/SECRETARIAT OF THE COUNCIL OF COMMON INTERESTS)**

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**35<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI)**

**MINUTES AND DECISIONS OF THE MEETING**

The 35<sup>th</sup> Meeting of the Council of Common Interests was held on 26<sup>th</sup> February, 2018 at 1000 hours in the Committee Room of the Prime Minister's Office, Islamabad under the Chairmanship of the Prime Minister of Islamic Republic of Pakistan. The list of participants is annexed.

2. Chief Minister Sindh, at the very outset objected that in the CCI meeting held on 24<sup>th</sup> November, 2017, on the issue of sharing of real time data on gas, both SNGPL and SSGCL were mentioned. However, SSGCL is missing in the minutes issued. Prime Minister's office clarified that since Government of Sindh had not made any observation in this regard earlier, this may be brought as a specific agenda item in the next CCI meeting. At this juncture, the Prime Minister advised including both power and gas in terms of sharing of data and directed amending the minutes accordingly.

3. The formal proceedings of the meeting commenced with recitation from the Noble Quran, by Mr. Shoaib Ahmad Siddiqui, Secretary, Planning, Development & Reform Division. The Prime Minister/Chairman CCI welcomed the Chief Ministers, Members of the Council & other participants. He then asked the Secretary CCI to take up the agenda of the meeting.

4. Discussion on various agenda items along with minutes and decisions are given in the succeeding paragraphs:

<b>Case No.CCI.1/1/2018 Dated 26.02.2018</b>	<b>Status Review of Important Decisions of the CCI meeting held on 24<sup>th</sup> November, 2017:-</b>
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**(i) Matters pertaining to Higher Education and other similar bodies in post-Eighteenth Amendment Scenario.**

**DISCUSSION**

5. The CCI in its 34<sup>th</sup> meeting held on 24<sup>th</sup> November, 2017 decided that the provinces shall ensure that their representation level should not be lower than Minister or Secretary of the respective department and the representatives should not frequently be changed for consistency of stance taken by the respective province on any matter. It was



also decided that a National Task Force shall be constituted which shall work for uniform standards of education across the country. A committee established under the chairmanship of Minister for Education and Professional Training shall recommend constitution of the Task Force and its ToRs and submit the same for CCI's approval at the earliest.

6. The Minister for Federal Education & Professional Training informed that three meeting of the sub-committee constituted by CCI were held. All the provinces recorded their opinion and as a result of detail discussion, following decisions were taken:-

A). It was unanimously decided that following functions will be performed by the Federal Government only:-

	Functions
a	Setting up of minimum National Standards including higher education & research, qualification, faculty & staff appointments, scientific and technical institutions, etc.
b	Minimum standards for the establishment of institutions of higher education in the country.
c	Minimum standards for curriculum in higher education
d	Equivalence of qualification, recognition and attestation of degrees
e	International treaties
f	Standards for international collaborations and linkages for improvement of higher education
g	Defining national priorities and policy for higher education in the country

B). It was unanimously decided that following functions will be performed both by the Federal Government and the Provincial Governments: -

	Functions
a	Funds allocation for institutions of higher education
b	Establishment of fellowships, scholarships, endowment funds, etc. for higher education
c	Promotion of research in institutions of higher education
d	Strengthening industry academia linkages
e	Training of higher education sector human resource and faculty development initiatives
f	Collection of information and statistics on higher education and research
g	Promote formal links between institutions to make the most effective use of expertise and specialized equipment and promote provincial, national and international linkages with respect to knowledge sharing, collaborative research, personnel exchange and cost sharing

C). It was unanimously decided that following functions will be performed by the Provincial Governments only:-

	Functions
a	Policy for promotion and regulation of higher education in the province in line with the National Standards
b	Guidelines and NOC for the establishment of institutions of higher education in the province in line with minimum National Standards set by National body of higher education.



c	Implementation of a system of quality assurance of institutions in line with national standards
d	Quality enhancement and quality assurance of tertiary education in the province
e	Policy advice on good governance and management of institutions of higher education
f	Third party performance audit of higher education institutions
g	Advisory support to HEIs in raising funds from sources other than the Government
h	Encourage, support and facilitate training programs, workshops and symposia
i	Introduction of market oriented educational programs in institutions of higher education
j	Advice to the institutions on proper balance between teaching and research in conformity to minimum National Standards.
k	Prepare plans for the development of Higher Education in the province.
l	Coordination with Federal bodies of Higher Education for promotion of higher education

7. The CCI Sub Committee unanimously agreed to request CCI to decide on points of differences given as follows:-

- i. Provincial Governments were of the view that following functions should only be performed by the provincial governments whereas Federal HEC and Ministry of Education & Professional Training were of the view that these functions may performed both by the federal government and provincial governments either individually or collectively:
  - a) Monitoring, Evaluation and Accreditation of Institutions of Higher Education in the Country.
  - b) Setting up of Testing Bodies.
- ii. The Ministry of Federal Education & Professional Training and Federal HEC were of the view that name "HEC" since long established and recognized, be retained for Federal HEC whereas Provincial setup should be called /named differently.
- iii. Provinces wanted to change and enhance the composition of HEC by having two members from each Province to be nominated by the respective Chief Ministers instead of current one member from each province.

8. Chief Minister KP informed that in their province the establishment of Council of Higher Education is under process. Chief Minister Sindh was of the view that constitution should be implemented in letter and spirit and monitoring, evaluation and accreditation of the institution of higher education should remain with the provincial HECs to allay interference in the universities. Moreover, the name of their HEC is Sindh higher education commission which is different from Federal HEC. He also said that both the proposed members of the provinces in Federal HEC should be nominated by the provincial governments.

9. Finance Minister, Government of Punjab supported the views of Chief Minister of Sindh and said that there should not be duality of functions and Federal Government can monitor the standards through compliance report or annual report from the universities. She also proposed that joint monitoring could also be a solution.

10. Minister for Power said that it has been specified in the Federal legislative list part-II of the Constitution "Standards in institution of higher education and research, scientific and technical institution". Therefore, as per the Constitution everything related to the standards in higher education is under the purview of Federal HEC.

### **DECISION**

11. It was agreed that:-

- i) Both federal and provincial governments would undertake the functions of monitoring, evaluation and accreditation of such institutions alongwith setting of testing bodies. Therefore, this clause shall be incorporated in section (B) of para 6 above i.e. functions to be performed both by the federal government and the provincial governments.
- ii) The council also directed the Federal Minister of Federal Education and Professional Training to work on a proposal in consultation with all stakeholders for the establishment of a national level testing service for holding secondary and higher secondary level examinations simultaneously throughout the country and bring up the same for consideration of CCI in its next meeting.
- iii) To further enhance the representation of provinces in the Federal HEC, it was decided that among the seven members (prominent educationists) to be appointed by the Prime Minister, there shall be at least one member from each province.

#### **(ii) Import of Liquefied Natural Gas (LNG)**

### **DISCUSSION**

12. Secretary IPC Division informed that the CCI in its previous meeting advised the Provincial Governments to convey their concerns on the import of LNG/LNG Policy, 2011 to the Petroleum Division for submission of a consolidated report to the CCI. Petroleum Division will respond to the concerns of the provinces. It was also decided that summaries in respect of "Implementation of Article 158 and 172(3) of the Constitution" shall be submitted to CCI in its next meeting by Ministry of Energy (Petroleum Division).



13. Ministry of Energy (Petroleum Division) informed that:

- i. The matter will be taken up once the comments of all the provinces are received.
- ii. A comprehensive policy paper on Article 158 and 172(3) of the Constitution was submitted to CCI, vide summary dated 26<sup>th</sup> July 2017 for consideration. The aforesaid decision of CCI was taken in the backdrop of the representation made by the Chief Minister, Sindh. Subsequently, the Prime Minister's Office desired that a policy evaluation paper may be prepared in consultation with Attorney General of Pakistan and Ministry of Law & Justice. Accordingly, Petroleum Division requested the Attorney General of Pakistan and the Secretary Ministry of Law and Justice. The learned Attorney General rendered his opinion vide letter dated 22<sup>nd</sup> Feb 2018. A comprehensive report in the matter will be submitted in the next meeting.
- iii. The matter of interpretation of Article 158 and 172(3) is under active consideration of Supreme Court of Pakistan vide CA-199/2011 against the decisions of the Sindh High Court and the Peshawar High Court. Nevertheless, keeping in view the opinion of the Attorney General for Pakistan, a policy evaluation paper is being prepared which will be submitted to CCI after due consultation with provinces.

14. Secretary Petroleum Division informed that comments from government of Sindh have been received today whereas comments of the other provinces are awaited. Chief Minister KP said that article 154 and 158 of the constitution be implemented in letter and spirit. The Prime Minister observed that the issue of gas may be taken seriously by the provinces especially the province of Punjab.

#### **DECISION**

15. The CCI reviewed the progress of the decision taken in last meeting and directed the provinces to expedite their comments. It was also decided that if response of provinces is not received within (45) days it will be deemed that the respective province has no objection to the proposal.

#### **(iii) Endorsement of policy Statement on Gas Sector Reforms**

#### **DISCUSSION**

16. The CCI in its 34<sup>th</sup> meeting held on 24<sup>th</sup> November, 2017 noted the position and directed that the report of technical committee may be presented to the CCI in its next meeting.

17. The Petroleum Division informed that they submitted a summary on the subject for consideration of CCI in its meeting held in August 2017. The CCI referred the matter to IPCC for detailed deliberations with the Provinces and to arrive at consensus on Gas Sector Reform Program. As per the direction of IPCC the Petroleum Division constituted a technical committee to reconcile the differences on the policy statement. The residual issues would be referred back for consideration of IPCC/CCI. Three meetings of technical committee were held. The final views of the provinces have been summarized in the minutes of third meeting. Keeping in view, the views of the provinces on the constitutional provisions and the policy statement on downstream reforms, a comprehensive summary for CCI was being finalized for submission to the Minister-in-Charge for his approval before circulation to the stakeholders for their comments.

#### **DECISION**

18. The CCI reviewed the progress of the decision and directed to expedite the matter so that report of the technical committee is presented to CCI in its next meeting.

#### **(iv) Implementation of Article 154 of the Constitution of Pakistan**

#### **DISCUSSION**

19. In the previous meeting of CCI, it was agreed that without reopening the past decisions of ECC, Ministry of Energy would initiate a summary on oil, gas and power sectors to delineate "day to day" and "policy matters" of these sectors. The Prime Minister also asked the Minister for Power to apprise the CCI regarding the legislation under consideration of the Parliament on the subject in its next meeting. Petroleum Division informed that the issue of delineation of "day to day affairs" and "policy matters" is being processed keeping in view the opinion of Attorney General of Pakistan and will be addressed through policy evaluation paper which will be submitted to CCI after due consultation with provinces.

#### **DECISION**

20. The CCI directed expediting the matter so that the report may be submitted before CCI in its next meeting.

#### **(v) Payment of NHP to KP and Punjab**

#### **DISCUSSION**

21. Secretary IPC Division informed that the CCI in its previous meeting decided that:-

- a). The outstanding dues of the Net Hydel Profit (NHP) shall be paid by the WAPDA to the Provincial Governments of KP and Punjab by generating



loan backed by the Government guarantee in accordance with the MoU signed for the purpose.

- b). The CCI also decided that, the words “and onwards” appearing at the end of para-45 of the minutes of CCI meeting dated 16-12-2016 be replaced with the words “and the same rate may be continued as an interim rate for subsequent years till the finalization of revised rates”.
- c). AGN Kazi formula will be taken by CCI after the briefing to the Prime Minister by a Committee having representation of Water Resources, Power, Finance and IPC Divisions

22. Ministry of Water Resources informed that in compliance of the decision, WAPDA raised a loan of Rs. 41,603 million from local banks in January 2018, against GoP Guarantee. Accordingly, the NHP liabilities of WAPDA, as accrued up to October 2017, have been cleared. The breakup is tabulated hereunder:

Payment of arrears / Regular NHP	Total payment made by WAPDA against NHP accrued up to 31-10-2017 (Rs. in million)	Payment through loan after CCI's decision dated 24.11.2017 (Rs. in million)
NHP Arrear to the GoPb	43,073	4,954
NHP Regular to the GoPb	12,614	12,613
NHP Arrear to the GoKP	45,000	4,707
NHP Regular to the GoKP	49,258	19,329
<b>Total</b>	<b>149,945</b>	<b>41,603</b>

For the period starting from October 2017 onwards, WAPDA filed its tariff petition to NEPRA on 30.03.2017, which gave its final determination of tariff on 14.12.2017. The tariff has been approved by the Federal Cabinet in its meeting dated 13.02.2018. The same has been sent for Gazette notification by the Ministry of Water Resources on 23.02.2017. Ministry of Water Resources further informed that NEPRA had determined NHP arrears as per CCI decisions and in its determination dated 22.11.2017 has provisionally allowed NHP regular payment @ Rs. 1.155 /kWh for the KP and Punjab Provinces as against the previous rate of Rs. 1.100 / kWh and advised WAPDA to take up with CCI for resolving the matter permanently. In the light of NEPRA decision, the matter would be taken up with CCI for the finalization of revised rates, after notification of tariff determined for FY 2017-18, which had been sent to the Printing Corporation of Pakistan on 23.02.2018 for Gazette notification.

## DECISION

23. The CCI reviewed the progress of the decision and agreed that the Advisor to Prime Minister for Finance will meet Chief Minister KP and representative of the Punjab provinces within one week for resolution of the issue of payment of net hydel profit to KP and Punjab.

### (vi) National Water Policy

## DISCUSSION

24. The CCI in its previous meeting constituted a committee headed by Deputy Chairman Planning Commission, and comprising Minister for Power Division, Federal Secretaries of Water Resources, Planning, Development and Reform, Power Division and Chief Secretaries of all the provinces for further examination of the policy.

25. The Ministry of Water Resources informed that a meeting of the committee, constituted by CCI, was held by the Ministry of Planning Development & Reforms on 15<sup>th</sup> February 2018, wherein both the Minister and Secretary for Water Resources Division participated. The Minutes of meeting are awaited.

## DECISION

26. The CCI directed that the review of National Water Policy may be completed before the next meeting of CCI.

Case No.CCI.2/1/2018 Dated 26.02.2018	Sugarcane Payments to the Growers
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## DISCUSSION

27. Secretary, Ministry of National Food Security & Research (NFS&R) informed the meeting that Article 16 and 16-A of Sugar Factories Control Act, 1950 authorizes Provincial Governments to fix indicative price and premium of sugarcane; *contravention of orders made under the Act punishable with imprisonment and/or fine (S.21)*. Agriculture Policy Institute shares its working of cost of production of sugarcane crop with the Provincial Governments, on their formal request. For sugarcane crop 2017-18, indicative price was fixed at Rs.180/40 kg in Punjab and KP, Rs.182/40 kg in Sindh. The Secretary, NFS&R further explained that following issues had been observed for the current season:-

- i. Delay in crushing season delayed the sowing of Rabi crops
- ii. Non-payment of sugarcane price fixed by the Provincial Governments
- iii. Receipts being obtained showing payments as per notified prices, though factually lower prices being paid; in some cases CPRs not being issued and being substituted by unprinted receipts.
- iv. Non- payment of "premium" on the basis of sucrose content



28. **Farmers' Income from Sugarcane at various Price Scenarios**

Item	Production	Value of Cane	Diff in value at Rs 170	Diff in value at Rs 160	Diff in value at Rs 150	Diff in value at Rs 140
		At Official Price				
		Scenario I	Scenario II	Scenario III	Scenario IV	Scenario V
	M.tons	Rs in Bln	Rs in Bln	Rs in Bln	Rs in Bln	Rs in Bln
Total @	65.69	296.41	(17.2)	(33.7)	(50.1)	(66.5)
1 Punjab	44.86	201.87	(11.2)	(22.4)	(33.6)	(44.9)
2 Sindh	16.27	74.03	(4.9)	(8.9)	(13.0)	(17.1)
3 Khyber Pukhtunkhwa	4.52	20.36	(1.1)	(2.3)	(3.4)	(4.5)
4 Balochistan	0.03	0.16	(0.0)	(0.0)	(0.0)	(0.0)

29. Secretary, Ministry of National Food Security & Research proposed that CCI may resolve that respective provincial governments should ensure payment of notified prices, as per Sugar Factories Control Act and for long term solution, Committee may be constituted, with direction to submit report within 03 months.

30. Minister for National Food Security and Research briefed the CCI regarding the plight of sugarcane farmers in Sindh and Punjab. He said that except one or two sugar mills of south Punjab, no sugar mill is paying to the farmers the minimum support price fixed by the provincial governments. He said that the mills are purchasing sugarcane from farmers at the rate of Rs. 120 to 130/40 Kg and getting signature from the farmers for the rate of Rs. 180/40 Kg. He requested the CCI to direct the provincial governments for implementation of minimum support price of sugarcane.

31. Chief Secretary Punjab said that existing stock of sugar was not utilized therefore sugar mills were not ready to purchase sugarcane from the farmers. He also stated that Trading Corporation of Pakistan (TCP) formula should be implemented as TCP was required to purchase sugar from sugar mills. He further said that Sindh High Court had fixed price of sugar cane at Rs. 160/40 Kg. Government of Punjab was trying its best so that the farmers can get a price of at least Rs. 160/40 Kg. Secretary to the Prime Minister said that provincial governments should enforce the minimum support price and efforts of Punjab government to purchase sugarcane at Rs. 160/40 Kg were not justified. On a query from the Prime Minister it was informed that the role of federal government was only to the extent of provision of data for calculating the cost of production of sugar. The Prime Minister urged that measures should be taken by the provincial governments to prevent such situation in next year.



## DECISION

32. The CCI considered the Summary dated 23<sup>rd</sup> February, 2018 submitted by Ministry of National Food Security & Research and deliberated upon the problems being faced by the sugarcane growers, including timely payments to them on the prescribed rates. Expressing concerns, the CCI directed the Ministry of National Food Security to work with provinces for early resolution of the issue. The CCI also directed the provincial governments to impress upon the sugar mill owners to ensure timely payment to the cane-growers at the prices notified by the provincial governments within the given time frame and to take necessary measures to protect growers from all malpractices they face in sale of their sugarcane to the sugar mills.

<b>Case No.CCI.3/1/2018</b> <b>Dated 26.02.2018</b>	<b>Development of Special Economic Zones (SEZs) under CPEC</b>
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## DISCUSSION

33. The Secretary, Board of Investment gave a comprehensive briefing and informed the meeting that during the 6<sup>th</sup> Joint Coordination Committee (JCC) held in December, 2016 in Beijing, following list of locations was shared for establishment of SEZ by the Pakistan's side:

PROVINCE	PROPOSED PSEZS
<b>Khyber Pakhtunkhwa</b>	Rashakai Economic Zone, M-1, Nowshera
	Hattar Phase VII Industrial Zone, Hattar (Alternate)
<b>Sindh</b>	China Special Economic Zone -Dhabeji
	Keti Bundar (300 Acres), Thatta (Alternate)
<b>Balochistan</b>	Bostan Industrial Zone
	Khuzdar Industrial Zone (Alternate)
<b>Punjab</b>	Punjab - China Economic Zone, M-2 District Sheikhpura
	Allama Iqbal Industrial City (M3), Faisalabad (Alternate)
<b>Gilgit Baltistan</b>	Mogpondass, Gilgit SEZ
<b>Federal Government</b>	ICT Model Industrial Zone, Islamabad
	Development of IP on Pakistan Steel Land in Port Qasim near Karachi
<b>AJK</b>	Bhimber Industrial Zone
	Muzaffarabad (Barakot) SEZ (Alternate)
<b>FATA</b>	Mohmand Marble City

34. In pursuance of the decisions of the 6<sup>th</sup> JCC:

- Pakistani side agreed to provide gas, electricity & other supporting facilities in factories and working shelters in Industrial Parks;
- It was agreed that an Industrial Experts Group from China shall visit Pakistan in 2017 to advise the Pakistani side on the most suitable locations for SEZs.

- iii) On the invitation of Pakistani side, an Industrial Expert Group from China visited Pakistan from July 10-14<sup>th</sup> 2017. They visited sites of pSEZs in Khyber Pakhtunkhwa (Rashakai) and Punjab (M-2, M-3). They proposed constitution of similar Expert Group from Pakistan side.
- iv) In pursuance, with the approval of Prime Minister, Pakistan side constituted an Expert Working Group in September 2017.
- v) A seven members Chinese Expert Group visited Pakistan from 11-18<sup>th</sup> October, 2017. The visiting experts conducted training workshop on SEZs in Karachi, Lahore and Islamabad and shared Chinese experience of developing SEZs.
- vi) Chinese Experts Group visited sites of pSEZs in Sindh (Dhabaji, SEZ PSM), Punjab (M-2, M-3) & Khyber Pukhtunkwa (Hattar).
- vii) After detailed analysis during the meetings of 2<sup>nd</sup> JWG and 7<sup>th</sup> JCC in Nov., 2017 in Islamabad, Chinese side informed that Chinese enterprises have expressed their intention to invest in the following:
  - a) M-3 Industrial Park, Faisalabad.
  - b) Dhabaji Industrial Park of Thatta, and
  - c) Hattar Industrial Estate (Extension-II) of KP
- viii) The Chinese experts further conveyed that these sites seem to have more advantages than other proposed sites for pSEZs;
- ix) Both the sites identified by the Chinese side having more advantages in Punjab and KP were the alternate sites.
- x) Keeping the interest of the Chinese side in the pSEZs of Punjab, Khyber Pakhtunkhwa and Sindh, following two proposals were submitted for consideration by the CCI:
  - a) Governments of Punjab, Sindh and KP be directed to submit their SEZs applications by 10<sup>th</sup> March, 2018 through Provincial SEZAs for declaration of the M-3 Industrial Park Faisalabad, Hattar Industrial Extension-II, Khyber Pakhtunkhwa and Dhabiji Industrial Park Thatta, duly completed in all aspects under the provisions of the SEZ Act 2012, to BoI so that the same may be placed for consideration by the Approvals Committee and Board of Approvals and subsequent notifications for declaration of these sites as SEZs.
  - b) Power Division, Petroleum Division, Ministry of IT & Telecommunication be directed to ensure timely provision of utility



services to the zero points of the afore-narrated three proposed SEZs in line with the requirements of SEZ Act 2012.

35. Board of Investment briefed the CCI regarding development of SEZs under CPEC. CCI directed provinces to submit bankable proposal/documents for establishment of priority SEZs for early implementation. Chief Minister KP was of the view that they were interested in SEZ at Hattar and demanded that SEZ at Rashakai may be included in CPEC as it was the interest of the province to develop SEZ at Rashakai. Moreover, Chinese had also promised to include Rashakai in CPEC. KP had already allocated land for the same. KP had also planned a 250 Mega Watts power plant for Rashakai. Minister for Planning, Development & Reform briefed that it was purely private investment from the Chinese and it was their decision to include a site in CPEC. He also told that provinces do not have bankable proposals/documents for establishment of SEZs. We have to present bankable documents before private investors to convince them to make investment. Secretary Planning, Development & Reform told that there was an opportunity for both countries i.e China and Pakistan to finalize the sites of SEZs. He also informed that a delegation from China will be visiting Pakistan in March, 2018. They would also visit Bostan in Balochistan for establishment of a SEZ at Bostan Industrial Zone, which was an approved site. Therefore he requested Government of Balochistan for early preparation of formal feasibility report of the site. Finance Minister Punjab was of the view that Punjab has allocated 900 Acres of land for SEZ on M-3 in Faisalabad and was ready for inauguration subject to availability of electricity and gas. She also requested for inclusion of M-2 in first phase of CPEC for which 1500 Acres of land was available.

#### DECISION

36. The CCI considered the Summary dated 23<sup>rd</sup> February, 2018 submitted by Board of Investment (BoI) and directed that in the first phase, the provinces would submit their SEZs applications to BoI as per detail given at para 34 (x) (a) above. It was also decided that feasibilities for rest of the SEZs may be completed by the provinces on priority, so that they can be taken-up in next phase. Further it was decided that there was no need to supply power to Rashakai as Government of KP has already planned a 250 megawatts unit.

<b>Case No.CCI.4/1/2018 Dated 26.02.2018</b>	<b>Allocation of 1200 Cusecs (650.5 MGD) Additional Water for Karachi City (K-IV Project)</b>
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#### DISCUSSION

37. The Chief Minister, Sindh said that government of Sindh has moved a summary for allocation 1200 cusecs additional water for domestic use of Karachi City from the common pool as Karachi is the mini Pakistan and people from all over Pakistan settle here for commercial and economic activities.



38. The Chief Minister Sindh informed that only one city i.e. Karachi was mentioned in Water Accord 1991 due to specific nature of this city as it include population from every province of Pakistan. Minister for Law & Justice was of the view that if water was allocated to one city then other cities like Lahore, Faisalabad etc. will also demand for similar allocation. Finance Minister Punjab said that earlier the request of Punjab for allocation of water for Rawalpindi was not approved.

#### **DECISION**

39. The CCI considered the Summary dated 16<sup>th</sup> Febraury, 2017 submitted by Government of Sindh and decided that the issue would be taken up with a detailed presentation by the Ministry of Water Resources regarding National Water Policy.

<b>Case No.CCI.5/1/2018 Dated 26.02.2018</b>	<b>Resolution of Energy Problems of Balochistan Province/ Enhancement of Absorption Capacity</b>
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#### **DISCUSSION**

40. Government of Balochistan requested that in order to get rid of the problem of chronic electricity shortage, power projects mentioned in para 4 of the summary may be completed at the earliest. Secretary, Planning, Development & Reform Division informed that the projects of Balochistan would be completed shortly. Secretary to the Prime Minister informed that due to low recovery of the electricity bills in Balochistan it was very difficult for the government to provide additional funds. Rs. 4.5 billion, were approved by the Prime Minister for power plant in Gwadar. He also informed that highest default in the country was in Quetta Electric Supply Company (QESCO). The Chief Secretary Balochistan was of the view that establishment of coal power plant in Gwadar would create environment issue in the city. Gwadar port does not have coal jetty and transportation of coal through the existing jetty and roads will destroy the environment of the city. The Prime Minister observed that a coal power plant had been established by the Government of Punjab in Sahiwal and the coal is transported to that power plant from Karachi. If that power plant is not threatening the environment how can a coal power plant in Gwadar affect the environment.

#### **DECISION**

41. The CCI considered the Summary dated March, 2017 submitted by Government of Balochistan and directed that Secretary to the Prime Minister would arrange a meeting of Chief Minister of Balochistan with Power Division and Planning, Development & Reform Division within a week to mitigate the energy problems of Balochistan.

<b>Case No.CCI.6/1/2018</b> <b>Dated 26.02.2018</b>	<b>Draft Bill for the Establishment of National Metrology Institute of Pakistan (NMIP)</b>
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### **DISCUSSION**

42. Ministry of Science & Technology sought approval of the CCI for draft National Metrology Institute of Pakistan (NMIP) Bill, 2015.

43. Chief Minister KP said that the Government of KP proposed following recommendations for incorporation in the bill:-

- i) Instead of nominating a member from the Chamber of Commerce & Industry, Secretary industries department of each province may be nominated as member
- ii) An office may be established at provincial capital of KP.

44. Chief Minister Sindh said that government of Sindh proposed some amendments in section 4(f) and section 14 of the bill. These amendments may be incorporated in the bill. Federal Minister for Science & Technology assured both the chief Ministers that their proposals shall be incorporated in the bill.

### **DECISION**

45. The CCI considered the Summary dated 29<sup>th</sup> July, 2015 submitted by Ministry of Science & Technology and assented to place the Bill for the Establishment of National Metrology Institute of Pakistan (NMIP) before Parliament.

<b>Case No.CCI.7/1/2018</b> <b>Dated 26.02.2018</b>	<b>NEPRA's Annual Report 2014-15 &amp; State of Industry Report 2015</b>
<b>Case No.CCI.8/1/2018</b> <b>Dated 26.02.2018</b>	<b>NEPRA's Annual Report 2015-16 &amp; State of Industry Report 2016</b>

### **DISCUSSION**

46. Chairman, NEPRA informed that under Section 42 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997, NEPRA's Annual Reports 2014-15 and 2015-16 & State of Industry Report 2015 and 2016 have been submitted for approval of CCI.

### **DECISION**

47. The CCI considered the Summaries both dated September, 2017 submitted by Cabinet Division and approved NEPRA's Annual Reports 2014-15 and 2015-16 and state of Industry Report 2015 and 2016, subject to observations of provincial governments, if any. If no observation is received before next meeting of CCI it will be assumed that the same are accepted as such.



**DISCUSSION**

48. The Secretary CCI explained the salient features of Senior Citizens Privileges as under:-

- i) Pakistan is the world's sixth most populated country with estimated 195.4 million population comprising 4.2% people over the age of 65.
- ii) There will be 43.3 million people (16%) over the age of 60 in Pakistan by 2050 as compared to 11.6 million (7%) in 2012.
- iii) Elderly people are facing a number of problems, including discrimination, poverty, health and protection of rights, etc.
- iv) It is imperative that the Govt. should formulate proper plan and policy to ensure the well-being of senior citizens.
- v) After 18<sup>th</sup> Amendment, it is mandate of provinces to legislate for the well-being of senior citizens
- vi) The Provincial Governments of Balochistan, Khyber Pakhtunkhwa, and Sindh have enacted legislation, in this regard
- vii) Legislation in respect of Government of the Punjab and Islamabad Capital Territory is under process
- viii) The Prime Minister has desired that Ministry of IPC should formulate a "National Policy for Senior Citizens" in consultation with provincial Governments and all other relevant stakeholders.

49. The Secretary IPC placed following two proposals before the CCI to take decision:

- a) A National Policy for Senior Citizens may be formulated and presented before the Inter Provincial Coordination Committee (IPCC) for approval.

OR

- b) In the wake of 18<sup>th</sup> Constitutional Amendment, the subject matter has been devolved to the provinces. Instead of formulating a National Policy, Federal Government may devise a National Policy Framework in consultation with the provincial governments and other relevant stakeholders.

50. Minister for Law & Justice informed that the rights of senior citizen were guaranteed under Article 38 of the Constitution, 1973. He informed that provincial governments enacted their own laws for senior citizen whereas Capital Administration and Development Division (CADD) was in the process of enacting a law for ICT. Moreover, Senator Ch. Tanveer Ali Khan has moved private member bill for senior citizen in Senate of Pakistan.

## DECISION

51. The CCI considered the Summary dated March, 2017 submitted by Ministry of Inter Provincial Coordination and decided that the federal government may devise a National Policy Framework for senior citizens in consultation with the provincial governments and relevant federal ministries. The document would serve as a guiding document for all the provincial governments for having their own respective policy and legal instrument by meeting the broad parameters set forth in the policy framework.

<b>Case No.CCI.10/1/2018</b> <b>Dated 26.02.2018</b>	<b>Short Supplies of Water in Pat Feeder and Khirther Canals</b>
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## DISCUSSION

52. Government of Balochistan stated the IRSA's dispensation to rectify reduced discharge to Balochistan or oblige Sindh to plug unauthorized outlets was not being materialized despite its clear mandate therefore Government of Balochistan requested CCI to consider following suggestions:-

- i. The Province of Balochistan be compensated in terms of payment of claim of Rs.130118 million by Sindh Government on account of utilization/exploitation of its authorized share of water by Sindh province for the period 1991-2016.
- ii. For the purpose to strengthen monitoring mechanism, IRSA may permanently arrange two Assistant Engineers/Inspectors with residential accommodation etc, one each at Khirther Canal (located at Garrang Regulator, RD: 102) and Pat Feeder Canal (X-Regulator at RD: 109), respectively to monitor the Gauge-discharge of the Canals and supervise IRSA's authorized flows. The monitors would submit daily compliance reports to the IRSA headquarters. In addition, WAPDA may be associated in monitoring and surveillance of the water availability-particularly with reference to maintaining pond level at Sukkur Barrage.
- iii. In order to compensate for the age old deprivation and cater for the 60 un-authorized outlets, two minors of cumulative 800 cusecs off-taking from Begari Canal be constructed along both banks of Khirther Canal RD.00 to RD.102 to irrigate command area; alternatively, additional discharge at Head Regulator of North West Canal be provided by curtailing Sindh's discharge at Rato Dero and Shahdadt Kot branches and such water may be allowed to flow in Khirther to make-up the losses suffered by Balochistan on account of drawl of 800 cusecs by illegal abstractions.



- iv. Additional discharge of 180 cusecs be provided down-stream Garrang Regulator to compensate for the 07 unauthorized out lets in Sindh territory between RD. 102 & RD. 116

53. Representative of IRSA informed that if both the provinces agree, they were ready to monitor the discharge of water to Balochistan. The chief Minister Sindh told that the discharge of water to north west canal was not possible from Sukkur Barrage due to its higher level. He also assured that Government of Sindh would extend every possible support to the Government of Balochistan so that Balochistan can get water as per its share.

#### **DECISION**

54. The CCI considered the Summary dated May, 2017 submitted by Government of Balochistan and decided that Chief Minister Sindh and Chief Minister Balochistan will have a meeting shortly to resolve the issue of short supply of water in Pat Feeder and Khirther Canals .

<b>Case No.CCI.11/1/2018</b> <b>Dated 26.02.2018</b>	<b>Approval of the National Interfaith Harmony Policy</b>
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#### **DISCUSSION**

55. The Secretary, Ministry of Religious Affairs and Interfaith Harmony informed that in the wake of 18<sup>th</sup> Constitutional Amendment and thereafter amendment made in Rules of Business 1973, Ministry of Religious Affairs and Interfaith Harmony had been assigned the task of "Policy and Legislation with regard to Interfaith Harmony." Supreme Court of Pakistan in its Judgment dated 19.06.2014 ordered, that "A National Council for Minorities should be constituted. The Council should be mandated to frame policy recommendations for safeguarding and protecting minorities' rights by the Provincial and Federal Government." In pursuance of directions of Supreme Court of Pakistan, National Commission for Minorities (NCM) had been mandated with the task to "Develop a National Policy on Inter-faith Harmony to explore the avenues for peace and security etc".

56. Finance Minister Punjab said that the subject had been devolved to provinces and the province had established councils at district level. Therefore, she suggested for a review of policy afresh in consultation with provincial governments.

#### **DECISION**

57. The CCI considered the Summary dated June, 2017 submitted by Ministry of Ministry of Religious Affairs and Interfaith Harmony and decided that Ministry of Religious Affairs and Interfaith Harmony would review the policy in consultation with the provincial governments and submit the revised policy before CCI in its next meeting.

**Additional agenda.**

58. The CCI approved following amendments in para 42 of the minutes of the 34<sup>th</sup> meeting of the CCI held on 24<sup>th</sup> November, 2017:-

**DECISION**

<b>Existing Para 42</b>	<b>Amended Para 42</b>
The CCI considered the Summary dated 18 <sup>th</sup> November, 2017 submitted by Government of Khyber Pakhtunkhwa and approved their request for access to real-time production data of oil and gas from well heads and natural gas consumption in Khyber Pakhtunkhwa. The Council further directed the Ministry of Energy (Petroleum Division) to immediately replicate/install the requisite software by SNGPL in Energy and Power Departments for ascertaining the amount of processed gas dispatches and consumed the provinces of Khyber Pakhtunkhwa and other provinces, if any. The SNGPL to immediately allow the energy and power departments to check for the accuracy of the TBS/SMS and other metering mechanism.	The CCI considered the Summary dated 18 <sup>th</sup> November, 2017 submitted by Government of Khyber Pakhtunkhwa and approved their request for access to real-time production data of oil and gas from well heads and natural gas consumption in Khyber Pakhtunkhwa. The Council further directed the Ministry of Energy (Petroleum Division) to immediately replicate/install the requisite software by SNGPL, <b>SSGCL and other dedicated line gas distributors</b> in Energy and Power Departments for ascertaining the amount of processed gas dispatches and consumed the provinces of Khyber Pakhtunkhwa and other provinces, if any. The SNGPL, <b>SSGCL and other dedicated line gas distributors</b> to immediately allow the energy and power departments to check for the accuracy of the TBS/SMS and other metering mechanism.

59. The meeting ended with a vote of thanks to and from the chair.

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**LIST OF PARTICIPANTS**  
**OF 35<sup>TH</sup> CCI MEETING HELD ON 26<sup>TH</sup> FEBRUARY, 2018 AT 1000 HOURS**

**Chairman**

1. Mr. Shahid Khaqan Abbasi, the Honourable Prime Minister of Pakistan / Chairman CCI

**Federation:**

2. Prof. Ahsan Iqbal, Minister for Interior
3. Mian Riaz Husain Pirzada, Minister for Inter Provincial Coordination
4. Mr. Ghulam Murtaza Khan Jatoi, Minister for Industries & Production

**Provinces:**

5. Syed Murad Ali Shah, Chief Minister Sindh
6. Mr. Pervez Khattak, Chief Minister Khyber Pakhtunkhwa
7. Mr. Abdul Quddus Bazenjo, Chief Minister Balochistan
8. Dr. Aisha Ghaus Pasha, Finance Minister Punjab

\* \* \* \* \*

**Federal Ministers/Secretaries (By Special Invitation for their Agenda Items)**

1. Chaudhry Mahmood Bashir Virk, Minister for Law and Justice.
2. Rana Tanveer Hussain, Minister for Science & Technology.
3. Engr. Muhammad Baligh ur Rehman, Minister for Federal Education & Prof. Training
4. Mr. Muhammad Pervaiz Malik, Minister for Commerce and Textile
5. Sardar Awais Ahmed Khan Leghari, Minister for Power Division.
6. Mr. Sikandar Hyayat Khan Bosan, Minister for National Food Security & Research.
7. Mr. Jam Kamal Khan, Minister of State for Petroleum.
8. Mr. Naeem Y. Zamindar, MOS/Chairman Board of Investment (BOI)
9. Mr. Suhail Aamir, Secretary, Cabinet Division
10. Mr. Ghazanfar Abbas Jillani, Additional Secretary, Finance Division.
11. Mr. Shoaib Ahmed Siddiqui, Secretary, Planning, Development & Reform Division
12. Mr. Karamat Hussain Niazi, Secretary, Law and Justice Division
13. Mr. Aamir Ashraf Khwaja, Secretary, Federal Education & Professional Training.
14. Mr. Yousaf Naseem Khokhar, Secretary, Power Division.
15. Mr. Shumail Ahmed Khwaja, Secretary, Water Resources Division.
16. Mr. Sikandar Sultan Raja, Secretary, Petroleum Division.
17. Mr. Khalid Masood Chaudhary, Secretary, Religious Affairs & Inter Faith Harmony
18. Mr. Fazal Abbas Makan, Secretary, National Food Security & Research Division
19. Mr. Shoaib Ahmed Siddiqui, Secretary Planning, Development & Reforms Division
20. Ms. Samaira Nazir Siddiqui, Secretary, Board of Investment (BOI)
21. Ms. Yasmin Masood, Secretary, Ministry of Science & Technology.

**Chief Secretaries accompanying the Chief Ministers**

1. Capt. (Retd.) Zahid Saeed, Chief Secretary Punjab
2. Mr. Rizwan Memon, Chief Secretary Sindh
3. Mr. Muhammad Azam Khan, Chief Secretary Khyber Pakhtunkhwa
4. Mr. Aurangzeb Haque, Chief Secretary Balochistan

**MINISTRY OF IPC/CCI'S STAFF CONDUCTING THE CCI MEETING**

1. Syed Abu Ahmed Akif, Secretary, IPC
2. Mr. Muhammad Ashraf, Additional Secretary, IPC / CCI
3. Mr. Arif Ibrahim, Sr. Joint Secretary (IPC / CCI)
4. Mr. Javed Iqbal, Deputy Secretary (CCI)
5. Dr. Muhammad Fayyaz Sheikh, Section Officer (CCI)
6. Mr. Naveed Hussain, APS
7. Syed Mudassar Hussain Shah, Steno Typist

8. Mr. Farhan Ahmad Ch., Assistant
9. Mr. Ahmeduddin Soomro, Assistant
10. Mr. Atiq Ahmad, Assistant
11. Mr. Muhammad Khurshid, Cabinet Attendant
12. Mr. Muhammad Khalid, Naib Qasid
13. Mr. Zafar Aftab, Naib Qasid
14. Mr. Wahid Khan, Naib Qasid
15. Mr. Zafar Mehmood, Naib Qasid

Immediate  
By Special Messenger/By TCS/By Fax  
Secret

**GOVERNMENT OF PAKISTAN**  
**MINISTRY OF INTER PROVINCIAL COORDINATION**  
**(Secretariat of Council of Common Interests)**


No.2(172)/2017-CCI

Islamabad, the 6th April, 2018

Subject:- **MINUTES AND DECISIONS OF THE 36<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).**

A copy of the Minutes and Decisions of the 36<sup>th</sup> meeting of the Council of Common Interests (CCI), held on 27<sup>th</sup> March, 2018, in the Prime Minister's Office, **Islamabad** is sent herewith for further necessary action in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010.

2. Action to implement the aforesaid decision(s) may please be initiated immediately and status of implementation be reported to this Secretariat accordingly.
3. The enclosed certificate acknowledging receipt of the CCI's Minutes and Decision(s) may be returned, duly completed and signed.

  
(Javed Iqbal)  
Deputy Secretary (CCI)  
Ph:051-9103518

1. The Secretary, Law and Justice Division, Islamabad.
2. The Chief Secretary, Punjab, Lahore.
3. The Chief Secretary, Sindh, Karachi.
4. The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
5. The Chief Secretary, Balochistan, Quetta.

**Copy for information to:-**

1. The PS to Federal Minister for IPC, Islamabad.
2. The SPS to Secretary, IPC, Islamabad.
3. The SPS to Additional Secretary, IPC Division, Islamabad.
4. The Deputy Secretary (IPC), IPC Division, Islamabad.
5. The Section Officer (Progress), IPC Division, Islamabad

  
Deputy Secretary (CCI)

11/04/18  
SD(2-P-24)

Sug: IPC  
9/4



**GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(IPC DIVISION/SECRETARIAT OF THE  
COUNCIL OF COMMON INTERESTS)**

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**36<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI)  
MINUTES AND DECISIONS OF THE MEETING**

The 36<sup>th</sup> Meeting of the Council of Common Interests was held on 27<sup>th</sup> March, 2018 at 1000 hours in the Cabinet Room of the Prime Minister's Office under the Chairmanship of the Prime Minister of Islamic Republic of Pakistan. The list of participants is annexed.

2. The meeting commenced with the recitation from Holy Quran. The Prime Minister/ Chairman CCI welcomed the participants and emphasized the importance of the core item on the agenda i.e. National Water Policy. He was of the opinion that there is a dire need to develop a national consensus on this critical issue. He then asked the Secretary CCI to take up the agenda of the meeting.

3. The Secretary CCI introduced the four-point agenda and requested the concerned Ministry to present their cases. Discussion on the various agenda items along with minutes and decisions are given in the succeeding paragraphs:

<b>Case No.CCI.1/2/2018 Dated 27.03.2018</b>	<b>National Water Policy</b>
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**DISCUSSION**

4. The Deputy Chairman, Planning Commission informed that the CCI, in its meeting held on 24<sup>th</sup> November, 2017, had set up a Committee headed by Deputy Chairman Planning Commission comprising of Minister for Power Division, Federal Secretaries of Water

Resources, Planning, Development and Reform, Power Division and Chief Secretaries of all the Provinces for further examination of the policy. He gave a brief background of water issues in Pakistan. Stressing upon the need for a National Water Policy, the Deputy Chairman informed the Council that due priority had never been assigned to formulation of a national water policy during the last seven decades; he said that all the South Asian countries had water policies covering their interests in water sector.

5. The Chief Minister Sindh stated that he had convened a meeting on NWP on 19th March, 2018, and conveyed the concerns of Government of Sindh's in writing to Planning Commission. However, these points had not been incorporated in the draft NWP. The Secretary, Water Resources clarified that the draft of NWP was finalized in consultation with representatives of the Provincial Governments including Secretary, Irrigation Department, Sindh and reservations of Government of Sindh were duly incorporated in the policy in letter and spirit; all the participants had signed the NWP in the meeting held under the Chairmanship of Deputy Chairman, Planning Commission in March, 2018. The CM Sindh, however, expressed reservations over the document and impressed upon the Council the need for incorporating the nine reservations in the policy.

6. The Chief Secretary, Punjab informed that the changes in NWP, proposed by the Chief Minister Sindh in the document, already signed by the representative of Government of Sindh, had not been shared with his government.

7. The CM Sindh explained his reservations on different clauses of proposed NWP one by one and the same were responded to by the Deputy Chairman, Planning Commission and Secretary, Water Resources Division.

8. While discussing the composition of National Water Commission the Minister for Interior, proposed that the National Water Council may include Federal Minister for Planning, Federal Minister for Finance and Chairman, Pakistan Engineering Council and two (02) academicians and three (03) experts as its members to cater to technical requirements. Similarly, the Steering Committee may include Federal Secretaries of Planning and Finance as its members.

9. The Chair again expressed his concern over the present precarious water situation in Pakistan. A Water Charter for Pakistan was also deliberated upon by the CCI. The Provincial Governments however, sought some time to study and finalize their comments. The Deputy Chairman, Planning Commission assured that the concerns of provinces, if any, will be addressed.

### **DECISION**

10. The CCI considered the Summary dated February 6, 2017 submitted by Ministry of Water Resources and expressed a consensus to adopt the National Water Policy, keeping in view the changes in climate patterns and rapidly depleting water resources of the country. It was decided that the proposed policy be brought before the next CCI meeting, after incorporating suggestions from the Provinces, for a final approval. The Provincial Governments will also send amendments to the proposed Water Charter, if any, within three days to Deputy Chairman, Planning Commission who will address the same within seven days of the receipt. The Water Charter would be signed in the next CCI meeting or at a separate ceremony as deemed appropriate.

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<b>Case No.CCI.2/2/2018 Dated 27.03.2018</b>	<b>Monitoring and Oversight Committee of Senators for 5% Validation Exercise of Census Result</b>
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### **DISCUSSION**

11. The Secretary, Statistics Division informed the forum that the CCI in its 34<sup>th</sup> Meeting held on 24<sup>th</sup> November, 2017 had decided that the sampling proportion for carrying out third-party validation exercise be enhanced from 1% to 5% and the exercise be initiated forthwith. Technical difficulties, if any, will be referred to the PM Office for resolution. Ancillary modalities were to be decided by the Statistics Division in-house.

12. M/o Statistics undertook implementation of the decision and invited bids through an open advertisement; subsequently, it shortlisted 12 firms/joint-ventures registered with Government/FBR. However, in the meanwhile, Senator Taj Haider conveyed a 9-point agreement signed by Parliamentary Parties' Leaders, after a consultative meeting held under the chair of Prime Minister, recommending constitution of a Senators' Monitoring & Oversight Committee as well as a 3-Member Census Commission of reputed demographers after mutual consultation with Ministry of Statistics. The Census Commission was proposed to act as the third party for conducting the validation exercise. The 9-points are:

- i. Five percent population blocks for PES will be randomly selected by computer.
- ii. The 3-member Census Commission of reputed demographers would be appointed by mutual consultation to supervise the PES.
- iii. A Committee consisting of Senator Mushahid Hussain Syed, Senator Mir Hasil Bizenjo, Senator Mushahid Ullah Khan and Senator Taj Haider shall monitor and exercise oversight on the conduct of PES.

- iv. PES in all selected blocks will be held on a holiday and all members of a household present in a house on that day shall be counted.
- v. Special provision will be made for counting Internally Displaced Persons (IDPs), nomads, and Temporarily Displaced Persons (TDPs) in light of the scientific advice given by the census commission.
- vi. Returnable templates, supplied by the United Nation's Offices in Islamabad, will be used for enumeration and count of every house will be sent online to the PBS and Provincial Governments.
- vii. The final report of the PBS shall be submitted within 30 days of the start of the PES.
- viii. Any deviation from the Provisional Census 2017 figures beyond plus or minus one percent shall be incorporated in the final count of the census 2017.
- ix. All Political parties attending the meeting of the 15<sup>th</sup> December, 2017 presided over by the Honourable Prime Minister of Pakistan undertake to vote for the 24<sup>th</sup> Constitutional Amendment Bill in the Senate on Tuesday, December 19, 2017.

13. Ministry of Statistics convened a meeting of Senators' Monitoring and Oversight Committee on 15-12-2017; this was attended by Senator Taj Haider and Senator Mushahid Hussain Syed. The participants gave two names of the demographers to be included in the Census Commission, while the names of the remaining demographers were to be obtained from Senator Mushahidullah Khan and Senator Mir Hasil Bazenjo, who could not attend the meeting. Accordingly, a 03-Member Census Commission was notified which had a provision of five Associate Members hailing from different Provinces. However, Senator Taj Haider, vide his emails of 17-01-2018 and 10-02-2018, expressed serious objections on methodology as well as the composition of the Census Commission, further stating that minutes of the meeting submitted by the Ministry were not approved by him. He also raised multiple issues through emails and letters, asserting that 09-Points based agreement settled with Prime Minister has to be followed without

any modification. Subsequently, Senator Taj Haider moved an Adjournment Motion in Senate on 14-02-2018 impugning Validation Exercise, which he considered was not in line with what the Parliamentary Parties Leaders' had agreed with the Prime Minister on 15-12-2017. The Chairman Senate, while discussing Adjournment Motion, directed the Ministry to pend the meeting of PBS Governing Council till such time as Leader of the House convenes a meeting and a decision of that meeting is conveyed. The Ministry accordingly requested Leader of the House in Senate for a meeting to settle the issue. The meeting with the Leader of the House was held on 19-3-2018, wherein members of the Senators' Monitoring & Oversight Committee were present. After detailed deliberation, the meeting decided that:

- 1) Members of the National Assembly should also be associated with the Senators' Monitoring & Oversight Committee to have their input in the matter.
- 2) Leader of the House will request Speaker National Assembly to give names of the MNAs to join this Monitoring & Oversight Committee to make it more transparent.

14. Keeping the above intervening factors in consideration, the Ministry of Statistics postponed the proposed Governing Council meeting and the process of hiring of the external third party for the validation exercise till the way forward could be decided by the Leader of the House. In addition to earlier summary for the Prime Minister dated 18-01-2018, the Ministry moved a second Summary for Prime Minister. The said summary synoptically reviewed the foregoing issues requesting clear directions about the role of the Monitoring & Oversight Committee and Census Commission in the light of CCI's earlier directions. Prime Minister accordingly directed that "The issue of third party validation of Census Results be taken back to CCI for a final decision."

15. With this factual position in consideration, Secretary, Statistics Division requested the CCI to advise about the way forward in the light of its decisions taken in 33<sup>rd</sup> and 34<sup>th</sup> meetings in the context of

09-Point agreement of the Parliamentary Parties Leaders with the Prime Minister as both the decisions are at variance with each other.

**DECISION**

16. The CCI reiterated its earlier decision dated November 24, 2017 that 5% validation exercise of Census results 2017 shall be undertaken through a third party. Ancillary modalities be decided by the Statistics Division in-house.

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<b>Case No.CCI.3/2/2018 Dated 27.03.2018</b>	<b>Decisions of the meeting of Economic Coordination Committee (ECC) of the Cabinet</b>
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**DISCUSSION**

17. The Finance Secretary informed the forum that **Economic Coordination Committee (ECC) of the Cabinet**, in its meeting held on December, 2017, had directed the Ministry of Finance to brief the CCI on subsidies being provided on different commodities. The Finance Secretary briefed the Council on various subsidies, being given by the Federal Government, on different commodities including the subsidy being provided to PASSCO for maintaining strategic wheat reserves, fertilizers, subsidy on essential items through Utility Stores Corporation, Ramzan Relief Package, general fund support for pulses, etc., and support for export of wheat and sugar. It was further informed that there were outstanding balances of Rs.115 billion, while Rs.32 billion have been earmarked for the purpose in the current financial year.

18. The Chief Minister Sindh pointed out that the CCI is not the appropriate forum to discuss the subject matter. The Secretary Finance clarified that the item has been brought before CCI just for information of the members on the directions of ECC of the Cabinet.

## DECISION

19. The CCI considered the Summary dated 29<sup>th</sup> January, 2018 submitted by Finance Division and acknowledged the briefing by Finance Secretary with no further directions.

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<b>Case No.CCI.4/2/2018 Dated 27.03.2018</b>	<b>Presentation by Pakistan Alliance for Mathematics and Science</b>
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## DISCUSSION

20. Pakistan Alliance for Mathematics and Science (PAMS), an umbrella organization of NGOs and other stakeholders, gave a presentation on way forward for promoting science and mathematics education in Pakistan. PAMS also briefed the Council on improved funding trend towards education in the country; substantial decrease in out of school children; drastic improvements in teacher attendance; transformed recruitment of teachers; and evolving federal role of federal Ministry of Education & Professional Training. PAMS further highlighted the enduring challenges facing children continuing school beyond the primary level, especially the girls. It was informed that girls' education has a dramatic knock-on effect on important and vital statistics that indicate the relative health or lack thereof, of the nation as demonstrated in lower maternal and infant mortality rates.

21. The Chief Minister Sindh and Finance Minister Punjab drew the attention of participants towards the prescribed manner provided by Rules of Procedure of CCI for brining cases before the Council and mentioned that these Rules did not allow submission of cases in the form of presentation only. The Rules were clear and summary relating to an agenda item should first be circulated among the stakeholders, federal

and provincial before bringing a case before the CCI in consultation with stakeholders in the form of Summary for CCI.

22. The Chief Secretary, Balochistan commented that there are flip sides of excessive dependence on mathematics and science; he termed the proposed intervention as scientism that could adversely affect the "moral underpinnings of the state".

23. The Minister for Federal Education and Professional Training appreciated the presentation for pointing out shortcomings and advancements in country's education system. He said that mathematics and science were deeply linked with the country's development. He elaborated upon the positive steps that had been taken by his ministry including convening of ten Inter-Provincial Educational Ministers Conferences. The Minister for Federal Education and Professional Training also appreciated the active participation of provinces in National Curriculum Council (NCC) and requested the Chief Minister Sindh to consider becoming a member of the NCC instead of an observer.

**DECISION**

24. The CCI appreciated the presentation given by Pakistan Alliance for Mathematics and Science for pointing out shortcomings and advancements in country's education system.

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<b>Case No.CCI.5/2/2018 Dated 27.03.2018</b>	<b>Unconstitutional and Unauthorized Deduction by FBR from the Provincial Consolidated Fund</b>
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**DISCUSSION**

25. The Chief Minister Sindh informed the meeting that he had requested the Ministry of IPC/Secretariat of CCI for placing the Summary moved by Government of Sindh regarding **"Unconstitutional and**



**Unauthorized Deduction by FBR from the Provincial Consolidated Fund (PCF)”** before the CCI; however, the same was not included in the agenda. The C.M. Sindh requested that the Finance Ministry should refund the amounts so deducted at source as the State Bank of Pakistan had also declared such deduction from PCF unlawful and recommended that the FBR should reconcile the balances with provinces. The Finance Minister Punjab seconded the view point of Chief Minister Sindh and termed at source deduction by FBR from Provincial Consolidated Fund an arbitrary and unlawful practice violative of the Constitution. It was also stated that the FBR had proceeded for deduction on a report of newspaper. The Chair directed that the Finance Division and FBR should not take action on reports of newspapers.

### **DECISION**

26. The CCI took cognizance of the matter raised by Chief Minister Sindh and directed Ministry of Finance to resolve the issue with Revenue Division/FBR.

27. The Chief Minister Khyber Pakhtunkhwa raised the issue of AGN Kazi Committee Methodology and requested that the same may be discussed in the CCI as it is the growing demand of his government. The Chair directed that this issue may be included in the agenda of next CCI meeting.

28. The meeting ended with a vote of thanks to and from the chair.

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**LIST OF PARTICIPANTS**

**36<sup>TH</sup> CCI MEETING HELD ON 27<sup>TH</sup> March, 2018 AT 1000 HOURS**

**Chairman**

1. Mr. Shahid Khaqan Abbasi, the Honourable Prime Minister of Pakistan / Chairman CCI

**Federation:**

2. Prof. Ahsan Iqbal, Minister for Interior
3. Mian Riaz Husain Pirzada, Minister for Inter Provincial Coordination

**Provinces:**

5. Syed Murad Ali Shah, Chief Minister Sindh
6. Mr. Pervez Khattak, Chief Minister Khyber Pakhtunkhwa
7. Mr. Abdul Quddus Bazejo, Chief Minister Balochistan
8. Dr. Aisha Ghaus Pasha, Finance Minister Punjab

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**Federal Ministers/Secretaries (By Special Invitation for their Agenda Items)**

1. Chaudhry Mahmood Bashir Virk, Minister for Law and Justice.
2. Engr. Muhammad Baligh ur Rehman, Minister for Federal Education & Prof. Training
3. Mr. Sartaj Aziz, Deputy Chairman, Planning Commission
4. Syed Javed Ali Shah, Minister for Water Resources
5. Dr. Miftah Ismail, Advisor to PM on Finance Revenue and Economic Affairs
6. Mr. Suhail Aamir, Secretary, Cabinet Division
7. Mr. Arif Ahmed Khan, Secretary, Finance Division.
8. Mr. Shoaib Ahmad Siddiqui, Secretary, Planning, Development & Reform Division
9. Mr. Karamat Hussain Niazi, Secretary, Law and Justice Division
10. Mr. Shumail Ahmed Khwaja, Secretary, Water Resources Division.
11. Ms. Rukhsana Yasmin, Secretary, Statistics Division
12. Mr. Akbar Hussain Durrani, Secretary, Federal Education & Professional Training
13. Mr. Babar Hayat Tarar, Additional Secretary, Prime Minister's Office

**Chief Secretaries accompanying the Chief Ministers**

1. Capt. (Retd.) Zahid Saeed, Chief Secretary Punjab
2. Mr. Rizwan Memon, Chief Secretary Sindh
3. Mr. Muhammad Azam Khan, Chief Secretary Khyber Pakhtunkhwa
4. Mr. Aurangzeb Haque, Chief Secretary Balochistan

**MINISTRY OF IPC/CCI'S STAFF CONDUCTING THE CCI MEETING**

1. Syed Abu Ahmed Akif, Secretary, IPC
2. Mr. Muhammad Ashraf, Additional Secretary, IPC / CCI
3. Mr. Arif Ibrahim, Sr. Joint Secretary (IPC / CCI)
4. Mr. Rashid Sohail, Deputy Secretary (CCI)
5. Dr. Muhammad Fayyaz Sheikh, Section Officer (CCI)
6. Mr. Naveed Hussain, APS
7. S. Nasir Ali, APS
8. Syed Mudassar Hussain Shah, Steno Typist
9. Mr. Ahmeduddin Soomro, Assistant
10. Mr. Atiq Ahmad, Assistant
11. Mr. Muhammad Khurshid, Cabinet Attendant
12. Mr. Muhammad Khalid, Naib Qasid
13. Mr. Zafar Aftab, Naib Qasid
14. Mr. Wahid Khan, Naib Qasid
15. Mr. Zafar Mehmood, Naib Qasid



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Immediate  
By Special Messenger / By TCS / By Fax  
Secret

GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(Secretariat of Council of Common Interests)

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No.2(182)/2018-CCI

Islamabad, the 27<sup>th</sup> April, 2018

Subject: MINUTES AND DECISIONS OF THE 37<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).

A copy of the Minutes and Decisions of the 37<sup>th</sup> meeting of the Council of Common Interests (CCI), held on 24<sup>th</sup> April, 2018, in the Prime Minister's Office, Islamabad is sent herewith for further necessary action in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010.

2. Action to implement the aforesaid decision(s) may please be initiated immediately and status of implementation be reported to this Secretariat accordingly.

2. The enclosed certificate acknowledging receipt of the CCI's Minute and Decision(s) may please be returned, duly completed and signed.



(Sakhi Muhammad)  
Deputy Secretary (CCI)  
Ph:051-9103551

1. The Secretary, Law and Justice Division, Islamabad.
2. The Chief Secretary, Punjab.
3. The Chief Secretary, Sindh.
4. The Chief Secretary, Khyber Pakhtunkhwa.
5. The Chief Secretary, Balochistan.

Copy for information to:-

1. The PS to Federal Minister for IPC, Islamabad.
2. The SPS to Secretary, IPC, Islamabad.
3. The PS to Additional Secretary, IPC Division, Islamabad.
4. The Deputy Secretary (IPC), IPC Division, Islamabad.
5. The Section Officer (Progress), IPC Division, Islamabad.
- 6.

Deputy Secretary (CCI)

Secretary

Inter Provincial Coordination Department

Diary No. 112 Date 11/5/18

GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER-PROVINCIAL COORDINATION  
(IPC DIVISION/SECRETARIAT OF THE COUNCIL OF COMMON INTERESTS)

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37<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI)

MINUTES AND DECISIONS OF THE MEETING

The 37<sup>th</sup> Meeting of the Council of Common Interests was held on 24<sup>th</sup> April, 2018 at 1430 hours in the Cabinet Room of the Prime Minister's Office, Islamabad under the chairmanship of the Prime Minister of Islamic Republic of Pakistan. The list of participants is annexed.

2. The meeting commenced with a recitation from the Noble Quran by Prof. Ahsan Iqbal, Minister for Interior. The Prime Minister / Chairman, CCI welcomed the participants and took up the agenda items with the request to the Deputy Chairman Planning Commission/ Chairman of the Committee on National Water Policy to present the case related to water policy. Discussion on agenda items along with minutes and decisions are given in the succeeding paragraphs.

Case No. CCI.1/3/2018  
Dated 24.04.2018

National Water Policy

**DISCUSSION**

3. The presentation on National Water Policy had already been made by the Deputy Chairman, Planning Commission in the 36<sup>th</sup> meeting of the CCI. Therefore, the discussion took place only on the reservations conveyed by the Government of Sindh. Some of these had already been incorporated in the Policy; however, the following amendments were incorporated in the National Water Policy during the meeting:-

Recommendations	Clarified unanimous consensus
Clause 10.7 "The Water Apportionment Accord of 1991 is currently an accepted document and IRSA is mandated to implement the Accord. It is reiterated that IRSA has to implement the Accord in letter and spirit as per provincial share stipulated in <i>Para 2 of</i> the Accord." (For clarity the words "Para 2 of" are added in the last sentence.	Clause 10.7 "The Water Apportionment Accord of 1991 is currently an accepted document and IRSA is mandated to implement the Accord. It is reiterated that IRSA has to implement the Accord in letter and spirit as per provincial share stipulated in the Accord."



4. However, Deputy Chairman, Planning Commission, clarified that it is understood that para 2 is part of the Accord; therefore, there is no need to insert these words in the Policy. Chief Minister, Sindh was satisfied with the above clarification.

Recommendations	Clarified unanimous consensus
Clause 17.5 "Provinces are responsible for routine repair and maintenance of flood protection dykes, flood fighting and drainage. However, in case of major catastrophe like the 2010 floods, the federal government will provide supplementary funds, <i>in addition to the 50% which the federal government has already agreed to provide under normal flooding.</i> " (The last sentence in bold italic is added for clarity)	Clause 17.5 "Provinces are responsible for routine repair and maintenance of flood protection dykes, flood fighting and drainage. However, in case of major catastrophe like the 2010 floods, the federal government will provide supplementary funds, in addition to the 50% which the federal government has already agreed to provide under NFPP-IV."

5. The Deputy Chairman, Planning Commission clarified that clause 17.5 of the Policy is acceptable to all and there was no need to insert the sentence proposed by the Government of Sindh.

Recommendations	Clarified unanimous consensus
Clause 20.5.2 "Based on new realities of seawater <i>and to conserve aquatic ecosystem</i> , required environmental flows will be reassessed and assured so as to address the issues on long term basis." (The words in bold italic are added for clarity)	Clause 20.5.2 "Based on new realities of seawater <b>intrusion</b> and to conserve aquatic ecosystem, required environmental flows will be reassessed and assured so as to address the issues on long term basis."

6. The Deputy Chairman, Planning Commission further stated that the words "... and to conserve aquatic ecosystem" have already been added to the said clause.

Recommendations	Clarified unanimous consensus
Clause 28.4(ii) "In order to augment the dwindling irrigation deliveries into the existing canal systems on account of ever decreasing existing storage capacity of Mangla and Tarbela due to sedimentation and to develop new cultivated area on canal irrigated water, the existing water storage capacity of 14 MAF shall be increased by immediately starting construction of the Diamer-Basha Dam Project having 6.4 MAF live storage on which consensus of all the federating units has already been achieved in 2009 at CCI level. The existing water storage capacity will be increased by	Clause 28.4(ii) "In order to augment the dwindling irrigation deliveries into the existing canal systems on account of ever decreasing existing storage capacity of Mangla and Tarbela due to sedimentation and to develop new cultivated area on canal irrigated water, the existing water storage capacity of 14 MAF shall be increased by immediately starting construction of the Diamer-Basha Dam Project having 6.4 MAF live storage on which consensus of all the federating units has already been achieved in 2009 at CCI level. The existing water storage capacity will be increased by



Recommendations	Clarified unanimous consensus
<i>not more than</i> 10 MAF including Diamer-Basha Dam.” (The words bold italic are added for clarity)	<i>up to</i> 10 MAF including Diamer-Basha Dam.” (The words bold italic are added for clarity)

7. Chief Minister, Sindh also proposed that the words “not more than” may be added in the above clause i.e. 28.4(ii) of the Policy, whereupon Deputy Chairman, Planning Commission clarified that the words “at least” have been inserted instead of the words “not more than” in the said clause. However, it was decided that the words “up to” be inserted instead of “not more than” in the said clause.

8. As regards inclusion of irrigation Ministers in the National Water Council, it was agreed that since the concerned ministers for provincial irrigation departments could always accompany the Chief Ministers in the meetings, if so required, their inclusion in the composition of the National Water Council may not be appropriate so as to keep the Council small.

9. **Water Charter:** The Water Charter was approved by expanding its scope with respect to water treatment from urban to rural areas as well. The view of the Government of Sindh that Pakistan needs to conserve water flows to augment the storage capacity while keeping in view conservation of aquatic ecosystem was also included. Being a single basin country, it was agreed that only the surplus annual flows would be conserved in the reservoirs.

10. As regards the title “Urban Water Management” of the clause 13 of the National Water Policy, it was agreed to include the word “Rural” in the said clause which will become “Urban/Rural Water Management”. Clauses 15.2, 15.3 & 15.4 all are specific in this regard.

### DECISION

11. The CCI approved the National Water Policy and Water Charter. The Water Charter was signed by the Prime Minister along with all the Chief Ministers in a simple ceremony in the Prime Minister’s office. In addition, the composition of National Water Council will include Chief Ministers plus one additional member each to be nominated by the Chief Ministers of the respective provinces (clause 29.5.1 of the National Water Policy).



## DISCUSSION

12. The Chief Minister of Khyber Pakhtunkhwa underlined the need to implement the previous CCI decisions in this regard. The CCI in its 34<sup>th</sup> meeting had referred the matter to IPCC for appropriate recommendations. IPCC recommended to the CCI to implement the AGN Kazi methodology for calculation of Net Hydel Profit (NHP).

13. Minister for Power read Article 161(2) of the Constitution i.e. *"The net profits earned by the Federal Government or any undertaking established or administered by the Federal Government from the bulk generation of power at a hydro-electric station shall be paid to the Province in which the hydro-electric station is situated."* He expressed his reservations that AGN Kazi Methodology could not predict the quantum of profits to be calculated at that time at the Bus-Bar as the electricity generation is a mix of thermal, coal and hydel resources, etc. AGN Kazi Committee was constituted on July, 25 1985 and was headed by the then Deputy Chairman, Planning Commission Mr. AGN Kazi. Its mandate was to devise a formula for calculation of NHP payable to the provinces. The report was finalized on July, 28, 1987 and approved by CCI in its meeting of January 12, 1991. At that point in time, the WAPDA had not been unbundled which was done in 2007. Till then power generation remained the exclusive domain of WAPDA and the determination of tariff was done by Finance Division before the creation of NEPRA. At present, WAPDA is recovering only the cost of generation with no profit at all while the federal government has to take care of the loans raised for Nelum Jhelum and Dasu power projects. WAPDA is no more a profit generating entity, he added.

14. During the discussion, significant difference of opinions emerged between the provinces and federal government on the mechanism for determination of costs associated with generation, distribution, transmission, line losses and calculation of net profits. The Prime Minister underlined the importance of reconciliation of figures payable to the provinces. The Government of Khyber Pakhtunkhwa, however, stressed upon implementation of CCI decisions regarding implementation of AGN Kazi Methodology. However, they agreed to the reconciliation of figures / rates of net profits.

## DECISION

15. CCI, in principle, reiterated its earlier decisions on implementation of AGN Kazi Methodology and constituted a committee to deliberate upon the issue of

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determination of rates / net profits and submit report/ recommendation in the next meeting of the CCI for decision. The composition of the committee includes Deputy Chairman, Planning Commission, Secretary Water Resources Division, Secretary, IFC Division and Chief Secretaries of Khyber Pakhtunkhwa and Punjab. The committee may co-opt any member as deem appropriate.

16. It was also decided that the provinces will bring a proposal for devolution of gas and electrical power networks including generation, transmission and distribution etc. to the provinces in the next CCI meeting.

17. At the end of meeting, the Federal Minister for IPC recommended honoraria equivalent to three basic pays to the officers/staff of the Secretary IPC/CCI and CCI Wing of IPC Division through supplementary grant on account of six meeting held in the last FY.

18. The meeting ended with a vote of thanks to and from the chair.

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SECRET



**LIST OF PARTICIPANTS**  
**37<sup>th</sup> CCI MEETING HELD ON 24<sup>th</sup> April, 2018 AT 14:30 HOURS**

**Chairman:**

1. Mr. Shahid Khaqan Abbasi, the Honourable Prime Minister of Pakistan / Chairman CCI

**Federation:**

2. Prof. Ahsan Iqbal, Minister for Interior
3. Mian Riaz Husain Pirzada, Minister for Inter Provincial Coordination

**Provinces:**

4. Mian Muhammad Shahbaz Sharif, Chief Minister Punjab
5. Syed Murad Ali Shah, Chief Minister Sindh
6. Mr. Pervez Khattak, Chief Minister Khyber Pakhtunkhwa
7. Mr. Abdul Quddus Bizenjo, Chief Minister Balochistan.

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**Federal Ministers/Secretaries (By Special Invitation for their agenda items):**

1. Chaudhry Mahmood Bashir Virk, Minister for Law and Justice
2. Mr. Awais Ahmad Khan Leghari, Minister for Power
3. Syed Javed Ali Shah, Minister for Water Resources
4. Mr. Sartaj Aziz, Deputy Chairman, Planning Commission
5. Dr. Miftah Ismail, Advisor to the PM on Finance Revenue and Economic Affairs
6. Mr. Suhail Aamir, Secretary, Cabinet Division
7. Mr. Arif Ahmed Khan, Secretary, Finance Division
8. Mr. Shoaib Ahmad Siddiqui, Secretary, Planning, Development and Reform
9. Mr. Muhammad Khashi-ur-Rehman, Draftsman/Additional Secretary Law & Justice Division
10. Mr. Shumail Ahmad, Secretary, Water Resource Division
11. Mr. Yousaf Naseem Khokhar, Secretary, Power Division

**Chief Secretaries to accompany the Chief Ministers**

1. Capt. (Retd.) Zahid Saeed, Chief Secretary Punjab
2. Mr. Rizwan Memon, Chief Secretary Sindh
3. Mr. Muhammad Azam Khan, Chief Secretary Khyber Pakhtunkhwa
4. Mr. Aurangzeb Haque, Chief Secretary Balochistan

**MINISTRY OF IPC**

1. Syed Abu Ahmed Akif, Secretary, IPC
2. Mr. Muhammad Ashraf, Additional Secretary, IPC / CCI
3. Mr. Arif Ibrahim, Sr. Joint Secretary (IPC / CCI)
4. Mr. Javed Iqbal, Deputy Secretary, IPC
5. Mr. Sakhi Muhammad, Deputy Secretary (CCI)
6. Dr. Muhammad Fayyaz Sheikh, Section Officer (CCI)
7. Mr. Naveed Hussain, APS (with Laptop for presentation)
8. S. Nasir Ali, APS
9. Mr. Ahmeduddin Soomro, Assistant (Record keeping with CPU, Printer, Mouse & Keyboard).
10. Mr. Atiq Ahmad, Assistant (Record keeping)
11. Mr. Muhammad Khurshid, Cabinet Attendant
12. Mr. Muhammad Khalid, Naib Qasid
13. Mr. Zafar Aftab, Naib Qasid
14. Mr. Wahid Khan, Naib Qasid
15. Mr. Zafar Mehmood, Naib Qasid

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[TO BE RETURNED IN ORIGINAL TO THE INTER PROVINCIAL  
COORDINATION DIVISION AFTER SIGNATURE]

**CERTIFICATE**

Certified that the Minutes and Decisions of the 37<sup>th</sup> meeting of CCI held on **24<sup>th</sup> April, 2018** in the Prime Minister's Office, Islamabad, have been received by me and I will keep the minutes in the personal/safe custody and take action in terms of rule 11 of the Rules of Procedure of the Council of Common Interests, 2010.

Signature : \_\_\_\_\_

(Official Seal)

Name : \_\_\_\_\_

Date : \_\_\_\_\_

To

**Ministry of Inter Provincial Coordination,  
[Mr. Sakhi Muhammad),  
Deputy Secretary (CCI)]  
Room No.4037, Cabinet Block,  
Islamabad.**

F.C.R.

GOVT. Khyber Pakhtunkhwa  
Dy. Secy. 2245 W/E  
Date 11-6-2018

Immediate

By Special Messenger / By TCS / By Fax

Secret

GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(Secretariat of Council of Common Interests)

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No.2(183)/2018-CCI

Islamabad, the 4<sup>th</sup> June, 2018

Subject:- MINUTES AND DECISIONS OF THE 38<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).

A copy of the Minutes and Decisions of the 38<sup>th</sup> meeting of the Council of Common Interests (CCI), held on 27<sup>th</sup> May, 2018, in the Prime Minister's House, Islamabad is sent herewith for further necessary action in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010. Action to implement the aforesaid decision(s) may please be intimated to this secretariat accordingly

2. The enclosed certificate acknowledging receipt of the CCI's Minutes and Decision(s) may please be returned, duly completed and signed.



(Sakhi Muhammad)  
Deputy Secretary (CCI)  
Ph:051-9103551

1. The Secretary, Law and Justice Division, Islamabad.
2. The Chief Secretary, Punjab.
3. The Chief Secretary, Sindh.
4. The Chief Secretary, Khyber Pakhtunkhwa.
5. The Chief Secretary, Balochistan.

Copy for information to:-

1. The SPS to Secretary, IPC, Islamabad.
2. The PS to Additional Secretary, IPC Division, Islamabad.
3. The Section Officer (Progress), IPC Division, Islamabad.

Deputy Secretary (CCI)



PS to Chief Secretary  
Govt. of Khyber Pakhtunkhwa



GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(IPC DIVISION/SECRETARIAT OF THE COUNCIL OF COMMON INTERESTS)

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38<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI)

MINUTES AND DECISIONS OF THE MEETING

The 38<sup>th</sup> meeting of the Council of Common Interests (CCI) was held on 27<sup>th</sup> May, 2018 at 1700 hours in the Prime Minister's House, Islamabad under the chairmanship of Prime Minister of the Islamic Republic of Pakistan (hereinafter Chairman, CCI). The list of participants is annexed.

2. The meeting commenced with a recitation from the Noble Qur'an. The Chairman, CCI welcomed the participants. He said that today's meeting has been convened on the request of chief ministers of Sindh and Punjab to discuss the current water scenario, shortages in the respective shares of provinces, water reservoirs, etc., as well as to have clarity on some clauses of Water Apportionment Accord. The divergence in the interpretation of interconnection or cohesive consonance between clauses 2 and 14(b) and IRSA's 3-tier formula for water distribution need deliberations for conceptual clarifications. He emphasized upon the need to develop a national consensus on such critical issues and then asked the Secretary, CCI to formally take up the agenda of the meeting.

3. The Secretary, CCI introduced the two-point agenda and requested the members concerned to present their cases.

4. Discussion on the various agenda items along with minutes and decisions are given in the succeeding paragraphs:

Case No.CCI.1/4/2018 Dated 27.05.2018	Presentation by Indus River System Authority (IRSA) on Water Resources
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**DISCUSSION**

5. The Joint Secretary (Water), Ministry of Water Resources gave a comprehensive briefing to the Council on water resources, shortages and distribution issues. Briefly giving the history, he stated that after independence,

two committees were set up: the first was set up in 1968 and the other (Fazal-e-Akbar Committee) in 1970. The government also constituted Indus Waters Commission (also known as Anwar-ul-Haq Commission) in 1976 and Justice Haleem Commission in 1983 which determined "historic uses" during 1977-82. Accordingly, adopting the Haleem Commission's "historic uses" as a baseline and designating these as "Actual Average System Uses" during 1977-82, a historic Water Apportionment Accord was signed in March, 1991 which provided shares of the provinces in the distribution of Indus waters. In accordance with clause-3 of the Accord, IRSA was established through IRSA Act, 1992 for regulating and monitoring the distribution of water resources of Indus River in accordance with the Water Accord of 1991.

6. The Chief Minister Sindh expressed his concerns on the existing distribution of water resources of Indus Waters and termed it a gross violation of the Water Apportionment Accord, 1991. The Chief Minister referred to clauses 2, 4 & 14 of the Accord. He said that while the CCI had approved the Accord in its meeting held on 21<sup>st</sup> March, 1991, since then the province of Sindh had been getting less than its share of water from IRSA. He highlighted that the province of Punjab had expressed its view in subsequent CCI meeting held on 16<sup>th</sup> September, 1991 that as Water Accord was a comprehensive package and it would not be appropriate to take up any one clause, in isolation. The data provided in the form of 10-daily system-wise allocations by the provinces should not be taken into account in isolation without protecting the existing usages and deciding on future storages. During the critical periods of Rabi and early or late kharif, any increase in the existing level of uses would be possible only after additional storage capacity becomes available. Till then the existing sharing arrangements had to be continued during these deficit periods. The Chief Minister, Sindh further stated that without re-referring the matter to CCI, unfortunately IRSA has granted exemption to Balochistan and Khyber Pakhtunkhwa whereas no such exemption was provided in the Accord and hence it had been violating the Accord since 2003.

7. The Joint Secretary, Ministry of Water Resources referred to CCI decision dated 16<sup>th</sup> September, 1991 and mentioned that all provinces have unanimously approved the Water Accord and it was Punjab that had voiced sharing of water shortages. However, its view was refuted by Sindh. The JS (Water) further informed that actual average system uses for the period 1977-82 provide a guideline for developing the future regulation pattern and ten daily

uses system was adjustable as per availability of waters during Rabi and Kharif seasons. Para-14 of the Accord was not linked with para-2 of Accord.

8. The Chief Minister Sindh categorically objected to the distribution arrangements of IRSA and stated that it was decided to refer para 14 (a) & (b) of Water Accord 1991 to Law Division for its interpretation. Law and Justice Division vide letter dated 25-10-2000 opined as under:-

*"As per plain interpretation of Clause 14 of the Accord, the ten daily uses, having become part and parcel of the Accord, shall be adjusted pro-rata for sharing shortages. Any interpretation of sharing shortages on the basis of historic use shall be a violation of the concurrent Accord. Moreover under Clause 13 of the Accord, IRSA is responsible for implementation of Accord, similarly any dispute on the subject should have been referred to the CCI under the Constitution. Hence the formation of any other body or committee or taking any decision of interpretation on such report shall be a distortion of the Accord as well as violative of the Constitution. However, since the matter has not been referred to the appropriate body i.e. CCI by the aggrieved party, therefore, the existing arrangements as decided by the IRSA, may be allowed to continue till the constitution of, and decision by, the CCI."*

9. The Secretary to Prime Minister mentioned that the existing 3-tier formula adopted by IRSA for distribution of Indus Waters is not part of Water Accord. It was formed by IRSA in 2003 due to water shortages and continuing onwards.

10. Chairman, IRSA clarified that as per clause-3 of Accord, under execution projects of Khyber Pakhtunkhwa and Balochistan were provided their authorized quota of water as existing uses at that time. He further stated 3-tier formula was approved by IRSA in accordance with clause-8 of IRSA Act, 1992:-

### **3-TIER FORMULA (SINCE 2003)**

#### **Scenario I**

**Condition** water is less than 102.73 MAF  
**Distribute** as per Para 14 (b) of the WAA 1991

#### **Scenario II**

**Condition** water is more than 102.73 MAF, & less than 114.35 MAF  
**Distribute** up to 102.73 MAF, as per 14(b) of WAA; 102.73 to 114.35 MAF as per Para 2

#### **Scenario III**

**Condition** water is more than 114.35 MAF  
**Distribute** up to 102.73 MAF, as per 14(b) of WAA; 102.73 to 114.35 MAF as per Para 2 balance as per Para 4 of the WAA 1991



11. Member Sindh, IRSA stated that apportionment agreed to in Para-2 of Accord was the soul of the Accord. Member Punjab, IRSA stated that Punjab has always been sacrificing its share in support of smaller provinces. The Secretary Irrigation, Punjab stated that 3-tier formula adopted by IRSA does not violate the spirit of Water Accord.

12. Chief Minister Balochistan taking part in discussion stated that Balochistan was not getting due share of water and there are issues of water shortages in the provinces. He demanded that his province should be given its full share of water as per Water Accord.

13. After thorough discussion, the Chair asked the participants to suggest a way forward to resolve the issue. The Secretary to Prime Minister proposed to set up a Committee under Attorney General for Pakistan which may consult the record of proceedings that resulted in reaching Water Accord and submit recommendations to CCI.

#### DECISION

14. The Council of Common Interests decided to constitute a committee headed by Attorney General of Pakistan and comprising one representative from each province. The committee will look into the current issues of availability of water and its distribution in the country and present its recommendations for consideration of the Council of Common Interests. The committee shall also consult the record of proceedings that resulted in approving Water Accord, 1991.

Case No. CCI/2/4/2018  
Dated 27.05.2018

Final Results of 6<sup>th</sup> Population and Housing  
Census – 2017 and 5% Validation Exercise

#### DISCUSSION

15. The Chairman, CCI while considering the proposal of Ministry of Statistics regarding approval / release of the final results of Census-2017 mentioned that since the government has already made the 24<sup>th</sup> Constitutional Amendment for using provisional Census-2017 results for the forthcoming election 2018 and the subsequent by-elections, hence releasing of final results at this stage may affect the delimitation exercise being carried out by the Election Commission of Pakistan. The proposal of approval / release of final results of

Census-2017 may be deferred for the time being and may be placed before the incoming government.

## DECISION

16. Regarding conduct of 5% census / validation exercise, the Chairman, CCI appreciated the viewpoint of Statistics Division in terms of legal, practical and financial limitations as explained by the Statistics Division and agreed that holding of 5% validation exercise at this belated stage is not workable / practical. However, since the matter was referred to Council of Common Interests by the Parliament, therefore, Prime Minister suggested that issue of 5% Validation Exercise may be referred back to Parliament for appropriate debate / decision.

17. The meeting ended with a vote of thanks to and from the chair.

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SECRET

**LIST OF PARTICIPANTS****38<sup>TH</sup> CCI MEETING HELD ON 27<sup>TH</sup> MAY, 2018 AT 1700 HOURS****Chairman**

1. Mr. Shahid Khaqan Abbasi, the Honourable Prime Minister of Pakistan / Chairman CCI

**Federation:**

1. Mian Riaz Husain Pirzada, Minister for Inter Provincial Coordination

**Provinces:**

1. Syed Murad Ali Shah, Chief Minister Sindh
2. Mr. Abdul Quddus Bizenjo, Chief Minister Balochistan

\* \* \* \* \*

**Federal Ministers / Secretaries (By Special Invitation)**

1. Dr. Miftah Ismail, Federal Minister for Finance Revenue and Economic Affairs
2. Mr. Ashtar Ausaf Ali, Attorney General For Pakistan
3. Mr. Shaista Sohail, Special Secretary, Cabinet Division
4. Mr. Arif Ahmed Khan, Secretary, Finance Division
5. Mr. Karamat Hussain Niazi, Secretary, Law & Justice Division
6. Capt. (Retd.) Zahid Saeed, Chief Secretary Punjab
7. Mr. Aurangzeb Haque, Chief Secretary Balochistan
8. Ms. Rukhsana Yasmin, Secretary, Statistics Division
9. Syed Tariq Mahmud Jaffery, Sr. Joint Secretary, Planning, Development and Reform
10. Mr. Nasir Jamal, Senior Joint Secretary, Ministry of Statistics
11. Syed Mehar Ali Shah, Joint Secretary (Water), Ministry of Water Resources
12. Mr. Sher Zaman Khan, Chairman, IRSA
13. Eng. Raqeeb Khan, Member KP
14. Syed Mazher Ali Shah, Member Sindh
15. Rao Irshad Ali Khan, Member Punjab
16. Mr. Alamgir Khan, Acting Member Federal.
17. Mr. Muhammad Khalid Rana, Director Operations.
18. Mr. Habibullah Khan, Member (Census & Surveys), PBS
19. Dr. Sajjad Akhtar, Member (Economic & Statistics)/Chief Statistician, PBS.
20. Mr. Muhammad Sarwar Gondal, Member (RM/SS), PBS.
21. Dr. Nancy Stiegler, Census, Operation and Training Advisor UNFPA.

**Chief Secretaries accompanying the Chief Ministers**

1. Capt. (Retd.) Zahid Saeed, Chief Secretary Punjab
2. Mr. Aurangzeb Haque, Chief Secretary Balochistan

**Ministry of IPC/CCI's Staff (Conducting the CCI Meeting)**

1. Syed Abu Ahmed Akif, Secretary, IPC
2. Mr. Arif Ibrahim, Sr. Joint Secretary (IPC / CCI)
3. Mr. Sakhi Muhammad, Deputy Secretary (CCI)
4. Dr. Muhammad Fayyaz Sheikh, Section Officer (CCI)
5. Hafiz Khizar Malik, Section Officer (IPC)
6. Mr. Muhammad Irfan Khan, Section Officer (Progress)
7. Mr. Naveed Hussain, APS
8. S. Nasir Ali, APS
9. Syed Mudassar Hussain Shah, APS
10. Mr. Ahmeduddin Soomro, Assistant.
11. Mr. Atiq Ahmad, Assistant
12. Mr. Muhammad Khurshid, Cabinet Attendant
13. Mr. Muhammad Khalid, Naib Qasid
14. Mr. Zafar Aftab, Naib Qasid
15. Mr. Wahid Khan, Naib Qasid
16. Mr. Qadcer Ahmed, Driver



**Immediate**  
**By Special Messenger / By TCS / By Fax**  
**Secret**

**GOVERNMENT OF PAKISTAN**  
**MINISTRY OF INTER PROVINCIAL COORDINATION**  
**(Secretariat of Council of Common Interests)**



No.2(189)/2018-CCI

Islamabad, the 3<sup>rd</sup> October, 2018

Subject:- **MINUTES AND DECISIONS OF THE 39<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).**

A copy of the Minutes and Decisions of the 39<sup>th</sup> meeting of the Council of Common Interests (CCI), held on 24<sup>th</sup> September, 2018, in the Prime Minister's Office, Islamabad is sent herewith **for further necessary action** in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010. Action to implement the aforesaid decision(s) may please be intimated to this secretariat accordingly.

2. The enclosed certificate acknowledging receipt of the CCI's Minutes and Decision(s) may please be returned, duly completed and signed.

Sec IC  
Chief Secretary  
Govt. of Khyber Pakhtunkhwa

(Arif Ibrahim)  
Sr. Joint Secretary (CCI)  
Ph:051-9103518

1. The Secretary, Law and Justice Division, Islamabad.
2. The Chief Secretary, Punjab.
3. The Chief Secretary, Sindh.
4. The Chief Secretary, Khyber Pakhtunkhwa.
5. The Chief Secretary, Balochistan.

**Copy for information to:-**

1. The SPS to Secretary, IPC, Islamabad.
2. The PS to Additional Secretary(IPC), IPC Division, Islamabad.
3. The Section Officer (Progress), IPC Division, Islamabad.

Sr. Joint Secretary (CCI)

Secretary

Inter Provincial Coordination Department

Diary No 2051 Date 9/10/2018

**SECRET**

**GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(IPC DIVISION / SECRETARIAT OF THE COUNCIL OF COMMON  
INTERESTS)**

\*\*\*\*\*

**39<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS  
MINUTES AND DECISIONS OF THE MEETING**

39<sup>th</sup> meeting of the Council of Common Interests (CCI) was held on 24.09.2018 at 11:30 a.m. in the Cabinet room of the Prime Minister's Office, Islamabad under the chairmanship of Prime Minister of Islamic Republic of Pakistan. List of participants is annexed.

2. The meeting commenced with recitation from Holy Quran. Discussion held on agenda items, minutes and decisions made in the meeting are given in the succeeding paragraphs.

**AGENDA ITEM No. 1:**

<b>Case No.CCI.1/5/2018 Dated 24.09.2018</b>	<b>Status review of decisions made in previous CCI meetings</b>
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**1 (i) Matters pertaining to Higher Education in Post-Eighteenth  
Amendment Scenario**

**DISCUSSION**

3. The Secretary Ministry of IPC / CCI presented gist of the summary for CCI moved by the Government of Sindh on 12.02.2015 requesting for amendment in Higher Education Commission's Ordinance 2002 for devolution of functions of Federal HEC. It was informed that in pursuance of the decisions of 35<sup>th</sup> CCI meeting, M/o Federal Education & Professional Training had convened a meeting of the Committee

(constituted to finalize the recommendations on the subject) on 18.07.2018, wherein, it was observed that:

- Functions of the monitoring, evaluation and accreditation of institutions along with setting of testing bodies is an exclusive domain of Higher Education Commission of provinces,
- Regarding enhancement of representations of provinces in the federal HEC, the provincial governments requested for nomination of two members by the Chief Minister of the respective provinces instead of one member as decided in CCI.

4. In the meeting of 18.07.2018, it was decided that Provincial Governments may send their observations on the issue to Ministry of IPC / CCI Secretariat for consideration in the next meeting of CCI. However, no observation was received from any province till convening current meeting of the CCI.

5. The Minister for IPC informed the house that matter is also sub-judice. She accordingly sought input of the Federal Minister for Law & Justice. The Minister for Law & Justice stated that in context of entry No. 3 in the F.L.L (Part-I) and entry No. 12 in the F.L.L (Part-II), matter needs to be reconsidered for appropriate recommendations.

6. The Chairman, HEC stated that there is an acute crisis of quality education and improving the standards of higher education to cope with the future challenging demands is need of the hour. Provinces have full representation in the Federal HEC. It may not be considered as a body purely working for the Federal Government rather it is a National Commission. Chairman, HEC also informed that HEC is an autonomous institution and collaborative approach should be followed to run the affairs of HEC. Chairman, HEC also stressed upon the need to handle the challenge of quality in teaching and research.

7. Mentioning the prevailing circumstances of higher education in the Balochistan province, the Chief Minister Balochistan underlined the



need to review organizational structure of HEC aiming to strengthen the Commission and stressed upon devising a 5-10 years plan for capacity building of the provinces.

8. The Prime Minister emphasized the need for utilization of services of education experts in the field of higher education, better coordination between Federal and Provincial Governments so as to ensure improvement in the higher education standard and implement a uniform education system across the country.

#### **DECISION**

9. **The CCI unanimously directed the Chairman HEC to meet all the Chief Ministers to discuss the issues in a holistic manner in order to find out solutions and identify steps to raise the standards of higher education. The recommendations would be placed by Chairman HEC before CCI for consideration. The exercise shall be completed within a period of one month.**

#### **1 (ii) Allocation of 1200 Cusecs (650.5 MGD) Additional Water for Karachi City (K-IV Project)**

#### **DISCUSSION**

10. The Secretary Ministry of IPC / CCI informed that the Government of Sindh vide their Summary for CCI dated 16-02-2017 requested CCI for allocation of 1200 cusecs (650.5 MGD - 31.12.2032) additional water for domestic use of Karachi city from the common pool as Karachi is the 7<sup>th</sup> largest metropolis of the world with a population of 23 million which is increasing at a very high rate and facing acute water shortages. The CCI in its meeting held on 26-02-2018 considered the summary and decided that the issue would be taken up with detailed presentation on 'National Water Policy' by the M/o Water Resources.

11. The Secretary, M/o Water Resources informed that the matter had not been discussed during the meeting of the Cabinet when a presentation on National Water Policy was made; however, it will be placed on the agenda of ensuing meeting of the National Water Council for deliberations.

12. The Prime Minister/Chairman CCI assured that the Federal Government would take all the provinces on board for a consensus decision. He further desired that a comprehensive and transparent monitoring system should be enforced for better water distribution amongst the provinces. The system must also provide accurate and timely information to the provinces about flow of their share of water to help avoid mistrust between the provinces.

13. The Chief Minister Sindh pointed out that only one city viz Karachi is mentioned in the Water Accord 1991; therefore, additional allocation for Karachi was demanded due to scarce water supply to Karachi. He also highlighted the issue that misunderstanding between the Provinces is developed when Khyber Pakhtunkhwa and Balochistan provinces are assured by IRSA that despite short supply of water, their share will remain intact.

14. The Secretary, M/o Water Resources stated that the share of all provinces has been allocated under Water Apportionment Accord, 1991. For additional allocation to Karachi, the matter was taken up with IRSA in 2004 and 2015, however, IRSA has regretted to allocate additional water for Karachi city and recommended to refer the issue to CCI under Section 8(3) of the IRSA Act, 1992.

15. At this point, the Chief Minister Punjab informed the forum that the Punjab province is also facing water shortage.

16. The Chief Minister Balochistan mentioned that mismanagement and theft of water are also serious issues and stressed the need to optimize water usage by adopting modern irrigation techniques.

17. The Minister for IPC urged the need for supply of water for Karachi. The Finance Minister pointed out that there is an urgent need to find out innovative solutions and water desalination projects should be initiated in public private partnership mode.

18. In view of overall water shortages, the Prime Minister emphasized the need for prudent & efficient use of water by all the provinces as well as lining of canals. He also emphasized to find out short and long term solutions to handle the shortage of water by adopting international best practices.

#### **DECISION**

19. The CCI recognized the problems of water scarcity in Karachi city and decided to refer the request of Sindh Government to National Water Council (NWC) for consideration during its forthcoming meeting. The aim is to devise recommendations keeping in view the present water supply situation and identify anti water theft and conservation measures besides others to ensure the availability of 1200 Cusecs (650.50 MGD) additional water for Karachi. The exercise will be completed within three months. Options, discussed in the National Water Council, will be presented before the CCI

1 (iii) **Resolution of Energy Problems of Balochistan Province/ Enhancement of Absorption Capacity**

#### **DISCUSSION**

20. The Secretary, Ministry of IPC / CCI informed that the Balochistan Government moved a summary for CCI in March, 2017 and solicited



CCI's direction for enhancement of energy absorption capacity by construction, improvement and modernization of electric power related infrastructure and implementation of projects for cross-border import of power. The CCI in its meeting held on 26-02-2018 considered the summary and directed that Secretary to the Prime Minister would arrange a meeting of the Chief Minister of Balochistan with Power Division and P&D Division within a week to mitigate the energy problems of Balochistan. The said meeting has not been convened.

21. Responding to Off-Grid solutions to the electricity problems, the Chief Minister Balochistan informed the house that in addition to the projects in the pipeline, eleven gas projects are at various stages of completion. As regards transmission of gas, 65% area of Balochistan is not connected to the national system. He informed that Chaghi has the biggest solar and wind corridor in the country for power generation. But this can't be utilized till installation of the Off-take facilities and connectivity with the national grid. He suggested for according top priority to the projects for the purpose in Balochistan through Federal PSDP. This also assumes importance in the context of CPEC, he further emphasized.

22. The Minister for Power indicated that he intends visiting Balochistan in near future to discuss these issues to find out solutions of connectivity to the national grid.

#### **DECISION**

**23. Secretary to Prime Minister would arrange a meeting between Chief Minister, Balochistan and his team and Minister for Energy and PD&R Division to resolve the issues faced by Government of Balochistan within 10-days. Report will be submitted to CCI.**

**1 (iv) Short Supplies of Water in Pat Feeder and Khirther Canals**

**DISCUSSION**

24. The Secretary, Ministry of IPC / CCI informed that Balochistan Government moved a Summary for CCI in May, 2017 stating that Balochistan has no Parent Canal and Barrage System, therefore, the Province depends on Parent Canals and Barrages of Sindh. But there are short releases from Sindh to Balochistan. It was further informed that CCI, in its meeting held on 26-02-2018, had decided that Chief Minister Sindh and Chief Minister Balochistan will hold a meeting at the earliest to resolve the issue. M/o Water Resources have informed that the subject matter pertains to the two provinces of Balochistan and Sindh and there is no information regarding the meeting between the Chief Ministers of Sindh and Balochistan as per decision of the CCI.

**DECISION**

**25. The CCI decided that Chief Minister, Sindh and Chief Minister, Balochistan to resolve the issue amicably through mutual consultation. The issue has to be resolved in the context of ensuring implementation on ground of the IRSA accord to remove mistrust between the provinces.**

**1 (v) Implementation of Kazi Committee Methodology (KCM) for Calculation of Net Hydel Profit**

**DISCUSSION**

26. The Secretary, Ministry of IPC / CCI informed that the Government of Khyber Pakhtunkhwa moved Summary for CCI dated 16<sup>th</sup> November, 2017 informing that Net Hydel Profit being paid to the province was much less than their due share and requested that the NHP should be determined on the basis of AGN Kazi formula.

27. The CCI, in its meeting held on 24-04-2018 appreciated the contention of KPK Government and constituted a committee to deliberate upon the issue of determination of rates / Net Hydel Profit and submit report/ recommendation in the next meeting of the CCI for decision. The composition of the committee included Deputy Chairman, Planning Commission, Secretary Water Resources Division, Secretary, IPC Division and Chief Secretaries of Khyber Pakhtunkhwa and Punjab and members to be co-opted by the Chairman.

28. The Secretary, M/o Water Resources informed that in pursuance of the decision of 37<sup>th</sup> meeting of CCI, the Committee has not yet been notified for want of appointment of Deputy Chairman, Planning Commission.

29. The Chief Secretary, Khyber Pakhtunkhwa informed the house that the issue was lingering on since 1985, despite clear decision a number of times by the CCI. He stressed that the Committee constituted by CCI may be given timeline to decide this longstanding issue. Report of the Committee may be submitted to next meeting of CCI.

30. The Minister for Power asked to include Secretary, Power Division in the Committee as the issue has substantial tariff related implications. The Secretary to the Prime Minister suggested notifying the Committee as soon as possible in the light of earlier decision of CCI.

31. The Finance Minister also stressed upon the need for implementation of the decisions already taken in this regard. He informed that while taking the agenda of electricity tariff increase, the issue of Net Hydel Profits will be discussed in the forthcoming meeting of ECC.

#### **DECISION**

**32. The CCI decided that the Committee constituted by CCI in its meeting held on 24-04-2018 may include Secretary,**



Power Division and Advisor to CM KP on Energy as Member and notification be issued by Planning and Development Division immediately. The Committee will hold its meeting soon after the appointment of Deputy Chairman, Planning Commission and shall give its recommendations in one month's time to be placed before the CCI. Project PC-I of the CRBC Project shall be submitted for consideration of ECNEC in its next meeting.

**Agenda No. 2:**

<b>Case No.CCI.2/5/2018 Dated 24.09.2018</b>	<b>Devolution of Employees' Old-Age Benefits Institution and Workers Welfare Fund to the Provinces</b>
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**DISCUSSION**

33. The Secretary, Ministry of Overseas Pakistanis and Human Resource Development (OP&HRD) gave a comprehensive presentation to the Council on devolution of Employees Old-Age Benefits Institution (EOBI) and Workers Welfare Fund (WWF) to the provinces.

34. The Secretary OP&HRD stated that after 18<sup>th</sup> Constitutional Amendment legislation on labour laws was devolved to the provinces. Employees' Old-Age Benefits Institution (EOBI) and Workers' Welfare Fund (WWF) were kept with the Federal Government. The decision was challenged by the Punjab in Supreme Court and the matter is pending for adjudication. Sindh Government has enacted its own laws dealing with EOBI and WWF in 2014. As such EOBI Act, 1976 and WWF Ordinance, 1971 have been repealed up to the extent of Sindh province. The Workers and Employers representative's bodies have challenged the promulgation of these enactments. They want EOBI and WWF to stay at Federal level. Meanwhile in 2016, Balochistan and KP Assemblies have also passed resolutions demanding retention of EOBI and WWF at federal level.

35. The matter of post devolution issues relating to EOBI and WWF was placed before the CCI in its meeting held on 24.11.2017. The CCI

constituted a committee under the convenor-ship of Minister for OP&HRD to deliberate the issue and give recommendations.

36. The committee could not give concrete mechanism on devolution issues. However, the committee proposed that the management of WWF should rest with Federation with more powers vested in the provinces and EOBI should not be devolved due to the vast membership of Trans Provincial Employers and Employees in EOBI. The real grievance of the provinces relates to WWF, which has triggered the demand of devolution by Punjab and Sindh. The two provinces complain about non-release of workers' funds to provinces by Finance Division and also feel that they contribute more but get less in return.

37. CCI was also apprised that the Const. Petition No. 39/2012 filed by the Govt. of Punjab is pending in the Supreme Court of Pakistan. Supreme Court observed on 24.04.2018 in case titled HRC No. 19731-P-2014 etc. including the said petition that "it would be appropriate to give an opportunity to the Governments to resolve these issue regarding devolution before we step into the breach". CCI was also apprised that there is a pressing need to take a quick decision on EOBI as there is a legal void to increase the rate of pension contribution to make the EOBI fund sustainable. As per last actuarial report, the EOB Fund would start depleting in the year 2021 and would exhaust in 2029.

38. Since the earlier committee constituted by CCI did not give a way forward, the Secretary, OP&HRD proposed that to examine the post devolution issues in the backdrop of recent observations of the Supreme Court of Pakistan and develop a consensus between the stakeholders on a way forward relating to the future of WWF and EOBI. He proposed a committee to be headed by the Minister for IPC and also proposed the TORs.

## DECISION

39. The CCI considered the Summary for CCI dated 19.09.2018 submitted by Ministry of Overseas Pakistanis and Human Resource Development on the "Devolution of Employees' Old-Age Benefits Institution and Workers Welfare Fund to the Provinces" and decided to set-up a committee with ToRs as per following:

(i)	Minister for IPC Division	<b>Convener</b>
(ii)	Special Assistant to the Prime Minister on OP&HRD	Member
(iii)	Secretary, Law and Justice Division	Member
(iv)	Secretary, Finance Division	Member
(v)	Provincial Labour Ministers	Member
(vi)	Provincial Labour Secretaries	Member
(vii)	Chairman, EOBI	Member
(viii)	Secretary, WWF	Member
(ix)	Workers and Employers representatives at national level (one from each side)	Member
(x)	Secretary, Ministry of OP&HRD	Member/ Secretary

Committee may co-opt a legal expert / firm on need basis

### TORs:

- I. To re-examine the post-devolution issues relating to Employees' Old-Age Benefits Institution (EOBI) and Workers Welfare Fund (WWF) obtaining afresh the view points of the relevant stakeholder i.e. provincial governments, workers' and employers' representatives.
- II. To determine the Authority to decide on the post-devolution issues relating to Employees' Old-Age Benefits Institution (EOBI) and Workers Welfare Fund (WWF) in the light of



Supreme Court of Pakistan's observations at para 8 of its short order dated 24-04-2018 in HRC No.19731-P/2014 in CP No.35/2013 and CP No.39/2012 dated 24-04-2018 and at para 23(4) of the Judgment dated 28-03-2018 in Civil Appeals No. 1583-1598 etc. (NIRC Case).

- III. To develop consensus among the provinces on the annual distribution of WWF Fund.
- IV. In the eventuality that no consensus emerges among the stakeholders with regards to EOBI, to propose a mechanism to bridge the legal void in the short term in order to ensure the sustainability of the EOBI Fund.
- V. Propose a framework for resolution of the following issues in the eventuality of devolution of EOBI and WWF to the provinces;
  - a) Protection of the rights of the Trans Provincial Pensioners
  - b) Contribution by Trans Provincial Employers
  - c) Protection of the rights of Trans Provincial Migrating Workers
  - d) Mechanism during the transition phase of devolution

**Agenda No. 3:**

<b>Case No.CCI.3/5/2018 Dated 24.09.2018</b>	<b>Amendment in Petroleum (Exploration and Production) Policy 2012</b>
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**DISCUSSION**

40. The Additional Secretary (In-charge), Ministry of Energy (Petroleum Division) informed that the Government of Sindh, Pakistan Petroleum Exploration and Production Companies Association (PPEPCA) as well as E&P Companies have suggested few more amendments in the Policy as discussed hereunder:

- (i) As per present arrangement, Government Holding Private Limited (GHPL) and respective Provincial Holding Companies (PHCs) shall

be given option to have a working interest of 5% on full participation basis i.e., 2-1/2% each of GHPL and Provincial Government Holding Company where the block will be located. It is proposed to amend this arrangement to allow carried working interest of 5% i.e. 2.5% each of GHPL and PHCL during exploration phase and the expenditure incurred will be reimbursed by the GHPL and PHC in instalments from the proceeds of Commercial production over a 5 years' period starting from effective date of Declaration of Commerciality.

- (ii) At per present arrangement, the party, to whom exploration block is awarded as strategic partner through G2G arrangement, would remain the majority shareholder of such block(s). The block awarded to the strategic partner can only be farmed out to Public Sector Companies of the same country acceptable to the GOP or Pakistani Public Sector E&P companies including GHPL. It is proposed that to allow such farm out to reputable private sector companies having substantial government shareholding.
- (iii) Paragraph 4 of the 2012 Policy deals with economic package for onshore areas on the basis of risk and investment requirements as per following delineation:

Zone I	West Balochistan, Pishin and Potowar Basins
Zone II	Kirthar, East Balochistan, Punjab platform and Suleman Basins
Zone III	Lower Indus basin

The limited/unexplored area i.e. Kharan, Pishin and FATA in Zone-I is expected to have  $\pm$  21 TCF hydrocarbon potential wherein to-date only three wells have been drilled. Frontier area needs higher price and additional incentive due to exceptionally higher investment and therefore a new Zone-1(F) may be defined for the purpose. Petroleum Division agrees to the proposal of defining a new Frontier Zone-1(F) i.e. Kharan, Pishin and FATA and suggest that producer gas price as applicable to Zone-0 Offshore Shallow may also be offered for the proposed new Zone.

- (iv) Officers of DGPC and Provincial Directors attend quarterly Technical/Operating committee meetings with joint venture partners. This requires detailed examination of technical, commercial and regulatory aspects of exploration and development programs and providing guidance/facilitation to the licensees/lessees. It is therefore proposed that the officers may

be compensated for this additional work by payment of meeting fee of US\$ 100 per meeting by the Operator.

41. The Minister for Petroleum emphasized the need for mutual consultations and in depth deliberations in order to move forward towards inclusive and collective decision making. The Amendments in the Petroleum Policy can be divided into two categories:

- 1) Enhancing domestic Oil & Gas production by actively involving the provinces – working interest of 2.5% (carry) which should be paid back only if the well is commercially viable.
- 2) Increasing the areas for Oil & Gas exploration and Production – creation of a new Frontier Zone with \$7 / MMBTU as well head price to producers as an incentive entailing Increase of \$0.40 over the current well head price

42. CCI was apprised about the need to propose policy changes in order to reduce dependence on imported hydrocarbon and develop our indigenous resources.

43. Finance Minister indicated that the Policy needs to be attractive enough to fetch investment by the private sector as presently the major exploration and production activities are being carried out by public sector companies viz OGDCL, PPL and GHPL. Recently, an up-surge has been noticed in the oil and gas sector potential of Khyber Pakhtunkhwa and substantial private sector investment is expected in Khyber Pakhtunkhwa. He also stated that the risk factor in Balochistan is higher as compared to Sindh.

44. The Chief Minister Balochistan said that the network for transmission of gas is not adequate in Balochistan, whereas, oil potential in Bolan and Sibbi (Block 28) is very attractive for investors.

45. The Secretary Petroleum, however, requested to approve the addition of new Zone as the advertisement has already been flashed in



the print media seeking competitive bidding for allocation of concession block.

46. The Finance Minister however, suggested to evaluate the Petroleum Policy after the bidding round scheduled for 12.10.2018.

#### **DECISIONS**

47. The CCI considered the Summary for CCI dated 10.09.2018 submitted by Ministry of Energy (Petroleum Division) and referred the Summary to Economic Coordination Committee. Representatives of Sindh, KP and Balochistan may be invited to the ECC meeting. The amendment proposed in Petroleum (E&P) Policy, 2012 at para 3(i) of the summary and creation of special zone proposed at para 3(iii) of the summary would be considered in the ECC. The remaining amendments proposed will be shared with the Provinces before its consideration by CCI, giving the Provinces sufficient time for preparation.

48. The Minister for Petroleum will also have meetings with the Chief Ministers of Sindh, Balochistan and KP in next one month to review the issues in the oil and gas sector faced by respective provinces. All issues related to post 18<sup>th</sup> amendment (Oil & Gas) will be brought to CCI after the above meetings. The task shall be completed within one month.

#### **Agenda No. 4:**

<b>Case No.CCI.4/5/2018 Dated 24.09.2018</b>	<b>Import of Liquefied Natural Gas (LNG)</b>
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#### **DISCUSSION**

49. The Additional Secretary (In-Charge), Ministry of Petroleum informed that the CCI in its 34<sup>th</sup> meeting held on 24.11.2017 advised the Provincial Governments to convey their concerns on the import of LNG/ LNG Policy 2011 to the Petroleum Division for submission of a

consolidate report to the CCI. It was also advised that Petroleum Division will respond to the concerns of the Provinces. The matter was further discussed in the 35<sup>th</sup> meeting of CCI held on 26.02.2018, wherein, the CCI reviewed the progress of the decision taken in last meeting and directed the Provinces to expedite their comments. It was also decided that if response of a Province is not received within 45 days, it will be deemed that the respective Province has no objection to the proposal. So far, only Government of Sindh has forwarded its comments, which along with the replies of Petroleum Division are attached with the summary. The matter is placed before CCI for its consideration and further directions.

50. The Minister for Law and Justice stated that as per Article 154 (1), the Council shall formulate and regulate polices in relation to matters in Part II of the Federal Legislative list and shall exercise supervision and control over related institutions. Mineral oil and natural gas at entry No.2 of FLL (Part-II) makes it a federal subject. Whereas, entry 27 pertaining to import and export across customs frontiers is the domain of the Federal Government. It was further discussed that in strict technical sense of the existing law, the LNG is a natural gas whether locally produced or imported. The argument that its well-head is situated outside the territorial boundaries of Pakistan is not tenable. The Law Minister did not agree to the opinion of Law Division given earlier and intended to review the opinion and desires to give fresh views.

51. The Minister for Petroleum assured that the concerns of Government of Sindh and KPK will be taken care of in our continuous discussions both at the technical and political levels. He also gave assurance to the provincial governments that Federal Government will abide by the constitutional provisions pertaining to Oil & Gas in letter and spirit especially Articles 154, 158 and 172.

## DECISION

52. The CCI considered the Summary for CCI dated 07.09.2018 submitted by Ministry of Energy (Petroleum Division) and decided that the LNG Policy along with observations of Government of Sindh may be placed before CCI in its next meeting.

### Agenda No. 5:

<b>Case No.CCI.5/5/2018 Dated 24.09.2018</b>	<b>Harmonization of Standards and Enforcement Mechanism between Pakistan Standards and Quality Control Authority (PSQCA) and Provincial Food Authorities</b>
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## DISCUSSION

53. The Secretary, Ministry of Science and Technology informed that Pakistan Standards and Quality Control Authority (PSQCA) is a National Standard Body (NSB) working under the administrative control of Ministry of Science and Technology (MoST). As per its Act VI of 1996, PSQCA is mandated to formulate Pakistan Standard (PS) and monitor the quality of products in accordance with the Pakistan Standards. There are certain mandatory and many non-mandatory standards formulated by PSQCA. Presently, PSQCA is regulating quality of 105 products including 40 food items by conducting regular inspections, testing and market surveillance.

54. After 18<sup>th</sup> amendments, provinces have established their own Food Authorities, such as Punjab Food Authority (PFA) in Punjab Province (2011), Sindh Food Authority (SFA) in Sindh Province (2017), KPK Food Authority (KFA) in Khyber Pakhtunkhwa Province (2014) and Balochistan Food Authority (BFA) in Balochistan Province (2017). Azad Jammu and Kashmir (AJK) and Gilgit-Baltistan (GB) also intend to establish their food authorities. These Authorities, as per provisions of



their Acts, have started formulation of Provincial Food Standards. The Standards formulated by Provincial Authorities conflict with international as well as National Standards developed by PSQCA. Recently, Punjab Food Authority (PFA) issued notices to all the food manufacturers such as Ghee, Oil, Bottled Drinking Water (BDW), Dairy manufacturers (Engro. Foods, Nestle Pakistan) etc. to get registered with PFA otherwise major penalties would be imposed. This has created problems in international and also Inter-Provincial Trade, as manufacturers have to get licences and Conformity Assessment from all the Provinces. Multiple standards have therefore created hindrance for the manufacturers.

55. Some Trade Associations and manufacturers such as Pakistan Banaspati Manufacturers Association (PVMA), Engro food Ltd, Haleeb Food, National Food Ltd, Fauji Food Ltd etc. have filed petitions in the different courts of law seeking uniform Standards and Conformity Assessment Mechanism across the country.

56. Under the WTO-Trade Barriers to Trade (TBT) Articles 2 & 3 of the "TBT Agreement" state about the Preparation, adoption and application of technical regulations and standards by central and local government bodies. The article 2 of the TBT agreement provides that:

*"Parties shall ensure that technical regulations and standards are not prepared, adopted or applied with a view to creating obstacles to international trade. Furthermore, products imported from the territory of any Party shall be accorded treatment no less favourable than that accorded to like products of national origin and to like products originating in any other country in relation to such technical regulations or standards. They shall likewise ensure that neither technical regulations nor standards themselves nor their application have the effect of creating unnecessary obstacles to international trade".*

57. Furthermore, the Article 151 of Constitution of Islamic Republic of Pakistan envisages that Trade and Commerce throughout Pakistan shall be free and no Provincial Government shall take any action restricting Inter-Provincial Trade. The spirit of this constitutional provision is obvious that **"the entire country would be a single market"** and Provincial Governments would not frame any law or take any action which may be prejudicial to the conduct of Inter-Provincial Trade.

58. The Secretary, MoST submitted following proposals for consideration of the CCI:

- (i) A single uniform standard may prevail throughout the country. To develop consensus while formulating Pakistan Standards, participation from the Provincial Food Authorities be ensured in the Technical Committees and National Standards Committees of PSQCA
- (ii) A committee may be constituted to resolve constitutional and legal ambiguities, review Provincial Food Authorities Acts and suggest mechanism for enforcement of applicable Technical Regulations.

59. It was discussed that the charging of licensing fee by the provinces and the federation is a kind of double taxing for the food manufacturers; therefore, option of sharing of license fee can be explored by the provinces and the federation. The domain of formulation of standards may be determined by the Federal PSQCA whereas implementation part be carried out by the provinces.

### **DECISION**

60. The CCI considered the Summary for CCI dated **18.09.2018** submitted by Ministry of Science and Technology and constituted a Committee comprising the following to resolve constitutional and legal ambiguities, review Provincial Food

**Authorities Acts and suggest mechanism for enforcement of applicable Technical Regulations within one month:**

(i)	Secretary, Ministry of Law and Justice	<b>Chairman</b>
(ii)	Secretary, Ministry of Science and Technology	Member
(iii)	Secretary, Ministry of National Food Security & Research	Member
(iv)	Secretary, Ministry of IPC	Member
(v)	Representative of Ministry of Industries and Production	Member
(vi)	Representative of Ministry of National Health Services, Regulation and Coordination	Member
(vii)	Representatives of all the Provincial Food Departments including Azad Jammu & Kashmir (AJ&K) and Gilgit-Baltistan (GB)	Member
(viii)	Representative of Board of Investment (BOI)	Member
(ix)	Representative of Pakistan Standards and Quality Control Authority (PSQCA)	Member
(x)	Representative of Pakistan Business Council (PBC)	Member

Terms of Reference (ToRs) of the committee are as follows:

- i. Devise an institutional mechanism for development of standards and harmonization of varying standards, presently enforced in the country.
- ii. Propose a clear delineation of roles and responsibilities amongst authorities relevant to standards in the Federal Government and the Provincial Governments, in respect of:
  - Formulation of standards;
  - Registration and licensing of manufacturers and trading houses; and



- Conformity assessment i.e. enforcement of standards.
- Revamping of PSQCA

**Agenda No. 6:**

<b>Case No.CCI.6/5/2018 Dated 24.09.2018</b>	<b>Establishment of Taskforce to Streamline the Regulatory Functions at the Implementation Level</b>
--	--

**DISCUSSION**

61. The Secretary, Ministry of Interior briefed that all regulatory authorities established under a Federal Law are included in Part-II (Sr. No. 6) of the Federal Legislative List. Presently, these regulatory authorities are functioning in terms of the laws under which they have been established and implementing their functions through their own rules and procedures.

62. It has been felt that there is an urgent need to streamline the regulatory functions at the implementation level to make the process more effective. It has also been observed that absence of an effective implementation mechanism is also impeding the enforcement of the writ of the Government at every level. Consequent upon abolition of executive magistracy, the enforcement of local and special laws has also adversely affected. It is, therefore, imperative to review the whole situation holistically in consultation with all relevant stakeholders to prepare a set of recommendations for consideration of the CCI and provinces for strengthening the implementation level. In this regard, the Secretary, Interior Division proposed to establish a Task Force comprising of the following:

- i. Mr. Shafqat Mehmood,  
Minister for Federal Education &  
Professional Training

**Chairman**

ii.	Dr. Farogh Naseem, Minister for Law and Justice	Member
iii.	Mr. Ejaz Qureshi, Retd. Federal Secretary	Member
iv.	Mr. Javed Malik, Retd. Federal Secretary	Member
v.	Secretary, Ministry of Interior	Member
vi.	Secretary, Ministry of Inter- Provincial Coordination (IPC)	Member
vii.	Chief Secretaries of Punjab, Sindh, KPK and Balochistan	Member
viii.	Chief Secretaries of AJK & GB	Member
ix.	Mr. Ali Tauqeer Sheikh, CEO, LEAD Pakistan	Member
x.	Chief Commissioner, ICT	Member
xi.	Any other individual / agency co- opted by the Chairman of the Task Force	

The Terms of References of the Task Force are proposed as under: -

- i. To study the existing regulatory regime, and its fragmentation at the implementation level;
- ii. To identify issues impeding the writ of the government at the implementation level;
- iii. To suggest measures to resolve the issue of fragmentation and re-establish the writ of the government at the implementation level by providing convergence of authority, inter-alia, in the following matters:
  - a. Preventing misuse of State property (movable and immovable)

- b. Preventing encroachments of state land and public parks / spaces
- c. Ensuring cleanliness and proper waste disposal mechanism
- d. Combating adulteration, hoarding etc.
- e. Tackling public nuisances
- f. Preserving environment, including air and water pollution
- g. Ensuring consumer protection
- h. Preventing pilferage of state assets
- i. Any other subject deemed appropriate by the Task Force

63. The Task Force so established may propose amendments in relevant laws or suggest the need for framing of an omnibus law to address the above issues, including rationalization of fines provided for in penal / special laws. The recommendations of the Task Force may be furnished within a period of thirty days from the date of notification.

64. The Minister for Law opined that as per Article 154 of the Constitution only federally established Regulatory Authorities fall in the domain of CCI.

#### **DECISION**

**65. The CCI considered the Summary for CCI dated 19.09.2018 submitted by Ministry of Interior and decided that the mandate of CCI is restricted only to the extent of Regulatory Authorities under the domain of the Federal Government.**

#### **Agenda No. 7:**

<b>Case No.CCI.7/5/2018 Dated 24.09.2018</b>	<b>Launching of the National Cleanliness Drive</b>
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#### **DISCUSSION**

66. The Secretary, Ministry of IPC informed that the Federal Cabinet in its meeting held on 24.08.2018 considered the summary of IPC

Division on the "Launch of a Major Cleanliness Drive in the Country" and decided to constitute a task force to prepare a holistic nationwide plan for launching and execution of cleanliness drive in consultation with provincial governments and all stakeholders.

67. Regarding Sanitation, the Secretary M/o IPC informed that 23 Million people (11%) of Pakistan population practise open defecation. Pakistan is the seventh amongst the countries which are worst in terms of access to basic sanitation, 42% population remains without access to basic sanitation, 79 million people lack sanitary toilet, while 37% have no system for wastewater disposal. Open drains and sewerage ponding is common scene in both rural and urban areas. Similarly, 8 large cities of Pakistan generate 22,000 t/day solid waste and only lift 40%. Air pollution in Pakistan causing more than 20,000 premature deaths. Socio-cultural issues include Behavioral Problems, Poverty, Low literacy and knowledge gap, weak governance, dilapidated institutional structure and capacity issues of municipalities, WASAs and PHED.

68. The Secretary, IPC presented the strategy of 'Clean Pakistan Movement' with its national movement, holistic approach, integrated & partnership based strategies, goals & Targets, branding etc.

69. The Secretary Ministry of IPC proposed that implementation strategy needs involvement of top level leadership, celebrities and religious scholars as cleanliness ambassadors, mass mobilization at Federal, Provincial, Local, Public and Private Sector Organizations etc.

70. While appreciating the presentation given by the Secretary M/o IPC, the Prime Minister observed that going towards a clean country is a mission that requires sustained efforts on long term basis to bring about a behavioural change in the masses. He stated that awareness at national level through social media will play a vital role for this mission.



## **DECISION**

**71. The CCI considered the Summary for CCI dated 19<sup>th</sup> September, 2018 submitted by the Ministry of IPC and directed to chalk out phase wise monthly program encompassing initial thrust, mid-term plan and sustainable continuing activity to keep Pakistan clean and beautiful. It was advised to launch 'Clean Pakistan Movement' across the country on 14.10.2018.**

**\*\*\*\*\***

**LIST OF PARTICIPANTS FOR 39<sup>th</sup> CCI MEETING  
HELD ON 24<sup>TH</sup> SEPTEMBER, 2018 (1130 HOURS)**

**A). CONSTITUTIONAL MEMBERS:**

**Federation:**

1. Mr. Asad Umer, Federal Minister for Finance Revenue and Economic Affairs
2. Dr. Fehmida Mirza, Federal Minister for Inter-Provincial Coordination
3. Mr. Abdul Razak Dawood, Adviser to the Prime Minister on Industries and Production

**Provinces:**

4. Sardar Usman Ahmed Khan Buzdar, Chief Minister Punjab
5. Syed Murad Ali Shah, Chief Minister Sindh
6. Mr. Mehmood Khan, Chief Minister Khyber Pakhtunkhwa
7. Mr. Jam Kamal Khan, Chief Minister Balochistan

**Federal Minister/Secretaries (By Special Invitation) for All Items:**

8. Dr. Muhammad Farogh Naseem, Minister for Law and Justice
9. Mr. Fazal Abbas Maken, Secretary, Cabinet Division
10. Mr. Arif Ahmed Khan, Secretary, Finance Division
11. Justice (R) Abdul Shakoor Paracha, Secretary, Law & Justice Division
12. Mr. Zafar Hasan, Secretary, Planning, Development and Reform

**Chief Secretaries to assist the Chief Ministers**

13. Mr. Akbar Hussain Durrani, Chief Secretary Punjab
14. Major (R) Azam Suleman Khan, Chief Secretary Sindh
15. Mr. Naveed Kamran Baloch, Chief Secretary Khyber Pakhtunkhwa
16. Mr. Akhtar Nazir, Chief Secretary Balochistan

**B). PARTICIPANTS OF AGENDA ITEMS: By Special Invitation**

1. Mr. Ghulam Sarwar Khan, Minister for Petroleum
2. Mr. Omar Ayub Khan, Minister for Power
3. Mr. Shehryar Afridi, Minister of State for Interior
4. Sayed Zulfiqar Abbas Bukhari, SAPM on Overseas Pakistanis & HRD
5. Mr. Arshad Mirza, Secretary, Federal Education & Prof. Training
6. Mrs. Yasmin Masood, Secretary, Ministry of Science & Technology
7. Mr. Yousaf Naseem Khokhar, Secretary, Ministry of Interior
8. Mr. Shamail Ahmad Khawaja, Secretary, Ministry of Water Resources
9. Mr. Irfan Ali, Secretary, Power Division
10. Mr. Muhammad Asif, Secretary, M/o Overseas Pakistanis and HRD
11. Mian Asad Hayauddin, Addl. Secretary (Incharge), Petroleum Division
12. Mr. Zafar Hasan, Secretary, Planning, Development and Reform

13. Mr. Tariq Banuri, Chairman, HEC

**C). MINISTRY OF IPC/CCI'S STAFF CONDUCTING THE CCI MEETING**

1. Mr. Jamil Ahmad, Secretary, IPC
2. Mr. Teepu Mahabat Khan, Additional Secretary, IPC / CCI
3. Mr. Arif Ibrahim, Sr. Joint Secretary (IPC / CCI)
4. Mr. Nisar Ahmed, Deputy Secretary (CCI)
5. Dr. Muhammad Fayyaz Sheikh, Section Officer (CCI)
6. Mr. Muhammad Umar, Staff Officer to Secretary, IPC
7. Mr. Naveed Hussain, APS
8. S. Nasir Ali, APS
9. Syed Mudassar Hussain Shah, APS
10. Mr. Ahmeduddin Soomro, Assistant.
11. Mr. Atiq Ahmad, Assistant
12. Mr. Muhammad Khurshid, Cabinet Attendant
13. Mr. Muhammad Khalid, Naib Qasid
14. Mr. Zafar Aftab, Naib Qasid

**ADDITIONAL LIST OF PARTICIPANTS FOR 39<sup>th</sup> CCI MEETING  
SCHEDULED TO BE HELD ON 24<sup>TH</sup> SEPTEMBER, 2018 (1130  
HOURS)**

**Ministry of Science and Technology**

1. Maj. (R) Dr. Malik Qaiser Majeed, Additional Secretary
2. Mr. Abdul Aleem Memon, Director General, PSQCA

**Ministry of Energy (Petroleum Division)**

1. Mr. Qazi M. Salim Siddiqui, Director General (PC)
2. Mr. Shahid Yousaf, Director General (Gas)
3. Mr. Imran Ahmad, Acting Director General (LG)
4. Mr. Hassan Mahmood, Sr. Petroleum Economist (Along with Laptop)

**Ministry of Energy (Power Division)**

1. Mr. M. Zargham Eshaq Khan, Joint Secretary

**Ministry of Water Resources**

1. Syed Muhammad Mehar Ali Shah, Joint Secretary (Water).

**Government of Khyber Pakhtunkhwa**

1. Mr. Muhammad Salim, Secretary, Irrigation and E&P Department
  2. Mr. Shakeel Qadir Khan, Secretary, Finance Department
  3. Mr. Adil Siddiq, Secretary, IPC Department
  4. Syed Zainullah Shah, Chief Planning Officer, Energy & Power Department
  5. Mr. Raziuddin, Chief Executive Officer, KPOGCL
-



4363 (2018)  
27-11-2018

Immediate  
By Special Messenger / By TCS / By Fax  
Secret

GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(Secretariat of Council of Common Interests)


No.2 (205)/2018-CCI

Islamabad, the 23rd November, 2018

Subject:- MINUTES AND DECISIONS OF THE 40<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).

A copy of the Minutes and Decisions of the 40<sup>th</sup> meeting of the Council of Common Interests (CCI), held on 19<sup>th</sup> November, 2018, in the Prime Minister's Office, Islamabad is sent herewith for further necessary action in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010.

2. The enclosed certificate acknowledging receipt of the CCI's Minutes and Decision(s) may please be returned, duly completed and signed as prescribed under Rule 11(2-a) of ibid Rules.

  
(Nisar Ahmed)  
Deputy Secretary (CCI)  
Ph: 051-9103551

1. The Secretary, Law and Justice Division, Islamabad.  
2. The Chief Secretary, Punjab.  
3. The Chief Secretary, Sindh.  
4. The Chief Secretary, Khyber Pakhtunkhwa.  
5. The Chief Secretary, Balochistan.

Copy for information to:-

1. The SPS to Secretary, IPC, Islamabad.  
2. The PS to Additional Secretary (IPC), IPC Division, Islamabad.  
3. The Section Officer (Progress), IPC Division, Islamabad.

  
Deputy Secretary (CCI)

Secretary

Inter Provincial Coordination Department

Diary No. 2503 Date 27-11-18

GOVERNMENT OF PAKISTAN  
MINISTRY OF INTERPROVINCIAL COORDINATION  
(IPC DIVISION/SECRETARIAT OF THE COUNCIL OF COMMON INTERESTS)

DRAFT MINUTES AND DECISIONS  
40<sup>th</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS

In compliance of Supreme Court Order dated 30<sup>th</sup> October, 2018 in suo moto Case No. 17599 of 2018 the 40<sup>th</sup> meeting of the Council of Common Interests (CCI) was held on 19<sup>th</sup> November, 2018 at 12:00 hours in the Prime Minister's Office, Islamabad under the chairmanship of Honourable Prime Minister of Islamic Republic of Pakistan. List of participants is at Annex-I.

2. The meeting commenced with recitation from Holy Quran. The Prime Minister welcomed the members and participants. He asked the Secretary, IPC to take up the agenda of the meeting. Details of discussions held on the agenda items and decisions unanimously made in the meeting are enumerated as follows:

AGENDA ITEM No. 1:

Case No. CCI. 1/6/2018 Dated 19.11.2018	Consideration of and decision on the Recommendations of the Taskforce in Human Rights (Case No.17599 of 2018) - in the Matter Regarding Alarming High Population Growth Rate in the Country
--	---

**DISCUSSION**

3. Secretary Ministry of National Health Services, Regulation and Coordination (M/o NHR&C) made a Presentation on the alarmingly high population growth rate in the country and informed that Supreme Court of Pakistan took suo moto notice of the matter and vide orders dated 3<sup>rd</sup> July 2018 constituted a Task Force under Capt @ Zahid Saeed, Secretary, Ministry of National Health Services, Regulations and Coordination (Annex-II) prescribing the Terms of Reference (Annex-III) to make recommendations for curbing the alarming population growth in the country. The Recommendations were considered by the Supreme Court on 30<sup>th</sup> October, 2018 and ordered the Federal Government to immediately (within ten days) convene a meeting of the Council of Common Interests (CCI) for consideration of and decision on the recommendations of the Task Force.

Secretary, M/o NHR&C presented the Recommendations of the Task Force before the Forum (Annex-IV) and solicited approval of CCI.

4. The Honourable Chair opened the discussion by remarking that population control is not just a socio-economic issue but it is question of our survival and security.

He desired that political governments should have taken up this matter much earlier for national consensus based strategy & practicable implementation plan for population control. Chief Minister Balochistan appreciated the Presentation but wondered that a very aggressive population control program with an effective education & awareness campaign was launched in 1960's but it did not produce the desired results. He also enquired about the financial resources incurred on that program. Referring to some of the national policies as counter-productive to population control, CM Balochistan mentioned that size of population is given weightage in deciding NFC Award, allocation of budget to various administrative units in the country and Quota System for jobs which provides a distorted incentive for further increasing population. Clarifying the subsidies granted to the earlier programs, the Chair informed that the population control program took off well in 1960's but the dynamics and narratives of Afghan War countered the program, slowing down its impetus and reversed the gains.

5. Federal Minister for IPC said that population is not just a problem rather its mother of all ills in our country. It aggravates the challenges of national security, food security, water security, housing issues and overall civil order. She highlighted the need for National Policy for Population, duly backed by necessary legislation and aggressive implementation mechanisms. She lamented that population control is a very low priority in the provinces which is evident from the fact that it is one of the 22 functions assigned to the LHVs. She further said that success of population control program depends upon all inclusive, integrated and cohesive approach, education & awareness through building a strong narrative & media campaign and meaningful implementation plans. She was not convinced about the authenticity of the national population statistics. It was informed by her that there are four million unwanted pregnancies and estimated 2.2 million abortions per annum which needs to be curbed. She proposed capping the population growth, linking the social safety nets as incentives for population control and reiterated the need for counselling about family planning.

6. Finance Minister pointed out that population control methodologies are mostly perceived as a demand side issue. In fact the issue mostly pertains to supply side which is evident from reportedly more than four million annual unwanted pregnancies. He agreed with the proposal for incentivising the Pharmaceutical Companies engaged in production of contraceptives but, disagreed with the proposed Centralized Procurement which may lead to many financial & administrative problems as well as issues of supply demand matching. He agreed with the suggestion for targeting health & education as catalysts and resorting to the arrangement of multilateral funding arrangements for population control programs. Subsequent to 18<sup>th</sup> Constitutional Amendment, Population control is a provincial subject and should be treated in its true constitutional spirit, the Finance Minister added. Referring to proposed funding by the Federal Government, the Finance Minister asked provinces for




recommending appropriate tax proposals to generate additional revenues for the purpose.

7. Further deliberating on the views expressed by the Finance Minister, Secretary Cabinet added that contraceptive prevalence is both supply & demand issue and should be tackled in both dimensions. He also suggested that the narrative that every new child brings one mouth and two hands needs to be countered by a narrative propagating that every unplanned new child is a liability. Chief Secretary Punjab alluded to the vicious cycle of poverty, illiteracy and population growth as mutually supportive malaise of the overall national problems.

8. Commenting upon the subject matter, the Chief Minister Sindh referred to Sindh Government's accomplishments with regards to legislation already promulgated, launch of Provincial Task Force on Population, recruitment of male mobilizers and augmentation of existing establishments of LHV's and paramedics, engaged in provincial family health & population control programs. Expressing confidence in the success of the national level interventions in support of provincial population control programs, the Chief Minister Sindh appreciated the proposal for federal funding. He highlighted that the population welfare programme was devolved subsequent to the announcement of NFC Award. In order to provide rationale for federal funding, the CM added that devolution of population control program under 18<sup>th</sup> Amendment has shifted the responsibility to the shoulders of the provinces without corresponding allocation of resources.

9. Adviser to PM on Industries and Production emphasized that there are no two opinions about the urgency & importance of population control and suggested due focus upon the socially marginalised and less developed segments of the society which consider the increase in the number of children as a socio-economic asset. Emphasising the role of education and health coverage, he further suggested that involvement of Ulema and launching of an appropriate media campaign may help in countering the persistent narrative in support of population increase which is too convincing for the poor segments of the society. He also cautioned about the use of proper terminologies to avoid misconceptions about the new narrative in the poor & illiterate populace.

10. Concluding the discussion, the Honourable Prime Minister appreciated the recommendations of the Task Force as well as the view point of the CCI Forum and asked for suggesting a plausible mechanism for implementation and foolproof strategic and operational action plans at federal and provincial levels. Constitution of Task Force at Federal and Provincial levels on the analogy of Polio Eradication Campaign was also suggested.





## DECISION

11. The CCI considered and approved in principle the recommendations submitted in the summary by the Ministry of NHR&C. It was also decided to establish a Federal Task Force under the chairmanship of Prime Minister and Provincial Task Forces under the chairmanship of the respective Provincial Chief Ministers. The TORs & composition of the Federal Task Force would be submitted by the M/o NHR&C for the approval of Prime Minister at the earliest. The M/o NHR&C shall also prepare an action plan with financial modalities for operationalization of the recommendations in consultation with all relevant stakeholders and submit for the approval of the Federal Task Force at the earliest. Federal Task Force will oversee the implementation and updation whereas, the action plan would be implemented by the respective Provincial Task Forces.

### Agenda No. 2:

Case No.CCI.2/6/2018 Dated 19.11.2018	Approval for the Privatization of 1230 MW Haveli Bahadur Shah and 1223 MW Balloki Power Plants owned by the NPPMCL
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## DISCUSSION

12. Secretary, Ministry of Privatization made Presentation to the CCI in support of the Privatization of 1230 MW Haveli Bahadur Shah and 1223 MW Balloki Power Plants owned by the NPPMCL. He informed that privatization is a cardinal principle of national economic policy and essential for improving economic efficiency and competitive environment in the country. Privatization Commission has formulated a new Privatization Program in consultation with key stakeholders to attract private sector partnerships for turning around the national economy. The Program has been approved by the Cabinet Committee on Privatization. It contains the list of selected entities to be placed on active list for early privatization which includes the two Re-Gasified Liquefied Natural Gas based Combined Cycle Power Plants namely (i) 1230 MW Haveli Bahadur Shah District Jhang and (ii) 1223 MW Balloki, District Kasur. The process of due diligence and compliance of relevant legal procedures has been completed. However, Law & Justice Division has advised the seeking approval of Council of Common Interest (CCI) before initiating the privatization process under the PC Ordinance, 2000. He presented detailed description of the above said two Power Plants. (Annex V)

13. Finance Minister explained that these two power plants were installed with the intention of privatization, as national economic policy inhibits running of business by public sector. He informed that these units are very efficient with no baggage of liabilities and inefficiencies. Therefore, these are expected to attract serious investors with possibility of high bids thus significantly contributing to the financial resources of



federal government and improvement of cash flow. Minister for Commerce endorsed the point of view of Finance Minister and suggested very quick forward-thrust to privatization process. All IPPs have been frontloaded on privatization list but these highly viable plants will attract early privatization at very good price, the Commerce Minister added.

14. While appreciating the privatization policy, the Chief Minister Sindh raised following queries on the above said power plants:

- i. Details of source of funding for installation of these plants;
- ii. Impact of privatization on the electricity tariff in the country;
- iii. Use of canal water for these plants, free of cost;
- iv. Fate of the third LNG based power plant promised to be installed in Karachi, Sindh.
- v. Permission for renewable energy projects provided to the Sindh Government.

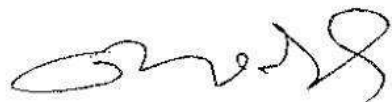
15. Secretary, Power Division was of the opinion that the way forward is renewable energy projects and National Policy on this subject is on the anvil. He apprised that a conference is being held on "Renewable Energy Policy". Chief Minister Balochistan suggested that the provinces may also be invited to such conferences so that they may learn from national policies, international best practices and build capacity of provincial functionaries.

16. Honorable Prime Minister appreciated the importance of renewable energy projects and advised for ensuring ease of doing business for attracting investment and promotion of exports. He advised that queries raised by the Sindh Government should be responded urgently.

#### DECISION

17. The CCI considered the Summary dated 17<sup>th</sup> November, 2018 submitted by the Ministry of Privatization and the recommendations for the inclusion of 1230 MW Haveli Bahadur Shah and 1223 MW Balloki, owned by National Power Parks Management Co. Ltd., in the Active List of Privatization Program, subject to condition that the provincial governments shall be provided all the details of the two projects and queries raised by the Sindh Government shall be responded to by the concerned ministry at the earliest. In case there are still unresolved issues, the same would be placed for the consideration of CCI. However, if the issues are resolved through the above mentioned correspondence, there would be no requirements for seeking approval of CCI again.

\*\*\*\*\*



640(w/e)  
12-02-2020

Immediate  
By Special Messenger/By UMS  
Secret

GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(Secretariat of Council of Common Interests)


No.2(207)/2018-CCI

Islamabad, the 11<sup>th</sup> February, 2020

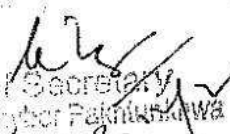
Subject: FINAL MINUTES AND DECISIONS OF 41<sup>st</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).

In continuation of this Secretariat's letter of even number dated 6<sup>th</sup> January, 2020, a copy of the Final Minutes and Decisions of the 41<sup>st</sup> meeting of the Council of Common Interests (CCI), held on 23<sup>rd</sup> December, 2019, duly approved by the Prime Minister/Chairman, CCI, is sent herewith for further necessary action in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010. Action to implement the aforesaid decision(s) may please be intimated to this secretariat accordingly.

2. The enclosed certificate of acknowledgment of receipt of the CCI's Minutes and Decision(s) may please be returned, duly completed and signed.

  
(Syed Mudassar Hussain Shah)  
Section Officer (CCI)  
Ph: 051-9103532

1. The Secretary, Cabinet Division, Islamabad.
2. The Secretary, Finance Division, Islamabad.
3. The Secretary, Law and Justice Division, Islamabad.
4. The Chief Secretary, Punjab.
5. The Chief Secretary, Sindh.
- ✓ 6. The Chief Secretary, Khyber Pakhtunkhwa.
7. The Chief Secretary, Balochistan.

  
Chief Secretary  
Govt of Khyber Pakhtunkhwa  
Reg: IPC

Copy for information to:-

1. The PS to Federal Minister for IPC, Islamabad.
2. The SPS to Secretary, IPC, Islamabad.
3. The SPS to Additional Secretary, IPC Division, Islamabad.
4. The Section Officer (Progress), IPC Division, Islamabad.

Section Officer (CCI)

78.66 13-2-2020

AS:IPC Deptt:

Diary No:

Dated 13-02-2020

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12/1/2020

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**GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER-PROVINCIAL COORDINATION  
(SECRETARIAT OF THE COUNCIL OF COMMON INTERESTS)**

**41<sup>st</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS  
FINAL MINUTES AND DECISIONS OF THE MEETING**

41<sup>st</sup> meeting of the Council of Common Interests (CCI) was held on 23<sup>rd</sup> December, 2019 at 14:30 p.m. in the Cabinet Room of the Prime Minister's Office, Islamabad, under the chairmanship of Prime Minister of Islamic Republic of Pakistan. List of participants is annexed.

2. The meeting commenced with recitation from the Holy Quran by Secretary, Ministry of IPC. The Prime Minister welcomed the members and participants. The Premier stated that the Council have a long Agenda for the meeting today. He expressed commitment to satisfy all the provinces on their issues. He asked the Secretary, IPC to take up the agenda of the meeting.

3. Discussion held on agenda items, minutes and decisions made in the meeting are given in the succeeding paragraphs.

**AGENDA ITEM No. 1:**

Case No.CCI.1/1/2019 Dated 23.12.2019	Progress Review of important decisions of 38 <sup>th</sup> , 39 <sup>th</sup> & 40 <sup>th</sup> CCI meetings:
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**1(a) Implementation of Kazi Committee Methodology (KCM)  
for Calculation of Net Hydel Profit (NHP)**

**DISCUSSION**

4. The Secretary Ministry of IPC / CCI informed the meeting that pursuant to the CCI decision dated 24-09-2018 in the subject matter, the Main Committee headed by Deputy Chairman, Planning

17' Commission (DCPC) in its first meeting constituted a Technical Sub-Committee (TSC) headed by Secretary, Power Division, to deliberate upon the issue of determination of rates/net profits in the light of decision of CCI. The TSC submitted its report to Main Committee for further deliberations. Main Committee deliberated on the report of TSC. Last meeting was held on 19<sup>th</sup> Dec. 2019 and Report of the Committee is to be presented by DCPC.

5. The DCPC gave a comprehensive presentation on the Report of the Committee setup by CCI. He informed that Committee held eight meetings and deliberated in detail on the findings of Technical Sub-Committee. He briefly stated history of payment/calculation of NHP from 1978 to 2017. He pointed out that the MoU signed by the Punjab and Khyber Pakhtunkhwa (KP) with Federal Govt. was the full & final settlement up to 2016 eroding all previous disputes and claims, through a non KCM methodology. The CCI declared NHP payments @ Rs.1.10/unit for present and onward calculations. However, on the objection of Govt. of KP, the CCI subsequently in 2017 deleted the word "onward" from its 2016 decision. Moreover, NEPRA allowed NHP @ Rs. 1.16/unit in WAPDA tariff as a pass-through item with 5% annual indexation.

6. The DCPC also underscored the views of Power Division, Water Resources Division, Governments of the Punjab and KP, and on the basis of difference of opinions presented his findings as under:-

- i. Constitutional provision [Article 161(2)] is unambiguous and requires that 'the net profit earned by Federal Government shall be paid to the Province in which a hydro-electric station is situated
- ii. NHP emanates from "a" hydro electric station. It is not linked with the profit/losses of other power generation stations established by any undertaking established or administered by the Federal Government
- iii. Several decisions, spanning over almost three decades, by Constitutional Forums such as NFC, Federal Cabinet, CCI

and Supreme Court of Pakistan regarding NHP are settled and cannot be re-opened

- iv. Article 154(7) of the Constitution provides the remedy of Joint Session of the Parliament in case any party is dissatisfied with decision of CCI
- v. KCM works backwards from the consumer price and is thus tariff neutral
- vi. Technical Sub-Committee has confirmed that GoKP and GoPb have calculated NHP as per KCM
- vii. CPPA-G (instead of WAPDA) is now the revenue collecting agency for the power sector.

7. The DCPC recommended that Federal Government (the Guarantor under President's Order No. 3 of 1991) should ensure payment of NHP, as worked out by GoPb and GoKP and confirmed by Technical Sub-Committee as being in conformity with KCM, to the entitled provinces.

8. The Secretary, Power Division informed that constitutionally payment of NHP to provinces is their right. However, KCM is not implementable. Moreover, the CCI has also endorsed non-KCM methodologies over the years. KCM can be detrimental to national interest. NEPRA has the mandate to determine generation tariff at Bus Bar of every hydel station. NHP is now also applicable to AJK. Full and final settlement of all previous liabilities between the Federal Government, KP and the Punjab has already taken place in 2016, and the CCI endorsed this dispensation to overtake all its previous decisions. Currently NHP is being paid at the same rate as agreed at the time of MOU of 2016.

9. Minister for Water Resources mentioned that KCM was 35 years' old formula. WAPDA is not earning any profit. Hence, KCM is no longer practicable due to changed ground realities. Moreover, KCM based NHP would increase tariff or it will be passed on to the consumers as WAPDA has no other source to make NHP payments except through electricity tariff.

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10. The Chief Minister KP expressed disagreement to the view point of Minister for Water Resources and Secretary, Power Division. He endorsed the recommendations of the KCM Committee. The Adviser to CM KP on Energy referred to past decisions of CCI and stated that CCI in 2017 re-iterated its earlier decision on KCM. He argued that NHP is being diverted towards payments to expensive Thermal Power Plants to subsidize over all tariff. Implementation of KCM for calculation of NHP is a constitutional and legal obligation of all parties. He opined that NHP should be calculated on KCM which is tariff neutral and places no additional burden on consumers as KCM works backwards from what the consumer has already paid. He added that CCI was the constitutional forum to decide NHP issue.

11. The Special Assistant to the Prime Minister (SAPM) on Petroleum Division clarified that after unbundling of WAPDA, regulatory regime had changed and now tariff is determined by NEPRA. He pointed out that if NHP is to be calculated on KCM, it will result in an increase of Rs.7.50 in tariff besides escalation in circular debt up to Rs.7 trillion till 2030. The Federal Government will either have to pass through this increase to consumer or put Rs.100 Billion burden on Government exchequer, which are not practically viable options.

12. The Chief Secretary, Punjab was of the view that determination of rates through KCM will drastically burden electricity consumers of Punjab that consumes 70% of the total electricity generation of the country. Therefore, NHP should be calculated as per Article 161(2) of the Constitution of Pakistan. He pointed out that an amount of Rs.51 Billion on account of NHP is overdue from WAPDA which should be settled on top priority.

13. The Prime Minister emphasized that the NHP issue requires out of the box solutions keeping in view the present circumstances.



14. The Minister for Planning, Development & Special Initiatives clarified that Article 161 (2) clearly stipulates that net profit earned by the Federal Government from the bulk generation of power at a hydroelectric station shall be paid to the province in which the hydroelectric station is situated. However, the KCM was an interpretation decided by CCI for calculation of NHP. The CCI can revisit its past decision on the basis of changed ground realities and different resources of power generation.

15. The Minister for Power Division stated that NHP should be based on a practical, consensus based formula in line with Constitutional provisions. He proposed to setup a Technical Sub-Committee including economists to determine a unified formula for calculation of NHP within a given timeline.

#### DECISION

16. After due deliberations on the issue of Net Hydel Profit and Kazi Committee Methodology, the CCI decided that the previous decisions of the CCI on this subject would remain intact. In the light of previous CCI decision on the subject, the CCI further decided to constitute a committee of technical and financial experts to propose an out of the box solution for the payment of Net Hydel Profit to entitled provinces. Secretary IPC shall seek nominations from the Federal and Provincial Governments respectively and submit the same to the Chairman CCI/PM for approval. The subject committee shall furnish its report before the next CCI meeting.

#### **1 (b) Amendment in Petroleum (Exploration and Production) Policy 2012**

#### DISCUSSION

17. The Secretary, Ministry of IPC/ CCI informed that in pursuance of CCI decision dated 24-09-2018, a Summary was submitted by Petroleum Division to Economic Coordination Committee

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(ECC). The ECC decided to carry out forthcoming bidding for Petroleum Exploration Licensing under the existing Petroleum Policy, 2012. Pursuant to ECC decision, a bidding round for ten (10) blocks was carried out under the existing Petroleum Policy. Award letters over eight Blocks have been issued while the remaining bids of two blocks rejected on technical grounds. The Petroleum (E&P) Rules 2013 have been reviewed to streamline the approval process and implementation impediments. Next bidding round is being planned in February, 2020. Moreover, Minister for Petroleum has held meetings with Chief Ministers of Khyber Pakhtunkhwa, Sindh and Balochistan and discussed the issues in the oil and gas sector faced by the respective Provinces. As directed by ECC, the Petroleum Division has forwarded a Summary on the subject for consideration and approval of CCI.

18. The Secretary, Petroleum Division while referring to CCI decision of 24<sup>th</sup> September 2018 and subsequent decision of ECC of the Cabinet dated 7<sup>th</sup> November 2018 informed that *six new amendments have been proposed in the Petroleum (E&P) Policy, 2012 in Paragraphs 4.1.3(6), 2.2.3, Section II – Exploration and Production Regime, Map of Licensing Zones, and Exploration Period.* Comments of all the stakeholders except Government of Balochistan have already been received. He added that the proposed changes have been supported by the stakeholders whereas the Government of KP has opposed the proposed 2.5% increase in oil and gas price. He also stated the Government of KP has proposed to allow gas price as applicable to Offshore Deep Water instead of proposal of Shallow Water gas price.

19. The Chief Secretary, KP endorsed the proposed amendments in the Petroleum Policy. The Chief Minister, Balochistan mentioned that Federal Government should bring incentives for Balochistan and proposed that Govt. of Balochistan should be taken as a partner in the Exploration and Production process.

20. SAPM on Petroleum Division clarified that proposal for increases in gas price and base price of crude oil and condensate have been proposed to neutralize the impact of carried working interest of provincial holding companies on investors. He added that the suggestion of enhancement in post commerciality working interest would deteriorate the incentives of Petroleum Policy and therefore is not supported without corresponding increase in prices. He also stated that price of Shallow Offshore is considered appropriate and therefore Deep Offshore is not required.

#### DECISION

21. The CCI considered the Summary dated 13<sup>th</sup> December, 2019 submitted by Petroleum Division and approved amendments in the Petroleum (Exploration and Production) Policy 2012 as contained in Annex-14 of the Summary.

#### 1 (c) Import of Liquefied Natural Gas (LNG)

#### DISCUSSION

22. The Secretary Ministry of IPC / CCI informed that as per directions of the CCI dated 24-09-2018, the Petroleum Division has submitted a Summary for CCI regarding "Import of LNG along with view point of Government of Sindh, on "Import of LNG" & "LNG Policy 2011".

23. The following major concerns of Sindh province were presented and discussed:

- LNG is a provincial subject;
- Amendment of section 6.3 and 8.1 of LNG Policy, 2011, which stipulate RLNG price as an input for determination of weighted average cost of gas (WACOG);
- Import of RLNG has diverted Federal Government's attention from exploration of indigenous oil & gas resources.

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1238 24. SAPM for Petroleum referred to the opinion of Law & Justice Division dated 12<sup>th</sup> May, 2015 according to which import of RLNG, its transportation, transmission, distribution and utilization shall not require the approval of CCI. SAPM for Petroleum was of the view that though LNG/ RLNG is physically a gas, however, it is not produced in any province like natural gas rather it is imported item and cannot be treated under Article 158 and therefore is Federal subject. However, if it is to be treated as natural gas then in that case price of LNG/ RLNG must be treated in the weighted average cost of gas (WACOG) including it in the basket of price of domestic gas and to be shared equally with all the consumers in the provinces. It was further explained that previously RLNG was declared as Petroleum Product for the purpose of its pricing which is being done under ring fenced arrangement whereby full cost recovery model is being implemented. It was further explained that treating RLNG as gas would mean its cost will be factored into the price of indigenous gases i.e. WACOG. Regarding the concern of "import of RLNG has diverted attention of Government from exploration of indigenous oil & gas", SAPM for Petroleum explained in detail the efforts of the Federal Government about exploration efforts in the country.

25. The Chief Minister Sindh emphasized that Article 158 should be implemented in letter and spirit. He expressed his willingness to discuss the issues with SAPM on Petroleum Division.

#### **DECISION**

26. The CCI considered the Summary dated 14<sup>th</sup> June, 2019 submitted by Petroleum Division and decided that SAPM on Petroleum will meet the Chief Minister Sindh to further deliberate the issue and a report will be submitted in next CCI.



**1(d) Harmonization of Standards and Enforcement Mechanism between Pakistan Standards and Quality Control Authority (PSQCA) and Provincial Food Authorities**

**DISCUSSION**

27. The Secretary, Ministry of IPC/ CCI informed that the CCI in its 39<sup>th</sup> meeting held on 24-09-2018 constituted a Committee headed by Secretary, Ministry of Law and Justice, to resolve constitutional and legal ambiguities, review Provincial Food Authorities Acts and suggest mechanism for enforcement of applicable Technical Regulations within one month. He further informed that the Committee held several meetings with relevant stakeholders and has submitted its report to Prime Minister's Office and M/o IPC for further deliberation in CCI Meeting.

28. The Minister for Science & Technology informed that after 18<sup>th</sup> Constitutional amendment, the Provincial Food Authorities formulated Provincial Food Standards. These standards contained several provisions, which are in conflict with Pakistan Standards. He further mentioned that Pakistan Standard and Quality Control Authority (PSQCA) is the National Standard Body mandated to formulate National Standards of the country. The stance of Federal Government is supported by Articles 143, 149, 151 and Entries 3, 27, 39, 58 of part-I and Entries 6, 18 of Part-II of Federal Legislative Lists of Constitution. He was of the view that as per Article 151 of the Constitution, the entire country would be a single market, and the provincial governments would not frame any law or take any action which may be prejudice to the conduct of Inter provincial trade. He elaborated that PSQCA should have the exclusive authority for formulation of Pakistan standards quality testing and conformity assessment of the products falling the mandatory list. He however, recommended that enforcement of standards formulated by PSQCA should be delegated to the Provinces, in following manner:-

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- ❖ Registration, Certification Marks, licensing should rest with Federal Government for ease of doing business for smooth interprovincial trade and to facilitate the food industry aligned with the global best practices;
- ❖ Food products other than notified by WTO (TBT) regime (which are not in the mandatory list of PSQCA) may be enforced by the respective provinces. Loose / unpacked food items shall be enforced by the provinces;
- ❖ Federal Government (i.e. PSQCA) shall certify and issue Certification Marks licenses to the manufacturers for all packed & labelled food items as one window operation for ease of doing business;

29. The Chief Secretary, Punjab stated that after 18<sup>th</sup> Constitutional amendment, establishment of Provincial Food Authorities and Provincial Food Standards was in line with the Constitution. Moreover, Provincial Governments are fully empowered to undertake registration and licensing and enforcement of inspection and ensure food standards across the province.

30. The Minister for Science & Technology clarified that the executive authority of a province may not be exercised in a manner which might impede the executive authority of the federation. Registration, Certification and licensing should rest with Federal Government for interprovincial trade and international practices. He proposed that Provincial Food Authorities may amend their Acts as per international practices and facilitation of trade for ease of doing business.

31. The Prime Minister recommended that strengthening of PSQCA is a national and international requirement. He emphasized to convene a special meeting to deliberate on the issue.

#### **DECISION**

32. There was consensus that there should be uniform standards at national level. Provinces and local authorities will enforce the standards. It was also decided that Minister for Science &

Technology will convene a separate meeting with all stakeholders, to amicably resolve the issues raised by the provinces.

**1(e) Approval for the Privatization of 1230 MW Haveli Bahadur Shah and 1223 MW Balloki Power Plants owned by the NPPMCL**

**DISCUSSION**

33. The Secretary, Ministry of IPC/ CCI informed that in accordance with CCI decision dated 19-11-2018, and as per decision of the Cabinet Committee on Privatization (CCOP), for privatization of NPPMCL, the M/s Credit Suisse was selected as Financial Adviser. PC Board constituted a Steering Committee/Transaction Committee to oversee the Privatization process/transaction. Five meetings of Transaction Committee have so far been held. The due diligence exercise was completed by Financial Adviser in September, 2019. The CCOP on Sep. 19, 2019 has approved Transaction structure for the privatization of NPPMCL. Expression of Interest for prospective investors has been invited through national/international print media on 18.11.2019. The last date of submission of Statement of Qualification document is 23.12.2019.

**DECISION**

34. The CCI expressed satisfaction on the implementation of its Decision.

**1(f) Matter Regarding Alarming High Population Growth Rate in the Country**

**DISCUSSION**

35. The Secretary, Ministry of IPC / CCI informed that CCI in its 40<sup>th</sup> meeting held on 19.11.2018 decided to establish a Federal Task Force under the chairmanship of Prime Minister and Provincial Task Forces under the chairmanship of the respective Provincial Chief Ministers. The CCI had further directed the Ministry of National Health Services, Regulations and Coordination (NHSR&C) to prepare an

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action plan with financial modalities for operationalization of the recommendations in consultation with all relevant stakeholders and submit for the approval of the Federal Task Force at the earliest.

36. The Minister of State (MoS) for NHR&C informed that in the light of CCI decision, a Federal and all four Provincial Task Force (FTF) have been setup and notified. Secretariat of the Federal Task Force has been setup with 3 x Member Technical Support Unit (TSU), with support of United Nations Fund for Population Assistance (UNFPA). A draft National Narrative & a draft National Action Plan has been finalized for approval of FTF. However, despite several attempts, meeting of FTF could not be held. Afterwards, the Prime Minister requested the President of Pakistan to chair the meeting. The President will chair first meeting of FTF on 23<sup>rd</sup> December, 2019, after the CCI meeting.

#### **DECISION**

37. The CCI noted the implementation status of its decision and recommended that the meetings of the Federal Task Force may be presided by the President of Pakistan.

#### **1(g) Recommendations of the Attorney General for Pakistan concerning the Water Accord, 1991**

#### **DISCUSSION**

38. The Secretary, Ministry of IPC / CCI informed that the CCI in its 38<sup>th</sup> meeting held on 27<sup>th</sup> May, 2018 decided to constitute a committee headed by Attorney General for Pakistan and comprising one representative from each province. The committee was tasked to look into the current issues of availability of water and its distribution in the country and present its recommendations for consideration of the CCI. The committee was also directed to consult the record of proceedings that resulted in approving Water Accord, 1991.



39. The Attorney General for Pakistan (AGP) informed that keeping in view the domain of the Committee, in the present circumstances, the first thing that is recommended is to determine the volume of water actually available. The 10 daily uses have been determined by the CCI on 16.09.1991, and the distribution, whether the water is short or surplus should be on that basis. This task of calculating the actual available water may be assigned to an independent body consisting of expert hydrologists. Thereafter, if the water available is found to be equal to 114.35 MAF, the Water Accord may be implemented as provided in paras 2 and 4 of the Accord. In case, the water available is below 114.35 MAF, then till that volume is achieved through conservation measures and construction of additional storage capacity, the decision dated 16.09.1991, being a part of the Accord be implemented for the apportionment which shall be read with 14 (b) of the Accord.

40. The AGP further recommended that notwithstanding the above, given the depleting storage capacity of existing dams due to sedimentation, construction of more dams is essential. According to experts, in order to ensure required "future storage" capacity, one mega dam needs to be added every 10 years. In addition, smaller storage facilities should be examined and built. Further tele-metering system should be immediately installed for the purpose of calculating the flow and volume of water at each stage. This will also remove doubts being created that there is theft of water.

41. The Chief Secretary, Punjab showed his reservations on the interpretation rendered by the AGP and mentioned that water share of Punjab will be reduced. He emphasized that water should be distributed as per share allocated in Water Accord, 1991.

42. The AGP clarified that he was empowered by CCI to interpret Water Accord, 1991. As per clause 14(a) of the Accord, the system-wise allocation was to be worked out separately, on ten daily basis and will be attached as part and parcel of Accord. According to

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clause 14 (b), the record of actual average system uses for the period 1977-82 had form the guide line for developing a future regulation pattern... The AGP mentioned that pursuant to Clause 14 (a) of Water Accord, the CCI in its meeting held on 16.09.1991 had authorized the 10-day seasonal system-wise adjusted allocations (excluding flood flows and future storages) provided by the provinces to become part and parcel of the Water Accord, 1991.

43. The Chief Minister Punjab also expressed his reservations on the interpretation rendered by the AGP. He, however, emphasized to further deliberate on the issue.

44. The Chief Minister Sindh briefly stated the historical background of Water Accord and opined that the Issue assigned to AGP was related to interpretation of Water Accord, 1991. According to AGP report, historic uses were no more valid. He recommended that the CCI may ratify the recommendations of the AGP and proposed to settle operational issues separately.

45. The Minister for Planning, Development and Special Initiatives, and Minister for Water Resources recommended endorsing the recommendations of AGP.

46. The Minister for IPC emphasized that the issue was related to legal interpretation of Water Accord, 1991. Thus, the AGP has not given his personal opinion; rather he interpreted the provisions of Water Accord, 1991. She proposed that as far as distribution of water is concerned, all the provinces should sit together for consensus and resolve their operational issues in accordance with Water Accord, 1991.

47. The Minister for Science & Technology suggested that the issue could be resolved with the help of scientific technology.

48. The Chairman, IRSA mentioned that water sharing has been a problem between Punjab and Sindh since 1920. Additional

water will be available only by constructing additional reservoirs and enhancing storage capacity.

49. The Prime Minister emphasized that CCI has to promote inter-provincial harmony.

#### DECISION

50. The CCI decided that a committee should be formed comprising of relevant technical experts of Federal & Provincial governments, Attorney General for Pakistan and respective Advocate Generals for fair distribution of water among the provinces. The Council also decided that a telemetry system should also be introduced immediately to ensure the actual quantity of water in reservoirs and its release to the provinces. Secretary IPC shall seek nominations from all stakeholders and submit it for orders of the Chairman CCI/PM.

#### **1(h) Matters pertaining to Higher Education in Post-Eighteenth Amendment Scenario**

#### DISCUSSION

51. The Secretary, Ministry of IPC / CCI informed that the CCI in its 39<sup>th</sup> meeting held on 24<sup>th</sup> September, 2018 unanimously directed the Chairman HEC to meet all the Chief Ministers to discuss the issues in a holistic manner in order to find out solutions and identify steps to raise the standards of higher education. The recommendations were required to be placed by Chairman HEC before CCI for consideration within a period of one month. Chairman, HEC has had consultation with the Chief Ministers, Balochistan and Khyber Pakhtunkhwa. However, meetings with the Chief Ministers, Punjab and Sindh were awaited.

52. The Minister for Federal Education and Professional Training stated that after 18<sup>th</sup> Amendment to the Constitution, Standards in institutions for higher education and research, scientific

146 and technical institutions, have been retained at entry 12 of Federal Legislative List, Part-II.

53. The Chairman, HEC informed that reformation in education is always at the top priority and a high level committee has been working on uniform standards of education in the country.

#### DECISION

54. The CCI decided that the Chairman, HEC will hold meetings with Chief Ministers Sindh, & Punjab and submit report in next meeting of CCI. The Chairman, HEC shall also submit a position paper to the Prime Minister for a national level education testing mechanism.

#### Agenda No. 2:

Case No.CCI.2/1/2019 Dated 23.12.2019	Funding of Devolved Vertical Programs of Health and Population Welfare
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#### DISCUSSION

55. The Secretary, Ministry of NHR&C informed the meeting that as a result of 18<sup>th</sup> Constitutional Amendment, various vertical programs of Health and Population Welfare were devolved to provinces. However, their funding continued from the Federal Government as per decision of CCI dated 28.04.2011. Moreover, the CCI in its meeting dated 09.02.2012 decided that Federal Government shall provide funding to the provinces for Population Welfare Programme up to the end of current NFC Award (June, 2015). Later on, the CCI in its meeting held on 23.01.2013 decided that "Federal Government will keep on financing the LHWs Program till June 30, 2017". The funding of devolved vertical Programs of Health and Population for provinces has already been stopped w.e.f.1<sup>st</sup> July, 2018. However, the Provinces are demanding continuation of funding of Devolved Vertical programs by the Federal Government.



56. The MoS for NHR&C proposed discontinuation of funding w.e.f.1-7-2018. He recommended that Provinces should develop their own PC-Is for devolved health programs for funding out of their own resources. The funding of vertical health programs of special areas (AJK, GB and ICT) may however continue from the Federal Government as per their revised PC-Is. He also drew the attention of participants towards increasing cases of Polio, Hepatitis 'C' and HIV Aids in the Country.

57. The Chief Minister Sindh argued that as per CCI decision of 2011 and 2013, due funds of Sindh and Balochistan should be released on priority basis and the Federal Government must continue funding of vertical programs till next NFC Award.

58. The Secretary, Finance Division was of the opinion that all vertical programs are being run in the provinces and in the NFC Award, provinces are self-sufficient to bear this expenditure and Finance Division will not be able to release funds for the subject vertical programs.

59. The Prime Minister emphasized on national level consideration and unified efforts to combat the growing diseases i.e. polio, dengue and other epidemics.

#### **DECISION**

60. The CCI considered the Summary dated 16<sup>th</sup> April, 2019 submitted by Ministry of National Health Services, Regulations and Coordination, and decided that Federal and Provincial Ministers and Secretaries for Health, Planning and Finance should devise a national plan of action to effectively run these vertical programs by the provinces and submit their recommendations in the next CCI meeting. SAPM on National Health Services, Regulations & Coordination, shall coordinate submission of recommendations in consultation with all stakeholders.

**Agenda No. 3, 4, & 5:**

Case No.CCI.3/1/2019 Dated 23.12.2019	Unauthorized deductions by Federal Government on FBR's claim on account of alleged outstanding withholding tax on Vehicles and 5% service charges deducted on account of collection of Withholding Tax by the Government of Balochistan
Case No.CCI.4/1/2019 Dated 23.12.2019	Unauthorized transfer of Public Money from Provincial Consolidated Fund (PCF) to Federal Consolidated Fund by the SBP on the Directions of FBR
Case No.CCI.5/1/2019 Dated 23.12.2019	Unconstitutional and unauthorized deduction by FBR from the Provincial Consolidated Fund

**DISCUSSION**

61. The Chief Minister, Balochistan informed that Federal Adjuster, on FBR's demand deducted Rs.1138.685 Million at source from Government of Balochistan (GoB)'s Account-1 in 2017 on account of deduction of service charges and non-collection / short deduction of tax. The CM Balochistan further mentioned that the amount deducted at source out of Account-1 of GoB is clear violation of Article 119 of the Constitution as well as Presidential Order No. 5 of 2010 of 7<sup>th</sup> NFC Award in which the share of Balochistan is protected. He proposed that the deducted amount may be reimbursed and FBR may be directed for reconciliation of accounts concerning deductions / non-collection, with E&T Department GoB.

62. The Chief Minister Sindh, supported the claim of Government of Balochistan and mentioned that the CCI in its meeting held on 27.03.2018 had directed Ministry of Finance to resolve the issue raised by Government of Sindh with Revenue Division / FBR.

63. The CM Sindh iterated that Article 119 of the Constitution expressly conveys that the custody of the Provincial Consolidated Fund and the authority to withdraw money from it rests with the Provincial Government. Therefore, FBR may refund the entire amount to the

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Government of Sindh that has been arbitrarily and unconstitutionally deducted by FBR.

64. The Chief Secretary Punjab mentioned that FBR was not authorized to deduct withholding tax from Provincial Consolidated Fund.

65. The Chairman, FBR clarified that at source deductions were done during 2016 and 2017 and not during present government. Most of the claims are pending before the Income Tax Tribunals. Deducted amounts, if found unauthorized, will be refunded upon decision by the Tribunals. Responding to a query raised by CM Sindh, the Chairman, FBR clarified that Income Tax is a federal subject and Income Tax Law authorized FBR to deduct taxes from Provincial Consolidated Funds. The Chairman, FBR, however assured that, he was ready to sit with provinces if any province wants to discuss and resolve their claims.

#### DECISION

66. The CCI considered the Summaries dated 27<sup>th</sup> February, 2019, 11<sup>th</sup> March, 2019, and 28<sup>th</sup> November, 2019 submitted by Governments of Balochistan, the Punjab, and Sindh respectively, and observed that no deductions at source have been made by FBR during 2018 & 2019. The Council decided that deducted amount claimed by provinces for the previous years, if found unauthorized by respective Income Tax Tribunals, shall be refunded. The Chairman, FBR will meet the Chief Ministers of respective provinces to amicably resolve their issues and submit report in the next CCI meeting.

#### Agenda No. 6:

Case No.CCI.6/1/2019 Dated 23.12.2019	No Objection Certificate – CJ Hydro (Private) Limited
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#### DISCUSSION

67. The Secretary, Ministry of Water Resources informed that Indus River System Authority (IRSA) issued an NOC to M/S CJ Hydro

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for developing a 25 MW hydropower project on CJ Link Canal at RD 316-622 District Khushab by 4 : 1 majority vote (Member IRSA Sindh dissented), without guaranteeing any water releases exclusively for Power Generation in CJ Link Canal.

68. The Chief Minister Sindh mentioned that C-J Link Canal is neither a perennial nor a flood canal, rather it is an interprovincial canal. He referred to Section 8 (1) of IRSA Act 1992 and stated that Power and Duties of IRSA are limited to the distribution of river and reservoir waters. The Water Accord 1991, policies are very clear in this regard too. As per clause 8 (2) of IRSA Act, the Authority can settle any question in respect of implementation of Water Accord by the vote of the majority of members. However the majority decision cannot be applied on issuance of a N.O.C. for a Hydro Power Project on a link canal. Therefore, NOC for a project on a controversial C-J Link is beyond the power of IRSA, and it should be withdrawn.

69. The SAPM on Petroleum mentioned that three feasibilities have been conducted for the C-J link canal over the last twenty years. It has been observed that water flow in this canal is uncertain. He proposed to defer the agenda item till next meeting of CCI.

70. The Chief Secretary Punjab responded that CJ link is not an inter-provincial canal. It is a link canal situated in Punjab operated out of Punjab's share of water as determined by IRSA. The Canal runs from 2000 cusecs to 21000 cusecs (especially in lean years). The canal regularly transfers water to the Jhelum Chenab system. The objection raised by Govt. of Sindh is against the spirit of Water Accord, 1991 which fully empowers Provinces to make decisions regarding use of their water share. IRSA in NOC did not commit or guarantee any water releases exclusively for Power Generation on the C-J Link. The NOC does not affect the releases of water in CJ Link in any manner. Further the canal is run exclusively out of Punjab share without affecting the share of any other province.



## DECISION

71. The CCI considered the Summary dated 29<sup>th</sup> November, 2019 submitted by Government of Sindh and decided to defer further consideration till next CCI meeting. In the meantime, Power Division will examine the issue and report to CCI in its next meeting.

**Agenda No. 7:**

Case No.CCI.7/1/2019 Dated 23.12.2019	Recovery through Tariff of Markup on Bilateral Islamic / Commercial Loans Obtained by WAPDA for Payment of Net Hydel Profit (NHP) to the Governments of Khyber Pakhtunkhwa and Punjab
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## DISCUSSION

72. The Secretary, Ministry of Water Resources informed that in pursuance of CCI decisions in case No. 1/1/2016 dated 29.02.2016 and case No. CCI.7/3/2016 dated 16.12.2016, WAPDA raised loans amounting to Rs.105.152 Billion from local banks for the payment of Net Hydel Profit arrears to KP and Punjab Provinces. CCI had further directed to recover these loans through revised tariff to be filed before NEPRA. WAPDA incurred Rs.6.675 Billion Markup in one year on the said Loan. WAPDA filed tariff petitions before NEPRA which decided that "Interest cost will be prudent and justifiable cost which would be arisen due to implementation of CCI decision for which petitioner cannot be held liable. Having said that, in our opinion, since Federal Government has already agreed to include interest charge through CCI in the agreed NHP arrears of Rs.70 billion in coming period, therefore, Rs.1.875 billion or actual interest cost may be allowed when the backing of CCI is available". Therefore, approval of the CCI is required for WAPDA to recover through its hydroelectric tariff the markup amount of Rs.6.675 billion and also to recover Rs 4.349 billion further accrued on HBL loan of Rs 38.12 Billion, for the period Jan - Dec 2019.

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### DECISION

73. The CCI considered the Summary dated 20<sup>th</sup> November, 2019 submitted by Ministry of Water Resources and decided that the committee constituted at para 16 ibid shall also look into the matter and furnish its recommendations before the next CCI meeting.

### Agenda No. 8:

Case No.CCI.8/1/2019 Dated 23.12.2019	Draft Recruitment Regulations for the Post of Chairman and Members WAPDA
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### DISCUSSION

74. The Secretary, Ministry of Water Resources (MoWR) informed that the process of appointment of Members (WAPDA) was challenged by an employee of WAPDA in the Honourable Lahore High Court. The Court in its judgment dated 23-01-2018, ordered to ensure strict compliance of the principles for appointment in Public Sector settled in the judgment and to ensure that the relevant recruitment process is put in place in consultation with CCI, as WAPDA falls under entry 3 of Part-II of Federal Legislative List of the Constitution of Pakistan. The CCI is to formulate and regulate policies relating to WAPDA.

75. The Secretary, MoWR further informed that draft recruitment regulations have been vetted by the Establishment, Finance and Law and Justice Divisions. Consultation with the Provinces has also been undertaken. He proposed that the CCI may approve draft WAPDA recruitment regulations with the modification that recruitment of Member (Water) and Member (Power) be made from within WAPDA; Overall performance of WAPDA rests with MoWR therefore, no additional monitoring and evaluation committee is required; and Chairman and Members be allowed to complete respective tenure given in WAPDA Act 1958 instead of retirement at the age of 65 years. Once cleared by the CCI, the Recruitment Regulations of WAPDA would be placed before the Federal Cabinet for

consideration and approval of the Federal Government so that the vacant posts of the Members are filled without further loss of time.

76. The Chief Minister Sindh while agreeing with the technical and managerial aspects of the draft recruitment regulations also underlined the need to address the Federal Principles as per Lahore High Court Judgment.

77. On a query from CM Balochistan, the Secretary, Water Resources clarified that Chairman shall be appointed by the Federal Government whereas the Members cannot be appointed on rotation basis for want of departmental promotion.

78. The Prime Minister, Minister for Planning, Development and Special Initiatives, and Advisers to PM on Finance & Industries emphasized the need to institutionally strengthen WAPDA. They mentioned that all over the world corporations are headed by a Board and run by professionals and experts. Policy making should have representation of provinces.

#### DECISION

79. The CCI considered the Summary dated 27<sup>th</sup> November, 2019 submitted by Ministry of Water Resources and did not agree with the proposed draft Recruitment Regulations for the post of Chairman and Members WAPDA. The CCI further decided that Ministry of Water Resources shall prepare Recruitment Regulations for WAPDA in consultation with provinces keeping in view following principles;

- Organizational Organogram shall be restructured to ensure corporate governance in WAPDA
- Chairman and Members with no executive powers shall be appointed to oversee policy formulation.
- CEO and relevant professional staff shall be appointed by the Federal Government.
- Chairman of the Authority shall be appointed through rotation from all provinces.

Agenda No. 9:

Case No.CCI.9/1/2019 Dated 23.12.2019	Royalty on Liquefied Petroleum Gas (LPG) by the E&P Companies at the Market Value of LPG
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**DISCUSSION**

80. The Secretary, Petroleum Division made a Power point presentation to give background of the case including Audit paras, directions of Public Accounts Committee (PAC), Peshawar High Court judgment, report of Expert Committee and opinions of Law Division. The Law and Justice Division on 18-09-2012 opined that "In view of Article 161 of the Constitution the view point of the companies appear to be correct in as much as the Royalty should be taken on the value of Gas (Natural Form) and not on the basis of sale value after the Petroleum has been refined. The method of levy of royalty must be same as is for method for calculation of Excise Duty as per article 161(I)(a) of the Constitution."

81. He further added that the matter was challenged in Peshawar High Court (PHC) and the PHC on 30<sup>th</sup> May 2013 directed that "If the royalty amount is not paid on the LPG to the Provincial Government by OGRA or OGDCL as the case may be, the Federal Government is directed to impress upon both the authorities/ functionaries to make immediate arrangement for the payment of royalty on the LPG to the Provincial Government and its payment is to be made on periodical basis without any unnecessary delay".

82. SAPM on Petroleum explained that as per opinion of Law Division, royalty on LPG at its sale/realized value cannot be imposed retroactively. He further stated that even for the imposition of royalty on LPG at its sale value on prospective basis would not legally tenable if done unilaterally and would therefore require consent of exploration and production companies. He was, however, of the view that royalty



on LPG can be imposed at its sale/market value in the Petroleum Concession Agreements (PCAs) to be executed in future.

83. Minister for Power Division mentioned that as per 7<sup>th</sup> NFC Award, 10.3% share of each province is reserved to be spend on poverty or backwardness. However, the provincial governments are not utilizing the due share for less developed areas.

84. Advisor to CM KP on Energy said that royalty should be based on sale price of LPG. He proposed for inclusion of provincial representatives for any consultation with exploration and production companies.

### DECISION

85. The CCI considered the Summary dated 12<sup>th</sup> November, 2019 submitted by Ministry of Energy (Petroleum Division) and approved the proposal at Para-11 of the Summary for inclusion of an explicit clause in all future Petroleum Concessions Agreements (PCAs) stating that royalty on LPG shall be payable on the realized market value of LPG. It was also decided that for imposition of royalty on LPG at realized market value in existing PCAs, Petroleum Division in collaboration of provincial representatives may engage in negotiations with exploration and production companies and submit a report in next CCI.

### Agenda No. 10:

Case No.CCI.10/1/2019 Dated 23.12.2019	Implementation of Article 158 and 172(3) of the Constitution of Pakistan
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### DISCUSSION

86. The Secretary, Petroleum Division made a presentation regarding implementation of Article 158 and 172(3) of the Constitution. He informed that the Attorney General for Pakistan, vide its letter dated 21.02.2018 rendered a detailed opinion on both the Articles of the Constitution of Pakistan. The Opinion of the Attorney

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General Office states that natural gas is a national resource and belongs to the people of Pakistan. Neither the Federal Government nor the Provincial Government owns this resource rather both have the fiduciary duty to manage the resources in the interest of people of Pakistan.

87. He also highlighted the provisions of Articles 97, 142(a), and 158, alongwith 172(3) which was inserted through 18<sup>th</sup> Amendment, 154(1), Entry 59 of Federal Legislative List, Part-I, Entry-2 of FLL, Part-II, Regulation of Mines and Oilfields and Mineral Development Government Act 1948. He submitted the following recommendations for consideration of CCI in relation to implementation of Article 158:

- Priority of Use of domestic gas:

- (i) Domestic consumers in all Provinces
- (ii) Federal Capital, AJK, Defence/ Strategic Installations
- (iii) Fertilizers, Power Plants
- (iv) Commercial, General Industry and Other users;  
Federal Government would allocate gas based on the above priorities in consultation with provinces

- Use of imported gas:

Any shortage of gas to be met with imported gases without any restriction by or on any consumer in all the Provinces based on full recovery of cost

88. The SAPM on Petroleum Division pointed out that the interpretations of Article 158 and 172(3) are pending adjudication before the Supreme Court of Pakistan since long and it would be appropriate to wait for the decision of Supreme Court of Pakistan.

89. The Chief Minister Sindh while disagreeing with the stance of Petroleum Division emphasized that according to Article 158 of the Constitution, the Province in which a well-head of natural gas is situated shall have precedence over other parts of Pakistan in meeting the requirements from that well-head, subject to the commitments and obligations as on the commencing day. He urged that the demand

of the province in which gas is being produced may be fulfilled on preference before sending surplus gas to the other province.

90. The Chief Minister Balochistan pointed out that despite having Gas well-heads, people in Balochistan have been facing shortage of gas for domestic use in cold areas. He emphasized to resolve the issue of short supply of gas in Balochistan.

91. The Minister for Planning, Development and Special Initiatives also agreed with the views of CM Sindh that text of the Article 158 does not require any further clarification, as it is already clear. However, given the present circumstances, it may have far reaching implications if the Article is enforced in letter and spirit. He was of the view that at the time of framing the Constitution, the addition of the Article 158 was to assure the Balochistan province that gas would be supplied to Balochistan. He suggested that issue of pricing needs to be addressed which will ensure supply of gas to consumers. The Minister for IPC also supported the viewpoint of Minister for Planning, Development and Special Initiatives that Article 158 does not need further clarification.

92. SAPM on Petroleum highlighted that in order to resolve the gas pricing issue, Weighted Average Cost of Gas (WACOG) needs to be developed. The Forum also discussed that considering the fact the interpretation of Article 158 and 172(3) is sub-judice in the Supreme Court, CCI may not in a position to interpret the said Articles.

### **DECISION**

93. The CCI considered the Summary dated 19<sup>th</sup> December, 2019 submitted by Ministry of Energy (Petroleum Division) and decided to constitute a three-member committee comprising of Federal Minister for Planning, Development & Special Initiatives, Federal Minister for Power, and SAPM on Petroleum to hold consultative meetings/discussions with the Chief Ministers of the

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provinces and to come up with way forward in the matter of implementation of Article 158 and 172(3) of the Constitution.

**Agenda No. 11:**

Case No.CCI.11/1/2019 Dated 23.12.2019	Approval of Alternative & Renewable Energy Policy 2019 ("ARE Policy 2019")
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**DISCUSSION**

94. The Minister for Energy (Power Division) gave a presentation to the meeting on the ARE Policy, 2019. He informed that the draft policy has been prepared in consultation with all relevant public and private sector stakeholders including provincial governments. Alternate Energy Development Board (AEDB) unanimously approved the draft ARE Policy 2019 in its 46<sup>th</sup> Board meeting held on 10<sup>th</sup> October, 2019 with the incorporation of recommendations suggested by provincial governments. The minutes of 46<sup>th</sup> Board Meeting were confirmed in 47<sup>th</sup> AEDB Board Meeting held on 30<sup>th</sup> October, 2019. The draft Policy was approved by the Federal Cabinet in its meeting held on 19<sup>th</sup> November, 2019 for placing before the CCI.

95. The Minister for Energy (Power Division) further informed that the policy aims at creating a conducive environment supported by a robust framework for the sustainable growth of ARE Sector in Pakistan. The Policy is target oriented and sets a target of achieving 20% capacity from ARE technologies by 2025 and 30% capacity by 2030. The most significant feature of the policy is that it makes a transition from the traditional methods of procurement based on cost plus and upfront tariffs to competitive bidding in line with the global trends. The Policy envisages development of large scale ARE projects in all parts of the country through a leading role of provinces in the planning and implementation of the ARE projects.



96. The Chief Minister Sindh mentioned that according to Rule 4 & 5 of Schedule II of Rules of Procedure of CCI, 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. However, the Summary was not shared with Provincial Governments.

97. The SAPM on Petroleum clarified that the Steering Committee comprise of six members including four Provincial Energy Secretaries and issues will be decided by Steering Committee which has been empowered to implement the policy.

98. The Minister for Energy (Power) reiterated that draft Policy was thoroughly debated in AEDB meetings and finalized in the light of suggestions of Provincial Energy Secretaries. The Secretary, Power Division added that wide space has been created for the provinces in the Policy. However, the Chief Minister, Sindh argued that comments of Government of Sindh have not been brought before the CCI along with Summary as agreed in the AEDB meetings and recommended that the Policy needed further deliberations before its approval.

99. The Adviser to CM KP on Energy highlighted that competition would place the Khyber Pakhtunkhwa in a disadvantageous position viz-a-viz other provinces and emphasized for allocation of quota to KP. He further highlighted the obstacles being faced by Government of Khyber Pakhtunkhwa in finalizing wheeling of power agreement with PESCO.

100. The Adviser to PM on Finance, and SAPM on Petroleum suggested that the Policy may be approved in principle subject to incorporating suggestions of Governments of KP and Sindh.

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## DECISION

101. The CCI considered the Summary dated 26<sup>th</sup> November, 2019 submitted by Ministry of Energy (Power Division) and approved in-principle the Alternative and Renewable Energy (ARE) Policy, 2019, subject to incorporating observations of Governments of Punjab, Sindh and KP in the Policy. In the event of any unresolved observation of any province, the policy shall be resubmitted before the CCI.

### Agenda No. 12:

Case No.CCI.12/1/2019 Dated 23.12.2019	Census-Notification of its results
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102. The agenda was not taken up due to paucity of time.

### Agenda No. 13:

Case No.CCI.13/1/2019 Dated 23.12.2019	Future Role and Functioning of National Commission for Human Development (NCHD) and Basic Education Community Schools (BECS) to promote literacy in the Country
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103. The agenda was not taken up due to paucity of time.

### Agenda No. 14:

No.CCI.14/1/2019 Dated 23.12.2019	Report of the Committee constituted by CCI on Devolution of Employees' Old-Age Benefits Institution and Workers Welfare Fund to the Provinces
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## DISCUSSION

104. The Secretary, Overseas Pakistanis & Human Resource Development (OP&HRD) gave a presentation to the meeting. He informed that 18<sup>th</sup> Amendment Act 2010 had omitted Concurrent Legislative List. An Implementation Committee (IC) was set up by the Federal Government to complete the process of devolution by 30<sup>th</sup>

June 2011. The IC decided to devolve all matters relating to labour welfare to the provinces except the administration and organization of EOBI and WWF. The decision of IC was challenged by Punjab and Sindh (Sindh enacted EOBI Act 2014 and Sindh WWF Act 2014) while KP and Balochistan were agreed on the decision. However, Balochistan later changed its decision and favours the devolution of WWF while agree on devolution of EOBI after a detailed mechanism is devised.

105. The Secretary, OP&HRD further stated that CCI in its meeting held on 24-09-2018 constituted a Committee under Convener-ship of Minister for IPC to resolve the issue of devolution of EOBI and WWF with specific Terms of References.

106. The Committee observed that after 30<sup>th</sup> June, 2011 the assets and liabilities of EOBI and WWF cannot be transferred to the provinces. Beyond the territorial limits of provinces or any matter or activity of trans-provincial nature, the Federal Government has powers to make laws in view of Article 142 (a) read with Entries 3 & 32 of Part-I and Entry 13 of Part-II of Federal Legislative List (FLL) as held by the Supreme Court of Pakistan in HRC No.19731-P/2014 and Para 23 (4) of the Judgment dated 28.03.2018 in Civil Appeals No. 1583-1598 etc (NIRC Case). Moreover, the post devolution issues are complicated and complex and unless those are addressed by the provinces through an efficient, effective and comprehensive mechanism, the immediate devolution of these two institutions will create difficulties for the workers.

107. The Minister for IPC informed that pursuant to CCI decision, the Committee held detailed consultations with all stakeholders including employees of EOBI & WWF, representatives of the Finance Division, Law & Justice Division, all Provincial Governments, concerned organizations of the Federal Government, Pakistan Workers Federation, Employer Federation of Pakistan, Pakistan Workers Confederation and workers representatives. Both

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162 the organizations, employees and their representatives expressed disagreement with the devolution.

108. The Minister for IPC added that the Governments of the Punjab (GoPb) and Balochistan want immediate devolution of WWF. However, the GoPb does not want devolution of EOBI. Similarly, the Govt. of KP does not want devolution of EOBI and WWF. However, the Govt. of Sindh supports devolution of WWF and EOBI without any delay.

109. The Minister for IPC further informed that the Committee after considering views of all stakeholders and the legal and constitutional issues raised during deliberations had proposed that the Provinces may be given reasonable period for the enactment of laws and devising an efficient and workable mechanism for addressing the post-devolution issues. In the meanwhile, a consensus may be developed among the stakeholders for an amicable solution of the issues. Till that time, the Federal Government may continue to perform its functions under Employees' Old-Age Benefits Act, 1976 and Workers Welfare Fund Ordinance, 1971 or by amending those laws, if so required and advised by the Ministry of Law and Justice.

110. The Chief Minister, Sindh mentioned that Sindh has already enacted EOBI and WWF laws, therefore, being a devolved subject, both the WWF and EOBI should be devolved to the provinces. The Chief Secretary, Sindh argued that if other provinces did not want devolution of these organizations, the Govt. of Sindh should not be deprived of its right.

111. The Chief Minister Balochistan and Chief Secretary, KP endorsed the recommendations of the Committee headed by Minister for IPC.

112. The Chief Secretary Punjab informed that EOBI should not be devolved. However, GoPb has enacted WWF Law therefore it should be immediately devolved to the province and determination of its



assets and liabilities may be decided in consultation with Ministry of OP&HRD.

113. The SAPM on OP&HRD proposed that a mechanism should be devised in consultation with provinces to regulate the overseas employees and informal labour sector and emphasized the need to run these organizations at federal level.

114. The Chief Minister, Sindh inquired that under which law, the Federal Govt. was retaining the EOBI and WWF, given that the labour is a devolved subject. The Secretary, OP&HRD clarified that in the light of Supreme Court's judgment dated 28-03-2013 in terms of Entry 13 read with Entry 18 of Federal Legislative List, Part-II, the Federal Legislature has the competence to legislate on the matters being an inter-provincial subject.

115. Responding to query from Chief Secretary, Sindh, the Ministry for IPC said that the Implementation Commission had retained the EOBI and WWF at federal level. Moreover, both the organizations having trans-provincial operations and trans-provincial migrating employees comes under federal purview and may remain at federal level.

116. The Chairman, EOBI highlighted that the representatives of Employers Federation of Pakistan (EFP) are against the devolution of EOBI and WWF. All over the world, the pension fund is managed by the Federal Govt. If EOBI Act is unfrozen, and the word 'persons' is substituted with the word 'citizens' in the EOBI Act of 1976 than It will enable the Institution to include the Overseas Pakistanis and informal sector to the EOBI pension net. Therefore, he proposed to unfreeze the EOBI Act, and to keep it with Federal Govt. He also highlighted in detail the issues of existing trans-provincial pension payments and trans-provincial organizations and resulting issues of the migrating workers and their subsequent pension payment problem, if EOBI was devolved. He added that constitution petitions against devolution of

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EOBI and WWF are pending in the Supreme Court and Lahore High Court and workers of these organizations do not want devolution to provinces.

117. The Adviser to PM on Industries and Production suggested that EOBI should remain with the federal government in order to safeguard the interest of EOBI registered person and pensioners.

118. The Prime Minister observed that the matter needs serious consideration since it relates to welfare of labour and wages. He added that the Federal Government will not allow workers/labour to suffer.

#### DECISION

119. The CCI considered the Summary dated 23<sup>rd</sup> May, 2019 submitted by Ministry of Overseas Pakistani & HRD and observed that none of the provinces has developed a workable mechanism for resolution to address the post-devolution issues of pension of migrating employees. The Council held that being trans-provincial and inter-provincial matter, both the organizations i.e. EOBI & WWF should remain with the Federal Government to perform its functions under Employees Old-Age Benefits Act, 1976 and Workers Welfare Fund Ordinance, 1971, till such time a mutually agreed mechanism is developed.

#### Agenda No. 15:

Case No.CCI.15/1/2019 Dated 23.12.2019	Amendment in OGRA Ordinance 2002 – IMF's Extended Fund Facility (EFF) for Pakistan 2019 – 2022 Structural Benchmark and Performance Criteria
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#### DISCUSSION

120. The meeting was informed that on the basis of meetings with the IMF Mission in April-May 2019 in which the Petroleum Division agreed to certain structural benchmarks under the 2019-2022 Extended Fund Facility (EFF) Program. The Petroleum Division

proposed certain amendments in Section 8 of the Ordinance ibid pertaining to pricing for retail consumers for natural gas, with regards to the benchmark related to Gas Sector.

121. The SAPM on Petroleum apprised the forum that proposed amendment in Section 8(3) of the OGRA Ordinance, 2002 will ensure that government while advising gas sale prices shall ensure the revenue requirements of gas companies be met. With respect to amendment in Section 8(4) of OGRA Ordinance, 2002, it was apprised by Petroleum Division that proposed amendment will empower OGRA to notify sale prices, if the Federal Government fails to advise sale prices to OGRA within 40 days of receipt of determination from OGRA.

### DECISION

122. The CCI considered the Summary dated 17<sup>th</sup> December, 2019 submitted by Cabinet Division and approved the proposed amendments in Section 8(3), 8(4) and 8(5) of the OGRA Ordinance, 2002.

### Agenda No. 16:

Case No.CCI.16/1/2019 Dated 23.12.2019	Annual Report of the CCI for the Year 2016-17
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### DECISION

123. The Council of Common Interests allowed laying of its Annual Report for the Year 2016-17 before both the houses of the Parliament as required under Article 153 (4) of the Constitution.

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**LIST OF PARTICIPANTS OF 41<sup>st</sup> CCI MEETING  
HELD ON 23<sup>rd</sup> DECEMBER, 2019 (1430 HOURS)**

**A). CONSTITUTIONAL MEMBERS:**

**Members Federal:**

1. Mr. Asad Umar, Federal Minister for Planning, Development & Special Initiatives
2. Dr. Fehmida Mirza, Federal Minister for Inter-Provincial Coordination
3. Mr. Omar Ayub Khan, Federal Minister for Power Division

**Members Provinces:**

1. Sardar Usman Ahmed Khan Buzdar, Chief Minister Punjab
2. Syed Murad Ali Shah, Chief Minister Sindh
3. Mr. Mehmood Khan, Chief Minister Khyber Pakhtunkhwa
4. Mr. Jam Kamal Khan, Chief Minister Balochistan

\* \* \* \* \*

**Federal Minister/Secretaries (By Special Invitation) for All Items:**

1. Mr. Maroof Afzal, Secretary, Cabinet Division
2. Mr. Naveed Kamran Baloch, Secretary, Finance Division
3. Mr. Muhammad Khashih-ur-Rehman, Secretary, Law & Justice Division

**Advisor to CM & Chief Secretaries to assist the Chief Ministers**

1. Mr. Himayaatullah Khan, Advisor to the Chief Minister KP on Energy
2. Major (Ret) Azam Salman, Chief Secretary Punjab
3. Mr. Mumtaz Ali Shah, Chief Secretary Sindh
4. Dr. Kazim Niaz, Chief Secretary Khyber Pakhtunkhwa
5. Capt. (Ret) Fazeel Asghar, Chief Secretary Balochistan

**B). PARTICIPANTS OF AGENDA ITEMS BY SPECIAL INVITATION**

1. Mr. Shafqat Mehmood, Minister for Federal Education and Prof. Training, Islamabad
2. Mr. Mohammed Mian Soomro, Minister for Privatization, Islamabad.
3. Mr. Fawad Ahmed, Minister for Science & Technology, Islamabad.
4. Mr. Muhammad Faisal Vawda, Minister for Water Resources, Islamabad
5. Dr. Zafar Mirza, SAPM/MoS for National Health Services, Regulation & Coordination, Islamabad
6. Sayed Zulfikar Abbas Bukhari, SAPM/MoS for Overseas Pakistani & HRD, Islamabad.
7. Dr. Abdul Hafeez Shaikh, Advisor to the PM on Finance and Revenue
8. Mr. Abdul Razak Dawood, Advisor to the PM on Commerce, Textile, Industries & Production and Investment
9. Mr. Nadeem Babar, Special Assistant to the PM on Petroleum Division
10. Mr. Anwar Mansoor Khan, Attorney General for Pakistan, Islamabad
11. Mr. Muhammad Jehanzeb Khan, Deputy Chairman, Planning Commission
12. Mian Asad Hayaud Din, Secretary, Petroleum Division, Islamabad.
13. Mr. Irfan Ali, Secretary, Power Division, Islamabad.



14. Dr. Sajid Yoosufani, Secretary, M/o Federation Education and Prof. Training, Islamabad
15. Mr. Allah Baksh Malik, Secretary, M/o National Health Services, Regulation & Coordination, Islamabad
16. Engr. Aamir Hasan, Secretary, M/o Overseas Pakistani & HRD, Islamabad.
17. Mr. Zafar Hasan, Secretary, M/o Planning, Development & Special Initiatives.
18. Mr. Rizwan Malik, Secretary, M/o Privatization (Privatization Commission), Islamabad.
19. Capt.(Retd). Nasim Nawaz, Secretary, M/o Science & Technology, Islamabad.
20. Mr. Muhammad Ashraf, Secretary, M/o Water Resources, Islamabad.
21. Syed Muhammad Shabbar Zaidi, Chairman, FBR, Islamabad
22. Dr. Tariq Banuri, Chairman, HEC, Islamabad

**C). MINISTRY OF IPC/CCI'S STAFF CONDUCTING THE CCI MEETING**

1. Mr. Akbar Durrani, Secretary, IPC/CCI
2. Dr. Pervez Ahmed Khan, Special Secretary, IPC
3. Ms. Amna Imran Khan, Additional Secretary, IPC
4. Dr. Mir Aijaz Hussain Talpur, Joint Secretary (CCI/IPC)
5. Mr. Nisar Ahmed, Deputy Secretary (CCI)
6. Syed Mudassar Hussain Shah, SO (CCI)
7. Dr. Muhammad Fayyaz Shaikh, SO (Progress)
8. Mr. Farhan Akhtar, SO (Council)
9. Mr. Ahmeduddin Soomro, Superintendent.
- 10 Mr. Talha Arslan, Stenotypist (with Laptop)
- 11 Mr. Junaid Khan, APS
- 12 Mr. Gohar Habib, APS
- 13 Mr. Muhammad Haroon, Cabinet Attendant
- 14 Mr. Muhammad Khalid, Naib Qasid
- 15 Mr. Wajid Mehmood, Naib Qasid

**LIST OF PARTICIPANTS OF DIFFERENT AGENDA ITEMS TO ASSIST THE FEDERAL MINISTERS/CHIEF MINISTERS/FEDERAL SECRETARIES**

**Government of Khyber Pakhtunkhwa:**

1. Mr. Taimoor Saleem Khan Jhagra, Minister for Finance, KP
2. Dr. Muhammad Ajmal, Secretary, IPC Dept. KP.
3. Mr. Javed Ali, Additional Secretary, IPC Dept. KP
4. Dr. Mohisan Habib, SO (Imp-III), IPC Dept. KP.
5. Mr. Jehangir Khan, PS to Secretary, IPC Dept. KP.
6. Mr. Riaz Ahmad, Stenographer, IPC Dept. KP.

**Government of Balochistan:**

1. Agha Taimur Shah, Secretary, IPCD, Balochistan
2. Dr. Muhammad Aslam, Secretary, Excise & Taxation, Balochistan

**Cabinet Division:**

1. Mr. Abdul Ghufuran Memon, Additional Secretary-II

**Ministry of Water Resources:**

1. Mr. Syed M. Mehar Ali Shah, Joint Secretary (Water)
2. Mr. Naveed Asghar Chaudhry, GM Finance (Power) WAPDA.
3. Mr. Dawood Khan, Chairman IRSA

**Ministry of Overseas Pakistani's & HRD:**

1. Mr. Azhar Hameed, Chairman, EOBI
2. Mr. Qasim Samad Khan, Secretary Workers Welfare Fund
3. Ms. Sheena Ali Mansoor, Joint Secretary
4. Mr. Naveed Akhtar, Deputy Secretary
5. Mr. Jibran Hussain, Section Officer (EOBI)
6. Mian Usman Ali Shah, PSO to SAPM (OP & HRD)

**Ministry of Privatization:**

1. Syed Anwar-ul-Hasan Bokhari, Executive Director General, Privatization Commission
2. Mr. Muhammad Jamil, Director General, Power
3. Mr. Shahid Raza, Senior Consultant/Transaction Manager (NPPMCL)
4. Syed Mohsin Abbas, Senior Legal Consultant
5. Mr. Dhanpat Kotak, Chief Executive Officer, NPPMCL

**Ministry of Science & Technology:**

1. Mr. Abdul Aleem Memon, Director General, PS&QCA, Karachi.
2. Mr. Ashfaq Ahmed, Joint Technological Advisor
3. Mr. Akhtar Ahmed Bughio, Director (CAK), PS&QCA, Karachi.
4. Mr. Irshad Ali Ansari, Director (Legal), PS&QCA, Karachi.

**Ministry of Energy (Petroleum Division):**

1. Mr. Tanveer Ahmed Qureshi, Additional Secretary
2. Mr. Muhammad Ayub Chaudhry, Additional Secretary
3. Mr. Muhammad Waseem, MD, SSGCL
4. Mr. Amir Tufail, MD, SNGPL
5. Mr. Shahid Yousaf, Director General (GAS)
6. Mr. Abdul Jabbar Memon, DG (LG)
7. Mr. Imran Ahmad, Director Exploration
8. Mr. Abdul Rasheed Jakhio, Director, Petroleum Division
9. Dr. Nawaz Ahmad Virk, Director LNG
10. Mr. Hassan Mahmood, Director (M&E)
11. Mr. M. Bilal Khan, SO to Secretary (along with laptop)
12. Mr. Khushnam Ali Khan, Asstt. Director

**Ministry of Energy (Power Division):**

1. Mr. Munir Azam, Additional Secretary
2. Mr. Waseem Mukhtar, Additional Secretary
3. Mr. M. Zargham Eshaq Khan, Joint Secretary
4. Mr. Zafar Abbas, Joint Secretary
5. Mr. Abid Latif Lodhi, CEO CPPA-G
6. Rana Abdul Jabbar, CEO, AEDB
7. Mr. Shajhan Mirza, MD, PPID

**MINISTRY OF PLANNING, DEVELOPMENT & SPECIAL INITIATIVES:**

1. Mr. Abdul Hadi Janjua, Director to Deputy Chairman, Planning Commission

GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(Secretariat of Council of Common Interests)

No.2(3)/2020-CCI

Islamabad, the 20<sup>th</sup> August, 2020

Subject: MINUTES AND DECISIONS OF 42<sup>nd</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).

The Council of Common Interests held its 42<sup>nd</sup> meeting on 6<sup>th</sup> of August, 2020 at Prime Minister's House, Islamabad.

2. The Minutes and Decisions of the meeting approved by the Prime Minister /Chairman, CCI, are circulated herewith, for further necessary action in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010.
3. Action to implement the aforesaid decision(s) should be intimated to this secretariat accordingly.
4. The enclosed certificate of acknowledgment of receipt of the CCI's Minutes and Decision(s) may be returned, duly completed and signed.



(Dr. Mir Aijaz Hussain Talpur)  
Joint Secretary (CCI)  
Ph: 051-9103518

1. The Secretary, Cabinet Division, Islamabad.
2. The Secretary, Finance Division, Islamabad.
3. The Secretary, Law and Justice Division, Islamabad.
4. The Chief Secretary, Punjab.
5. The Chief Secretary, Sindh.
6. The Chief Secretary, Khyber Pakhtunkhwa.
7. The Chief Secretary, Balochistan.

Cc:

Section Officer (Progress), IPC Division, Islamabad

Secretary  
Inter Provincial Coordination Department  
Diary No. 9380 Date 25-8-2020

P.S to Chief Secretary  
Govt. of Khyber Pakhtunkhwa

(Syed Mudassar Hussain Shah)  
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**GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER-PROVINCIAL COORDINATION  
(SECRETARIAT OF THE COUNCIL OF COMMON INTERESTS)**

**42<sup>nd</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS  
MINUTES AND DECISIONS OF THE MEETING**

The Council of Common Interests (CCI) held its 42<sup>nd</sup> meeting on 6<sup>th</sup> of August, 2020 at 12:00 noon at the Prime Minister's House, Islamabad, under the chairmanship of Prime Minister of Islamic Republic of Pakistan. List of participants is annexed.

2. The meeting commenced with recitation from the Holy Quran. The Prime Minister / Chairman of the Council of Common Interests welcomed the participants. The Chairman CCI mentioned that regular meetings of the CCI could not be held due to Covid-19 pandemic and expressed commitment to hold meetings of the CCI regularly. The Chair permitted the Secretary IPC to take up the agenda.

3. **AGENDA ITEM No. 1:**

<b>Case No.CCI.1/1/2020 Dated 06.08.2020</b>	<b>Amendment in the Oil &amp; Gas Regulatory Authority Ordinance, 2002</b>
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**DISCUSSION**

4. The Chief Secretary Sindh informed that the subject of mineral oil and natural gas appears at Entry No.2, Part II of Federal Legislative List and under Article 154 of the Constitution of Pakistan, CCI is the competent forum to take appropriate decision.

5. Government of Sindh proposed that Section 3 of the OGRA Ordinance, 2002 may be amended to incorporate provincial representation in the authority on the pattern of NEPRA which has the present composition of five members i.e. one member from Federal Government as chairman and four members from provinces i.e. one



member from each province, appointed by Federal Government in consultation with the concerned Provincial Government, and a vice chairman of the Authority appointed amongst the members, for a period of one year, by rotation. It was further proposed that the chairman and provincial members may be appointed for a period of four years.

6. Chief Secretary Sindh further informed that Government of Khyber Pakhtunkhwa fully supports the proposed amendments while Government of Balochistan suggests that Provincial Members may be appointed on the recommendation/nomination by Provinces instead of consultation. Government of Punjab suggests that Chairman may be appointed by the Federal Government and four Members one from each Province, to be appointed by the Federal Government in consultation with Provincial Governments. However, Cabinet Division, Law and Justice Division, and Petroleum Division did not agree to the proposal.

7. Minister for Law and Justice referred to Article 172(3), and mentioned that subject to the existing commitments and obligations, mineral oil and natural gas within the Province or the territorial water adjacent thereto shall vest jointly and equally in that Province and the Federal Government. Ownership and control are two different aspects. Although, mineral oil and natural gas in terms of Entry-2 of Part-II read with Article 154(1) of the Constitution, fall in the jurisdiction of CCI, yet according to Supreme Court's judgment in PMDC case, reported as 2018 SCMR 1956, the CCI can only formulate policies and cannot legislate on Federal Legislative List, Part-II whereas Parliament has absolute and unfettered authority to make laws with respect to Federal Legislative Lists without requiring approval or assent from any forum including CCI. Under Article 97 of the Constitution, executive authority with respect to legislation rests with Federal Government. Moreover, there is no provision in Article 172(3) of the Constitution for

provincial representation. Hence, Law and Justice Division do not support the proposal of Government of Sindh.

8. Chief Minister Sindh referred to Lahore High Court's judgment in support of his arguments and mentioned that Article 172(3) provides joint control and ownership to Federal and Provincial Governments on mineral oil and natural gas. Moreover, since its creation, a number of laws have been cleared by CCI. NEPRA and IRSA also have provincial representation. Therefore, CCI may recommend the Federal Government to place the draft OGRA Amendment Bill before the Parliament for legislation.

9. SAPM on Petroleum mentioned that Petroleum Division does not support provincial representation in OGRA as it regulates upstream and midstream petroleum sectors only. He mentioned that OGRA membership requires highly skilled and efficient persons in Oil, Gas and Finance, and provincial representation will dilute the consistency and efficiency of the organization, therefore, it should not be supported. Petroleum Exploration and Production Policy 2012 has already devised a mechanism for the provision of input of provinces in the regulation of the upstream Oil & Gas sector, by creating the post of Provincial Directors in the DGPC.

10. Minister for Planning, Development and Special Initiatives endorsed the views of Minister for Law & Justice and SAPM on Petroleum. He quoted that provincial representation is a political consideration while regulatory bodies should have technical experts only. Minister for Power stated that OGRA being a technical body should include technical experts.

11. Chief Minister, Balochistan proposed to set up a Committee which could sit with provinces to work out modalities regarding provincial representation. Chief Minister, Sindh proposed to have an Advisory Board having provincial representation without voting power.



Chief Minister Punjab recommended that competent people should be included as members in OGRA.

12. Chairman, CCI opined that he is a strong believer of provincial representation but it should not affect efficiency of the organization.

### **DECISION**

13. The CCI considered the Summary titled '**Amendment in the Oil & Gas Regulatory Authority Ordinance 2002 (Ordinance XVII of 2002)**' dated 3<sup>rd</sup> March, 2020, submitted by Government of Sindh, and decided that the Petroleum Division would explore the possibility of provincial representation in OGRA in consultation with provincial governments and shall inform the CCI in the next meeting.

### **AGENDA ITEM No. 2:**

<b>Case No.CCI.2/1/2020 Dated 06.08.2020</b>	<b>Handing Over of Control of Lower Portion of Chashma Right Bank Canal and Supply of Full Share of Water from CRBC to Punjab</b>
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### **DISCUSSION**

14. The Chief Secretary Punjab stated that Chashma Right Bank Canal off takes from right bank of Chashma Barrage on the Indus River and irrigates about 606,000 acres of land in Khyber Pakhtunkhwa and Punjab provinces. The Punjab share of water is delivered at RD 513 of CRBC which is 1,834 Cs. The operation and maintenance of CRBC is in the control of WAPDA. The O&M cost of CRBC lying in Punjab is borne by Punjab whereas the O&M cost of CRBC lying in Khyber Pakhtunkhwa is shared between Punjab and Khyber Pakhtunkhwa on 50:50 basis as per Tri Partite Agreement of 10.04.2002.

15. For the last many years, Punjab has not been getting its full share of canal water from CRBC. Accordingly, Chairman WAPDA was requested on 2<sup>nd</sup> August, 2016 to transfer the control of the portion of

CRBC lying in Punjab to Punjab Irrigation Department. WAPDA, however, it did not respond to this request. The matter was, therefore, placed before the Provincial Cabinet in its meeting held on 29.12.2018. The Cabinet approved the decision for submission of the subject matter to the Council of Common Interests.

16. Government of the Punjab proposed to transfer the control of Chashma Right Bank Canal (CRBC) from RD 513 onward on Indus River from Ministry of Water Resources to the Government of the Punjab. It was also proposed that Punjab should receive its full share of water from CRBC at RD 513 and directions be issued to the Government of Khyber Pakhtunkhwa to initiate strict action against persons involved in theft / illegal use of water from the CRBC.

17. Government of Sindh and Government of Baluchistan supported the proposal subject to amicable settlement with the Government of Khyber Pakhtunkhwa in accordance with Water Apportionment Accord, 1991.

18. Government of Khyber Pakhtunkhwa was of the view that Government of the Punjab should continue sharing the O&M cost of main canal in the province of Khyber Pakhtunkhwa on 50:50 basis. Government of the Punjab mentioned that they have already agreed to take over the staff and operation and maintenance of the Canal.

19. Ministry of Water Resources supported the transfer of CRBC to Punjab subject to reconciliation of outstanding O&M liabilities between respective provinces within one month of CCI decision, besides payment of outstanding dues to Ministry of Water Resources.

#### **DECISION**

20. The CCI considered the Summary titled '**Handing Over of Control of Lower Portion of Chashma Right Bank Canal and Supply of Full Share of Water from CRBC to Punjab**' dated 30<sup>th</sup> August, 2019, submitted by Government of the Punjab and decided



that Government of the Punjab, Government of Khyber Pakhtunkhwa, and IRSA shall meet and work out modalities to finalize a bilateral agreement between the two provinces on the proposed transfer within one month without affecting Water Accord, 1991.

21. The CCI further decided that Governments of the Punjab and Khyber Pakhtunkhwa would reconcile all outstanding liabilities owed to WAPDA within a period of one month of the decision of the CCI and the duly reconciled liabilities would be cleared by the respective governments.

22. The CCI also decided that all existing staff of WAPDA responsible for O&M of CRBC would be transferred/merged with the respective Irrigation Departments of both provinces.

**AGENDA ITEM No. 3:**

<b>Case No.CCI.3/1/2020 Dated 06.08.2020</b>	<b>Future Role and Functioning of National Commission for Human Development and Basic Education Community Schools to promote literacy in the Country</b>
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**DISCUSSION**

23. Minister for Federal Education and Professional Training informed that National Commission for Human Development (NCHD) was established in 2002 as a Federal Autonomous Body. Whereas, the Basic Education Community Schools (BECS) is a successor of earlier Non-Formal Basic Education Schools Project of 1995, an initiative of the Prime Minister Literacy Commission, currently working under his Ministry. Their following two development projects are currently being sponsored by this Ministry:

- a) Project titled "Improving Human Development indicators in Pakistan (Education related) with focus on Sustainable Development Goals (SDGS)" run by NCHD.
- b) Project titled "Establishment & Operation of Basic Education Community Schools" run by BECS.

24. A total of 18,124 Non-Formal/Feeder Schools are being managed by the NCHD and BECS jointly, where 18,756 teachers are imparting Primary Education to 789,675 students. The payment of honoraria amounting to Rs.8000/- per month to these non-formal feeder teachers/schools, have been made up-to 30<sup>th</sup> June, 2020.

25. The CCI on 1<sup>st</sup> June, 2011 decided that in case an arrangement cannot be reached with provinces, both the Organizations would be wound up after June 30, 2011. However, it was challenged in Supreme Court of Pakistan which passed a judgement under Constitutional Petitions No.50 & 69/2011 declaring this act as violation of article 25-A of the Constitution of Pakistan and allowed the projects to continue performing the positive duty of providing basic human rights to the citizens of Pakistan.

26. Minister for Federal Education and Professional Training proposed that the subject of education had been devolved to the provinces, the CCI might take a fundamental decision to transfer the existing NCHD and BECS schools, their teachers and students from Ministry of Federal Education & Professional Training to Education Departments of respective Provinces/Regions. The matter was discussed in the Inter-Provincial Education Minister's Meeting on 5<sup>th</sup> August, 2020. However, no consensus could be reached. The provinces/regions expressed their concerns over the capacity and outcome of these non-formal feeder teachers and were reluctant to bear the additional financial burden. Moreover, performance assessment of teachers has also been conducted through Deputy Commissioners.

27. The Chief Minister, Punjab proposed to absorb teachers and not non-teaching staff. Chief Minister Sindh mentioned that education is a devolved subject. He also highlighted the wages and regularization issues and said that in case of absorption of teachers in Sindh, they would have to pay wages and regularize them. There are more than 4000 teachers, which will have huge impact on the provincial finance.



Chief Minister, Khyber Pakhtunkhwa agreed to accommodate these programmes and proposed that an integration plan should be devised for transition within one years' time. Chief Minister Sindh also endorsed the transition mechanism for one year. Chief Minister, Balochistan was of the view that Federal Government may continue to run both the programmes considering the financial envelop of the province.

28. The Prime Minister advised the Minister for Federal Education and Professional Training to take lead on the issue as it should not be left open ended.

#### **DECISION**

29. The CCI considered the Summary titled '**Future Role and Functioning of National Commission for Human Development and Basic Education Community Schools to promote literacy in the Country**' dated 28<sup>th</sup> July, 2020, submitted by Ministry of Federal Education and Professional Training and decided that NCHD and BECS would be handed over to respective provinces by 30<sup>th</sup> June, 2021.

The Ministry of Federal Education and Professional Training shall work out modalities of handing over in consultation with the provinces and shall devise a transition and integration plan within three months and present it to the CCI.

30. It was further decided that Ministry of Federal Education and Professional Training would also share geo locations and teachers' profile with the provinces.

#### **AGENDA ITEM No. 4:**

<b>Case No.CCI.4/1/2020</b> <b>Dated 06.08.2020</b>	<b>Strategy to combat Covid-19</b>
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#### **DISCUSSION**

31. The Secretary, Ministry of National Health Services, Regulations briefed the CCI on the key points of Strategy to Combat Covid-19. He

informed that strategy to combat COVID-19 pandemic has been evolved in a collaborative process between Federation and federating units. Government of Pakistan established a National Coordination Committee (NCC) as a key body for policy and decision making with the objective to enable a whole of the government approach. It also notified a National Command and Operation Centre (NCOC) to assist it to implement the decisions of the NCC. These committees and M/o NHR&C played a pivotal role in establishing a "One Government Response" across the country through a coordinated mechanism working in close coordination with provinces on daily basis.

32. It was further informed that the Supreme Court of Pakistan took Sue Moto Notice of the situation and directed the Federal Government for new legislation in the matter. The Pandemic Diseases Act, 1958 did not cover Covid-19 pandemic. Accordingly, National Health Emergency Response Act, 2020 has been drafted which provides for a coordinated response to a health care emergency in the future.

33. COVID peaked between May to mid-June with average daily cases load of 3000 and positivity rising to 17%. The disease incidence has since declined towards the end of June and numbers further declined in July. The average daily case load in July was 2204 with positivity rate reduced to 5%.

### **DECISION**

34. The CCI considered the Summary titled '**Strategy to combat Covid-19**' dated 27<sup>th</sup> July, 2020, submitted by Ministry of National Health Services, Regulations and Coordination and took note of the presentation. The Council appreciated the strategy adopted by the Government to curb the spread of the pandemic.



**AGENDA ITEM No. 5:**

**Case No.CCI.5/1/2020  
Dated 06.08.2020**

**National Health Emergency Response  
Act, 2020**

**DISCUSSION**

35. The Secretary, Ministry of National Health Services, Regulations informed that National Health Emergency Response Act, 2020 has been drafted on the directions of Supreme Court of Pakistan.

36. The Chief Minister Sindh mentioned that, after the 18<sup>th</sup> Amendment, Health is a devolved subject to which other provinces endorsed that the subject matter does not come under the purview of CCI. The Chief Minister Sindh was further of the view that if the said Act was unavoidable, the Federal Government may follow proper way and adopt Article 144 of the Constitution and legislation should be done after getting Resolution from the provincial assemblies.

37. Minister for IPC mentioned that in terms of Entry-13 of Federal Legislative List, Part-II, inter-provincial matters and coordination is the domain of CCI. Both the Federal Legislative List, Part-I & II are the sole jurisdiction of the Federal Government.

38. Minister for Law and Justice opined that Pakistan is signatory of WHO conventions and international protocols. Since, WHO declared Covid-19 as pandemic, hence, provincial assemblies' Resolutions are not required to legislate under Article 144. He informed that the Supreme Court of Pakistan vide its Judgment in Suo Moto case regarding 'combating the pandemic of COVID-19' dated 8-6-2020 directed the enactment of a Law to deal with healthcare emergencies and the associated issues of fundamental rights. However, according to Supreme Court's judgment reported as 2018 SCMR 1956, the CCI can only formulate policies whereas legislation is the domain of Parliament.

**DECISION**

39. The CCI considered the Summary titled '**National Health Emergency Response Act, 2020**' dated 28<sup>th</sup> July, 2020, submitted by Ministry of National Health Services, Regulations and Coordination and observed that the matter did not pertain to the CCI.

**AGENDA ITEM No.6:**

<b>Case No.CCI.6/1/2020 Dated 06.08.2020</b>	<b>Windfall Levy on Crude Oil, Condensate &amp; Natural Gas under Petroleum Policy, 2012</b>
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**DISCUSSION**

40. The Chief Secretary, Sindh informed that the CCI in its meeting dated 08.08.2012 finally approved the Petroleum Policy 2012 and further decided that "the benefit of windfall levy will be shared over and above the base price of USD 40 per barrel and be distributed among the Federal Government and concerned province on 50:50 basis". Despite clear decision and enabling provision in Petroleum Policy 2012, no amount has so far been transferred to provinces as straight transfer to date.

41. Govt. of Sindh proposed that fifty per cent (50%) share of the receipts collected under the head "windfall levy on crude oil" and "discount retained on crude" being the receipts collected from the same crude oil may be transferred as straight transfer to concerned province, along with past arrears since 2012, on the basis of proportionate production of crude oil from the concerned province.

42. Governments of Khyber Pakhtunkhwa, Punjab and Balochistan supported the proposal of Government of Sindh.

43. SAPM on Petroleum opposed the proposal on the pretext that under Petroleum Policy 2012, the Government of Sindh can only claim revenue/past arrears with effect from 30<sup>th</sup> August, 2012 under the



head of Windfall Levy on Crude Oil/Condensate from the leases granted or to be granted under Petroleum Concession Agreements that falls in the preview of Petroleum (E&P) Policy 2012. Moreover, the Discount and Windfall Levy on Crude Oil/Condensate being collected and retained from the leases granted prior to the promulgation of Petroleum (E&P) Policy 2012 have no provision for the sharing of revenue in their respective Petroleum Policies and therefore cannot be shared. Finance Division also endorsed the view point of Petroleum Division.

44. Minister for Law and Justice clarified that provisions of Petroleum Policy were applicable since 2012 without retrospective effect.

45. Government of Sindh was of the view that prior to use of new title namely "windfall levy on crude oil", Federal Government levied and collected the identical revenue under the title "discount retained on crude." The incidence of levy, however, under "discount retained on crude oil" is the same crude oil produced in the province concerned. Currently, related revenue is being collected under both the titles i.e. windfall levy on crude oil and discount retained on crude oil.

#### **DECISION**

46. The CCI considered the Summary titled '**Windfall Levy on Crude Oil, Condensate & Natural Gas under Petroleum Policy, 2012**' dated 20<sup>th</sup> July, 2020, submitted by Government of Sindh and decided that Petroleum Division would consult Finance Division to reconcile all claims falling after 30<sup>th</sup> August 2012, related to the provinces and covered by Petroleum Policy 2012, under the head of Windfall levy on Crude Oil /Condensate and Natural Gas, and would come up with payment plan in next CCI meeting.

**AGENDA ITEM No. 7:**

<b>Case No.CCI.7/1/2020 Dated 06.08.2020</b>	<b>Amendment in the Regulation of Mines and Oil Fields and Mineral Development (Government Control) Act 1948</b>
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**DISCUSSION**

47. The Chief Secretary, Sindh informed that the Regulation of Mines and Oil fields and Mineral Development (Government Control) Act 1948 exclusively empowers Federal Government to regulate upstream oil and gas activities in the country. Presently, Article 172(3) of the Constitution is only confined to the ownership rights of the Federal and the Provincial Governments without affecting the Legislative Executive and Administrative authority of the Federal Government under the Fourth Schedule, Federal Legislative List, Part-II, Entry 2 of the Constitution. Therefore, Govt. of Sindh has proposed the following amendments in the subject Act to grant equal regulatory control to Provinces in upstream petroleum activities:

Proposed amendment in Section 6:

"Definition of appropriate Government. In this Act, "Appropriate Government" means, in relation to the mines of nuclear substances. The Federal Government, in relation to the oil-fields, and gas fields, and development of such substances, mineral oil and natural gas, the Federal Government and the Provincial Government jointly and equally and in relation to other mines and mineral development, the Provincial Government."

48. Chief Secretary, Sindh requested that the Council may recommend the Federal Government for amendment in Regulation of Mines and Oil Fields and Mineral Development (Government Control) Act 1948 and place the draft Amendment Bill, 2019 before the Parliament. Advisor to Chief Minister Khyber Pakhtunkhwa on Energy and Power supported the proposal of Government of Sindh.

49. Minister for Law and Justice clarified that the proposed amendment is not in consonance with the provisions of the Constitution. According to Article 154, the CCI has the power to



formulate and regulate policies in relation to matters in Part-II of the Federal Legislative List. As per decision of honorable Supreme Court of Pakistan reported as 2018 SCMR 1956 the CCI can only formulate policy. Hence, the proposed Summary is not supported.

#### **DECISION**

50. The CCI considered the Summary titled '**Amendment in the Regulation of Mines and Oil Fields and Mineral Development (Government Control) Act 1948**' dated 20<sup>th</sup> July, 2020, submitted by Government of Sindh and observed that the matter did not pertain to the CCI.

#### **AGENDA ITEM No. 8:**

<b>Case No.CCI.8/1/2020 Dated 06.08.2020</b>	<b>Annual Reports of the Council of Common Interests (CCI) for the years 2017-18, 2018-19, and 2019-20</b>
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#### **DISCUSSION**

51. The Secretary, CCI informed that as per Article 153(4) of the Constitution the CCI is responsible to Parliament and have to submit its Annual Report to both houses of Parliament. Therefore, approval of the CCI is solicited for placing the Annual Reports for the years 2017-18, 2018-19, and 2019-20 before the Senate and National Assembly

#### **DECISION**

52. The CCI approved laying of its Annual Reports for the years 2017-18, 2018-19, and 2019-20 before both houses of the Parliament.

**AGENDA ITEM No. 9:**

<b>Case No.CCI.9/1/2020 Dated 06.08.2020</b>	<b>Implementation Status of 41<sup>st</sup> CCI Decisions (23.12.2019):</b>
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**(i). Recommendations of the Attorney General for Pakistan concerning the Water Accord, 1991****DISCUSSION**

53. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had decided that a committee should be formed comprising relevant technical experts of Federal & Provincial governments, Attorney General for Pakistan and respective Advocate Generals for fair distribution of water among the provinces. The Council also decided that a telemetry system should also be introduced immediately to ensure the actual quantity of water in reservoirs and its release to the provinces. Secretary IPC shall seek nominations from all stakeholders and submit it for orders of the Chairman CCI/PM.

54. Secretary, CCI further informed that with the approval of the Prime Minister, the Committee has been notified on 29<sup>th</sup> July, 2020. For installation of Telemetry System, consultative meetings were convened with all stakeholders. WAPDA will submit the Project PC-I in August, 2020. The project will be executed by WAPDA in two phases and it will continue O&M for three years, excluding defect liability period, after successful installation, testing & commissioning.

55. The Chief Minister Sindh raised his concern over inordinate delay in notifying the Committee. He mentioned that during 41<sup>st</sup> CCI meeting held on 23.12.2019 the recommendations of Attorney General of Pakistan were deliberated at length, however, the CCI constituted another committee of technical experts from Federal & Provincial governments wherein only one member was included from Sindh and Balochistan which is not justified because these were more concerned parties being the lower riparian. He demanded that there should be equal number of representatives from each province in the Committee and one months' time should be given to the Committee to



submit its report. He further remarked that distribution of water and telemetry system are two separate issues.

56. The Water Resources Division explained that there were issues with the installation of telemetry system to be undertaken by IRSA and now WAPDA would undertake to install this. He further elaborated that this should not be done in haste because there are 24 sites in Indus River System where 6000-7000 sensors would have to be installed whose correct recording values were most critical for measuring of water passing through the sites which could be affected even due to the short of power supply and load shedding problems as it was evidenced in the previously system in 2002 which did not deliver.

57. The Minister for Irrigation Punjab mentioned that there are 10 clauses in Water Accord which relate to development of water resources and at present there was only 102 MAF which was available for division amongst the provinces but it was actually based on the availability of 114MAF water which was only a hypothetical figure. If new reservoirs are not built then the implementation of Water Accord will be jeopardized. Due to this situation of basing the division of water on availability of hypothetical 114 MAF Punjab is getting 49% share and thus losing 4% of its due share. The Minister explained that the 114MAF will only be available for division amongst the provinces when the reservoirs are built.

58. The Chief Minister Sindh informed that it was not mentioned in Water Accord anywhere that division of water would be done once reservoirs were constructed and Clause 6 of the Water Accord being referred to was not linked to building water storages. He further stressed that Committee should be constituted under the AG at the earliest to sort of issues mentioned in Clause 14(b) of the Water Accord.

59. The Prime Minister remarked that fair distribution of water is a critical issue and needs to be resolved judiciously and emphasized equal representation from all provinces.

### **DECISION**

60. The CCI directed to reconstitute the Committee under Attorney General for Pakistan which would have equal number of representatives from all provinces. The Committee will firm up its recommendations within one month of its notification and submit the same to CCI Secretariat.

### **(ii). Matters pertaining to Higher Education in Post-Eighteenth Amendment Scenario**

### **DISCUSSION**

61. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had decided that the Chairman, HEC will hold meetings with Chief Ministers Sindh, & Punjab and submit report in next meeting of CCI. The Chairman, HEC shall also submit a position paper to the Prime Minister for a national level education testing mechanism.

62. Secretary, CCI reported that meetings of Chairman, HEC with Chief Ministers of Sindh and Punjab could not be held. However, Position paper on National Level Education Testing Mechanism has been forwarded to the Prime Minister's Office on 4<sup>th</sup> August, 2020.

63. Minister for Federal Education and Professional Training informed that National Level Education Testing Service had been established and its Board of Governors constituted and Its Chief Executive had been appointed and few exams also conducted.

64. The Chief Minister Khyber Pakhtunkhwa informed that they already have Education Testing Agency. Chief Minister Balochistan pointed out impediments due to PPRA Rules. Secretary to Prime Minister informed that PPRA rules have been amended and usual



concerns like lowest bidder versus quality had been addressed in the amended rules thus provincial governments could adopt these rules for more clarity and convenience.

### **DECISION**

65. The CCI advised the Chairman, HEC to hold meetings with Chief Ministers Sindh and Punjab, within fifteen days.

66. The Council noted that the position paper on National Level Education Testing Mechanism had not been submitted to the Prime Minister by the HEC as yet. It was decided that the same should be submitted within two weeks, being long overdue.

### **(iii). Funding of Devolved Vertical Programs of Health and Population Welfare**

### **DISCUSSION**

67. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had decided that Federal and Provincial Ministers and Secretaries for Health, Planning and Finance should devise a national plan of action to effectively run these vertical programs by the provinces and submit their recommendations in the next CCI meeting. SAPM on National Health Services, Regulations & Coordination, shall coordinate submission of recommendations in consultation with all stakeholders.

68. The Secretary, Ministry of National Health Services, Regulations & Coordination informed that meeting on Lady Health Workers Program was held on 21.2.2020, wherein recommendations were formulated and decided to be placed before inter-ministerial meeting and CCI. For rest of the vertical programs of Health and Population, meetings could not be held due to Covid-19 pandemic.

### **DECISION**

69. The CCI emphasized on the Federal and Provincial Ministers and Secretaries for Health, Planning and Finance to devise a national plan of action to effectively run these vertical programs by the provinces

and submit their recommendations in the next CCI meeting. SAPM on National Health Services, Regulations & Coordination, shall coordinate submission of recommendations in consultation with all stakeholders.

**(iv). Unauthorized deductions by Federal Government on FBR's claim on account of alleged outstanding withholding tax on Vehicles and 5% service charges deducted on account of collection of Withholding Tax by the Government of Balochistan**

**DISCUSSION**

70. The Secretary, CCI informed that the CCI its 41<sup>st</sup> meeting had observed that no deductions at source had been made by FBR during 2018 & 2019. The Council decided that deducted amount claimed by provinces for the previous years, if found unauthorized by respective Income Tax Tribunals, shall be refunded. The Chairman, FBR will meet the Chief Ministers of respective provinces to amicably resolve their issues and submit report in the next CCI meeting.

71. Chairman FBR informed that FBR recovered Rs.1.138 billion through Federal Adjuster on 30.12.2017 after the order attained finality and after the exhaustion of appeal time by Balochistan. Govt. of Balochistan has not preferred any appeal before any Appellate Authority to get it determined whether the tax so deducted was unauthorized. Govt. of Balochistan has filed an appeal for an amount of Rs.1.624 billion before Appellate Authority. FBR has requested the Chief Minister Balochistan, on 3<sup>rd</sup> March, 2020 for meeting on above issue.

**DECISION**

72. The Chairman FBR will hold meeting with Chief Minister, Balochistan to resolve the issue within one month.

73. The Chairman FBR will submit compliance report within two months to CCI Secretariat.



**(v). Unauthorized transfer of Public Money from Provincial Consolidated Fund (PCF) to Federal Consolidated Fund by the SBP on the Directions of FBR**

**DISCUSSION**

74. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had observed that no deductions at source had been made by FBR during 2018 & 2019. The Council decided that deducted amount claimed by provinces for the previous years, if found unauthorized by respective Income Tax Tribunals, shall be refunded. The Chairman, FBR will meet the Chief Ministers of respective provinces to amicably resolve their issues and submit report in the next CCI meeting.

75. Chairman FBR reported that DG Health Punjab had filed an Appeal before the Commissioner (Appeals), against order of Assessing Officer for demand of 1.01 billion. Commissioner (Appeals) heard Appeal on 4<sup>th</sup> August, 2020 and has asked both the parties to reconcile liabilities within one week. FBR has requested the Chief Minister Punjab, on 3<sup>rd</sup> March, 2020 for meeting.

**DECISION**

76. The Chairman FBR will hold meeting with Chief Minister, Punjab to resolve the issue within one month.

77. Chairman FBR will submit compliance report within two months to CCI Secretariat.

**(vi). Unconstitutional and unauthorized deduction by FBR from the Provincial Consolidated Fund**

**DISCUSSION**

78. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had observed that no deductions at source have been made by FBR during 2018 & 2019. The Council decided that deducted amount claimed by provinces for the previous years, if found unauthorized by respective Income Tax Tribunals, shall be refunded. The Chairman, FBR will meet

the Chief Ministers of respective provinces to amicably resolve their issues and submit report in the next CCI meeting.

79. Chairman FBR reported that meeting was held with Government of Sindh on 04.02.2020 to resolve the final timeline including the issues of imported vehicles and reconciliations. Govt. of Sindh has filed a claim of refund of Rs.6.124 billion in Income Tax Tribunal. Tribunal remanded back the case for denovo proceedings. The Govt. of Sindh has filed reference before Sindh High Court and have obtained stay order. Matter is sub-judice. FBR has requested the Chief Minister Sindh, on 3<sup>rd</sup> March, 2020 for meeting.

80. The Chief Minister, Sindh pointed out that FBR has made deductions at source to the tune of Rs.5.5 billion just on the basis of fake news item appeared in daily DAWN in 2016 that "Sindh Government registered 14 lac new vehicles".

#### **DECISION**

81. The Chairman FBR will hold meeting with Chief Minister, Sindh to resolve the issue within one month.

82. Chairman FBR will submit compliance report within two months to CCI Secretariat.

#### **(vii). No Objection Certificate – CJ Hydro (Private) Limited**

#### **DISCUSSION**

83. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had decided to defer further consideration till next CCI meeting. In the meantime, Power Division was directed to examine the issue and report to CCI in its next meeting.

84. Minister for Power Division remarked that the matter does not pertain to Power Division.



85. Chief Minister, Sindh contended that as per IRSA Act 1992, the Authority is not empowered to issue NOC for construction of Hydropower plants. CCI had directed the Power Division to submit report but the issue is still unresolved. Secretary power explained that power was to be generated on the run of river only. Punjab Irrigation Minister explained that they intended to use their water on the run of river to produce power. They further explained that it was understood that if there was no water in the channel then there would be no power generation.

86. Minister for IPC pointed out that Chashma Jhelum is a non-perennial canal as it runs only for two-three months therefore viability of the project needs to be examined. As per Water Policy, first priority is given to drinking water, followed by irrigation, and power generation ranks third in priority, subject to availability. Moreover, Sindh is already facing drinking water shortages. CM Sindh, in response to assertion of Punjab, provided data of water flowing in the canal and suggested that an informed decision needs to be made in this case. It was further emphasized that in order to do such projects the pre requisite was to foster trust amongst the federating units.

87. Secretary to Prime Minister informed that NEPRA has scheduled a public hearing in the matter on 12<sup>th</sup> August, 2020 and its outcome will enable to fathom facts and data. The suggestion was endorsed by Minister for Planning, Development and Special Initiatives.

#### **DECISION**

88. The Power Division, on the basis of recommendations of NEPRA, as a consequence of scheduled public hearing, will submit viability report of the project in the next meeting of CCI.

(viii). **Approval of Alternative & Renewable Energy Policy 2019**

**DISCUSSION**

89. The Secretary, CCI informed that CCI in its 41<sup>st</sup> meeting had approved in-principle the Alternative and Renewable Energy (ARE) Policy, 2019, subject to incorporating observations of Governments of Punjab, Sindh and KP in the Policy. In the event of any unresolved observation of any province, the policy shall be resubmitted before the CCI.

90. Secretary, CCI reported that according to Khyber Pakhtunkhwa their solar projects may be given special consideration and be processed under RE Policy 2006. Power Division has reported that concerns of Khyber Pakhtunkhwa had been addressed. Concerns of Sindh have been addressed except that federal entities like DISCO and NTDC to give up their rights to litigation and dispute for projects in Sindh, which, according to Power Division, is not legally sustainable.

91. Chief Minister, Balochistan mentioned that their concern has also not been resolved. Solar projects have vital importance for Balochistan and Federal Government should encourage such projects to fulfill energy requirements of provinces. Chief Secretary, Khyber Pakhtunkhwa pointed out that some of their concerns are yet to be addressed by Power Division.

92. SAPM on Petroleum clarified that as per CCI decision dated 28.04.2011, under Article 157 of the Constitution, there is no bar on provinces and they can construct their own power systems as per their requirement.

93. The SAPM on petroleum further drew attention of the CCI members towards the flexibility provided by the Constitution to provinces in establishing their own power systems in terms of Article 157 (2) sub clauses (c) & (d) which reads as follows:



*... (2) The Government of a Province may...*

*... (c) construct power houses and grid stations and lay transmission lines for use within the Province; and*

*(d) determine the tariff for distribution of electricity within the Province*

94. Chief Minister, Sindh mentioned that province of Sindh has a number of issues, and NTDC/DISCOs may not oppose Sindh's demand and should ensure B2B and net metering facilities. In case of dispute matter should be referred to NEPRA for settlement.

95. Minister for Power Division clarified that during AEDB Board meetings concerns of all provinces were addressed. Moreover, Balochistan member did not raise any issue in the said meetings.

#### **DECISION**

96. After due deliberations, CCI approved the Alternative & Renewable Energy Policy, 2019 with the directions that NTDC/DISCOs shall ensure the provision of their transmission /distribution facility for B2B sale of electricity, net metering, wheeling, distributed generation of electric power services. In case of any dispute, matter will be referred to NEPRA for its' redressal under applicable laws.

97. The CCI further noted that the Article 157 (2) [(c) & (d)] of the Constitution of 1973 allows the provinces to construct their own power houses and grid stations and these can lay transmission lines for use within the Province. Moreover, these can also determine the tariff for distribution of electricity within the Province.

#### **(ix). Import of Liquefied Natural Gas**

#### **DISCUSSION**

98. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had decided that SAPM on Petroleum will meet the Chief Minister Sindh to further deliberate the issue and a report will be submitted in next CCI.

99. Petroleum Division informed that SAPM for Petroleum held meeting with Chief Minister, Sindh on 16<sup>th</sup> January, 2020 along with Secretary, Petroleum. Federal Government explained that as per current law RLNG is defined as Petroleum Product and not as Natural Gas. Thus, this subject does not fall under the domain of CCI i.e. Federal Legislative List, Part-II, for policy making purposes. Chief Minister, Sindh, indicated that Government of Sindh was not ready to accept impact of RLNG price and wished to have further deliberation on the subject before a final conclusion was reached.

#### **DECISION**

100. The CCI noted the implementation status and directed that report would be presented by SAPM on Petroleum/Petroleum Division in the next meeting of CCI.

#### **(x). Royalty on Liquefied Petroleum Gas by the E&P Companies at the Market Value of LPG**

#### **DISCUSSION**

101. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had approved the proposal for inclusion of an explicit clause in all future Petroleum Concessions Agreements (PCAs) that royalty on LPG shall be payable on the realized market value of LPG. It was also decided that for imposition of royalty on LPG at realized market value in existing PCAs, Petroleum Division in collaboration of provincial representatives may engage in negotiations with exploration and production companies and submit a report in next CCI.

102. Petroleum Division reported that necessary provision has been incorporated in the model Petroleum Concessions Agreements. Negotiations with E&P Companies in collaboration with provincial representatives with regard to imposition of royalty on LPG at realized market value in existing PCAs have been initiated. Two meetings were held on 11.03.2020 and 07.07.2020 for Negotiations and imposition of



royalty on LPG at realized market value in existing PCA's, with Provincial and E&P Companies representatives.

103. SAPM on Petroleum informed that Petroleum Division and Provinces are of the view that Royalty on LPG is payable at the realized market value of LPG, however E&P Companies are of the view that they are already paying royalty on the natural gas produced and saved at the wellhead including the shrinkage in gas volumes on account of extraction of Liquefied Petroleum Gas (LPG) at the wellhead value of natural gas as determined under applicable gas pricing formulae.

104. It was further informed that E&P Companies also refers opinion of Law Division dated 22.02.2016, which states that the PCA may be amended through mutual consent of the parties and not unilaterally. If any amendment has to be made that will be applicable prospectively and shall not affect the existing PCA, unless mutually agreed. As such, the Provincial/Federal Governments and E&P Companies have not been able to create consensus in the matter as yet.

#### **DECISION**

105. The CCI noted the implementation status and directed that report would be presented by Petroleum Division in the next meeting of CCI.

#### **(xi). Implementation of Article 158 and 172(3) of the Constitution of Pakistan**

#### **DISCUSSION**

106. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had decided to constitute a three-member committee comprising Federal Minister for Planning, Development & Special Initiatives, Federal Minister for Power, and SAPM on Petroleum to hold consultative meetings/discussions with the Chief Ministers of the provinces and to come up with way forward in the matter of implementation of Article 158 and 172(3) of the Constitution.

107. The Secretary, CCI further informed that Petroleum Division has notified the requisite Committee on 26.03.2020. Committee held an initial meeting in March, 2020. Issue of gas supply to Sindh Province in the light of Article 158 was discussed in a meeting held on 16.1.2020 with Chief Minister, Sindh and participated by the SAPM on Petroleum, and Secretary Petroleum Division.

108. SAPM on Petroleum gave a comprehensive presentation on the state of Gas Supply-Demand Position in the Country with special reference to future requirements and dwindling domestic gas reserves. He informed that even if net export of gas from Sindh and Khyber Pakhtunkhwa is reversed, both the provinces will be short of gas by winter 2021-2022 and only solution in near term is LNG. Decline ratio of existing fields is over 9%. Increase in E&P activity will yield results in 3-5 years. Currently, LNG is supplied to consumers in Punjab who bear cost of the entire LNG infrastructure and more cannot be brought in without full cost recovery. There is little room to bring more LNG using same infrastructure especially at peak times in winter and middle of summer. Winter 2020-21 will require load management, including shutdown of captive units, CNG (and industry on weekends) to avoid domestic load shedding. Shortage in winter 2021-22 of over 500mmcf/d nationwide effectively means shutting down supply to all industry for 2-3 months.

109. On Way Forward, SAPM on Petroleum briefed that the Federal Government has planned to organize a summit of industry experts to discuss options in the month of August 2020. He requested the Provinces for high-level participation in the summit to provide valuable input to arrive at informed decisions. He mentioned that gap between indigenous gas and LNG price has narrowed but full cost recovery mechanism for LNG is a must through some form of WACOG. He added that selling gas well below cost to domestic consumers is not sustainable as 90% domestic consumers are already getting subsidy on gas. Accelerating private imports and building new trunk pipeline



are essential to have infrastructure to import more as needs increase. Moreover, massive new program for onshore and offshore E&P activity is being launched; and provincial governments need to provide support with security, approvals, and ROWs.

#### **DECISION**

110. The CCI noted the implementation status and directed that seminars should be conducted to deliberate on the issues and on the basis of its recommendations, the Minister for Planning, Development & Special Initiatives, Minister for Power, and SAPM on Petroleum would come up with way forward on subject matter in consultation with provinces in subsequent meeting of CCI.

**(xii). Recovery through Tariff of Markup on Bilateral Islamic / Commercial Loans Obtained by WAPDA for Payment of Net Hydel Profit to the Governments of Khyber Pakhtunkhwa and Punjab**

#### **DISCUSSION**

111. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting had decided that the committee constituted on the issue of Net Hydel Profit shall also look into the matter and furnish its recommendations before the next CCI meeting.

112. The Secretary, CCI further informed that nominations received from Federal and Provincial Governments were found inadequate. Fresh nominations have been received and Summary will be submitted to Chairman CCI/PM for approval of constitution of the Committee within a weeks' time.

#### **DECISION**

113. As the issue does not pertain to CCI, recovery through tariff of mark up on bilateral Islamic /commercial loans obtained by WAPDA for payment of Net Hydel Profit to the Governments of Khyber Pakhtunkhwa and Punjab, will be determined by NEPRA.

(xiii). **Draft Recruitment Regulations for the Post of Chairman and Members WAPDA**

**DISCUSSION**

114. Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting did not agree with the proposed draft Recruitment Regulations for the post of Chairman and Members WAPDA. The CCI further decided that Ministry of Water Resources shall prepare Recruitment Regulations for WAPDA in consultation with provinces keeping in view following principles;

- *Organizational Organogram shall be restructured to ensure corporate governance in WAPDA*
- *Chairman and Members with no executive powers shall be appointed to oversee policy formulation.*
- *CEO and relevant professional staff shall be appointed by the Federal Government.*
- *Chairman of the Authority shall be appointed through rotation from all provinces.*

115. Secretary, CCI informed that no Recruitment Regulations for WAPDA in consultation with provinces have been prepared yet.

116. Secretary, Water Resources requested that Supreme Court in its Judgment dated 12.1.2018 reported as 2018 SCMR 1956 held that CCI can only formulate policies on Federal Legislative List, Part-II whereas Parliament has absolute and unfettered authority to make laws with respect to Federal Legislative Lists without requiring approval or assent from any forum including CCI. Hence, the subject matter was outside the domain of CCI. He requested that the CCI may recall its earlier decision dated 23-12-2019 and the Ministry of Water Resources may be allowed to withdraw its Summary dated 27-11-2019 submitted in the 41<sup>st</sup> meeting of the CCI for further action in line with the stipulations made in the Judgment of the Honorable Supreme Court of Pakistan.

**DECISION**

117. The CCI deliberated over the matter and advised the Water Resources Division to submit the issue through fresh Summary in the next CCI meeting.



(xiv). **Implementation of Kazi Committee Methodology for Calculation of Net Hydel Profit**

**DISCUSSION**

118. The Secretary, CCI informed that the CCI in its 41<sup>st</sup> meeting after due deliberations on the issue of Net Hydel Profit and Kazi Committee Methodology, decided that the previous decisions of the CCI on this subject would remain intact. In the light of previous CCI decision on the subject, the CCI further decided to constitute a committee of technical and financial experts to propose an out of the box solution for the payment of Net Hydel Profit to entitled provinces. Secretary IPC shall seek nominations from the Federal and Provincial Governments respectively and submit the same to the Chairman CCI/PM for approval. The subject committee shall furnish its report before the next CCI meeting.

119. The Secretary, CCI further informed that Mr Abdul Latif Lodhi CEO CPPAG, the nominee from the Federal Government had been removed and instead fresh nomination had been received besides those submitted by the Provincial Governments. A Summary will be submitted to Chairman CCI/PM for approval of constitution of the Committee within a weeks' time in the light of fresh nominations.

**DECISION**

120. The CCI directed that Committee be notified as per the nominations received from the Federal and Provincial Governments and this Committee shall submit its report in the next CCI meeting.

**LIST OF PARTICIPANTS OF 42<sup>ND</sup> MEETING OF CCI  
HELD ON 6<sup>TH</sup> OF AUGUST, 2020**

**A). CONSTITUTIONAL MEMBERS:**

**Members Provinces:**

1. Sardar Usman Ahmed Khan Buzdar, Chief Minister Punjab
2. Syed Murad Ali Shah, Chief Minister Sindh
3. Mr. Mehmood Khan, Chief Minister Khyber Pakhtunkhwa
4. Mr. Jam Kamal Khan, Chief Minister Balochistan

**Members Federal:**

1. Mr. Asad Umar, Minister for Planning, Development & Special Initiatives
2. Dr. Fehmida Mirza, Minister for Inter-Provincial Coordination
3. Mr. Omar Ayub Khan, Minister for Power Division

\* \* \* \* \*

**Federal Minister/Secretaries (By Special Invitation) for All Items:**

1. Dr. Muhammad Farogh Naseem, Minister for Law and Justice
2. Sardar Ahmad Nawaz Sukhera, Secretary, Cabinet Division
3. Mr. Naveed Kamran Baloch, Secretary, Finance Division
4. Mr. Muhammad Khashih-ur-Rehman, Secretary, Law & Justice Division

**Provincial Ministers (By Special Invitation)**

1. Mr. Muhammad Mohsin Khan Leghari, Minister for Irrigation, Punjab
2. Mr. Taimoor Saleem Khan Jhagra, Minister for Finance, Khyber Pakhtunkhwa
3. Mr. Himayatullah Khan, Advisor to CM on Energy & Power, Khyber Pakhtunkhwa

**Chief Secretaries to assist the Chief Ministers**

1. Mr. Jawad Rafique Malik, Chief Secretary Punjab
2. Mr. Mumtaz Ali Shah, Chief Secretary Sindh
3. Dr. Kazim Niaz, Chief Secretary Khyber Pakhtunkhwa
4. Capt. (Ret) Fazeel Asghar, Chief Secretary Balochistan

**B). PARTICIPANTS OF AGENDA ITEMS BY SPECIAL INVITATION**

1. Mr. Shafqat Mehmood, Minister for Federal Education and Prof. Training
2. Mr. Muhammad Faisal Vawda, Minister for Water Resources
3. Mr. Nadeem Babar, SAPM on Petroleum
4. Dr. Faisal Sultan, SAPM on National Health Services, Regulation & Coordination
5. Mr. Khalid Jawed Khan, Attorney General for Pakistan
6. Mian Asad Hayaud Din, Secretary, Petroleum Division.
7. Mr. Omer Rasul, Secretary, Power Division.
8. Dr. Sajid Yoosufani, Secretary, M/o Federation Education and Prof. Training
9. Mr. Aamir Ashraf Khawaja, Secretary, M/o National Health Services, Regulation & Coordination
10. Mr. Mather Niaz Rana, Secretary, M/o Planning, Development & Special Initiatives.
11. Mr. Muhammad Ashraf, Secretary, M/o Water Resources.
12. Mr. Muhammad Javed Ghani, Chairman, FBR
13. Mr. Noor-ul-Haq, Acting Chairman, OGRA
14. Lt. Gen. (Ret) Muzammal Hussain, Chairman, WAPDA.

C). MINISTRY OF IPC/CCI'S STAFF CONDUCTING THE CCI MEETING

1. Mr. Ghufraan Memon, Secretary, IPC/CCI
2. Ms. Amna Imran Khan, Additional Secretary, IPC
3. Dr. Mir Aijaz Hussain Talpur, Joint Secretary (CCI/IPC)
4. Mr. Muhammad Saleem, Deputy Secretary (CCI)
5. Syed Mudassar Hussain Shah, SO (CCI)
6. Dr. Muhammad Fayyaz Shaikh, SO (Progress)
7. Mr. Ahmeduddin Soomro, Superintendent
8. Mr. Muhammad Haroon, Cabinet Attendant
9. Mr. Muhammad Khalid, Naib Qasid
10. Mr. Sheezan Akhtar, Naib Qasid



**[TO BE RETURNED IN ORIGINAL TO THE INTER PROVINCIAL  
COORDINATION DIVISION AFTER SIGNATURE]**

**C E R T I F I C A T E**

Certified that the Minutes and Decisions of the 42<sup>nd</sup> meeting of CCI held on **6<sup>th</sup> August, 2020** in the Prime Minister's House, Islamabad, have been received by me and I will keep the minutes in the personal/safe custody and take prompt action to give effect to the decisions in terms of rule 11 of the Rules of Procedure of the Council of Common Interests, 2010.

(Official Seal)

Signature : Kazim Niaz  
Name : KAZIM NIAZ  
Date : 25/8

To

**Ministry of Inter Provincial Coordination,  
[Dr. Mir Aijaz Hussain Talpur]  
Joint Secretary (CCI)  
Room No.113, 2<sup>nd</sup> Floor,  
Kohsar Block, Pak Secretariat,  
Islamabad.**



1.65

Immediate  
By Special Messenger/By TCS  
SECRET

GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER PROVINCIAL COORDINATION  
(Secretariat of Council of Common Interests)

PS/CCS Khyber Pakhtunkhwa  
Diary No. 4744/1001  
Date 26-11-2020

No.2(12)/2020-CCI

Islamabad, the 24<sup>th</sup> November, 2020


Subject: MINUTES AND DECISIONS OF 43<sup>rd</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI).

The Council of Common Interests held its 43<sup>rd</sup> meeting on 11<sup>th</sup> of November, 2020 at Prime Minister's House, Islamabad.

2. The Minutes and Decisions of the meeting approved by the Prime Minister /Chairman, CCI, are circulated herewith, for further necessary action in terms of rules 6 and 11 of the Rules of Procedure of the Council of Common Interests, 2010.

3. Action to implement the aforesaid decision(s) should be intimated to this secretariat accordingly.

4. The enclosed certificate of acknowledgment of receipt of the CCI's Minutes and Decision(s) may be returned, duly completed and signed.

  
(Dr. Mir Aijaz Hussain Talpur)  
Joint Secretary (CCI)  
Ph: 051-9103518

1. The Secretary, Cabinet Division, Islamabad.
2. The Secretary, Finance Division, Islamabad.
3. The Secretary, Law and Justice Division, Islamabad.
4. The Chief Secretary, Punjab.
5. The Chief Secretary, Sindh.
6. The Chief Secretary, Khyber Pakhtunkhwa.
7. The Chief Secretary, Balochistan.

  
Chief Secretary  
Govt of Khyber Pakhtunkhwa

Self: H.C.


Cc:

Section Officer (Progress), IPC Division, Islamabad

Secretary

Provincial Coordination Department

No. 313-14 Date 22-11-2020

  
(Syed Mudassar Hussain Shah)  
Section Officer (CCI)  
Ph: 051-9103532

For urgent circulation  
to all concerned  
depts. on or before  
tomorrow  
A.S.

27.11.20

**GOVERNMENT OF PAKISTAN  
MINISTRY OF INTER-PROVINCIAL COORDINATION  
(SECRETARIAT OF THE COUNCIL OF COMMON INTERESTS)**

**43<sup>rd</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS  
MINUTES AND DECISIONS OF THE MEETING**

The Council of Common Interests (CCI) held its 43<sup>rd</sup> meeting on 11<sup>th</sup> of November, 2020 at the Prime Minister's House, Islamabad, under the chairmanship of Prime Minister of Islamic Republic of Pakistan. List of participants is annexed.

2. The meeting commenced with recitation from the Holy Quran. The Prime Minister / Chairman of the Council of Common Interests welcomed the participants. The Chair permitted the Secretary CCI to take up the agenda comprising three fresh items followed by eighteen items which pertained to the implementation of earlier decisions of the CCI.

**AGENDA ITEM No. 1 (by Cabinet Division):**

<b>Case No.CCI.1/2/2020 Dated 11.11.2020</b>	<b>NEPRA's Annual Report 2018-19 and State of Industry Report, 2019</b>
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**DISCUSSION**

3. The Secretary, Cabinet Division stated that NEPRA had to place its Annual Reports, to the Council of Common Interests and to the Federal Government, at the end of every financial year, but before the last day of September of that year, in terms of Section 42 of Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997:

- a) report on the conduct of its affairs for that year including anticipated developments for the following year; and
- b) a report on the state of electric power services in the country identifying the ownership, operation, management, efficiency and control of electric power facilities, amount of transmission and generation capacity, present and future

demand of electricity, cost of electric power services and other matters relating to electric power services.

4. Therefore, in order to fulfil statutory requirement, NEPRA's Annual Report 2018-19 and State of Industry Report, 2019 has been laid before the CCI. Reports for the year 2019-20 have also been prepared and will be submitted in the next CCI meeting.

5. The Chief Minister, Sindh pointed out that the Report of 2018-19 does not reflect ground realities. It mentions only 2-3 hours electricity load-shedding on average in Sindh compared to actual figure of 10-12 hours load-shedding in the province. Chairman, NEPRA clarified that average of 10-12 hours load-shedding was due to dismal performance of K-Electric, therefore Rs.200 Million fine was imposed on the Company. As regards HESCO & SEPCO, the numbers will be checked and discrepancies will be removed.

6. SAPM on Power added that NEPRA's bench mark is unrealistic and load-shedding is outcome of lesser electricity supply to HESCO, SEPCO & K-Electric.

7. SAPM on Petroleum clarified that currently revenue based load-shedding regime is being implemented in the country and issue relates to recovery. Those areas which have more than 40% losses, approximately 4-5 hours load-shedding is done. He also suggested that instead of Annual Report, NEPRA should publish quarterly reports for in- time information on its website.

8. Chief Minister, Balochistan inquired about inefficiency in power generation and distribution systems. Minister for Planning, Development and Special Initiatives shared that decisions of Cabinet Committee on Energy have been ratified by the Cabinet to shut down about 4000 MW inefficient power plants.

9. Chief Minister Khyber Pakhtunkhwa also pointed out that ground realities are different than the demand-supply figures quoted in the Report by NEPRA. Govt. of Khyber Pakhtunkhwa's multiple issues with Power Division pertaining to Hydel Power Generation & Renewable Energy Projects which need to be addressed. DISCOs lack discrete monitoring system to check theft of electricity and minimize system losses which are being passed on to the consumers. All the DISCOs should come up with practical solutions in the light of global best practices. He further emphasized that the focus should be on Hydro Power Generation.

10. Chief Minister, Sindh raised the issue of Private Member's Bill moved in the National Assembly, for amending the NEPRA Act. He mentioned that as per NEPRA Act, the members, to be nominated by the provinces, required to possess the prescribed experience and qualifications. Minister for Information & Broadcasting clarified that amendment passed by the National Assembly relates to qualification and experience considered essential for a person to perform the functions of the National Regulator as nominations, without requisite qualifications and experience, from provinces would render the Authority ineffective to regulate. He mentioned that CCI is a policy formulation forum while legislation is Parliament's domain to which the Chief Minister mentioned that Electricity, and thereby NEPRA being its regulatory body under Entries 4 & 6 of the Federal Legislative List, Part-II come under the domain of CCI. Therefore, legislation/ amendments relating to regulatory bodies should be discussed in CCI and it should recommend to the Parliament for legislation, so that Act & Policy may not conflict with each other, as otherwise role of CCI would be undermined.

11. Minister for Law and Justice clarified that in terms of Article 154(1) and Entry-2 of Part-II of the Federal Legislative List, the CCI can only formulate policy and has no role in legislation as interpreted by the Supreme Court of Pakistan in 2018 SCMR 1956. The Minister



for Law and Justice also emphasized that in terms of Article 189 of the Constitution, the decisions of the Supreme Court of Pakistan are binding.

12. Chief Minister, Sindh also pointed out that Auditor General for Pakistan raised a number of observations on NEPRA's accounts therefore the Authority's performance needs to be improved. Chairman, NEPRA assured that all issues raised by the Chief Minister will be taken care of in the next report.

13. Chief Minister, Balochistan commented that the Annual Report indicates continued financial burden on Power Sector with Rs.1.6 trillion Circular debt. He said that high distribution losses of DISCOs have persisted unabated since many years. He recommended that NEPRA should monitor performance of DISCOs in consultation with provinces and distribution losses may be brought to acceptable levels through a workable plan.

14. Chief Minister, Balochistan referred to the concerns of international policy on environment regarding coal based energy production. SAPM on Petroleum mentioned that Pakistan's power generation on Coal is 14-15%, on average, as compared to global average of 36%. Chief Minister Sindh & SAPM on Power unanimously endorsed that indigenous coal should be encouraged. The coal sites at Lakki, Jamshoro & Thar should feed Sahiwal Coal Power Plant, subject to feasibility.

15. Prime Minister inquired as to how to shift the Sahiwal Plant from imported to indigenous coal. The Minister for Planning, Development and Special Initiatives responded to examine the option to customise boilers of the Plant with minimum suitable changes for utilization of indigenous coal. SAPM on Petroleum proposed that focus should be made on coal liquefaction and gasification at Thar.

**DECISION**

16. The CCI considered the Summary dated 19<sup>th</sup> August, 2020 submitted by the Cabinet Division titled **"NEPRA's Annual Report 2018-19 and State of Industry Report, 2019"** and decided that provincial governments will convey their observations, on the Reports to NEPRA, for incorporation and to be laid before the CCI.

17. The CCI further directed that NEPRA shall also present its Annual Report 2019-20 and State of Industry Report, 2020 in the next meeting of CCI.

**AGENDA ITEM No. 2 (by Govt. of Khyber Pakhtunkhwa):**

<b>Case No.CCI.2/2/2020 Dated 11.11.2020</b>	<b>Swap / Substitute Arrangement of One Exploration Block with another Prospective Block in the Respective Province</b>
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**DISCUSSION**

18. The Chief Secretary, Khyber Pakhtunkhwa informed that the CCI -- in its 34<sup>th</sup> meeting dated 24.11.2017, approved one-time relaxation to award one block to each Provincial Holding Company (PHCs) in its Province without Competitive bidding.

19. Petroleum Division granted exploration & production rights to Provincial Holding Company of Khyber Pakhtunkhwa i.e. KPOGCL, over Lakki Block covering an area of 2,370 Sq.Kms located in districts Lakki Marwat, D.I.Khan, Tank, Bannu and Karak. Accordingly, Petroleum Concession Agreement was signed on 12<sup>th</sup> Sep-2018; based on available Geological & Geophysical technical data. Total 750 work units were agreed by KPOGCL with expected expenditure around USD 30 million.

20. KPOGCL engaged experts (in-house & Mari Petroleum) to determine prospectivity of the area. Based on availability of classified Geological & Geophysical surveys, it was concluded that Lakki block

was fundamentally lacking Effective Source Rock Potential. Experts, therefore, recommended KPOGCL not to embark upon exploration activities in Lakki block. KPOGCL has fulfilled all work commitments of the First License Year of approximately Rs.30 Million, which is equivalent to USD 200,000.

21. Based on the analysis of available Geological & Geophysical data, carried out by KPOGCL & Mari Petroleum, the Geological Chances of success are only 3 – 5 %; hence it falls under very High-Risk Category. The Anomaly Committee in its meeting held on 8<sup>th</sup> January 2020 chaired by SAPM on Petroleum, unanimously recommended the proposal for swap arrangement subject to the approval of CCI. Government of Khyber Pakhtunkhwa proposed that Provincial Holding Companies may be given the option to swap/substitute a Block awarded to them pursuant to CCI's decision dated 24.11.2017 with another available block in the respective province. The option to swap/substitute a Block by a PHC may only be exercised once, and shall upon being exercised, absolve the concerned PHC of all pecuniary liabilities and obligations under the concerned PCA, if any. A new PCA should be drawn/executed in respect of the Block in favour of which the swap/substitution takes place.

22. SAPM on Petroleum suggested that one-time concession/permission for swapping of block should be time bound. He supported the proposal subject to agreement amongst provinces and fulfilling prior commitments relating to CSR, Training, etc. for the particular year and framing of rules in consultation with provinces. Chief Secretary, Khyber Pakhtunkhwa clarified that all commitments for the first year have been completed.

23. Governments of Balochistan & Punjab supported the proposal, so did the Government of Sindh after reviewing its earlier dissenting view.

## **DECISION**

24. The CCI considered the Summary dated 9<sup>th</sup> October, 2020 submitted by Government of Khyber Pakhtunkhwa titled "**Swap / Substitute Arrangement of One Exploration Block with another Prospective Block in the Respective Province**" and accorded one-time approval to Provincial Holding Companies to swap one exploration block with another prospective block within the province with the condition that commitments accruing out of previous award of block for the year should be completed and the Petroleum Division should incorporate a mandatory time-bar for such swap for future prospective bidders. Requisite Rules and timeframe, in this regard, would be devised by the Petroleum Division in consultation with provinces.

**AGENDA ITEM No. 3 (by Ministry of National Health Services, Regulations and Coordination):**

<b>Case No.CCI.3/2/2020 Dated 11.11.2020</b>	<b>Decisions of Second Meeting of Pakistan National Nutrition Coordination Council Oct 5, 2020 and Progress</b>
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**DISCUSSION**

25. The Secretary, National Health Services, Regulations and Coordination briefed the CCI that Pakistan is among the countries with the highest burden of malnutrition. The situation has not improved since last couple of decades. National Nutrition Survey, 2018 revealed that 40% children under the age of five years are stunted and these levels exceed WHO emergency threshold. The Province-wise figures for stunting are also not much different.

26. The Prime Minister of Pakistan in his inaugural address to the nation in 2018 specifically pointed out the level of stunting among children under 5 years of age and expressed his resolve to target malnutrition induced stunting in the country.



27. Based on the recommendations and as per directions and guidance of National Health Task Force, under the chair of the Prime Minister of Pakistan, a comprehensive PC-1 for stunting prevention titled **"Tackling Malnutrition Induced Stunting in Pakistan"** has been developed, with the objective to significantly reduce malnutrition related stunting in Pakistani children in the next 5 years, and virtually eliminate it among children born from 2025 to 2030. Total cost of PC-1 is approximate Rs.350 billion, with 50% (Rs.175 billion) to be shared by the Federal Government & remaining 50%, in kind, by Provincial Governments in the form of implementation structures already available with them.

28. PC-1 would target around 30% of the total population of country with 15 million women of reproductive age group (including annual 2.5 million pregnant and lactating women) and 3.9 million children under the age of 2 years in the country will be direct beneficiaries through nutrition interventions by 2025.

29. The Inter-Ministerial Health and Population Council meeting dated 22<sup>nd</sup> October, 2020 has also endorsed the implementation modalities arrangements and target population.

30. The Pakistan National Nutrition Coordination Council meeting held on October 5, 2020, made the following significant decisions:

- a. Ministry of NHR&C to take technical lead in all activities and coordination across the country for Nutrition;
- b. The Ministry of NHR&C to work with the provincial health departments and devise strategies to effectively address the issue of malnutrition in country;
- c. Nutrition Advisory Group to be notified by the Ministry of NHR&C to provide technical oversight and guidance on nutrition policy and programming in the country.

31. Secretary, National Health Services, Regulations and Coordination proposed the CCI to take note of critical issue of

malnutrition by according it the highest priority and endorsing this initiative.

### **DECISION**

32. The CCI considered the Summary dated 5<sup>th</sup> November, 2020 submitted by National Health Services, Regulations and Coordination, and while envisaging the importance of the critical issue of malnutrition and stunted growth among the children, unanimously decided for launching of a development project titled **"Tackling Malnutrition Induced Stunting in Pakistan"** at an approximate cost of Rs.350 billion, for duration of five years (FY 2020-25). It was agreed that 50% cost i.e. Rs.175 billion approx. would be provided by the Federal Government and equal cost, in kind, would be shared by the provincial governments for five years. It was also agreed that the Federal Government would provide for nutrition supplementary commodities, capacity building of new & existing healthcare workers, and research & monitoring while the provinces would contribute towards implementation through involvement of existing Lady Health Workers, Community Health Workers, target population identification, programme management, institutional arrangement, evaluation and data sharing.

### **AGENDA ITEM No. 4:**

<b>Case No.CCI.4/2/2020 Dated 11.11.2020</b>	<b>Implementation Status of Previous CCI Decisions</b>
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- (i). Import of Liquefied Natural Gas (LNG) (by Petroleum Division)
- (ii) Implementation of Article 158 and 172(3) of the Constitution of Pakistan (by Petroleum Division)

### **DISCUSSION**

33. Secretary, CCI informed that the CCI, in its 42<sup>nd</sup> meeting held on 6.8.2020, decided that report would be presented by SAPM on Petroleum/ Petroleum Division in next meeting of CCI.

34. SAPM on Petroleum briefed that the issue of import of LNG and Implementation of Article 158 and 172(3) of the Constitution of Pakistan at Agenda No.4(i) and (ii) were inter-related. He informed that the Government of Sindh had been expressing concerns with respect to import of LNG, its distribution and allocation. The major concerns were:

- (a) LNG is a provincial subject,
- (b) Amendment of section 6.3 and 8.1 of LNG Policy, 2011, which stipulate RLNG price as an input for determination of weighted average cost of gas (WACOG).

35. SAPM on Petroleum commented that LNG was declared as petroleum product by the Parliament in the previous regime. Currently, volumes and price of RLNG are being ring-fenced and are not used as input in WACOG.

36. SAPM on Petroleum further informed that, in case LNG is to be treated as gas, then for the purpose of cost determination, OGRA will treat RLNG just as other source of gas.

37. SAPM on Petroleum shared that local production has been declining rapidly while new Exploration and Production would yield results in 3-5 years, therefore, the supply gap is being bridged with LNG. The imports are limited by two factors i.e. physical infrastructure (only for 1.2bcf), and price of LNG which is "ring-fenced", thereby limiting to those provinces that can pay for it.

38. As the shortage of local gas in Sindh and Khyber Pakhtunkhwa seems imminent (during the current winter season), therefore, the issue of pricing needs to be resolved.

39. SAPM on Petroleum further stated that in compliance to CCI directions, a Gas Summit was held in Prime Minister's Office on 9<sup>th</sup> September, 2020 and consultations have been done with all concerned. He mentioned that there were two ways to approach the issue of gas pricing: one was to do WACOG and other was to unbundle gas, petroleum and electricity and each had its own economic implications because prices would vary in each province.

40. Punjab supported WACOG while Sindh, Khyber Pakhtunkhwa and Balochistan, being net exporters of gas, opposed it as these provinces want to pay only for the actual use of LNG which will result in different pricing regimes in different Provinces.

41. The SAPM on Petroleum explained that if govt continued to charge Power Sector full cost of LNG, and do WACOG for the rest, then the rate could go up from Rs.687/mmbtu to Rs.813/mmbtu (+ 18%).

- a. Sindh consumers pay: + 42.2 billion
- b. KPK consumers pay: + 11.6 billion
- c. Balochistan consumers pay: + 3.2 billion

**Alternate Option: Unbundling - No Uniform Prices for Energy**

42. It was further explained the second alternate - unbundling of gas, petroleum and electricity - would cost each province differentially.

Each province pays for actual usage of local gas and LNG.

**Punjab:** No change since already paying full price for LNG used

**Sindh:** 1. Price increase for taking 200mmcf/d LNG: +8%  
2. Total additional payment by consumers: + Rs.20 billion

**KP:** 1. Prices increase for taking 50mmcf/d in 2021-22: 8%  
2. Total additional payment by KPK consumers: +Rs.5 billion

**Balochistan:** No price increase until 2023



43. He briefed the participants that in case of adoption of non-uniform pricing for Energy, each province would have to pay for actual usage of local gas and LNG. This scenario depicts no change of cost for Punjab as it is already paying full price for LNG used. Sindh would face 8% hike in price for taking 200mmcf LNG with Rs. 20 billion additional burden for consumers. Khyber Pakhtunkhwa would endure 8% price increase, for taking 50mmcf in 2021-22 with Rs.5 billion additional payment load for consumers. There will be no price increase for Balochistan until 2023. The analysis revealed that eventually, it will create a gas price differential of Rs.10/- from south to north.

44. SAPM on Petroleum recommended to the CCI to either decide to continue as per prevailing regulatory mechanism or adopt WACOG regime with full deregulation in near future. Ministry of Energy will develop the quantitative and policy amendments for the selected option. Such calculations will be shared for consultation with Provinces and then submitted to CCI in January, 2021, for approval before necessary legislation.

45. Chief Secretary, Balochistan mentioned that the province has a vast cold zone. Gas consumption increases in winter season. Owing to extreme weather conditions, consumers in Balochistan may be exempted from enhanced rates which would result after injection of LNG in the system at weighted average cost by the Gas Utilities. Chief Secretary, Balochistan also proposed to enhance the minimum billing slab for people of Balochistan to avail any targeted subsidy.

46. The Chairman, CCI emphasized that the energy issues have become critical owing to their potential national impact. Gas related circular debt is increasing which has adverse impact on all stakeholders. Therefore, it is necessary to have consensus among all provinces to develop a win-win situation and to take holistic decisions for the benefit of general public. The Chair suggested for convening a special meeting of CCI to resolve these issues.

47. Chief Minister Balochistan proposed that Power Division/ Energy Departments of Federal and Provincial Governments may jointly come up with way forward comprising of suitable proposals in next meeting. Chief Ministers, Sindh, Punjab and Khyber Pakhtunkhwa endorsed the suggestions.

### **DECISION**

48. The CCI, after detailed deliberations, decided that Power Division/ Energy Departments of the Federal and Provincial Governments will hold meetings to deliberate on the issues highlighted in the presentation given by SAPM on Petroleum and would draw various options, recommendations and way forward to be presented in the next meeting of the CCI, to be held in January, 2021. The SAPM on Petroleum will play the lead role in this effort.

**(iii). Royalty on Liquefied Petroleum Gas (LPG) by the E&P Companies at the Market Value of LPG (by Petroleum Division)**

### **DISCUSSION**

49. The Secretary, CCI informed that the CCI, in its 42<sup>nd</sup> meeting, directed that report would be presented by Petroleum Division in the next meeting of CCI.

50. Secretary, Petroleum Division reported that pursuant to CCI decision dated 23.12.2019, a model PCA was prepared incorporating provision that royalty on LPG be payable on realized market value of LPG. Negotiations were held with Exploration & Production (E&P) Companies. Petroleum Division and Provinces were of the view that Royalty on LPG should be payable at realized market value of LPG. However, E&P Companies shared that they were already paying royalty on natural gas produced and saved at wellhead including shrinkage in gas volumes on account of extraction of LPG at wellhead

value of natural gas, as determined under applicable gas pricing formulae.

51. E&P Companies relied upon opinion of Law Division dated 22.02.2016, that PCA may be amended through mutual consent of parties and not unilaterally and amendment will be applicable prospectively and shall not affect the existing PCAs, unless mutually agreed. Hence, the Provincial/Federal Governments and E&P Companies have not been able to achieve consensus as yet.

52. Secretary, Petroleum Division was of the view that the royalty on LPG should be imposed prospectively while keeping in view the new model PCA.

53. Advisor to the Chief Minister, Khyber Pakhtunkhwa on Energy and Power mentioned that Khyber Pakhtunkhwa was major producer of LPG therefore the said provision should also be incorporated in the existing PCAs.

54. The Advisor to the Chief Minister, Khyber Pakhtunkhwa on Energy and Power and Chief Secretary Khyber Pakhtunkhwa pointed out that non-implementation of the settled principle of payment of royalty on LPG, instead of the shrinkage value of gas, retrospectively will entail huge financial losses to the Government of Khyber Pakhtunkhwa, being the major producer.

55. SAPM on Petroleum shared that it was purely a legal issue and needs legal opinion from Law Division. Minister for Law and Justice clarified that the said provision cannot be made part of already executed contracts as any amendment in existing PCAs would lead to litigation hence may not be workable.

#### **DECISION**

56. The CCI decided that royalty on LPG shall be payable prospectively in all future Petroleum Concessions Agreements (PCAs).

**(iv). Amendment in the Oil & Gas Regulatory Authority Ordinance, 2002 (by Govt. of Sindh. Presented by Petroleum Division)**

**DISCUSSION**

57. The Secretary, CCI informed that on a proposal from Government of Sindh, the CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 decided that Petroleum Division would explore possibility of provincial representation in OGRA in consultation with provincial governments and shall inform the CCI in next meeting.

58. Secretary, Petroleum Division reported that a meeting under Chairmanship of SAPM on Petroleum with representatives of provincial governments, Cabinet Division, Law & Justice Division and OGRA was held on 26<sup>th</sup> October 2020, to explore the possibility of provincial representation in OGRA. Provincial representation has already been provided in the Petroleum Policy, 2012 whereby posts of Provincial Directors have been created in the office of Directorate General Petroleum Concession (DGPC) being upstream regulator while OGRA regulates downstream sector and requires highly technical and qualified members in Oil, Gas and Finance domains. Balochistan and Khyber Pakhtunkhwa have nominated their Directors while nominations from Sindh and Punjab were still awaited. As such, Petroleum Division did not support the amendment proposed by Government of Sindh.

59. SAPM on Petroleum added that OGRA being a technical body should not be politicized. CCI is policy making body for Regulatory Authorities. Moreover, provincial representation in OGRA cannot be justified constitutionally and legally. He suggested that the CCI may set up a standing sub-committee to examine this matter.

60. Minister for Law and Justice clarified that in terms of Article 154(1) and Entry-2 of Part-II of the Federal Legislative List, the CCI



can only formulate policy and has no role in legislation as interpreted by the Supreme Court of Pakistan in 2018 SCMR 1956.

61. Adviser to Chief Minister, Khyber Pakhtunkhwa on Power & Energy mentioned that criteria, expertise and qualification of OGRA members should be specified in consultation with provinces which may nominate their members fulfilling prescribed criterion.

62. He further stated that the ex-Chairman, Senate as a consequence of the Reference forwarded by the Senate Functional Committee on Devolution, has given his Ruling on 23.1.2018 while interpreting clause (3) of Article 172 of the Constitution whereby the Federation is required to exercise its authority in the executive, administrative and regulatory spheres, jointly and equally with the Provinces. All decisions, except day to day working, pertaining to or related with these matters have to be taken by the CCI.

63. The Minister for Law and Justice emphasized that in terms of Article 189 of the Constitution, the decisions of the Supreme Court of Pakistan are binding.

64. Chief Minister, Sindh mentioned that his province have been producing 70% of Gas and 50% of Oil for the country. Government of Sindh was not seeking political representation in OGRA. As per Entry-2 FLL-II, the CCI may discuss and recommend legislative proposal to the Parliament. It was further shared that there is no bar in Constitution or Superior courts' verdict which restricts discussion or recommendations to any constitutional body on items of CCI. Hence CCI may exercise its prerogative.

65. The Minister for Law and Justice responded that legislation should not be discussed in CCI after the Supreme Court's judgment which states that CCI has no role in the legislative process rather it is restricted to formulation and regulation of policies in relation to Part II of Federal Legislative List. However, Parliament, without any

restriction or constraint, has absolute and unfettered authority to make laws with respect to the matters enumerated in the Federal Legislative List, without requiring any approval or assent from any forum or authority in the country, including CCI.

66. Chairman, CCI was of the opinion that OGRA is a technical body, hence, only professionals should be represented as members in the Authority.

### **DECISION**

67. The CCI decided that, in the light of above discussion, the provincial governments shall furnish their views to Petroleum Division for further deliberation and consideration in next meeting of CCI to be held in January, 2021.

(v) **Windfall Levy on Crude Oil, Condensate & Natural Gas under Petroleum Policy, 2012 (by Govt. of Sindh. Presented by Petroleum Division)**

### **DISCUSSION**

68. The Secretary, CCI informed that on a proposal from Government of Sindh, the CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 decided that Petroleum Division would consult Finance Division to reconcile all claims falling after 30<sup>th</sup> August 2012, relating to the provinces and covered by Petroleum Policy 2012, under the head of Windfall levy on Crude Oil /Condensate and Natural Gas, and would come up with payment plan in next CCI meeting

69. Secretary, Petroleum Division reported that pursuant to CCI decision, a meeting was held with Secretary, Finance Division on 15<sup>th</sup> September, 2020. After detailed deliberations, it was unanimously decided that the sharing provision of windfall levy between Federal and Provincial Governments was only provided in Petroleum Policy, 2012 thus, the relevant receipts from only those Blocks may be shared which were awarded licenses under the said Policy.

Furthermore, as per the data compiled by Petroleum Division to-date, the Federal Government has awarded 56 Exploration Licenses under Petroleum Policy 2012. Oil was being produced since June, 2020 by only one block located in Khyber Pakhtunkhwa, operated by OGDCL; and the respective windfall levy accrued i.e Rs.1.24 million to be shared between the Federal and Khyber Pakhtunkhwa Governments.

70. Chief Minister, Sindh contended that as per conversion option, concession provision was incorporated in Petroleum Policy, 2012 and number of companies converted to avail benefit but the same benefits were not shared with provinces. He emphasized that about Rs.100 billion were collected by Finance Division under Petroleum Policy, 2012. Several blocks were converted from Policy 2009 to Policy 2012 but Petroleum Division did not want to pay benefit of windfall levy. He proposed that 50% of receipts should be paid to provinces on the collection by Finance Division since 2012, from those companies which availed conversion options of previous Petroleum Policy & continued with Petroleum Policy, 2012.

71. Chief Secretary, Khyber Pakhtunkhwa mentioned that the Federal Government entered into commercial agreement with Petroleum Companies without taking care of the constitutional rights of the provinces.

72. SAPM on Petroleum clarified that compensation package of 2012 did not include windfall levy but discount retained on crude oil is being equated with windfall levy. He, however, was of the view that if all Petroleum Companies which opted conversion option to windfall levy and were contributing towards Ministry of Finance receivables, then Government of Sindh may send their representative to reconcile the figures.

#### **DECISION**

73. The CCI decided that provincial governments will send their representatives to Finance Division to reconcile the receipts collected

under the head of windfall levy since 2012 from companies which opted for conversion under Petroleum Policy, 2012. Report will be presented by Petroleum Division, in consultation with Finance Division, in the next meeting of CCI, to be held in January, 2021.

**(vi). Recommendations of the Attorney General for Pakistan concerning the Water Accord, 1991 (by Attorney General for Pakistan)**

**DISCUSSION**

74. The Secretary, CCI informed that on a proposal from Government of Sindh, the CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 directed to reconstitute the Committee under Attorney General for Pakistan which would have equal number of representatives from all provinces to firm up recommendations within one month of its notification and submit the same to CCI Secretariat. Committee has been notified on 2<sup>nd</sup> November, 2020. The Attorney General for Pakistan has requested for one month's time extension to comply with CCI decision.

75. Chief Minister, Punjab expressed reservations on the inclusion of Chief Minister, Sindh as member of the Committee. He proposed that Committee should include purely technical experts other than Chief Ministers who are political figures as well as members of CCI.

76. Chairman, CCI remarked that distribution of water among provinces was a highly technical issue therefore; technical people should be included as members.

77. Chief Minister, Sindh agreed to withdraw his name from the Committee and to nominate a technical expert in next few days. He added that the CCI in its Meeting held on 27-05-2018, had constituted a committee headed by the Attorney General of Pakistan to look into current issues of availability of water and its distribution in the country and to present its recommendations for consideration of CCI.



## SECRET

78. Recommendations were presented by the Attorney General for Pakistan in 41<sup>st</sup> CCI meeting held on 23.12.2019 which may be approved for implementation.

79. Attorney General for Pakistan mentioned that under Article 155 of the Constitution, the CCI after considering the matter, either can give its decision or request the President to appoint a commission consisting of such persons having special knowledge and experience in irrigation, engineering, administration, finance or law as he may think fit, as the Commission under the provisions of Pakistan Commissions of Inquiry Act, 1956.

### DECISION

80. The CCI decided to give one months' time to the Attorney General for Pakistan to convene meeting of the Committee and submit recommendations in the next meeting of CCI to be held in January, 2021. The Chief Minister, Sindh will send revised nomination of a technical expert for the Committee.

**(vii) Handing Over of Control of Lower Portion of Chashma Right Bank Canal and Supply of Full Share of Water from CRBC to Punjab (by Govt. of Punjab, presented by Ministry of Water Resources)**

### DISCUSSION

81. The Secretary, CCI informed that on a proposal from Government of Punjab, the CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 decided that Government of Punjab, Government of Khyber Pakhtunkhwa, and IRSA were required to meet and work out modalities to finalize a bilateral agreement between two provinces on proposed transfer within one month without affecting Water Accord, 1991. Governments of Punjab and Khyber Pakhtunkhwa were to reconcile all outstanding liabilities owed to WAPDA within a period of one month of decision of CCI and duly reconciled liabilities would be

cleared by respective governments. All existing staff of WAPDA responsible for O&M of CRBC were to be transferred/merged with respective Irrigation Departments of both provinces.

82. Minister for Water Resources informed that a meeting was convened on 28.10.2020 to finalize modalities of mutual agreement between Provincial Governments concerned and WAPDA, in line with CCI decision. Following decisions have been taken:-

- (i) Agreement on sharing of O&M Cost for Chashma Right Bank Irrigation Project 2002 shall be used as a roadmap for developing the new agreement.
- (ii) CCI's decision for proposed transfer of CRBC shall be implemented in two phases. In first phase, an agreement between Punjab and WAPDA shall be finalized. In second phase, a bilateral agreement between Khyber Pakhtunkhwa and Punjab shall be finalized for proposed transfer with WAPDA acting as a transitional party to the agreement.
- (iii) Above arrangement would be submitted to CCI for consideration.
- (iv) WAPDA shall prepare two draft agreements within a week's time; one relating to handing over of CRBC from RD 513+00 to its tail end; to be signed between Punjab and WAPDA and the other being trilateral draft agreement among Khyber Pakhtunkhwa, Punjab and WAPDA being the third signatory up to the transition period.

83. Chief Minister, Punjab informed that the Government of Khyber Pakhtunkhwa does not want to take over upper portion. Therefore, Punjab is ready to pick up O&M cost for upper portion also.

84. Chief Minister, Khyber Pakhtunkhwa proposed that Ministry of Water Resources should take lead and expedite the matter. Chief Secretary, Punjab mentioned that the issue was resolved in the meeting held on 28.10.2020 and minutes should be issued on priority basis.

#### **DECISION**

85. The CCI directed that Ministry of Water Resources to issue the minutes of the meeting held on 28.10.2020 and circulate the same to

all concerned for implementation. The CCI also directed that the Government of Punjab will also bear the O&M cost for upper portion of CRBC as agreed by the Chief Minister Punjab during the meeting.

**(viii) Future Role and Functioning of National Commission for Human Development and Basic Education Community Schools to promote literacy in the Country (by Ministry of Federal Education and Professional Training)**

**DISCUSSION**

86. The Secretary, CCI informed that on a proposal from Ministry of Federal Education and Professional Training, the CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 decided that NCHD and BECS would be handed over to respective provinces by 30<sup>th</sup> June, 2021. Ministry of Federal Education and Professional Training was to work out modalities of handing over in consultation with the provinces and to devise a transition and integration plan within three months and present it to the CCI and to share geo locations and teachers' profile with the provinces.

87. Minister for Federal Education and Professional Training informed that pursuant to CCI decision, all provinces have been requested to devise and share transition and integration plans. NCHD & BECS have shared teachers' profile with provinces/regions on 04.09.2020 & 11.09.2020. The Ministry has devised a draft Transition Plan and shared with provinces under which following three Committees, have been proposed i.e. Steering Committee, Implementation & Field Planning Committees, District Field Committees. Provinces have also been asked that necessary input/comments regarding draft transition plan for handing over NCHD & BECS feeder teachers/schools and nomination for each Committee to the Ministry. Minister for Federal Education and Professional Training further informed that five actions on the part of Ministry have been completed while five actions on the part of

provincial governments i.e. verification of data of students, placement of teachers and students, data of teachers, making budgetary arrangements, and provincial governments approval and notification of adoption, are still pending.

88. Chief Minister, Balochistan highlighted that the province is not in a position to adjust managers/administrative teams. Minister for Federal Education and Professional Training clarified that they will be adjusted by the Federal Government.

89. Chief Secretary, Khyber Pakhtunkhwa informed that BECS teachers filed a Writ Petition in Peshawar High Court against which the Provincial Government has requested for early hearing to dispose off the case and unable to absorb as regular teachers since these BECS teachers do not possess required qualification and training. In response to above, Minister for Federal Education and Professional Training supported view of the province and suggested to absorb them as non-formal teachers.

90. Chief Secretary, Balochistan informed that Balochistan has started certification of geo locations of students and teachers.

91. Chief Minister, Punjab informed that 450 teams have been set up in Punjab and work will be completed within four weeks.

92. Minister for Federal Education and Professional Training pointed out that teachers will be adopted by provinces and staff by Ministry of Federal Education and Professional Training as same was omitted in recording CCI decision dated 6.8.2020. Secretary, IPC/CCI assured to rectify the same.

### **DECISION**

93. The CCI took note of implementation status of its decision dated 6.8.2020 and directed that provinces should keep close liaison and



coordination with the Federal Ministry of Education and Professional Training for seeking any further guidance for smooth implementation.

94. The CCI, in view of the consensus of all members of CCI, directed Secretary CCI to rectify the decision of CCI taken in Summary titled '*Future Role and Functioning of National Commission for Human Development and Basic Education Community Schools to promote literacy in the Country*' dated 28th July, 2020, submitted by Ministry of Federal Education and Professional Training by adding "***Teachers of NCHD and BECS will be adopted by provinces while administrative staff would be adjusted by Ministry of Federal Education and Professional Training***" in the decision of CCI.

(ix) **Matters pertaining to Higher Education in Post-Eighteenth Amendment Scenario** (by Govt. of Sindh. Presented by Chairman, HEC)

#### **DISCUSSION**

95. The Secretary, CCI informed that CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 advised Chairman, HEC to hold meetings with Chief Ministers Sindh and Punjab, within fifteen days. It was further decided that position paper on National Level Education Testing Mechanism should be submitted within two weeks, to the Prime Minister by HEC being long overdue.

96. Chairman, HEC informed that pursuant to CCI decision dated 24.9.2018 he has held meetings with all Chief Ministers. The meetings with Chief Minister Balochistan and Khyber Pakhtunkhwa were held earlier. Meetings with Chief Minister, Punjab and Sindh have been held on 21.10.2020 & 27.10.2020. There exists a consensus that HEC is the sole national entity for setting HE standards.

97. Chairman, HEC explained the Provincial Standpoints as follows:

**Government of Balochistan** is fully aligned with the HEC's standpoint as a national institution and completely supports its roles and functions provided in HEC Ordinance, 2002.

**Government of Khyber Pakhtunkhwa** is yet to completely resolve its role in post 18<sup>th</sup> Amendment period and needs further time to firm up its position.

**Government of Sindh** agreed that standards are to be set at national level in accordance with global best practices. However, the difference of opinion is with regard to the effective systems of monitoring the implementation of these standards, and distribution of responsibilities therefor. Chief Minister Sindh directed the provincial government officials to develop a consensus document with HEC, which is under preparation.

**Government of Punjab** acknowledges HEC as a National body that includes both federal and provincial governments as members, and is of the view that this forum should be utilized for strategizing higher education affairs instead of setting up parallel forums with undefined and overlapping functions.

98. Chairman, HEC further informed that National Education Testing Service has been set up. He requested the provinces to support testing mechanism. He assured that HEC will only provide minimum standard for universities.

99. Chief Secretary, Sindh mentioned that in 27<sup>th</sup> CCI meeting held on 18.3.2015, Government of Sindh moved Summary on matters pertaining to Higher Education in Post-Eighteenth Amendment Scenario. CCI setup Committee on the matter to provide a comprehensive report for redressal of grievances of the provinces. Committee presented its report in 35<sup>th</sup> CCI meeting held on 26.2.2018 and the CCI decided that both federal and provincial governments would undertake the functions of monitoring, evaluation and accreditation of such institutions along with setting of testing bodies.

100. To further enhance the representation of provinces in the Federal HEC, it was decided that among the seven members (prominent educationists) to be appointed by the Prime Minister, there shall be at least one member from each province. However, there is a dispute on monitoring, evaluation and accreditation and setting up of

testing bodies. Therefore, CCI advised the Chairman, HEC to hold meetings with Chief Ministers. Chairman, HEC proposed to set up Secretary's committee to address the issues.

101. Chief Minister, Khyber Pakhtunkhwa proposed that Chairman, HEC should share his report with provincial governments. Khyber Pakhtunkhwa has already set up Education Testing Agency.

102. Secretary to Prime Minister informed that Position paper on National Level Education Testing Mechanism was submitted by Chairman, HEC to the Prime Minister on 10.11.2020.

103. Minister for Federal Education and Professional Training endorsed the recommendations put forth by Chairman, HEC. He mentioned that in terms of Entry-12 of Federal Legislative List, Part-II, standards setting is to be done by the HEC and obviously monitoring and evaluation have to be done by said body.

104. Chief Minister Punjab endorsed the stance of HEC Chairman and proposed to include one member each from provinces. Testing mechanism was also supported.

105. Minister for Law and Justice opined that in terms of Entry-12 of Federal Legislative List, Part-II, all higher education standards should rest with HEC.

106. Chief Minister, Sindh mentioned that they have no objection of standards and issue relates to monitoring, evaluation and accreditation. Lahore High Court has declared establishment of provincial HEC in accordance with law.

### **DECISION**

107. The CCI directed the Chairman HEC to hold further consultations with provinces to evolve consensus upon the issue of functions to be performed by HEC and submit report in the next CCI meeting.

**(x) Funding of Devolved Vertical Programs of Health and Population Welfare (by Ministry of National Health Services, Regulations & Coordination)**

**DISCUSSION**

108. The Secretary, CCI informed that CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 emphasized on the Federal and Provincial Ministers and Secretaries for Health, Planning and Finance to devise a national plan of action to effectively run these vertical programs by the provinces and submit their recommendations in the next CCI meeting. SAPM on National Health Services, Regulations & Coordination, was to coordinate submission of recommendations in consultation with all stakeholders.

109. Secretary, National Health Services, Regulations & Coordination informed that SAPM on NHSR&C held a meeting with Ministers and Secretaries of Health, DG Health Services, Reps of Health, Finance, Planning and Development on 1<sup>st</sup> October, 2020. Further deliberations were held in an inter-ministerial Health and Population Council on 22<sup>nd</sup> October, 2020. Forum endorsed prioritized Universal Health Care benefit package. As such, concept paper for Action Plan has been developed in consultation with World Bank and shared with Health Departments on 12<sup>th</sup> October, 2020 for review and comments. He proposed that the CCI decision may be treated as implemented.

110. Chief Minister Sindh pointed out that as per CCI decision dated 23.1.2013, pension liabilities of LHWs were yet to be settled.

111. Chief Secretary, Punjab pointed out that there were pending liabilities of LHWs worth Rs.13 billion. Government of Punjab is of the view that the Federal Government should continue funding of vertical programs until next NFC Award.



112. Chief Minister, Balochistan informed that there is funding shortfall of LHWs and requested that liabilities for the year 2016 may be cleared.

113. Special Secretary, Finance Division requested the provincial governments to send their duly audited liabilities to Finance Division through Ministry of National Health Services, Regulations & Coordination, for appropriate settlement.

### **DECISION**

114. The CCI took note of the implementation status and decided that the provincial governments should forward their duly audited liabilities to Finance Division through Ministry of National Health Services, Regulations & Coordination, for amicable settlement and submit report in the next CCI.

(xi) **Unauthorized deductions by Federal Government on FBR's claim on account of alleged outstanding withholding tax on Vehicles and 5% service charges deducted on account of collection of Withholding Tax by the Government of Balochistan (by Govt. of Balochistan. Presented by FBR)**

### **DISCUSSION**

115. The Secretary, CCI informed that CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 decided that Chairman FBR will hold meeting with Chief Minister, Balochistan to resolve the issue within one month and submit compliance report within two months to CCI Secretariat.

116. Chairman FBR informed that advance tax (motor vehicles) demand of Rs.1.183 Billion was recovered through Federal Adjuster in 2017. Government of Balochistan (Excise Department) did not file Appeal against the decision. On directives of CCI, Chairman FBR & Chief Secretary met on 21.9.2020 followed by a meeting on 2.10.2020 of Chief Commissioner, Secretary Finance, Special Secretary Finance & Secretary Excise. As per record, Government of Balochistan did not

file Appeal against the initial order demanding Rs. 1.183 B & it has now attained finality. However, Govt. of Balochistan has now applied for condonation of time bar issue.

117. Chief Secretary, Balochistan requested that deducted amount of Rs.1.183 Billion should be refunded. Chairman, FBR clarified that the matter was pending before Appellate Tribunal. Minister for Law and Justice informed that Articles 165 and 165A of the Constitution are involved in the matter and the CCI cannot interfere in legal matters.

### **DECISION**

118. The CCI took note of the implementation status.

**(xii) Unauthorized transfer of Public Money from Provincial Consolidated Fund (PCF) to Federal Consolidated Fund by the SBP on the Directions of FBR (by Govt. of Punjab. Presented by FBR)**

### **DISCUSSION**

119. The Secretary, CCI informed that CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 decided that Chairman FBR will hold meeting with Chief Minister, Punjab to resolve the issue within one month and submit compliance report within two months to CCI Secretariat.

120. Chairman FBR informed that issue concerns recovery of tax amounting to Rs.1.017 Billion from DG Health Services Punjab for tax year 2016. DG Health Punjab has lost appeal before Commissioner (Appeal) on 8.10.20 upheld tax demand of Rs.1.017 Billion (Rs.948 Million have already been recovered and Rs.68 Million still recoverable). On CCI's directions, Chairman FBR met Provincial Finance Minister and Secretary Finance Punjab on 19.10.2020. Government of the Punjab was appraised that total tax demand of Rs.1.017 Billion has been confirmed by first appellate authority.

Government of Punjab intends to file Appeal before the Appellate Tribunal.

121. Chief Minister, Punjab pointed out that under Article 119 of the Constitution, security of Provincial Consolidated Fund rests with Provincial Government. Therefore, FBR cannot deduct any amount from Account No.1 of the Province. Chairman, FBR assured the Chief Minister, Punjab that henceforth deductions will be made after prior consultation with province concerned.

### **DECISION**

122. The CCI took note of the implementation status.

**(xiii) Unconstitutional and unauthorized deduction by FBR from the Provincial Consolidated Fund (by Govt. of Sindh. Presented by FBR)**

### **DISCUSSION**

123. The Secretary, CCI informed that CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 decided that Chairman, FBR will hold meeting with Chief Minister, Sindh to resolve the issue within one month and submit compliance report within two months to CCI Secretariat.

124. Chairman FBR informed that on CCI's directions, meeting was held with Chief Minister Sindh on 18<sup>th</sup> August 2020. Advisor to PM on Finance constituted a committee. Subsequently tax liability of Rs.421.3 Million was determined in favor of FBR. Refund of Rs.5.1 Billion was created in favor of Government of Sindh. For rest of tax periods, separate show-cause notices have been issued to Director General, Excise, Sindh. Accordingly, Government of Sindh has resumed collection of Advance Tax on motor vehicles w.e.f 1.7.2020 on certain conditions; e.g. treatment like constitutional government,

not as a normal tax payer to which Legal Opinion has been sought from the Law Division.

125. Chief Minister, Sindh mentioned that Government of Sindh should not be treated as collection agent of FBR. After reconciliation, FBR has agreed to refund Rs.5.1 Billion which were deducted in excess from Provincial Consolidated Fund of Govt. of Sindh. Accordingly, tax collection has been resumed from 1<sup>st</sup> October, 2020.

### **DECISION**

126. The CCI took note of the implementation status and directed the Finance Division to make arrangement for refund of the claim of Government of Sindh, upon endorsement from FBR.

#### **(xiv) No Objection Certificate – CJ Hydro (Private) Limited (by Govt. of Sindh. Presented by Power Division)**

### **DISCUSSION**

127. The Secretary, CCI informed that CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 decided that Power Division, on the basis of recommendations of NEPRA, as a consequence of scheduled public hearing, will submit viability report of the project in the next meeting of CCI. NEPRA's public hearing was scheduled on 12<sup>th</sup> August 2020 which was postponed on the request of Govt. of Sindh. Government of Punjab has requested NEPRA to re-schedule hearing.

128. Minister for Water Resources stated that the project seems non-feasible. Minister for Planning, Development and Special Initiatives also endorsed the views of Minister for Water Resources.

129. Minister for Irrigation Punjab mentioned that Chashma Jhelum is a link canal and water share of Sindh from Indus river system will not be affected as this canal runs seasonally on the share of Punjab province.



130. Chief Minister Sindh reiterated his view that IRSA cannot issue NOC for Hydel Power Project as per mandate given in IRSA Act and IRSA should withdraw NOC issued to CJ Hydro (Private) Limited.

**DECISION**

131. The CCI decided that Government of Punjab will share the feasibility report of the project with stakeholders i.e. Ministry of Water Resources, Power Division, IRSA, Govt. of Sindh, and SAPM on Petroleum Division. The SAPM on Petroleum will submit viability report of the project to CCI for consideration in its next meeting.

**(xv) Implementation of Kazi Committee Methodology (KCM) for Calculation of Net Hydel Profit (NHP) (by Govt. of Khyber Pakhtunkhwa)**

**DISCUSSION**

132. The Secretary, CCI informed that CCI in its 42<sup>nd</sup> meeting held on 6.8.2020 that Committee be notified as per the nominations received from the Federal and Provincial Governments and this Committee shall submit its report in the next CCI meeting. Nominations of technical and financial experts were received and committee has been notified on 10.11.2020.

**DECISION**

133. The CCI took note of the implementation status and emphasized that Committee should submit its report/recommendations to CCI once it was finalized.

**(xvi) Notification of Census Results (by Planning, Development & Special Initiatives)**

**DISCUSSION**

134. The Secretary, CCI informed that during 41<sup>st</sup> CCI Meeting held on 23.12.2019, the agenda was not taken up due to paucity of time.

The Ministry of Planning, Development & Special Initiatives has informed that the Federal Cabinet has set up a Committee headed by Mr. Ali Haider Zaidi, to make recommendations for finalization of Census Results-2017. The Committee has held six meetings. Recommendations of the Committee are awaited.

135. Minister for Planning, Development & Special Initiatives informed that the last government had left the matter unresolved. Recommendations are likely to be finalized in next 2-3 meetings. After finalization, the recommendation will be submitted to Federal Cabinet, and then to the CCI.

136. Chief Minister Sindh proposed that reservations of all provinces should be heard in the Committee meetings. Minister for Planning, Development & Special Initiatives also shared similar views

### **DECISION**

137. The CCI took note of the implementation status and directed the Committee to also address the concerns of provinces and expedite recommendations on the finalization of Census Results-2017 for submission to the Cabinet and the CCI.

(xvii) **Harmonization of Standards and Enforcement Mechanism between Pakistan Standards and Quality Control Authority (PSQCA) and Provincial Food Authorities (by Ministry of Science and Technology)**

### **DISCUSSION**

138. The Secretary, CCI informed that CCI in 41<sup>st</sup> meeting dated 23.12.2019 decided with consensus that there should be uniform standards at national level. Provinces and local authorities will enforce the standards. It was also decided that Minister for Science & Technology will convene a separate meeting with all stakeholders, to amicably resolve the issues raised by the provinces.

139. Minister for Science and Technology informed that meeting of Steering Committee for food standards was held on 26.8.2020. All Provincial Food Authorities have shown their concurrence on single harmonized standard as national standard formulated by Pakistan Standards and Quality Control Authority.

140. However, Provincial Food Authorities are not agreeing with the stance of Federal Government that *"Registration/Licensing should be done by the Federal Government, whereas, the revenue will be shared to the Provinces"*.

141. Minister for Science and Technology further informed that to resolve the issue, last meeting was convened on 2<sup>nd</sup> October, 2020 by the Minister for Science & Technology. Balochistan Food Authority and GB agreed with the stance of Federal Government.

142. Provincial Food Authorities/ relevant departments in Punjab, Sindh and Khyber Pakhtunkhwa have shown disagreement on the matter. Minister for Science and Technology was of the view that since standards have to be maintained by the Federal Government therefore registration/ licensing should rest with the Federal Government.

143. Chief Minister, Sindh mentioned that provincial subject should not be taken over by Federal Government.

144. Chief Secretary, Punjab stated that the issue relates to enforcement of standards. Without authority of registration and licensing with provinces, the effective enforcement cannot be executed.

#### **DECISION**

145. The CCI took note of the implementation status and directed the Minister for Science and Technology to have further deliberations with Provinces to sort out the differences and evolve consensus based implementation mechanism and submit a report in next CCI meeting.

**(xviii) Allocation of Water for Islamabad (by Ministry of Interior/CDA)**

**DISCUSSION**

146. The Secretary, CCI informed that in its 28<sup>th</sup> Meeting held on 29<sup>th</sup> February, 2016, the CCI approved allocation of water for Islamabad as per the share agreed by all the provinces which was as under:

- 74 Cusecs water from the Province of Sindh
- 74 Cusecs from the Province of the Punjab
- 24 Cusecs from the Province of Balochistan
- 28 Cusecs from the Province of Khyber Pakhtunkhwa

147. Secretary, Interior Division informed that present Government decided to execute the said Project under PPP mode. Request For Proposals were published on 1<sup>st</sup> Feb. 2020 internationally and locally. Owing to technical requirements and magnitude of assignment, duration of services extended from 12 to 21 month. PC-II for Consultancy services amounting to Rs.1248.110 Million has been approved by DDWP on 21<sup>st</sup> May, 2020 without Foreign Exchange Component. PC-I for Acquisition of Land for Conduction of water from Tarbela Dam has been approved by CDWP on 6<sup>th</sup> June, 2020. Rs.400.00 Million and Rs.3154.871 Million have been allocated against said PC-II and PC-I during FY 2020-21. Technical Proposals were opened and evaluated by Bids Evaluation Committee. Three out of five JV's of Consultancy firms technically qualified. Financial Proposals opened on 7<sup>th</sup> August, 2020. Case has been submitted for acceptance of bid of M/s Changjiang Survey, Planning, Design & Research (CSPDR) and M/s MM Pakistan (Pvt) Ltd. by CDA Board being 1<sup>st</sup> lowest bidder/Consultants JV and secured cumulative highest marks.

**DECISION**

148. The CCI expressed satisfaction on implementation status of its decision.



**LIST OF PARTICIPANTS**  
**43<sup>rd</sup> MEETING OF THE COUNCIL OF COMMON INTERESTS (CCI)**  
**HELD ON 11<sup>th</sup> NOVEMBER, 2020**

1. Mr. Imran Khan, the Prime Minister of Pakistan /Chairman, CCI

**Members Provinces:**

1. Sardar Usman Ahmed Khan Buzdar, Chief Minister Punjab
2. Syed Murad Ali Shah, Chief Minister Sindh
3. Mr. Mehmood Khan, Chief Minister Khyber Pakhtunkhwa
4. Mr. Jam Kamal Khan, Chief Minister Balochistan

**Members Federal:**

1. Mr. Asad Umar, Minister for Planning, Development & Special Initiatives
2. Dr. Fehmida Mirza, Minister for Inter-Provincial Coordination
3. Mr. Omar Ayub Khan, Minister for Power Division (*non-attended due to Covid-19*)

**B). PARTICIPANTS OF AGENDA ITEMS BY SPECIAL INVITATION**

**Federal Minister/Secretaries (By Special Invitation) for All Items:**

1. Dr. Muhammad Farogh Naseem, Minister for Law and Justice
2. Sardar Ahmad Nawaz Sukhera, Secretary, Cabinet Division
3. Mr. Naveed Kamran Baloch, Secretary, Finance Division
4. Raja Naeem Akbar, Secretary, Law & Justice Division

**Chief Secretaries to assist the Chief Ministers**

1. Mr. Jawad Rafique Malik, Chief Secretary Punjab
2. Mr. Mumtaz Ali Shah, Chief Secretary Sindh
3. Dr. Kazim Niaz, Chief Secretary Khyber Pakhtunkhwa
4. Capt. (Ret) Fazeel Asghar, Chief Secretary Balochistan

**By Special Invitation (For relevant agenda items):**

1. Mr. Shafqat Mehmood, Minister for Federal Education and Prof. Training
2. Mr. Muhammad Faisal Vawda, Minister for Water Resources
3. Ch. Fawad Hussain, Minister for Science & Technology
4. Mr. Shibli Faraz, Minister for Information and Broadcasting
5. Mr. Khalid Jawed Khan, Attorney General for Pakistan
6. Mr. Nadeem Babar, SAPM on Petroleum
7. Mr. Tabish Gohar, SAPM on Power
8. Dr. Faisal Sultan, SAPM on National Health Services, Regulation & Coordination
9. Mr. Muhammad Azam Khan, Secretary to the Prime Minister
10. Mian Asad Hayaud Din, Secretary, Petroleum Division
11. Mr. Ali Raza Bhutta, Secretary, Power Division
12. Mrs. Farah Hamid Khan, Secretary, Federal Education and Prof. Training
13. Mr. Aamir Ashraf Khawaja, Secretary, National Health Services, Regulation
14. Mr. Mather Niaz Rana, Secretary, Planning, Dev. & Special Initiative
15. Capt.(Retd). Nasim Nawaz, Secretary, Science & Technology
16. Mr. Munir Azam, Secretary, Water Resources
17. Mr. Kamran Ali Afzal, Special Secretary, Finance Division
18. Mr. Yousaf Naseem Khokhar, Secretary, Interior Division
19. Mr. Taimoor Saleem Khan Jhagra, Minister for Finance, Khyber Pakhtunkhwa
20. Mr. Muhammad Mohsin Khan Leghari, Minister for Irrigation, Punjab

21. Mr. Umar Khan Jamali, Minister for IPC, Balochistan
22. Mr. Himayatullah Khan, Advisor to CM on Energy/Power, Khyber Pakhtunkhwa
23. Dr. Tariq Banuri, Chairman, HEC
24. Mr. Muhammad Javed Ghani, Chairman, FBR
25. Mr. Tauseef H. Farooqi, Chairman, NEPRA
26. Lt. Gen. (Ret) Muzammal Hussain, Chairman, WAPDA
27. Rao Irshad Ali Khan, Chairman, IRSA
28. Mr. Noor-ul-Haq, Acting Chairman, OGRA
29. Mr. Amer Ali Ahmad, Chairman, CDA

**[TO BE RETURNED IN ORIGINAL TO THE INTER PROVINCIAL  
COORDINATION DIVISION AFTER SIGNATURE]**

**C E R T I F I C A T E**

Certified that the Minutes and Decisions of the 43<sup>rd</sup> meeting of CCI held on 11<sup>th</sup> November, 2020 in the Prime Minister's House, Islamabad, have been received by me and I will keep the minutes in the personal/safe custody and take prompt action to give effect to the decisions in terms of rule 11 of the Rules of Procedure of the Council of Common Interests, 2010.

Signature : \_\_\_\_\_

(Official Seal)

Name : \_\_\_\_\_

Date : \_\_\_\_\_

To

**Ministry of Inter Provincial Coordination,  
[Dr. Mir Aijaz Hussain Talpur]  
Joint Secretary (CCI)  
Room No.113, 2<sup>nd</sup> Floor,  
Kohsar Block, Pak Secretariat,  
Islamabad.**

Updated Implementation Status/Position of CCI Meetings 35 <sup>th</sup> to 51 <sup>st</sup> Decisions (2018-2024)		
Sr. #	Case No. Agenda Item: Decision:	Latest Implementation Status
1.	2.	3.
1.	CCI.1/1/2018 Dated 26/02/2018 Status Review of Important Decisions the CCI meeting held on 24 <sup>th</sup> November, 2017  <b>Endorsement of policy Statement on Gas Sector Reforms</b> The CCI reviewed the progress of the decision and directed to expedite the matter so that report of the technical committee is presented to CCI in the next meeting.	35 <sup>th</sup> -1(iii)  <i>As per report of E&amp;P Department (09/05/2024) "the Technical Committee's report was not presented after the decision of 35<sup>th</sup> CCI meeting till now".</i>
2.	CCI.2/1/2018 Dated 26/02/2018 <b>Sugarcane Payments to the Growers</b>  The CCI considered the Summary dated 23rd February, 2018 submitted by Ministry of National Food Security & Research and deliberated upon the problems being faced by the sugarcane growers, including timely payments to them on the prescribed rates. Expressing concerns, the CCI directed the Ministry of National Food Security to work with provinces for early resolution of the issue. The CCI also directed the provincial governments to impress upon the sugar mill owners to ensure timely payment to the cane- growers at the prices notified by the provincial governments within the given time frame and to take necessary measures to protect growers from all malpractices they face in sale of their sugarcane to the sugar mills.	35 <sup>th</sup> -2  <b>Implemented</b>
3.	CCI.3/1/2018 Dated 26/02/2018 <b>Development of Special Economic Zones (SEZs) under CPEC</b>  The CCI considered the Summary dated 23rd February, 2018 submitted by Board of Investment (BoI) and directed that in the first phase, the provinces would submit their SEZs applications to BoI as per detail given at para 34(x)(a) above. It was also decided that feasibilities for rest of the SEZs may be completed by the provinces on priority, so that they can be taken-up in next phase. Further it was decided that there was no need to supply power to Rashakai as Government of KP has already planned a 250 megawatts unit.	35 <sup>th</sup> -3  <b>Decided</b>
4.	CCI.6/1/2018 Dated 26/02/2018 <b>Draft Bill for the Establishment of National Metrology Institute of Pakistan (NMIP)</b>  The CCI considered the Summary dated 29 <sup>th</sup> July, 2015 submitted by Ministry of Science & Technology and assented to place the Bill for the Establishment of National Metrology Institute of Pakistan (NMIP) before Parliament.	35 <sup>th</sup> -6  <b>Implemented</b>  <i>The Bill has been passed by National Assembly and Senate of Pakistan and became an ACT in 2022.</i>
5.	CCI.7/1/2018 Dated 26/02/2018 <b>and</b> CCI.8/1/2018 Dated 26/02/2018 <b>NEPRA's Annual Report 2014-15 &amp; State of Industry Report 2015</b>	35 <sup>th</sup> -7  <b>Implemented</b>
6.	<b>NEPRA's Annual Report 2015-16 &amp; State of Industry Report 2016</b>  Chairman, NEPRA informed that under Section 42 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997, NEPRA's Annual Reports 2014-15 and 2015-16 & Sate of Industry Report 2015 and 2016 have been submitted for approval of CCI.  The CCI considered the Summaries both dated September, 2017 submitted by Cabinet Division and approved NEPRA's Annual Report 2014-15 and 2015-16 and State of Industry Report 2015 and 2016, subject to observations of Provincial Governments, if	35 <sup>th</sup> -8  <b>Implemented</b>



	any. If no observation is received before next meeting of CCI it will be assumed that the same are accepted as such.	
7.	<p>CCI.9/1/2018 Dated 26/02/2018 <b>Senior Citizen Privileges</b></p> <p>The CCI considered the Summary dated March, 2017 submitted by Ministry of Inter Provincial Coordination and decided that the federal government may devise a National Policy Framework for senior citizens in consultation with the provincial governments and relevant federal ministries. The document would serve as a guiding document for all the provincial governments for having their own respective policy and legal instrument by meeting the broad parameters set forth in the policy framework.</p>	<p>35<sup>th</sup> - 9</p> <p><b>Implemented</b></p> <p>KP has its own Senior Citizen's Act 2014.</p>
8.	<p>CCI.11/1/2018 Dated 26/02/2018 <b>Approval of the National Interfaith Harmony Policy</b></p> <p>The CCI considered the Summary dated June, 2017 submitted by Ministry of Ministry of Religious Affairs and Interfaith Harmony and decided that Ministry of Religious Affairs and Interfaith Harmony would review the policy in consultation with the provincial governments and submit the revised policy before CCI in its next meeting.</p>	<p>35<sup>th</sup> -11</p> <p><b>Related to Federal Government</b></p>
9.	<p>CCI.3/2/2018 Dated 27/03/2018 <b>Decisions of the meeting of Economic Coordination Committee (ECC) of the Cabinet</b></p> <p>The CCI considered the Summary dated 29<sup>th</sup> January, 2018 submitted by Finance Division and acknowledged the briefing by Finance Secretary with no further directions.</p>	<p>36<sup>th</sup> -3</p> <p><b>No action required</b></p>
10.	<p>CCI.4/2/2018 Dated 27/03/2018 <b>Presentation by Pakistan Alliance for Mathematics and Science</b></p> <p>The CCI appreciated the presentation given by Pakistan Alliance for Mathematics and Science for pointing out shortcomings and advancements in country's education system.</p>	<p>36<sup>th</sup> -4</p> <p><i>No Specific Directions have be issued</i></p>
11.	<p>CCI.1/3/2018 Dated 24/04/2018 <b>National Water Policy</b></p> <p>The CCI approved the National Water Policy and Water Charter. The Water Charter was signed by the Prime Minister along with all the Chief Ministers in a simple ceremony in the Prime Minister's office. In addition, the composition of National Water Council will include Chief Ministers plus one additional member each to be nominated by the Chief Minister of the respective provinces (clause 29 5.1 of the National Water Policy).</p>	<p>35<sup>th</sup> -1(vi) 36<sup>th</sup>-1 37<sup>th</sup> -1</p> <p><b>Implemented</b></p>
12.	<p>CCI.1/4/2018 Dated 27/05/2018 <b>Presentation by Indus River System Authority (IRSA) on Water Resources</b></p> <p>The Council of Common Interests decided to constitute a committee headed by Attorney General of Pakistan and comprising one representative from each province. The committee will look into the current issues of availability of water and its distribution in the country and present its recommendations for consideration of the Council of Common Interests. The committee shall also consult the record of proceedings that resulted in approving Water Accord, 1991.</p>	<p>38<sup>th</sup> - 1</p> <p><b>Under Process</b></p>

13.	<p>CCI.1/5/2018 Dated 24/09/2018</p> <p><b>Resolution of Energy Problems of Balochistan Province / Enhancement of Absorption Capacity</b></p> <p>Secretary to Prime Minister would arrange a meeting between Chief Minister, Balochistan and his team and Minister for Energy and PD&amp;R Division to resolve the issues faced by Government of Balochistan within 10-days. Report will be submitted to CCI.</p>	<p>35<sup>th</sup> -5 39<sup>th</sup> -1(iii)</p> <p>In 39<sup>th</sup> Meeting it was decided that the Secretary to Prime Minister would arrange a meeting between Chief Minister, Balochistan and his team and Minister for Energy and PD&amp;R Division to resolve the issues. <b>Not directly related to KP</b></p>
14.	<p>CCI.1/5/2018 Dated 24/09/2018</p> <p><b>Short Supplies of Water in Pat Feeder and Khirthar Canals</b></p> <p>The CCI decided that Chief Minister, Sindh and Chief Minister, Balochistan to resolve the issue amicably through mutual consultation. The issue has to be resolved in the context of ensuring implementation on ground of the IRSA accord to remove mistrust between the provinces.</p>	<p>35<sup>th</sup> -10 39<sup>th</sup> 1(iv)</p> <p>The CCI in its 39<sup>th</sup> meeting decided that Chief Minister, Balochistan to resolve the issue amicably through mutual consultation. The issue has to be resolved in the context of ensuring implementation on ground of the IRSA accord to remove mistrust between the provinces.</p> <p><b>No action on part of Khyber Pakhtunkhwa</b></p>
15.	<p>CCI.6/5/2018 Dated 24/09/2018</p> <p><b>Establishment of Taskforce to streamline the Regulatory Functions at the Implementation level</b></p> <p>The CCI considered the Summary for CCI dated 19.09.2018 submitted by Ministry of Interior and decided that the mandate of CCI is restricted only to the extent of Regulatory Authorities under the domain of the Federal Government.</p>	<p>39<sup>th</sup> -6</p> <p><b>Implemented</b></p>
16.	<p>CCI.7/5/2018 Dated 24/09/2018</p> <p><b>Launching of the National Cleanliness Drive</b></p> <p>The CCI considered the Summary for CCI dated 19th September, 2018 submitted by the Ministry of IPC and directed to chalk out phase wise monthly program encompassing initial thrust, mid-term plan and sustainable continuing activity to keep Pakistan clean and beautiful. It was advised to launch 'Clean Pakistan Movement' across the country on 14.10.2018.</p>	<p>39<sup>th</sup> -7</p> <p><b>Implemented</b></p>
17.	<p>CCI. 1/1/2019 dated 23/12/2019</p> <p><b>Approval for the Privatization of 1230 MW Haveli Bahadur Shah and 1223 MW Balloki Power Plants owned by the NPPMCL</b></p> <p>The CCI expressed satisfaction on the implementation of its Decision.</p>	<p>40<sup>th</sup> -2 41<sup>st</sup> - 1 (e)</p> <p><b>Implemented</b></p>
18.	<p>CCI. 1/1/2019 dated 23/12/2019</p> <p><b>Matters Regarding Alarming High Population Growth Rate in the Country</b></p> <p>The CCI noted the implementation status of its decision and recommended that the meetings of the Federal Task Force may be presided by the President of Pakistan.</p>	<p>40<sup>th</sup> -1 41<sup>st</sup> -1(f)</p> <p><b>Related to Federal Government</b></p>
19.	<p>CCI. 14/1/2019 dated 23/12/2019</p> <p><b>Report of the Committee constituted by CCI on Devolution of Employees' Old-Age Benefits Institution and Workers Welfare Fund to the Provinces</b></p> <p>The CCI considered the Summary dated 23<sup>rd</sup> May, 2019 submitted by Ministry of Overseas Pakistani &amp; HRD and observed that none of the provinces has developed a workable mechanism for resolution to address the post-devolution issues of pension of migrating employees. The Council held that being trans-provincial and interprovincial matter, both the organizations i.e. EOBI &amp; WWF should remain with the Federal Government to perform its functions under Employees Old-Age Benefits Act, 1976 and Workers Welfare Fund Ordinance, 1971, till such time a mutually agreed mechanism is developed.</p>	<p>39<sup>th</sup> -2 41<sup>st</sup> -14</p> <p><b>No further action</b></p>

20.	<p>CCI. 16/1/2019 dated 23/12/2019  <b>Annual Report of the CCI for the Year 2016-17</b></p> <p>The Council of Common Interests allowed laying of its Annual Report for the Year 2016-17 before both the houses of the Parliament as required under Article 153 (4) of the Constitution.</p>	<p>41<sup>st</sup> -16</p> <p><b>No further action</b></p>
21.	<p>CCI.4/1/2020 Dated 06/08/2020  <b>Strategy to combat Covid-19</b></p> <p>The CCI considered the Summary titled '<b>Strategy to combat Covid-19</b>' dated 27<sup>th</sup> July, 2020, submitted by Ministry of National Health Services, Regulations and Coordination and took note of the presentation. The Council appreciated the strategy adopted by the Government to curb the spread of the pandemic.</p>	<p>42<sup>nd</sup> -4</p> <p><b>No further action</b></p>
22.	<p>CCI.5/1/2020 Dated 06/08/2020  <b>National Health Emergency Response Act, 2020</b></p> <p>The CCI considered the Summary titled '<b>National Health Emergency Response Act, 2020</b>' dated 28<sup>th</sup> July, 2020, submitted by Ministry of National Health Services, Regulations and Coordination and observed that the matter did not pertain to the CCI.</p>	<p>42<sup>nd</sup> -5</p> <p><b>No further action</b></p>
23.	<p>CCI.7/1/2020 Dated 06/08/2020  <b>Amendment in the Regulation of Mines and Oil Fields and Mineral Development (Government Control) Act 1948</b></p> <p>The CCI considered the Summary titled '<b>Amendment in the Regulation of Mines and Oil Fields and Mineral Development (Government Control) Act 1948</b>' dated 20<sup>th</sup> July, 2020, submitted by Government of Sindh and observed that the matter did not pertain to the CCI.</p>	<p>42<sup>nd</sup> - 7</p> <p><b>Not Covered under CCI Rules</b></p>
24.	<p>CCI.8/1/2020 Dated 06/08/2020  <b>Annual Reports of the Council of Common Interests (CCI) for the years 2017-18, 2018-19 and 2019-20</b></p> <p>The CCI approved laying of its Annual Reports for the years 2017-18, 2018-19, and 2019-20 before both houses of the Parliament.</p>	<p>42<sup>nd</sup> -8</p> <p><b>No further action</b></p>
25.	<p>CCI.9/1/2020 Dated 06/08/2020  <b>Approval of Alternative &amp; Renewable Energy Policy 2019</b></p> <p>After due deliberations, CCI approved the Alternative &amp; Renewable Energy Policy, 2019 with the directions that NTDC/DISCOs shall ensure the provision of their transmission/distribution facility for B2B sale of electricity, net</p>	<p>41<sup>st</sup> -11  42<sup>nd</sup> -9(viii)</p> <p><b>Not finalized yet</b></p>
	<p>metering, wheeling, distributed generation of electric power services. In case of any dispute, matter will be referred to NEPRA for its redressal under applicable laws. The CCI further noted that the Article 157 (2) [(c) &amp; (d)] of the Constitution of 1973 allows the provinces to construct their own power houses and grid stations and these can lay transmission lines for use within the Province. Moreover, these can also determine the tariff for distribution of electricity within the Province.</p>	<p>KP E&amp;P to update</p>

26.	<p>CCI.9/1/2020 Dated 06/08/2020</p> <p><b>Recovery through Tariff of Markup on Bilateral Islamic I Commercial Loans Obtained by WAPDA for Payment of Net Hydel Profit to the Governments of Khyber Pakhtunkhwa and Punjab</b></p> <p>As the issue does not pertain to CCI, recovery through tariff of mark up on bilateral Islamic /commercial loans obtained by WAPDA for payment of Net Hydel Profit to the Governments of Khyber Pakhtunkhwa and Punjab, will be determined by NEPRA.</p>	<p>41<sup>st</sup> -7 42<sup>nd</sup> -9(xii)</p> <p><b>No action on part of KP.</b></p>
27.	<p>CCI.9/1/2020 Dated 06/08/2020</p> <p><b>Draft Recruitment Regulations for the Post of Chairman and Members WAPDA</b></p> <p>The CCI deliberated over the matter and advised the Water Resources Division to submit the issue through fresh Summary in the next CCI meeting.</p>	<p>41<sup>st</sup> -8 42<sup>nd</sup> -9(xiii)</p> <p><b>No action on part of KP.</b></p>
28.	<p>CCI.2/2/2020 Dated 11/11/2020</p> <p><b>Swap/Substitute Arrangement of One Exploration Block with another Prospective Block in the Respective Province</b></p> <p>The CCI considered the Summary dated 9th October, 2020 submitted by Government of Khyber Pakhtunkhwa titled "Swap / Substitute Arrangement of One Exploration Block with another Prospective Block in the Respective Province" and accorded onetime approval to Provincial Holding Companies to swap one exploration block with another prospective block within the province with the condition that commitments accruing out of previous award of block for the year should be completed and the Petroleum Division should incorporate a mandatory time-bar for such swap for future prospective bidders. Requisite Rules and timeframe, in this regard, would be devised by the Petroleum Division in consultation with provinces.</p>	<p>43<sup>rd</sup> -2 to</p> <p><i>As per report of E&amp;P Department (09/05/2024) "Signing of PCA is progress. KPOGCL has signed the draft agreement PCA shared by petroleum Division in light of 51<sup>st</sup> CCI meeting held on 29<sup>th</sup> Jan 2024 and resubmitted petroleum Division".</i></p> <p><b>Decision implemented</b></p>
29.	<p>CCI.3/2/2020 Dated 11/11/2020</p> <p><b>Decisions of Second Meeting of Pakistan National Nutrition Coordination Council Oct 5, 2020 and Progress</b></p> <p>The CCI considered the Summary dated 5<sup>th</sup> November, 2020 submitted by National Health Services, Regulations and Coordination, and while envisaging the importance of the critical issue of malnutrition and stunted growth among the children, unanimously decided for launching of a development project titled "Tackling Malnutrition Induced Stunting in Pakistan" at an approximate cost of Rs.350 billion, for duration of five years (FY 2020-25). It was agreed that 50% cost i.e. Rs.175 billion approx. would be provided by the Federal Government and equal cost, in kind, would be shared by the provincial governments for five years. It was also agreed that the Federal Government would provide for nutrition supplementary commodities, capacity building of new &amp; existing healthcare workers, and research &amp; monitoring while the provinces would contribute towards implementation through involvement of existing Lady Health Workers, Community Health Workers, target population identification, program management, institutional arrangement, evaluation and data sharing.</p>	<p>43<sup>rd</sup> – 3</p> <p><b>Health Department to update</b></p>
30.	<p>CCI.4/2/2020 Dated 11/11/2020</p> <p><b>Royalty on Liquefied Petroleum Gas (LPG) by the E&amp;P Companies at the Market Value of LPG (by Petroleum Division)</b></p> <p>The CCI decided that royalty on LPG shall be payable prospectively in all future Petroleum Concessions Agreements (PCAs).</p>	<p>41<sup>st</sup> -9 42<sup>nd</sup> 9 (x) 43<sup>rd</sup> -4 (iii)</p> <p><b>As per report of E&amp;P Department (09/05/2024):</b> <i>In light of CCI decision, two meetings were held on 11/03/2020 and 07/07/2020, respectively under the Chairmanship of Executive Director General with various E&amp;P Companies of all provinces. GoKP has presented its stance during the meetings. As per 43<sup>rd</sup> CCI decision the CCI decided that royalty on LPG shall be payable prospectively in all future Petroleum Concession Agreements (PCAs).</i></p> <p><b>Decision Implemented</b></p>



<p>31.</p>	<p>CCI.4/2/2020 Dated 11/11/2020</p> <p><b>Handing Over of Control of Lower Portion of Chashma Right Bank Canal and Supply of Full Share of Water from CRBC to Punjab (by Govt. of Punjab, presented by Ministry of Water Resources).</b></p> <p>The CCI directed that Ministry of Water Resources to issue the minutes of the meeting held on 28.10.2020 and circulate the same to all concerned for implementation. The CCI also directed that the Government of Punjab will also bear the O&amp;M cost for upper portion of CRBC as agreed by the Chief Minister Punjab during the meeting.</p>	<p>42<sup>nd</sup> -2</p> <p>43<sup>rd</sup> -4 (vii)</p> <p><b>As per report of Irrigation Department Khyber Pakhtunkhwa dated (12/06/2024)</b></p> <p>The Government of Punjab moved a summary for Council of Common Interest (CC) for handing over control of Lower Portion of "Chashma Right Bank Canal" (CRBC) from WAPDA to Punjab province and ensuring supply of full share of water from CRBC to Punjab. The proposals of Punjab communicated vide summary to CC were as under:-</p> <ul style="list-style-type: none"> <li>-To direct Federal Ministry of Water Resources/WAPDA to transfer the control of CRBC which lies in the Punjab Province to Punjab Irrigation Department for its operation and maintenance.</li> <li>-To ensure Punjab received its full share of water, and</li> <li>-To direct Provincial Government of Khyber Pakhtunkhwa to initiate strict action against people involved in theft/illegal use of water from the CRBC.</li> </ul> <p><b>The CCI decided that:</b></p> <ol style="list-style-type: none"> <li>1. Government of Punjab, Government of Khyber Pakhtunkhwa, and IRSA shall meet and work out modalities to finalize a bilateral agreement between the two provinces on the proposed transfer within one month without affecting Water Accord, 1991. 21.</li> <li>2. Governments of the Punjab and Khyber Pakhtunkhwa would reconcile all outstanding liabilities owed to WAPDA within a period of one month of the decision of the CCI and the duly reconciled liabilities would be cleared by the respective governments.</li> <li>3. The existing staff of WAPDA responsible for O&amp;M of CRBC would be transferred/merged with the respective Irrigation Departments of both provinces.</li> </ol> <p><b>IMPLEMENTATION STATUS:</b></p> <p>The transfer of the lower portion of CRBC (from RD 513+00 to its tail end) from WAPDA to Punjab has been successfully completed.</p> <p>The Government of Khyber Pakhtunkhwa has circulated a Draft Agreement among stakeholders for the transfer of the upper portion of CRBC from WAPDA to the Irrigation Department of Khyber Pakhtunkhwa. A committee, chaired by the Advocate General and comprising Secretaries from Finance, Irrigation, and IPCC, has been formed to engage in negotiations with stakeholders regarding the terms and conditions of the management transfer.</p> <p>Secretary Irrigation vide note to Chief Secretary dated 08/04/2024 has requested for engagement of Advocate General being Chairman of the</p>
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		Committee for convening meeting of the committee to review the draft tripartite agreement and take other appropriate decisions.
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32.	<p>CCI.4/2/2020 Dated 11/11/2020</p> <p><b>Unauthorized deductions by Federal Government on FBR's claim on account of alleged outstanding withholding tax on Vehicles and 5% service charges deducted on account of collection of Withholding Tax by the Government of Balochistan (by Govt. of Balochistan. Presented by FBR.</b></p> <p>The CCI took note of the implementation status.</p>	<p>41<sup>st</sup> - 3 42<sup>nd</sup> -9 (iv) 43<sup>rd</sup> -4(xi)</p> <p><b>Not related to KP</b></p>
33.	<p>CCI.4/2/2020 Dated 11/11/2020</p> <p><b>Unauthorized transfer of Public Money from Provincial Consolidated Fund (PCF) to Federal Consolidated Fund by the SBP on the Directions of FBR (by Govt. of Punjab. Presented by FBR)</b></p> <p>The CCI took note of the implementation status.</p>	<p>41<sup>st</sup> -4 42<sup>nd</sup> -9(v) 43<sup>rd</sup> -4(xii)</p> <p><b>Not related to KP</b></p>
34.	<p>CCI.4/2/2020 Dated 11/11/2020</p> <p><b>Unconstitutional and unauthorized deduction by FBR from the Provincial Consolidated Fund (by Govt. of Sindh. Presented by FBR)</b></p> <p>The CCI took note of the implementation status and directed the Finance Division to make arrangement for refund of the claim of Government of Sindh, upon endorsement from FBR.</p>	<p>36<sup>th</sup> -5 41<sup>st</sup> -5 42<sup>nd</sup> -9(vi) 43<sup>rd</sup> -4(xiii)</p> <p>The CCI in its 43<sup>rd</sup> meeting took note of the implementation status and directed the Finance Division to make arrangement for refund of the claim of Government of Sindh, upon endorsement from FBR.</p> <p><b>Not related to KP</b></p>
35.	<p>CCI.4/2/2020 Dated 11/11/2020</p> <p><b>Allocation of Water for Islamabad (by Ministry of Interior/CDA)</b></p> <p>The CCI expressed satisfaction on implementation status of its decision.</p>	<p>43<sup>rd</sup> -4 (xviii)</p> <p><b>No action on part of KP.</b></p>
36.	<p>CCI.2/1/2021 Dated 07/04/2021</p> <p><b>NEPR's Annual Report 2019-20 and State of Industry Report, 2020</b></p> <p>The CCI considered the Summary dated 8<sup>th</sup> December, 2020 submitted by the Cabinet Division titled "NEPRA's Annual Report 2019-20 and State of Industry Report, 2020" and approved NEPRA's Annual Report for 2019-20 and State of Industry Report 2020.</p>	<p>44<sup>th</sup> – 2</p> <p><b>No action required</b></p>
37.	<p>CCI.4/1/2021 Dated 07/04/2021</p> <p><b>NEPRA's Annual Report 2018-19 and State of Industry Report, 2019 (by Cabinet Division)</b></p> <p>The CCI noting that the observations of the provinces were duly addressed by NEPRA, approved the NEPRA's Annual Report 2018-19 and State of Industry Report, 2019. It was further decided that the Agenda stands implemented.</p>	<p>43<sup>rd</sup> -1 44<sup>th</sup> -4 (ii)</p> <p><b>No further action</b></p>
38.	<p>CCI.4/1/2021 Dated 07/04/2021</p> <p><b>Amendment in the Oil &amp; Gas Regulatory Authority Ordinance, 2002 (by Petroleum Division)</b></p> <p>The CCI decided that the proposed amendment with respect to OGRA, being contrary to Supreme Court Judgement, could not be endorsed/approved. It was decided that the agenda item was closed/settled and should not be placed before the CCI, for information of implementation status, as no further update is required for the forum.</p>	<p>41<sup>st</sup>- 15 (implemented) 42<sup>nd</sup> -1 43<sup>rd</sup> -4 (iv) 44<sup>th</sup> – 4(iv)</p> <p><b>As per report of E&amp;P Department (09/05/2024:</b> <i>In the 44<sup>th</sup> CCI meeting held on 7<sup>th</sup> April, 2021, it was decided that the proposed amendment regarding OGRA could not be endorsed or approved as it contravenes the Supreme Court Judgement 2018 SCMR 1956 in the PMDC case interpreted Article 154(1) to mean that the CCI can formulate and regulate policy and has no role in legislation.</i></p> <p><b>No further action</b></p>

39.	<p>CCI.4/1/2021 Dated 07/04/2021</p> <p><b>Windfall levy on Crude Oil, Condensate &amp; Natural Gas under Petroleum Policy, 2012 (by Petroleum Division &amp; Finance Division)</b></p> <p>The CCI decided that Petroleum Division &amp; Finance Division, shall reconcile the figures with Provincial Governments and settle the same. It was further decided that the Agenda item should not be placed before the CCI for information of implementation status, as no further update is required for the forum, unless requested either by the Federal or any Provincial Government.</p>	<p>42<sup>nd</sup> -6 43<sup>rd</sup> -4(v) 44<sup>th</sup> – 4(v)</p> <p><b>As per report of E&amp;P Department (09/05/2024):</b> <i>The 44<sup>th</sup> cci meeting was held on 7<sup>th</sup> April, 2021 decided that petroleum Division &amp; Finance Division shall reconcile and settle</i></p>
		<p><i>the same. It was further decided that the agenda item should not be placed before the CCI for information of implementation status, as no further update is required for the forum, unless requested either by the Federal or any Provincial government. Finance Division has devised a reconciliation mechanism and transfer of share of provinces in WFL dully agreed by the Petroleum Division. The Provincial Government has conveyed consent for the proposed mechanism vide letter dated 30/10/2023. However, Article 172(3) has not yet been implemented in terms of transferring provincial share of windfall levy from Tall, Kohat and Baratal Blocks.</i></p>
40.	<p>CCI.4/1/2021 Dated 07/04/2021</p> <p><b>Matters pertaining to Higher Education in Post-Eighteenth Amendment Scenario (by Higher Education Commission);</b></p> <p>The CCI decided that Higher Education Commission will be the sole standard setting national organization with regard to higher education in the country. HEC will take further steps in consultation with the Provinces. It was further decided that the Agenda item will not be placed before CCI for information of implementation status, as no further update is required for the forum.</p>	<p><b>Implemented</b></p> <p>35<sup>th</sup>, 39<sup>th</sup>, 41<sup>st</sup>, 42<sup>nd</sup>, 43<sup>rd</sup>, <b>44<sup>th</sup> – 4(vi)</b> The CCI decided in its 44<sup>th</sup> meeting that Higher Education Commission will be the sole standard setting national organization with regard to higher education in the country. HEC will take further steps in consultation with the Provinces. It was further decided that the Agenda item will not be placed before CCI for information of implementation status, as no further update is required for the forum. The Agenda stands implemented.</p>
41.	<p>CCI.4/1/2021 Dated 07/04/2021</p> <p><b>Funding of Devolved Vertical Programs of Health and Population Welfare (by National Health Services, Regulations and Coordination):</b></p> <p>The CCI decided that the Ministry of National Health Services, Regulations and Coordination and Finance Division shall reconcile the claims of the Provincial Governments to the extent and tenure of PC-I. Finance Division will clear the audited claims submitted by the Provinces with the above proviso. It was further decided that the Agenda item should not be placed before the CCI for information of implementation status, as no further update is required for the forum, unless requested either by the Federal or any Provincial Government.</p>	<p>41<sup>st</sup> -2 42<sup>nd</sup> -9(ii) 43<sup>rd</sup> -4(x) 44<sup>th</sup> -4 (vii) Implemented</p>



42.	<p>CCI.4/1/2021 Dated 07/04/2021</p> <p><b>Harmonization of Standards and Enforcement Mechanism between Pakistan Standards and Quality Control Authority (PSQCA) and provincial Food Authorities (by Science &amp; Technology Division)</b></p> <p>The CCI decided that in order to further improve the Ease of Doing Business and harmonize quality and standards across the country, the provinces shall adopt National Standards formulated by Pakistan Standards &amp; Quality Control Authority (PSQCA). Labelling and Certification Marks logo shall also remain with Federal Government/PSQCA. It was also decided that the Registration of businesses for sale of Food products, Licensing of factory establishment for foods products, Enforcement and Monitoring of food products shall remain with the Provincial Governments. It was further decided that the Agenda stands implemented and shall not be placed before CCI regarding information of its implementation status.</p>	<p>39<sup>th</sup> -5 41<sup>st</sup> -1(d) 43- 4(xvii) 44<sup>th</sup> -4(viii)</p> <p>Food Safety &amp; Halal Food Authority Khyber Pakhtunkhwa has informed that 279 Pakistan Standards on Food Harmonized by PSQCA have been notified and adopted by Khyber Pakhtunkhwa Food Safety &amp; Halal Food Authority/ Food Department vide letter dated 05-11-2021 and 12-09-2022. The decision is related to food items only, the decision stands <b>Implemented</b></p>
43.	<p>CCI.5/1/2021 Dated 07/04/2021</p> <p><b>Distribution of Zakat Funds to the Provinces/ Federal Areas in the wake of 25<sup>th</sup> Constitutional Amendment</b></p> <p>The CCI considered the Summary dated 5<sup>th</sup> April, 2021 submitted by Poverty Alleviation &amp; Social Safety Division titled "<b>Distribution of Zakat Funds to the Provinces/ Federal Areas in the wake of 25<sup>th</sup> Constitutional Amendment</b>" and decided that the existing Zakat distribution formula may be revised only to the extent that the predetermined share of erstwhile FATA on the basis of existing formula will be added in the share of Khyber Pakhtunkhwa Province each year and entity of FATA will be omitted from the formula. The revised formula will continue till the next NFC Award. Government of KP shall ensure disbursement of the respective share in erstwhile FATA.</p>	<p>44<sup>th</sup> – 5</p> <p>Implemented</p>
44.	<p>CCI.1/2/2021 Dated 12/04/2021</p> <p><b>Approval of Results of the 6<sup>th</sup> Population and Housing Census, 2017</b></p>	<p>36<sup>th</sup> -2 38<sup>th</sup> -2</p>
	<p>The CCI decided to approve the Final Results of the 6<sup>th</sup> Population and Housing Census, 2017 in the larger national interests. The Decision was taken by majority vote, in terms of Rule 5(10) of the Rules of Procedure of the Council of Common Interests, 2010 as seven members supported the approval of Final Census Results while the Chief Minister Sindh opposed it. The CCI directed that the process of next Census should start as early as possible according to international best practices by using latest technology.</p>	<p>41<sup>st</sup> -12 43<sup>rd</sup> -4 (xvi) 44<sup>th</sup> -4 (i) 45<sup>th</sup> -1</p> <p><b>As per report of LG&amp;RDD (15/05/2024)</b> the Monitoring and Oversight Committee of Senator for 5% validation Exercise of Census Results" is almost infructuous as the new Census (Digital 2023) have been conducted and published accordingly.</p> <p><b>No further action</b></p>
45.	<p>CCI.1/4/2021 Dated 21/06/2021</p> <p><b>National Electricity Policy, 2021</b></p> <p>CCI considered the summary dated 19th May 2021 submitted by Ministry of Energy (Power Division) titled "National Electricity Policy 2021" and unanimously approved the Policy after incorporation of following amendments:</p> <hr/> <p>S. No.                      Amendment approved for incorporation in Policy</p>	<p>46<sup>th</sup> – 1 47<sup>th</sup> – 1</p> <p><b>Policy Approved</b></p>

	i.	Interpretation of Terms No. 7 IGCEP Indicative Generation Capacity Expansion Plan (the rolling generation capacity expansion plan for future ten years to be prepared under the grid code by the relevant entity and approved by the Regulator every year) Footnote: The IGCEP has not been approved by the Regulator at the time of approval of this policy. For the first iteration, IGCEP assumptions will be approved by the CCI.		
	ii.	Interpretation of Terms No. 24 <b>TSEP-</b> Transmission System Expansion Plan (the rolling transmission system expansion plan which may be prepared for one, three, five or ten years into the future under the grid code by the NGC and approved by the Regulator, in consultation with the Provincial Governments).		
	iii.	5.1.1 Expansion in generation capacity shall be only on competitive and least cost basis (except for strategic projects for which: (a) the qualification and methodology shall be provided in the National Electricity Plan, (b) the Government, in consultation with the Provincial Governments, shall approve such projects on case-to-case basis and (c) the relevant sponsoring Government / Provincial Government shall provide the funding to bridge the incremental cost (beyond least cost) of any such project). Further, in order to determine the basis of least cost and to ensure that the consumer gets the cheapest electricity, while ensuring levelized tariff for different fuels/technologies, the Government shall conduct necessary consultations with the Provincial Governments on parameters/basis/assumptions at the time of development of generation framework.		
	iv.	5.1.3 Only run-of-river hydropower projects i.e., where irrigation, flood control & seasonal storage are not involved, will be developed, unless otherwise specifically permitted by the Government in consultation with the concerned Province and with the approval of the CCI. The run-of-river projects may have some ponding facility for absorption of daily flow fluctuation and for daily peaking operation of the power plant. The project should be designed and implemented with a view of optimum utilization of potential of the site,		
	v.	5.1.10. Subject to Article 157(2) of the Constitution, the Provincial Governments may make their own electricity policies (including generation, transmission & distribution) and execute related projects within their boundaries without the requirement of selection by IGCEP, as long as such projects are		
		not connected to the national grid and do not impose any obligation on any Federal Government entity. Such projects can subsequently be connected to' the national grid, subject to the consent of the Federal Government, based on the principle of least cost and selection by IGCEP.		
	vi.	5.1.11 Subject to Alternative and Renewable Energy Policy 2019, as amended from time to time, the concerned Government entity may issue a letter of support to the projects that have been issued letters of intent by the Provincial Governments till June 20, 2021, and intend to sell electricity to a Government entity, if such projects are selected by IGCEP.		

	<div>vii.</div> <div>viii.</div> <div>ix.</div> <div>x.</div> <div>xi.</div>	<p>5.2.2 Subject to Article 157(2) of Constitution of Pakistan and law, the Provincial Governments shall have the powers to construct grid stations, lay transmission lines, and engage in the transmission of electric power within the territorial limits of such Province, Wherever, the Province intends to connect its transmission system to the national grid, the NGC will be solely responsible for the centralized TSEP. The TSEP shall provide for integration of the national and provincial transmission systems. For such integration, the PGCS and SPTLS shall coordinate with the NGC and provide all relevant data required by the NGC, at the conception stage prior to any execution, to prepare the TSEP. The NGC, PGC and SPTL, while discharging their respective responsibilities, shall ensure compliance with TSEP approved by the Regulator.</p> <p>5.5.4. In order to ensure implementation of wholesale market design and its further evolution, the Regulator shall in a timely manner frame, modify and evolve regulatory framework for, inter alia, supply, procurement, open access/wheeling, competitive bidding, import of power, and ensure effective market monitoring and enforcement. Provided that after implementation of CTBCM, every transmission licensee and distribution licensee shall offer, to all market participants, nondiscriminatory open access/wheeling to its respective transmission or distribution system and interconnection services in accordance with CTBCM on the terms determined under the policy and legal framework.</p> <p>5.8.2. As an immediate step, the IGCEP1 (the rolling generation capacity expansion plan for future ten years to be prepared under the grid code by the relevant entity and approved by the Regulator every year), shall be approved by the Regulator, after public hearing and consultation with stakeholders, particularly Provincial Governments. NGC shall submit the TSEP (the rolling transmission system expansion plan which may be prepared for one, three, five or ten years into the future under the grid code by the NGC and approved by the Regulator) in support of the IGCEP to the Regulator for approval. The IGCEP and TSEP shall be followed and implemented by all stakeholders (including one-window facilitators set-up by the Federal and Provincial Governments), which shall be updated on an annual basis or as may be stipulated in the National Electricity Plan. Footnote 1: The IGCEP has not been approved by the Regulator at the time of approval of this policy. For the first iteration, IGCEP assumptions will be approved by the CCI.</p> <p>5.8.3. To ensure access to affordable supply of electricity, the criteria for the inclusion of transmission cost for candidate generation projects may be considered in the National Electricity Plan in consultation with the Provincial Governments. Such criteria shall be approved by the CCI.</p> <p>5.1.9. This National Electricity Policy shall prevail over the Power Generation Policy, 2015 to the extent of any conflict or inconsistency. The remaining policy directives of the Power</p>		
		<p>Generation Policy, 2015 shall continue to remain in filed till the same is superseded by a revised generation <b>policy</b> to be approved by the <b>CCI</b>.</p>		

46.	<p>CCI.1/5/2021 Dated 06/09/2021</p> <p><b>Assumption Inputs for Preparation of Indicative Generation Capacity Expansion Plan (IGCEP)</b></p> <p>CCI considered the summary dated 30th August, 2021 submitted by Ministry of Energy (Power Division) titled "<b>Assumption Inputs for Preparation of Indicative Generation Capacity Expansion Plan (IGCEP)</b>" and unanimously decided to approve the IGCEP assumptions (placed at Annex-II of the Minutes) shall form the basis of preparation of IGCEP 2021, including:</p> <p>a) The provincial public sector projects with approved PC-Is with secured financing (as of March 2021) shall be included in "committed projects"; and</p> <p>b) Hydel projects shall be included in the definition of RE and RE Policy may suitably be amended.</p> <p><b>The CCI further decided that: -</b></p> <p>a. Subsequent iterations of IGCEP may be expedited and completed every year as per timeline provided under Grid Code.</p> <p>b. Power Division shall develop the methodology &amp; criteria for strategic projects in consultation with the provinces under the National Electricity Plan within three months.</p> <p>c. Wheeling policy, rates and mechanism shall be finalized within two months;</p> <p>d. Power Division shall develop the criteria for factoring in transmission costs as a part of least cost generation calculations in consultation with provinces within three months.</p> <p>e. A revised draft of Generation Policy (including hydel generation) may be finalized by the Power Division within three months after consultation with the provinces and presented to the CCI.</p>	<p>48<sup>th</sup> – 1</p> <p><b>E&amp;P Department to update</b></p>												
47.	<p>CCI. 2/1/2022 Dated 13/01/2022</p> <p><b>Annual Report of the Council of Common Interests (CCI) 2020-21</b></p> <p>The CCI approved its Annual Report 2020-21 for submission to both houses of the Parliament under Article 153(4) of the Constitution.</p>	<p>49<sup>th</sup> – 2</p> <p><b>No action required on part of KP.</b></p>												
48.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p>Implementation Status of previous CCI decisions</p> <p><b>i. Establishment of permanent Secretariat of the Council of Common Interests</b></p> <p>The CCI noted the implementation status and constituted the following committee:</p> <table><tr><td><b>Secretary, CCI</b></td><td><b>Convener</b></td></tr><tr><td>Additional Secretary, Finance Division</td><td>Member</td></tr><tr><td>Additional Secretary, Establishment Division</td><td>Member</td></tr><tr><td>Additional Secretary, Law &amp; Justice Division</td><td>Member</td></tr><tr><td>Representatives of Provincial Governments of the rank of BS-20 or above</td><td>Members</td></tr><tr><td>Joint Secretary (CCI)</td><td>Member/ Secretary</td></tr></table> <p>ToRs:</p> <p>The committee shall propose modalities to ensure that provinces are adequately represented in the CCI Secretariat.</p> <p>While it is understood that the CCI Secretariat would be manned by officers of the Federal Government, the Provincial Governments will nominate their members for the above proposed Committee within two weeks and modalities agreed by the said Committee will be presented to the CCI.</p>	<b>Secretary, CCI</b>	<b>Convener</b>	Additional Secretary, Finance Division	Member	Additional Secretary, Establishment Division	Member	Additional Secretary, Law & Justice Division	Member	Representatives of Provincial Governments of the rank of BS-20 or above	Members	Joint Secretary (CCI)	Member/ Secretary	<p>44<sup>th</sup> -1 49<sup>th</sup> -3(i)</p> <p>Establishment of permanent Secretariat of CCI has already been moved a draft Summary for CCI for Framing of Recruitment Rules/procedure and Provincial representation.</p> <p>The Govt. of KP has furnish its views on the said Summary.</p>
<b>Secretary, CCI</b>	<b>Convener</b>													
Additional Secretary, Finance Division	Member													
Additional Secretary, Establishment Division	Member													
Additional Secretary, Law & Justice Division	Member													
Representatives of Provincial Governments of the rank of BS-20 or above	Members													
Joint Secretary (CCI)	Member/ Secretary													



49.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p><b>Implementation of Kazi Committee Methodology (KCM) for calculation of Net Hydel Profit (NHP)</b></p> <p>The CCI directed that the Deputy Chairman, Planning Commission should submit report of the Committee within one month.</p> <p>Regarding the issue of 5% annual indexation on NHP, already approved by the CCI, it was agreed that the Government of KP may move a Summary on the subject in the next CCI meeting as it was not on the agenda of the present CCI meeting.</p>	<p>35<sup>th</sup> -1(v) 37<sup>th</sup> -2 39<sup>th</sup> -1(v) 41<sup>st</sup> -1 42<sup>nd</sup> -9(xiv) 43<sup>rd</sup> -4(xv) 49<sup>th</sup> -3(ii)</p> <p><b>FD has been requested to resubmit the Summary as per laid down procedure</b></p>
50.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p><b>Recommendations of the Attorney General for Pakistan concerning the Water Accord, 1991</b></p> <p>While considering the recommendation of the earlier committee under Attorney General for Pakistan and divergent views of provinces, the CCI decided to set up a committee chaired by Federal Minister for Water Resources (convener) and comprising Irrigation Ministers of the Provincial Governments, to firm up recommendations to address the concerns of provincial governments regarding distribution of water. The CCI also decided to refer the opinion of Attorney General for Pakistan to Ministry of Law and Justice for opinion. Recommendations of the Ministers committee together with opinion of Ministry of Law and Justice will be submitted by Ministry of Water Resources in the next meeting of CCI.</p>	<p>41<sup>st</sup> -1(g) 42<sup>nd</sup> -9(i) 43<sup>rd</sup> -4(vi) 49<sup>th</sup> -3(iii)</p> <p><b>Under Process</b></p> <p><b>Irrigation Department to update</b></p>
51.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p><b>Allocation of 1200 cusecs (650.5 MGD) additional water for Karachi city (K-IV) project.</b></p> <p>The CCI allowed the request of Government of Sindh for withdrawal of their Summary dated 16<sup>th</sup> February, 2017 titled "Allocation of 1200 cusecs (650.5 MGD) additional water for Karachi city (K-IV) project", and submission of a revised summary in the next meeting of the CCI.</p>	<p>35<sup>th</sup> -4 39<sup>th</sup> -1(ii) 49<sup>th</sup> -3(iv)</p> <p><b>No action on part of KP.</b></p>
52.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p><b>No Objection Certificate – CJ Hydro (Private) Limited</b></p> <p>The CCI directed that final report on the issue may be submitted to CCI in its next meeting by Ministry of Water Resources.</p>	<p>41<sup>st</sup> -6 42<sup>nd</sup> -9(vii) 43<sup>rd</sup> -4(xiv) 49<sup>th</sup> -3(v)</p> <p><b>Not Related to Government of Khyber Pakhtunkhwa</b></p>

53.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p><b>Import of Liquefied Natural Gas (LNG)</b></p> <p>The CCI noted the implementation status and directed the petroleum Division to submit report of the Committee of CCI in next meeting.</p>	<p>35<sup>th</sup> -1(ii) 39<sup>th</sup> -4 41<sup>st</sup> -1(c) 42<sup>nd</sup>-9(ix) 43<sup>rd</sup> -4(i) 44<sup>th</sup> -4(iii) 49<sup>th</sup>-3(vi)</p> <p><b>As per report of E&amp;P Department (09/05/2024):</b> In 44<sup>th</sup> CCI meeting a committee was constituted comprising of Minister for Planning, Development and Special initiative, Minister for Energy and SAPM for power and petroleum to hold consultation with the provinces so as to</p>
		<p>evolve as consensus in the way forward in the meeting the challenge of dwindling local gas reserves and increasing domestic gas requirements. The same has been presented in 49<sup>th</sup> CCI Meeting held on 13<sup>th</sup> Jan 2022 and directed the Petroleum Division to submit report of the committee to CCI in next meeting. However, the report was not presented in the next CCI meeting while amendments were made in Section 43B of the OGRA Ordinance 2002 through a bill passed by the Parliament on 13<sup>th</sup> Jan 2022. Partially the weighted average cost of gas (WACOG) has been implemented. However, the Federal Government is seemingly proceeding toward National WACOG. The Petroleum Division has constituted a committee memorandum No. DGO(AC)-5(26)/2024- WACOG dated 19<sup>th</sup> April 2024 in which the energy department on behalf of provincial government appraised the Federal Government of its concerns on National WACOG.</p> <p style="text-align: center;"><b>Under Process</b></p>
54.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p><b>(a). Implementation of Article 158</b> <b>(b). Implementation of Article 172(3) of the Constitution of Pakistan.</b></p> <p>The CCI noted the implementation status and directed the petroleum Division to submit report of the Committee of CCI in next meeting.</p>	<p>41<sup>st</sup> -10 42<sup>nd</sup> 9(xi) 43<sup>rd</sup> 4(ii) 44<sup>th</sup> 4(iii) 49<sup>th</sup> -3(vii)</p> <p><b>As per report of E&amp;P Department (09/05/2024):</b> incorporated the 49<sup>th</sup> CCI meeting decision “CCI noted the implementation status and directed the petroleum Division to submit report of the Committee of CCI in next meeting”.</p> <p style="text-align: center;"><b>Under process</b></p>
55.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p><b>Implementation of Article 154 of Constitution of Pakistan.</b></p> <p>The CCI direction that the Petroleum Division should submit summary on the subject in the next meeting of the CCI.</p>	<p>35<sup>th</sup> -1(iv) 49<sup>th</sup> -3(viii)</p> <p>The CCI in its 49<sup>th</sup> meeting directed that the Petroleum Division should submit summary on the subject in the next meeting of the CCI.</p> <p><b>The Summary has not been submitted to the CCI so far.</b></p>

56.	<p>CCI. 3/1/2022 Dated 13/01/2022</p> <p><b>Future Role and Functioning of National Commission for Human Development (NCHD) and Basic Education community Schools (BECS) to promote literacy in the Country.</b></p> <p>The CCI noted the implementation status and directed the Governments of Punjab and Balochistan to expedite their notifications under intimation to CCI Secretariat. The agenda item will not be presented to the CCI for reporting implementation status in future.</p>	<p>41<sup>st</sup> -13 42<sup>nd</sup> -3 43<sup>rd</sup> -4(viii) 49<sup>th</sup> -3(ix)</p> <p><b>Implemented</b></p>
57.	<p>CCI.1/1/2023 Dated 05/08/2023</p> <p><b>Results of 7<sup>th</sup> Population and Housing Census-2023 (The Digital Census)</b></p> <p>The CCI considered the Summary titled “Results of 7<sup>th</sup> Population and Housing Census2023 (The Digital Census)” dated 2<sup>nd</sup> August, 2023 submitted by Ministry of Planning, Development and Special Initiatives and unanimously approved the results of 7<sup>th</sup> Population and Housing Census-2023 (The Digital Census), as mentioned in Annex-V of the Summary and reproduced at para-7 above, for publication and for use/information of general public.</p>	<p>49<sup>th</sup> -1 50<sup>th</sup> -1 <b>Implemented</b></p> <p>Census Result communicated to Local Government, P&amp;D and Estab. Department.</p> <p>No further action is required.</p>
58.	<p>CCI.1/1/2024 Dated 29/01/2024</p> <p><b>Amendments in Petroleum (Exploration and Production) Policy 2012</b></p> <p>The CCI considered the Summary titled “Amendments in Petroleum (Exploration and Production) Policy 2012” dated 23<sup>rd</sup> January, 2024, submitted by Petroleum Division and unanimously approved the amendments in the Petroleum (Exploration and Production) Policy 2012 as contained in Annex-V of the Summary. The CCI also decided that the request of Government of Balochistan for renewal of lease of Sui Gas Field to be decided favorably as a special dispensation for the province of Balochistan by the ECC and directed the Petroleum Division to place the summary before the upcoming meeting of ECC.</p>	<p>39<sup>th</sup> – 3 41<sup>st</sup> -1(b) 44<sup>th</sup> -3 51<sup>st</sup> -1</p> <p><b>As per report of E&amp;P Department (09/05/20245):</b> <i>Implemented.</i> <i>Amendments incorporated in Petroleum Policy 2012 regarding updated Zones, Carried Interests etc.</i></p>
59.	<p>CCI.2/1/2024 Dated 29/01/2024</p> <p><b>Tight Gas Exploration and Production Policy 2024</b></p> <p>The CCI considered the Summary titled "Tight Gas Exploration and Production Policy 2024" dated 23<sup>rd</sup> January, 2024, submitted by Petroleum Division and unanimously approved the Tight Gas Exploration and Production Policy, 2024.</p>	<p>51<sup>st</sup> – 2</p> <p><b>Policy Approved</b> <b>No further action</b></p>
60.	<p>CCI.3/1/2024 Dated 29/01/2024</p> <p><b>Amendments in Petroleum (Exploration and Production) Policy 2012</b></p> <p>The CCI considered the Summary titled "Amendments in Petroleum (Exploration and Production) Policy 2012" dated 26<sup>th</sup> January, 2024, submitted by Petroleum Division and unanimously approved the amendments in the text of Paragraph 9.4(2) under Section III of Petroleum (Exploration and Production) Policy 2012 with the stipulation that E&amp;P Companies shall have the right to sale up to 35% of their share of pipeline specification gas to third party having OGRA license, through competitive process, without approval of the government or any of its entity, provided that the price(s) charged from third parties would not be less than the wellhead gas prices under Petroleum Policy 2012 for the respective zones. This provision will also apply to all existing licenses/leases granted under Petroleum (E&amp;P) Rules 1986, 2001, 2009 and 2013 for the gas discoveries which are not yet allocated and will be allocated after date of notification pursuant to CCI approval. The CCI further decided that the province in which a well- head of natural gas is situated should be given precedence in terms of Article 158 of the constitution in its letter and spirit. Petroleum Division may prepare framework for the sale of gas to 3<sup>rd</sup> party and place before the ECNEC for its consideration.</p>	<p>51<sup>st</sup> – 3</p> <p>As per report/updated status received from E&amp;P KP vide letter dated 6<sup>th</sup> June, 2024:</p> <p><b>“The framework/TORs prepared by the concerned section of Directorate General Petroleum Concessions have been forwarded to the Secretary, Petroleum Division for approval prior to obtaining comments from all the stakeholders including the Provincial Governments and for onward submission to ECNEC as per the direction of 51<sup>st</sup> CCI decision”.</b></p> <p><b>Not related to KP</b></p>

61.	<p>CCI.4/1/2024 Dated 29/01/2024</p> <p><b>Execution of Miran Petroleum Concession Agreement (PCA) with Khyber Pakhtunkhwa Oil &amp; gas company limited (KPOGCL) Pursuant to 43<sup>rd</sup> CCI decision dated 11-Nov-2020.</b></p> <p>The Council considered the request of Chief Minister, Khyber Pakhtunkhwa vide Summary dated 28th January, 2024 and directed the Petroleum Division to execute the Miran PCA with KPOGCL at the earliest pursuant to the Clause 2.3 (3) of the Petroleum Policy 2012. KPOGCL would remain the majority shareholder of Miran Block and will offer the remaining 49% shares to the Public Sector Exploration and Production Companies including GHPL through competitive bidding process to provide level playing field to all.</p>	<p>51<sup>st</sup> – 4</p> <p>As per report/updated status received from E&amp;P KP vide letter dated 6<sup>th</sup> June, 2024:</p> <p><b>PCA of Miran Block has been signed on 07/05/2024 and the block is granted to KPOGCL.</b></p>
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