**CHAPTER 2. – ADMINISTRATIVE RELATIONS BETWEEN FEDERATION AND PROVINCES**

**Power of President to direct Governor to discharge certain functions as his Agent**

145**. (1)** The President may direct the Governor of any Province to discharge as his Agent, either generally or in any particular matter, such functions relating to such areas in the Federation which are not included in any Province as may be specified in the direction

**(2)** The provisions of Article 105 shall not apply to the discharge by the Governor of his functions under clause (1).

**Power of Federation to confer powers, etc., on Provinces, in certain cases**

146**. (1)** Notwithstanding anything contained in the Constitution, the Federal Government may, with the consent of the Government of a Province, entrust either conditionally or unconditionally to that Government, or to its officers functions in relation to any matter to which the executive authority of the Federation extends.

**(2)** An Act of 2[Majlis-e-Shoora (Parliament)] may, notwithstanding that it relates to a matter with respect to which a Provincial Assembly has no power to make laws, confer powers and impose duties upon a Province or officers and authorities thereof.

**(3)** Where by virtue of this Article powers and duties have been conferred or imposed upon a Province or officers or authorities thereof, there shall be paid by the Federation to the Province such sum as may be agreed or, in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice of Pakistan, in respect of any extra costs of administration incurred by the Province in connection with the exercise of those powers or the discharge of those duties.

**Power of the Provinces to entrust functions to the Federation**

147. Notwithstanding anything contained in the Constitution, the Government of a Province may, with the consent of the Federal Government, entrust, either conditionally or unconditionally, to the Federal Government, or to its officers, functions in relation to any matter to which the executive authority of the Province extends [Provided that the Provincial Government shall get the functions so entrusted ratified by the Provincial Assembly within sixty days.]

**Obligation of Provinces and Federation**

148. **(1)** The executive authority of every Province shall be so exercised as to secure compliance with Federal laws which apply in that Province.

**(2)** Without prejudice to any other provision of this Chapter, in the exercise of the executive authority of the Federation in any Province regard shall be had to the interests of that Province

**(3)** It shall be the duty of the Federation to protect every Province against external aggression and internal disturbances and to ensure that the Government of every Province is carried on in accordance with the provisions of the Constitution.

**Directions to Provinces in certain cases**

149**. (1)** The executive authority of every Province shall be so exercised as not to impede or prejudice the exercise of the executive authority of the Federation, and the executive authority of the Federation shall extend to the giving of such directions to a Province as may appear to the Federal Government to be necessary for that purpose.

**(2)** He executive authority of the Federation shall also extend to the giving of directions to a Province as to the construction and maintenance of means of communication declared in the direction to be of national or strategic importance.

**(3)** The executive authority of the Federation shall also extend to the giving of directions to a Province as to the manner in which the executive authority thereof is to be exercised for the purpose of preventing any grave menace to the peace or tranquility or economic life of Pakistan or any part thereof.

**Full faith and credit for public acts, etc.**

150. Full faith and credit shall be given throughout Pakistan to public acts and records, and judicial proceedings of every Province.

**Inter-Provincial trade**

151**. (1)** Subject to clause (2), trade, commerce and intercourse throughout Pakistan shall be free.

**(2)** [Majlis-e-Shoora (Parliament)] may by law impose such restrictions on the freedom of trade, commerce or inter-course between one Province and another or within any part of Pakistan as may be required in the public interest.

**(3)** A Provincial Assembly or a Provincial Government shall not have power to—

* *make any law, or take any executive action, prohibiting or restricting the entry into, or the export from, the Province of goods of any class or description, or*
* *impose a tax which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favor of the former goods or which, in the case of goods manufactured or produced outside the Province discriminates between goods manufactured or produced in any area in Pakistan and similar goods manufactured or produced in any other area in Pakistan.*

**(4)** An Act of a Provincial Assembly which imposes any reasonable restriction in the interest of public health, public order or morality, or for the purpose of protecting animals or plants from disease or preventing or alleviating any serious shortage in the Province of any essential commodity shall not, if it was made with the consent of the President, be invalid.

**Acquisition of land for Federal purposes**

152. The Federation may, if it deems necessary to acquire any land situate in a Province for any purpose connected with a matter with respect to which 1[Majlis-e-Shoora (Parliament)] has power to make laws, require the Province to acquire the land on behalf, and at the expense, of the Federation or, if the land belongs to the Province, to transfer it to the Federation on such terms as may be agreed or, in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice of Pakistan.