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Background Note

Policy Dialogue

on

Strengthening Legislative Governance of Education in Punjab

Lahore

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Strengthening Legislative Governance of Education in Punjab

Background Note

1. Introduction

Legislatures are entrusted with the powers to legislate and to oversee the performance of the executive to ensure that the will of people is reflected in policies and their implementation. The major functions of legislatures may be divided into three broad categories i.e. 1) Representation, 2) Legislation, and 3) Oversight.

Legislative governance connotes making the executive accountable to the parliament and invokes the implementation of effective checks and balances. Role of the legislature is also critical in ensuring that the policies and their implementation reflect the needs and will of the people. Moreover, the phenomenon of legislative oversight is underscored by the notions of representativeness, efficacy of tools of legislative governance, supervision of the executive and functional interests. Each of these notions leads to different set of meanings and subsequent explanations depending upon the nature and dynamics of a polity.

In case of legislative governance, Standing Committees have been identified as the most significant and effective tool. The available evidence informs that the standing committees and legislators of the Provincial Assembly Punjab are faced with many challenges in performing their oversight functions. It has been noticed that only seven out of 38 department-related committees in Punjab were referred business by the House during the first year of the current assembly. Furthermore, 24 Committees, out of a total of 45 did not meet even once, other than for electing their respective chairpersons, during the year. It is also important to note that the delays in formation of the Standing Committees also remained a major challenge during first year of the current provincial assembly in Punjab.

Chapter 17 of the Rules of Procedure of the Punjab Assembly deals with the subject of Committees and lays down provisions for the creation, working and powers of the committees. The Rules provide for the creation of a Standing Committee for government departments¹. Besides providing for the creation of committees, the Rules also restrict the committees to take up matters referred only by the Assembly². The provision has serious

¹ Section 148(1) Rules of Procedure, Provincial Assembly of Punjab

² Section 148(2) Rules of Procedure: “*Except as otherwise provided in these rules, a Committee shall only deal with a matter which may be referred to it by the Assembly*”

implications for the autonomy and functioning of the Committees as the Assembly may choose to not to send a Bill to the Committee for deliberation or expert advice.

It has also been ordained by the Rules that the Secretaries of the concerned department and Law and Parliamentary Affairs, or officer designated by each of them on their behalf, are to attend the meetings of the Committees as expert advisers³. In comparison with the scope of functions of the Standing Committees, the scope of work of Select Committees provides for greater legislative efficiency. The strengthening of legislative governance can help the province in meeting the gaps of access and quality in education. In this context, Institute of Social and Policy Sciences (I-SAPS), in collaboration with the Citizen Voice Project, USAID, is organizing a policy dialogue on ‘Strengthening Education Legislative Governance in Punjab’. The dialogue aims to initiate an informed policy debate on issues pertaining to legislative governance especially highlighting the need to strengthen the role of Standing Committees and Public Accounts Committees.

2. Aim and Objectives

The dialogue is aimed at initiating an informed debate on the state of legislative governance in Punjab and to engage the civil society to play its role in highlighting the need for improving the existing framework of legislative oversight for improving service delivery of education. Specific objectives of the dialogue are to:

- Share the key findings on the parameters and limitations of the working of Standing Committees of the Punjab Assembly.
- Identify the challenges along with procedural and capacity issues that hamper effective participation of standing Committees in legislative governance.
- Share regional and international best practices with respect to effective legislative governance.

3. Participants

The participants of the policy dialogue will comprise Legislators, politicians, Civil Society, Bar Associations, print and electronic media.

³ Section 149(4) Rules of Procedure