

GOVERNMENT STRUCTURE AND POLICIES

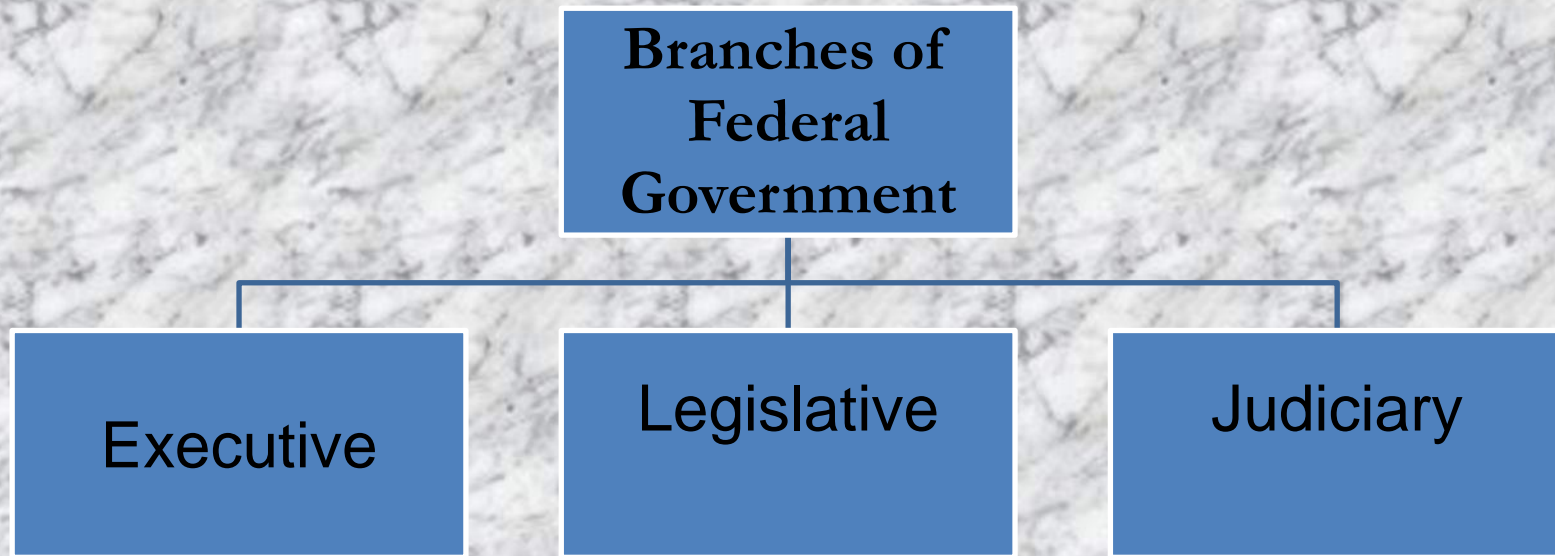
SEQUENCE

- WHAT IS PUBLIC ADMINISTRATION
- HISTORY OF PUBLIC ADMIN INDIA
- BRITISH CIVIL SERVICE
- POST PARTITION PUBLIC AD
 - CHARACTERISTICS, LAW AND FEATURES
- CSS
- LEGAL AND CONST STRUCTURE
- STRUCTURE OF FEDERAL ,, PROV AND LOCAL
- PROBLEMS OF BUREAUCRACY

- NGO AND GONGO
- POLICIES
 - HEALTH, EDUCATION, AGRICULTURE, INDUSTRY
 - SANITATION AND MUNICIPAL SERVICES

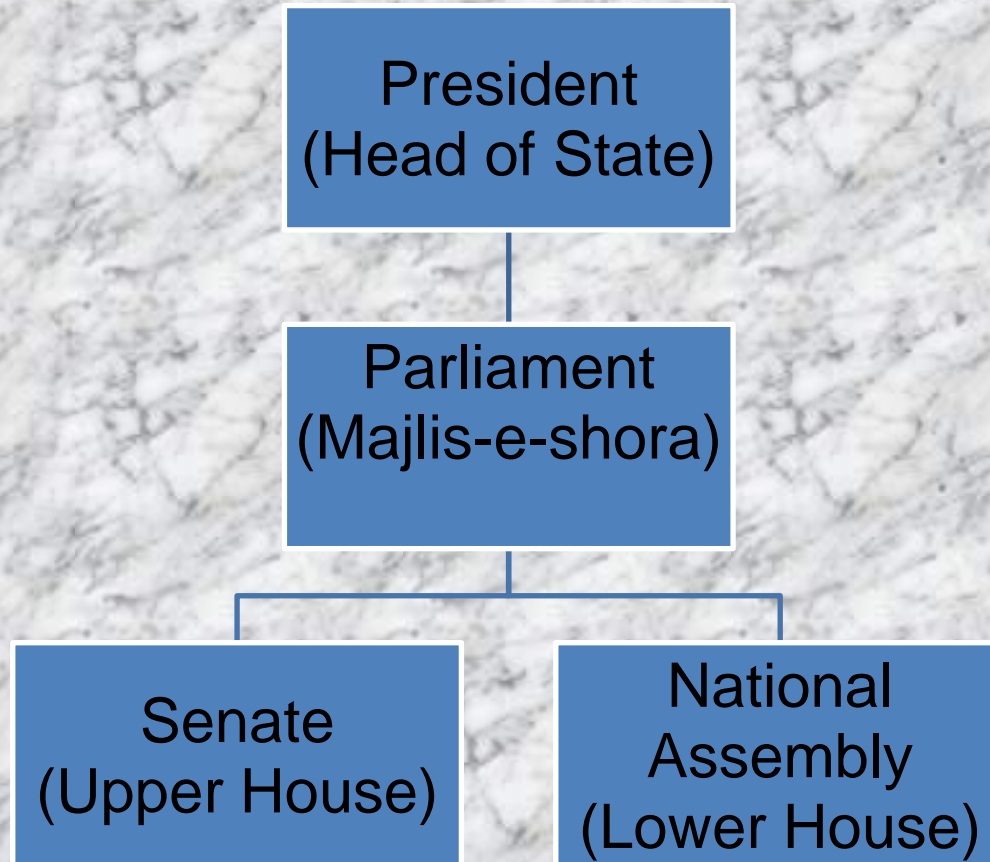
STRUCTURE OF FEDERAL GOVERNMENT

Federal Government



1. Legislative Branch

- Elected representatives



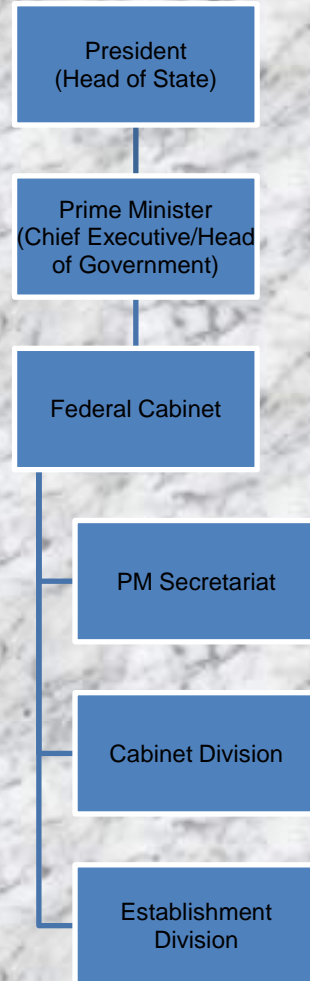
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- Senate
 - 100 Members
 - 22 from each province
 - 8 from FATA
 - 4 from Federal Capital
 - Elected for 6 years
 - 17 seats reserved for women
 - Elected indirectly through the system of proportional representation
- National Assembly
 - 342 Members
 - 272 General seats
 - 60 for women
 - 10 for non-muslims
 - General seats are filled by direct and free vote

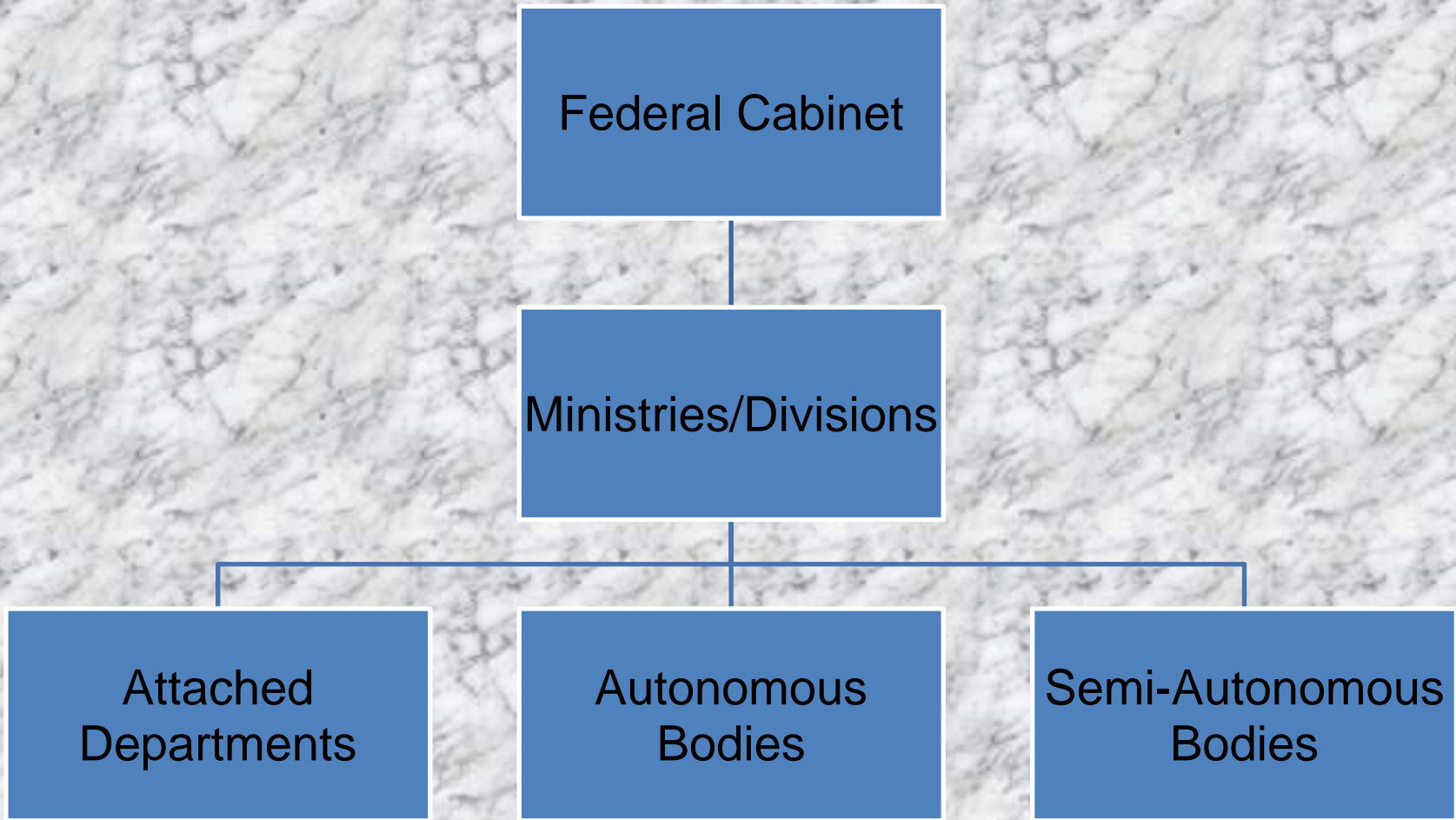
2. Judicial Branch

- Legal arm of the government
- Constitution provides for the “separation of judiciary from the executive” and the “independence of judiciary”
- Entrusts the superior courts with an obligation to “preserve, protect and defend” the Constitution
- Consists of
 - Supreme Court
 - High Courts
 - Federal Shariat Court
 - Subordinate Judiciary

3. Executive Branch



- **Administrative arm of government**



Trends in Ministries & Divisions

- Number of central government ministries averages 16 on a worldwide basis, with little variation among regions from an average of 10 in the small Pacific countries to 20 in the Middle East and North Africa.
- In Africa, the number of ministries ranges from a low of 10 in Botswana to 28 in Nigeria.
- from 7 to 35 in Asia,
- from 11 to 27 in Latin America, and
- from 6 to 16 in the Pacific.
- Pakistan; in 2002, 41 ministries and 48 divisions
- NCGR in 2008, recommended 23 ministries and 37 divisions
- February 2011, Ministries reduced to 23 by the PM

Organization of Federal Government in Pakistan

- “Rules of Business-1973” define the function of ministries, ministers
-
- Central Secretariat: For the proper functioning of the Federal Government there are ministries, divisions, attached departments, autonomous and semi-autonomous bodies.
- Ministry: A ministry is a division or group of divisions constituted into a ministry or it may comprise one or more divisions for the conduct of business of Federal Government in a specified sphere. Each ministry is headed by a Cabinet Minister and a Secretary is the administrative incharge of the ministry.
- Division: It also performs functions like Ministry to formulate policies and to ensure their implementation. It is headed by a Minister for State and administrative in charge is Secretary or Additional Secretary.

- **Attached Department:** It has a direct relation with Ministry or Division And provide assistance to the Ministry in the formulation and execution of the policies and they are under the control of Ministry or Division.
- **Subordinate Offices:** Each attached department has many subordinate offices, which are known as “field offices”. They are under the attached department and perform specific duties. They are responsible for the execution of all the filed activities of attached departments. They are headed by an administrator or Director.
- **Autonomous/Semi Autonomous Bodies:** Certain Ministries or Divisions have a number of autonomous, semi-autonomous bodies representing the trend of decentralization for arriving at speedy decisions. The main sectors, under which these bodies are working are Finance, Education and Banking.

Hierarchy In Federal Ministry



Federal
Minister

Federal
Secretary

Additional Secretary

Joint Secretary

Deputy Secretary

Section Officer

Transaction of Duties at Federal Level

- Prime Minister: At the top of the hierarchy of Federal Government is Prime Minister, who has authority and responsibility for the transaction of the responsibilities and duties.
- Federal Minister: A Federal Minister or Minister for State is to assist the Prime Minister in the formulation of public policy.
- Secretary: A Secretary in-charge of Ministry or Division is a senior civil servant, and administrative head of his ministry or division. He has to assist his Minister or Minister for state in policy formulation, keep the Minister generally informed of the working of the Ministry or Division.
- Additional Secretary: Additional Secretary is also a senior civil servant and assists Secretary in a ministry, some time, he works as incharge of the division and performs the functions like a Secretary in the ministry.

- **Joint Secretary:** Joint Secretary is junior to the Additional Secretary, In Ministry he works at the third level of administrative hierarchy; while in Division, he assists the additional secretary in charge as second in command. He performs the duties as assigned by Secretary/Additional Secretary.
- **Deputy Secretary:** A division/ministry is divided into wings and a wing is further divided into sections. Administrative head of a group of sections is called Deputy Secretary.
- **Section Officer/Under Secretary:** Section officer is the incharge of a section. He is an officer at the lowest ebb of the hierarchy. He controls the officials of his section i.e. assistant, clerks, record keepers, steno-typist etc.

Federal Cabinet

- Minister for Commerce
- Minister for Communications
- Minister for Defense
- Minister for Environment. M/o Women Development
- Minister for Food and Agriculture
- Minister for Industries and Production
- Minister for Information and Broadcasting
- Minister for Inter Provincial Coordination, M/o Human Rights
- Minister for Kashmir Affairs & Northern Areas.
- Minister of Defence Production

Federal Cabinet

- Minister for Law, Justice & Parliamentary Affairs
- Minister for Minorities
- Minister for Narcotics Control
- Minister for Postal Services
- Minister for Railways
- Minister for Religious Affairs.
- Minister of Labour and Manpower
- Minister for Science and Technology
- Minister for States and Frontier Regions.
- M/o Sports
- Minister for Textile Industry.
- M/o Housing and Works

Federal Cabinet

- Minister for Interior
- Ministry of Privatization.
- M/o Water and Power
- Minister for Finance, Revenue and Economic Affairs
- Minister for Postal services
- Foreign Affairs.

AUTONOMOUS BODIES

Headed by: chief executive

Functions: ABs perform

- a) regulatory,**
- b) operational,**
- c) corporate,**
- d) promotional,**
- e) research and**
- f) development or**
- g) quasi-judicial functions,**

- Criteria for autonomous bodies:
- significance of the goals and objectives
- its size and capacity to generate its own revenues
- The employees of these autonomous bodies are treated as civil servants
- rules formulated by the Board of Directors.
- do not receive any grant-in-aid from the Federal Government

- The ABs have their Boards of Directors appointed by the Federal Government
- As a broad guiding principle of federal government, all the existing corporate bodies established under an act of legislation or Companies Ordinance or otherwise, all the regulatory bodies, all the tribunals or quasi-judicial bodies, all research and development institutions, all training institutions should function as autonomous bodies.
- The category of semi autonomous bodies should be abolished

- Relationship with ministry:
- The Board of ABs have appropriate representation from the Federal Government
- In cases where the Federal Government has to make financial commitments...
- In case where the entire or partial expenditure is borne by the Government...

- No references should be made to the Ministry after the Board's decision
- In case they are using their own financial resources.
- The procurement of goods and services by ABs should be made in a transparent and competitive manner.

- The AB will prepare an Annual Performance Report that will be placed before the Parliament.
- All regulatory agencies would enjoy quasi-judicial powers and the Ministry concerned will have no representation in the agency's governance structure. All regulatory agencies, except for the financial sector, will be clustered under the Ministry of Regulatory Affairs. All the legislative and parliamentary business and international coordination activities, except of purely technical nature will be channeled through the Ministry of Regulatory Affairs, to the Prime Minister/ Cabinet.

ATTACHED DEPARTMENTS

- Headed By: Head of the Executive Department (ED)
- Functions:
 - the executing arms of the Ministries in additions to the Abs.
 - should be re-designated as Executive Departments (EDs).
- Main criteria of designating or setting up an ED are:
 - (i) integral part of the operations and implementation of Ministry's policies, programs and projects.
 - (ii) fully dependent for their finances and manpower on Government.
 - (iii) Other existing entities such as subordinate offices, should either be absorbed within the Division or the Ministry, if the content of their responsibilities are mainly operational.

Relation with the ministries:

- report to the Ministry.
- prepare an Annual Work Plan and Budget to be reviewed and approved by the Ministry.
- the head of the Executive Departments will be delegated the powers of Principal Accounting Officer by the Secretary of the Division and the budget for the department will be transferred to him at the beginning of the year.
- The goals and targets will be monitored by the Minister and Secretary jointly and the HED will be held accountable for the results.
- The audit rules should be suitably modified, so that the responsibility for compliance with the financial rules, adherence to the budgetary discipline and prudent use of resources lies with the head of the Executive department and not the Secretary of the Division.

RESTRUCTURING EXECUTIVE DEPARTMENTS AND AUTONOMOUS BODIES

- The organizing principles proposed for re-organizing the Federal Government and the Provincial Governments are:
- efficient distribution of span of control
- clear delineation of roles/ responsibilities along with accountabilities
- separation of policy making, operational, implementation and regulatory functions of the Ministry
- reducing the hierarchical tie-ring and the turnover time for government business
- strengthening intra and inter ministerial coordination and collaboration
- empowering the head of the Division, the head of the executing departments and the head of the autonomous bodies to deliver agreed goals and results.

- The Federal Government has at present 411 organizational entities (OEs) under the control of its various Divisions/ Ministries.
- An attempt to categorize these OEs by the nature of their functions, in consultation with the Administrative Ministries/ Divisions reveals that out of 411 OEs, the majority i.e 26% belong to the categories of commercial/ semi-commercial/ manufacturing; public utilities and service providers and financial institutions. 14% are attached departments or executing agencies, 9% are training institutions. The remaining 50% entities are scattered over 12 functional categories.

• Constitutional bodies	06
• Regulatory bodies	29
• Courts/ Tribunals	22
• Commercial/ Semi Commercial/Manufacturing	84
• Public Utilities/ Service Providers	42
• Promotion Bodies	24
• Financial Institutions	15
• Training Institutions	30
• Research/ Data/ Documentation	29
• Education Institutions	27
• Quality Assurance	06
• Development Authorities	06
• Councils/ Commissions/ Committees	19
• Trusts/ Foundation	15
• Executive Agencies	42
• Security/ Enforcement	13
• Others	02
• Total	411

- **The Commission analyses the remaining 314 OEs and makes recommendations either for**
- **transfer to the Provincial Government, Islamabad Capital Territory and the Northern Areas Administration (46) or**
- **Liquidation, winding up or closure (10)**
- **separation of independent Commissions/ Councils/ Committees (15) from the control of the Ministries/ Divisions or**
- **Mergers (15)**
- **retention**

- **The 228 OEs that have been recommended for retention have been further divided between two broad classes - Executive departments and autonomous bodies, abolishing all other classifications such as subordinate offices, semi autonomous bodies etc. In some instances it is recommended that the Administrative Ministry should carry out an expert evaluation, whether the OE should be retained in its present form, wound up, merged or restructured.**

- 1) Privatization Candidates
- Three categories of Federal Government Organizations as possible candidates for privatization have been considered. These are:
 - (a) Commercial/ Semi Commercial/ Manufacturing Business (46)
 - (b) Public Utilities/ service providers (42) and
 - (c) Financial Institutions (21)
 -
 -

- 2) Transfer to the Provincial Governments, Northern Area Administration and Islamabad Administration
- The Federal Government is running many institutions and projects that fall within the purview of the Provincial Governments. In view of the assessments made by NCGR commission, it has been proposed that some of the organizations/ entities should be transferred to the Provincial Governments, Northern Area Administration and Islamabad Capital Territory Administration.
- The transfer should take place after the modalities are agreed between the Federal Ministry and the Provincial Government concerned.

3) Transformation of Councils/ Commissions/ Committees.

- At present there are 17 councils/ commissions/ committees, working under various Ministries/ Divisions. Some of them are permanent statutory bodies, others are regulatory bodies of sorts, some of them are of adhoc nature for specific purposes.
- It has been proposed that some of the Councils/ Commissions/ Committee should work as independent bodies and not under the control of any Ministry. The Ministry will continue to act as liaison between these bodies and the Government.
- The NCGR is proposing the formation of National Sectoral Ministerial Councils and National Sectoral Secretaries Committees for subjects such as Education, Health, Agriculture, Population Welfare, Social Welfare, Labour, Social Protection.

4) Liquidation or Winding up

- The ten organizations enlisted by NCGR are by the admission of their own Ministries, not performing a meaningful role any more. Their history and past track record are also not that impressive. Going forward, it is not clear if there is any cogent reason for some of these, for their continued existence in the present form or shape.
- Out of these, the organizations managing properties and real estate working under different laws, may have some legal obligations that have to be fulfilled before they are wound up.

5) Mergers

- In view of the restructuring proposals made elsewhere it is proposed that the some enlisted OEs may be considered for merger including
- Pakistan Manpower Institute into the proposed Human Development Policy Institute (HDPI).
- Secretariat Training Institute into National School of Public Policy (NSPP).
- Civil Service Academy
- National Transport Research Centre into the proposed Infrastructure Policy Institute. Etc

6) Retention of the EDs and ABs

- The current diffused responsibility and unclear accountability do not help in practicing good governance. The acceptance and implementation of the proposals made in the preceding paragraphs would result in a much tighter, clearly defined, well focused organizational structure of the Federal Government. The proposed governance structure will ensure that each of these organizations enjoys financial and administrative autonomy, has adequate resources at its disposal to meet its targets and objectives and is accountable to the parliament and the general public for the results.
- As a result of the these changes, the Federal Government would have 230 of the Organizational entities, compared to the present strength of 411. But this loss in numbers will be made up by improvement in quality, efficiency and service standards.

LOCAL GOVERNMENT IN PAKISTAN



ICT HIERARCHY

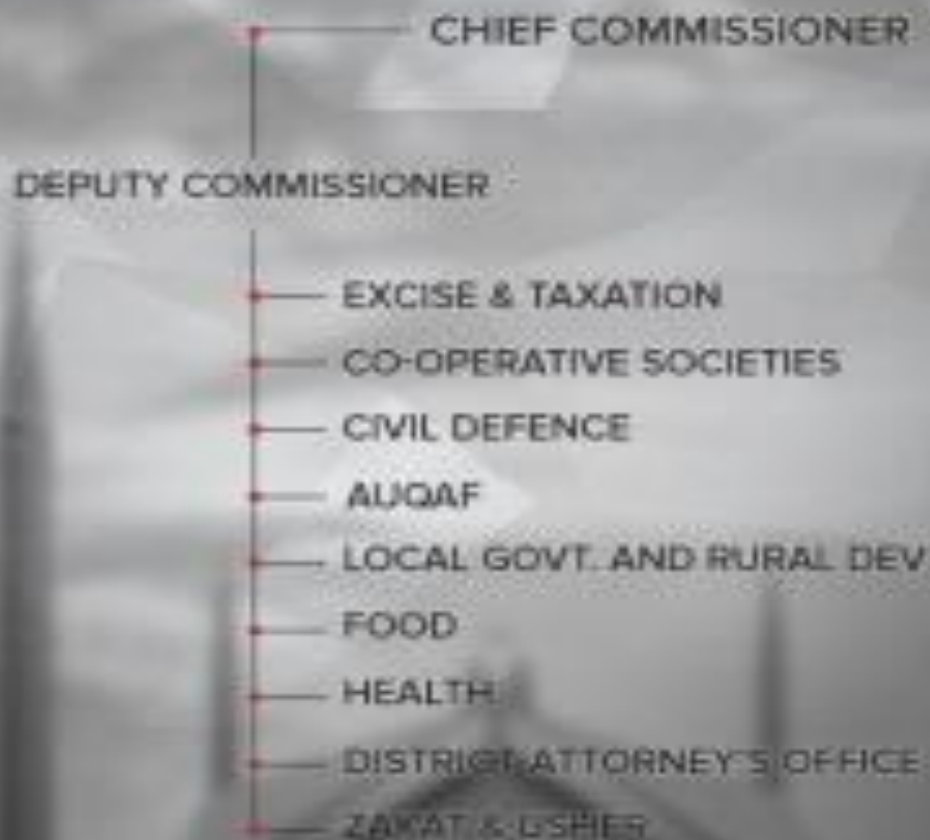
ICT ADMINISTRATION





DEPUTY COMMISSIONER'S ATTACHED DEPARTMENT

ICT ADMINISTRATION

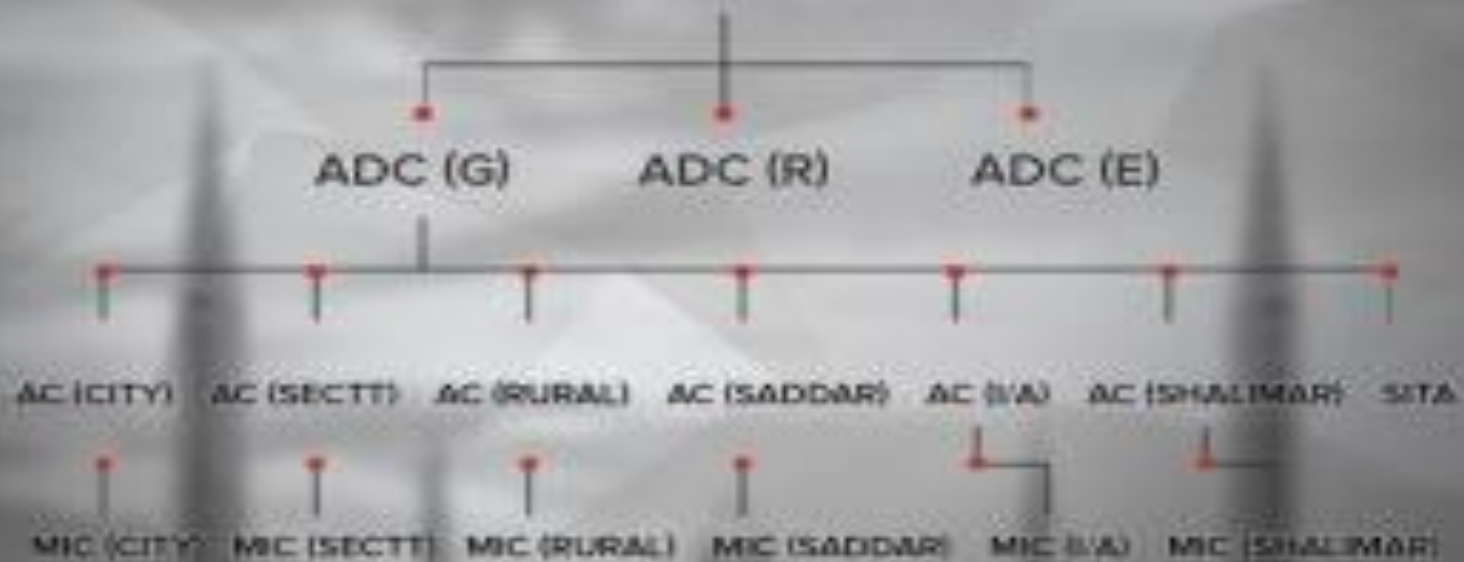




DISTRICT MAGISTRATE'S OFFICE

ICT ADMINISTRATION

DEPUTY COMMISSIONER





Contents

- Definition.
- Local Government system in Pakistan
- Development and Planning Share
- Role in National Development
- Problems in Local Government System
- Comparison of British and Pakistani System
- Conclusion

Definition

- Local government is a form of public administration which in a majority of contexts, exists as the lowest tier of administration within a given state.

Continued...

- Local governments generally act within powers delegated to them by legislation or directives of the higher level of government.

Continued...

- In federal states, local government are generally the third (or sometimes fourth) tier of government, whereas in unitary states, local government usually occupies the second or third tier of government, often with greater powers than higher-level administrative divisions.

Local government of Pakistan

- The 2001 Local Government Ordinance provides for devolution of government to district administrations. (Districts are the third tier of government, being sub-divisions of provinces. Prior to the Local Government Ordinance they were known as sub-divisions.) Each district administration is headed by a District Coordinating Officer (DCO] and a Zila Nazim.

Continued....

- The District Coordination Officer is the administrative head of the District Administration. They have wide-ranging responsibility for overseeing, improving and directing the approved plans of the District Government.

Continued...

- The Zila Nazim used to be the executive head of the District Administration up until 2010, when the government gave their powers to the District Coordination Officers also. Their role is similar to district governor or prefect, with responsibility for implementing government strategy and developing initiatives arising out of it.

THE NEW SYSTEM

- The new system provided a three-tier local government structure
- The District Government
- The Tehsil Government
- The Union Administration

THREE TIER SYSTEM

1st tier:

District

2nd tier:

Tehsil

Tehsil

3rd tier:

Union
Council

Union
Council

Union
Council

Union
Council

Village

Village

Village

Village

Village

Village

Village

Village

The District Government:

- The District Government consisted of the Zila Nazim and District Administration.
- The District Coordination Officer was appointed by the Provincial Government.
- The Zila Nazim was accountable to the people through the elected members of the Zila Council.

Continued...

- A Zila Council consisted of all Union Nazims in the District.
- The Zila Council had its Secretariat under the Naib Zila Nazim.
- The new System also efficiently addressed the specific needs and problems of large cities.

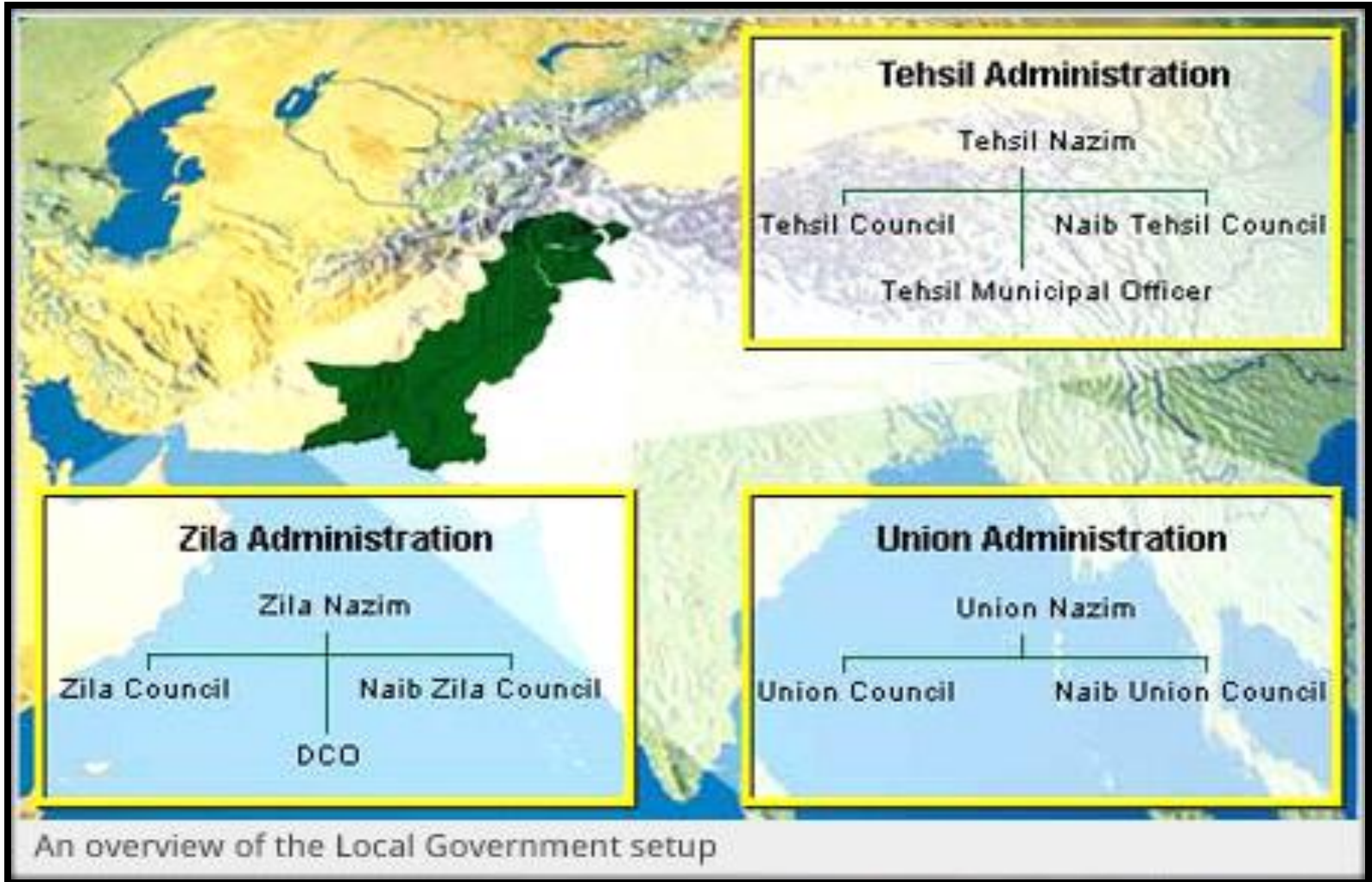
Tehsil Administration:

- ❑ The middle tier, the Tehsil, had Tehsil Municipal Administration headed by the Tehsil Nazim.
- ❑ Tehsil Municipal Administration consists of a
 - Tehsil Nazim
 - Tehsil Municipal Officer
 - Tehsil Officers
 - Chief Officers

Union Administration:

- ❑ The lowest tier, the Union Administration was a corporate body covering the rural as well as urban areas across the whole District.
- ❑ It consisted of Union Nazim, Naib Union Nazim and three Union Secretaries.
- ❑ The Union Nazim is the head of the Union Administration and the Naib Union Nazim acted as deputy to the Union Nazim during his temporary absence.

THREE TIER SYSTEM



Development and Planning Share

- ❑ In order to establish democracy at grassroots level, General Pervez Musharraf, introduced the Local Government System. This was not a new experiment in Pakistan. Ayub Khan had undertaken a similar effort in this direction by introducing the Basic Democracy System.

Rural Sector involvement

- ❑ Rural sector contributes some 22% to GDP(Gross Domestic Product)
- ❑ When this sector's growth is high and broad-based, it generates
 1. Sufficient income
 2. Employment opportunities

Urban Sector involvement

- ❑ Efficient management of urbanization will require more and more settlements to grow into their equilibrium size – optimal and functional settlement.

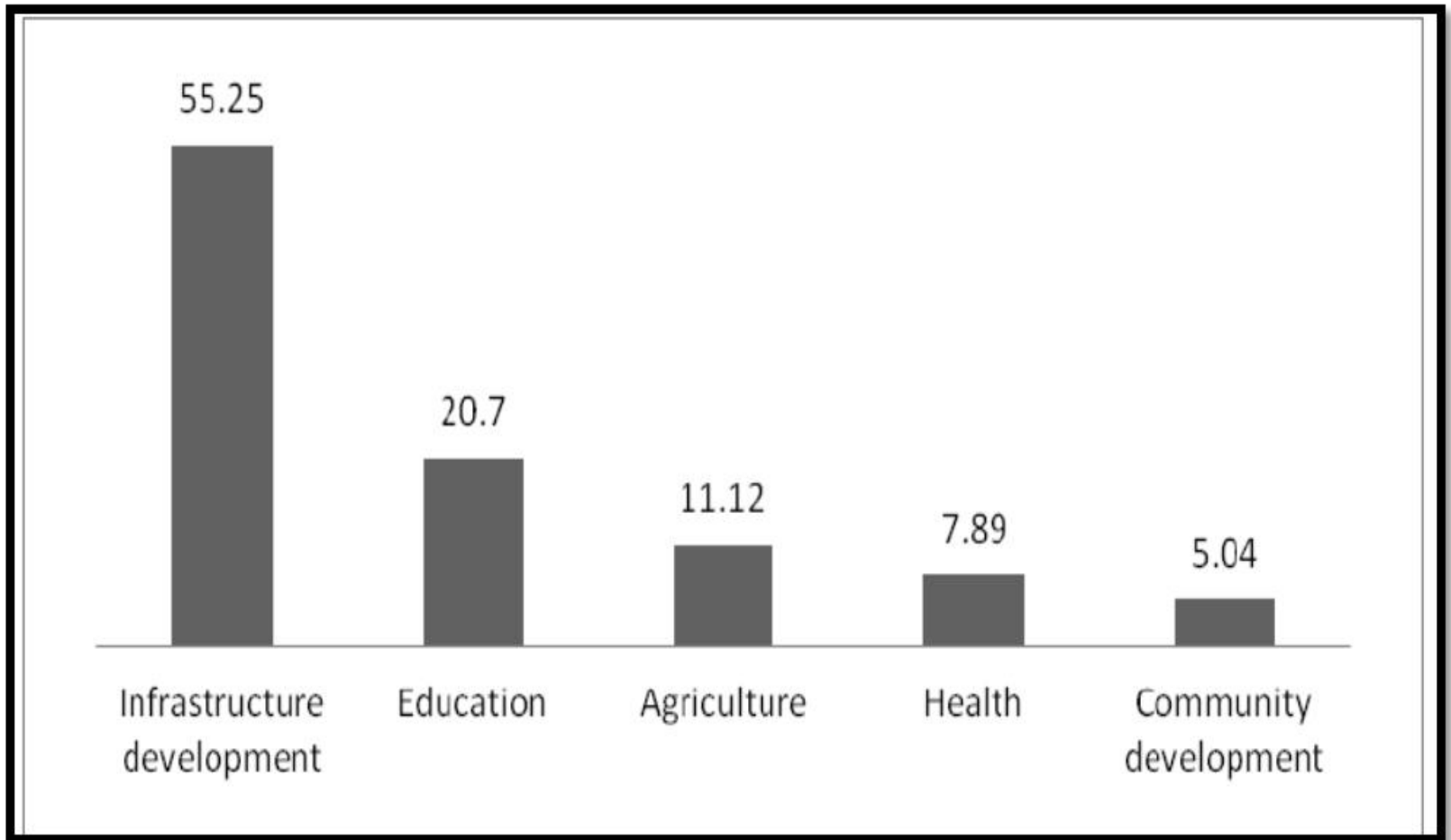
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- ❑ Currently some 85% of Pakistan's population is located in about 20% of country's area east of Indus River and in close proximity of border with India, which seem in trade enhancement through neighbor country. Therefore certain planning are need to fulfill the urban requirements like water supply and transport etc.

Strategy for Rural Development

- Enhance the asset ownership of small farmers
- Enhance activities in non-industrial sector
- Facilitate private sector participation and involvement in value addition of Agricultural Products
- Promote Rural Industrialization

Percentage of projects



Role in National Development

- The Local Government system is best described as grass root representative democracy with all Institutional system as the elected members are the voice of the people of particular area and try to solve their problems.

Continued...

- The domain of Local Government encompasses virtually every problem and affairs that a common man experiences in his day to day life.

Continued...

- From birth to death, from water supply, sanitation and education to marriage, disposal of refuse, roads, town planning etc. For the sake of brevity, suffice to say that most of utilities and services necessary for life in a civilised society are extended by Local Government Department.

Continued...

- Today national and state governments are stepping up the process of shifting financial responsibility to the local government, the additional burden requires local officials to fine-tune their analytical skills in order to better understand their economy.

Continued...

- Knowledge gained from local economic analysis helps communities to control growth and development in ways that benefit their social, political and economic welfare

Continued...

- Local government in semi-developed urban areas is important for maintaining law and order, ensuring continued and equitable development, creating opportunities for all constituents, and developing robust and effective methods to deal with other problems that the district or sub-district unit faces.

Problems in Local Government System

- Pakistan faces an acute governance problem not only because its system of governance is outdated, or because it has only two tiers of government instead of the complete three (national, sub-national/provincial, local), but also because it faces post-modern threats and problems while it remains equipped with pre-modern, 20th century tools at its disposal to deal with such threats and problems.

Continued...

- What many politicians and political leaders in Pakistan do not understand is that local government systems – whether uniform in a nationwide or province-wide sense, or unique to each district – are the very systems which extend the writ of the state, the presence of the government and the real-life implementation of law and policy to the citizens of the country, and especially to the marginalized constituents of society, who live in backward, rural areas, and who have no access to state facilities and have an extremely poor standard of living.

Continued....

- As provincial governments make promises and announcements to hold local government elections – and then announce postponements and delays for one reason or another – it is vital at this point, critical even, to introduce representative local government systems all over the country so as to deal with a variety of problems being faced by the country

Continued...

- whether it is economic development, rising crime (as in Karachi), threats of terror attacks (particularly in KP province, but persistent throughout the country), providing equitable employment opportunities, extending the writ of the state to tribal areas, and improving Pakistan's health and education indicators.

Continued...

- These are only a few ways in which even provincially-unique local government systems can start addressing the problems faced by the people of Pakistan, with the adequate support of the provincial government in terms of resources and legislation, and of the national government in terms of guaranteeing federal support as and when required for the particular case of a district.

Comparison of British and Pakistani System

Pakistani System:

- The 2001 Local Government Ordinance provides for devolution of government to district administrations. (Districts are the third tier of government, being sub-divisions of provinces. Prior to the Local Government Ordinance they were known as sub-divisions.)
- Each district administration is headed by a District Coordinating Officer (DCO] and a Zila Nazim

Continued....

- The District Coordination Officer is the administrative head of the District Administration
- Local governments have existed in the Indian subcontinent for many centuries, with the first municipal corporation set-up in Madras in 1688 by the East India Company.

Continued...

- Urban areas consisted of union committees that had six to ten elected members
- The Chairman of the union committee was elected as an ex-officio member of the municipal committee

Continued...

- While all the Chairmen of union committees were members of the municipal committee, the Chairman of the municipal committee itself was appointed by the provincial government or by Commissioners.
- In rural areas, the first tier of government was the Union Council that consisted of a group of villages.
- Like urban areas, each Council elected a Chairman from amongst its members who served as the executive head of the committee. Like town committees, Union Councils also had 37 functions assigned to them.

Continued...

- The Chairmen of the Union Councils in an area constituted collectively a higher Council, the Tehsil Council, which did not perform any executive functions. Its main function was to coordinate the activities of Union Councils and Union Committees in its jurisdiction.
- Unlike Union Councils, the Tehsil Council had no taxation powers.

Continued...

- There is a three-tier system of local government in operation in Pakistan in the rural areas, where Union Councils, Tehsil or Taluka Councils and District Councils are supposed to exist
- However, provincial governments have in practice usually abolished the middle-tier, the Tehsil level. As a result mainly Union Councils and District Councils exist, which are elected on the basis of adult franchise.

Continued...

- The elected members elect the Chairmen of these councils themselves.

Continued...

British System:

- The pattern of local government in England is complex, with the distribution of functions varying according to the local arrangements
- Legislation concerning local government in England is decided by the Parliament and Government of the United Kingdom, because England does not have a devolved parliament or regional assemblies, outside Greater London.

Continued...

- Mayor is the administrative head of these regional local governments .
- England has since 1994 been subdivided into nine regions. One of these, London, has an elected Assembly and Mayor, but the others have a relatively minor role: Regional Development Agencies were abolished in 2012 although unelected "leader's boards" continue as consultative forums.

Continued...

- British local government is representative self-government. The local council is directly elected, although the local executive is not.
- The British mayor is more a ceremonial and presiding official than an active executive leader, and to the extent that he is the latter it is the result of his personal qualities or his political position.

Continued...

- The major operating element of the British local council is the committee system, into which non council members are co-opted as experts on aspects of policy covered by the particular committee.
- These councils are elected in separate elections

Continued...

- Most of Greater London is governed by London borough councils.
- The City of London and the Isles of Scilly are sui generis authorities, pre-dating recent reforms of local government.

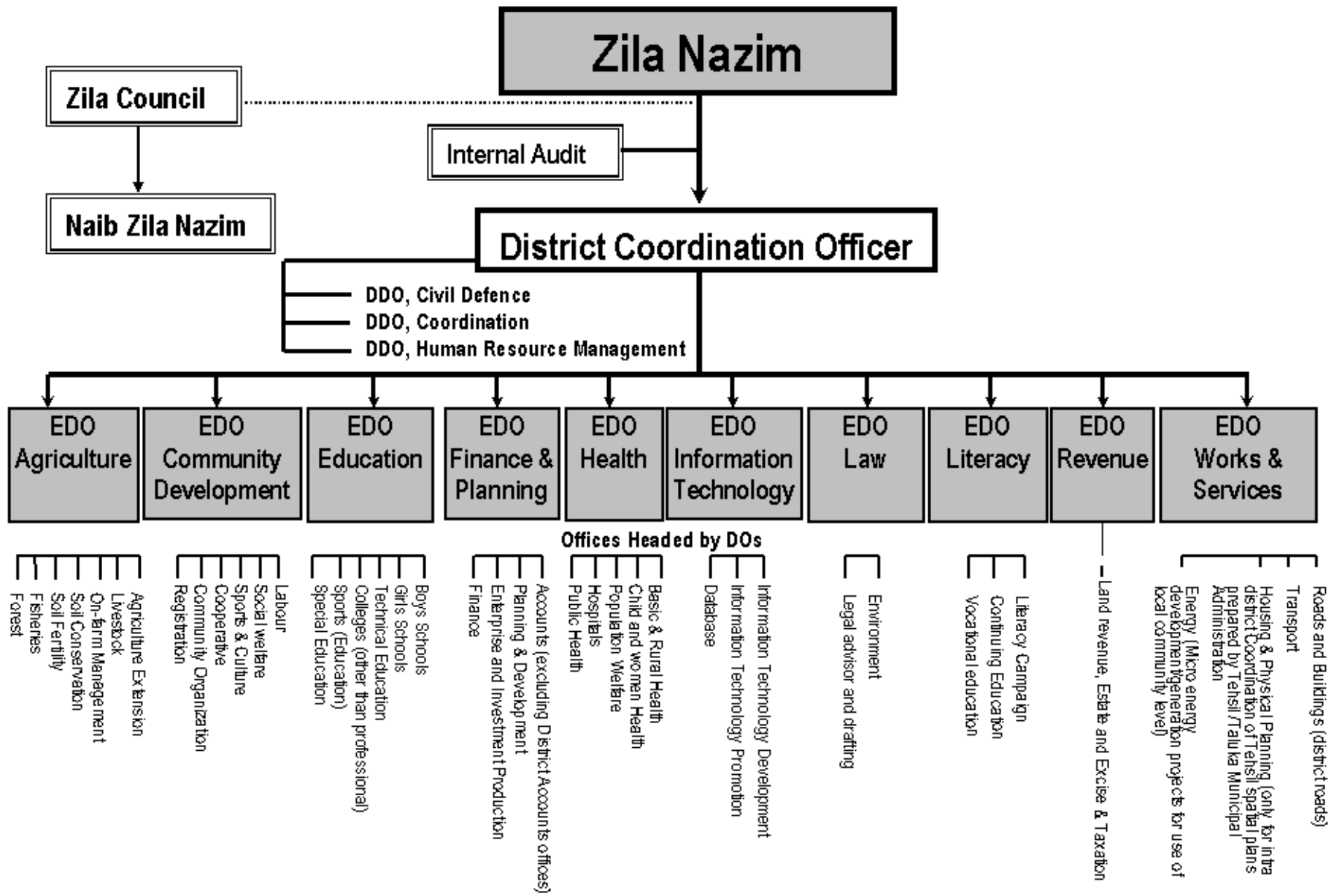
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- There are 152 'upper tier' authorities, which all have the function of local education authority:
- There are 326 'lower tier' authorities, which all have the function of billing authority for Council Tax:

Conclusion

- The tension between the elected Provincial Governments and Members of the Provincial and National Assembly on one hand and the elected local governments has been one of the major factors responsible for persistence of under-development and regional disparities in Pakistan.

- It is in the long term interest of good democratic governance that local government system in a Federal structure ought to be strengthened. The emerging trends of demography, urbanization, and rising middle class make it imperative that a decentralized, devolved, de-concentrated and delegated system of government be put in place.



The most significant Event:
War against terror in Pakistan
and Afghanistan with critical support
of Pakistan's military establishment

The most significant Event:
1971 war and disintegration
of Pakistan

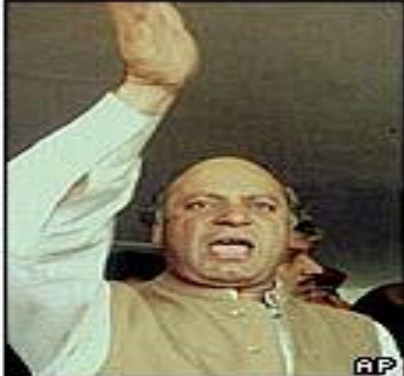
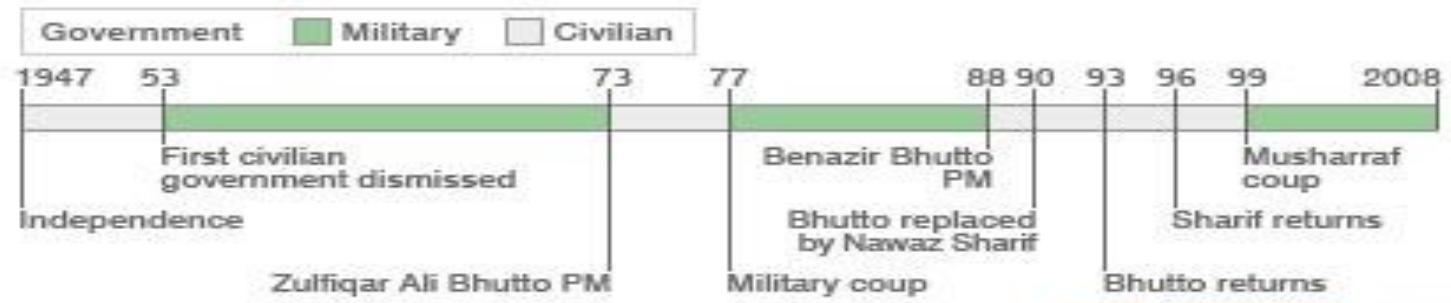


The most significant Event:
1965 war with India

The most significant Event:
Cold war in Afghanistan against
the Soviet Union; organized, planned
and executed through active support of
the military establishment in Pakistan

— Democratic Rule
— Military Rule

Timeline of Military Rule in Pakistan
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Pakistan leaders, clockwise from top left: Muhammed Ali Jinnah, General Zia ul-Haq, Nawaz Sharif, General Pervez Musharraf, Benazir Bhutto, Zulfikar Ali Bhutto

ISSUES IN LOCAL GOVERNMENTS

- **Political parties don't believe in decentralization/local democracy:**
- **Constitutional and legal recognition for local democracy:**
- **Economic constraints and lack of infrastructure:**
- **Bureaucratic Hurdles:**
- **Un-elected intuitions are more powerful than representative parliament:**
- **Development funds to MNAs/MPAs and senators undermine the role of LG:**

- **War on terror and insurgency:**
- **No public participation:**
- **Growing urbanization:**
Local Government is a basic prerequisite for effective democracy:

**PECULARITIES OF PUBLIC
ADMINISTRATION
AND GOVERNANCE IN FATA**

EVOLUTION

- **Little Historical Mention till 1818**
- **Eastward march of great powers**
 - . Mongolians
 - . Muslims
 - . Russians-1800(The great game begins)
- **Westward march of great powers**
 - . Sikhs (1818 - 1849)
 - . British 1838 - 1947

British Policies During the Great Game

- The policy of masterly inactivity
 - **The closed border policy**
 - Buffer zone against Russian expansion.
 - Indirect administration.
 - Pacification so as to avoid war.
 - **The forward policy**
 - Keep administering tribal areas indirectly.
 - Continue pacification.
 - Keep main supply routes clear

Lessons Learnt During the Great Game

- Independent character of tribesmen
 - Self administration free of extraneous influence
 - Distinct socio-judicial culture
- Acceptance of loose controls
 - Matching remunerations for discharging certain responsibilities
 - Keeping the main supply routes clear
 - Jirga laws

Lessons Learnt During the Great Game (Contd....)

- Political relationship with the Govt
 - Formalized and institutionalized medium of maliks and elders
 - Payment of allowances
- Evolutionary change
 - Development and change has been incremental
 - External solutions militarily not possible

***A Contrast
in styles***

7. Generally the rest of the People of India and the tribesmen showed sentiment towards the Englishmen in different ways:

a. Rest of India

- ***Khalq – e – Khuda***
- ***Mulk – e – Sarkar***
- ***Hukm – e – Sahiban Alishan***

(Mankind to God

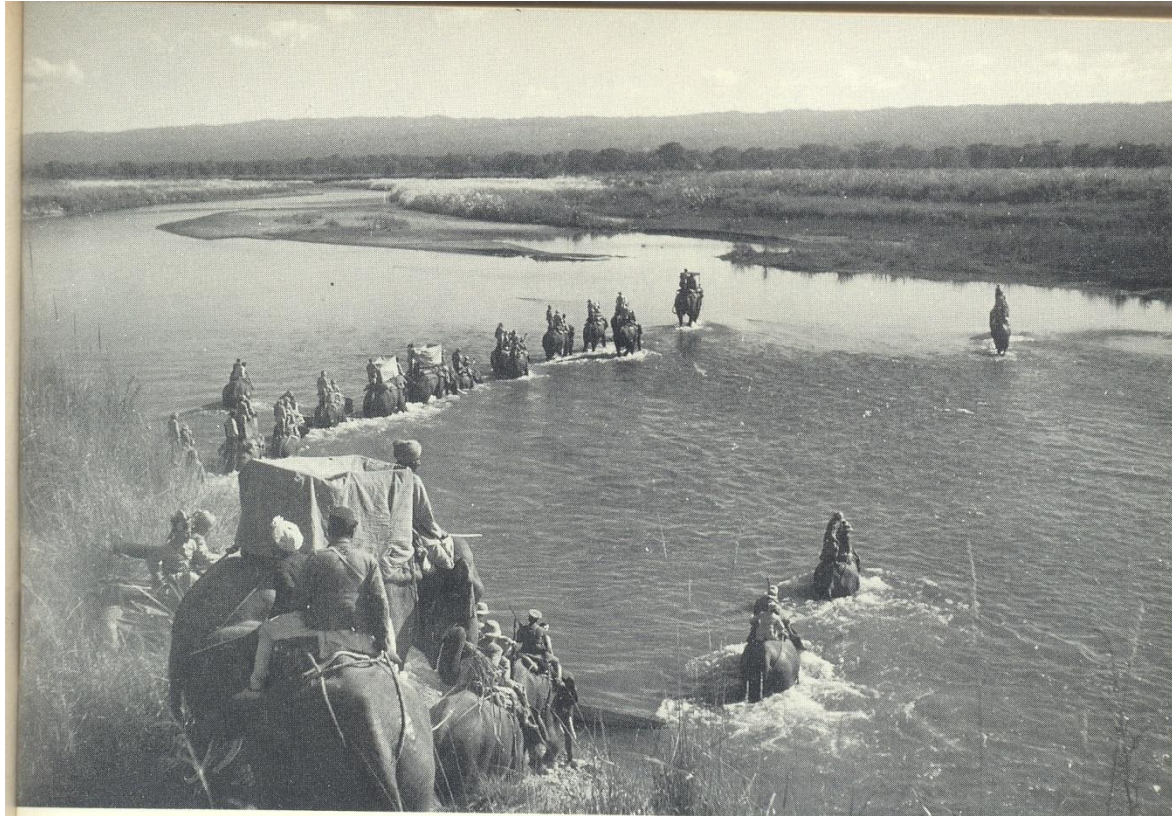
Land to the Government

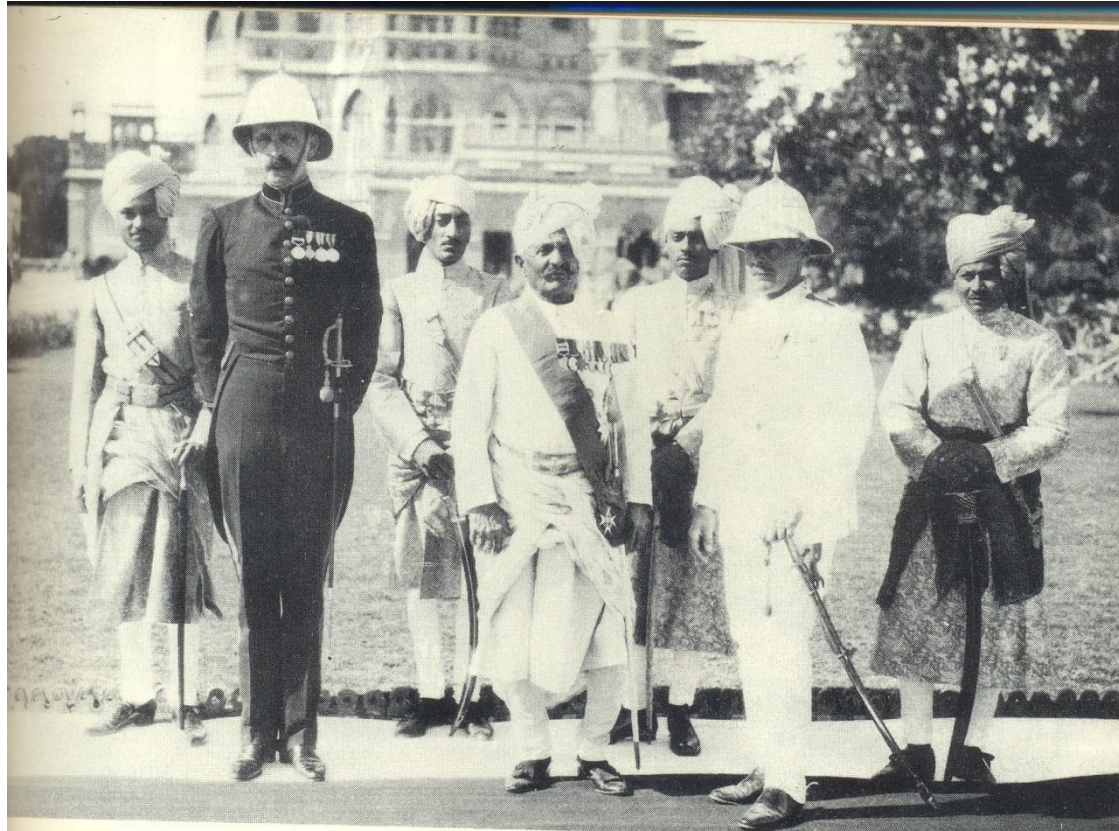
Power to the Omnipotent Sahibs)

b. The Tribesmen

First comes one Englishman, as a traveler or for shikar; then come two and make a map; then comes an army and takes the whole country. Therefore it is better to kill the first Englishman.

(Pukhtun proverb)







Encounter with the tribesmen





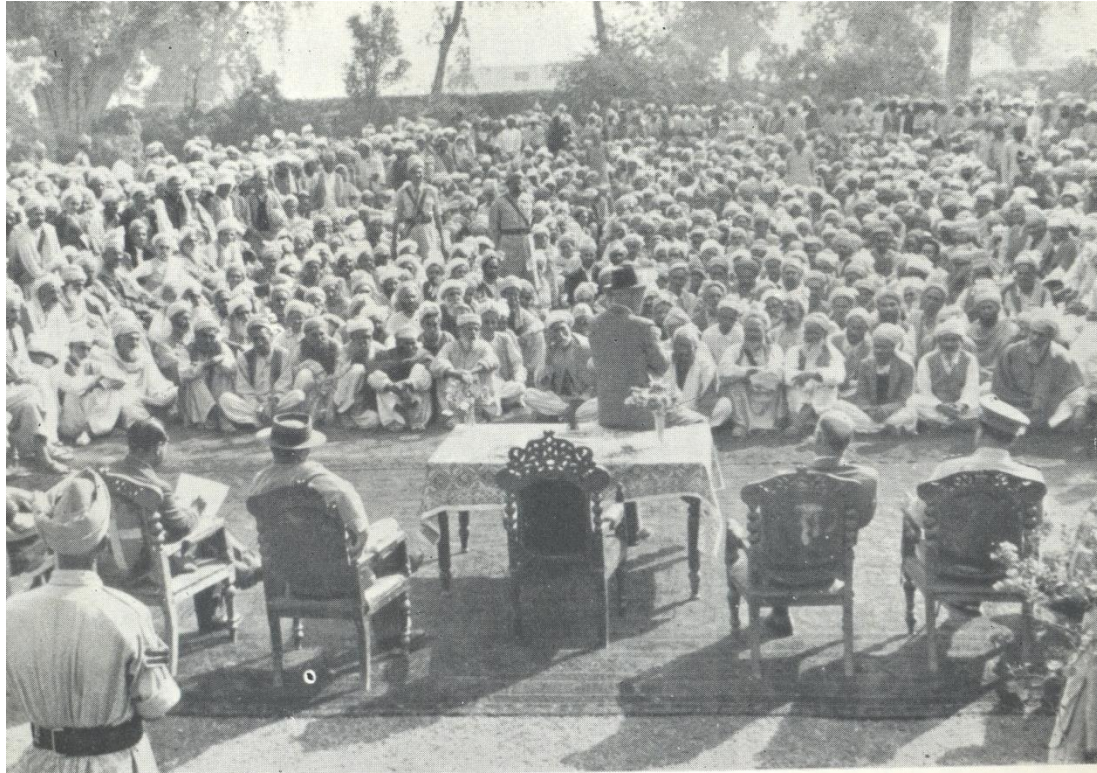






Political Agent South Waziristan Agency preventing Major Mehr Dil Mahsud from slapping Nehru after the latter requested him not to join Pakistan

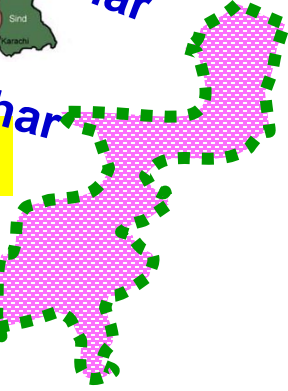
HISTORY (Contd....)



AFRIDI JIRGA, ACCESSION TO PAKISTAN

Accession to Pakistan, 1947

AFGHANISTAN

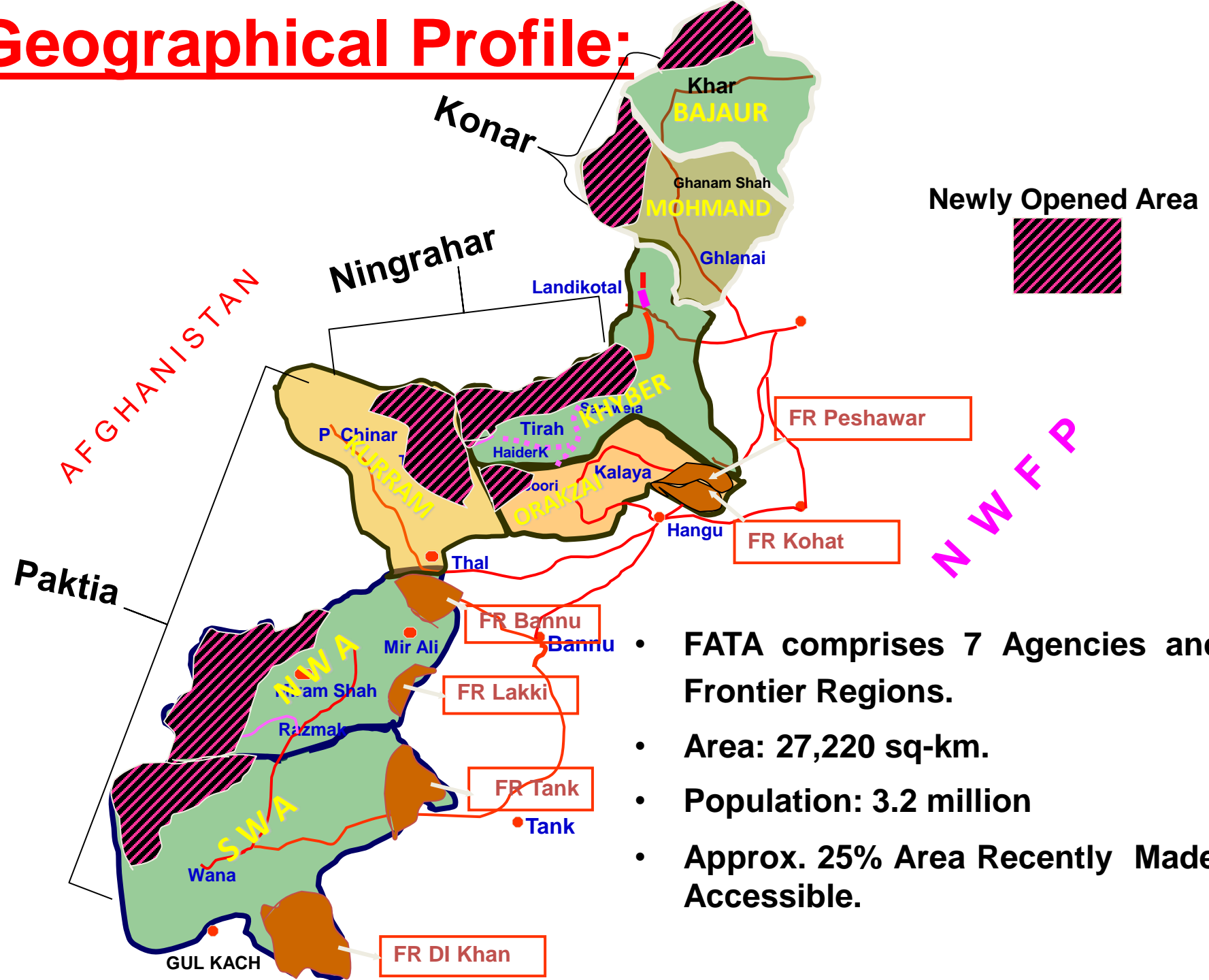


FATA-----

Konar
Ningrahar
Paktia

INDIA

Geographical Profile:



- FATA comprises 7 Agencies and 6 Frontier Regions.
- Area: 27,220 sq-km.
- Population: 3.2 million
- Approx. 25% Area Recently Made Accessible.

HISTORY

- Colonial Era. (1849)
- Demarcation of the Durand
- Tribal agreements to join Pa
- Pak-Afghan border mostly in
- tribes on both sides.



Riwaj

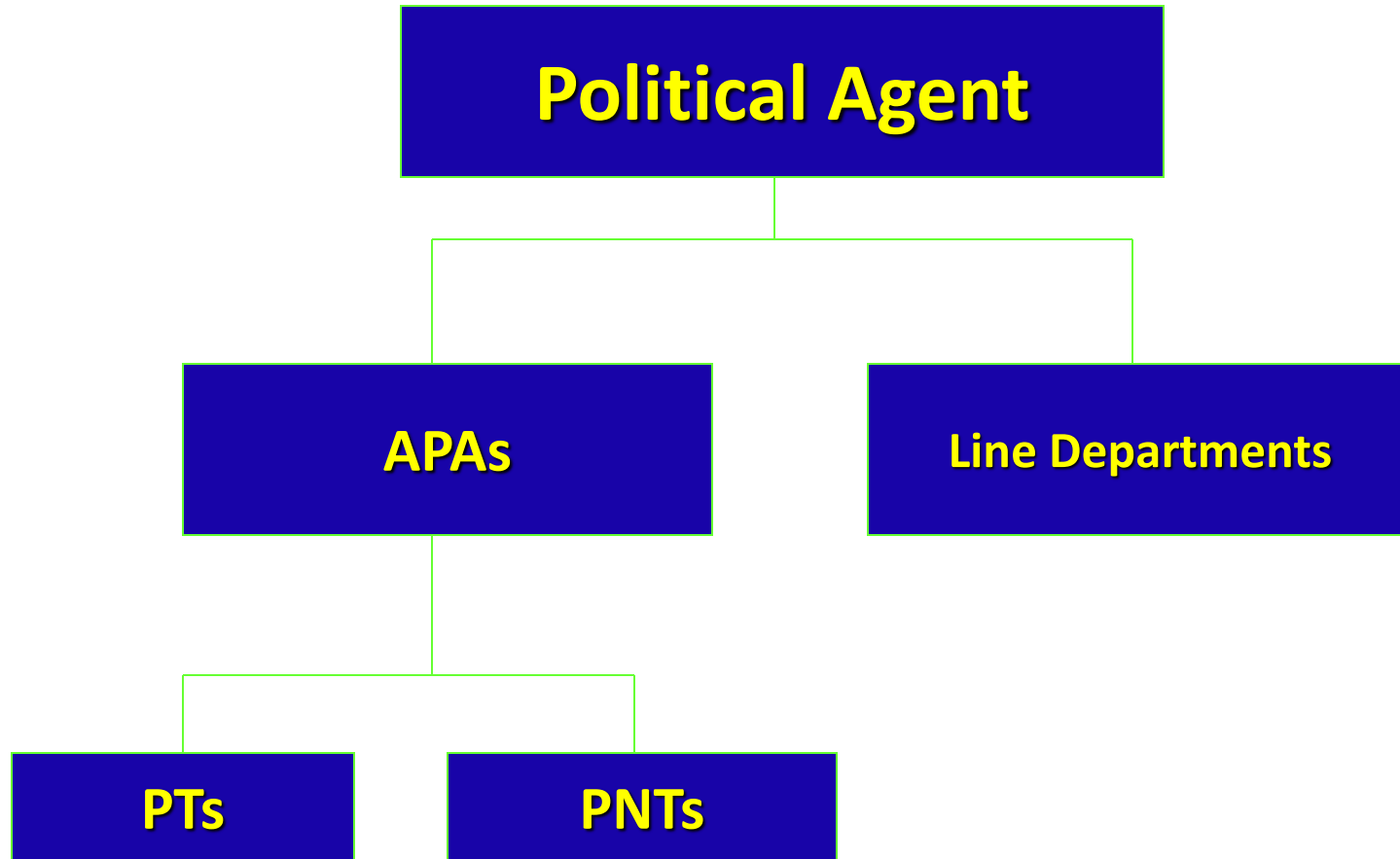
(Customs, Traditions,
norms,behaviour,etc)

- Badal (Revenge)
 - Melmastya (Hospitality)
 - Panah (Asylum)
 - Tiga (peace for a specified period)
 - Zamanat (surety)
 - Nanawatey (Unconditional surrender)
 - Chalweshti (body to enforce tribal tradition)
 - Jirga (council of elders to decide all
issues between tribes and
the government)
- with

Present constitutional status

- Arts 246 and 247
- Adm Authority vested in the president
- Governor NWFP as agent to the president for FATA
- Extension of laws by the president not by parliament
- Jurisdiction of superior courts barred

Agency Administration



Characteristics

- Indirect administration
- Collective and territorial responsibilities
- Dispensation of justice through jirga
- Payments of allowances to tribes and maliks
- Security apparatus
 - Khasadars, levies, Frontier Corps

Frontier Crimes Regulation (FCR-1901)

- Suppression of crime
- Civil and criminal references to jirga
- Punitive authority
 - Blockade of hostile tribes
 - Fines on communities accessory to crime
- Cases related to women
- Preventive authority (Secs 31,40,41 FCR)
- Appeal and revision

Governance Issues

- Traditional instruments of control vs mainstreaming of FATA
 - Political parties Act
 - Merger into NWFP
 - Repeal of FCR
 - Taxation and revenue collection
- Effects of Afghan war (drugs, weaponry, extremism)
- Aversion to change (Systems of governance, justice and development)