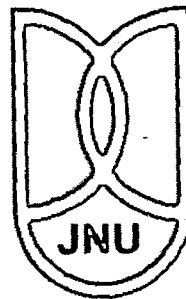# CIVIL SERVICE REFORMS IN PAKISTAN, 1999-2008

Dissertation submitted to Jawaharlal Nehru University
in partial fulfillment of the requirements
for award of the degree of

MASTER OF PHILOSOPHY

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2011

22nd July, 2011

CERTIFICATE

This is to certify that the dissertation entitled "CIVIL SERVICE REFORMS IN

PAKISTAN, 1999-2008", submitted by SHRADDHA RISHI for the award of the degree

of **MASTER OF PHILOSOPHY** is my original work. This dissertation has not been

previously published or submitted for any other degree of this university or any other

university.

SHRADDHA RISHI

We recommend that this dissertation be placed before examiners for evaluation.

Prof. Partha S. Ghosh
(CHAIRPERSON)

Prof. Savita Pande
(SUPERVISOR)

Dedicated to.....

Maa and Papa

CONTENTS

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CHAPTER 1: INTRODUCTION

In today's world, the transformation of state from police state to welfare state has increased its activities manifolds. The widening scope and penetrating activities of the state demands the civil service a crucial role to play. It has been described as an indispensable governing organisation in the modern state[1] (Shaw, 1992: 387). In a welfare state the works and responsibilities of the organ of the government increase substantially to provide the benefits of social security components namely health, education, employment, sanitation etc to a number of people. In this state of affairs being the main organ of government the role of civil service in general and administrative bureaucracy in particular increases manifold as an engine of modernisation, inclusive growth and development. It is one of the core agencies of the government to carry forward its policies and programmes to the common people. The bureaucracy not only plays an important role in the implementation of government policies but it also has a crucial role in policy planning and formation of programmes. The responsibility of the bureaucracy in the modern world is growing as the achievement of a country's key a development objective depends upon performing, professional and accountable civil service.[2] It demands that it should become more efficient and more responsive to the demands and opinion of the people as well as more reactive to the ideas of elected policy makers.

All this require a shift of bureaucracy from its conventional role of maintaining law and order and to equip itself according to its new role. But unfortunately, the civil servants have not been able to withstand the pressure of these challenges as forcefully as the people expected from them. In this context, there is an acute demand for bringing "bureaucratic reforms" to make it more decentralise, efficient, accountable and sensitive to the common people.

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[1] Shaw, Carl K.Y. (1992), "Hegel's Theory of Modern Bureaucracy", *The American Political Science Review*, 86 (2), p. 387
[2] World Bank (1998), *Pakistan: A Framework for Civil Service Reform in Pakistan*, Report No. 18386-PAK, p.ii

A Brief History

Bureaucracy in its present structural form appears to be a modern phenomenon. Though its emergence is related with the beginning of modern industrial society in Europe, it has existed in various societies as an institutionalised activity of administration since very early times. The evolution of bureaucracy took place in those places where large group of men existed in large areas, creating a need for an agency to deal with day-to-day problems.

An immature form of organised administration can be seen as early as in ancient Mesopotamia[3] (Kamenka, 1989, 15-22). There, industrial production was carried out by great organisation of temple and king's household. They used to collect taxes, maintain public buildings, organise labour, distribute materials and rations to the workers and other people and supervise military organisations[4] (Jha, 2004: 15). Similarly, an elaborate and hierarchical administration organised around temple economy which has been found in Sumerian Civilisation (around 3000 BC). However the true marks of bureaucracy were first seen in China, some as early as two millennia before. For Kamenka, no ancient society has seemed so thoroughly, so sophisticatedly and so successfully bureaucratised over millennia as Chinese[5] (Kamenka, 1989: 22). It was believed that way back in 186 B.C. in China the public offices were recruited through competitive examination and the bureaucratic system was in place[6] (Anderson, 1971: 919). The administration of China had many features of modern day bureaucracy. The society was supervised by its scholar officials who used to be called 'mandarins.' They also had a modern system of promotion and career advancement. The officials depended for their professional advancement upon their evaluation by other officials on the basis of relatively objective criteria. Grades obtained in examinations, working experience, performance in office and merit ratings played significant role in their assessment for career advancement. They had highly organised civil-service entrusted with the task of public works like building of long canals and mighty tombs. Great Wall of China seems to be a magnificent example of

[3] Kamenka, Eugene (1989), *Bureaucracy*, Oxford:.Basil Blackwell, p.15-22
[4] Jha Manish Kumar (2004), *Changing Contours of Bureaucratic Personality in India: A Sociological Study*, dissertation, New Delhi: Jawaharlal Nehru University,p.15
[5] Kamenka, Eugene (1989), *Bureaucracy*, Oxford: Basil Blackwell, p.22
[6] Anderson, Robert C.(1971), "Book Review", *American Sociological Review*, 36 (5), p.919

such a highly specialised network of administration. E. N. Gladden has presented a historical description of the bureaucratic development in China. According to him, "although lacking certain of the characteristics essential to the modern concept of civil service – such as a strict separation from active political participation in government – Chinese officialdom, as a highly organised public service open to the talents, if not to all the talents, has a historical claim to primacy among civil services"[7] (Gladden, 1972: 225-226). The concept of Civil-Service, as well as written examination for the recruitment was introduced by China to the enlightened Europe of 17th and 18th century[8] (Kamenka, 1989: 24)

In India, way back in 4th century BC, the existence of highly centralised and bureaucratised Mauryan Empire consisted many of the administrative features. "*Arthshastra*" a treatise on statecraft and Economics written by Kautilya gives a detailed account of an elaborate system of taxation and administration[9] (Kamenka, 1989: 40). It talks about separate "superintendents" for various departments like agriculture, commerce, weights, and measures, storehouse, infantry, chariots, slaughter-house, prostitutes etc. It also talks about an array of officials dealing with public works like constructing dams, irrigation, canals, roads, wells and rest houses[10] (Deva, 1984: 813). From Mauryan Dynasty, founded by the celebrated Chandragupta in 322 B.C., to the rise of Mughal Empire under Akbar the Great, India had experienced varied administrative patterns and practices that existed at different places and different times. However, according to E. N. Gladden, a unitary form of administration could not emerge in India as it frequently faced several calamities and oppressions from time to time[11] (Gladden, 1972: 231-235)

In spite of having potentate historical linkages, modern bureaucracy differs from the ancient in more than one way. The ancient bureaucracy, though, highly elaborate,

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[7] Gladden, E.N. (1972), *A History of Public Administration*, London: Frank Cass p.225-226

[8] Kamenka, Eugene (1989), *Bureaucracy*, Oxford: Basil Blackwell, p.24

[9] Kamenka, Eugene (1989), *Bureaucracy*, Oxford: Basil Blackwell, p.40

[10] Deva, Satya (1984), State and Bureaucracy in Kautilya's "Arthasastra", *Economic and Political Weekly*, 19(19):p.813

[11] Gladden, E.N. (1972), *A History of Public Administration*, London: Frank Cass, p. 231-235

organised and efficient, depended heavily on the patrimonial ruler- the king. The ruler enjoyed paternalistic and traditional authority and there was no separation between the personal and official. The emergence of modern nation state in Europe played a vital role in the development of the structure of modern bureaucracy. The development of a money economy and the emergence of mass democracy prepared the ground for the rise and growth of bureaucratic administration[12] (Naidu, 2005: 82). Till 16th century, Europe consisted of several hundred independent political units and the king was also just one of the many royal leaders. But by 19th century, it came to be consolidated into 20 odd states. Thus by 19th century, modern European nations emerged with national administration imbued with the spirit of nationalism[13] (Gladden, 1972: 85-110). The emergence of modern nation state also led to the growth of powerful hierarchical and centralised administrative institutions, comprised with royal officials. These royal officials provided power by the king and also more protected people than other protected officials in any other administrative structure. Still as there was no clear conception of state or nation state separate from the king's personality, these officials were the king's servants and not of the nation.

It was only after French Revolution that a clear disengagement of the state from the king came into existence[14] (Barker, 1945: 22-47). After the revolution, a spirit of rationalism gained popularity and public officials were now regarded as servants of the nation rather than that of the ruler in person. Nation now became the source of all sovereignty. Moreover the range of socio-political and economic changes and difficulties faced by European states to meet the new challenges in the 19th century necessitated the expansion of bureaucracy. With the emergence of nation-state as well as the widespread political thought, the quality of administration became a growing public concerns. Disengagement of the state and ruler changed the status of public servants. They were now selected on their quality basis through open examination rather than their hereditary status. Thus

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[12] Naidu, S.P. (2005), *Public Administration: Concepts and Theories*, New Delhi: New Age International Publishers, p. 82
[13] Gladden, E.N. (1972) *A History of Public Administration*, London: Frank Cass, p.85-110
[14] Barker E. (1945), *The Development of public Services in Western Europe 1660-1930*, London: Arnold Hienemann, p. 22-47

bureaucracy acquired a modern rational sense where public servants were getting paid regular salaries and were answerable to the state.

The emergence of money economy was a major factor in the development of rational form of administration. Weber states that while capitalism and bureaucracy have arisen from many different historical sources, they are today inter-dependent; capitalism is the most rational economic basis for bureaucratic domination, since it supplies the necessary monetary resources for the payment of officials. Thus bureaucracy presupposes a monetary economy for its continued existence[15] (Cohen, 1991: 92). During 19th and 20th century, the bureaucratic administration was established in the colonies which were ruled by colonial powers with the purpose to ensure law and order. In newly independent countries, the remains of administrative and political system established during a long period of political and economic colonial exploitation, influenced strongly the administrative set up and political development in post- independence period.

Bureaucracy: The Concept

It goes to the credit of Max Weber, the German historian and sociologist to give a theory of bureaucracy. Max Weber was the first one to talk about bureaucracy as a big improvement over the administration. Any sensible attempt dealing with bureaucratic structure must begin with the critical appraisal of his model of ideal-typical bureaucratic organisation. Considering that his work on bureaucracy is pioneering as well as seminal one, it makes sense to do a detailed overview of his model.

Weber provided a profound account of the nature of bureaucracy and forms of bureaucratic organisation and thinking. He described bureaucracy as one of the most rational and efficient means to organise authority[16] (Schultz, 2004: 458). Weber presented his ideas on bureaucracy within the broader formulations of power, authority

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[15] Cohen, Jean (1991),"Max Weber and the dynamics of Rationalised Domination" in Peter Hamilton (eds.), *Max Weber Critical Assessments*, London: Routledge, p.92

[16] Schultz, David Andrew (2004), *Encyclopedia of Public Administration and Public Policy*, New York: Infobase Publishing, p. 458

and legitimacy. While a detailed discourse on these themes is not the focus of this study, nevertheless, it is important to point out that Weber differentiated between power and authority on the basis of legitimacy[17] (Gangadhar, 2004: 413) According to him, if the individuals on whom the power (influence even against their will) is exercised deem it as proper or appropriate, it becomes legitimate and takes the form of authority. While talking of his authority systems Weber, on the basis of its claim to legitimacy, has classified authority as:[18] (Schultz, 2004: 458)

1. Traditional Authority
2. Charismatic Authority
3. Legal Rational Authority

In the traditional authority, the basis of acceptance and legitimacy of the authority is the sacredness of the rulers and his orders. Under this system, personal contacts, loyalties, kinship etc influence the structure and decision of the administration. In the charismatic authority, 'charisma' or 'the supernatural qualities' of the ruler are the basis of acceptance of the authority[19] (Slattery, 2003: 32). Charisma is God-gifted virtue where a leader himself knows what to do. A charismatic leader contrasts with traditional leadership of a king or modern rational leadership of an administrative or elected leader.

In the legal-rational system, the acceptance of authority is sought on the basis of rules, which are framed in an impersonal, impartial and rational manner. It is to be noted that Weber never defined bureaucracy; rather, he outlined the essential features of an 'ideal type' bureaucratic organisation based on the legal-rational system. His ideal type bureaucracy consists of structural and behavioral features such as rationality, division of work and specialisation, hierarchical authority system, merit based recruitment and promotion, distinction between position office and its incumbent, between public and private, emphasis on written documents, office procedures, rule-orientation, formalism etc. Bureaucracies are organised according to the rational principles. Offices are ranked

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[17] Gangadhar, V and Manoj Sharma (2004), *Administrative Thinkers*, New Delhi: Anmol Publications, p.413
[18] Schultz, David Andrew (2004), *Encyclopedia of Public Administration and Public Policy*, New York: Infobase Publishing, p. 458
[19] Slattery, Martin (2003), *Key Ideas in Sociology*, UK: Nelson Thornes, p.32

in a hierarchical order and their operations are characterised by impersonal rules. Personnel are governed by systematic allocation of duties and functions. Recruitment is done on the basis of the merit of the candidates, or according to specialised qualification[20] (Mouzelis, 1975: 38-43). To Weber, a bureaucracy is a particular type of administrative structure developed in association with the rational legal mode of authority. In his view, a bureaucracy is capable of attaining the highest degree of efficiency, and is in this sense formally the most rational known means of exercising authority over human beings[21]. To Weber, a bureaucracy is an administration based on discipline is "nothing but the consistently rationalised, methodically prepared and exact execution of the received order"[22] (Antonio, 1979: 895-912). According to Weber only traditional and rational-legal authority relations are sufficiently stable to provide the basis for the formation of permanent administrative structures.

For Weber, bureaucracy is a type of administrative organisation with above characteristics which once established will continue because it is the most efficient, most rational form of organisation for exercising legitimate authority in a modern society. Since all modern states claim to be 'legal-rational authority system' where public administrations is carried on through a civil service modeled upon the Weberian ideal type.

Characteristics of Weberian Model of Bureaucracy

For Weber, the term bureaucracy is inextricably linked with the term rationality. According to him if bureaucracy is not rational it would be manipulated or affected by some authoritative power. A bureaucracy being rational means that an official will be impersonal in delivering his duties. There are many features which according to him are

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[20] Mouzelis, Nicos P. (1975), *Organisation and Bureaucracy, An Analysis of Modern Theories*, London: Routledge and Kegan Paul, p.38-43

[21] Weber, Max (1968), Essays in Sociology, as quoted in, Slattery, Martin (2003), *Key Ideas in Sociology*, UK: Nelson Thornes, p.32

[22] Antonio, Robert J. (1979), "The Contradiction of the Domination and Production of Bureaucracy: The Contribution of Organisational Efficiency to the Decline of Roman Empire", *American Sociological Review*, 44(6): 895-912

necessary to make bureaucracies rational.

➢ The most fundamental feature of Weber's theory of bureaucracy is a highly developed *division of labour and specialisation of functions*. For him, specialised bureaucracy is important in order to be efficient, be it capitalistic or socialistic economic systems. This is done by an explicit and detailed definition of duties and responsibilities of each hierarchical unit. In an ideal type of bureaucracy, a limited number of tasks are distributed in a fixed way and the authority of command is distributed in a stable manner and delimited by rules and regulations[23].

➢ The role and status of the incumbent in a bureaucratic organisation is characterised by the following features: selection and recruitment on the basis of *formal qualifications* (diplomas, university degrees) that testify applicant's necessary capability to accomplish effectively his specialised duties rather than such considerations as family position or political loyalties. His office is his sole occupation and it constitutes a *career*. In other words, positions in the bureaucratic organisations are not offered on an honorary or short-term basis. There is normally an *elaborate system of promotion* on the basis of the principles of seniority and achievement. The system of remuneration is based on the status of his position rather than on his productivity performance per se. There is a clear-cut separation between the private and the public sphere of the bureaucrat's life.

➢ Weberian bureaucratic model is the *hierarchy of position* in the organisation. Unlike traditional authority structures, where the inferior-superior relationship tends to be on personal grounds, inferior-superior relationship in bureaucratic organisation is based on "rational" and impersonal regulation of authority. There is a definite distribution of official duties to each stratum. The authority to issue orders to carry out work is strictly delimited by rules. This authority is legitimised by administrative rules and the loyalty of the incumbent is aligned to an impersonal order, to a superior position, not

[23] Sayre, Wallace S. (1964), "Bureaucracies: Some Contrasts in Systems", *Indian Journal of Public Administration*, 10(2), p.219

to the particular personage.

➢ The presence of a *system of control based on rational rules* is the most important and ubiquitous feature of bureaucracy. According to Max Weber, "Bureaucratic administration means fundamentally the exercise of control on the basis of knowledge. It is this feature which makes it specifically rational"[24] (Gerth and Mills, 1946: 198). Thus knowledge is the basis of making hierarchy in bureaucracy to make it a control-based system.

➢ One of the specific characteristics of Weberian model of bureaucracy is the emphasis on written and formal documents. These written documents or the files are preserved in their original or draught form. There is, therefore, a staff of subaltern officials and scribes of all sorts[25] (Gerth and Mills, 1946: 197). In addition, communication between various levels of officials takes place in written form. Written documents are stored in files, access to which are limited and are frequently a source of power[26] (Sahni, 2010: 287). The officials engaged in a 'public' office, along with the respective apparatus of material and the files, constitute a 'bureau.' In private enterprise, 'the bureau' is often called 'the office.'

Critical Appraisal of Weberian Model of Bureaucracy

Weber's model of bureaucracy has met with a lot of criticism at the hands of behavioural scholars like Robert Merton, Michael Crozier, Robert Michels, Monroe Berger, Alfred Diamant, Ferrel Heady, and Robert Presthus. These behavioural writers have the common tendency to concentrate upon behaviour which is "dysfunctional" or "pathogical." This refers to the tendencies of bureaucracies to develop behaviour patterns which, although linked to the rational base of bureaucratic organisation and related structural devices,

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[24] Gerth, H.H and C. Right Mills (1946), *From Max Weber: Essays in Sociology*, New York: Oxford University Press, [Online: Web], Accessed 23rd of December, 2010, URL. http://www.archive.org/stream/frommaxweberessa00webe/frommaxweberessa00webe_djvu.txt, p. 198

[25] Ibid., p. 197

[26] Sahni, Pradeep and Etakula Vayunandan (2010), *Administrative Theory*, New Delhi: P H I Publishers, p. 287

inhibit the attainment of the legitimate objectives of bureaucracy[27] (Heady, 1959: 517). The most general argument against such structures was developed by Robert Merton, who argued that there is a tendency for "the rules to become more important than the ends they were designed to serve, resulting in goal displacement and loss of organisational effectiveness"[28] (Merton, 1952: 361-371). Merton is among the first sociologists to emphasise systematically dysfunctional aspects of bureaucracy i.e. red-tapism and inefficiency. According to him, the preponderance of rational rules and procedures brings about lack of flexibility. Procedural rules become ends in themselves instead of simply means leading to "goal displacement". Robert Merton first identified this problem and applied the term to organisational preoccupation with its rules and regulations to the point that managers keep the organisation from meeting its goals. He said that in this system, "adherence to the rules, originally conceived as a means, becomes transformed into an end-in-itself; there occurs familiar process of "displacement of goals" whereby "an instrumental value becomes a terminal value"[29] (Merton, 1952: 365).

This point becomes more relevant in the third world context. Organisational rationality to determinate administrative action tends to freeze administrative autonomy. In uncertain and rapidly changing conditions, results and achieving objectives are more important than adhering to rules. Rules must be deemed as resources, to be weighed from the point of view of their adequacy for specific tasks. Societal expectations of programmes and results should be the main driving force of a government organisation and not the rules, norms and procedures. Also, in the context of third world developing countries, the structural characteristic of "formalistic impersonality" is not suitable as the need to fulfill developmental programmes, is more urgent. What requires here is not impersonality but rather identifying with the purpose, the goals and the people for whom these development programmes have been designed. One needs to be socially sensitive to the cause of poor, marginalised and downtrodden sections of society as well as a little bit of personal touch

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[27] Heady, Farrel (1959), Bureaucratic theory and Comparative Administration, *Administrative Science Quarterly*, 3(4), p.517
[28] Robert K. Merton (1952),), *Reader in Bureaucracy*, New York: The Free Press, chapter: "Bureaucratic Structure and Personality", pp. 361-371
[29] Ibid., p. 365

in delivery of the services would be more desirable.

There is need to adopt behaviouralistic outlook in the bureaucratic behaviour, according to the changing context of cultural environment of developing countries. People in these developing countries are still guided by primordial loyalties and particularistic identity. It doesn't mean that the bureaucracy should discard its universalistic norms and procedures to accomplish the task, for that would undermine the very ethos of bureaucracy. But it can definitely adopt a more humanist posture, shed off its mechanistic dispositions in order to establish a positive atmosphere with the people whom it is meant to serve.

LaPalombara points out that as an instrument of economic change, the structural model is not fit for developing countries. While giving the example of India, he adds that "in a place like India, public administrators steeped in the tradition of the Indian Civil Service may be less useful as development entrepreneurs than those who are not so rigidly tied to motions of bureaucratic status, hierarchy and impartiality"[30] (Palomabara, 1963: 12). Philip Selznick points out the organisational paradox in the structure of bureaucracy. The goals, the responsibilities and the powers need to be delegated to sub-systems by the central system in order to accomplish the task but in due course; these sub units or sub-systems develop an informal system and set up their own goals which may be in conflict with the real purpose of the organisation[31] (Selzenik, 1943: 47-54). According to him, this informal structure serves a triple function (a) it serves to control the behaviour of the members of the worker group (b) it also affects the conditions of its existence being the member of member of large organisation (c) it also acts to develop an expression of informal and personal relationships which a formal organisation does not provide. This informal structure exists in every organisation and in every organisation, the goals of the organisation are modified (abandoned, deflected, or elaborated) as per the needs of this informal structure. It further leads to bifurcation of interest as well as conflict between the central system and sub-units.

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[30] Palomabara, la (1963), *Bureaucracy and Political Development*, Princeton: Princeton University Press p.12
[31] Selznik Phillip (1943), "An Approach to a Theory of Bureaucracy" *American Sociological Review*, 8(1), Feb., 1943, pp. 47-54

The problem of developing informal structure has also been identified by Peter Blau as he points out "this informal structure is a more cohesive and cooperative group"[32] (Blau, 1962: 43). People in an organisation or bureaucracy are not only linked with each other through official channels and links; they also share their life situation, happiness, sorrows, dreams, and aspirations as the office constitutes a mini world for them.[33] The existence of informal structure can work both ways for the bureaucratic organisation. It can increase the efficiency of the organisation as unnecessary official hurdles are surpassed by informal links, but at the same time, this informal structure can be detrimental to the organisation if it starts functioning with cross-purposes and sets up its own goals and objectives[34] (Blau, 1969: 414).

Gouldner has pointed out the structural contradictions of the ideal typical model. According to him, certain characteristics enumerated by Weber are mutually inconsistent. There is an in built contradiction between the authority of 'experts' and the authority of 'hierarchy' based on discipline. One comes from superior knowledge and another from the office held. Professionals may have more technical knowledge than hierarchical super-ordinates. It is very easily possible that people who have an expertise, who know how to do things would find themselves stifled by unnecessarily submitting themselves to the dictates of rules and procedures slammed upon them by their superiors[35] (Gouldner, 1954: 16-29). He also made a point that though the structure of the Weberian bureaucracy is based on the rationality of the civil servants and Weber seems to have assumed that the cultural setting of a specific bureaucracy would be neutral, since however the culture is not neutral and it prefers agreed upon rules rather than imposed ones, these two cannot be fused together without blurring the dynamics of bureaucratic organisation[36] (Gouldner, 1954: 20).

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[32] Blau, Peter (1962), *Bureaucracy in Modern Society*, New York: Random House p.43
[33] Ibid., p.36
[34] Blau, Peter (1969), *Bureaucracy in Modern Society*, as quoted in Jerry Jacobs, "Symbolic Bureaucracy: A Case Study of a Social Welfare Agency", *Social Forces*, 47(4), p. 414
[35] Gouldner, A. V. (1954), *Patterns of Industrial Bureaucracy*, The Free Press: New York, pp. 16-29
[36] Ibid., p. 20

Finally, looking at the Weberian structural model of ideal type bureaucracy, one is forced to infer that the structure depends a lot on the socio-cultural context in which it operates, the people and the officials who man the structure and the circumstances in which they operates[37] (Haque, 1997: 432-462). If the structure is universal and secular but it has to operate in a society where people are governed by primordial identities, it would fail to serve the purpose and remain largely ineffective despite being efficient. This appears true particularly in the context of developing countries, many of which have stable bureaucracies and unstable political regime. The result is that bureaucracy, manned by modernising elites of these societies, provides stability and continuity to an otherwise unstable system of government. In these societies, bureaucracy already has firm and strong position than other structures of politics which are struggling to establish themselves. While political leadership, party organisation, the electoral system and the elected legislature, all are in a state of flux, bureaucracy continues to provide permanent leadership in the administration. This leads in many of the newly independent countries to a bureaucratic rule, often with the backing of the army, its natural ally. In this way, the natural growth of emerging political institutions is hindered as the bureaucracy harbours its traditional hatred towards democratic principles. The bureaucracy consolidates its already firm position in the background of frequently emerged internal and external threats which a newly formed state faces in the initial years and leads the way to authoritarian rule thereby further impeding its political growth[38] (Jha, 2004: 51).

Pakistan's Bureaucracy: Organisation and Structure

Pakistan's civil service is the second most important institution in the country only after the military. It is "embedded in the political history, culture and institutions of the state"[39] (Kennedy, 1987: 1). It is distinct in the sense that it has been more involved in policy making rather than policy implementation.

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[37] Haque, Shamsul (1997), "Incongruity Between Bureaucracy and Society", *Peace and Change*, 22(4), pp. 432-462

[38] Jha Manish Kumar (2004), *Changing Contours of Bureaucratic Personality in India: A Sociological Study*, dissertation, New Delhi: Jawaharlal Nehru University,p.51

[39] Kennedy, Charles H. (1987), *Bureaucracy in Pakistan*, Karachi: Oxford University Press, p.1

Pakistan, after getting independence in 1947 faced several internal and external problems and one of them was the organisation of its administrative system. At the time of partition, Pakistan had a few choices regarding the organisation of its administration, first, either follow the same administrative structure, developed by British rule bringing some or more changes according to its own political system and the second, to begin with a thoroughly new administrative structure, developed in accordance with the needs of indigenous society. Pakistan, faced with political instability and various internal and external threats, was not in a position to start with a totally new administrative structure and it chose to follow the former choice. Thus, the administrative structure of Pakistan was carved out of the Indian Civil Service (ICS) of British Raj. The British inheritance has been stated one of its most important features upon which many of the other characteristics of Pakistan's bureaucracy depends. Pakistan, after independence was faced with several problems regarding the administration; one of them was the acute shortage of experienced staff especially at the higher level of the civil service. This problem was largely due to the fact that the Muslim representation in the British Indian administration was meagre and the higher civil service in undivided India was predominantly British and Hindu. During the first quarter of 1947, the ICS and IPS had the strength of 1157 officers, of them 101 or 9% were Muslims[40] (Braibanti, 1966: 245-247). Disproportionate representation of Muslims in administration was further corroborated by the fact that "in the entire interim Government of India on the eve of Partition there was not one Muslim officer of the rank of secretary. There were only four officers of the rank of Joint Secretary"[41] (Sayeed, 1958: 137). Further at the time of independence, an Indian or British officer serving in ICS was permitted to choose whether to serve in India or in Pakistan. Of 101 Muslim ICS-IPS officers, 95 opted for service in Pakistan, the others remained in India or got retired. The net result was that the total strength of ICS-IPS officers in Pakistan at partition was 157. But the figure 157 has limited significance for only 136 of these were available for service in Pakistan. Nearly half of these were British officers, most of whom decided to stay in Pakistan after its independence. Thus, fewer than 20 officers in service during the first two years had more

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[40] Braibanti, Ralph (1966), *Asian Bureaucratic Systems Emergent from the British Imperial Tradition*, Durham: Duke University Press, p.245-247
[41] Sayeed, Khalid Bin (1958), "The Political Role of Pakistan Civil Service", *Pacific Affairs* 31(2), p.137

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than 15 years experience. Half of the officers had less than a decade in service. The position was reversed in some of the lower grades and there was a surplus of employees in the railways and post and telegraph departments[42] (Chaudhury, 1963: 73).

In this way, after partition most of the higher posts in Pakistan remained vacant or were filled by inexperienced personnel. And in this situation, the small number of inexperienced Muslim Civil Servants, along with a few British officers who were persuaded to remain in Pakistan, exerted great influence in Pakistan's administration. Moreover the partition and the subsequent crises which engulfed Pakistan posed a challenge to the handful of bureaucrats to prove their worth. The partition resulted in mass migration and bloodshed which weighed heavily on the new born state. It has been estimated that 6500000 Muslim refugees came to Pakistan and 5500000 Hindu and Sikhs left Pakistan. About 500000 Muslims lost their lives or were abducted[43] (Symonds, 1950: 84). In this exchange of persons, Pakistan obtained a surplus of cultivators and artisans but lost most of its merchants, clerks, accountants and professors[44] (Goodnow, 1964: 26).

Classification of Pakistan's Civil Service:

The classification of civil service in post independence Pakistan can be divided in two parts as: (1) Classification in pre-reform period (1947-1973) and (2) Classification after Bhutto's reforms (1973 onwards).

Before 1973 civil service reforms, Pakistan's bureaucracy was divided both horizontally and vertically. The services were classified vertically according to the type of work and under this concept there were three main categories (a) generalist-administrative service, such as civil service of Pakistan; (b) functional services like audit and accounts, income tax, customs and central excise; and (c) the specialist services such as health, engineering, survey etc. The horizontal classification of services was based on the degree of the importance of work and the nature and scale of responsibilities involved. The services

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[42] Chaudhuri, Muzaffar Ahmed (1963), *The Civil Service in Pakistan*, Dacca: National Institution of Public Administration, p. 73

[43] Symonds, C. Richards (1950), *The Making of Pakistan,* London: Faberand Faber p.84

[44] Goodnow, Henry Frank (1964), *The Civil Service of Pakistan: Bureaucracy in a New Nation,* New Haven: Yale University Press, p.26

were vertically divided into four classes- Class I, Class II, Class III and Class IV. The members of Class I and Class II officers were gazette officers and, in practice, were invested with higher powers and responsibilities in regard to management. The Class III civil servants carry on routine work under the control and supervision of Class I and II officers. The Class IV employees carry on manual work and petty jobs. By far the bulk of employees belonged to Class III and IV[45] (Chaudhury 1962: 255-256).

According to the 1962 constitution, all the civil servants working under Central Government were to be appointed by the President, in reality, all appointments were not made by him[46] (Chaudhury, 1969: 61). The members of Class I office received appointments from the Establishment Division under the signature of the President. Class II officers were appointed by the secretary of a department or by some other specified higher authority. Class III officers were appointed by a deputy secretary or an equivalent officer and sometimes by even a lower authority. Class IV civil servants received appointment by still a lower authority. No civil servants, according to the constitution, could be dismissed, or removed from service, or reduced in rank, by an authority, subordinate to that by which he is appointed.[47]

This structure of civil service remained intact till 1973 when sweeping changes in structure of bureaucracy were initiated by Bhutto government. One of the most important features of civil service organisation before 1973 Bhutto reforms was the pre-dominance position of Civil Service of Pakistan or the CSP. The CSP was the pivotal service around which the entire administrative edifice, central and provincial was organised. The CSP has received more attention than all the other parts of the bureaucracy together. As Shahid Javed Burki has put it, "Even though the CSP constitute only 0.07% of the country's total bureaucratic population, it is not all that surprising that they have been the

[45] Chaudhury, Muzaffer Ahmed (1962), "The Organisation and Composition of Central Civil Services in Pakistan" in Inayatalluah (eds.), *Bureaucracy and Development in Pakistan*, Peshawar: Academy for Rural Development, pp. 255-256

[46] Article 182 (1) (a), Constitution of Islamic Republic of Pakistan, 1962, as quoted in Muzaffar Ahmad Chaudhuri (1969), *The Civil Service in Pakistan: The centrality of Recruited Civil services*, National Institute of Public Administration, Islamabad, p. 61

[47] Article 181 (1). *The Constitution of Islamic Republic of Pakistan*, [Online: Web], Accessed 26th of June, 2011, URL. http://www.pakistani.org/pakistan/constitution/

subject of academic attention over such a long period"[48] (Burki, 1969: 239-254). The fundamental structure of the CSP was laid down in the resolutions adopted and rules made by the central government. The members of the CSP, who used to serve both the central and provincial governments, occupied by far the bulk of the most important and key positions in the central and provincial secretariats. Sixty per cent of the post of under-secretaries and two thirds of the post of deputy-secretaries were reserved for the CSP officers at the centre. The CSP was the *corps d'elite* within the civil service, like the Administrative class in Britain[49] (Chaudhury, 1962: 262). It had its origin in the Indian Civil Service (ICS) of British India having its origin in the ICS of British India.

Burki has identified the three reasons for this: first, the CSP was one of the heirs of the famous Indian Civil Service (ICS) created by the British and considered to be the "steel frame" of British administration in India. Second, of the two successor services, the Indian Administrative Service and the Civil Service of Pakistan, only the latter continued to work as a real elite group; the former surrendered a substantial part of the power it inherited to its new political bosses. Third, in a rapidly changing environment characterised by one political revolution (October 1958) and two economic revolutions (1963-65 and 1967-68), the CSP has not only displayed a remarkable ability to survive but has grown enormously in both power and prestige[50] (Chaudhury, 1962: 239). As a result of it the structure of Bureaucracy in pre-reform period was criticised as it was highly centralised and for the undue importance which the CSP received.

The presence of ICS officers and some British officers were the chief source of British bureaucratic style. Out of three separate studies undertaken during 1948-58, Pakistan Pay and Service Commission 1948, Rowland Egger Committee 1953, and Gladieux Committee 1955, the latter two recommended the reforming and reorganisation of the administrative system in order to bring more equity and uniformity. Apparently, they

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[48] Burki, Shahid Javed (Apr. 1969), "Twenty Years of the Civil Service of Pakistan: A Re-evaluation", *Asian Survey*, 9(4), pp. 239-254

[49] Chaudhury, Muzaffer Ahmed (1962), "The Organisation and Composition of Central Civil Services in Pakistan" in Inayatalluah (eds.), *Bureaucracy and Development in Pakistan*, Peshawar: Academy for Rural Development, p. 262

[50] Ibid, p. 239

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attacked the monopolistic position which the CSP enjoyed during this period. However, due to "the tremendous and influence of the CSP" in the political system, these recommendations could not be immediately accepted and implemented. In fact, the Egger Report was not made available for general circulation for more than five years[51] (Sayeed, 1967: 155-156). It is true that the bureaucracy and especially the CSP inherited the elitism of its predecessor the ICS, and continued to play its predominance role in the political system of the country, but the other factor which is equally responsible for the situation is the power imbalance between the political institutions and the bureaucracy. The political instability and the weak political structure of Pakistan left the vacuum to be filled by the well establish bureaucracy.

Bhutto's Civil Service Reforms and the Structure of Bureaucracy

The need of administrative reforms has been one of the primary concerns for the political rulers in Pakistan. Different efforts are being undertaken from time to time in order to address the administrative grievances. However, first substantial effort to reform the structure of civilian bureaucracy was made by Zulfikar Ali Bhutto. Since 1948, many recommendations addressed towards civil service reforms remained unheard like Justice Muneer Committee to review Pay and Services (1949), Egger Committee for improvement in public administration (1949), Gladieux Committee for administrative reorganisation (1955), G. Ahmad Committee for Administrative Reorganisation (1961), Justice Cornelius Committee for Pay and Services (1962), and Justice Anwar-ul-Haq Committee for Civil Service Reforms (1981). Bhutto proposed radical civil service reforms in order to end the colonial legacy and elitist character of bureaucracy and introduced more equality and decentralisation in the bureaucratic structure[52] (Cheema, 2003: 13) (These reforms will be discussed later in detail.) Bhutto introduced new classification system, the twelve All- Pakistan and the Central Superior Services were disbanded. Horizontally, the central public services were classified into seventeen occupation groups along functional lines. The positions reserved for the CSP cadre

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[51] Sayeed, Khalid Bin (1967), *The Political System in Pakistan*, Bostan: Houghton Mifflin, pp. 155-156

[52] Cheema, Ali et. al. (2003), *"Decentralisation in Pakistan: Context, Content and Causes"*, Draft Paper, [Online: Web],   Accessed   3rd   of   December,   2010, www.worldbank.org/publicsector/decentralization/.../Cheema.pdf, p.13

(generalist/policy/administration) were placed in three different occupational groups. The field administration posts were classified into the new District Management Group (DMG). The policy positions in the central secretariat were allocated to the Secretariat Group. Lower level positions in the secretariat were grouped into an Official Management Group. A new Tribal Areas Group (TAG) was created to administer federally controlled tribal territories. Three different accounts services were merged together into an Accounts Group. A new Occupational Group of Planners and Economists was created, grouping largely the positions in the Planning Commission and some other ministries[53] (Akhtar, 2003: 150-167). Post-reform structure of civil service is displayed in the Table 1.

With the modification in the classification system, the pay structure was also reformed. The antiquated and confused system of some 600 pay scales was abolished and it was replaced with a Unified National Pay Scale consisting of 23 grades. The new scales were a substantial improvement in terms of equity, reducing disparities between the lowest paid employees and the highest paid officer[54] (Nasir, 1990: 83). It also reduced the pay differentials between the specials and the generalists.

The administrative reforms of 1973 also introduced the system of lateral entry to the central superior services. The ideal behind this system was to infuse fresh blood from the private sector and other professions into the bureaucracy[55] (Nasir, 1990: 85). The system of lateral entry was introduced in order to correct the domination of generalists in the civil service however, it led to the ministerial influence and political patronage in the recruitment.

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[53] Baloch Akhtar (2003), Impact of Political and Constitutional Development on Administrative System: A Case Study of Civil Bureaucracy in Pakistan, Ph.D. Theses, Karachi: University of Karachi, [Online: Web], Accessed February 16, 2011, URL. http://eprints.hec.gov.pk/2303/1/2158.htm, pp.150-167

[54] Islam, Nasir (1990), "Pakistan" in V. Subramaniam, *Public Administration in Third World*, Greenwood Press, p. 83

[55] Ibid., p. 85

Table 1:

Pre-1973 Service Cadres and Analogous Occupational Groups

Former Service Cadre	New Occupational Group
Civil Service of Pakistan (CSP) Provincial Service of Pakistan (PCS) Secretariat Group (SG)	District Management Group (DMG) Tribal Areas Group (TAG)
Police Service of Pakistan (PSP)	Police Group
Foreign Service of Pakistan (PFS)	Foreign Affairs Group
Pakistan Audit and Accounts Service (PAAS) Pakistan Military Accounts Service (PMAS)	Accounts Group
Pakistan Taxation Service (PTS)	Federal Revenues Group (Direct Taxes)
Pakistan Customs and Excise Service (PLES)	Federal Revenues Group (Indirect Taxes)
Trade Service of Pakistan	Commerce Group
Information Service of Pakistan	Information Group
Pakistan Postal Service	Postal Group
Pakistan Military Lands and Cantonment Service	Cantonment Management Group
Central Secretariat Service	Office Management Group
Pakistan Railway Service	Railway Group
	Economists and Planners Group

Source: Islam, Nasir (1990), "Pakistan" in V. Subramaniam, *Public Administration in Third World*, Greenwood Press, p. 84

Bhutto's attempt towards making the civil service more egalitarian, could not sustain for long as most of the attempts were reversed under Zia-ul-Haq regime. Most of the reforms undertaken by Zulfikar Ali Bhutto were undone during General Zia-ul-Haq regime. The military-bureaucracy nexus became stronger during this period, and the bureaucracy saw much politicisation and militarisation under his rule. Zia institutionalised military

induction into the civil service, a practice that had been conducted on an ad hoc basis by earlier regimes, permanently entrenching the military's presence in the bureaucracy[56] (ICG, 2010: 6). He decreed that 10 per cent of senior vacancies under Basic Pay Scale-17 and 18 would be reserved for the retired or released military officers. These officers would not be selected by the Federal Public Service Commission but a High Powered Selection Committee headed by Zia himself. He launched a far reaching Islamisation drive in order to achieve political legitimacy and regime survival. A traditional secular civil bureaucracy was now compelled to reframe the ideological orientation of the civil servants through measures such as a uniform dress code and enforced prayer breaks during office hours.

Thus the civil service reforms in Pakistan have been governed by the need of political legitimacy and regime survival rather than the necessity of administrative efficiency, this is one of the hypotheses of the proposed study. Musharraf's regime was not the exception of it and his Local Government Plan (LGP) was driven by the need of power legitimacy and regime survival. His LGP was more concerned with the "empowerment of the military rule" rather than that of democracy as devolution was being done without democracy in Pakistan.[57] As the plan was implemented, the office of deputy commissioner was abolished and replaced by the District Coordinating Officer (DCO) and latter subordinated to the indirectly elected non-political district *Nazim* (mayor).[58] This subordination was done in order to bring true democracy in place of sham democracy[59], however it is notable that the *Nazim* was elected indirectly on non party basis and it was alleged that the elections were rigged and manipulated in order to elect a

[56] International Crisis Group (2010), "Reforming Pakistan's Civil Service", *Asia Report* N*185, 16 February 2010, p.6

[57] Hayat, Sikandar Ali (2007), *Decentralisation without Democracy in Pakistan*, Publication of the Institute of Federalism, Fribourg: Switzerland, pp.1-28

[58] Government of Pakistan (2001), SBNP Local Government Ordinance 2001, National Reconstruction Bureau, [Online: Web], Accessed 22nd of March, 2011, URL. www.nrb.gov.pk/.../SBNP_Local_Govt_Ordinance_2001.pdf, p.16-22

[59] Musharraf, Pervez (2007), I Want True Democracy- Interview, *Time Asia*, 6 April 2007, [Online: Web], Accessed 5th of April, 2011, URL. http://presidentmusharraf.wordpress.com/2007/04/06/time-asia-i-want-true-democracy-musharraf/,

favourite persons to the post of *Nazim*[60] (Shafqat, 2001: 1). His plan considerably weakened the powers of District Management Group (DMG) by transferring the magisterial powers to the district and session judges and revenue and police oversight powers to the district *Nazim*[61]. This restructuring had less to do with improving governance and empowering local governance than extending the regime's reach to the local level, sidelining mainstream political parties and bypassing the provincial legislatures[62] (ICG, 2010: 8). It is notable that Musharraf's military regime is distinct with its predecessors in the sense that where the previous military rulers used bureaucracy to gain political legitimacy, in Musharraf's period, the bureaucracy was sidelined in the name of empowering democracy, apparently, it was the military which was empowered, and not democracy. Thus the military intervention into the civilian bureaucracy saw a rise in Musharraf regime particularly through the appointment of Army Monitoring Teams. *The Army Monitoring Teams was the most important factor which has had adverse impact on administrative decentralisation, it is the other hypothesis of the study.*

[60] Munir, Shafqat (2001), Devolution of power to Elites at Grassroots, Research Paper: Journalists of Democracy and Human Rights, [Online: Web], Accessed 25th of May, 2011, URL. www.jdhr.org/publications/articles/Elections%20Engineering.pdf. p.1

[61] Government of Pakistan (2001), SBNP Local Government Ordinance 2001, National Reconstruction Bureau, [Online: Web], Accessed 22nd of March, 2011, URL. www.nrb.gov.pk/.../SBNP Local Govt Ordinance 2001.pdf, p.13-14

[62] International Crisis Group (2010), *Reforming Pakistan's Civil Service, Asia Report* N*185, 16 February 2010, p.8

CHAPTER 2: THE NEED FOR CIVIL SERVICE REFORM IN PAKISTAN

The term bureaucracy is defined mainly as a type of organisation in order to give the features of an efficient form of organisation. An organisation having some certain features thus can be referred as "bureaucracy". The civil service which is the subject of the present study is the subset of the public service. Civil service is a body of appointed officials who carry out the functions of government under the direction of the head of Government[63] (United Nations, 2011: 5). It is the core and permanent administrative arm of government and comprises permanent and pensionable officials working in government ministries, departments and agencies. Public service also includes the military, the police, teachers, health workers, local government workers and public enterprises. The civil service more specifically advises on and develops policy, implements government policies and programmes, and manages day-to-day activities.[64]

What is Civil Service Reform and Why Reform Civil Service?

Civil service reform is related to those actions which are aimed to bring organisational and structural changes in it. These changes may target to improve the efficiency and effectiveness of the civil service as well as to bring professionalism and rationality in the administration. In the face of increasing complexities of basic functions of the state, the civil service reforms also tends to update it with modern techniques and make them techno-savvy. These changes can be brought by various means including formation of committees and commissions to gather data and analysis of the existing civil service system to identify the need of reform. Further these changes can be instrumental to organisational restructuring, improving human resource-management and training and

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[63] United Nations, MGDG-Civil Service Reform Paper, [Online: Web], Accessed April 8, 2011, URL. http://unpan1.un.org/intradoc/groups/public/__/un/unpan001183.pdf, p.5

[64] Government and Social Development Research Centre, Civil Service Reform, Documents, [Online: Web], Accessed February 16, 2011, URL. http://www.gsdrc.org/go/topic-guides/civil-service-reform/introduction

enhancing pay and benefits. The importance of these measures in civil service reform is to bring out and strengthen public participation, transparency, and combating corruption. As a result of it the effectiveness and efficiency of civil service reform can be ascertained. It is stated in a World Bank Report, "The effectiveness and efficiency of a country's public sector is vital to the success of development activities, sound financial management, an efficient civil service and administrative policy, efficient and fair collection of taxes, and transparent operations that are relatively free of corruption all contribute to the efficiency in the delivery of public services"[65] (World Bank, 2008: xiii). While accepting the importance of civil service reform Donald Ketti says, "Although, civil service reform can seem the most boring issue in the world, it is critical because it permeates everything that government does, government's performance can only be as good as the people who do its work"[66] (Ketti, 1996: 3). A. L. Verma emphasises the long term prospect of civil service reform creating a government workforce of the right size and skill-mix, and with the right motivation, professional ethos, client focus and accountability[67] (Verma, 2006: 36).

There are very few countries of the world which are satisfied with their public bureaucracies and civil service systems[68] (Khurshid, 2006: 1227). Civil service reform is conceived to be important in order to provide administration with the requirement of the society. The society, today, is getting complex and thus generating plethora of necessities to be fulfilled by the administration. In this context, the state is faced with the compelling need of a skilled, transparent and efficient system of civil service with professional ethos[69] (Schiavo and Sunaram, 2001: 1). Today, the government in a welfare state is obliged to provide its people access to the quality based public services which depend in a large measure on the skills and efficiency of civil servants. Moreover, the successful

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[65] World bank (2008), *Public Sector Reform: What Works and Why, An IEG Evaluation of World Bank Support*, Washington DC: World Bank, p.xiii

[66] Ketti, Donald F. (1996), *Civil Service Reform: Building a Government that Works*, Washington: the Brooking, p.3

[67] Verma, A.L (2006), *Public Administration*, New Delhi: Lotus Press, p.36

[68] Khurshid, Anjum (2006), "Public Policy, Training and Civil Service Reform", *The Pakistan Development Review*, 45(4), p. 1227

[69] Schiavo-Campo, S. and Sunaram, P. (eds.), 2001, Government Employment and Compensation - Facts and Policies, in To Serve and To Preserve: Improving Public Administration in a Competitive World, *Asian Development Bank*, Manila, p.1

implementation of policies also depends upon professional and skilled civil servants. Regardless of how sound the formation of policies may be, the operational efficiency will be based on the quality of civil servants. In the 20th century, almost all the countries witnessed the shift from laissez-faire to regulation, from individualism to collectivism and from a state with limited powers to welfare and service state.[70] Now the societal needs are not limited merely to protection from external aggression and internal disturbances. The people expect the state to solve their problems rather than merely define their rights. The government is expected to expand its role from cradle to grave of the citizens[71] (Kuhnle and Sander, 2010: 77). The issue of Civil service reform has been discussed by various scholars as the pressing need of the present modern society. However, the phenomenon has not received any systemic analysis. Khurshid Anjum while expressing various aspects of this problem says, "There are countries which are dealing with legacies of the past colonial civil service systems while others are struggling with identifying the role of civil service in a changing political environment. Whatever the case may be, civil service reforms are a topic of interest around the world"[72] (Khurshid, 2006: 1227). Today, the forces of globalisation and the need of technological change have left the state with no other choice except alter its administration in order to keep pace with the world. With increasing globalisation and competition for services, capital and other resources, each nation of the world needs to develop government systems that can respond to the fast changing economic environment internationally. The increasing wave of competition in the age of a globalised economy necessitates the need to secure the interest of the people against the predatory nature of globalisation. The role of state in this regard acquired much weight as the protector of the interest of the people. Here the need of civil service reform again comes to the forefront. Notably civil service is an important organ to implement the policy and procedure of the state authority. The urgent need of reforms in civil service systems can be realised from the fact that the

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[70] Khan, Mohammed Iqbal (2005), "*Administrative Reforms in Pakistan: A Case Study of Administrative Tribunals*", Ph.D. Theses, Karachi: University of Karachi, [Online: Web], Accessed February 16, 2011, URL. http://eprints.hec.gov.pk/2303/1/2158.htm, p. 103

[71] Kuhnle Stein and Anne Sander (2010), "The Emergence of the Western Welfare State", in Francis G. Castles and else (eds.), *The Oxford Handbook of Welfare State*, New York: Oxford University Press, p.77

[72] Khurshid, Anjum (2006), "Public Policy, Training and Civil Service Reform", *The Pakistan Development Review*, 45(4), p. 1227

number of World Bank funded civil service reform programmes had grown enormously in recent years (Table 2).

Table 2: New Civil Service Reform Projects by Region and Year 1980-2001(Percentage of Total)

Region	1980-1986	1987-1993	1994-1997	1999-2001
East Asia and the Pacific	0	6	14	8
Europe and Central Asia	18	2	5	15
Latin America and the	27	12	11	16
Caribbean	5	5	8	11
Middle East and North	0	1	3	13
America	50	74	59	37
South Asia	100	100	100	100
Sub-Saharan Africa	22	65	37	62
Total				
Number of Projects				

Source: Mukherjee (2001).[73]

In spite of accepting the larger need to reform the civil service systems, there are many constraints in the way of reforming civil service for example the sheer size of civil service resulting complexity, the unacceptability of reforms by those people who are subject to the reforms, and poor and inconsistent quality of data on civil service performance, making it difficult to fine tune programmes. Mark Robinson admits the importance of political and institutional factors that contribute to successful governance reform[74] (Robinson, 2007: 521-548). According to him these factors include a combination of political commitment, technical capacity and gradual implementation. According to Christine Andrews, there is a need of legitimacy in the context of social

[73] Mukherjee R. (2001), Recent Trends in Lending for Civil Service Reform, *The World bank*, PREM Note No. 71, Washington, DC: The World bank

[74] Robinson, Mark (2007), "The Politics of Successful Governance Reforms: Lessons of Design and Implementation", *Commonwealth and Comparative Politics*, 45(4), 521-548

surroundings[75] (Andrews, 2008: 171-180). He argues that the interplay between public institutions and the surrounding social context is fundamental to developing a reform strategy. For him, lack of legitimacy is a major challenge to the civil service reforms in poorer and socio-economically stratified countries. Similarly, Shamsul Haq expresses his concern over the imitation of Western model of bureaucracy by developing countries without experiencing the contextual socio-historic events and realities which took place in Western countries in the way of development of western model of bureaucracy. He further argued that western model of bureaucracy was unlikely to suit the socio-economic necessities of the developing countries. According to him it led to the emergence of significant degree of incongruity and incompatibility between bureaucracy and society and consequently creating serious implications for the perpetuation of various administrative, political, economic and cultural problems in these countries[76] (Haque: 1997: 432-435). The Western model of bureaucracy which has been adopted in several developing countries require some presuppositions like: the existence of an advanced and stable political system, a considerable degree of political neutrality of bureaucracy, an effective mechanism of bureaucratic accountability based on public representation and participation, and an ideological atmosphere of liberal democracy. But the socio-historic realities in most of the emulative developing countries are devoid of these pre-suppositions. As a result of it, it is often seen that there is a clear contradiction between the aspiration of the people of developing countries and structure of civil service formed to address those aspirations. Further the emulative nature of civil service tries to address the problems of indigenous people with alien structure and nature of civil service. Meanwhile the need is to develop indigenous model of civil service to suit the very needs of the indigenous society.

The Need for Civil Service Reforms in Pakistan

After partition, the creation of India and Pakistan as two independent countries was followed by a lot of political upheavals and uncertainty. Especially, Pakistan faced

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[75] Andrews, Christina W. (2008), "Legitimacy and Context: Implications for Public Sector Reform in Developing Countries", *Public Administration and Development*, vol.28, pp.171-180

[76] Haque, M. Shamsul (Oct.1997), "Incongruity Between Bureaucracy and Society in Developing Nations: A Critique", *Peace and Change*, 22(4), pp. 432-435

several political, economic and social problems during its early years. Soon after independence, Pakistan's leaders realised that better administration was a crucial factor, a realisation common throughout the developing world, but particularly evident in Pakistan[77] (Gorvine, 1966: 187). It immediately had to set up a political and administrative machinery and Pakistan preferred to follow the colonial administrative structure instead of developing its own. It has been stated by Henry Frank Goodnow in these words, "the leaders of Pakistan faced with the need for administrators, naturally turned to those Muslims who had served in the higher services in India. They in turn, installed the system they knew best and which would best protect their interests. No other system was seriously considered" [78] (Goodnow, 1964: 28). Garth N. Jones has observed over Pakistan's bureaucracy the influence of both the Britain and the US, "Pakistan inherited a civil service with a long and illustrious history, a product of two great imperial civilisations. The civil service is a cultural artifact which is now caught in a transitional time"[79](Jones, 1997: 346). These two great imperial civilisation were of British empire and United States of America. Pakistan categorically inherited much tinge of both these imperial civilisations during its pre and post independence period. Pakistan's inheritance of British administration system determined several features of Pakistan's bureaucracy. Kennedy has perceived mainly four characteristics that define Pakistan's bureaucracy, namely, the secretariat system of bureaucratic authority, systemic preference for generalists, cadre system of organisation, and rigid and formal patterns of rank hierarchy[80] (Kennedy, 1987: 5-6).

The higher bureaucracy Civil Service of Pakistan (CSP) was the lineal descendent of the Indian Civil Service (ICS) and its characteristics are largely influenced by this colonial legacy. Albert Gorvine while quoting Tarzie Vittachi says that "Brown *Sahibs*" had been

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[77] Gorvine, Albert (1966), "Administrative Reform: Function of Political and Economic Change" in Guthrie S. Birkhead (eds), *Administrative Problems in Pakistan*, Syracuse: Syracuse University Press, p.187

[78] Goodnow, Henry Frank (1964), *The Civil Service of Pakistan: Bureaucracy in a New Nation*, New Haven: Yale University Press, p. 28

[79]Jones, Garth N. (1997), "Pakistan: A Civil Service In An Obsolescing Imperial Tradition", *Asian Journal of Public Administration*, 19(2), p. 346

[80] Kennedy, Charles H. (1987), *Bureaucracy in Pakistan*, Karachi: Oxford University Press, p.5-6

substituted for white ones[81] (Gorvine, 1966: 187). It was the mere replacement of person in authority and not the authority and its nature. Similar expression has been given by Ralph Braibanti when he says, "Structurally, the existing system is not unlike that in effect before independence"[82] (Braibanti, 1966: 242). The ICS cadre of British Civil Service System in India was highly exclusive, generalist and classical. The examination system which was designed to enter in the ICS permitted only people with superior education. As a result it led to the exclusive and elitist type of civil service. Almost all the important positions dealing with policy and administrative issues were reserved for the ICS cadre. The elite character of ICS was reinforced by relatively high salaries, secure tenure and a wide range of discretionary powers. The inherent elitist characteristics of ICS proved far away from the aspirations of the society and were the main source of diffusing British values in Pakistan's bureaucratic system. Apart from that, the British ICS officers who chose not to leave the country also played "an important role" in determining the form of bureaucratic system. There had been considerable foreign input in the form of reports and advice supplied by the many advisers who assisted in establishing the Pakistan Administrative Staff College, the National Institute of Public Administration, the Rural Academies, and sundry academic programmes. The presence of British influence is reflected by the fact that some fifty percent British Officers remained in Pakistan's Civil Service and it formed about 28 percent of the higher bureaucracy. From 1951 to 1960, a British Officer headed the Civil Service Academy in Lahore, thus a large number of new recruits infused with British tradition during their one year training. Four out of eight civil service reform efforts were headed by British officials during 1952-1958 [83] (Braibanti, 1966: 246). As the time passed, the direct British Influence began to decline, however it was replaced by the US. Since 1953, advisory services were being provided by Ford Foundation. Later, financial and

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[81] Gorvine, Albert (1966), "Administrative Reform: Function of Political and Economic Change" in Guthrie S. Birkhead (eds), *Administrative Problems in Pakistan*, Syracuse: Syracuse University Press, p.187

[82] Braibanti, Ralph (1966), *Research on the Bureaucracy of Pakistan*, Durham NC: Duke University Press, p.242

[83] Braibanti, Ralph (1966), *Research on the Bureaucracy of Pakistan*, Durham NC: Duke University Press, p.246, These four reports are (1) Report of the Reorganisation Committee- Sir Victor Turner, September, 1947, (2) Report of Financial Inquiry Regarding Allocation of Revenues- Sir Jeremy Raisman, 1952, (3) Development of Organisation and Methods Work in the Government- K S Jeffries, 1952, (4) Report of Administration Enquiry Committee- T B Creagh-Coen, 1953

administrative aid was also provided by the United States Agency for International Development. Three institutes of Public Administration were established with the help of United States, two of them under the auspices of Ford Foundation. In 1961, a rather enlarged network of training institutions was started under the operation and advice of University of Southern California. In 1959, Ford Foundation aided the establishment of Administrative Staff College and two academies of Rural Development[84] (Braibanti, 1966: 264-292). The CSP probationers were required to be proficient in horseback riding, were given membership in the exclusive Lahore Gymkhana Club, and attended mess nights where formal attire was required, and often important officials and guest were invited[85] (Jones, 1997: 346-347). A large number of CSP officers, educated in England, trained abroad with their knowledge of English sensed them with a superiority complex. The next two descending training institutions Finance Service Academy and Police Training Institute tended to replicate the Civil Service Academy. For Ralph Braibanti, the emphasis on sartorial splendor served to detach if not alienate the probationers from the larger society[86] (Braibanti, 1966: 292). Thus the British bureaucratic values tended to separate them from the society along with the remainder of bureaucracy.

This exclusiveness can also be recognised in regional terms, since during the earlier decade after independence, the province of East Pakistan (now Bangladesh), in particular, had been very poorly represented in the services. The data in Table 2 shows that more that 93% officers in superior services belonged West Pakistan. The uneven representation of the provinces has continued even after Bangladesh was separated, as the representation from Sind, North-Western Federal Province and Baluchistan is negligible, it was mainly dominated by the Punjabis[87] (Chaudhury, 1963: 77-78). A Perception Survey conducted by Pakistan Institute of Development Economics shows that during the period 2000-

[84] Braibanti, Ralph (1966), "The Higher Bureaucracy of Pakistan", in Ralph Braibanti (eds.) *Asian Bureaucratic Systems Emergent from the British Imperial Tradition*, Durham N.C. Duke University Press, p.264-292

[85] Jones, Garth N. (1997), "Pakistan: A Civil Service In An Obsolescing Imperial Tradition", *Asian Journal of Public Administration*, 19(2), pp. 346-347

[86] Braibanti, Ralph (1966), "The Higher Bureaucracy of Pakistan", in Ralph Braibanti (eds.) *Asian Bureaucratic Systems Emergent from the British Imperial Tradition*, Durham N.C. Duke University Press, p.292

[87] Chaudhuri, Muzaffar Ahmed (1963), *The Civil Service in Pakistan*, Dacca: National Institute of Public Administration, pp.77-78

2006, a majority of candidates appearing in the civil service were from Punjab province[88]
(Khan and Din, 2008: 3)

Table 3: The Position of East Pakistanis in Superior Civil Service in 1956

Posts	Number	West Pakistan	East Pakistan
Secretaries	19	19	-
Joint Secretaries	41	38	3
Deputy Secretaries	133	123	10
Under Secretaries	548	510	38
Total	741	690	51

Source: Chaudhuri Muzaffar Ahmed, The Civil Service in Pakistan, Dacca: NIPA[89]

Another feature which Pakistan's civil service inherited from British administrative system is the preference given to generalists. The ICS officers in the British Administration were expected to be generalists on diversity of subjects including law, history, politics, economics, local languages, ethnography. Following this tradition, Pakistan's civil service has been dominated by the generalists subordinating the technical services. This aspect of the bureaucracy was criticised by Rowland Egger and Bernard Gladiex, who were among the first of American public administration experts to survey administration in Pakistan. This power monopoly by the generalist was targeted in Bhutto's 1973 reforms by introducing the provision lateral entry; the influence of generalists could not be removed completely.

The characteristics of Pakistan's civil service, as discussed above, express the need of reforms in Pakistan's administration. As most of the features were related to the British

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[88] Khan, Faheem Jahangeer and Musleh-ud-Din (2008), "Students' Attitudes Towards Civil Service of Pakistan: A Perception Survey", *Research Paper: Pakistan Institute of Development Economics*, Karachi: Pakistan Institute of Development Economics, p.3

[89] Chaudhuri, Muzaffar Ahmed (1963), *The Civil Service in Pakistan*, Dacca: National Institute of Public Administration, p.77

inheritance of civil service and particularly the CSP, there existed a wide space to take the administration away from the colonial inheritance and adapt it to the indigenous needs of the society. The colonial inheritance of civil service was comprised of several demerits which was unlikely to suit the indigenous needs of the society. These were regional disparity in the selection of civil servants, dominance of generalists in civil service, and politically motivated civil service at apathy with the socio-economic needs of the society. Apart from that, the departure of the British from the subcontinent created the need to shift the state from a conventional administration to the development administration. The independence raised the expectations and hopes of the people for a better standard of living. Various experts on Pakistan state saw civil service reforms as one of the answers to all these problems. Pakistan, since its inception has a rich history of various committees and commissions who produced several invaluable suggestions to bring efficiency in Pakistan's administration. But on the other hand, ruling regime in Pakistan remained interested only in civil service manipulations driven by political interests rather than reform it. A variety of experts, local and foreign, as well as a number of high powered commissions and committees extensively studied the problems across the entire spectrum of administration. This chapter is limited to only those administrative reforms attempts which are related to the civil service reforms. A brief description of various importance attempts made on the part of government has been given below as well as summarised in Table 3: This description below is based on the study of Nasir Islam, Ralph Braibanti, Moummad Iqbal Khan and the report of National Commission for Governmental Reforms (Islam, 1989, Khan, 2005, Braibanti, 1966, NCGR, 2008).

➤ *Victor Turner Report-* The first attempt towards reforming bureaucracy was a reorganisation committee headed by Sir Victor Turner, the then finance secretary. It was formed just six days after the independence on Aug 21, 1947 and it submitted its report after two weeks. Its purpose was to advise on the staff strength for the seven ministries and the cabinet secretaries of the newly created central government. The Turner Report

has the distinction of being the first administrative survey in the history of Pakistan[90] (Braibanti, 1966: 216)

➢ *Justice Munir Commission*- The second committee was Pakistan Pay Commission headed by Chief Justice Mohammad Munir, with Muzaffar Hussain, CSP; Abdul Matin Chaudhury; and M. A. Mozaffar, AAS, as members. Its report was published in 1949 and 1950. Its findings received wide criticism within the bureaucracy by its comment that government service need not necessarily require the best talent. The commission recommended the scaling down of the salaries of the senior bureaucracy. The recommendations of the commission were implemented by the government despite a great deal of criticism within the bureaucracy[91] (Islam, 1989: 273-274)

➢ *Jeffries Committee*- In 1952, Mr. K. S. Jeffries, an official of U. K. treasury, was requested by the Government of Pakistan to prepare a report on Development of Organisation and Methods work in the administration[92] (Khan, 2005: 108).. This report is significant because it marks the beginning of Organisation & Methods work in Pakistan.

➢ *Rowland Egger Commission*- In 1953, the Ford Foundation sponsored a study by Rowland Egger. He prepared a 134 page report titled *"The Improvement of Public Administration in Pakistan"* often called as Egger Report. Nasir Islam has called it probably one of the most important documents in the history of administrative reforms in Pakistan[93] (Islam, 1989: 274). Rowland Egger made strong criticism at Pakistan's secretariat system which separated policy making from policy implementation. He also criticised the dominance of generalists' in whose hands the decision making power rested. Numerous communications related to final approval of high policy matters were handled by generalists with no background, experience, or competence in the technical areas.

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[90] Braibanti, Ralph (1966), *Research on the Bureaucracy of Pakistan*, Durham NC: Duke University Press, p.216
[91] Islam, Nasir (1989), "Colonial Legacy, Administrative Reform and Politics: Pakistan 1947-1987", *Public Administration and Development*, 9(3): pp. 273-274
[92] Khan, Mohammed Iqbal (2005), *"Administrative Reforms in Pakistan: A Case Study of Administrative Tribunals"*, Ph.D. Theses, Karachi: University of Karachi, [Online: Web], Accessed February 16, 2011, URL. http://eprints.hec.gov.pk/2303/1/2158.htm, p. 108
[93] Islam, Nasir (1989), "Colonial Legacy, Administrative Reform and Politics: Pakistan 1947-1987", *Public Administration and Development*, 9(3): p. 274

Table 4: Administrative Reforms in Pakistan

Chairman/Author	Title of Report	Date Reported
Sir Victor Turner	Administrative Reorganisation	1947
M. Munir/ Chief Justice	Pay and Service Commission	1949
S. Ghulam Bhik Nairang	Report of the House Committee	1951
K.S. Jeffries		1952
Rowland Egger US/AID Expert	The Improve of Public Administration in Pakistan	1953
T.B. Creagh- Coen	Report of the Administrative Enquiry Committee	1953
Bernard L. Gladieux, Ford Foundation	Reorganisation of Pakistan Government for Development	1955
Akhtar Hussain	Report of the Provincial Administrative Commission	1960
N. A. Faruqui	Report of the Provincial Re-Organisation Committee-West Pakistan	1961
G. Ahmad, Police Service of Pakistan	Administrative Reorganisation of Pakistan	1961
M. Shoaib, finance minister	Reorganisation of Public Administration	1962
A.R. Cornelius, Chief Justice	Pay and Service Commission	1962
Fazl-e-Akbar, Chief Justice	Regional Administrative Organisation	1969
D. K. Power	Report of the Working Group on the Re-organisation of the Service Structure	1969
K. H. Meer, Establishment Minister	Administrative Reforms Committee Report	1973
S. Anwar-ul-Haq, Chief Justice	The Civil Service Commission Report	1981
A.G.N Kazi	Report of the Pay Committee	1983
Dorab Patel, Chief Justice	Administrative Reform Commission	1991
Hafiz Pasha	Report of the Committee on Downsizing of the Federal Government	1997
Moeen Afzal	Pay and Pension Committee	2001
Ishrat Hussain, Former Chairman of State Bank of Pakistan	National Commission on Governmental Reforms	2008

Source: National Commission for Governmental Reforms Report[94]

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[94] Government of Pakistan (2008), *National Commission for Governmental Reforms* Prime Minister's Secretariat, Islamabad [Online: Web], Accessed February 16, 2011, URL. www.csru.gov.pk/Forms/Final_Report.pdf

Rowland suggested that the highest post in the secretariat be opened to men from technical service cadres- engineering, agriculture, medicine. He found the recruitment standards out-dated and the selection system self-perpetuating. He recommended the unification of the entire group of employees into Civil Service of Pakistan with internal groupings for administrative purposes e.g. Administration, Foreign Service, Accounts etc. He also suggested standardised pay scales based on comprehensive job analysis

➤ *Report of Pakistan Government for National Development-* In 1955 Mr. Bernard Gladieux, also from USA was engaged by Pakistan's government as consultant on Public Administration. It was the second major report by a foreign consultant, written for the planning commission. Gladieux was mainly assigned to undertake the study of the organisation of Pakistan's Government with particular reference to the provinces. It was written under the title *Report of Pakistan Government for National Development.* Gladieux was even more critical of the superiority of the generalists over the specialists. He criticised both the organisational and personnel system. He found the secretariat administration "precedent-bound and dependent on clerical employees"[95] (Islam, 1989: 274). Regarding personnel system, he criticised it for being self perpetuating and relying excessively on academic standards. He recommended for drastic decentralisation. He said that technical and professional civil servants also possessed administrative skills and should be encouraged to hold higher positions.

➤ *Administrative Reorganisation Committee-* Administrative Reorganisation Committee was perhaps the most important administrative reform effort undertaken by martial law regime. This committee consisted of career civil servants and was chaired by Mr. G. Ahmad, a member of Police Service of Pakistan (PSP). The Report of the Ahmad Committee was probably the first major reform document not to be classified and suppressed. It was mainly deputed by the Government to make suggestions about the organisational structure, functions and procedures of the ministries,

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[95]Islam, Nasir (1989), "Colonial Legacy, Administrative Reform and Politics: Pakistan 1947-1987", *Public Administration and Development,* 9(3): p. 274

departments and subordinate offices of the government. He submitted two reports to the Government- first in 1956 and second in 1962. Its major recommendations were to introduce the Section Officer's Scheme to improve the secretariat; create an economic pool for recruitment to the senior positions in economically oriented ministries; give financial powers to ministries abolishing the multiple approval procedures; and modify the responsibilities of the Foreign Service Officers[96] (Islam, 1989: 275). These recommendations were successfully implemented. Gorvine and Braibanti both consider this report as most significant reform effort in Pakistan's history. For Braibanti it is the most comprehensive administrative reform effort and the first undertaken under the aegis of martial law[97] (Braibanti, 1966: 223)

> *Reorganisation of Public Administration Committee:* This was a Standing Reorganisation Committee, appointed in 1962, under the chairmanship of Muhammad Shoaib, the then finance minister. Its main task was the revival of functional and structural reorganisation of public administration at federal level, in the light of 1962 constitution[98] (Khan, 2005: 92). It was made responsible for follow-up and oversight the implementation process.

> *Pay and Service Commission:* It was appointed by Ministry of Finance under the chairmanship of A. R. Cornelius, the then Chief Justice of Supreme Court of Pakistan in 1959. The terms of reference of the second (Cornelius) Pay and Service Commission were considerably broader than those of the earlier 1948 (Munir) Pay Commission[99] (Braibanti, 1966: 223). This report was classified and released later in 1969. The Commission proposed thorough overhaul of the bureaucratic system inherited from the British[100] (Kennedy, 1987: 55). It recommended the unification of

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[96] Islam, Nasir (1989), "Colonial Legacy, Administrative Reform and Politics: Pakistan 1947-1987", *Public Administration and Development,* 9(3): p. 275

[97] Braibanti, Ralph (1966), *Research on the Bureaucracy of Pakistan,* Durham NC: Duke University Press, p.223

[98] Khan, MI (2005), "Pakistan's Initiatives for Administrative Reforms and its Impediments", *Gomal University Journal of Research,* Vol.22, p.92

[99] Braibanti, Ralph (1966), *Research on the Bureaucracy of Pakistan,* Durham NC: Duke University Press, p.223

[100] Kennedy, Charles H. (1987), *Bureaucracy in Pakistan,* Karachi: Oxford University Press, p.55

the disparate services into a seven tiered structure[101] (Gorvine, 1965: 329). It suggested replacing the CSP with a Pakistan Administrative Service which would also include technical services. Thus Cornelius Committee sought to end the elite character of the CSP and improve the status and mobility of specialists in a significant manner[102] (Islam, 1989: 275). The provision of the inclusion of specialist in CSP in a significant manner sought to encourage a more participatory role of civil society in CSP. Thus the inclination of the report was to democratise the institution of CSP.

➢ *Hardin Report on Agricultural Administration-* This report was submitted to Food and Agricultural Commission (FAC) by Charles M. Hardin, a World Bank· consultant to Food and Agricultural Commission. Like the Gladieux Report, Hardin Report was never published as a separate document rather it was incorporated in FAC's Report as Chapter VI and VII. It provided several suggestions to improve the government machinery in order to increase agricultural production. According to Ralph Braibanti, these chapters are the best analysis of secretariat and local administration in print, largely because they deal with the traditional bureaucratic system and rural development administration in a coordinated way (Braibanti, 1966: 224).

➢ *Administrative Reforms Committee-* In 1972, a high powered Administrative Reforms Committee was constituted under the chairmanship of Khurshid Hassan Meer, the then federal minister without portfolio. Mr. Ghulam Mustafa, federal minister for Political Affairs and Communications was a member and the second member of the committee was Justice (Rtd) Faizullah Khan Kundi, Chairman of the Federal Public Service Commission. Mr. Waqar Ahmed, Establishment Secretary was the third member. The committee was required to review the proposals and recommendations made by various experts that were already available. The committee was also required to chalk out an action programme of administrative reforms, keeping in

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[101] Gorvine, Albert (1965), "The Role of Civil Service under the Revolutionary Government", *The Middle East Journal*, 13(3), p. 329

[102] Islam, Nasir (1989), "Colonial Legacy, Administrative Reform and Politics: Pakistan 1947-1987", *Public Administration and Development*, 9(3): p. 275

sight the current requirement[103] (Khan, 2005: 92). This committee submitted its report in 1973 to the government. The committee considered following as major issues concerning Pakistan's administration:[104] (Jones, 1997: 339).

o Unification of service structure

o Eradication of corruption

o Reorganisation of recruiting arrangements

o The Secretariat and departmental organisation, and

o The Field Administration.

The committee did not make any detailed recommendations on items 2, 4 and 5. Concerning item 3 the major recommendation of the committee was to combine the Federal Public Service Commission and the Establishment Division into central Management Agency responsible for function of personnel recruitment. The most important recommendation of this committee concerned was of service structure. All classes (I, II, III, IV) and service labels (CSP etc) were to be abolished. Another significant but controversial recommendation was to institute a two way traffic of personnel between the public and private sector to permit the government to recruit talented people from banking, trade, and industry sectors for senior level positions in government which was later called as lateral entry[105] (Islam, 1989: 276-277). The recommendations on unification and lateral entry were accepted by the government and were duly implemented. The policy which Bhutto's Government adopted for Civil Service Reform included:[106] (Kennedy, 1987: 25) (1) The abolition of CSP Academy; (2) the adoption of a uniform pay scale that reduced CSP officers' comparative advantage in salary structure; (3) the elimination of reservation of posts

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[103] Khan, MI (2005), " Pakistan's Initiatives for Administrative Reforms and its Impediments", *Gomal University Journal of Research*, 22: p.92

[104] Jones, Garth N. (1997), "Pakistan: A Civil Service In An Obsolescing Imperial Tradition", *Asian Journal of Public Administration*, 19(2): p.339

[105] Government of Pakistan, 1981, pp. 31-37 as quoted in Islam, Nasir (1989), "Colonial Legacy, Administrative Reform and Politics: Pakistan 1947-1987", *Public Administration and Development*, 9(3): pp. 276-277

[106] Kennedy, Charles H. (1987), "Prestige of Services and Bhutto's Administrative Reform in Pakistan, 1973-1984", *Asian Affairs*, 12(3), p. 25

for CSP officers; (4) the abolition of CSP as a group; and (5) the introduction of lateral recruitment, designed in part to politicise the bureaucracy.

> *Justice Anwar ul-Haq Commission-* Under the Martial Law Government of General Zia-ul-Haq, a reform commission was appointed under the chairmanship of Justice Anwar ul-Haq. The commission was established in February 1978 and it issued its report in September 1979. However, this report was never made public. The recommendations which emerged from this commission envisaged profound departures from Bhutto's system. For instance, among its many recommendations the commission urged the abolition of all occupational groups; the creation of several technical branches to accommodate specialists in the fields such as agriculture, education, engineering and medicine, the complete overhaul of District Administration, and the creation of numerous in-service training institutions[107] (Kennedy, 1987: 101). Most of the recommendations given by the committee were accepted by Zia ul-Haq Government.

> A Services Reforms Commission was established in 1989, under the chairmanship of Mr. Justice Dorab Patel, the Commission, however, could not finalise its report and instead the Chairman submitted his own recommendations to the Government in 1991. No action was however taken on the recommendations[108] (NCGR, 2008: 28).

> In August 1997, another Commission on Administrative Restructuring was appointed, under the chairmanship of Mr. Fakhar Imam, mainly for right sizing the Federal government and identifying surplus personnel. The commission strongly recommended for downsizing the civil service especially at lower levels in order to balance it with the higher bureaucracy.[109] The Commission submitted its report in

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[107] Kennedy, Charles H. (1987), *Bureaucracy in Pakistan*, Karachi: Oxford University Press, p. 101
[108] Government of Pakistan (2008), *National Commission for Governmental Reforms* Prime Minister's Secretariat, Islamabad, [Online: Web], Accessed February 16, 2011, URL. www.csru.gov.pk/Forms/Final_Report.pdf, p.28

[109] Pakistan and Gulf Economist (2000), *Downsizing in government departments*, [Online: Web], Accessed April 7, 2011, URL. www.pakistaneconomist.com/issue2000/issue43/i&e1.htm

February 1999, but before its recommendations could be deliberated upon, the Government of Prime Minister Nawaz Sharif was dismissed in October 1999.

➤ *Local Government Plan 2000*, prepared by the National Reconstruction Bureau, (NRB) under the chairmanship of Lt. Gen (Retired.) Tanvir Naqvi included the most sweeping reforms introduced in Pakistan since 1973. Apart from political changes, the administrative restructuring of district administration abolished the posts of Commissioner, Deputy Commissioner, and Assistant Commissioner and transferred the powers historically and traditionally enjoyed by these officers, to indirectly elected *Nazims* at the District, *Tehsil* and Union levels. The executive magisterial powers, under which the Deputy Commissioner exercised checks and balances on the police officers, were also taken away. (The LGP will be discussed later in detail.)

➤ *National Commission for Governmental Reforms*- In 2006, the National Commission for Governmental Reforms was set up to recommend reforms that would enable "the Government , its institutions and infrastructure" to better "meet the social, economic and political challenges that Pakistan faces in the 21st century"[110] (NCGR, 2008: 5). The commission was headed by a retired civil servant and former State Bank Governor, Dr. Ishrat Husain. It submitted its report after two years, in May 2008, to Prime Minister Yusuf Raza Gilani. The Prime Minister has appointed Chaudhry Abdul Gafoor, a PPP parliamentarian in order to revisit the recommendations and produce a new report. The NCGR report recommends administrative restructuring, human resource management, and simplification of existing rules and procedures and improvements in service delivery. Discarding the original report in favour of a new one may unnecessarily divert resources and delay implementation[111] (ICG, 2010: 10).

The above description of various governmental reform commissions and committees shows that there have been rich sources of various plans and proposals to improve the

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[110] Government of Pakistan (2008), "National Commission for Governmental Reforms", Prime Minister's Secretariat, Islamabad, [Online: Web], Accessed February 16, 2011, URL. www.csru.gov.pk/Forms/Final_Report.pdf, p.5

[111] International Crisis Group (2010), "Reforming Pakistan's Civil Service", *Asia Report* N*185, 16 February 2010, p.10

civil administration in Pakistan.[112] They have identified the major structural weaknesses in Pakistan's civil service structure as regional disparity in the selection of civil servants, dominance of generalists in civil service, and politically motivated civil service which is devoid of socio-economic needs of the society. On the face of it the civil service in Pakistan needs a major overhaul. To address the above mentioned weaknesses several committees and commission had been constituted in Pakistan to recommend suggestions to reform Pakistan's civil service. The main recommendations include the report of Rowland Egger Commission, Report of Pakistan Government for National Development, Report of Pay and Service Commission, and Report of Administrative Reforms Committee (1973), National Commission for Government Reforms (NCGR). The main orientation of these reports was to address the dominance of generalists in Pakistan's civil service and drastic decentralisation of power. Rowland suggested that the higher posts in the secretariat be opened to officials from technical service cadres-engineering, agriculture, medicine etc. He found the recruitment standards out-dated and the selection system self-perpetuating. Bernard Gladieux report of Pakistan's Government for National Development recommended for drastic decentralisation. He said that technical and professional civil servants also possessed administrative skills and should be encouraged to hold higher positions to check the centralisation of power in the hands of generalists. Following the same line of recommendations reports of Pay and Service Commission, Administrative Reform Committee and the NCGR suggested the inclusion of technical services and technical personnel's in Pakistan Administrative Service. Report of Administrative Reforms Committee (1973) went a step further and recommended to permit the government to recruit talented people from banking, trade, and industry sectors for senior level positions in government.

These reports were in the way to promote decentralisation of administration which might prove a panacea to the ills of civil service in Pakistan. The decentralisation of civil service and inclusion of other professions in civil service might have been quite fruitful in the direction to achieve an inclusionary civil service covering experts from different

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[112] A list of various steps which were undertaken to reform the civil service has been given in the Annexure A.

backgrounds. Moreover, the Local Government Plan 2000, which was for administrative decentralisation and restructuring, also failed to address above problems. There were several reasons behind its failure which will be discussed in the next two chapters, here it is suffice to say that administrative decentralisation at the local level having an undemocratic military government at the centre can never be expected to devolve and decentralise power in its true spirit. Unfortunately, neither of these reports had attended the problem of bringing attitudinal changes in the civil services. None of them had given thrust on human resource management, training and career planning. The need of evolving a national training policy had not been identified. It is necessary in order to infuse professional attitude, motivation and competence among civil servants to deal with complex issues of governance.

Civil Service Reforms of 1973

Although, Pakistan has a rich history of various committees and commissions formed to give recommendations and suggestions to bring structural and attitudinal changes in the civil service, none of the previous reforms were as effective as those of Z. A. Bhutto. For the first time in the history of Pakistan, Civil Service had undergone such sweeping changes which affected its power and strength to a large extent. For more than two decades, the CSP had enjoyed such power and influence that enabled it to prevent all administrative reforms threatening its special status. The classical generalist tradition, the elite position of the CSP in the public service hierarchy, special privileges and promotion facilities, and the secretariat structures all remained intact until the end of Yahya regime[113] (Islam, 1990: 73). In 1973, with the removal of Yahya Khan Marshal Rule, Zulfikar Ali Bhutto came into power. The new civilian regime brought with itself new constitution promulgated on August 14, 1973. Based on the recommendation given by Justice Muneer Committee, Bhutto announced his 'revolutionary reforms' in the administrative system of Pakistan. One of the important innovations of 1973 constitution was the withdrawal of "constitutional guarantees" of civil servants[114] (Burki, 1980:

[113] Islam, Nasir (1990), "Pakistan", in V. Subramanian (eds.) *Public Administration in the Third World*, Westport CT: Greenwood Press, p.73

[114] Burki, Shahid Javed (1980), *Pakistan Under Bhutto*, London: Macmillan Press Limited, p. 98

1998). It was only the one of many steps, undertaken to bending the steel frame of civil service[115] (Burki, 1995: 236) Other measures of the restructuring policy can be described as follows:

> The service cadres were abolished and they were replaced with 'Occupational Group' based on the function of the cadre. The elite CSP which dominated civil service positions at all levels of administration- federal, provincial and district- was abolished. With the view of bringing more equality in the services Bhutto reduced the levels of hierarchy limiting them to four classes- Class I to Class IV. He also ended the complex grading system reducing from about a hundred to only 22[116] (Kennedy, 1987: 54).

> The CSP cadre was bifurcated into a District Management Group (DMG) and Tribal Areas Group (TAG). The All Pakistan services which comprised only the CSP and PSP cadres, now comprised the DMG, TAG, the Police Group and a newly formed Secretariat Group. The All Pakistan Services were renamed the All-Pakistan Unified Group while other federal services, previously known as Central Services, were designated the Federal Unified Group[117] (ICG, 2010: 5).

> The modification in the classification was followed by the changes in the pay structure. As the 1973 reforms were implemented, the archaic and chaotic system of some 600 pay scales was abolished and replaced with a Unified National Pay Scale consisting of 23 grades. The pay scales were again revised upward in 1977[118] (Kennedy, 1981: 92-97).

> The reforms also ended the practice of reserving positions for members of elite services, which were known as listed services and monopolised by CSP officers[119] (Kennedy, 1987: 78).

> It also established a programme of joint pre-service training.

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[115] In a speech to the British Parliament in 1922, Prime Minister Lloyd George famously referred to the Indian Civil Service as "the steel frame" that held together the British Raj.(Burki S. M.(1995), *The British Raj India: A Historical Review,* New Delhi: Oxford University Press, p. 236)

[116] Kennedy, Charles H. (1987), *Bureaucracy in Pakistan,* Karachi: Oxford University Press, p. 54

[117] International Crisis Group (2010), "Reforming Pakistan's Civil Service", *Asia Report* N*185, p.5

[118] Kennedy, Charles H. (1981), "Policy Implementation: The Case of Structural Reforms in Administrative System of Pakistan", *Journal of South Asian and Middle Eastern Studies,* 4(3):pp.92-97

[119] Kennedy, Charles H. (1987), *Bureaucracy in Pakistan,* Karachi: Oxford University Press, p. 78

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➢ In order to reduce the influence of Generalists in the services, the provisions of 'lateral recruitment' was introduced. According to it, individuals without cadre affiliation could be appointed to posts within the Central Secretariat. A provision for vertical movement between cadres was also introduced.

The target of Bhutto's 1973 reforms was first, to demolish the colonial structure of Pakistan's bureaucracy, second, break the dominance of the CSP in decision making process and make them responsible to political institutions and third to make bureaucracy more egalitarian. It may be questioned that how- the CSP- which was resistant to change and opposed to every previous effort which targeted its dominance, could be bent during Z.A. Bhutto. Various analysts have examined 1973 administrative reforms and opined that there were various factors which contributed to create an environment that demanded reforms in administrative structure. Saeed Shafqat perceived mainly three factors which led to the 1973 reforms: Student disturbances of 1968-69, dismemberment of the country and rise of Pakistan People's Party (PPP) to power[120] (Shafqat, 1999: 1005-1006).

During the student protest of 1968-69, and the period preceding Martial Law, the resentment against the structure of administration of the country figured prominently. People in all walks of life including a majority of those in government services condemned this structure on several grounds like bureaucracy being seen as the relic of colonial past consisting of ruler and ruled relationship between administration and the people and consequently it was unsuited to the needs and aspirations of a free and sovereign people[121] (Kennedy, 1987: 77). At the same time, the report of Cornelius Committee also argued for bringing vital improvement in the administrative system as well as strengthening of democracy[122] (Haque, 1970: 145-149).

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[120] Shafqat, Saeed (1999), "Pakistani Bureaucracy: Crisis of Government and Prospects of Reform", *The Pakistan Development Review*, 38 (4), pp. 1005-1006

[121] Cornelius Committee Report (1970) as cited in Charles H. Kennedy (1987), *Bureaucracy in Pakistan*, Karachi: Oxford University Press, p. 77

[122] Haque, Shamsul (1970), *Administrative Reforms in Pakistan: An Analysis of Reform Commission Reports in the Light of United Nations Doctrine*, Islamabad: National Institute of Public Administration, pp.145-149

The Indo-Pakistan conflict which led to the dismemberment of the country also undermined the position of the bureaucracy[123] (Kennedy, 1987: 78). Bureaucracy in general and CSP in particular were held responsible for the dismemberment of the country, thus challenged the prestige and power of the CSP.

The electoral victory of the PPP in West Pakistan and the kind of attack on bureaucracy that Bhutto and his party started during the anti-Ayub movement emerged as an important contributory factor. Prime Minister Bhutto's motive was to establish political supremacy over the senior bureaucracy and to break the power monopoly of the CSP. Bhutto, as leader of the PPP has directly experienced the heavy hand of the bureaucracy in curbing the basic political freedoms of the people[124] (Burki, 1980: 100). After getting hold of political power, Bhutto was determined to challenge the dominant position of the CSP.

Thus it cannot be denied that the prestige of the authoritative bureaucratic system was reduced to some extent by Bhutto's policies, it failed to bring radical changes in in its dominating structure. Although, the organisational structure of bureaucracy underwent considerable change, most notably through the CSP's abolition, the elite cadre continued to enjoy wide ranging power[125] (Shafqat, 1999: 1007). The power of the CSP now shifted to its analogous the DMG. However, it could not regain the same supremacy CSP had enjoyed during the Ayub era, particularly because of the personal, autocratic style of Prime Minister Bhutto[126] (Islam, 1990: 75) The lateral entry scheme, which was introduced to reduce the influence of generalists by giving specialised services more importance in the civil service system, was in fact used to recruit those officials which supported the Bhutto regime. The new system of lateral entry was not administered by the Federal Service Commission; instead the entrants had only to satisfy the not very rigorous admission standards set by Establishment Division. Between1973-77, the establishment ministry inducted 1374 officers into government service, a number three

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[123] Kennedy, Charles H. (1987), *Bureaucracy in Pakistan*, Karachi: Oxford University Press, p. 78
[124] Burki, Shahid Javed (1980), *Pakistan Under Bhutto*, London: Macmillan Press Limited, p. 100
[125] Shafqat, Saeed (1999), "Pakistani Bureaucracy: Crisis of Government and Prospects of Reform", *The Pakistan Development Review*, 38 (4), p. 1007
[126] Islam, Nasir (1990), "Pakistan", in V. Subramanian (eds.) *Public Administration in the Third World*, Westport CT: Greenwood Press, p.75

times as large as the one that would have been possible under the old system[127] (Burki, 1980: 102).

The 1973 reforms also failed to achieve equality in real terms. Although, it helped to facilitate integration among 12 federal services as well as ensured equality of pay scales among all groups and services, they did not provide a clear vision and framework for equal opportunity and prospects of promotions for all groups. Apart from that the benefits which 1973 reforms achieved were rolled back during General Zia-ul-Haq rule. He reframed the secular bureaucracy on ideological orientation through measures such as a uniform dress code and enforced prayer breaks during office hours. There was a minimal emphasis on professional work ethics so long as officials were deemed "good" muslims.[128] Following the recommendations of Justice Anwar-ul-Haq commission, Zia ul-Haq abolished the lateral recruitment system, merged TAG with the DMG, expanded reservations for the military personnel in the civilian bureaucracy and halted direct recruitment to the Official Management Group (OMG). Indeed, the cessation of lateral recruitment, the abolition of the TAG, and the disencadrement of the OMG all tended to blunt the thrust of Bhutto's service reforms.[129] The militarisation of bureaucracy which was being followed during earlier regimes on ad hoc basis was properly institutionalised during Zia ul-Haq. While Zia initially only re-employed retired military officers on a contract basis, in 1980, he decreed that 10 per cent of vacancies in the federal bureaucracy would be reserved for retired or released military officers. These officers would not be selected by the FPSC but by a High Powered Selection Committee headed by Zia himself[130] (ICG, 2010: 6).

The establishment of the institution of ombudsman under the rubric of "Wafaqi Muhtasib" seemed to be the only positive initiative was undertaken under General Zia ul-Haq regime. It was established by the President Order No.1 of 1983 which explains that it is an autonomous institution in its working. It is primarily concerned with the diagnosis,

[127] Burki, Shahid Javed (1980), *Pakistan Under Bhutto*, London: Macmillan Press Limited, p. 102
[128] Sayeed, Shafqat and Saeed Wahla, "Experimenting With Democratic Governence: The Impact of the 2001 Local Government Ordinance on Pakistan's Bureaucracy" as quoted in International Crisis Group (2010), "Reforming Pakistan's Civil Service", *Asia Report* N*185, p.5
[129] Kennedy, Charles H. (1987), *Bureaucracy in Pakistan*, Karachi: Oxford University Press, p. 102
[130] International Crisis Group (2010), "Reforming Pakistan's Civil Service", *Asia Report* N*185, p.6

investigation, redress and rectification of any injustice done to a person through the maladministration of a federal Government Agency. This institution could be a significant effort in order to revive the concept of administrative accountability in Pakistan. However due to several legal loopholes, it has failed to work effectively[131] (Khan, 2006: 97).

The Bureaucratic Activism amid Weak Political Institutions

Although, the civil service reform attempts have always been in vogue in Pakistan's politics, they have proved to be merely a paper tiger in the absence of proper implementation. The government of Pakistan has failed to identify the lack of balance among various institutions of Pakistan. Due to some historic reasons, the military and bureaucracy in Pakistan were much more developed than political institutions. Given the deteriorating and unstable internal political situation, political institutions were not further allowed to flourish, and the political instability provided the opportunity for the civil service to take control of the state. On the face of it bureaucracy in Pakistan tended to overshadow each and every branch of government and decision-making institution. This problem has been stated by Andrew Wilder in these words, "the concentration of power in the executive branch, usually controlled by the civil and military bureaucracies, has been at the expense of the legislature as well as at the judiciary"[132] (Wilder, 2009: 19-37). This situation led the CSP to be more centralised and powerful.

The ICS, the predecessor of CSP played a constructive role in keeping the administration of British India intact. The CSP was faced with somewhat similar situations following several political and economic upheavals on one hand and inability of political regime to deal with them on the other. The situation admirably suited the CSP, it flourished and thrived in the near political vacuum in which it had been called to perform[133] (Burki, 1980: 98). Robert LaPorte Jr. described his opinion about the powerful position of the bureaucracy in these words, "the civilian bureaucracy did not usurp power but filled the

[131] Khan, MI (2006), "Pakistan's Initiatives for Administrative Reforms and its Impediments", *Gomal University Journal of Research,* Vol.22, p.97

[132] Wilder, Andrew (2009), "The Politics of Civil Service Reform in Pakistan", *The Journal of International Affairs,* 63(1): 19-37

[133] Burki, Shahid Javed (1980), *Pakistan Under Bhutto,* London: Macmillan Press Limited, p. 98

power vacuum which was created by the turbulence of the parliamentary period and adjusted to the realities of military regime of the 1958 to 1971 period"[134] (Lawrence and LaPorte, 1974: 1096). After independence, both Jinnah and Liaqat continued to rely heavily on the CSP: the only model of government that Pakistan leaders had known was that of the British viceregal system in India under which bureaucrats had exercised power .....without any interference from politicians[135] (Sayeed, 1967: 62-63). During the military regime there emerged a nexus between civilian and military bureaucracy which was certainly at the cost of democratic institutions. Alavi has called this nexus 'a military bureaucratic oligarchy' in which military remains central to the interest of the dominant class.[136] The CSP had nourished and supported autocratic military or dictatorial regimes, and prevented the march of democracy[137] (Burki, 1980: 98). Thus bureaucratic activism free handedly molded and manipulated the structure and working of other institutions, otherwise latter could play a balancing role to control formers unrestrained activities. Although, an admirable effort was made during Bhutto's regime in order to redress the power imbalance within the bureaucracy, the relative weakness of the political institutions was not given importance. Any reduction of power of the bureaucracy could sustain along with the strengthening of political institutions. Moreover, Bhutto's 1973 Civil Service Reforms were followed by quick politicisation. In fact, the "bureaucratisation of the society" was reversed at the price of "politicisation of bureaucracy"[138] (Ziring and LaPorte, 1974: 1087). The deep politicisation of civil service destroyed the concept of a neutral and competent civil service[139] (Wilder, 2009: 19-37).

Various authors have suggested that Bhutto, unlike his predecessors, succeeded in bringing civil service reforms due to various internal and external factors, a brief analysis of the previous situation shows that this was not the case. Previous regimes although

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[134]Lawrence and Laporte, Robert Jr.(1974), "The Pakistan Bureaucracy: Two Views" *Asian Survey*, 14(12), p.1096

[135] Sayeed, Khalid Bin (1967), *The Political System of Pakistan*, Bostan: Houghton Mifflin, pp.62-63

[136] Alavi, Hamza (1977), "The State in Post-Colonial Societies: Pakistan and Bangladesh", *New Left Review*, 74, p.

[137] Burki, Shahid Javed (1980), *Pakistan Under Bhutto*, London: Macmillan Press Limited, p. 98

[138] Ziring, Lawrence and Laporte, Robert Jr.(1974), "The Pakistan Bureaucracy: Two Views", *Asian Survey*, 14(12): 1087

[139] Wilder, Andrew (2009), "The Politics of Civil Service Reform in Pakistan", *The Journal of International Affairs*, 63(1): 19-37

showed the intent to alter the power position of the CSP but they were actually being benefitted by maintaining the status quo, therefore they brought only those changes which were needed for regime survival and political legitimacy. In short the government in power had been only interested in structural manipulation and modification of the bureaucracy rather than reforming it. This is also true about Z. A. Bhutto's 1973 reforms. Bhutto noticed that CSP, the core of the civil service, was a major hindrance in the way of his socialist policies' implementation, so it was decided to bring it down. This was the reason that major reports by various committees and commissions, foreign and Pakistani experts were kept under secret or only that report or a part of report was released which benefitted the ruling regime. In fact, during Bhutto's regime also, only those recommendations by Meer Committee was implemented, which suited best to his own political interest.[140] Moreover, the reforms brought only structural changes and no attempt was made to bring attitudinal change. Many CSP officials remained in the service and it brought change only in nomenclature and the power of the CSP shifted to the District Management Group. The need of attitudinal change from law and order to developmental administration was not been acknowledged. Although, Bhutto introduced the provision of lateral entry of the specialists in order to reduce the influence of generalists in the civil service system, in actual this lateral entry system was misused first by Bhutto for bringing in favourable officials and then it was manipulated by General Zia ul-Haq to militarise the civil service by bringing in several military officials into the bureaucracy[141] (Kennedy, 1987: 5-6).

Further, the brief interval of civilian rule under Benazir Bhutto and Nawaz Sharif fell short to address this power imbalance and bring any expected and needed reforms in civil services but deepen the politicisation. The next decade (1999-2008) under General Pervez Musharraf intensified the militarisation of civil service through various devices like National Accountability Bureau, Local Government Plan and Army Monitoring Teams.

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[140] Meer Committee proposed mainly four areas to reform: unification of service structure, eradication of corruption, reorganizing the recruiting arrangements, the secretariat and departmental organisation, and the Field Administration. The 1973 reforms emphasised only the service unification and reorganising the recruiting arrangements.

[141] Kennedy, Charles H. (1987), "Prestige of Services and Bhutto's Administrative Reform in Pakistan, 1973-1984", *Asian Affairs*, 12(3), pp. 5-6

Within a month of military takeover, Pervez Mushrraf then Chief Executive of the State formed a National Accountability Bureau (NAB) which professed to combat corruption and ascertain the accountability of political and bureaucratic elites.

CHAPTER 3: MUSHARRAF'S DEVOLUTION PLAN AND CIVIL SERVICE REFORM

The return of military rule after a brief interval of democracy also brought out the tactic of targeting local government to gain legitimacy. In Pakistan, every reform experiment, aimed at devolving political, administrative and fiscal powers to local government, has led to the centralisation of political power in the hands of a non representative regime at the centre. Musharraf, like the two previous military rulers General Ayub Khan and Zia ul-Haq launched the scheme for local government empowerment entitled Local Government Plan 2000 in order to wrap the centralised control over lower levels of government. The scheme which ostensibly aimed at transferring administrative and financial powers to local governments in order to establish the foundations of genuine local democracy, was turned out to creating a pliant political elite that could help root the military's power in local politics and displace its traditional civilian adversaries[142] (ICG, 2010: i)

The local government plan was contradictory to the very purpose for the empowerment of democracy at local level as it was launched by a non-representative military regime at the centre where provinces were given a nominal role. Moreover, it was implemented selectively and was not applied to the cantonment areas in cities and districts. The Federal Administrative Tribal Areas (FATA) was also kept out of the plan[143] (Taj, 2010: 27). Further, its long term prospect was undermined by the fact that the local institutions were not provided long term constitutional guarantees as the 17th Constitutional Amendment offered only six years protection to local government system[144] (Cheema

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[142] International Crisis Group (2010), *"Devolution in Pakistan: Reform or Regression?"*, Asia Report No.77, 22 March, 2004, p.i

[143] Taj, Aamer (2010), *"Devolution Reforms in Pakistan"*, Centre for Public Policy Research, Peshawar: Institute of Management Sciences, p.27

[144] Cheema, Ali et. al. (2003), *"Decentralisation in Pakistan: Context, Content and Causes"*, [Online: Web], Accessed 28th March, 2011, URL. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=739712, p.398

et.al., 2003: 398). Thus, the Local Government Plan (LGP) 2000 died its natural death as soon as Musharraf departed in 2008.

It is required to understand the concept of decentralisation to understand the devolution of power in Pakistan and to examine to what extent this plan was able to address the problem of centralisation of power and authority in Pakistan.

Decentralisation

Decentralisation is a common practice throughout the world. It means different things to different people, and there is no common understanding of the term, although abundant work has gone into exploring its differing applications[145] (United Nations, 1999: 1). Decentralisation means the distribution or the dispersal of decision making authority, responsibility and financial resources both physically and institutionally mainly for providing public services from the centre to the lower level of the government such as branches, departments, divisions or subsidiaries. In a decentralised system the decisions are taken by those who are the most familiar with local conditions and demands; thus are supposed to be more effective and feasible in implementation. The lower the level of decision-making power in a country, the greater is the decentralisation. Thus decentralisation is a matter of degree.

There are various degrees of decentralisation based upon the extent of autonomy given to the sub-national units from the central government. Few countries are either completely centralised or decentralised and the two exist at the same time in a country. The challenge for most governments has been to find the proper balance between the two arrangements and to link them in ways that promote development most effectively.

There are three categories of decentralisation as follows:

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[145] United Nations (1999), *Decentralisation: A Sampling of Definitions*, [Online: Web], Accessed 17th April, 2011, URL. www.undp.org/evaluation/.../decentralisation_working_report.PDF, p.1

Deconcentration

It is the least extensive type of administrative decentralisation as it does not involve the downward transfer of decision making authority and autonomy from the central level. It basically aims to reduce the workload of the centre and therefore, in deconcentration only the central governmental officials are shifted from the central government to the subordinate lower level such as regional, provincial or district offices and not any decision making powers. Manor has called it "decentralisation without simultaneous democratization". He further says, "when agents of higher levels of government move into lower level arenas but remain accountable only to persons higher up in the system-it enables central authority to penetrate more effectively into those arenas without increasing the influence of organised interests at those levels"[146] (Manor, 1999). While deconcentrating the authority, the central government does not give up any authority. It simply re-locates its officers at different levels or points in the national territory where the extra workload creates such demands. In such circumstances, the authorities which are at the apex of the system enhance more leverage at the lower level and therefore this practice tends to constitute centralisation. In other words, the control of the centre is extented to the lower level and shifted higher officers from centre tend to influence the activities of lower level officers.

According to a report of United Nations, there are mainly two types of deconcentration: *general deconcentration* and *functional deconcentration*. In general deconcentration a variety of tasks is deconcentrated to a horizontally integrated administrative system whereas in functional deconcentration, some specific tasks are deconcentrated to the field units of a particular ministry or agency[147] (United Nations, 1997: 7). Deconcentration is supposed to be the first stage of decentralisation especially in highly centralised countries as it brings the administration closer to the people.

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[146] Manor, J.,(1999), "The Political Economy of Democratic Decentralisation", *The World Bank*, Directions in Development, as cited in United Nations (1999), "*Decentralisation: A Sampling of Definitions*", [Online: Web], Accessed 17th April, 2011, URL. www.undp.org/evaluation/.../decentralisation_working_report.PDF, p. 18

[147] United Nations (1997), *Decentralised Governance Programme: Strengthening Capacity for People Centred development*, Manage Development and Governance Division, Bureau of Development Policy, September, 1997, p. 7

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Delegation

Delegation is more extensive form of decentralisation than deconcentration. It means that the sub-national units or organisations are given discretionary power to some extent to take decisions and implement them without any direct supervision of central authority, though; they are ultimately accountable to the central government. These sub-national units are semi-autonomous institutions such as urban or regional development corporations. The decision making and administrative authority or responsibility is transferred for carefully spelled out tasks to those institutions which are semi-independent or under government's indirect control. The government basically remains essentially unitary state in this arrangement and the centre retains the power to withdraw the delegated power or to direct its use.[148] Typically, the power delegated is executive or administrative power or minor law making power.

Devolution

Devolution refers to the political, fiscal and administrative assignment and allocation of revenues and responsibilities to a lower level of governments such as provincial, district, local authorities with some autonomy given to them[149] (Murali, 2009: 40). In devolution, the local units are given substantial autonomy; however the formal control of the centre is not completely surrendered. Devolution in its purest form has certain fundamental characteristics as has been described in a working paper of United Nations. First, local units of government are autonomous, independent and clearly perceived as separate levels of government over which central authorities exercise little or no direct control. Second, the local governments have clear and legally recognised geographical boundaries within which they exercise authority and perform public functions. Third, local governments have corporate status and the power to secure resources to perform their functions. Fourth, devolution implies the need to "develop local governments as institutions" in the sense that they are perceived by local citizens as organisations providing services that satisfy their needs and as governmental units over which they

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[148] Saunders, Cheryl, "Options for decentralizing Power: Federalism to Decentralisation", *Resources for Constitutional Design* [Online: Web], URL. www.constitutionmaking.org/files/federalism.pdf, p. 2

[149] Murali Shankari (2009), "Fiscal Decentralisation in India", *Yojana*, vol.53, p.40

have some influence. Finally, devolution is an arrangement in which there are reciprocal, mutually beneficial, and coordinate relationships between central and local governments"[150] (United Nations, 1999: 6).

Decentralisation and Civil Service Reforms

Civil service reform is an essential component of administrative decentralisation. The orientation of bureaucracy is at centre for the success of decentralisation plan. The training, motivation and skill upgradation of civil service particularly at local level considerably influence the degree of decentralisation which any organisation achieves. The World Bank has defined it as an effective supporting strategy for more general decentralisation in government operations on service delivery[151] (World Bank, 2011) Broadly speaking, the objectives behind administrative decentralisation are to improve the performance of service delivery, manage resources more efficiently, and increase accountability and transparency. In this regard, civil service reforms are made to be a helping hand in consolidating the results of decentralisation. The process of civil service reform brings various changes in the functioning, duties and new responsibilities at the local level. And to further the process of decentralisation, the capacity building programmes are to be launched at various levels so that in the reshaped administration, the officials can perform their duties efficiently, equitably and effectively. Reform of civil service, therefore, is the process of modifying rules and incentives to obtain a more efficient and dedicated labour-force in a new decentralised environment[152] (World Bank, 2011).

There are mainly two aspects of civil service reform as a component of administrative decentralisation: first is to improve staff efficiency by various capacity building and

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[150] United Nations (1999), *Decentralisation: A Sampling of Definitions*, Working Report, October, 2009 [Online: Web], Accessed 17th April, 2011, URL. www.undp.org/evaluation/.../decentralisation_working_report.PDF, p. 6

[151] World Bank, *Administrative Decentralisation, Poverty Reduction and Economic Management* (PREM) Network, [Online: Web], Accessed 24th April, 2011, URL. http://www1.worldbank.org/publicsector/decentralisation/admin.htm#1

[152] World Bank, *Civil Service Reform and Decentralisation, Poverty Reduction and Economic Management,* (PREM) Network, [Online: Web], Accessed 24th April, 2011, URL. http://www.ciesin.org/decentralisation/English/Issues/CSR.html

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training programmes and the second is to devolve the decision making authority from the centre to the local level or in other words to provide more autonomy in decision making at the local level. Improving the efficiency of the civil services and performance of the public sector are the key elements of administrative reform particularly in developing nations[153] (Farazmand, 2002: 82). Civil services at all levels of government need a capable, motivated and efficient staff in order to deliver the goods in totality. When civil service functions and structures are sufficiently decentralised, the reorganisation of existing bureaucratic patterns must be recognised in order to adjust with new roles, functions and accountability. Decentralisation thus intensifies the need for capable staff and increases the importance of capacity-building programmes. As decentralisation increases the autonomy of sub-national governments, it also increases the possibility to fail if specific steps are not taken to empower local level civil servants in order to increase their managerial and technical capacity. There has been a tendency that more often than not the administrative decentralisation claims far less attention than political and fiscal factors and decentralisation proceeds without explicit staffing strategies or public administration reform. This cast deteriorating effect on the whole exercise of decentralisation[154] (Ahmad, 2005: 10). It highlights the need for human resource management at local level especially to balance the standards of local level officials with that of central level administrators. On the face of it the above stated changes are essential to a large extent to bring about reforms in the civil service in order to negate the barriers in the way of implementing decentralisation in a country.

Apart from training and capacity building programmes, the other thing which is essential in the decentralised environment is the transfer of functions from the central bureaucracy to the local level of officials. The decentralisation of bureaucracy needs to make bureaucracy more egalitarian and open and to increase the efficiency and accountability of administration. For this purpose the shifting of various concerned functions to local units is a necessary step. However, a universal and simultaneous transfer of functions to

[153] Farazmand, Ali (2002), *Administrative Reform in Developing Nations*, Westport: Praeger Publishers, p. 82
[154] Ahmad Junaid and et.al.(2005), "Decentralisation and Service Delivery", *World Bank Policy Reserch Working Paper* 3603, May 2005, p.10

the local level is fraught with risks, the government should therefore consider piloting devolution in a limited number of localities; the experience gained from such efforts could then feed into the design of a broader programme[155] (World Bank, 1998: 4). For proper implementation and functioning of administrative reforms, a clear cut demarcation line should be drawn. This demarcation line will have the capacity to check and balance the devolution of bureaucratic functions between different layers of bureaucratic governance as well.

Decentralisation and Centralised Bureaucracy of Pakistan

In Pakistan, the centralised organisational structure of bureaucracy has been one of the main constraints in the way of decentralisation plans brought out by various regimes. Be it Ayub Khan's Basic Democracy System, Bhutto's Civil Service Reform of 1973 or Zia-ul-Haq's Local Government Plan, none of them addressed the centralisation of bureaucracy in Pakistan (as discussed in detail in the previous chapter).

Further, the Local Government Plan by General Musharraf also failed to abolish the centralisation of bureaucracy. Although one of the stated objectives of National Reconstruction Bureau (NRB) formed by Musharraf regime was to restructuring of bureaucratic set up and decentralise the administrative authority to the district level and below and re-orientate administrative system to allow public participation in decision making, the implementation of the Plan failed to bring the desired changes in the civil service system. As will be explained later in this chapter, the Local Government Plan (LGP) could not address the problem of centralisation of bureaucracy. It did not recognise the urgency to transfer the administrative authority of decision making to the local level. While, one of high rhetoric objectives by the NRB was stated to dismantle British era colonial bureaucratic structure, the double standard policy was pursued in the implementation. The LGP was not introduced in Islamabad and cantonment areas. Evidently, in those places which were important for the military government, the colonial

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[155] World Bank (1998), *"Pakistan A Framework for Civil Service Reform"*, World Bank Report No. 18386-Pak, Poverty Reduction and Economic Management South Asia Region, p.4

system of bureaucratic control was to be maintained[156] (Niaz, 2010: 130). The 41 cantonment boards remained untouched by the local government scheme. Also the Federal Administered Tribal Area (FATA) region was not included in LGP and its inclusion in the plan was left for future.

It needs to be noted that the devolution under the Local Government Plan dealt with only the transferring of provincial level authority to local level and the Government was silent on transferring the resources and decision making powers from the federal level to the provinces, raising the scepticism over the true intent of national government for decentralisation. It is also notable that the decentralisation plan did not receive the support of provincial leaders and officials which is supposed to be very crucial for its successful implementation. Even the LGP did not have the support at provincial level as the Sind-Balochistan-North West Frontier Province-Punjab (SBNP) Local Government Ordinance 2001 was imposed on them without accommodating their concerns and opinion about the plan.

In fact, the LGP was nothing more than a cover to the centralised control of the national non-representative military Government to reach at the lowest tier of the government and to create a support base for unrepresentative regime. The newly elected district Nazims were provided with public funds and other state resources to stage pro-Musharraf rallies and support the Pakistan Muslim League (Q) party candidates. Mezzerra has called it a classic demonstration of how a class of "collaborative politicians", created through a system of local government, could act as a support base for an unrepresentative regime[157] (Mezzerra, 2010: 23). Further, this LGP scheme also helped to distract the international community from its coercive actions and to attract the funds from donor agencies that favour decentralisation. Finally the LGP programme was against the concept of decentralisation itself as it involved top down instead of bottom up approach. The nearly bankrupt Pakistan's government attempted to distract the international community from

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[156] Niaz Ilhan (2010), *The Culture of Power and Governance in Pakistan*, Karachi: Oxford University Press, p.130
[157] Mezzerra Marco et. al. (2010), "Devolution Row: An Assessment of Pakistan's 2001 Local Government Ordinance", *Conflict Research Unit*, Netherlands Institute for International Relations, Clingendael, p.23

its coercive actions and to lure the donor agencies to get funds in the name of decentralisation. The high rhetoric terms like accountability, transparency, devolution of power, good governance, grass route empowerment and bottom up reforms were used to conceal the real intention of remaining in power. The agencies like UK Department for International Development (DFID), Canadian International Development Agency (CIDA), United Nations Development Programme (UNDP) and Asian Development Bank (ADB) committed their support to the military government's devolution project. However, funds from these agencies were given in the name of bottom up decentralisation as the devolution plan of military government initially pretended, it turned out to be top down decentralisation as the government dismantled it from the top. The World Bank strongly recommended the devolution of substantive authority to the lower tiers of the government in its paper *"Framework for Civil Service Reform in Pakistan"*, but the military government like its predecessors retained direct military control over local institutions and thus left civilian bureaucracy with other political institutions more militarised and centralised[158] (World Bank 1998: iii).

Federal Set-up in Pakistan

Pakistan has a federal administrative structure since independence but it has functioned as a unitary system of which Musharraf regime was no exception[159] (LaPorte, 2004: 155). After the 18th amendment 2010 the provincial government has further become weak. Before 18th amendment the federal government has been having the authority to make laws with respect to any matter in the Federal Legislative List and with the reference to the Concurrent Legislative List, the central government and the four provinces shared the authority to make laws. However in case of a dispute between the two, the writ of federal government would prevail, hence there was a drift towards centralisation. However, by 18th Amendment 2010, the concurrent list has been omitted, thus further left the federal system feeble. According to 18th amendment, the central government has assumed the jurisdiction over most important subjects and let the province have jurisdiction over less

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[158] World Bank (1998), "Framework for Civil Service Reform in Pakistan", Report No. 18386-PAK, *Poverty Reduction and Economic Management South Asia Region*, p.iii

[159] LaPorte Jr., Robert (2004), "Implementing Devolution: The New Local Government Scheme", in Craig Buxter, *Pakistan on the Brink: Politics, Economics and Society*, Karachi: Oxford University Press, p.155

important subjects. Moreover, according to article 143 of the Constitution of Islamic Republic of Pakistan, federal government were able to enact laws only in the subjects covered under federal legislative list and concurrent list, by 18th amendment, this power of the central government has been extended giving authority to the federal legislature to void any acts passed by a Provincial Assembly.[160] Thus the act which required a constitutional amendment before 18th amendment has been reduced to a simple majority and such acts which earlier required a constitutional amendment, now the central government can void any act passed by provincial legislature over a subject which is totally under their jurisdiction[161] (Hashmani: 2010) The local governments were not recognized constitutionally a separate tier of government until the introduction of Local Government Plan. They were essentially viewed as an extension of the provincial government, through which some functions were delegated to them.[162] Although, decentralisation has been given the importance by every non-representative regime in Pakistan, it has failed to take root mainly due to the fact that with the introduction of local governments, no effort was made to create and enhance democratic environment, on the other hand, the tactic of devolution has been misused to legitimise successive illegitimate regimes by non-representative governments at the centre.

After a brief interval of democracy, in 1999, the then civilian government under Nawaz Sharif was overthrown and military took over in Pakistan under General Pervez Musharraf. In a more "corporate style" and unlike his predecessors, Musharraf declared himself as the "Chief Executive" of the country. The military government immediately declared its "seven points" agenda which included the following[163] (Maluka, 2004: 55-56): (i) rebuilding national confidence and morale, (ii) strengthening the federation while removing inter-provincial disharmony; (iii) reviving and restoring investor's confidence;

[160] Article 143. *The Constitution of Islamic Republic of Pakistan*, [Online: Web], Accessed 26th of June, 2011, URL. http://www.pakistani.org/pakistan/constitution/

[161] Hashmani, Khalid (2010), "18th Amendment and Provincial Autonomy: An Unfinished Job", *Indus Asia Online Journal*, [Online: Web], Accessed 24th of June, 2011, URL. http://iaoj.wordpress.com/2010/05/02/18th-amendment-and-provincial-autonomy-an-unifinished-job/

[162] Hopkins, T.J. et al. (2006), "*Mid Term Review: Support to Devolution Trust for Community Empowerment (DTGE)*," UNDP PAK/02/009, p. 19

[163] Maluka, Zulfikar Khalid (2004), "Restructuring the Constitution for a COAS President" in Craig Baxter, Pakistan *on the Brink: Politics Economy and Society*, Karachi: Oxford University Press, pp.55-56

(iv) ensuring law and order and dispensing speedy justice; (v) depoliticising state institutions; (vi) devolving power to the grass route level; (vii) ensuring swift and across the board accountability. The agenda of high rhetoric goals by a military government was the first step of an exercise towards distracting the attention of the people from the autocratic rule of military government at the centre and providing democratic colour to it, to appease both domestic and foreign critics.

Consequently, on 18 November 1999, National Reconstruction Bureau (NRB) was established under retired Lt. General S. Tanvir H. Naqvi with an aim of "restructuring" a system of governance[164] (Mezzerra, 2010: 8). The formation of the NRB would be remembered as the most controversial and self-serving decisions as it was formed by a military government which did not have any mandate to introduce novel innovations to demolish the old political and administrative structure of the country[165] (Maluka, 2004: 94). The NRB released a Local Government Proposed Plan (LGPP) with the title "Devolution of Power and Responsibility: establishing the foundations of genuine democracy" within less than six months in May 2000. It was prepared with the technical assistance from the United Nations development Programme (UNDP). On the basis of its drafting the Local Government Ordinance for Sind/Balochistan/North-West Frontier/Punjab (LGO-SBNP) was promulgated by four provincial governments in August 2001. This LGO-SNBP was further placed in the sixth schedule with the passing of Legal Framework Order which was termed as 17th Constitutional Amendment Act. It means that the LGP could not be amended without the consent of the president.[166] Apparently, the military government under Musharraf was adopting a top-down approach for decentralisation where a plan, prepared at the centre level without any consultation of provinces, was imposed arbitrarily and no autonomy was given to either the provinces or the local bodies.

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[164] Mezzera, Marco et. al. (2010), "Devolution Row: An Assessment of Pakistan's 2001 Local Government Ordinance", *Conflict Research Unit*, Netherlands Institute for International Relations, Clingendael, p.8

[165] Maluka, Zulfikar Khalid (2004), "Restructuring the Constitution for a COAS President" in Craig Baxter, Pakistan *on the Brink: Politics Economy and Society*, Karachi: Oxford University Press, p.94

[166] Under Article 268 (2) of the 1973 Constitution of Pakistan, the laws specified in the sixth schedule may not be altered, repealed or amended without the previous sanction of the president. Constitution of Pakistan [Online: Web], URL. http://www.pakistani.org/pakistan/constitution/schedules/schedule6.html

There were presented various reasons by government for launching the LGP scheme as it was needed to convince the people about the ostensible good intentions of the military government. These reasons summarised under the three main groupings, however, did not follow in the implementation. First of them was stated to replace the century-old British bureaucratic system with new system of administrative decentralisation. Secondly, to evolve a system which would allow the people at the grass root level in order to enable them to resolve their immediate problems; and by bringing political decentralisation, devolve powers from the central and the provincial levels to the local levels through their elected representatives in order to improve the delivery of social services. Thirdly, by actively involving a broad section of the people to create new political forces from a middle class and lower middle class background who in the long run may replace the domination of the traditional political families.[167] This three pronged strategy of LGP was based on five fundamentals: devolution of political power, decentralisation of administrative authority, deconcentration of management functions, diffusion of power-authority nexus, and distribution of resources to the district level.

It was said that it is designed to ensure that the genuine interests of people were served and their rights safeguarded. The new system was said to create an enabling environment in which the people can start participating in community welfare and be the masters of their own destiny.

Salient Features of Local Government Plan 2000[168]

In accordance with the plan, a new government set was established at local level introducing a model described as 5Ds which is shown in the figure 1. With the launching of Local Government Plan, the long established district administrative system was replaced by the three countrywide levels of government i.e. district (District Councils

[167] Robotka, Bettina, *Modernizing Pakistani Society: The Devolution of Power Plan*, [Online: Web], Accessed 17th March 2011, URL. www.scribd.com/.../The-Devolution-of-Power-PlanBy-Bettina-Robotka.html, p.1
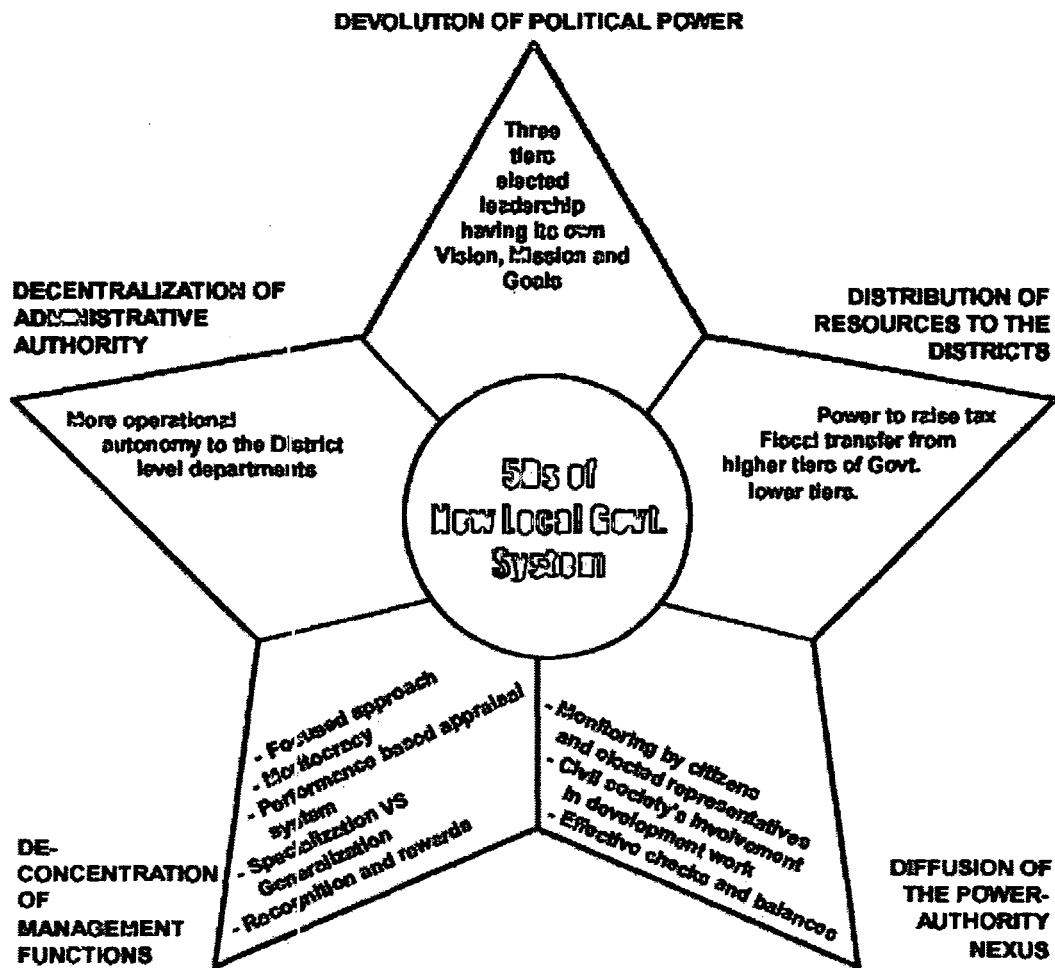
[168] This plan officially was called the Local Government Plan, however it got popular as the Devolution Plan 2000.

headed by District *Nazim*), tehsils (taluqa in Sind and town in City districts, headed by Tehsil Nazim), and union councils (headed by Union Nazim). The administration of the whole district was placed under the indirectly elected District Nazim. Main features of the LGP 2000 can be given as follows:

➢ According to LGP, a three tier government was established at the local level, including District, Tehsil, and Union level, each comprising its *Nazim* [mayor] and *Naib Nazims* [deputy mayor]. The life of these councils was three years.

➢ The lowest level of the government was the union council, covering the population of about 25000 people. It is the one and only level where all elections were direct. Each union council was composed of 21 directly elected members. The *Nazim* and *Naib-Nazim* were to be elected on a joint ticket. The remaining 19 seats were to be composed of 12 seats for Muslims, 4 of which were reserved for women, six seats for peasants and workers, two of which reserved for women and one seat for minority communities. The above two tiers of the government were Tehsil Municipal Council (TMC) or the Town Municipal Administration (in city districts) and District Council (DC) having the same structure[169].

➢ The Union Council (UC) worked as an electoral college for DC and TMC with District *Nazim* and *Naib Nazim* and *tehsil Nazim* and *Naib Nazim* at large. Elected union councillors were not permitted to contest the elections of *Nazim* and *Naib Nazim* of any *tehsil* or district. The TMC and DC were headed by the *Tehsil*

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[169] Government of Pakistan (2001), SBNP Local Government Ordinance 2001, National Reconstruction Bureau, [Online: Web], Accessed 22nd of March, 2011, URL.
www.nrb.gov.pk/.../SBNP_Local_Govt_Ordinance_2001.pdf, pp. 47-49

Figure 1[170]

DEVOLUTION OF POLITICAL POWER

Three tiers elected leadership having its own Vision, Mission and Goals

DECENTRALIZATION OF ADMINISTRATIVE AUTHORITY

DISTRIBUTION OF RESOURCES TO THE DISTRICTS

More operational autonomy to the District level departments

5Ds of New Local Govt. System

Power to raise tax
Fiscal transfer from higher tiers of Govt. lower tiers.

DE-CONCENTRATION OF MANAGEMENT FUNCTIONS

- Focused approach
- Meritocracy
- Performance based appraisal system
- Specialization vs Generalization
- Recognition and rewards

- Monitoring by citizens and elected representatives
- Civil society's involvement in development work
- Effective checks and balances

DIFFUSION OF THE POWER-AUTHORITY NEXUS

Nazim and District Nazim respectively. The union Nazims and Naib Nazims of the union council became automatically the members of TMC and DC (union Nazim in DC and Naib Nazims in TMC) and they constituted two third memberships of these councils. The remaining one-third members of district and tehsil councils and the head of these councils were elected indirectly by the

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[170] National Reconstruction Bureau (2001), Local Government Plan 2000 [Online:Web] Accessed on 17th March 2011 URL. http://www.nrb.gov.pk/local_government.htm
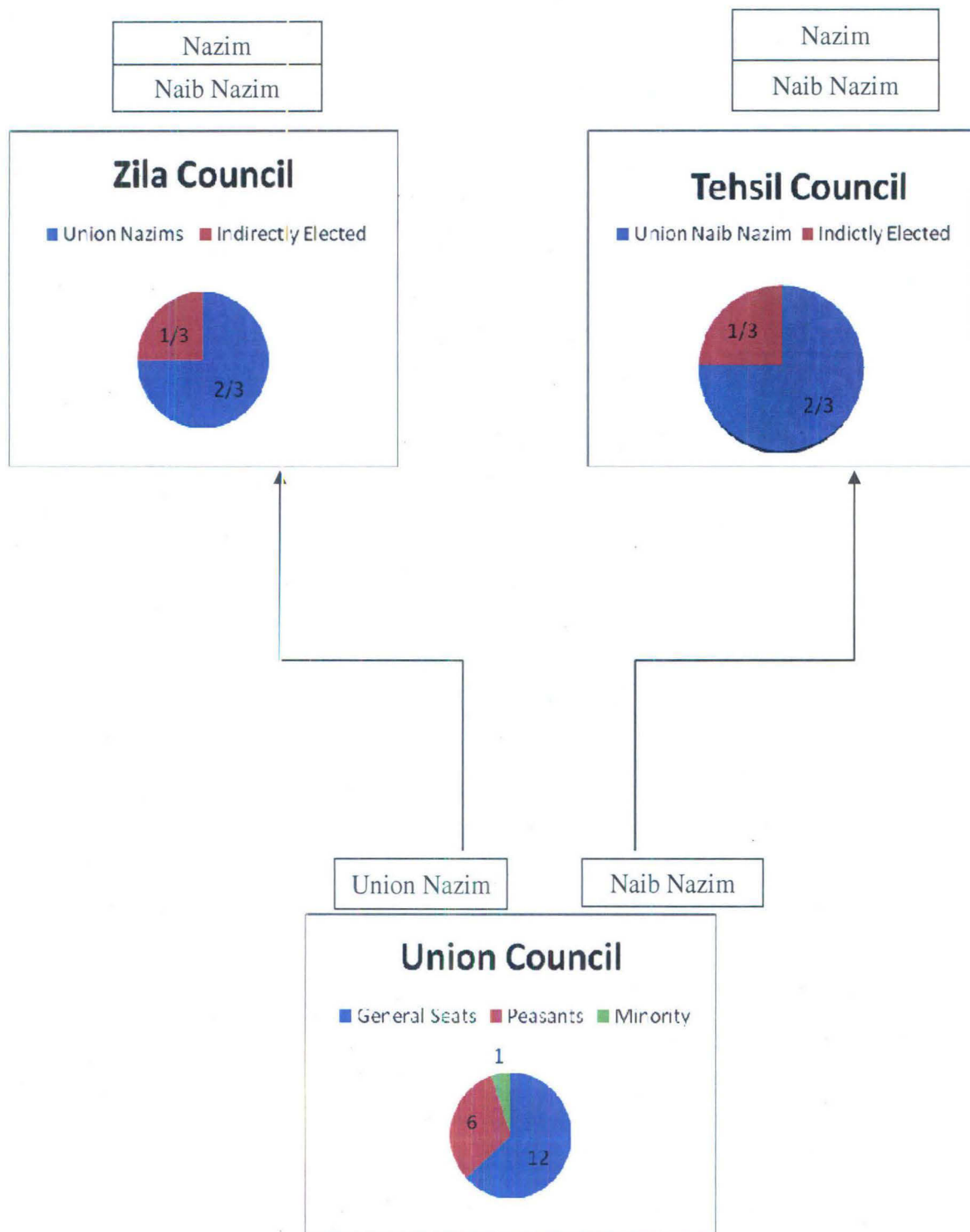
Figure 2: The Structure of Political Decentralisation

Source: Adapted from Asian Development Bank: Cyan, Musharraf et.al. (2004), *Devolution in Pakistan: An Assessment and Recommendation for Action*, Asian Development Bank and World Bank,

directly elected union council members. One third seats of the total were reserved for women, peasant and workers. The structure of Political Decentralisation can be shown in the Figure 2.[171]
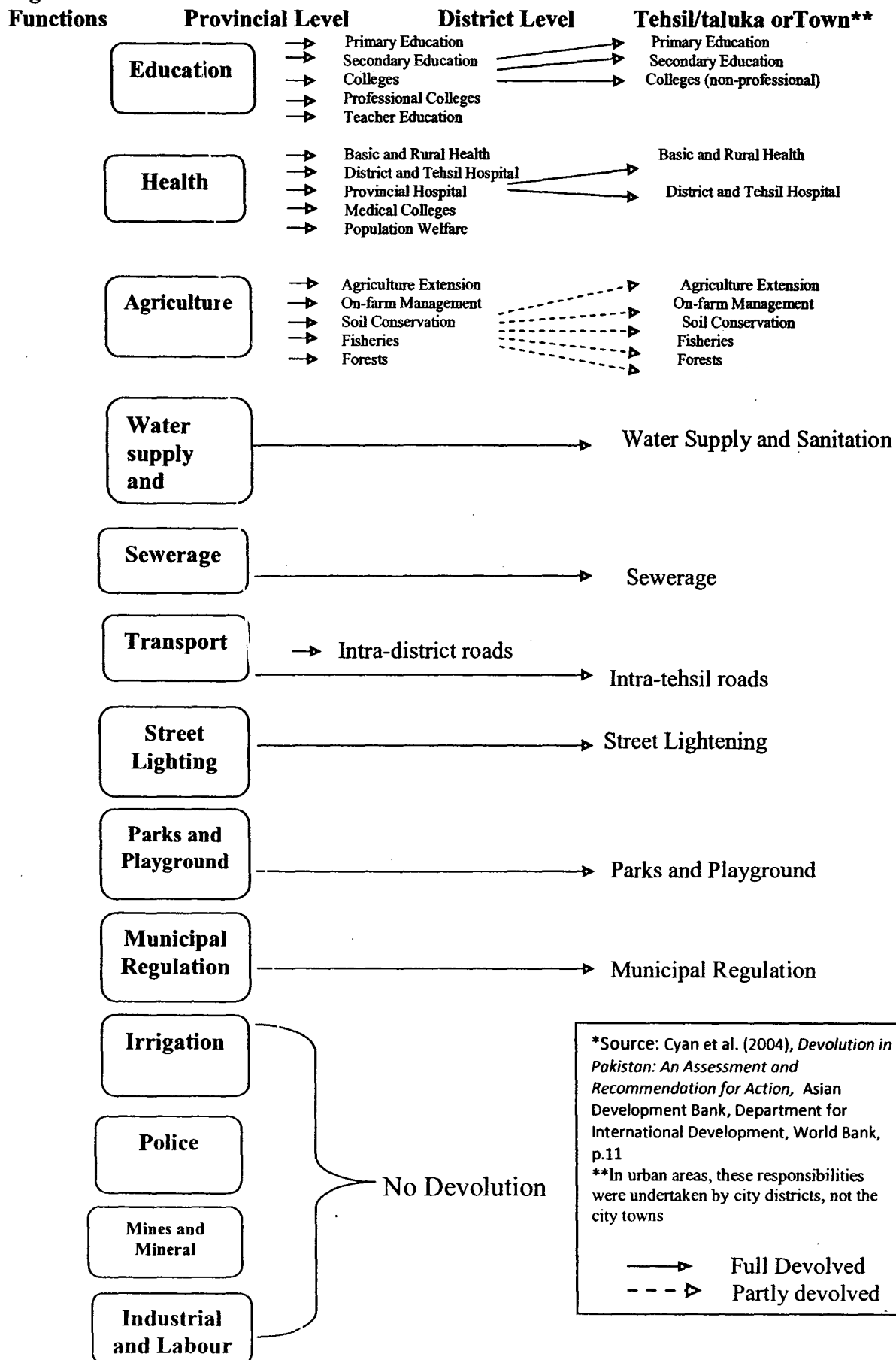
> The most radical reforms regarding the bureaucracy at local level were determined to change the century old bureaucratic system. There were mainly two major changes brought in the name of administrative decentralisation. (a) abolition of District Commissioner (DC) and its replacement by a District Coordinating Officer (DCO) and (b) the accountability changes whereby the provincial bureaucracy at the local level was made accountable to the elected heads of the district. The District Collector prior to devolution was accountable to non elected provincial secretariat, in LGP now replaced DCO made accountable to elected heads of District and *Tehsil* governments.[172]

> Although it is interesting enough to note that the authority of *Nazim* over the DCO and Executive District Officers (EDO) is restricted in matters of transfers and promotions, which continued to remain in purview of the provincial secretariat, and thus this accountability change remained "circumscribed in both a de jure and a de facto sense".

> Several responsibilities trimmed into ten departments were transferred from provinces to district level, ie. agriculture, community development education, finance and planning, health, information and technology, law, literacy, revenue, works and services[173] (NRB, 2001) The devolution of these functions can be reflected in the Figure 3.

[171] Government of Pakistan (2001), SBNP Local Government Ordinance 2001, National Reconstruction Bureau, [Online: Web], Accessed 22rd of March, 2011, URL. www.nrb.gov.pk/.../SBNP_Local_Govt_Ordinance_2001.pdf, pp. 41-43

[172] Hasnain, Zahid (2008), "Devolution, Accountability and Service Delivery: Some Insights from Pakistan", World Bank: Policy Research Working Paper, Poverty Reduction Economic Management Department, p.5

[173] National Reconstruction Bureau (2001), Local Government Plan 2000, [Online:Web] Accessed on 17th March 2011 URL. http://www.nrb.gov.pk/local_government.htm

Figure 3: Devolution of Functions form Provincial Level to Local Level under LGP*

Functions	Provincial Level	District Level	Tehsil/taluka orTown**

Education
→ Primary Education
→ Secondary Education
→ Colleges
→ Professional Colleges
→ Teacher Education

Primary Education
Secondary Education
Colleges (non-professional)

Health
→ Basic and Rural Health
→ District and Tehsil Hospital
→ Provincial Hospital
→ Medical Colleges
→ Population Welfare

Basic and Rural Health

District and Tehsil Hospital

Agriculture
→ Agriculture Extension
→ On-farm Management
→ Soil Conservation
→ Fisheries
→ Forests

Agriculture Extension
On-farm Management
Soil Conservation
Fisheries
Forests

Water supply and → Water Supply and Sanitation

Sewerage → Sewerage

Transport
→ Intra-district roads
→ Intra-tehsil roads

Street Lighting → Street Lightening

Parks and Playground → Parks and Playground

Municipal Regulation → Municipal Regulation

Irrigation

Police

Mines and Mineral

Industrial and Labour

No Devolution

*Source: Cyan et al. (2004), *Devolution in Pakistan: An Assessment and Recommendation for Action,* Asian Development Bank, Department for International Development, World Bank, p.11
**In urban areas, these responsibilities were undertaken by city districts, not the city towns

——▷ Full Devolved
- - - ▷ Partly devolved

➤ Pakistan already a fiscally centralised country, did not give sufficient financial protection to the local governments. While the plan did not clearly defined exact.

modalities of fiscal decentralisation, it envisaged the formation of Provincial Finance Commission at provincial level to decide the distribution of revenues, thus financially the local units were made excessively reliant on provincial and ultimately federal funds. In addition, they were allowed to levy local taxes/fees from a specified list of local taxes/fees. According to LGP, the local governments were not allowed to incur any debt to finance their expenditures. The provinces still had substantial control over the budget preparation process of the district governments

➤ To involve people more actively in community development, grass-root organisations like the Village Councils and Citizen Community Boards were introduced. The scheme also proposed to provide for monitoring the functioning of government and delivery of services by the citizens and their representatives at all levels[174] (SBNP Ordinance: 49-50).

➤ One significant change which was brought through the LGP was the reservation of one third of seats for women and other marginalised groups like peasants, workers etc[175] (SBNP Ordinance: 56, 93, 97)

➤ The plan also expanded the franchise by reducing the voting age from 21 to 18.[176]

➤ In order to resolve the disputes and check malfunctioning of the government, an institution of *Zila Mohtasib* (District Ombudsman) was introduced which was empowered to investigate any reported maladministration by any local government official, including elected members of local councils and public servants(SBNP

[174] Government of Pakistan (2001), SBNP Local Government Ordinance 2001, National Reconstruction Bureau, [Online: Web], Accessed 22nd of March, 2011, URL. www.nrb.gov.pk/.../SBNP_Local_Govt_Ordinance_2001.pdf, pp. 49-50
[175] Ibid., pp. 56, 93, 97
[176] Paracha, Saad, (no year), *Devolution Plan in Pakistan: Context, Implementation and Issues*, [Online: Web], Accessed 24th March, 2011, URL.saadparacha.com/documents/IPF%20Final%20research%20paper.pdf, pp. 18-19

Ordinance: 121-123). It had the same powers as are invested in a civil court. Apart from that the LGP also provisioned for *Zila Mushavirat* (District Consultation) Committee to resolve intra-district disputes (SBNP Ordinance: 90) and *Musalihat Anjumans* (Conciliation Committees) facilitate and mediate any dispute informally working as an alternative dispute mechanism(SBNP Ordinance: 90).

Implementation of Local Government Plan

Being a contradiction in itself, the devolution of power plan under Musharraf had everything in itself but not the devolution of power. The military government was more interested in political manipulation rather than political devolution[177] (ICG, 2010: 13). It is contradictory due to the reason that administrative decentralisation is literally impossible in a country having an undemocratic and unrepresentative government at the centre because such government would not risk the loss of control over peripheral units thus loss of power. The strategy of implementation of the plan, having the ostensible aim of strengthening democracy and empowering the people to bring empowerment of democracy was driven by political considerations to gain regime legitimacy.

The main aspects of the implementation of Local Government Plan can be described as follows:

Top Down Approach of Decentralisation

There is a desperate need of the devolution and decentralisation of authority decision making power and resources to the local level in Pakistan. With the expansion of political participation, democratisation and electoral contestation, demands for devolution of authority have increased. There are basically two approaches regarding decentralisation: top down approach and bottom up approach. But the comprehensive process for decentralisation would be first to enhance the powers of the provinces and then to increase the powers and authority at the district level. The other process may be first to

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[177] International Crisis Group (2010), "Devolution in Pakistan: Reform or Regresson?", *Asia Report* No.77, 22 March, 2004, p.13

empower the local institutions at village and district level and then at the province level[178] (Boadway, 2004: 11). Musharraf's Local Government Plan however followed a "missing chain of top-down approach". Provinces were there to be missed in this missing chain of top-down approach. Notably, provinces were supposed to be in better position than centre to deal with the affairs of district level. The LGP failed to recognise the forceful need to devolve power from the federal level to the provincial level. The LGP reduced the power and functions of the provinces by reducing their role from policy formulation and implementation and transferred ten departments from provinces to district level, ie. agriculture, community development education, finance and planning, health, information and technology, law, literacy, revenue, works and service, they did not further receive any authority and power from the central level as is supposed in any decentralisation plan[179] (Mahmood, 2001: 19). Thus, while it seemed "a top down approach", the spirit of decentralisation was hurt by refusal of the centre to devolve powers and authority to the provincial level. The centre's strong and direct grip over local level was against the spirit of decentralisation and nothing could be expected like the empowerment of the local institutions through this contradictory plan.

Non-political Contest at Local Level

The electoral competition at local level was distorted by banning political parties at local level. It gave room for the emergence of military supported groups. In other words the vacuum created by banning the political parties to contest in local level elections had been easily filled by military supported groups in the name of non-political contest. In fact it was a deliberate effort to give an upper hand to military in local governance. Thus the local governments could hardly be called the true representative of the people. Although at one hand it talked about the strengthening of democratic institutions, the right of contesting the elections on party basis was grabbed. This was not a unique exercise in Musharraf regime. Previously, Ayub Khan removed over 6000 politicians from the office when he imposed martial law in 1958, and brought the Elective Bodies Disqualification Order. His idea of "Basic Democracy" could not work further as the

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[178]Boadway, Robin and Eva Mork (2004), "Division of Powers", in Per Molander (eds.), *Fiscal Federalism in Unitary States,* Massachusetts: Kluwer Academic Publishers, p.11

[179] Mahmood, Sohail (2001), *Musharraf Regime and the Governance Crisis,* New York: Huntington Publishers, p.19

controlling authority remained in the hands of bureaucracy, which had the power to put an end to proceedings and suspend resolutions passed by local bodies. Thus the bureaucracy enjoyed the ability to overrule any power that the local bodies had[180] (Mezzerra, 2010: 2). Similarly, General Zia-ul-Haq, the Chief Martial Law Administrator revived the local government system by promulgating Local Government Ordinances. He saw the fragmented and divided local government the surest way to decrease the influence of politicians at provincial or national level. Twenty years later, the same strategy was applied by General Musharraf when the centralisation of power has involved selective disqualification of political parties representatives and at times outright bans on all or certain political parties[181] (Cheema, 2003: 402). Veena Kukreja has called it a gimmick to institutionalise martial rule. According to her, "Building a democratic society at the grassroots level without the involvement of political parties is not possible. That would further depoliticise the people and strengthen the influence of biradaris and tribes and promote the already entrenched feudal, economic and social mafias in society"[182] (Kukreja, 2003: 279).

Further, the district Nazim and Naib-Nazim were indirectly elected and it has been alleged that opting for indirect polls was a calculated move to prevent the political parties sweeping the district Nazim polls[183] (ICG, 2010: 11). Non-party based elections also tended to encourage the politics of patronage based on tribal, ethnic and sectarian divisions. In fact, the plan was implemented in haste without creating enough awareness among the citizens, it is revealed from the fact that the plan was prepared within less than six months.[184]

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[180] Mezzera, Marco et. al. (2010), "Devolution Row: An Assessment of Pakistan's 2001 Local Government Ordinance", *Conflict Research Unit,* Netherlands Institute for International Relations, Clingendael, p.2

[181] Cheema, Ali et. al. (2003), *Decentralisation in Pakistan: Context, Content and Causes,* [Online: Web], Accessed 28th March, 2011, URL. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=739712, p.409

[182] Kukreja, Veena (2003), *Contemporary Pakistan: Political Processes, Conflicts, and Crises,* New Delhi: Sage Publications, p.279

[183] International Crisis Group (2010), "Devolution in Pakistan: Reform or Regresson?", *Asia Report,* No.77, 22 March, 2004, p.11

[184] Zahid Hasnain, Nick Manning and else have given a detailed study of the PFC awards comprising separate study of each province. They have shown that the legislatively mandated transfers of the Provincial Consolidated Fund to local governments amounts to less that 25%. They also show that provincially controlled programmes still account for 30% to 60% of local governments' development expenditure.

Militarisation of Space Created by Non-political Contest

The central government's control over the local elections bypassing the provinces also defied the spirit of decentralisation. Since local government is a provincial responsibility under 1973 constitution, provincial authority traditionally conducts local bodies' elections. However, the Local Government Election Order 2000 bypassed the provinces holding the elections under federal control. The accountability campaign through National Accountability Bureau was launched to disqualify the politicians selectively and a pro-military party Pakistan Muslim League (Q) was created to bring together the political leaders from other political parties. Since the election at the local level were held on non-party basis, therefore most of the councillors were having no political background and lacked the skill, experience and knowledge about the new scheme. Further the elections were rigged and local power brokers were provided financial resources and informal support by local military officials (Mezzerra, 2010: 2).[185] In fact, Inter Service Intelligence (ISI) and the Military Intelligence (MI) became notoriously effective in engineering the rigging of various elections, according to the preferences of each military dictator. These tactics were seen at their "best" in the elections of 2002, where General Musharraf used all the means to achieve desired results[186] (Hasnat, 2011: 52). Later, Musharraf ironically said, "I also admitted that some excesses had indeed taken place without my knowledge or consent"[187] (Musharraf, 2006: 168). All these factors reveal that the local councils were short of representative in nature, rather they can be called the units to serve the political interests of the military government.

All these political and electoral distortions by the military government resulted later in tension between provinces/federal representatives and local councillors. These local councillors were tended to be seen as "a competing tier of patronage"[188] by the political

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[185] International Crisis Report N*77 titled "Devolution in Pakistan: Reform or Regression?" after an extensive field study and interviews has revealed that in the indirect elections direct and indirect rigging, influence of military, disqualifications of candidates with party affiliations and the policy of coercion and cooption were used to ensure the victories of pro-military district Nazims.

[186] Hasnat, Syed F. (2011), *Global Security Watch: Pakistan*, California: Praeger Publishers, p.52

[187] Musharraf Pervez (2006), *In the Line of Fire*, New York: The Free Press, p.168

[188] Wilder A. R. (1999), The Pakistani Voter: Electoral Politics and Voting Behaviour in Punjab, Karachi: Oxford University Press as quoted in Ali Cheema, et. al. (2003), *Decentralisation in Pakistan: Context, Content and Causes*, [Online: Web], Accessed 28th March, 2011, URL. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=739712, p. 412

leaders in the provinces and therefore no efforts were made by them to empower the local government system. In fact, there was short of existence of the idea of ownership about these local government systems in the provinces and it created open conflicts between the two tiers especially in Sind and NWFP[189]. This ideal was further strengthened by the question of continuity and the concern of the political future of these local units.

Confusion of Functions, Functionary and Finance among Three Tiers

The LGP scheme lacked the insight to provide measures for integration and coordination among provincial/federal elected representatives and the local level councillors. As the LGP was imposed without any consent of the provinces, it did not enjoy the support of the provincial government. The smooth functioning at the local level was constrained due to less coordination between the DCO and the *Nazim* mainly due to lack of clarity in the responsibilities and functions which were assigned to them and also due to absence of hierarchical linkages between various levels of local government. While the DCO was made accountable to indirectly elected district *Nazims* in order to make bureaucracy sub-ordinate to the representative institution, the new procedure resulted in the duplication in the chain of command as the DCO now had to report both the *Nazim* on one hand and the Provincial departments on the other. Although, the district police official was made responsible to the indirectly elected district Nazim removing the control of the DCO, the lack of coordination between the district police officer and district Nazim resulted in an unaccountable police department. Further, under the new structure many laws and statutes were left un-conferred which created power vacuum and hampered the smooth functioning of government.

No Integration of Functioning at Local Level

Further, no efforts were made from the part of government to integrate the functioning of local level of governments. Although the three levels were quite integrated; the ambiguity remained in the demarcation of roles among the three tiers i.e. Union, tehsil and district.

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[189] In NWFP for instance, all 24 Nazims, most of whom belonged to the centrist parties, resigned in protest at the right-wing provincial government's excessive interference in local government affairs, and the federal government had to intervene to resolve the issue. (Mezzera, Marco et. al. (2010), Devolution Row: An Assessment of Pakistan's 2001 Local Government Ordinance, Conflict Research Unit, Netherlands Institute for International Relations, Clingendael, p.28)

It created tensions among them over questions like the distribution of funds and approval of projects. Moreover, the LGP did not establish an effective check and balance system at the local level, which often resulted in lack of accountability of district Nazim towards district Council. While district Nazim was supposed to be accountable and responsible to district council for his functions to the district council headed by Naib Nazim, the district council was virtually unable to have any control on the district Nazim, mainly because the balance of power tilted in favour of the latter. Although, the district Nazim and Naib Nazim were provisioned to be elected on a joint ticket, and thus a link was conceived between district Nazim on one hand and district council headed by Naib Nazim on other, the later could not have any control over district Nazim mainly due to gross imbalance of power between these two offices. It also resulted in some district in an antagonistic relationship between the two. In such cases, the Nazim, as executive head of the district, often ran the government arbitrarily without consulting the council[190] (ICG, 2010: 16).

The district administration which was formerly headed by District Commissioner was now replaced by District Coordinator Officer (DCO). This was done in order to reduce the influence of bureaucracy over the district administration. However, it is interesting to note that the hold of provincial secretariat over the district bureaucracy resulted in their considerable administrative authority over district bureaucrats. Although the districts were provided with their own institutional system, the staff at local level still consisted of federal and provincial cadre civil servants. It is also consolidated from the fact that the local governments have had little de facto control over the appointment, transfer, and firing authorities of local government.[191] The need of proper training and capacity building programme in order to prepare the elected and bureaucratic officials for the new environment was not identified. Neither the need of creating a separate District Civil Service was given importance. The inadequate quality and quantity of training available

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[190] International Crisis Group (2010), "Devolution in Pakistan: Reform or Regresson?", *Asia Report* No.77, 22 March, 2004, p.16

[191] According to an ICG interview the district Nazims who were not pro-military or not favourable to the central government had no control in the transfer of district officials. Nafisa Shah, Nazim of Khairpur district compliant that the district officials were transferred without her knowledge because she refused to attend Musharraf's referendum rally. (ICG interview, Khairpur, June 2003, as cited in International Crisis Group (2010), "Devolution in Pakistan: Reform or Regresson?", *Asia Report* No.77, 22 March, 2004, p.13)

for the influx of new staff and elected members across the three tiers of local government was one of the serious daunting challenges which the LGP was facing in the implementation[192] (Mezzerra, 2010: iv)

Administrative devolution was consisted with the transfer of some of the most important functions of the provinces like health, education and infrastructure to the local governments. The local governments, however, were not provided with full autonomy regarding these services and provinces were primarily responsible for the policy making. Further no delineation was made about the role and responsibilities of the local governments and the provinces, which created a great deal of ambiguity, overlapping and conflicting service functions[193] (Peterson, 2002: 2). For example Water and Sanitation Agencies (WASA) of large cities were devolved to the TMA under the LGP, but it remained administratively under the control of provincial governments, with their own budget of district governments or the TMA.

No Financial Protection to Local Units

Although making trumpeted political and administration decentralisation, the local governments were not provided enough financial protection to carry out massive functions assigned to them. It was an exercise in shifting crucial responsibilities without providing resources fully adequate to the tasks[194] (Manning, 2003: 2). The development funds which were announced for respective members involved no role of district governments. District governments continued to have limited revenue collection mandates. The provinces still had substantial control over the budget preparation process of the district government. Ambiguity of rules and procedures also affected the financial relations between provinces and the districts as in many cases, the duplication of tax authority created much uncertainty and resentment like overlapping base of property tax

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[192] Mezzera, Marco et. al. (2010), "Devolution Row: An Assessment of Pakistan's 2001 Local Government Ordinance", *Conflict Research Unit*, Netherlands Institute for International Relations, Clingendael, p.iv
[193] Peterson, G.E. (2002), *Pakistan's Fiscal Decentralisation: Issues and Opportunities*, World Bank, Washington D.C., p. 2
[194] Manning, N. et. al. Manning, N. et. al. (2003), *Devolution in Pakistan: Preparing for Service Delivery Improvements*, Pakistan: World Bank, p.2

which complicated tax structure and created undue harassment of tax payers[195] (Paracha: 35). Also the revenue raising authorities of the local governments were impeded by the strings attached to it. Thus, their autonomy was severely hurt to bring in innovations into their revenue raising and resource allocation formula[196] (Taj, 2010: 32). It is also notable that the lowest two tiers of the local government were left with more inadequate funds that were seldom sufficient for any substantial development project, further these already meager funds were preferred to spend in quick impact projects like sanitation and sewerage rather than long term investment in health and education mainly driven by vote banks politics. Hasnain maintains that the provincial allocable amount is transferred to the local government broadly under two separate block grants, one for recurrent expenditures, which constituted approximately 88% of the allocable amount, and the remainder for development expenditure. Furthermore, a significant proportion of district expenditures were "establishment charges" including salaries of administrative personnel who were appointed by the provinces. Manning has expressed grief over the lack of financial autonomy at the local level and says, "the huge gap between salary and non-salary budgets was discouraging. The districts could not create or reduce posts or adjust their salary structure and therefore, a large fraction of the district budget is fixed"[197] (Manning, 2003: 60-65).

De jure and cosmetic efforts of women empowerment

There were many cosmetic provisions in the LGP which were included to appease the donors, these provisions left only a cosmetic effect, it is applicable to the women reservation, expanding of voter franchise and creation of the (Citizen Community Boards) CCBs. According to the LGP, women were provided 33% of seats reserved in local bodies, it failed to empower women thoroughly. The true intent of the policy makers is expressed from the fact that they were not given any reservation for the post of District *Nazim* and Naib *Nazim*, and reservation was limited to only at the councillor

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[195] Paracha, Saad, (no year), *Devolution Plan in Pakistan: Context, Implementation and Issues*, [Online: Web], Accessed 24th March, 2011, URL. saadparacha.com/documents/IPF%20Final%20research%20paper.pdf, p.35

[196] Taj, Aamer (2010), "*Devolution Reforms in Pakistan*", Centre for Public Policy Research, Peshawar: Institute of Management Sciences, p.32

[197] Manning et. al. (2003), in their study of six district show that the salary component in total district expenditure in their sample districts ranged from 82% to 92%. (pp.60-65)

level. Also, in the absence of gender equality at the society level, the women reservation could do nothing for the women empowerment. Paracha reports that the women felt uncomfortable in participating in meetings and many of them faced ridicule from their male collegues. Their work was made more difficult as the access to the bureaucratic authorities was gender differentiated. The women were particularly disadvantaged as before they could become effective in their work, they have to overcome the mundane problems of obtaining office space and separate toilets[198] (Paracha: 35) Further, the representation of women was affected by the traditional structure of Pakistan's patriarchal society where the women who came out to contest the election were actually the daughters, wives, daughters-in-law, and sisters of tradition political leaders, thus the representation of women at local level was devoid of belonging to diverse segment of the society[199] (Maluka, 2004: 93) Various issues like training of women councillors, were not given importance, which also hampered their working in the administration. Further, the federal government's true intent in reference to women empowerment is reflected in the fact that in spite of opposition of women legislatures, *sharia* law having many anti-women provisions was passed under the pressure of Islamic parties whose support was essential for military government at the centre to be in power.

With the view to involve community participation at the local level, the provision of the CCB and Village and Neighbourhood councils was introduced, in most areas they existed merely on paper. Since the CCBs were authorised to be given only 80% funding for any project, the remaining 20% they had to mobilise on their own. It was impossible to expect 20% funds voluntarily from communities who were hardly able to earn their living. Eventually, the community participation and grass-root level involvement of the citizens remained elusive[200] (Taj, 2010: 35) Latif maintains that the CCBs had difficulties in getting their projects started mainly because they did not have the capacity to submit technical proposals and cost estimates. The government lacked the staff to process

[198] Paracha, Saad Abdullah (no year), *Devolution Plan in Pakistan: Context, Implementation and Issues*, [Online: Web], Accessed 24th March, 2011, URL. saadparacha.com/documents/IPF%20Final%20research%20paper.pdf, p.35
[199] Maluka, Zulfikar Khalid (2004), "Restructuring the Constitution for a COAS President" in Craig Baxter, *Pakistan on the Brink: Politics Economy and Society*, Karachi: Oxford University Press, p.93
[200] Taj, Aamer (2010), *"Devolution Reforms in Pakistan"*, Centre for Public Policy Research, Peshawar: Institute of Management Sciences, p.35

proposals and applications. Nazim's control on CCBs fund and projects also undermined the ability and progress of the CCBs[201](Latif, 2006: 6-7).. On the contrary, the functioning of the CCBs was dominated by the influential business community and political patrons. Further the NGOs got registered as the CCBs in order to get extra funding from the local government. Fraudulent registration was also reported undermining the functioning of CCBs.

At the local level the role of district administration needs to be redirected from that of a patron to being an equal partner[202] (Shafqat, 1999: 1014) There is an overlap of functions of local councillors and district administrator. This was one of the major reasons for which the devolution of powers could not be succeeded. The Local Government Plan failed to define properly the functions of district Nazim and District Coordinator Officer. Traditionally the District Administrator, having the powers of both advisory and paternal, managed the functions of recruitment, development funding/projects and collection of District/Tehsil Taxes. With the elections of local councils at the district/tehsil level, the councillors demanded greater share and control of these functions. Until, the elected officials are not empowered enough to undertake the responsibility of those functions which were traditionally conducted by district administrator or the DMG, it was to create the conflict of interest between the district administrator and local councillors. With the implementation of devolution plan, although the magisterial and legal powers of DMG were transferred to the district and session judge and police oversight powers to the district Nazim, there were left many loopholes which created power vacuum. This power vacuum was supposedly to be filled by the district officer or the DCO.

The devolution or the decentralisation of power and the efficiency of the civil service are symbiotic of each other. There is very important need to do efforts in the direction of strengthening of democratic institution in Pakistan. The devolution of power is one of them. It will not only strengthen the roots of democracy in Pakistan but also bring

[201] Latif, M. (2006), *Politics of Participation: Evidence From Four Districts in Pakistan*, CPS International Policy Fellowship Programme, Central European University, Centre for Policy Studies, Open Society Institute, pp. 6-7
[202] Shafqat Saeed (1999), "Pakistani Bureaucracy: Crisis of Government and Prospects of Reform", *The Pakistan Development Review*, 38 (4), p.1014

democratisation of civilian bureaucracy. This dual process can succeed only by bringing institutional as well as attitudinal changes in the civil service. The colonial *maibap* *(subject and the ruler relationship)* attitude of a civil servant is the main hurdle in the way to build and strengthen democratic institutions at local level. An efficient and accountable administration at local level demands that the relationship between the civil servant and elected political official should be based on trust, confidence and credibility. Political leadership and bureaucracy need to develop a transparent and effective partnership for promoting public interest and ensuring humane governance[203] (Shafqat, 1999: 1016). Civil service reform therefore tends to centre on enhancing democracy and accountability and thus has a strong political component. Responsive and transparent bureaucratic mechanisms call for increased citizen participation[204] (United Nations, 2011).

[203] Ibid., p.1016

[204]United Nations, MGDG-Civil Service Reform Paper, [Online: Web], Accessed April 8, 2011, URL.http://unpan1.un.org/intradoc/groups/public/__/un/unpan001183.pdf

CHAPTER 4: THE IMPACT OF DEVOLUTION PLAN ON CIVIL SERVICE

Musharraf period will be known to bring radical changes in the bureaucracy of Pakistan. It was only after the civil service reforms of 1973 under Zulfikar Ali Bhutto that such sweeping reforms took place. Although every Government in Pakistan is known for manipulating civil service to gain legitimacy and prolong their rule, Musharraf's regime was distinct in the sense that while other governments tended to bring bureaucracy in partnership of the power, Musharraf tried to subordinate and sideline bureaucracy and at the same time created a parallel line of 'localized patronage structure to produce collaborative politicians'(Cheema, 2003: 407) who acted as a conduit between local level constituencies and the non-representative centre. During his tenure, there were mainly five steps undertaken which were related to the civil service of Pakistan.[205]

> ➢ Restructuring of bureaucracy under Local Government Plan (LGP).
> ➢ Formation of National Commission for Government Reform (NCGR).
> ➢ Formation of Army Monitoring Teams to supervise bureaucracy.
> ➢ Formation of a reform related body-Civil Service Reform Unit (CSRU).
> ➢ A Cabinet Committee on Civil Service Reforms under the Ministry of Finance.

Devolution Plan and Civil Service Reforms

The civil service was the main focus of attention under the "Local Government Plan" of the National Reconstruction Bureau (NRB). The task of reforming the public services was given to one of the think tank under NRB known as Civil Service Think Tank (CSTT)[206] (NRB, 2001: 6). The aim of CSTT was stated as reconstructing the existing structures and systems of public services so as to ensure efficient, fair and transparent

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[205]Cheema, Ali et. al. (2003), *"Decentralisation in Pakistan: Context, Content and Causes"*, [Online: Web], Accessed 28th March, 2011, URL. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=739712, p.407

[206] National Reconstruction Bureau (2000), "Civil Service", [Online: Web], Accessed 24th of November, 2010, URL. http://www.nrb.gov.pk/civil_service/index.html, p.1

functioning of the government at local, provincial and federal levels, with a view to providing sustained good governance and promoting national cohesion."[207]

The objectives of changing the system of governance were stated as follows[208]:

> ➢ Restructure of bureaucratic set up and de-centralise the administrative authority to the district level and below.

> ➢ Re-orientate administrative system to allow public participation in decision making.

> ➢ Rationalise administrative structures for improving efficiency.

> ➢ Introduce performance incentive systems to reward efficient officials.

The administrative changes which were brought under devolution of power plan were related mainly to the bureaucracy at district level. As it was the Local Government Plan, it had nothing to do with the administrative structure at the federal level. Although the NRB established the Higher Government Restructuring Committee in 2001 to suggest devolution of powers from the Federal to the Provincial level, no concrete steps were taken in order to implement the recommendations[209] (Cheema, 2003: 425). Meanwhile the National Reconstruction Bureau which was given the task to draw a plan for devolution of power was of the view that it is the supremacy of district level bureaucracy which was one of the major constraints in the way of efficient administration. This was reflected in the NRB document: "The Civil Service is effectively controlled by the DMG. The group has close relations with international donors....Other groups in the public administration chafe under the control of one group and would welcome a democratisation of civil service structure as a basic element of civil service reform. The end of domination of bureaucracy by one group is a necessary

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[207] Government of Pakistan, *Agenda for Civil Service Reform*, Ministry of Defence, [Online: Web], Accessed   5th   of April,2011,URL.http://202.83.164.27/wps/portal/Mod/ut/p/c0/04_SB8K8xLLM9MSSzPy8xBz9CP0os_hQ N68AZ3dnIwN312BTAyNTE1MvR0tXgwBLI_2CbEdFAFNHPjc!/WCM_GLOBAL_CONTEXT=/wps/ wcm/connect/DefDivCL/division/policies/civil+service+reform

[208]National Reconstruction Bureau (2001), *Local Government Plan 2000* [Online:Web] Accessed on 17th March 2011 URL. http://www.nrb.gov.pk/local_government.htm

[209]Cheema, Ali et. al. (2003), "*Decentralisation in Pakistan: Context, Content and Causes*", [Online: Web], Accessed 28th March, 2011, URL. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=739712,, p.425

pre-condition for the attainment of administrative power by the army and the creation of conditions for national reconstruction.[210]"

Restructuring of District Level Bureaucracy

The supremacy of bureaucracy was seen as a sign of British colonialism and in order to abolish it a new structure was installed at the district level placing district *Nazim* at the top. The post of Deputy Commissioner and assistant commissioner who traditionally controlled executive, judicial and revenue functions in a district was removed and a new system was put in place with District Coordinating Officer (DCO) as the bureaucratic head in the district. The role of district commissioner as district collector and district magistrate was reduced to the district coordinator and he was made accountable to district elected *Nazim* instead of provincial bureaucracy to which he used to report till now. The judiciary power of the DC was given to district level judiciary and the revenue collection power to the district *Nazim*. Also the district level police officer who till now was accountable to the district Commissioner was now made accountable to the district elected *Nazim*.[211]

Merging of Rural and Urban Areas

The administration of rural and urban areas was merged and the ostensible aim behind was stated to mitigate the rural urban divide.

Devolution of Subjects from Provinces to Districts

As a part of devolution some line departments were devolved from the provincial level to the district level[212]. Apart from that three new departments were created namely law,

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[210]National Reconstruction Bureau, *"Structural Analysis of National reconstruction"* as quoted in International Crisis Group (2010), "Devolution in Pakistan: Reform or Regression?", *Asia Report* No.77, 22 March, 2004, p. 7

[211] Government of Pakistan (2001), SBNP Local Government Ordinance 2001, National Reconstruction Bureau, [Online: Web], Accessed 22nd of March, 2011, URL. www.nrb.gov.pk/.../SBNP_Local_Govt_Ordinance_2001.pdf, p.16-22

[212] The functions which were devolved from provinces to districts were agriculture, community development education, finance and planning, health, information and technology, law, literacy, revenue, works and services.

[212] In Pakistan, the officers belonging to technical and professional categories, e.g., specialized positions in Ministeries of Education, Science and Technology, Food and Agriculture, and subordinate offices are not en-cadred and excluded from training.

literacy and information and technology. Each district department was placed under an Executive District Officer (EDO), assisted by a Deputy District Officer (DDO) at the sub-district level. There was a *tehsil*/town municipal officer at the *tehsil*. The new structure of the bureaucracy can be explained through Figure 4 and Figure 5.
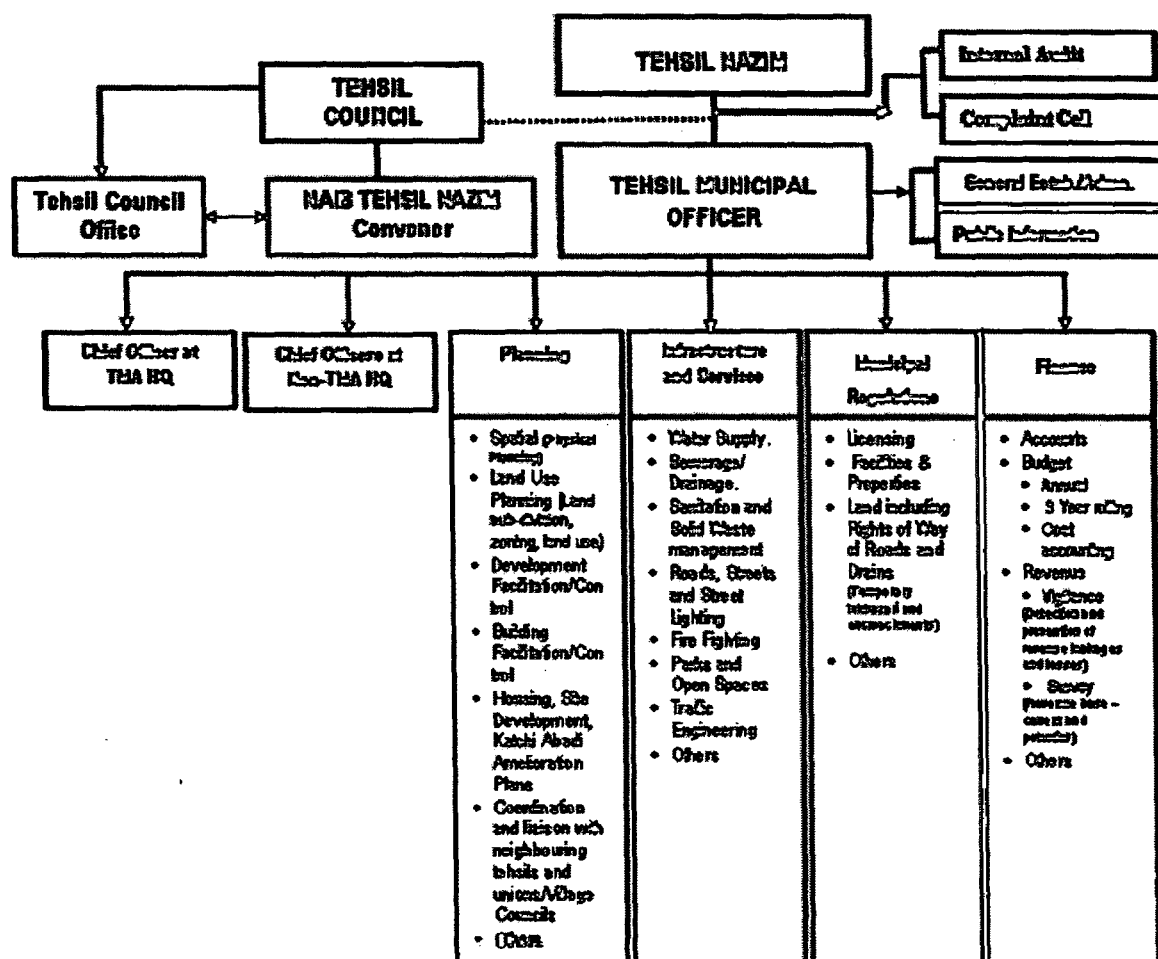
Figure 4
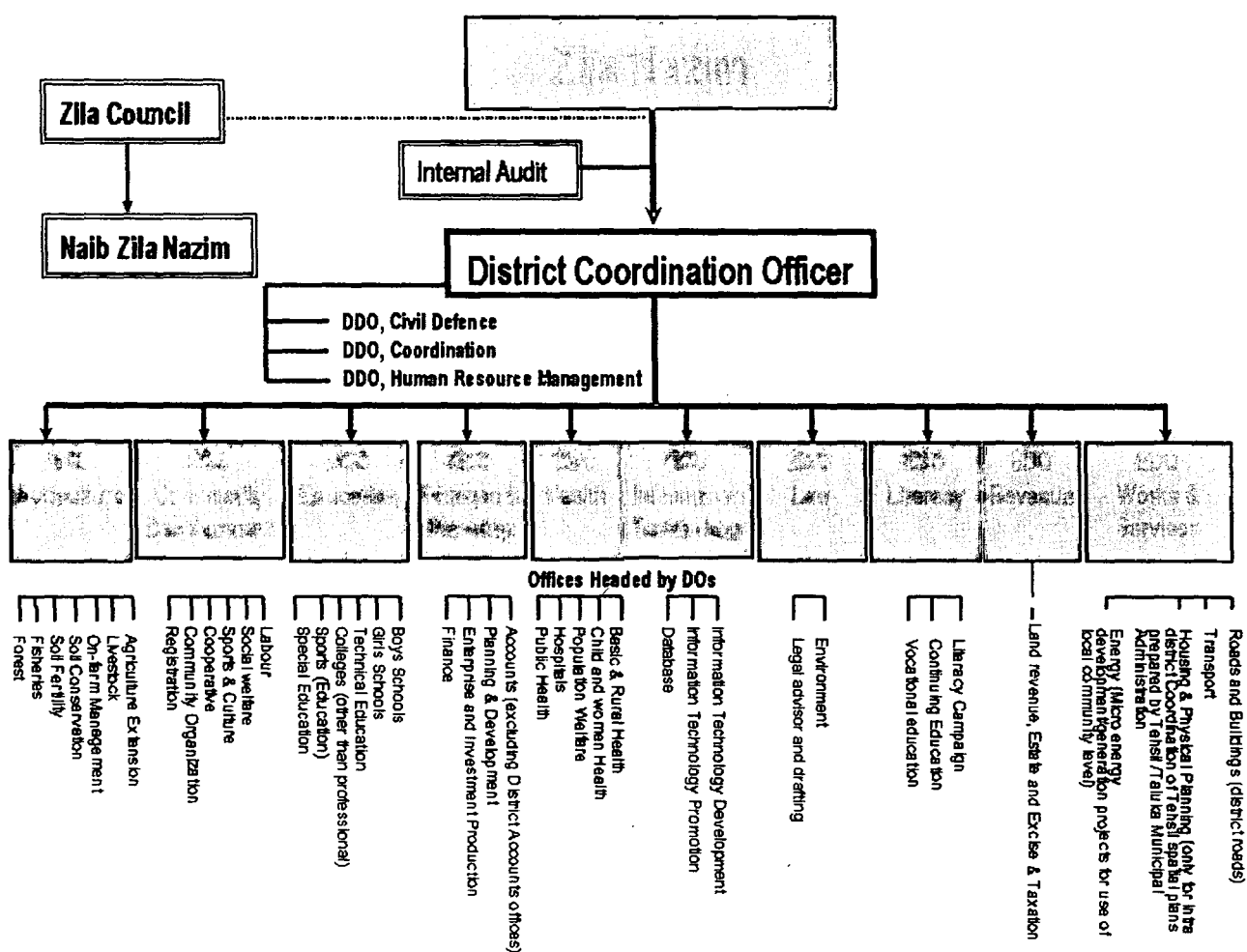
Source: National Reconstruction Bureau[213]

[213] National Reconstruction Bureau (2001), *Local Government Plan 2000* [Online: Web] Accessed on 17th March 2011 URL. http://www.nrb.gov.pk/local_government/figure_2.gif?NOCACHE=1

Figure 5

TEHSIL MUNICIPAL ADMINISTRATION ORGANIZATION

Source: National Reconstruction Bureau[214]

The radical changes brought at the district level bureaucracy under the Local Government Plan show that in theory the entire exercise was conducted in order to subordinate the bureaucracy to an elected person. Although it seemed a positive effort to strengthen the elected representative vis-à-vis a bureaucrat and thus the priorities and choices for developmental projects were then determined by the representatives of the communities, however the implementation of the LGP took place with extreme political control and interference by the centre as well as provinces as has been described in the

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[214] National Reconstruction Bureau (2001), *Local Government Plan 2000*, [Online: Web], Accessed on 17th March 2011 URL. http://www.nrb.gov.pk/local_government/tehsil_municiple_admin_organagram.htm

previous chapter. It was claimed that the above change will make the administration more efficient and productive as the plan claimed to abolish the centralisation of bureaucracy which has been described by the NRB as the main cause of bureaucratic inefficiency[215]. In reality, the whole exercise was an effort to cloak the centralised control over local administration through the new institution district *Nazim*. As this new institution was made the main tool in the hand of military to extend its centralised control, it was essential to lower the grade of district head of bureaucracy (DC) to raise the stature of district *Nazim*. Thus, the whole exercise remained cosmetic and could not bring any path-breaking change in the civil service. The district governments were likely to face many constraints under Musharraf's local government plan. Although certain functions were devolved to the district and lower level of government in the name of devolution of power, the districts were not provided with enough autonomy (fiscal and political) to bring desirable changes as per their own needs. The recruitment of officials at district level was still controlled by the provincial government and influenced by federal government[216] (Cyan, 2004: 21). Although prohibition on recruitments was imposed by each province, in some cases the local governments were given the authority to hire the administrative staff and officials only on the contract basis. This practice however did not do much favour to the local government given the fact that this practice was limited to merely some grades and some departments, especially the districts were not given any authority to make recruitment, transfer or promotion of higher level of officials[217] (Cyan, 2004: 24-25).

Ambiguity of Rules and Procedures

There erupted a lot of difficulty in identifying the locus of responsibility for action due to lack of clarity and lot of ambiguity which ultimately led to the breakdown of law and order.[218] The absence of no clear rules or policy support created confusion and

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[215] Government of Pakistan, Local Government Plan 2000, Ministry of Education, [Online: Web], Accessed 26th of March, 2011, URL. http://www.moe.gov.pk/Local%20Government.pdf, p.1

[216] Cyan, Musharraf et.al. (2004), *Devolution in Pakistan: An Assessment and Recommendation for Action*, Annexure 1 Recent History, Asian Development Bank and World Bank, p. 21

[217] Ibid., p. 24-25

[218] Government of Pakistan, *Agenda for Civil Service Reform*, Ministry of Defence, [Online: Web], Accessed 5th of April,2011, URL.http://202.83.164.27/wps/portal/Mod/ut/p/c0/04_SB8K8xLLM9MSSzPy8xBz9CP0os_hQN68AZ3dn

complexities further making the administration complicating rather than smooth. For example, the local government did not enjoy the status of an employer in spite of practicing the recruitment on contract basis in some cases. The legal definition of an employer was not certain and also the status of the government. It constrained the employees to contest legally in the court if any injustice was poured upon them. The absence of clear rules and policies also created the problem of dual accountability for example, although the district level officials including the DCO were made accountable to the elected district *Nazim*, their loyalty to the district level was not paramount having recruitment and transfer power at the provincial level of government. Musharraf Cyan and others has expressed the possibility of political motivated transfers caused by the dual accountability in these words, "the threat of an unpleasant transfer or the promise of an attractive one can pressure the senior staff member to arrange the transfer of a junior employee[219] (Cyan, 2004: 27).

Disadvantages of Hasty Implementation

Moreover lack of much preparation before putting an unfamiliar and untested system also hampered the smooth functioning of the new administrative system which was put in place[220] (ICG, 2010: 13). Although the district *Nazim* was provided with new responsibilities, in spite of knowing the fact that the democratic functioning was weak at the local level, no efforts were made on the part of government to strengthen the community participation and to strengthen the hands of democracy at local level. The result was obvious that on the one hand the provinces were reluctant to devolve their powers to the districts and on the other hand, it created a vacuum at local level administration as the elected *Nazim* was not able to bear the new responsibilities imposed upon him. It also led to the further concentration of power in the hands of DCO who took the advantage of ambiguity of rules and procedures. In an interview conducted by the International Crisis Group, it is shown that in spite of reduction of judicial and

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1wN312BTAyNTE1MvR0tXgwBLI_2CbEdFAFNHPjc!/WCM_GLOBAL_CONTEXT=/wps/wcm/connec
t/DefDivCL/division/policies/civil+service+reform
[219]Cyan, Musharraf et.al. (2004), *Devolution in Pakistan: An Assessment and Recommendation for Action*, Asian Development Bank and World Bank, p. 27
[220] International Crisis Group (2010), "Devolution in Pakistan: Reform or Regression?", *Asia Report* No.77, 22 March, 2004, p. 13

revenue collection power of the DCO, he enjoys wider administrative and financial powers than the former DC[221] (ICG, 2010: 15). The linkages among District, *tehsil* and union level government were weak resulting in lack of coordination among three tiers of government, also the horizontal integration was absent which led to the poor coordination between various line departments at district, *tehsil* and union level[222] (Taj, 2010: 16). There were no efforts made on the part of government to integrate the administrative reforms at local level to that of federal and provincial level.

Irregularities in the allocation of functionary and finance

Although some line departments were devolved from the provincial level to the district level and some new departments were created, the provincial governments retained substantial control over the district government regarding policy making on these devolved subjects. However the government employed one-size-fits-all approach of the LGP as all the districts initially were assigned all the departments to be established, irrespective of the need[223] (Manning, 2003: 33). It created serious irregularities in the allocation of functionary and finance. Moreover it led to some redundancies with the providing of staff and budgets for each of departments in each district. For example urban Karachi was assigned the agriculture department (along with other departments) whereas *Nazims* of predominantly rural districts complained that they had to budget for IT department, despite limited utilisation of IT. Similarly, literacy department was assigned to all districts, with almost the same number of staff, although city districts and small rural districts had less demand for this service[224] (Manning, 2003: 33). These were mainly the pains of providing less discretion and thus the local governments were left with little scope of innovation according to the needs of the local communities. Although much later this anomaly was tried to be removed and the provinces were given the right to modify their respective organisations and thus provide for a more efficient allocation of resources, the problem was not fully addressed in provinces except

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[221] International Crisis Group (2010), "Devolution in Pakistan: Reform or Regression?", *Asia Report* No.77, 22 March, 2004, p. 15
[222] Taj, Aamer (2010), *"Devolution Reforms in Pakistan"*, Centre for Public Policy Research, Peshawar: Institute of Management Sciences, p.16
[223] Manning, N. et. al. (2003), *Devolution in Pakistan: Preparing for Service Delivery Improvements*, Pakistan: World Bank, p.33
[224]Ibid., p.33

Baluchistan and NWFP. It was mainly because the districts were still not supposed to be eligible to manage according to their own needs.

No Effort for Attitudinal Change

Although various positive changes were made under LGP, the tool of implementation remained the same bureaucracy unaccustomed to change, there was no effort made to bring attitudinal change in behavior of civil service. Particularly at the initial stage (December, 1999 to January 2001), the civil service was most resisting to the idea of devolution as has been stated by Baela Raza Jamil, "The bureaucrats, who had the most to loose in terms of status and authority, led the resistance; since the bureaucrats had to lead the pre-devolution transition process, they themselves became the primary blockers of the idea"[225] (Jamil, 2002: 16). There was a lack of insight for human resource development in the LGP. The administrative changes under LGP did not emphasise the need for capacity building programmes to smooth the process under new structure of administration. A formal system of in-service and recruitment level training was not sufficient for the administrators to work under new environment.[226]

The need of creating a distinct District Service was not identified. Article 240 of the Constitution of Pakistan stipulates that there would be All Pakistan, Federal and Provincial Services, the constitution does not mention District Service[227]. There was a need of creating a separate District Service provided with constitutional protection. The district elected government should be given the authority to appoint the officials of District Service having enough discretion to make policy in this regard so that they can select official staff according to the local needs.

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[225] Jamil, Baela Raza (2002), Decentralisation and Devolution: Educational Implications of the Praetorian Interpretation, Idara-e-Taleem-o-Aagahi Public Trust, p. 16

[226] Government of Pakistan (2006)," Agenda for Civil Service Reform", Policy Paper,[Online: Web], Accessed 17th of October, 2010, URL. http://202.83.164.27/wps/portal/Mod/ut/p/c0/04_SB8K8xLLM9MSSzPy8xBz9CP0os_hQN68AZ3dnIwN3 12BTAyNTE1MvR0tXgwBL1_2CbEdFAFNHPjc!/WCM_GLOBAL_CONTEXT=/wps/wcm/connect/Def DivCL/division/policies/civil+service+reform p.9

[227] Article 240. The Constitution of Islamic Republic of Pakistan, [Online: Web], Accessed 26th of June, 2011, URL. http://www.pakistani.org/pakistan/constitution/

Although it may seem good in theory that the administrative officer has been made accountable to the representative head of the people, in reality, this ostensible good effort was undermined by the fact that the representative head at the district level in LGP did not represent the local people in true sense mainly due to two reasons firstly these elected officials were indirectly elected and secondly having military government in the centre and its direct control over local government, politically favourable people were put in the posts of district *Nazim*. Shafqat Munir has called the electoral tactics as "big power game" where the traditional establishment backed the power elites at local level through excessive use of money and power tactics[228] (Munir, 2001: 1). Thus Cheema and else have doubted the loosening of bureaucratic control in effect when they say, "it is unclear that the de jure shift in emphasis towards elected representatives vis-a-vis the bureaucracy has been matched by their substantive de facto empowerment"[229] (Cheema, 2003: 415). In most of the cases, the LGP resulted in the nexus of corrupt DCO and equally corrupt district *Nazim* on one hand and the transfer and postings of civil servants mainly driven by political interest to extend the reach of military regime to the local level[230] (ICG, 2010: 1).

Restored military control over local government and suppression of the principle of separation of power

In the military rule of Musharraf, the militarisation of civil services crossed every limit of intensity. Previously, whenever civil service was misused for political benefits, it had been kept at par with the ruling regime, however during the military rule of Musharraf, the situation grew to worse when bureaucracy was made subordinate to the military government and the Army was authorised for its monitoring. Meanwhile the system of proper check and balance among institutions at local level was ineffective due to which various conflicts erupted. Further the military government introduced a novel system of Army Monitoring Teams (AMT) on November 15, 1999 to draw performance and

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[228] Munir, Shafqat (2001), Devolution of power to Elites at Grassroots, Research Paper: Journalists of Democracy and Human Rights, [Online: Web], Accessed 25th of May, 2011, URL. www.jdhr.org/publications/articles/Elections%20Engineering.pdf, p.1

[229] Cheema, Ali et. al. (2003), "*Decentralisation in Pakistan: Context, Content and Causes*", [Online: Web], Accessed 28th March, 2011, URL. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=739712, p.415

[230] International Crisis Group (2010), "Devolution in Pakistan: Reform or Regression?", *Asia Report* No.77, 22 March, 2004, p. 1

evaluation reports of civil officers and their workings. The rationale for the induction of army monitors was stated to improve the efficiency of civil officers[231] (Maluka, 2004: 64). The monitors were required to receive input from the field and pass it on to their top military brass for policy formulation. These AMT were divided into divisional level structures and then further divided into district level structures. These were manned entirely by the military officers who report to their own senior military command. Thus there were nine corps commanders to oversee the governance machinery[232] (Mahmood, 2001: 21). Notwithstanding this ostensible purpose, in practice the role of AMT was widened to serve the interest of military regime so much so that no departmental civilian posting or transfer could be made without prior clearance from the military officers. The AMT served to provide the basis for a major overhaul of civil servants according to the political needs of the military government. It can be revealed from the fact that on the basis of AMT's report, thousands of officials were removed from the office or forced to take pre-mature retirement by promulgating two ordinances, Removal from Service (Special Powers) Ordinance 2000, and the Civil Servants (Amendment) Ordinance 2000[233] (Maluka, 2004: 65). Later, these AMT were empowered to initiate and conduct fact finding inquiries against civil bureaucrats, a serious blow to the working of independent functioning of civil bureaucracy.[234] An attempt was even made to empower these teams to evaluate the performance of bureaucrats that would form an input for writing their annual confidential reports.

Some other civil institutional arrangements

There were some other institutional arrangements made to bring reform in civil service during the period of General Pervez Musharraf. A Cabinet Committee on Civil Service Reforms was formed chaired by the Minister of Finance. Other members were the Chairman of National Reconstruction Bureau; Deputy Chairman of Planning

[231]Maluka, Zulfikar Khalid (2004), "Restructuring the Constitution for a COAS President" in Craig Baxter (ed.), *Pakistan on the Brink: Politics Economics and Society*, Oxford University Press: Karachi p.64

[232]Mahmood Sohail (2001), *Musharraf Regime and the Governance Crisis: A Case Study of the Government of Pakistan*, Nova Publishers: New York, p.21

[233]Maluka, Zulfikar Khalid (2004), "Restructuring the Constitution for a COAS President" in Craig Baxter (ed.), *Pakistan on the Brink: Politics Economics and Society*, Oxford University Press: Karachi p.65

[234] Datta, S.K. (2003), "The Internal Political Dynamics of Pakistan", in K.K. Nayyar (eds.), *Pakistan at the Crossroads*, Rupa Publishers: New Delhi, p.108

Commission; Principal Secretary to the Prime Minister; Establishment Secretary; Secretary of Finance, Chairman of Federal Public Service Commission (FPSC)[235]. A supervisory unit Civil Service Reform Unit (CSRU) was established as a sub-component of the establishment division to facilitate the implementation of reform agenda and to fulfill the need of capacity building programmes.[236] The establishment of this unit was one of the parts of the Public Sector Capacity Building Project assisted by International Development Association (IDA)[237] (Bokhari, 2011). The CSRU was to serve as secretariat to the cabinet committee on Civil Service Reforms in order to oversee the government's comprehensive civil service reform programme. Its task was mainly to provide technical recommendations in order to support civil service reform through outsourcing technical studies and organising seminars/workshops of provincial and national level stakeholders to develop consensus on the Civil Service Reform Agenda i.e. restructuring, compensation, professional development and associated recruitment and promotion reforms. CSRU was also made responsible to monitor implementation of agreed reforms[238]. The government has also amended the Federal Public Service Commission Ordinance to institutionalise merit-based, transparent recruitment for the civil service[239] (United Nations, 2004: 11). While there has been some improvement as a result of on-going reforms, Pakistan's civil service still requires systemic renewal and structural changes.

A Civil Service Think Tank (CSTT) was constituted under National Reconstruction Bureau provided with the aim to reconstruct the existing structures and systems of public

[235] Bokhari, Syed Anwar-ul-Hasan (2011), e-mail to the author, 02 July, 2011

[236] Government of Pakistan (2000)," Agenda for Civil Service Reform", Policy Paper,[Online: Web], Accessed 17th of October, 2010, URL. http://202.83.164.27/wps/portal/Mod/ut/p/c0/04_SB8K8xLLM9MSSzPy8xBz9CP0os_hQN68AZ3dnlwN3 12BTAyNTE1MvR0tXgwBLl_2CbEdFAFNHPjc!/WCM_GLOBAL_CONTEXT=/wps/wcm/connect/Def DivCL/division/policies/civil+service+reform p.13

[237] Bokhari, Syed Anwar-ul-Hasan (2011), e-mail to the author, 02 July, 2011

[238] Government of Pakistan (2002)," Agenda for Civil Service Reform", Policy Paper, [Online: Web], Accessed 17th of October, 2010, URL. http://202.83.164.27/wps/portal/Mod/ut/p/c0/04_SB8K8xLLM9MSSzPy8xBz9CP0os_hQN68AZ3dnlwN3 12BTAyNTE1MvR0tXgwBLl_2CbEdFAFNHPjc!/WCM_GLOBAL_CONTEXT=/wps/wcm/connect/Def DivCL/division/policies/civil+service+reform p.13

[239] United Nations (2004), Islamic Republic of Pakistan, Public Administration: Country Profile, Division for Public Administration and Development Management: Department of Economic and Social Affairs, [Online: web], Accessed 23rd of December, 2010, URL. http://unpan1.un.org/intradoc/groups/public/documents/un/unpan023239.pdf, p. 11

services so as to ensure efficient, fair and transparent functioning of governments at local, provincial and federal levels, with a view to providing sustained good governance and promoting national cohesion[240] (NRB, 2001: 1).

NCGR

A National Commission for Government Reforms was set up in 2006[241] (Springborg, 2009: 196). It was the only good attempt for civil service reform made during Musharraf regime. The commission was headed by Dr. Ishrat Hussain, a retired civil servant and former State Bank Governor. It produced its report after two years of consultations with provincial and district governments, serving and retired civil servants, and civil society members[242] (ICG, 2010: 10). It was for the first time in the history of Pakistan that a body was set up to undertake a comprehensive study extending to all the three tiers of the Government in an integrated manner. The NCGR was distinct from its previous such attempts as it was the latest attempt to know the problems which the Government of Pakistan facing in the formulation and implementation of policies. The NCGR was also important because it underwent a critical analysis of various reforms which had been undertaken so far. The commission consisted of six independent members and three ex-officio members drawn from the different provinces[243] (NCGR, 2006: 3). There was also a High Powered Steering Committee (HPSC) co-chaired by the President of Pakistan and Prime Minister of Pakistan and consisting of four provincial Chief Ministers. This was responsible for approving the recommendations of the NCGR and monitoring their implementation[244] (Hussain, 2006: 14).

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[240] National Recontruction Bureau (2000), "Civil Service", [Online: Web], Accessed 24th of November, 2010, URL. http://www.nrb.gov.pk/civil_service/index.html, p.1

[241] Springborg Robert (2009), Development Models in Muslim Context: Chinese, 'Islamic' and Neo-liberal, Edinburg: Edinburg University Press Ltd. p.196

[242] International Crisis Group (2010), Reforming Pakistan's Civil Service, Asia Report No. 185, p. 10

[243] National Commission for Government Reforms (2006), Brochure of National Commission for Government Reforms, [Online: Web], Accessed 21st of November, 2010, URL. http://www.ncgr.gov.pk/Civil_Service_Reforms.html, p.3

[244] Hussain, Ishrat (2006), Presentation on National Commission for Government Reforms, World Bank, [Online: Web], Acccessed 23rd of Decemeber, 2010, URL. http://sitesources.worldbank.org/PAKISTANEXTN/Resources/293051-1147261112833/Session-7-1.pdf, p.14

According to NCGR whatever the steps, undertaken so far to reform the governance, had been piecemeal, partial or ad hoc. Every government in Pakistan whether it were military or civilian was interested merely in manipulating the various institutions in the name of administrative reforms thus leaving the situation worse than before. According to NCGR the governmental reforms has to be comprehensive, concurrent and coordinated, covering the following dimensions[245] (Hussain, 2006: 6) :-

a. Federal, Provincial and Local Governments.

b. Organisation of the three tiers of government and horizontal relationships within and across these tiers.

c. Internal structure of each Ministry and department and the hierarchical relationships governing the structure, composition, delegation of powers and HR policies in respect of Secretariat and executive agencies.

d. Size cadre and composition of the Civil Services at all levels of government, evolution of the future Civil service structure and policies pertaining to human resource deployment at the three tiers of Government.

e. Business processes including rules of business, financial, administrative and establishment rules and regulations, and flow of work.

f. Replacement of manual processes by automation thus ensuring greater transparency.

For NCGR, there had been a number of factors which contributed to the gradual deterioration of the capacity of the civil service, the most identified factors are the absence of a long term human resource development and management policy, risk averse attitude of civil servants, pressures and compulsions from the political leadership pushing the ambitious civil servants into taking partisan positions favouring the ruling party, training limited to only en-cadred group of civil servants leaving aside ex-cadred group[246], highly centralised decision making and lack of delegation of powers, rapid turnover and transfers of civil servants at the behest of politicians in power, reliance on

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[245] Ibid., p.6

[246] In Pakistan, the officers belonging to technical and professional categories, e.g., specialized positions in Ministeries of Education, Science and Technology, Food and Agriculture, and subordinate offices are not en-cadred and excluded from training

antiquated and outdated rules, procedures and regulations and absence of internal accountability for results and outcomes which takes away the incentives for improving performance[247] (NCGR, 2008: 51)

The recommendations given by NCGR to reduce above dysfunctionalities of civil service are carried by the following two objectives (NCGR, 2008: 54) :[248]

> ➤ To improve the capacity of civil servants in order to become more responsive in delivering basic public services to the common citizens, in an efficient, effective and equitable manner.

> ➤ To attract, retain, motivate and develop high quality civil servants, in order to improve the functioning of all three tiers of the government.

It is to be noted that the NCGR is not in favour of conducting radical changes in the structure of civil service and other governmental institutions, as has been expressed in the following statement of Ishrat Husain, the chairman of NCGR, "I am quite sure that except for some anarchists most Pakistanis will not wish that we should implement any radical reforms that will lead to a chaos and instability in the country. Such an action will once again put us back on the path of retrogression and regress. The more sensible option is to review and fix the administrative structure at the Federal, Provincial and Local governments, revise and update the processes, rules and delegation of powers and responsibilities to the different tiers of the government, automate and make transparent the way in which a common citizen can obtain the various services from the Government departments, re-organise the civil services so that we have motivated, competent and responsive public servants."[249] Major recommendations given by NCGR can be summerised as follows:[250]

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[247] National Commission for Government Reforms (2008), Report of the National Commission for Government Reforms on Reforming the Government of Pakistan, [Online: Web], Accessed 12th of October, 2010, URL. http://www.ncgr.gov.pk/index.html, p.51

[248] Ibid., p.54

[249]Husain, Ishrat (year not available), *"Why Reform the Government?"* [Online:Web], Accessed: 24th of March,2011, URL. http://ishrathusain.iba.edu.pk/.../WHYREFORMTHEGOVERNMENT.doc

[250] Government of Pakistan (2008), "National Commission for Governmental Reforms" Prime Minister's Secretariat, Islamabad [Online: Web], Accessed February 16, 2011, URL. www.csru.gov.pk/Forms/Final_Report.pdf

➤ The commission mainly focused on reducing the size of the bureaucracy on one hand and using optimally the existing workforce by making various changes. According to it the civil service should be reorganised to meet the varying demands of governments at all levels. It also suggested removing the concept of superior civil service, and uniformly treatment and training of all cadres, i.e. ex-cadres and en-cadres. The NCGR recommended that the civil service of Pakistan should be restructured having four types of civil service[251]:-

All Pakistan	(i) National Executive Service. (NES)
	(ii) Pakistan Administrative Service. (Formerly DMG)
	(iii) Police Service of Pakistan. (PSP)
Federal	(i) Pakistan Foreign Service. (PFS)
	(ii) Pakistan Audit and Accounts Service. (PAAS)
	(iii) Pakistan Taxation Service with two cadres for Customs and Inland Revenue. (PTS)
Provincial	(i) Provincial Management Service. (PMS)
	(ii) Provincial Executive Service. (PES)
	(iii) Provincial Technical and Professional Service. (PTS)
	(iv) Provincial Judicial Service. (PJS)
District	District Service

➤ In the system of new structure all cadres and occupational groups will have a uniform nomenclature i.e. service. NCGR recommended to create a new National Executive Service (NES), along with the Provincial Executive Service (PES) comprising Grades 20-22. It will be open to all existing officers serving the Government and also professionals from outside; they will be drawn through a competitive process. The NES will be divided into three specialised cadres

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[251] National Commission for Government Reforms (2008), Report of the National Commission for Government Reforms on Reforming the Government of Pakistan, [Online: Web], Accessed 12th of October, 2010, URL. http://www.ncgr.gov.pk/index.html, p.10

Economic Management, Social Sector Management and General Management. The need for a separate NES was identified recognising that the future knowledge based economy can be effectively managed by the individual who possesses a mixture of substantive knowledge and skills, combined with leadership skills[252] (NCGR, 2008: 62-69).

> The NCGR also gives a separate system for subordinate service in grades 1-16. It recommends that all posts in grades 1-16 at the District, *Tehsil*/Town and Union Council level be classified into two categories (NCGR, 2008: 73)[253]:

> All Common services staff who can be rotated from one office to another office such as messengers, drivers, clerks, assistants, superintendents, serving at the District, Town/ *Tehsil*, Union Administration levels, should be grouped together to form the General Cadre. The inter-changeability of the staff, who will mainly be generalists, will be the main criterion for induction into this grouping.

> All technical staff which belongs to specific departments will either be grouped into separate cadres, if there is a justification to do so, or remain in ex-cadre or non-cadre posts in their respective departments, with their promotion prospects at par with the cadre employees.

The NCGR was of the view that the separation of generalist and common services and rotational positions from specific technical positions will bring about a great deal of clarity and transparency[254] (NCGR, 2008: 73).

d. NCGR strongly recommended for the decentralisation and devolution of various powers from centre below to the province and from the provinces to the districts. On the other hand the NCGR recommended to strengthen the district administration by two means. First, the creation of District Service under the control and management of District Government, putting all employees in Grades 1-16 in the devolved departments of the districts and also improving span of control and

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[252]Ibid., pp.62-69
[253]Ibid., p.73
[254]Ibid., p.73

accountability for results. Secondly, the transfer of functions from the federal to the provincial government as well as the introduction of regional quota at federal level reserving highest policy making positions to qualified and competent Provincial civil servants.

e. The NCGR was of the view that for the benefit of the citizen, the interface between public and the civil servants should be improved. According to it, "the civil service of Pakistan is comprised of low grade officials lacking neutrality, integrity and right attitude, who often lack the skills to address the concerns of the citizens"[255] (NCGR, 2008: 6). The NCGR proposes to adopt a holistic approach for human resource management to turn civil servants into competent, motivated, well trained problem solving individuals. It emphasises to adopt a transparent and accountable merit-based approach that rewards performers and penalizes the recalcitrant through a "Transparent Promotion Policy" with a clearly defined role for the Selection Board and Departmental Promotion Committees[256] (NCGR, 2008: 60). The NCGR recommended to seize the promotion on the basis of seniority and said that the promotions should be rather based on performance and efficiency of an official. It also proposes the transformation of Establishment Division into a modern agency for management and development of human resources in the Federal Government. It thus hopes to bring much needed "cultural change" to the organisation; and to ensure that mechanisms are put in place to address under-performance[257] (NCGR, 2008: 6).

f. To make the administration efficient and quickly accessible, the NCGR proposes to exploit the potential offered by e-Government quickly and advantageously[258] (NCGR, 2008: 20). The introduction of e-governance will ensure that there is a move away from paper-based working towards a more efficient, productive and cost-effective approach. This will also imply that all government rules, regulations, circulars, instructions and manuals are readily accessible through web in the public

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[255]Ibid., p.6
[256]Ibid., p.60
[257]Ibid, p.6
[258]Ibid, p.20

domain and that the latest editions of documents. This will not only curtail the discretionary and arbitrary powers of the lower functionaries but also encourage openness, transparency, lesser opportunities for corruption and accountability by the public.

The Impact of Devolution Plan on Civil Service

After a decade military rule in Pakistan with the strategy of Local Government Plan to extend the control over local government, we are faced with the question that how has it affected the bureaucracy apart from questioning that whether the stated objectives are met or not. In the words of Sania Nishtar, the president of NGO Think Tank Heartfile, "The Local Government System which was meant to be departure from the post-colonial style of administration was not able to deliver on its premise"[259] (Nishtar, 2010: 1) According to ICG report, "The devolution plan of Musharraf resulted in corrupt bureaucrats joining hands with equally corrupt and unaccountable local officials"[260] (ICG, 2010: 1).

In Pakistan, the civil service has been exploited by every government through institutional manipulation in the guise of reform. It has deeply damaged the integrity, and neutrality and professionalism of civil servants[261] (ICG, 2010: 1). The military rule under Musharraf was no different from previous rulers in this respect, and bureaucracy was much politicised and militarised through the institutional mechanisms of LGP. The monitoring of bureaucracy by Army Monitoring Teams seriously injured the integrity and neutrality of bureaucracy. Before the impact of Musharraf's rule over civil service is analysed it is necessary to bring in forth some critical flaw in the whole programme initiated by the military government.

o   Although the LGP's stated objective was to devolve administrative power and thus end the colonial legacy, the true intent of the military government was in doubt as the devolution of power meant the devolution of certain functions from

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[259]Nishtar, Sania (2010), Civil Service Reform Revisited, *The News International*, February 27, 2010, p.1
[260]International Crisis Group (2010), Reforming Pakistan's Civil Service, Asia Report No. 185, p.1
[261]Ibid., p. 1

the provincial level to the district and devolution of power from the centre to the provinces was not given priority in the government[262][263].

o The whole mechanism of the LGP was contradictory in itself as decentralisation and democratisation of civil service was taking place having an undemocratic and military government at the centre. Moreover, the commission which was given task to draw a plan for devolution was headed by a military officer.

o One of the critical flaws of the military government can be revealed from the fact that on one hand the military government brought the plan of devolution of power to introduce decentralisation, on the other hand the bureaucracy was put under the supervision of Army by bringing the mechanisms of Army Monitoring Teams. It was for the first time in the history of Pakistan that the bureaucracy was sub-ordinated to the military, thus Musharraf was one step ahead from his predecessors who merely militarise the bureaucracy in order to sustain their grip on political power.

o Although in the name of strengthening the democracy at local level, the bureaucratic head of the district i.e. DCO was made subordinate and accountable to the district *Nazim*, it is to be noted that these district *Nazim* were indirectly elected, and through many manipulations favourable people were placed at the posts of District *Nazim*. Later, these district *Nazims* became the tool of military government at the centre to strengthen the grip of power at the local government rather than strengthening of democracy.

All these flaws reveal that the reform of bureaucracy was not the true intent of the government rather it was to extend its power in the guise of reform. This has left further manipulation of the bureaucracy to gain legitimacy rather than reforming it. The military

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[262] The National Reconstruction Bureau established the Higher Government Restructuring Committee in 2001 to suggest devolution of powers from the Federal to the Provincial level. However, no steps were taken as far as the implementation is concerned. (Cheema, Ali et. al. (2003), "*Decentralisation in Pakistan: Context, Content and Causes*", [Online: Web], Accessed 28th March, 2011, URL. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=739712, p.425)

[263] Cheema, Ali et. al. (2003), "*Decentralisation in Pakistan: Context, Content and Causes*", [Online: Web], Accessed 28th March, 2011, URL. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=739712, p.399

rule of Musharraf has left the civil service more *politicised* and *militarised*. The way Local Government Plan was drawn and implemented, there were left many loopholes as has been discussed earlier in this chapter. The political intervention in the civil service has gravely undermined the professionalism and capacity of the civil service. The politically oriented transfer and promotions of civil servants have contributed to their *dysfunction*, with promotions increasingly dependent on officers' proximity to those in power rather than their skill and performance. According to International Crisis Group (ICG), it has weakened the constitutionally guaranteed protection of employment that has previously shielded the bureaucracy against the political interference[264] (ICG, 2010: 5). It has gradually undermined the importance of merit and performance of a civil servant and institutionalised the ethical, procedural and financial form of malpractices[265] (Nishtar, 2010). In this environment, a civil servant gets more incentive for being loyal to his superior rather than being responsive to the citizen's need, leaving the bureaucracy completely dysfunctional.

As frequent political interference has weakened the constitutional protection of the civil services, it has distracted and prevented the young, honest and enthusiastic people to join the civil service. It can be revealed from the fact that participation of candidates in Civil Service Examination has reduced from 4669 in 2001 to 4125 in 2006[266] (Khan and Din, 2008: 3). At the end of Musharraf regime the students were less interested in Civil Service of Pakistan (CSP). The perception survey conducted by Pakistan Institute of Development Economics shows that the students who are not interested in CSP have the following reasons for that: recruitment system is not fair, political influence over civil service, less competitive salary package, limited vision and creativity and limited freedom of action and initiation. For most of the students, lack of fairness in recruitment and the political influence over civil service are the major causes for not joining the civil service[267] (Khan and Din, 2008: 15-16). It shows that people now have less faith in the

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[64] International Crisis Group (2010), Reforming Pakistan's Civil Service, Asia Report No. 185, p. 5

[65] Nishtar, Sania (2010), "Civil Service Reform Revisited", *The News International,* Lahore, 27th of February, 2010, [Online: Web], Accessed 24th of March, 2011, URL. http://criticalappp.com/archives/6404

[66] Khan, F.J. and Muleh-ud-Din (2008), *Student's Attitude Towards Civil Service of Pakistan: A Perception Survey*, Pakistan Institute of Development Economics: Islamabad, p.3

[67]Ibid., p. 15-16

bureaucratic machinery. The pattern of passing the examination signifies a lack of interest among the brighter students.[268] Corruption in civil service has grown during the previous years. In the corruption perception index, Pakistan gaining 2.3 points was ranked 34th most corrupt country in 2010.[269] The intensity of the corruption in Pakistan can be realised from the fact that 65 per cent civil servants perceive bribe to be offered to get things done in an official department. 93 per cent of them think that the performance of civil servants has deteriorated over the years[270] (Haque, 2007: 17). All these facts reveal that the efficiency of civil service has been seriously eroded. There should be no surprise that despite various attempts at reforming the civil services the common perception seems to be that the system essentially remains similar to that inherited from the colonial past[271] (Haque, 2006: 1199)

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[268] The percentage of applicants passing the written examination has declines sharply in recent years, from about 21 per cent in 2001 to only about 7 per cent in 2006. (Khan, F.J. and Muleh-ud-Din (2008), *Student's Attitude Towards Civil Service of Pakistan: A Perception Survey*, Pakistan Institute of Development Economics: Islamabad, p. 4

[269] Corruption Perception Index (2010), [Online: Web], Accessed 23rd of June, 2011, URL. www.transparency.org

[270] Haque, Nadeem Ul and Idrees Khwaza (2007), Public Service: Through the Eyes of Civil Servants, Pakistan Institute of Development Economics, Islamabad, p. 17

[271] Haque, Nadeem-ul and Musleh-ud-deen et.al. (2006), Perception Survey of Civil Servants: A Preliminary Report, *Pakistan Development Review*, 45 (4), p.1199

CHAPTER 5: CONCLUSION

An efficient civil service, working for the welfare of the people is the foundation of the government. Civil service, on one hand, plays an important role in the formation of policies and on the other it is also responsible for the implementation of those policies and programmes. It is best suited to bring good governance at the doorstep of the people to enhance their socio-economic development. Being referred as the permanent organ of the government, civil service is the most important part of government machinery having the ethos of political neutrality and meritocracy needed to serve under an elected government of any political party. It is the agency of the government which takes the public services to the common people at the lowest level. As an important part of the government, it is necessary to ensure the smooth and perfect function of civil service.

With the change of time, everything has to alter in order to keep pace with the changing environment; it is true for civil service too. Civil service reform is a process which is needed in a country in order to transform the administration according to the changing needs of the society. Given the tendency of bureaucracy to accumulate power and centralisation of the organisation, it is often suggested that in order to improve the efficiency of the civil service and public service as a whole, there is a vital need to devolve and decentralise the government functions substantially. Devolution of government functions being a part of the whole strategy of decentralisation, further requires human resource management and capacity building of administrative institutions in order to prepare the civil service to work under the new environment of decentralisation. There is also a need to bring attitudinal changes and technical upgrading at the lower level so that the devolved machinery can work smoothly. Thus civil service reform forms an important part of the process of decentralisation and devolution of power.

Civil service reform is as complicated as important. It requires a sustained commitment from political parties and government as the civil service reform cannot be implemented at one go. There may be many ways to address the inefficiency of the civil service in

order to improve its capacity and boost its morale and it depends on the nature of the existent political government in the state as well as indigenous situation and requirements of the society. Every reform package has its particular shades and focus and resultant winners and losers; moreover reforms are conceived in a particular context addressing a particular problem which may not be effective as the environment changes[272] (Bokhari, 2011). No reform can fully resolve the all inclusive problem of good governance but strategic reforms in right direction can dramatically improve government's ability to do what must be done[273] (Ketti, 1996: 6).

Civil service reforms in Pakistan have been related to mainly the manipulation and changes in the civil service systems in order to gain political legitimacy and regime survival. The overall analysis of the history of civil service reforms shows that in most of the cases the reform strategy was used to cover up the unrepresentative political regime on one hand and to gain political legitimacy on the other. Civil service reforms in Pakistan have been a piecemeal, discontinued and non-substantial effort and thus unable to bring required changes in the structure and functioning of bureaucracy. In reality there have been no substantial reforms in Pakistan which could address the inefficiency of bureaucracy, but only the misuse and manipulation of the civil service in the name of reform leaving bureaucracy much militarised and politicised.

Bureaucracy has been misused and manipulated by the government through different measures; the most popular among them has been to remove the officials in the name of corruption charges and ill-performance. The bureaucrats are forced to take pre-mature retirement and leave the office in order to appoint the favourable officials in the office. This was done during Yahya Khan who suspended 303 senior civil servants on charges of corruption, misconduct or abuse of authority and tried them before specially constituted military tribunals. Again during Zulfikar Ali Bhutto 1300 civil servants were dismissed on the grounds of corruption and incompetence. During Musharraf, the National Accountability Bureau was formed under a serving lieutenant general mainly to root out

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[272] Bokhari, Syed Anwar-ul-Hasan (2011), e-mail to the author, 02 July, 2011
[273] Ketti, Donald F. et. al. (1996), Civil *Service Reform: Building a Government that Works*, Washington: The Brooking Institution, p.6

political opponents and prosecute anti-government officials. It was against the principles of separation of power that executive was performing the judiciary function, thus creating a parallel judicial system in the country. Further the civil service reform in Pakistan during Musharraf regime was also insufficient centered at the district level only; the need of reform at provincial as well as federal level was not identified.

The other tactics which have been used is the formation of committees and commission in order to address the illness of administration. Some 30 commissions have been constituted since independence to reform the civil service but very few recommendations have been accepted or implemented[274] (ICG, 2010: 185). Some of them deserves admire to give valuable suggestions in order to address the problem of dysfunction of the bureaucracy e.g. Justice Rowland Egger Committee, Meer Committee and National Commission for Government Reforms (NCGR). The formation of commissions and committees has proved to be merely a cover to unrepresentative regime without bringing their recommendation into implementation. Furthermore, whatever the recommendations accepted were those which suited to the political interest of the government in power. Most recent among them is the National Commission for Governmental Reform constituted during General Pervez Musharraf. No important recommendation has been implemented or considered for implementation as for now[275] (Bokhari, 2011). In order to find out the recommendations suitable to the present political government, the NCGR has been kept under the chairmanship of Chaudhury Abdul Ghafoor, a Pakistan Peoples' Party Parliamentarian mainly to revisit the recommendation and produce a new report[276] (ICG, 2010: 10). *One of the hypotheses of the present study that the civil service reforms on Pakistan are governed by the need of political legitimacy and regime survival than the necessity of administrative efficiency is thus proved.*

The subordination of bureaucracy to the military has degraded the moral obligation and autonomy of civil service to a great extent. The misuse of bureaucracy at the hands of

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[274] International Crisis Group (2010), Reforming Pakistan's Civil Service, *Asia Report* No. 185, p.1

[275] Bokhari, Syed Anwar-ul-Hasan, (2011), e-mail to the author, 02 July, 2011

[276] International Crisis Group (2010), Reforming Pakistan's Civil Service, *Asia Report* No. 185, p. 10

military regime was mainly to ensure power legitimacy and regime survival, however in this practice; the bureaucracy was dealt at par with military. During Musharraf regime this practice saw a sudden flipside as the bureaucracy was sidelined in the whole exercise of power legitimacy. Musharraf saw it more useful to create a new class of proxy politicians (District Nazim) in order to extend military control at the local level. The bureaucracy was subordinated to the military on one hand (through the provision of Army Monitoring Teams) and made accountable to the proxy political institution of District Nazim on the other. The provision of Army Monitoring Teams did an unprecedented harm to the professionalism and moral obligation of bureaucracy. It was unfortunate as it led to the situation aggravating bad to worse as never in the history of Pakistan the civil service was subjected to the junior military officers. In addition, during Musharraf regime military officials were appointed to key civilian posts including the chairmanship of Federal Public Service Commission (FPSC), which is responsible for recruitment of civil servants at federal level. Military officials, some serving but mostly retired, were appointed heads of a large number of civilian organisations, many of which required technical expertise, such as the chief executive of the Alternative Energy Development Board; chairman of Pakistan Steel Mill; and the chairman of the Pakistan Telecommunication Authority (ICG, 2010: 10)[277] [278]. Thus the overall supervision of bureaucracy by the Army Monitoring Teams (AMTs) was the most important factor which had an adverse impact on administrative decentralisation in Pakistan. As a result of it, Pakistan's Civil service today is very much militarised and politicised and reduced to an inefficient and incompetent civil service structure. *Thus the other hypothesis which stated that the overall supervision of bureaucracy by the Army Monitoring Teams was the most important factor which has had adverse impact on administrative decentralisation is also proved.*

One of the important findings which became clear during the research is that it is the power imbalance between the political institutions on one hand and civil service and military on the other which is the major cause of failure of the civil service reform. Due

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[277] A list has been given in the Annexure B of some top military officers working in various government departments during Musharraf period.

[278] International Crisis Group (2010), Reforming Pakistan's Civil Service, Asia Report No. 185,p. 10

to historic reasons, Pakistan inherited a weak political structure with fragile democratic tradition which was not deep seated in Pakistan's society. It was mainly due to historic reasons as during the colonial rule; a powerful and centralised steel frame of bureaucracy was introduced with the purpose of maintaining law and order, largely at the expense of democratic institutions. After getting independence, Pakistan needed a bureaucratic structure that best suited the necessities and expectations of indigenous society, though it had continued with the old British pattern of bureaucracy. British bureaucratic model proved highly insufficient as the purpose of British bureaucratic model was only to maintain law and order. Even subsequently, in the name of reforms bureaucracy is made to become merely a tool to manipulate and change the existing ruling system to gain political benefits for particulars and parties. Thus the bureaucracy is used as an instrument in subsequent bureaucratic reforms in Pakistan. Moreover, in the name of bring out reforms in civil service subsequent civil service reforms made Pakistan's civil service structure as highly centralised and relatively organised as compared to the political representative institutions.

At the initial period of independence, political institutions were not allowed to flourish, Prime Minister Liaquat Ali Khan along with Governor General Mohd. Ali Jinnah relied heavily on the bureaucracy and the civil servants effectively controlled the entire administration in the provinces.[279] The absence of political stability provided the civil service an opportunity to consolidate its position, and it eventually ran the country in the absence of united government turning it into a "Bureaucratic Polity". While informally taking part in the politics of Pakistan, bureaucracy was made a willing junior partner of military government during the Ayub Khan's rule and a pattern of interdependence between bureaucracy and military emerged. He launched the Basic Democracy system which was nothing more than a power legitimacy exercise to create a new political class in place of political parties. He brought the "Elective Bodies Disqualification Order" to remove 6000 politicians from the office. During his regime, the controlling authority

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[279] The dominant position of civil servants in the provinces can be realized from the fact that three out of four Governors under Mr. Jinnah were British and former Indian Civil Service Officers, two of these presided over the cabinet meetings, one of them was able to reallocate portfolios without the approval of Chief Minister. For details see: Khalid Bin Sayeed (1958), "The Political Role of Pakistan's Civil Service", *Pacific Affairs*, 31(2), p.131-146

remained in the hands of bureaucracy, which had the power to put an end to proceedings and suspend resolutions passed by local bodies. Thus the bureaucracy enjoyed the capability to overrule any power that the local bodies had.

During the study it also became clear that the misuse of bureaucracy for political benefits has degraded the morale and competence of the civil service. It has led to the politicisation of bureaucracy which contributed to its dysfunction. The civil servants are pushed by political compulsions and they prefer to take the side of their political masters rather than taking neutral stance. In Pakistan, every regime change has been accompanied by broad transfers and postings of officials at the policy making levels in the secretariats as well as at the operational level in the districts. For instance, the constitutional protection of employment given to the civil servants was removed through 1973 constitution. The withdrawal of constitutional protection which shielded the bureaucracy from political interference did a serious blow to the professionalism of bureaucracy[280] (ICG, 2008: 4) Bhutto's measures, though increased the authority of political representatives to some extent, reduced greatly the performance of the civil service.

During Bhutto the lateral entry scheme was another instrument of the politicisation of bureaucracy. Although it was ostensibly added that lateral entry of the official would reduce the influence of generalists over the bureaucracy however, it was misused first during Bhutto for the recruitment of officials on political grounds than merit, then during General Zia-ul-Haq who inducted military officials into the civil service, thus intensifying the militarisation of bureaucracy. The ad hoc practice of militarisation of bureaucracy was institutionalised during Zia-ul-Haq. The measure of reserving 10 per cent recruitment of BPS-17 and 18 and the recruitment of 10 per cent senior level vacancies on contract basis deeply militarised the bureaucracy and seriously undermined its professionalism.

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[280] International Crisis Group (2008), Reforming Pakistan's Police, *Asia Report* N. 157, 14th of July 2008, p.4

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It is unfortunate that even after six decades of independence, the legacy of colonial bureaucracy system is continuing, having all the features intact like secretariat system, the policy administration dichotomy, the generalist bias, the district administration and the land revenue system. The devolution plan of Pervez Musharraf was told to break bureaucratic superiority at the district level; however at the end of the day it proved to be one more power legitimacy exercise. It is reflected from the fact that the LGP was provided with merely a six-year constitutional guarantee. Further, there was a lack of political commitment towards administrative reform as the District heads of bureaucracy was weakened by subordinating him to the District Nazim; however the District Nazim was not made strong enough to deal with administrative issues. There were left many loopholes in the administrative rules and procedures leaving the District Nazim in a dilemma. Thus the vacuum which was created through the bureaucratic weakening at the district level was further filled by the District Coordinating Officer (DCO). Moreover the militarisation of bureaucracy touched new heights in Musharraf's period which is set to change the historical power balance. The bureaucracy which was supposed to be more organised and developed than political institution, the intrusion of military in the bureaucracy has weakened it to a large extent leaving the Army as the only dominant institution in the country.

There was a vital need to strengthen the hands of democracy in Pakistan to address the various problems which Pakistan is facing today. It is only the growth of political institutions which can solve the structural and functional problem of civil service in the country and correct the power imbalance in the country. In this regard the need is to increase local level participation at each stage of governance. As the NCGR has acknowledged it in these words, "The major difficulty in the post independence period in Pakistan lay in the inability to replace the colonial practice of empowering the privileged class of executive/ bureaucratic system, by a new democratic system of governance at local levels." Until or unless the power imbalance in the country is not corrected the civil service reform will remain ineffective. During Musharraf period, although the strengthening of democracy at local level was talked in Local Government Plan (LGP), the local level units were proved to be merely the toothless tiger in the absence of

financial resources. The end of the bureaucratic dominance at the district level also remained an unfinished goal as the LGP could not ensure sufficient measures to do this. And lack of clarity of rules and procedures provide the opportunity to DCO to fill the power vacuum.

In fact, every ruler in Pakistan who tended to bring reforms in the civil service has tried to make it subservient to it rather than evolving a strong and autonomous one. Either it was civilian regime of Bhutto or the military rule of Ayub, Zia or Musharraf, the effort to make bureaucracy a serving institution to the ruling regime has destroyed the principle of accountability to the people. As a result of it subsequently Pakistan's bureaucracy became self-seeking by nature and now it sees more incentives in serving the ruler rather than strengthening the management of bureaucracy and being responsive to the needs of the people. Pakistan's civil service today is deeply militarised, politicised and centralised which has shattered the concept the neutral and competent civil service.

The main hindrances to bring out reforms in Pakistan's civil service are its militarisation and politicisation by successive governments. There is a need of comprehensive and broader civil service reform along with decentralisation of power and functions at the local level which is critical for the success of civil service reform. On the face of prevailing hindrances in the form of militaisation and politicisation of bureaucracy in this study some of the tools of NCGR report are identified which may be instrumental to establish an efficient bureaucracy in Pakistan. According to the NCGR the attitudinal changes through human resource management should be emphasised which include complete workforce analysis, training needs, induction, and promotion and remuneration strategies. Other recommendations which NCGR finds important in the current scenario are as follows:

(i) There is a need to strengthen internal and external accountability mechanism to address widespread corruption within the bureaucracy.[281]

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[281] Government of Pakistan (2008), *National Commission for Governmental Reforms* Prime Minister's Secretariat, Islamabad [Online: Web], Accessed February 16, 2011, URL. www.ncgr.gov.pk, p.276

(ii) Empowering of new democratic system of governance at local level is essential to convert the civil service into an independent, strong and efficient civil service system.[282] This new democratic system of governance talks about substantially devolution of function, functionary and finance at local level.

(iii) The need for greater efficiency and affordability through right-sizing of the large number of government employees in the relatively unproductive subordinate services.[283]

(iv) There should be an open, transparent, merit-based recruitment to all levels and grades of civil services, with regional representation as laid down in the constitution.[284] It is essential in order to remove the influence of politicians, bureaucrats as well as that of military officials. Patronage based system which is prevalent in Pakistan hurt the efficiency of civil service it has deadly affected the whole civil service structure as it fails to attract the bright and motivated students in service.

(v) The need to promote equality of opportunities and career advancement within the civil service systems rather than the tradition of giving preferential treatment in terms of training, positions and promotions to certain elite cadres e.g. the Civil Service of Pakistan until 1973, followed by the District management group.[285]

(vi) The need to clarifying relationships and responsibilities of civil servants at federal, provincial and district levels. The LGP devolved considerable authority from provincial to district governments, and at the district level from civil servants to elected *Nazims*. The tensions which were generated by the devolution and transfer of authority creating law and order problems in some of the districts demand clarification of the rules and procedures. The LGP also generated considerable

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[282] Ibid,p.50
[283] Ibid, p.30
[284] Ibid, p.54
[285] Ibid, p.54

confusion about the responsibilities and reporting relationships for civil servants operating at the district level.[286]

(vii) To bring these changes would require a major cultural and attitudinal change from both politicians and the civil servants, rather than any change in the rules of business. The NCGR finds that the proposed Institute for the legislators and the management courses organised by the

(viii) National School of Public Policy (NSPP), National Defence University (NDU), the Provincial Management Academies can play a pivotal role in bringing about these cultural and attitudinal changes.[287]

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[286] Ibid, p.105
[287] Ibid, p.343

Annexure A: Various Steps Introduced to Reform Civil Service of Pakistan*

Phase 1: 1948-1971

1. Introduction of Section Officers Schemes in the Secretariat

2. Delegation of administrative powers to the Attached Departments (Ads) and the Secretariat entrusted with policy making and control

3. Delegation of financial powers to the Ads and Divisions and appointment of Financial Advisers in each Ministry

4. Creation of Economic pool for Economic Ministries

5. Re-organisation of Planning Machinery

6. Creation of Public Corporations such as PIDC and Development Authorities such as WAPDA to undertake industrialisation and other development assignments.

7. Introduction of Local Government System – Basic Democracies

8. Governor's conferences, National Economic Council, National Finance Commission, Election Commission and Federal and Provincial Public Service Commissions

9. Creation of In-service training institutions for public servants Civil Service Academy, Administrative Staff College, National Institute of Public Administration and Pakistan Academy for Rural Development.

Phase II: 1973-2001

1. Constitutional guarantee on the security of service removed.

2. Unification of all the services structure i.e. Non gazetted, class-II, class-I and superior services and abolition of the Civil Service of Pakistan (CSP).

Source: National Commission for Government Reforms: Government of Pakistan (2008), *National Commission for Governmental Reforms* Prime Minister's Secretariat, Islamabad [Online: Web], Accessed February 16, 2011, URL. www.ncgr.gov.pk, pp.34-36

3. The former Central Superior Services(CSS) were divided in functional groups such as All Pakistan Unified Group, Federal Unified Groups Provincial Unified Groups (later changed into Services, Cadres and Occupational Groups).

4. Merging of all services into a single unified grading structure and all civil servants categorized into 22 grades under the National Pay Scale (later Basic Pay Scale).

5. Horizontal movements allowed from one cadre to another and the scope of out-of-turn promotions introduced.

6. Lateral entry system though which individuals from the private sector could be inducted at higher grades into the Government.

7. The Federal and Provincial Secretaries and Additional Secretaries could be retired from the service without assigning any reason.

8. Efficiency and Discipline Rules, 1973 provided summary procedure of action against Government servants.

9. A common Training Institution was established for the entry level officers of all the functional groups.

10. The powers of Public Service Commissions were limited to that of the examinations and testing.

11. Commercial banks, insurance companies, manufacturing enterprises, educational institutions were nationalised and the appointments of the Chief Executives and the Boards were made by the Government.

Since 2001

1. A three-tier local government structure consisting of District, Tehsil/ Town and Union Council was established in all the four Provinces.

2. Head of District Government will be an elected District Nazim, Head of Tehsil/ Town Government will be an elected Tehsil Nazim and Head of Union Council will be an elected UC Nazim.

3. The Division level and Sub-Divisional level of administration were abolished.

4. The offices of Commissioner, Deputy Commissioner and Assistant Commissioner were abolished.

5. 12 departments of the Provincial Government were devolved to the District Governments with administrative and financial powers.

6. Each department will be headed by an Executive District Officer who will be under the direct control of the District Nazim with a District Coordination Officer (DCO) acting as the Coordinator for all departments.

7. A new Police Order replacing the Police Act. 1891 was enacted to lay the basis for a new administrative structure for the Police. The District Police Officers (DPO) will be responsible to District Nazim for law and order and not to DCO.

8. Executive magisterial powers were transferred to the Judicial Officers.

9. Provincial Finance Commissions were constituted for allocation of financial resources from provinces to districts.

Annexure B

List of some top military officers, working in various government department during Musharraf's rule[288]:

Lieutenant Generals

Name	Serving/Retired	Department
Tauqir Zia	Corps Commander, Mangla	Chairman: Pakistan Cricket Board
Azia Ahmad	Corps Commander, Lahore	President: Hockey Federation
Zulfikar Ali Khan	_	Chairman: Water and Power Development Authority (WAPDA)
Khalid Maqbool		National Accountability Bureau
Najam Khan	Surgeon General Pakistan Army	Senior Member: Pakistan Medical and Dental Council
Moinuddin Haider	Retired	Federal Interior Minister
Muhammad Safdar	Retired	Governor: Punjab
Iftikhar Hussain Shah	Retired	Governor NWFP (now Khyber Pakhtunkhwa)
Javed Ashraf Qazi	Retired	Chairman: Pakistan Evacuee Property Trust
Nasim Rana	Retired	Secretary: Defense
Arshad Hussain	Retired	Member: Federal Public Service Commission (FPSC)
Sohrab Khan	Retired	Secretary: Defense Production
Tanveer Hussain Naqvi	Retired	Chairman: National Reconstruction Bureau
Asad Durrani	Retired	Ambassador to Saudi Arabia
Mohmmad Akram	Retired	Vice Chancellor, University of Engineering and Technology
Arshad Mahmood	Retired	Chancellor, Punjab University
Mumtaj Gul	Retired	Chairman: (FPSC)
Muhammad Tariq	Retired	Punjab: Minister for Housing, Communication and Works
Syed Shujaat Hussain	Retired	Head of national University of Science and Technology, Rawalpindi

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[288] Source: The Friday Times, March 9-15, 2001 as quoted in S.K.Datta (2003), "The Internal Dynamics of Pakistan", in K.K. Nayyar, Pakistan at the Crossroads, New Delhi: Rupa Publications, p.145-147

Major Generals

Safaraz Iqbal	_	Deputy Chairman: WAPDA
Mohsin Wahidi	Retired	Director: Pakistan National Shipping Corporation
Hamid Hussain Butt	Retired	General Manager: Railways
Mohmmad Husain	Retired	Chairman: MFCLO
Agha Masood	Retired	Chairman: Pakistan Medical and Dental Council (PMDC)
Abdul Jabbar Bhatti	-	Deputy Chief of Staff in Secreatriat
Viqarul Haq Khan Khalid	Retired	Chairman: National Highway Authority
Sahid Siddique Timizi	-	National Accountability Bureau's Chief in Punjab
Nazakat	-	NAB Chief in Balochistan
Zahid Ahsan	-	Chief: National Database and Registration Authority
Ehsan Ahmad	Retired	Sind: Health Minister
Zafar Abbas	-	Head of Anti Narcotics Force
Muhammad Imtiyaz Ali	Retired	Vice President: Pakistan Olympic Association
Farukh Javed	-	Deputy DG Development, Civil Aviation Authority
Khurshid Alam	-	Managing Director: Pakistan Agricultural Storage and Services Corporation
Karamat Ahmad	-	Head: National Institute of Health
Khalid Bashir	-	Member: Pakistan Technical Telecommunication Authority

Brigadiers

Nayyar Afzaal	-	Director Administration, Pakistan International Airlines (PIA)
Tariq Arshad	-	Chief Executive: Lahore Electric Supply Corporation
Syed Ahahid Mukhtar Shah	-	Managing Director Karachi Electric Supply Corporation
Mussarratullah Khan	-	Secretary: Pakistan Hockey Federation
Tauqeer Qamar	-	Inspector General Prisons, Punjab
Yasoob Ali Dogar	Retired	Administrator: Metropolitan Corporation of Lahore
Ejaz Ahmad Shah	-	Home Secretary, Punjab
Muhammad Nisar	Retired	Manager: Pakistan Cricket Team
Akhtar Zameen	Retired	Director General: Sind Environment Protection Agency
Javed Iqbal	-	Head: Army Monitoring Team for Irrigation and Education Department, Punjab
Zahid	-	Head of AMT for the Cooperative and Excise Departments
Tahir Malik	-	Head of the Railway AMT

Usman Saeed	-	Head of Punjab Monitoring Secretariat
Firzauk Ataullah	-	Head of AMT for Taxes
Tariq Mahmood	-	Director: Quaid-i-Azam International Airport, Karachi
Shafaat Nabi Khan Sherwani	-	Director: Legal Services, Civil Aviation Authority
Saeed Akhtar	Retired	Chief Executive: Multan's Nishtar Hospital
Tauseefuzzaman Khan	-	Director Lahore Airport Terminal Project
Haider Abbas	-	Head of AMT for Karachi Building Control Authority
Zaheer Qadri	Retired	Director General: Karachi Development Authority
Behram Khan	-	Managing Director Karachi Water and Sewerage Board
Asif Ghazali	-	In Charge: Barge Baghi-i-Quaid-Azam Project
Mushtaq Ali Khan	Retired	Managing Director: Private Power and Infrastructure Board
Mian Khali Habib	Retired	Ministry of Foreign Affairs
Abdul Haye	Retired	Director General: Frequency Allocation Board
Mohammad Anwar	Retired	Director General: Afghan Trade Development Cell
Mohammad Sarfraz	Retired	Managing Director: Baitul Maal
Colonel Azhar Mehamood	-	NAB's Presiding Officer in Faisalabad
Colonel Ghazanfar Abbas	Retired	Director of Coordination at the University of the Punjab
Colonel Asif Jamal	-	Director General: Multan Development Authority
Colonel Zafar	Retired	Chief Engineer: Metropolitan Corporation of Lahore
Colonel Mudassar Asghar	Retired	General Manager: Sport, PIA
Colonel Mohammad Afzai Khan	-	Chairman: Pakistan Steel Mills
Lt. Col Zaheerul Hassan	Retired	Senior Superintendent Traffic Police, Lahore
Major Iqbal Ahmad Raja	Retired	Commissioner: Faisalabad Division
Major Zia-ul-Haq	Retired	Commissioner Rawalpindi Division
Air Marshal Shfiq Mir	Retired	Chairman: National Animal Disease Diagnostic Epidemiological Centre
Air Marshal Aliuddin	Retired	Director General Civil Aviation Authority (CAA)
Air Vice Marshal Zulfikar Shah		Deputy Director General of Operations, CAA
Air Commodore Jamal Hussain	Retired	Director Commercial CAA
Vice Admiral Khalid Mir	Retired	Chairman: Karachi Port Trust

Vice Admiral Ubaidullah	Retired	Chairman: Pakistan National Shipping Corporation
Vice Admiral Shamoon Ala Khan	Retired	Ambassador to Ukraine
Rear Admiral Khalid Mir	-	Chairman: Karachi Port Trust
Commodore Syed Tayyab Naqvi	-	Chairman, Fisherman's Cooperative Housing Society, Karachi

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