

Modernizing Governance: Challenges and Solutions in Pakistan's Rules of Business and Secretariat Instructions



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Content

Section I

Introduction of Government Functioning – Rules of Business & Secretariat Instructions

Section II

Issues and Challenges – Rules of Business and Secretariat Instructions

Section III

Global Standards of New Public Management & Post New Public Management

Section IV

Government and Private Organizations

Section v

Recommendations for Rules of Business & Secretariat Instructions & its proper implementation and effectiveness

Preamble

In the intricate landscape of modern governance, each state faces pivotal questions regarding the formulation and execution of rules, responsibilities, and compliance mechanisms. Striking a delicate balance between accountability and efficiency is paramount, as governments seek to navigate the complexities of decision-making. The functioning of a government is deeply entrenched in established rules and regulations, with the Rules of Business and Secretariat Instructions acting as fundamental documents guiding the operations of the federal government in Pakistan. However, despite their crucial role, these documents face challenges in adapting to contemporary governance requirements and embracing modern management techniques.

This discussion explores the complex problems in the Rules of Business (RoB) and Secretariat Instructions, revealing how they impact the federal government's effectiveness, transparency, and adaptability. By thoroughly examining these challenges, the focus is on advocating for reform and suggesting solutions to enhance the optimal functioning of public sector organizations in Pakistan.

Section 1

Introduction of Government Functioning Rules of Business & Secretariat Instructions



Each modern state must answer the following questions:

1. *What should be done: This means deciding who gets to make the rules.*
2. *Who should do it: This is about choosing who will carry out these rules.*
3. *How to make sure everyone follows the rules: This involves deciding how to check if things are being done the right way.*

To answer these questions, it's essential to find a balance between two important things: accountability and efficiency. If we focus a lot on accountability, strict rules will be in place, and only certified officials will handle things for the country. Success will be measured by how closely the rules are followed. On the other hand, if we prioritize efficiency, we'll loosen up the rules and let others outside the government also handle tasks. The focus will be on getting good results rather than sticking strictly to the rules. It's all about finding the right mix to make things work well.

Government functions through established rules and regulations, providing structure and order. These regulations cover various aspects, shaping policies and ensuring compliance. The Rules of Procedure of the Government exemplify how regulations are binding on government members and administrative bodies. Governments operate within established rules and procedures, which receive approval from the legislative bodies of their respective countries.

When government departments, including legislative bodies, don't operate effectively or adhere to modern management principles, it gives rise to a range of significant issues	
Inefficiency	The overall functioning of government processes becomes slow, leading to delays in decision-making and execution of essential tasks.
Service Disruptions	Public services, crucial for citizens, face interruptions or disruptions, impacting the smooth delivery of services.
Waste of Resources	Ineffective management results in the inefficient utilization of public resources, leading to unnecessary expenditures and resource misallocation.
Poor Governance	Governance practices may become ineffective, diminishing the government's ability to provide transparent, accountable, and responsive services.
Legal and Compliance Issues	Failure to adhere to laws and regulations may result in legal and compliance issues, undermining the rule of law and eroding public trust.
Economic Impact	The overall economy can suffer consequently, with potential negative effects on economic development, investment, and stability.
Social and Environmental Consequences	Society may experience adverse effects, and environmental sustainability could be compromised due to inadequately managed government functions.
Ineffective Policy Implementation	Government policies, no matter how well-conceived, may fail to achieve their intended outcomes due to poor implementation practices.
Corruption Risks	Ineffective governance increases the risk of corrupt practices within government departments, undermining the integrity of public institutions.
Weakened International Relations	Unreliable governance can strain relations with other nations, potentially hindering international collaborations and cooperation.

Federal Government of Pakistan

The federal government of Pakistan follows two important documents: the Rules of Business and Secretariat Instructions. These documents outline the guidelines and steps that the federal government must follow in carrying out its functions. They serve as a manual that explains how the government operates and carries out its duties.

Rules of Business 1973

Within the government sector of Pakistan, the Rules of Business, 1973 serve as the foundational document, outlining the framework that governs administrative and decision-making processes. In India, the Allocation of Business Rules 1961 and the Transaction of Business Rules 1961 collectively provide the essential structure for the functioning of the government. Similarly, in England, the Ministerial Code 1997 is a crucial instrument utilized to ensure the effective and seamless operation of government matters.

These rules find their basis in the constitutional framework of Pakistan, specifically deriving authority from Article 90 and Article 99 of the Constitution. The regulations and guidelines outlined in these rules are shaped by the constitutional provisions delineated in these articles, which serve as the foundational pillars for the governance and decision-making processes within the country.

Article 90 The Federal Government:

- 1) Subject to the Constitution, the executive authority of the Federation shall be exercised in the name of the President by the Federal Government, consisting of the Prime Minister and the Federal Ministers, which shall act through the Prime Minister, who shall be the chief executive of the Federation.
- 2) In the performance of his functions under the Constitution, the Prime Minister may act either directly or through the Federal Ministers."

Article 99 Conduct of Business of Federal Government:

- 1) All executive actions of the Federal Government shall be expressed to be taken in the name of the President
- 2) The [Federal Government] shall by rules specify the manner in which orders and other instruments made and executed 4[in his name of the President] shall be authenticated, and the validity of any order or instrument so authenticated shall not be questioned in any court on the ground that it was not made or executed by the President.
- 3) The Federal Government shall also make rules for the allocation and transaction of its business.



The Rules of Business, 1973 are an important document that helps to ensure that the Federal Government of Pakistan is accountable and transparent in its operations.

The Rules of Business, 1973 allocate and provide a legal framework for the conduct of business of the Federal Government. Some significant changes have been made to the Rules.

The Rules cover a wide range of topics, including the organization of the Federal Government, the powers and duties of the Prime Minister, Ministers, and Secretaries, the procedures for the conduct of business in the Cabinet and in Parliament, and the financial procedures of the Government.

Secretariat Instructions

As per Rule 5(15) of the Rules of Business, 1973, the Pakistan Public Administration Research Center has been assigned the responsibility to issue detailed instructions. The goal is to ensure consistency in the conduct of official business across the entire Federal Secretariat. These instructions cover various aspects such as the distribution of work, managerial responsibilities, and the roles of heads of Federal Ministries/Divisions and other authorities.

These instructions encompass the organizational setup, office procedures, noting, drafting, correspondence, and a detailed description of duties. The primary aim is to provide simplified guidance to ministerial and ancillary staff at all hierarchical levels. This guidance is crucial for enhancing efficiency and effectiveness in the functioning of the government.

The Secretariat Instructions were last published in 2004. Since then, several reforms have been introduced, impacting the functions of the Federal Secretariat, including the reallocation of responsibilities among Federal Ministries/Divisions. The adoption of information technology-enabled services, such as the introduction of e-office, has prompted the need to revisit and update the previous publication. The revised version of the Secretariat Instructions aims to align with modern-day practices, incorporating information on e-office and other contemporary developments. In essence, this book codifies the current business transaction procedures, including those related to the use of e-office technology.

Both documents are important for how the government works and serve as the foundation for managing public administration. However, they lack modern management techniques. Even though both documents are updated periodically, the process of making changes and updates is slow and lengthy. Here are some issues highlighted in the Rules of Business documents:

Section II

Issues and Challenges

Rules of Business and Secretariat Instructions



In today's dynamic organizational environment, the smooth running of public administration depends on following the Rules of Business and Secretariat Instructions. These rules are the backbone of how things get done, ensuring decisions are made properly, everyone is accountable, and everything is transparent. However, applying these rules often comes with various issues and challenges.

1. Rules of Business (RoB) is a generic document:

The Rules of Business 1973 serve as a framework for the functioning of government departments, outlining the allocation of business among various divisions. However, it is noted that the document may not provide extensive details on the operational aspects of government departments. For instance, project approval processes fall under these rules, with progress monitoring governed by the Cabinet Division. Additionally, specific rules for finance departments are detailed in documents like the PFM Handbook, offering a more granular perspective on departmental operations. While the Rules of Business provide a foundational framework, department-specific guidelines and handbooks may offer more detailed insights into the functioning of government departments.

The Rules of Business do not encompass and safeguard the interests of the common people, nor do they outline any penalties or punishments for delaying procedures related to public interest. Generally, these rules fall short in providing a clear timeline for each government task and procedure.

2. Fail to meet contemporary governance requirements:

The Rules of Business (RoB) 1973, which were initially introduced in 1973, have undergone a series of updates over the years, culminating in the most recent revision in 2021. Despite these efforts at periodic revision, there is a palpable disconnect between the updated clauses and the evolving demands of contemporary governance. This disparity becomes particularly pronounced in the aftermath of the 18th amendments, which ushered in substantial changes to the distribution of powers between the federal and provincial levels. Interestingly, the latest amendments, pivotal for a comprehensive understanding of the current regulatory landscape, have yet to be incorporated into the official, finalized version of the RoB.

In a somewhat unconventional practice, the recent amendments find their place not within the officially endorsed copy but are relegated to a separate document accessible through the Cabinet Division's website. This separation raises questions about the coherence and accessibility of the regulatory framework, as key updates are dispersed across different sources.

Compounding these issues, the RoB 1973 struggles to keep abreast of technological advancements that have become integral to modern governance practices. The failure to integrate contemporary technological practices into the regulatory fabric of the federal government introduces inefficiencies and challenges. The delays in updating the RoB not only hinder adaptability but also create hurdles in

the swift decision-making processes crucial for meeting the demands of today's dynamic governance requirements.

3. Centralized Approval Mechanism:

The Rules of Business (RoB) in Pakistan operate on a centralized governance model, wherein the prime minister holds significant decision-making authority. This stands in contrast to governance structures in countries like India and the UK, where power is decentralized, with ministers and secretaries delegated substantial decision-making powers. Unfortunately, the RoB has faltered in adopting a more decentralized approach by not adequately empowering allied offices. Instead, it concentrates decision-making authority in the hands of federal secretaries, limiting the diversification of decision-making roles.

Moreover, the RoB lacks provisions to bind the prime minister to appoint ministers based on relevance and competence. Unlike in other systems, the prime minister in Pakistan retains unchecked authority over decision-making, leading to a concentration of power. This centralized structure prompts ministries to seek influence within the Prime Minister's Secretariat, creating a dynamic where decisions are often funneled upward for approval, even at the secretary and ministerial levels. This process perpetuates a hierarchical mechanism that hinders the delegation of power, inhibiting a more agile and responsive governance framework.

In contrast to contemporary governance practices that emphasize the decentralization of decision-making authority, the RoB in Pakistan remains entrenched in a system where hierarchical channels dominate. To align with modern governance principles, there is a pressing need for the RoB to evolve, embracing mechanisms that facilitate the delegation of power, enhance ministerial autonomy, and ensure decisions are made at the most relevant levels within the administrative hierarchy. This shift toward a more decentralized approach is vital for fostering efficiency, adaptability, and transparency in the governance processes of Pakistan.

4. Ministries are exercising departmental autonomy:

The governance structure characterized by centralization, where the upper echelons of ministry management wield extensive authority over allied departments, creating a lack of accountability. In this setup, the top management within ministries has the autonomy to exercise control over all aspects of allied departments without a robust system in place to ensure responsibility and oversight.

This concentration of power results in a cumbersome approval process, as allied departments are compelled to seek approvals from ministries for both financial and non-financial matters. This procedural bottleneck slows down decision-making processes across the board. The absence of a streamlined mechanism for accountability exacerbates the challenges, as there is no effective oversight to ensure that decisions are made judiciously and in the best interest of the entire government apparatus.

An additional issue highlighted is the failure of the Rules of Business (RoB) to delegate financial and administrative autonomy to the allied departments. This lack of delegation intensifies delays in decision-making, adversely affecting the efficiency and productivity of these departments. Without the ability to make timely and independent decisions, allied departments become less agile in responding to evolving circumstances and addressing their core functions.

The centralized governance approach described not only concentrates power within ministries but also lacks the necessary checks and balances for accountability. The resultant delays and deficiencies in decision-making, coupled with the absence of autonomy for allied departments, collectively impede the overall productivity and effectiveness of the governmental structure.

5. Noncompliance of RoB has no penalty, accountability is missing:

The Rules of Business (RoB) play a crucial role in explaining the responsibilities and hierarchical channels within an organizational structure. They provide a framework for essential and routine activities, outlining the expected processes. However, a notable limitation arises in the RoB's response to noncompliance, as it remains silent on the consequences of disregarding instructions, orders, and delays.

While the RoB outlines responsibilities, it lacks specificity by omitting timelines for the mentioned activities. Furthermore, there is a noticeable absence of penalties or punishments in case of noncompliance or delays. The Secretariat, to address these gaps, has established timelines in its instructions. Nevertheless, these timelines often go unnoticed, with little regard for adherence, yet the functioning of the federal government somehow manages to be completed within the stipulated timeframes.

To enhance understanding of crucial government documents, the Secretariat Training Institute was established. The institute's primary purpose is to conduct training and development programs focused on the RoB and related procedural guidelines. However, despite these efforts, a concerning issue emerges as a significant number of employees lack sufficient knowledge about the workings of government procedures.

6. The processes are trapped in bureaucratic loops:

The aftermath of the 18th Amendment has underscored a critical necessity for the revision of the Rules of Business (RoB). The existing procedures find themselves trapped in a bureaucratic loop, resulting in a lack of smooth and efficient functioning. Despite the RoB outlining mechanisms for inter-divisional coordination, bureaucratic practices and the actions of various stakeholders deviate from these instructions. This deviation often leads to the entrapment of government operations, as the system fails to assign responsibility for poor compliance and delays.

The RoB includes a specific section on consultation among divisions, stipulating that cases should undergo a consultative process involving relevant departments before being submitted to the Prime

Minister. The resolution of issues is intended to occur at the establishment or finance division level after consultation. However, a concerning trend has emerged wherein several divisions and ministers attempt to bypass this process by directly forwarding their cases to the Prime Minister, bypassing other necessary consultative divisions.

This deviation from the established consultation procedures not only undermines the intended framework but also hampers the effective functioning of the government. The system fails to fix accountability for non-compliance and delays, creating a vacuum that impedes the realization of the government's objectives. Addressing this issue is crucial for streamlining government processes and ensuring that decisions are made through proper channels, thereby enhancing efficiency, accountability, and the overall effectiveness of the administrative apparatus. A comprehensive update to the RoB, coupled with a concerted effort to enforce, and adhere to established protocols, may be imperative in overcoming these challenges and fostering a more responsive and accountable government structure.

7. Decision-Making Process define in Rules of Business

Business 1973aking process in the federal government of Pakistan, as outlined in the Rules of Business 1973, reveals a highly centralized and multi-layered framework.

7.1 Centralization

7.1.1 Prime Minister's Approval for Policy Decisions:

Centralization is evident as all significant policy decisions require the Prime Minister's approval, ensuring alignment with the government's overarching strategy. This central control can slow down decision-making, as it creates a bottleneck at the highest level.

1.1.2 Consultation Requirement:

Any variations in the Prime Minister's policy decisions necessitate consultation, further centralizing control and limiting the autonomy of individual Ministers.

7.2 Multiple Layers

7.2.1 Role of Ministers:

Ministers assist in policy formulation and must keep the Prime Minister informed of significant cases. This dual reporting and assisting role add layers to the decision-making process.

7.2.2 Officer and Minister Interaction:

Only high-ranking officers (Secretary, Additional Secretary, Joint Secretary) can approach Ministers directly, and any discussions must be communicated to the Secretary. This creates a formalized chain of communication, adding layers to the interaction process.

7.2.3 Division Business Disposal:

Business within Divisions is managed by or under the authority of the Minister-in-Charge. This clear chain of command introduces multiple layers of oversight and accountability within each Division.

7.2.4 Secretary's Duties:

Secretaries play a crucial role in assisting policy formulation, executing policies, and managing various administrative tasks. Their extensive list of responsibilities adds a significant layer to the decision-making and implementation process.

7.2.5 Minister's Decision Overruling:

If a Minister overrules a secretary's submission, and the decision is deemed wrong, the Secretary can escalate the matter to the Prime Minister. This escalation mechanism introduces another layer of decision-making.

7.3 Centralization and Layers Combined

7.3.1 Assembly Business Conduct:

Ministers are responsible for conducting business in the Assembly, ensuring transparency and accountability. This practice centralizes decision-making within the Assembly while involving multiple layers of scrutiny and responsibility.

7.3.2 Documentation of Verbal Orders:

Verbal orders must be documented and confirmed in writing, adding a layer of formalization and ensuring proper record-keeping and accountability.

7.3.3 Interpretation of Rules:

Disputes or doubts about rules are referred to the Cabinet Division, which decides with input from the Prime Minister if necessary. This process centralizes the final interpretation while involving multiple layers of consultation.

7.3.4 Additional Instructions and Special Orders:

Divisions must consult the Cabinet Division before issuing special orders, adding another layer of oversight and centralization.

7.3.5 Contravening Orders:

If an order contravenes laws, rules, or policies, the next below officer must highlight this to the issuing authority. This requirement introduces a check within the hierarchical structure, adding layers of review and compliance.

7.3.6 Collective and Individual Responsibility:

The Cabinet's collective responsibility for executive orders and the individual responsibility of Ministers for their portfolios centralize accountability while creating multiple layers of responsibility.

7. 4 Centralization in Government Actions

7.4.1 Orders, Instruments, Agreements, and Contracts:

Government actions are expressed in the President's name and authenticated by authorized officers, centralizing the formal expression of government decisions. The involvement of the Foreign Affairs Division for international representation and the Law and Justice Division for contracts adds specialized layers to the decision-making process.

The decision-making process in the federal government of Pakistan, as defined by the Rules of Business 1973, is highly centralized, with significant power and approval vested in the Prime Minister and the Cabinet Division. The multi-layered structure ensures a formalized, hierarchical approach to governance, with various checks, balances, and responsibilities distributed among high-ranking officers, Secretaries, and Ministers. This centralized and layered system aims to ensure alignment with national strategies and policies, although it may also introduce delays and bureaucratic complexities.

8. Inter Divisional Consultation Process

The inter-division consultation process in the Rules of Business 1973 outlines a structured mechanism for coordinating decisions involving multiple divisions. However, this process introduces potential delays and centralization, which can impact efficiency and responsiveness.

8.1 Delays in the Process

8.1.1 Initial Consultation Requirement:

When a case involves multiple divisions, the initiating division must consult all relevant divisions before issuing orders or submitting the case to the Cabinet or Prime Minister. This requirement can cause delays, especially if multiple divisions need extensive time to review the case.

8.1.2 Response Timeframe:

Divisions are expected to provide their views within a fortnight. If more time is needed, the referring division must be informed within a fortnight, along with an estimated reply time. This can lead to extended delays if divisions frequently request additional time.

8.1.3 Resolving Differences:

Differences of opinion between divisions must be resolved by the concerned Ministers. If unresolved, the case is escalated to the Prime Minister or Cabinet. This multi-step resolution process can significantly slow down decision-making.

8.1.4 Secretaries' Committee:

The Secretaries' Committee meets at least once a month to discuss matters with differing views among divisions. Waiting for these meetings and subsequent recommendations can introduce further delays.

8.2 Centralization in the Process

8.2.1 Prime Minister's Approval for Urgent Cases:

In urgent cases, bypassing the initial consultation requirement requires the Prime Minister's approval, centralizing authority at the highest level and potentially causing bottlenecks.

8.2.2 Prime Minister's Authority:

The Prime Minister has the authority to call for a case from any division. This centralization ensures the Prime Minister's oversight but can also create delays if the Prime Minister's schedule is congested.

8.2.3 Specific Consultations:

Divisions must consult key divisions such as the Cabinet Division, Establishment Division, Finance Division, Foreign Affairs Division, Law and Justice Division, and Revenue Division for specific matters. This requirement centralizes decision-making and can slow down the process due to the need for multiple consultations.

The inter-division consultation process defined in the Rules of Business 1973 aims to ensure thorough, coordinated, and informed decision-making within the government. However, the structured and multi-layered approach introduces potential delays and centralization, impacting the efficiency and responsiveness of the decision-making process. Balancing thorough consultation with the need for timely decisions remains a critical challenge in this centralized framework.

Issues and Challenges of Secretariat Instruction 2004

While the Secretariat Instructions in Pakistan play a crucial role in guiding the functioning of the government, there are certain issues that have been identified:

1. Outdated Information:

The last publication of Secretariat Instructions was in 2004, and there may be a lack of updated information, especially considering the numerous reforms and technological advancements since then.

2. Slow Amendment Process:

The procedure for amending and updating Secretariat Instructions is reported to be slow and lengthy. This can result in delays in incorporating necessary changes to align with evolving governance practices.

3. Lack of Modern Management Techniques:

The instructions may not fully embrace modern management techniques, potentially hindering the efficiency and effectiveness of government operations.

4. Incompatibility with Reforms:

Reforms, including the introduction of information technology-enabled services like e-office, may not be adequately reflected in the existing Secretariat Instructions. This can lead to a misalignment with contemporary practices.

5. Need for Comprehensive Revision:

There is a recognized need to revisit and revise the Secretariat Instructions comprehensively. The current version may not sufficiently address the evolving needs and dynamics of the Federal Secretariat.

6. Limited Accessibility:

There might be challenges in making the instructions easily accessible to all relevant stakeholders, including government officials at different levels and the general public.

7. Insufficient Emphasis on Innovation:

The instructions may not give enough emphasis to fostering innovation within the government, particularly in leveraging technological advancements for improved service delivery.

8. Inadequate Coverage of E-Office Practices:

With the growing importance of e-office practices, the existing Secretariat Instructions may lack comprehensive coverage of guidelines and procedures related to electronic office management.

Section III

Global Standards of New Public Management & Post New Public Management



Global Standards in Public Administration Practices:

New Public Administration

New Public Management (NPM) is an approach to public administration that emerged in the late 20th century, emphasizing principles from the private sector to improve efficiency, effectiveness, and responsiveness in the public sector. While it has been influential in various countries, it's important to note that the adoption and implementation of NPM principles can vary significantly across different contexts. Here are some salient features and international practices associated with New Public Management:

Features	International Practices
Managerialism and Results-Based Management: NPM emphasizes a shift from traditional bureaucratic processes to a more managerial approach.	Countries like the United Kingdom, New Zealand, and Australia have embraced results-based management, focusing on measurable outcomes and performance indicators.
Decentralization and Devolution: NPM promotes decentralization of decision-making authority and resources to lower levels of government.	New Zealand and Sweden have implemented significant decentralization reforms, giving local authorities more autonomy.
Market Orientation and Competition: NPM encourages competition and market principles in public service delivery to enhance efficiency.	The United Kingdom and Australia have introduced market-oriented reforms, including outsourcing, and contracting out public services to private providers.
Performance Measurement and Accountability: NPM emphasizes the use of performance measurement and accountability mechanisms to enhance transparency and efficiency.	The United States and Canada have implemented performance measurement systems to evaluate the effectiveness of public programs.
Customer-Centric Approach: NPM focuses on customer satisfaction and responsiveness to citizen needs.	Singapore and the Netherlands have adopted a customer-centric approach, aiming to improve public service delivery and responsiveness.
Flexibility and Innovation: NPM promotes flexibility and innovation in public administration to adapt to changing circumstances.	Denmark and Finland have incorporated flexible and innovative approaches to public management, allowing for experimentation and learning.
Public-Private Partnerships (PPPs):	International Practices: Canada, the United Kingdom, and Singapore have utilized PPPs in

NPM encourages collaboration between the public and private sectors through PPPs for service delivery.	areas like infrastructure development and healthcare.
Contracting Out and Outsourcing: NPM advocates for outsourcing certain government functions to private entities to achieve cost savings and efficiency.	International Practices: Australia and New Zealand have implemented outsourcing strategies in various public services, including IT and healthcare.

It's crucial to recognize that while NPM has been influential, its application and success vary across countries, and critiques have emerged regarding its impact on equity, social justice, and the potential erosion of public service values. Additionally, public administration approaches continue to evolve, and some countries have shifted away from strict NPM principles in recent years.

Post New Public Management

The concept of "post-New Public Management" (post-NPM) refers to a shift in public administration theories and practices that have evolved beyond the core tenets of New Public Management (NPM). Post-NPM recognizes the limitations and critiques of NPM and seeks to address them by incorporating a more balanced and nuanced approach to public governance. While there isn't a single unified theory or model for post-NPM, there are certain trends and principles associated with this post-NPM era. Here are some key aspects and international practices related to post-NPM:

Salient Features	International Practices
Governance Networks: Post-NPM emphasizes collaboration and partnership between government agencies, non-profit organizations, and the private sector through governance networks.	The Netherlands has embraced the concept of "network governance," encouraging collaboration and partnerships among various stakeholders for effective public service delivery.
Citizen Engagement and Participation: Post-NPM recognizes the importance of involving citizens in decision-making processes and service delivery.	Countries like Canada and Sweden have implemented initiatives to enhance citizen engagement, such as participatory budgeting and citizen panels.
Public Value Management: Post-NPM shifts the focus from purely managerial efficiency to the creation of public value, emphasizing the broader societal impact of public policies and services.	The United Kingdom has explored the concept of public value management, considering the social and environmental outcomes of public initiatives.
Complexity and Adaptive Governance: Post-NPM recognizes the complexity of public issues and the need for adaptive governance structures that can respond to dynamic and uncertain environments.	Australia has experimented with adaptive governance approaches, acknowledging the need for flexibility and adaptability in the face of complex challenges.

<p>Service Integration and Whole-of-Government Approaches: Post-NPM encourages the integration of services across government agencies to provide holistic solutions to complex problems.</p>	<p>New Zealand and Denmark have adopted whole-of-government approaches to address issues that require collaboration across different policy domains.</p>
<p>Emphasis on Values and Ethics: Post-NPM recognizes the importance of public service values and ethics in governance.</p>	<p>Scandinavian countries, including Sweden and Norway, emphasize the importance of public service values and ethics in their governance structures.</p>
<p>Learning Organizations: Post-NPM encourages public organizations to be learning-oriented, fostering continuous improvement and adaptability.</p>	<p>Singapore has been recognized for its efforts to create a learning organization within the public sector, promoting innovation and continuous improvement.</p>

It's essential to note that post-NPM is not a monolithic or universally adopted model, and practices can vary based on the specific context and challenges faced by each country. This approach represents a recognition of the need for a more holistic, collaborative, and adaptive approach to governance in response to the shortcomings associated with the strict application of NPM principles.

In conclusion, the progression from New Public Management (NPM) to post-New Public Management (post-NPM) signifies the dynamic nature of theories and practices within public administration. Although NPM has undeniably influenced numerous countries, its impact has been nuanced, with criticisms arising around issues of equity, social justice, and the preservation of public service values. The transition to post-NPM represents a deliberate response to these limitations, advocating for a more balanced and collaborative approach to governance.

Post-NPM introduces a range of international practices that showcase diverse strategies employed by different nations. These practices include governance networks, citizen engagement, public value management, adaptive governance, service integration, a heightened emphasis on values and ethics, and the cultivation of learning organizations. Collectively, these approaches aim to address the shortcomings identified in the NPM model.

Importantly, the post-NPM era recognizes the contextual nature of governance, emphasizing the need for flexibility, adaptability, and a holistic understanding of societal needs. This acknowledgement is crucial as it underscores the importance of tailoring governance structures to specific situations and challenges.

Section IV

Government and Private Organizations



Big Question

Can the principles and management practices commonly employed by private sector organizations be effectively applied to enhance the efficiency, transparency, and overall performance of government entities and related offices?

The Public Sector, constituting the segment of a nation's economy governed by the state, aims primarily to serve the citizens. Financed through public revenue like taxes and duties, it spans diverse areas such as police, army, health, manufacturing, education, and more. Employment in the public sector offers job security, retirement benefits, and various allowances, with promotions often based on seniority.

In contrast, the Private Sector, owned and controlled by private individuals or companies, operates with the primary objective of earning profits. It raises funds through avenues like issuing shares and debentures or securing loans. Industries within the private sector encompass finance, information technology, manufacturing, and others. Working in the private sector brings competitive salary packages, a dynamic environment, and promotions based on merit, though job stability tends to be comparatively lower.

Comparison of Private & Public Sector

S.No	Variable	Private Sector	Public Sector
1.	Governance	Directors and managers	Agency heads, ministers, Parliament tensions between loci of authority
2.	Mandate	Profit maximization, considering corporate interests only	Welfare maximization, considering Community interests, involving tradeoffs
3.	Ownership	Partially-owned entities	Relation to assets remains complex
4.	Other Stakeholders	Employees, creditors, suppliers, communities	Same set of stakeholders, but weighting of Communities much heavier
5.	Goal	Generally clear	Often vague to satisfy different stakeholders
6.	Product Choice	Decided by corporation	Mandated by government
7.	Revenue	From sales	Also from some natural monopolies
8.	Prices	Generally constrained by market	Depend on policy
9.	Costs	Firm's own costs used for decision making	Community costs, including externalities, deadweight losses
10.	Efficiency	Technical efficiency basic requirement	Economic efficiency is often at the cost of technical efficiency
11.	Financial controls	Cash flow crucial to survival	Cash not an operating constraint, as Government has a macro monetary role

Source: Madhani (2014c)

Transforming a public sector organization to run more like a corporate sector entity involves adopting business-oriented practices and principles while addressing the unique challenges and goals of the public sector. Here are some strategies and considerations for making this transition:

Strategic Planning:

Public sector organizations can benefit from adopting strategic planning processes like those used in the corporate sector. Establish clear goals, objectives, and performance metrics aligned with the organization's mission and the needs of the public.

Efficient Operations:

Streamline processes, reduce bureaucracy, and promote efficiency. Embrace technology and data-driven decision-making to enhance operational effectiveness.

Customer Focus:

Shift towards a customer-centric approach, identifying and meeting the needs of the public. Understand the expectations of citizens and stakeholders and strive for excellence in service delivery.

Performance Management:

Implement performance measurement systems to evaluate the efficiency and effectiveness of programs and services. Set measurable targets and regularly assess performance against these benchmarks.

Financial Management:

Apply sound financial management practices, including budgeting, cost control, and financial reporting. Prioritize spending based on strategic objectives and outcomes.

Accountability and Transparency:

Enhance accountability by establishing clear lines of responsibility and transparency in decision-making processes. Communicate openly with the public, sharing information about organizational activities, expenditures, and outcomes.

Innovation and Technology:

Embrace innovation and technology to improve processes, service delivery, and overall organizational effectiveness. Explore opportunities for digital transformation and automation.

Talent Management:

Attract and retain skilled professionals by adopting human resource practices like those in the corporate sector. Encourage a culture of performance, continuous learning, and adaptability.

Public-Private Partnerships (PPPs):

Consider forming strategic partnerships with private-sector entities through PPPs. This can facilitate collaboration, resource-sharing, and the introduction of private-sector expertise.

Flexibility and Adaptability:

Public sector organizations should be adaptable to changing circumstances. Develop a culture that embraces change and encourages employees to innovate and respond to evolving needs.

Risk Management:

Adopt risk management practices to identify, assess, and mitigate risks. This includes financial, operational, and reputational risks.

Corporate Governance Principles:

Introduce corporate governance principles, including a strong board of directors or governing body, to provide oversight, accountability, and strategic guidance.

Public Engagement and Participation:

Encourage public engagement and participation in decision-making processes. Solicit feedback from citizens and stakeholders to ensure that services align with community needs.

It's essential to recognize that public sector organizations have unique missions, responsibilities, and constraints compared to their corporate counterparts. While adopting corporate practices can improve efficiency and effectiveness, it's crucial to balance these changes with a commitment to public service and accountability to the community. Additionally, legal and regulatory frameworks specific to the public sector must be considered and adhered to throughout the transformation process.

Transforming Public Sector in Pakistan: A Blueprint for Integration with Private Sector Practices.

- The transformation of public sector organizations in Pakistan necessitates a nuanced approach, balancing business-oriented practices with the unique missions of serving citizens.
- The Rules of Business and Secretariat Instructions, foundational documents for the federal government, need enhancement to align with contemporary governance requirements.
- Recommendations for improvement include regular and expedited updates for both documents, integrating modern management techniques and accommodating technological advancements.
- Clear timelines, penalties for noncompliance, and a robust accountability framework should be established to foster a commitment to public service and streamline decision-making processes.
- Emphasizing decentralization, similar to private sector structures, can empower departments and ministries, enabling faster and more autonomous decision-making.

- A comprehensive revision of Secretariat Instructions should prioritize guidelines related to electronic office management and cutting-edge technologies to address the lack of innovation.
- Encouraging public engagement and participation in decision-making processes is crucial, aligning with essential components of corporate governance.
- The overarching goal of these recommendations is to modernize the public sector, introducing efficiency, transparency, and adaptability while recognizing the unique mission and responsibilities of serving the citizens of Pakistan.

Section V

Recommendations for Rules of Business and Secretariat Instructions for proper implementation and effectiveness



The governance framework of the federal government in Pakistan is anchored in two pivotal documents—the Rules of Business and Secretariat Instructions—serving as the guiding principles for administrative and decision-making processes. While these documents provide a foundational structure for the functioning of public sector organizations, a critical examination reveals notable gaps and challenges that impede the optimal operation of the government machinery.

The Rules of Business, established in 1973, exhibit shortcomings in adapting to contemporary governance requirements, particularly concerning decentralization, inclusiveness, and technological advancements. Similarly, the Secretariat Instructions, last published in 2004, face issues of outdated information, slow amendment processes, and a lack of emphasis on modern management techniques. This analysis underscores the necessity for comprehensive reforms, advocating for a strategic overhaul in the management tools, decision-making structures, and accountability mechanisms within the federal government to ensure a more efficient, transparent, and responsive governance system in Pakistan.

✍ **Modernization of Documents:**

Both the Rules of Business and Secretariat Instructions need to be updated to incorporate contemporary governance requirements, including recent amendments and technological advancements. Regular and timely revisions should be a priority to ensure that these documents stay relevant and aligned with the evolving needs of effective governance in the 21st century.

- The Salient features of Rules of Business – 1973 (Amended 2021) provide a comprehensive framework for the functioning and decision-making processes of the Federal Government of Pakistan. Let's compare these features with modern practices to assess their relevance and effectiveness:

- **Allocation of Business:**

Modern practices often emphasize flexibility and adaptability in business allocation, allowing for agile responses to changing circumstances.

While the Rules of Business provide for the Prime Minister's authority to establish new ministries and allocate business among divisions, modern practices might also include mechanisms for periodic review and reallocation based on performance and priorities.

- **Organization of Divisions:**

Modern organizational structures may focus on flatter hierarchies, agile teams, and digital transformation to enhance efficiency and collaboration.

The inclusion of Special Assistants to the Prime Minister reflects a modern emphasis on specialized expertise and advisory roles.

- **Transaction of Business:**

Contemporary governance often emphasizes transparency, accountability, and stakeholder engagement, which may include broader consultation mechanisms beyond traditional officer-minister interactions.

While the Rules of Business outline a hierarchical decision-making process, modern practices might incorporate more participatory approaches, stakeholder consultations, and digital platforms for efficient communication and collaboration.

▪ Individual and Collective Responsibility:

While the Rules of Business uphold individual and collective responsibility, modern governance frameworks increasingly emphasize accountability, integrity, and ethics in decision-making and leadership.

▪ Orders and Instruments, Agreements, and Contracts:

In modern governance, there is often a focus on streamlining processes, enhancing transparency, and minimizing bureaucracy, which may involve digital authentication mechanisms and automated workflows for orders and contracts.

▪ Consultation among Divisions:

Contemporary governance frameworks stress inter-agency collaboration, coordination, and information-sharing to address complex, cross-cutting challenges effectively.

While the Rules of Business outline consultation procedures, modern practices might integrate digital platforms, data-driven decision-making, and cross-functional teams for more efficient and inclusive consultations.

▪ References to the Prime Minister and the President:

Modern governance often involves clear delineation of roles, responsibilities, and decision-making authority, supported by transparent communication channels and documentation practices.

While the Rules of Business outline procedures for references to the Prime Minister and the President, modern practices might also include mechanisms for real-time tracking, monitoring, and reporting to ensure timely and informed decision-making.

▪ Cabinet Procedures:

Contemporary governance frameworks often prioritize evidence-based policymaking, strategic planning, and performance evaluation to achieve desired outcomes.

While the Rules of Business outline Cabinet procedures, modern practices might also incorporate mechanisms for policy impact assessment, outcome monitoring, and continuous improvement.

▪ Legislations:

In modern governance, there is often an emphasis on legislative transparency, public participation, and stakeholder engagement throughout the legislative process.

While the Rules of Business outline procedures for legislations, modern practices might include mechanisms for public consultations, legislative impact assessments, and digital platforms for public access to legislative information.

▪ **Relations with Parliament and Provinces:**

Contemporary governance frameworks often prioritize inter-governmental cooperation, collaboration, and conflict resolution to address multi-level governance challenges effectively.

While the Rules of Business outline procedures for relations with Parliament and provinces, modern practices might also incorporate mechanisms for inter-governmental forums, joint decision-making bodies, and conflict resolution mechanisms.

✔ **Inclusiveness and Public Interest:**

The Rules of Business should be more inclusive, explicitly outlining procedures and penalties for noncompliance related to public interest matters. The documents should incorporate provisions that safeguard the interests of the common people and enforce accountability in case of delays.

✔ **Decentralization of Decision-Making:**

Consider shifting from a centralized approval mechanism to a more decentralized approach, empowering ministers, and secretaries with substantial decision-making powers. The Rules of Business should be revised to distribute decision-making authority, fostering a more agile and responsive governance framework.

✔ **Flat Organizational Structure:**

The governance structure needs a relatively flat organizational structure, which encourages autonomy, collaboration, and decentralized decision making. Employees are empowered to take ownership of projects and initiatives, leading to greater creativity and innovation.

✔ **Departmental Autonomy and Accountability:**

The governance structure needs to strike a balance between departmental autonomy and accountability. Streamlining mechanisms for accountability and oversight is essential to ensure decisions are made judiciously and in the best interest of the entire government apparatus.

✔ **Timely Decision-Making:**

The bureaucratic loops and procedural bottlenecks highlighted in the Rules of Business need to be addressed to facilitate more timely decision-making. Encourage a streamlined mechanism that allows allied departments to make timely and independent decisions to enhance efficiency and responsiveness.

✔ **Penalties and Accountability:**

Introduce penalties or punishments in the Rules of Business for noncompliance or delays to ensure adherence to timelines and instructions. Create awareness among government

employees about the importance of following procedures and timelines to optimize the functioning of the federal government.

✔ **Comprehensive Revision of Secretariat Instructions:**

Recognize the need for a comprehensive revision of Secretariat Instructions to address the identified issues. Ensure that the updated instructions reflect the latest reforms, technological advancements, and modern management techniques.

✔ **Emphasis on Innovation and E-Office Practices:**

Enhance the emphasis on fostering innovation within the government in both the Rules of Business and Secretariat Instructions. Ensure that guidelines and procedures related to electronic office management are comprehensively covered in Secretariat Instructions to keep up with the growing importance of e-office practices.

✔ **Accessibility and Training:**

Improve accessibility of the documents to all relevant stakeholders, including government officials at different levels and the public. Invest in training programs, such as those conducted by the Secretariat Training Institute, to bridge knowledge gaps and ensure effective implementation of the rules and instructions.

✔ **Public Sector Reforms:**

Consider a comprehensive overhaul of public sector organizations, adopting new management tools and techniques for both short-term and long-term results. Learn from past reforms and failures to implement effective changes that lead to good governance and improved public sector performance.

In conclusion, a holistic approach is needed to address the identified issues in the Rules of Business and Secretariat Instructions. This includes not only revising and updating the documents but also implementing systemic changes that promote transparency, accountability, and efficiency within the federal government of Pakistan.

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Annexure

Comparison of the Rules of Business 1973 of Pakistan, the Allocation of Business Rules 1961 of India, and the UK Ministerial Code 1997

Feature	Rules of Business 1973 of Pakistan	Allocation of Business Rules 1961 of India	UK Government Rules
Scope	Applies to all ministries, departments, and attached offices of the Federal Government of Pakistan	Applies to the ministries, departments, secretariats, and offices of the Government of India	Applies to the ministries, departments, and agencies of the UK government
Allocation of Business	Provides for the allocation of business among the Divisions of the Cabinet of Pakistan	Provides for the allocation of business among the Ministries of the Government of India	Provides for the allocation of business among the Departments of the UK government
Role of the Prime Minister	The Prime Minister of Pakistan has a more central role in the allocation of business	The Prime Minister of India has a more limited role in the allocation of business	The Prime Minister of the UK has a less central role in the allocation of business, with more authority delegated to Secretaries of State
Role of the Cabinet	The Cabinet of Pakistan has a more prominent role in the decision-making process	The Cabinet of India has a less prominent role in the decision-making process	The Cabinet of the UK has a less prominent role in the day-to-day decision-making process, but it retains significant oversight and policy-setting authority
Flexibility	Are more flexible than the Allocation of Business Rules 1961 of India and the UK government rules	Are less flexible than the Rules of Business 1973 of Pakistan	Are moderately flexible, with the ability to adapt to changing circumstances



Rules of Business Pakistan

GENERAL

1. Title and commencement
2. Definitions
3. Allocation of Business
4. Organization of Divisions
5. Transaction of Business
6. Individual and collective responsibility
7. Orders and Instruments, agreements and contracts



CONSULTATION AMONG DIVISIONS

8. Inter Division procedure
9. Secretaries' Committee
10. Consultation with the Cabinet Division
11. Consultation with the Establishment Division
12. Consultation with the Finance Division
13. Consultation with Foreign Affairs Division
14. Consultation with the Law and Justice Division
- 14A. Consultation with the Revenue Division



REFERENCES TO THE PRIME MINISTER AND THE PRESIDENT

15. Reference to the Prime Minister
- 15A. Reference to the President



CABINET PROCEDURE

16. Cases to be brought before Cabinet
17. Method of disposal of Cabinet cases
18. Manner of submission of Cabinet cases
19. Procedure regarding circulation of Cabinet cases
20. Procedure regarding Cabinet meetings
21. Procedure regarding Inter-Provincial Conference
22. Procedure regarding National Economic Council
23. Procedure regarding Committees of Cabinet, and National Economic Council
24. Action on decisions of the Cabinet, National Economic Council or their Committees etc.
25. Periodical Reports of Activities of Divisions
26. Annual Report



LEGISLATION

27. Official Bills
28. Non-Official Bills
29. Official and non-official amendments to Bills
30. Ordinances



RELATIONS WITH MAJLIS-E-SHOORA (PARLIAMENT)

31. Compliance with Rules of Majlis-e-Shoora (Parliament)
32. Summoning of Majlis-e-Shoora (Parliament) a House or joint sitting by the President
33. Prorogation of Majlis-e-Shoora (Parliament) a House or joint sitting by the President
34. Summoning and Prorogation of National Assembly by the Speaker
35. Summoning and Prorogation of the Senate by the Chairman
36. Review of official and non-official business
37. Provisional forecast of official and non-official business
38. Orders of the Day
39. Transmission of Bills, etc.
40. Action by Divisions etc
41. Introductions of Bills
42. Assent to Bills
- 42A. Reconsideration of Bills by Majlis-e-Shoora (Parliament)
43. Resolutions
44. Motions
45. Questions
46. Budget
47. Committees of Assembly or Senate



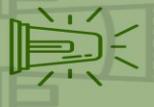
RELATIONS WITH PROVINCES

15. Reference to the Prime Minister
- 15A. Reference to the President



EMERGENCY PROVISIONS

51. Proclamation of Emergency on account of war, internal disturbance, etc.
52. Failure of constitutional machinery in a Province
53. Proclamation in case of financial stringency
54. Revocation of Proclamation, etc.



MISCELLANEOUS PROVISIONS

55. Protection and communication of official information
56. Channels of communications
57. Relaxation
58. Repeal



SCHEDULES

- Schedule I. List of Ministries and Divisions
- Schedule II. Distribution of business among the Divisions
- Schedule III. List of Attached Departments declared as such by the Federal Government
- Schedule IV. List of officers authorized to make and execute orders and other instruments in the name of the President
- Schedule VA. List of cases to be submitted to the Prime Minister for his orders
- Schedule VB. List of cases requiring orders of the President on the advice of the Prime Minister
- Schedule VI. List of cases to be submitted to the President for his orders in his discretion
- Schedule VII. Cases and papers to be submitted to the President for information

