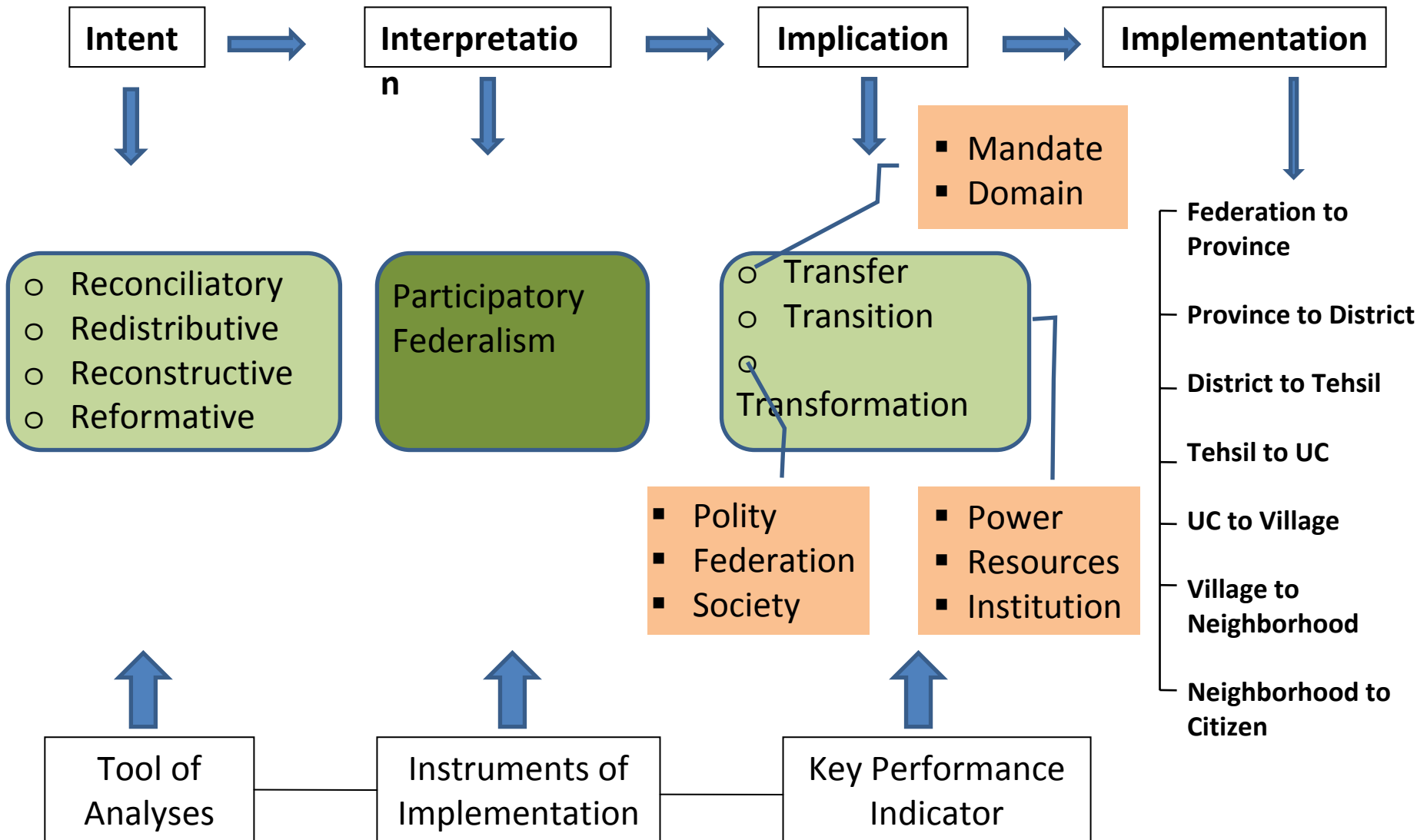


Disaster Management and Governance Framework: A case study of Pakistan

Abdul Shakoor Sindhu & Amjad Bhatti
Rural Development Policy Institute

New Constitutional Arrangement for
Devolving Powers from
Center to Provinces:
Background and Constitutional
Amendments/Process

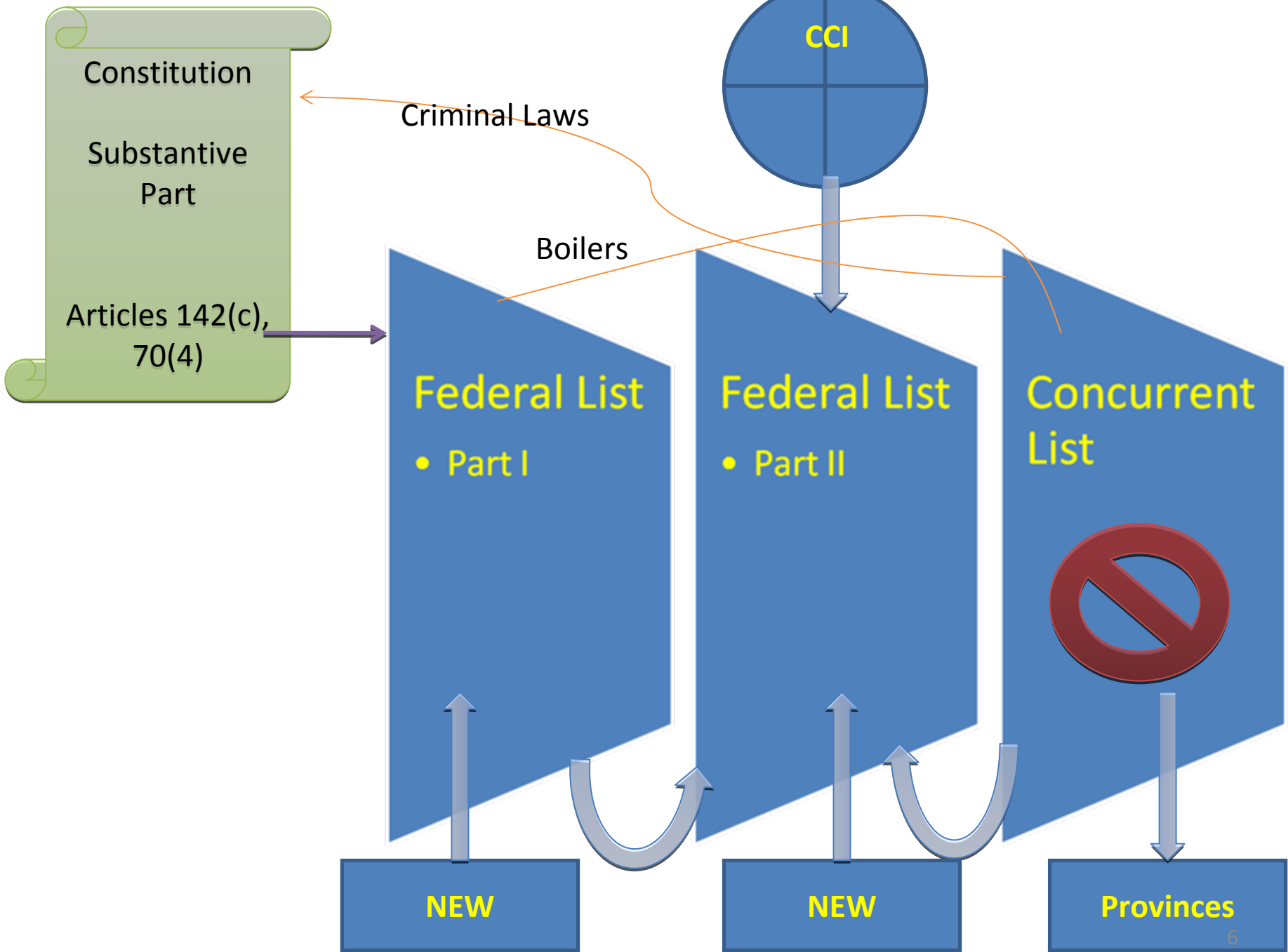
18th Constitutional Amendment: Operational Framework



Key Facts

1. Total No of Articles in 18th Constitutional Amendment: 100
2. Amendments: 69
3. Substitutions: 20
4. Insertions: 7
5. Omissions: 3
6. Repeal: 1
7. Bodies Devolved: 100
8. Ministries devolved: 20
9. Subjects: 40 of 47

New Administrative and Legislative Arrangement



Some of Devolved Subjects

No	Department	Subjects
1 2	Agriculture Livestock & DD	Prevention of the extension from one Province to an other of infectious or contagious diseases or pest affecting plants/animals
3	Board of Revenue	(i) Wills, intestacy and succession (ii) Bankruptcy and insolvency, (iii) Trusts and trustees (iv) Transfer of property (v) Evacuee property (vi) Duties in respect of succession to property (vii) Estate duty in respect of property (viii) Capital gains on immovable property
4	Environment	Environmental Pollution & Ecology
5	Health	(i) Drugs and medicines (ii) Poisons and dangerous drugs (iii) Prevention of the extension from one Province to another of infectious or contagious diseases or pests affecting men (iv) Mental illness and mental retardation, including places for the reception or treatment of the mentally ill and mentally retarded

... Devolved Subjects

No	Department	Subjects
8	Higher Education	Curriculum, syllabus, planning, policy, centers of excellence and standards of education except standards in institutions for higher education and research, scientific and technical institutions
9	School Education	
10	Literacy & NFBE	
11	Special Education	
12	Information , Culture & Youth Affairs	(i) Newspapers, books and printing presses (ii) Ancient and historical monuments, archaeological sites and remains
13	Labour & Human Resources	(i) Welfare of Labour; condition of labour, provident fund, employer's liability and workmen compensation, health insurance including invalidity pensions, old age pensions (ii) Trade Union, industrial and labour disputes (iii) Setting up and carrying on of labour exchanges, employment information bureaus and training establishments (iv) Regulation of labour and safety in mines, factories and oil fields
14	Population Welfare	Population Planning
15	Social Welfare & Women Dev.	(i) Social Welfare (ii) Infants and minors adoption (iii) Unemployment insurance
16	Tourism	Tourism

... Devolved Subjects

No	Department	Subjects
17	Zakat & Ushr	Zakat
18	Transport	(i) Shipping and navigation on inland waterways as regards mechanically propelled vessels, and the rule of the road on such waterways; carriage of passengers and goods on inland waterways (ii) Mechanically propelled vehicles
19	Local Govt. & Community Development	Marriage & Divorce
20	Law & Parliamentary Affairs	(i) Civil procedure (ii) Law of Limitation (iii) Arbitration (iv) Actionable Wrongs (torts) (v) Administrator-general (vi) Official trustee (vii) Contracts
21	Auqaf	(i) Islamic education (ii) Auqaf

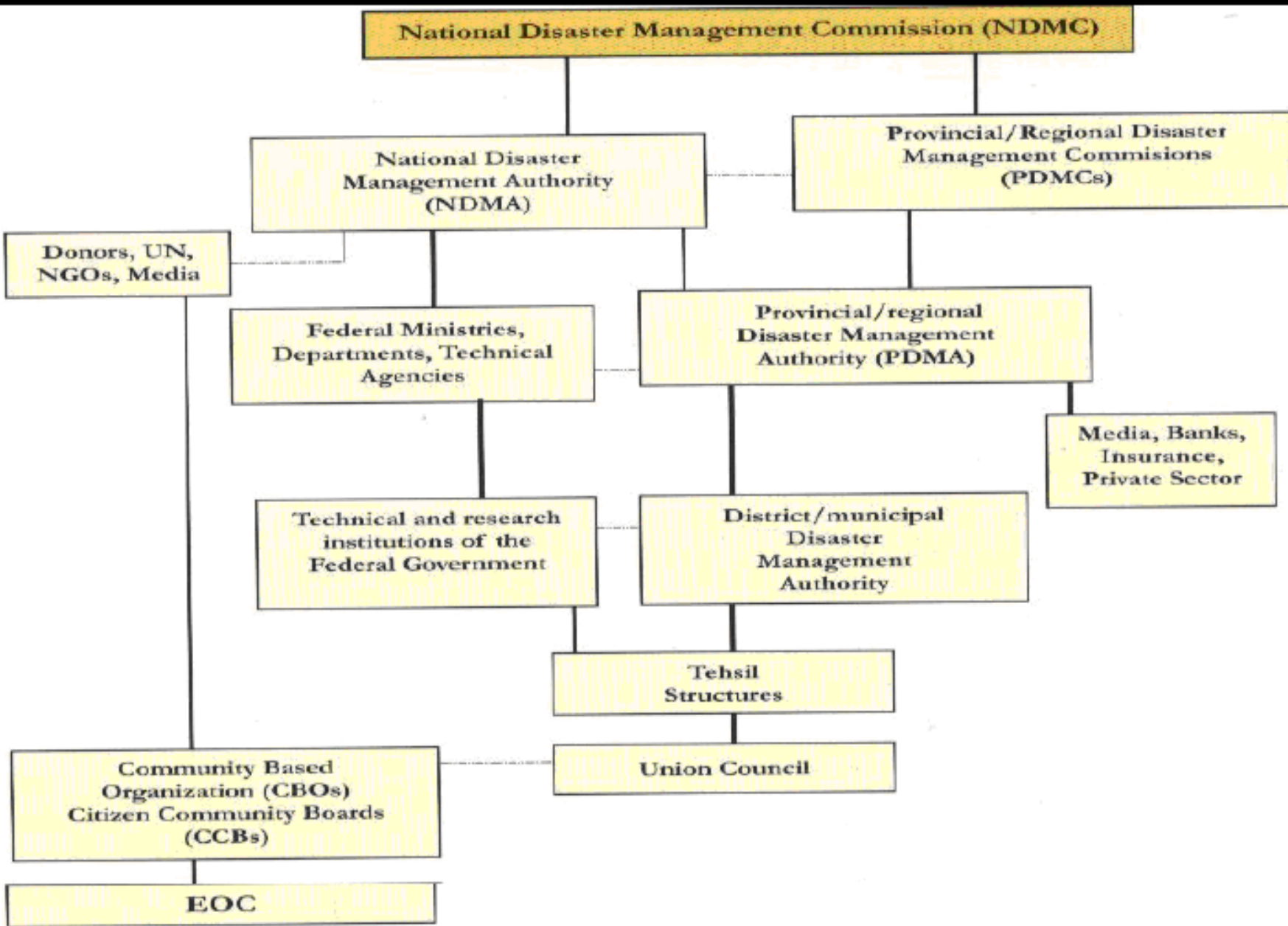
Implications of 18th Amendment on Disaster Management

- a) Legislative – NDMA Ordinance 2006 - NDMA Act 2010
- b) Institutional – NDMC /NDMA, PDMCs/PDMAs
- c) Case study of Flood 2010

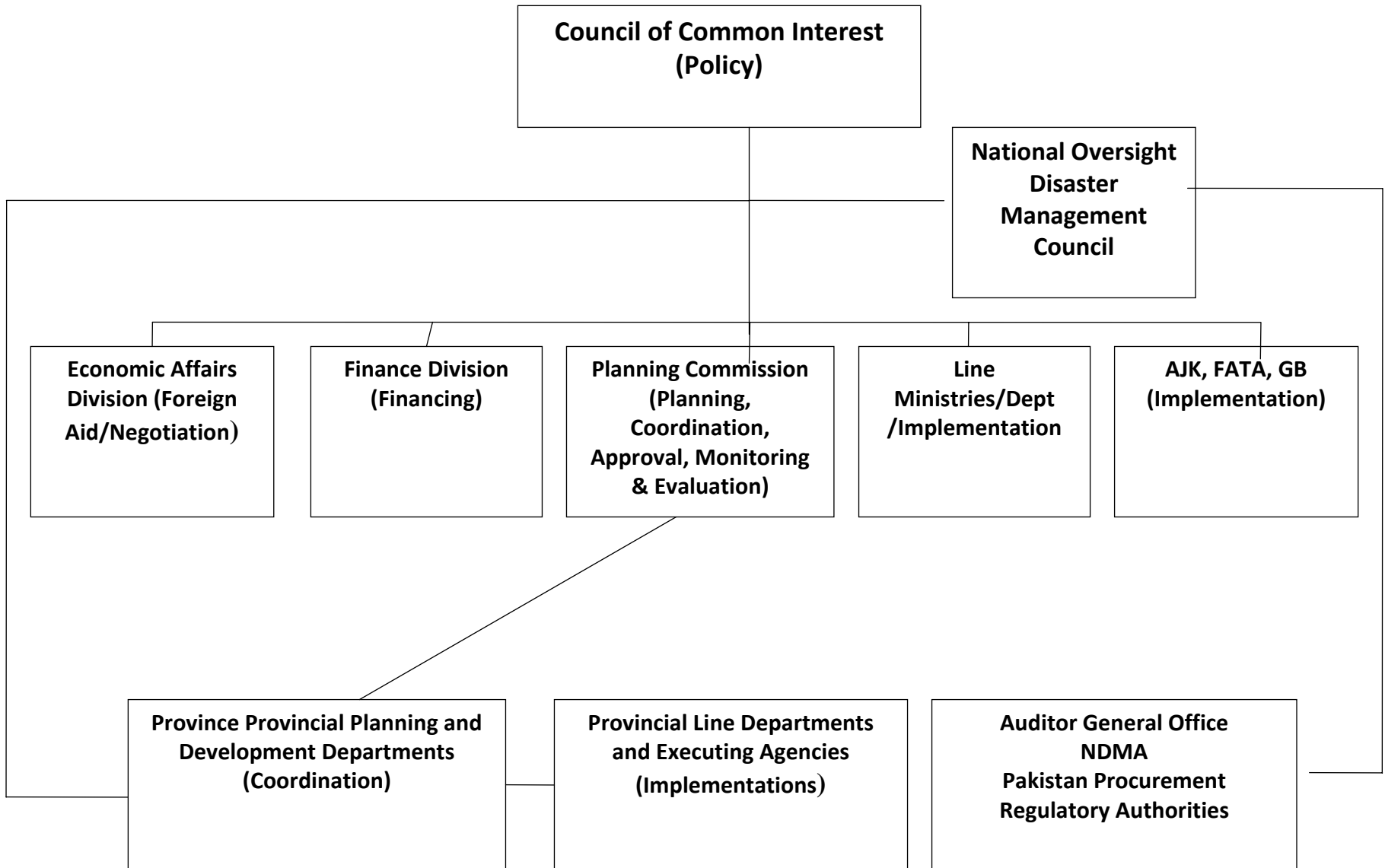
Case Study of Pakistan Floods 2010

New Institutional Arrangements have been made as follow:

- NODMC
- Flood Reconstruction Unit in Planning Commission
- Special Reconstruction Cell Punjab,
- Steering Committee in Sindh,
- Flood Cell in Baluchistan,
- Provincial Rehabilitation and Reconstruction and Settlement Authority in Khyber Pakhtoon Khawa



New Institutional Structure



Conclusions

- Disaster Management Actors have not bothered to understand the new constitutional and institutional arrangements. These actors are knocking at the wrong doors. This has led to impairment of flood relief and reconstruction process in Pakistan
- Disaster Management needs to be brought in line with new constitutional and devolution arrangements

... Conclusions

- Neither old nor new institutional arrangement clearly elaborate the role of civil society organizations and communities in the overall disaster management.
- Even the role of elected representatives and forums like parliament, provincial assemblies and local level representatives has not been elaborated.

...Conclusions

- The new devolution arrangement has a big gap: the power from provinces to local governments has not been transferred since provinces are still to make their own legislations. The districts now do not have an elected setup while the district administrations are being run through ad-hoc arrangements. The financial, planning and law making powers have been taken back from the districts. In the presence of local government a true decentralized disaster risk management is literally not possible.