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Education Governance

**National Education Conference
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**Ministry of Education
Government of Pakistan**

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GREEN PAPERS

INTER-STATE RESPONSIBILITIES IN THE EDUCATION ACT

The Education Act, 1973, is a landmark legislation in the history of the Federation. It is clear that the Federal and Provincial Legislatures have, in the past, exercised their powers in the field of education in a manner which has not always been consistent with the principles of federalism. Any effort to improve the quality of the education system must be based on a sound understanding of the responsibilities of the various levels of government.

Education is a joint venture and a national responsibility. There are differences in the way in which the various levels of government have approached the task of providing education. It is the role of the central government to ensure the development of a national system of education, while allowing maximum provincial autonomy in the management of education. Education is a key tool towards the achievement of national goals.

GREEN PAPERS

Under the 1973 Constitution of Pakistan, education falls in the concurrent list. This means that both the Federal and the provincial governments share the jurisdiction. Given the administrative and political differences, the primary responsibility for the implementation of the education sector, Federal role is such a serious one. It is the duty of the Federal Government to ensure that the education system is based on a principle of unity and integrity. Similarly, it is the duty of the provincial governments to ensure that the education system is based on a principle of federalism and decentralization.

However, the Local Government Ordinance, 1979, has reduced the role of the provincial governments in the education sector.

This is a serious matter for the Federal Government, as it is the responsibility of the Federal Government to ensure that the education system is based on a principle of federalism and decentralization. The provincial governments have a role to play in the management of education, and it is the duty of the Federal Government to ensure that the education system is based on a principle of federalism and decentralization. The provincial governments have a role to play in the management of education, and it is the duty of the Federal Government to ensure that the education system is based on a principle of federalism and decentralization.

INTER TIER RESPONSIBILITIES IN THE EDUCATION SECTOR

Background

Like most federations, Constitution of Islamic Republic of Pakistan-1973 demarcates the jurisdiction of the Federation and the provinces. This is done through Federal and Concurrent Legislative Lists. The former identifies the areas where the Federal government has exclusive jurisdiction while the subjects in the latter enlists both the federation and the provinces 'concurrent' jurisdiction. Any subject not mentioned in either of the two lists falls within provincial jurisdiction.

Pakistan is a multi-ethnic and multicultural federation. There are differentials among the federating units (even within each federating unit) on the basis of culture, ethnicity, language and development levels. As the federator, the role of the central government is to reduce the development disparities and encourage the cultural diversity (while allowing maximum provincial autonomy to the federating units). Education is a key tool towards achievement of these objectives

Under the 1973 Constitution of Pakistan education falls in the concurrent list. This means that both the federal and the provincial governments enjoy the jurisdiction. Given the administrative and political structures in the country, provinces undertake the bulk of implementation in the education sector. Federal role in such a scenario would normally be coordination and norm setting. However, over the years, the demarcation has blurred and a perception gap has emerged between the two tiers viz a viz their respective roles. Resultantly, there is an increased unease in the relationship has increased leading to adverse impact on education outcomes.

However, the Local Government Ordinance-2001 has enhanced the role of the provinces in governance of the social sector through local governments.

Situational Analysis

There is a general perception that the Federal government intrudes into provincial domain through development and implementation of vertical programs and projects and not only distort provincial planning but also impact its autonomy. Even in areas where the Federal role is more pronounced and accepted, decisions are taken through a top down approach causing confusion and poor implementation. The provinces, on the other hand, have increasingly moved towards an adversarial relationship with the Federal Government that has led to erosion of the federation's role in probably the most important intervention for nation building. At times, even the concept of a federal Ministry of Education is questioned by provincial functionaries. Lately, some improvement geared up in form of revival of the Inter-Provincial Education Ministers' Conference and the Inter-Provincial Education Secretaries' Conference. However, at the technical levels, there is minimal coordination that dilutes the impact of these high foras.

With the implementation of devolution, the need for defining inter tier domains has become even more significant. Education under the Local Government Ordinance is a devolved subject up to the school level. However, confusion persists to understand this structure. Each province has its own interpretation of this development. The current demarcation is mostly based on division of administrative powers rather than functional responsibilities which further adds. In theory, devolution has taken place whereas in reality its optimal benefits are not being reaped.

The need is to define role of each of the three tiers in the devolved set-up so that efficiency of the system increases without adversely affecting its national character (In fact there are three tiers even within the local governments i.e union, tehsil/town, and district).

Even as the respective roles are being defined the issue of requisite capacity at each tier would need to be identified.

Key Questions

Some of the key questions that emerge are:

1. What should be the role of the provinces vis a vis the Federal government and local governments?
2. What should be the responsibilities at each tier of the local government i.e. district, tehsil and union levels?
3. What type of capacities are required at each level for carrying out these functions?
4. What is the best method of regulating these relations for example written agreement, legislation, amendments to the constitution, and changes in the Rules of Businesses etc.?
5. Should standardization of content, quality of instruction and assessments be 'nationally' managed rather than federally, provincially or locally?

1. Subsidiarity / 2. Proportionality / Interface 3. Heads of Institutions -
ASBMS
SAMI - Khyber -
Local Govt /
G.P.
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FINANCING EDUCATION (SCHOOLS)

Background

Education financing needs are high in most countries as it is the largest activity in the social sector of any country. The funding can be from multifarious sources private, public, philanthropic and international overseas development. In view of the high social returns on education, the argument for public funding is always strong and all governments take the responsibility of providing equitable opportunities for all to obtain quality education. Most countries also have high private investments in education. Depending on the model followed by a given country, education may be accessible to all or only those who can afford it. Questions for public funding for education would broadly involve the source of the funding and its distribution within various tiers. Ideally the share of public funds going to school level should be higher as compared to tertiary education. The source of the money can be local, provincial or federal revenues. In most federal states, the function is decentralized to the local level that generates the largest chunk of resources. Funding from federal and provincial levels normally supplements the local component where the latter is inadequate or there is need to pursue a specific national or provincial goal.

In developing countries, the bulk of development expenditure originates from donor funds. In recent years, the methodology for this financing has come under criticism and the issue of coordinated effort of the donors to minimize overlap and delineate the recipient country's own priorities.

Situational Analysis

Pakistan's current public outlay on education is 2.73% of the Gross Domestic Product; which is considered low. Recently, the government committed to raise it to 4% of the GDP. The bulk of this expenditure is on the recurrent side where teachers' salaries make about 90% of the total recurrent expenditure. The development budget is almost entirely financed through foreign aid. This has serious implications for ownership and sustainability as a number of these activities fail to gauge government's commitment and capacity for the long run recurrent expenditure implications of this development work. The funding is generated mostly through donor determined priorities and since the whole sector is uncoordinated there are issues of overlap and excessive emphasis that distorts priorities for the education sector.

At the domestic level, resources are generated through revenues raised at various tiers. With Devolution, the responsibilities for schools have been shifted to the District governments. However the devolved governments are dependent on the Provincial Finance Commissions as the main source for expenditure (only 8% of the requirements are met through the local governments' revenues). Overall the bulk of

revenue is collected at the federal level which is distributed to the provinces through the National Finance Commission. Additionally the Federal Government funds vertical projects in provinces through various interventions; the latest is the Education Sector Reform (ESR) Programme.

Over the years another matter that has appeared is poor utilization of funds. This manifests serious capacity limitations, apparently simple increase of funds may not be the immediate answer.

Over the last few years private sector investment in education has expanded though the exact amount is not known as there are serious data deficiencies in this sector. The growth does reflect the potential of funding (and services) outside the government.

Key Questions

1. Why have financial outlays in education been low over the years?
 2. Why is government unable to undertake the bulk of development expenditure?
 3. What are the causes of low utilization?
 4. What are the key issues in donors' financing e.g . flexibility, priority, recurrent implications etc.?
 5. What has been the experience of direct budgetary support , if any?
 6. What are the constraints faced by fiscal decentralization?
 7. What is the scope for increased resource mobilization by local governments to meet their education expenditure requirements?
 8. What is the potential of private sector funding in meeting the education objectives of the government?
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performance of the groups of offices, individually or collectively, and give directions for taking actions or measures for improving efficiency, service delivery and achievement of goals assigned in the approved plans of the District Government.

(3) Where in the opinion of a District Coordination Officer, an order of the Zila Nazim is motivated or unlawful, he may seek recourse in writing to the Local Government Commission with a copy thereof to the Zila Nazim, and the decision of the Commission in the matter shall be final and binding.

29. Functions and powers of Executive District Officer.- The functions and powers of the Executive District Officer shall be to-

- (a) ensure that the business of the group of offices under his administrative control is carried out in accordance with law and the rules and the human and material resources placed at his disposal are optimally utilised to improve governance;
- (b) co-ordinate and supervise the activities of the offices and ensure efficient service delivery by the functionaries under his administrative control;
- (c) supply information to the Monitoring Committees of the Zila Council and Union Councils;
- (d) take appropriate corrective actions based on the information received from Monitoring Committees;
- (e) enforce relevant Federal, Provincial laws and rules, including tax laws;
- (f) prepare development plans and propose budgetary allocations for their execution;
- (g) implement approved plans and policies;
- (h) authorise disbursement of performance bonuses to the employees;
- (i) prepare proposals for expenditures necessary for the proper conduct of programs, projects, services, and other activities;
- (j) propose relevant bye laws on service delivery to the District Coordination Officer; and
- (k) act as Departmental Accounting Officer for his respective group of offices and be responsible to the Zila Accounts Committee of the Zila Council.

Previous Education Policies

Relevant Extracts

EDUCATIONAL MANAGEMENT AND SUPERVISION

1. Policy Statement

Proper implementation of policies and plans hinges on the strength and efficiency of the implementing agencies. Our system of educational management and supervision is a legacy of the past and is not equipped to cope with the increasing and changing demands of education in the country.

The existing institutions, structures and modes of operation cannot accommodate effective implementation of policies. The Federal Ministry of Education and the Provincial Departments of Education, the Directorates of Education and other agencies under them will, therefore, be reorganized to eliminate wastage and to ensure operational efficiency in terms of policy objectives. As a matter of principle, all key posts in educational management will be manned by qualified and experienced educators. Educational administration will be further decentralized for effective supervision and management of education. The Code, which has seldom been revised since Independence, will be suitably improved to ensure more rational administration of educational institutions at the grass-roots level.

In order to decentralise the process of decision making, it is necessary to provide more powers and facilities for educational management at lower levels of education. To fulfil this objective, District School Education Authorities with sufficient powers and funds will be constituted in every district to oversee and administer school education upto secondary stage. The Policy recognises the need to motivate the primary school teacher to undertake his work more effectively. Opportunities for his vertical mobility will be provided. Moreover, while making new appointments of secondary school teachers, first preference will be given to the promotion of those primary school teachers who fulfil the necessary requirements.

2. Rationale

The system of education has considerably expanded since the establishment of Pakistan. The number of educational institutions has increased seven times from about 10,000 in 1947 to now more than 70,000 in 1978. Similarly the enrolment of students at all levels has also jumped from 1.2 million in 1947 to over 9 million in 1978. But inspite of continuous increase in the number of institutions and students, the expanding system has not witnessed any significant reforms in the management and supervision infrastructure. A few sporadic attempts made here and there have also failed to bear any fruit because of lack of internal consistency of the reforms and pressure of the vested interests operating against them at various levels of the system. The rules and regulations governing day to day administration of the schools continue to remain cumbersome and detrimental to efficient functioning of the system. The Education Code formulated during the colonial period has seldom been revised. It is estimated that at present we are spending about 2% of total educational budget

on management of education against about 5 to 7% being spent by many developing countries.

B. Programme

- (i) The Federal Ministry of Education and the Provincial Departments of Education will be reorganised in order to cope with the expanding requirements and incorporating the modern techniques of educational supervision and management.
- (ii) All the senior posts in the Ministry of Education and Provincial education Department will be manned by qualified and competent educationists having high qualifications and sufficient experience of teaching and educational administration.
- (iii) The existing pattern of relationship with other departments and agencies will be streamlined to allow the Federal Ministry of Education and the Provincial Education Departments to manage their affairs more effectively and efficiently.
- (iv) In certain districts, the number of schools to be supervised by an ADEO or a DEO is rather large or the schools are situated at great distances. This results in poor supervision. The problem will be examined in consultation with the Provincial Education Departments and the maximum number of schools to be supervised shall be fixed both in the cases of male and female schools.
- (v) A National Committee will be constituted to revise and bring the Education Code in conformity with the National Education Policy.
- (vi) The existing infrastructure for the planning and implementation in the Provincial Education Departments will be strengthened to ensure effective planning and implementation of the Policy.
- (vii) The decentralization of powers and establishment of District School Authority/Council will depend upon the future pattern of local self-governments. This will be studied in collaboration with the provinces. For the time being, Education Councils will be set up as advisory bodies on the pattern of the National Education Council.
- (viii) There are no arrangements for the training of educational supervisors and administrators. The National Academy of Planning and Management (envisaged in the Policy) will launch in-service training Programmes for educational administrators.
- (ix) Primary school teachers, possessing prescribed qualifications for employment in high schools will be given preference over fresh graduates.
- (x) The minimum qualifications for a primary school teacher is Matric, F.T.C. Teachers already possessing higher qualifications or improving their qualifications will be given advance increments.

4. Resources Allocation

The above programmes will be accommodated within the allocation of the Fifth Five Year Plan through re-adjustments.

5. Problems

The structure of educational administration and management is linked with the general administrative set up of the Civil Service. However, the nature of educational service requires specialized capabilities and machinery for management. It may, therefore, be necessary to restructure and develop the system of educational administration and management into a specialized service.