

COMPARATIVE STUDY

**Roles and Responsibilities of
Ministries of Defence in
India and Pakistan**

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PREFACE

Parliamentary Control and Oversight of the Defence Sector is an accepted democratic principle in the world. Parliamentary Committees are tasked chiefly with the responsibility to oversee the working of the Ministry/Department of Defence.

The Comparative Study of the Roles and Responsibilities of Ministries of Defence in India and Pakistan has been co-authored by **Dr. G. Balachandran**, Visiting Fellow at the Institute for Defence Studies and Analysis and **Mr. Shahid Hamid**, Senior Advocate Supreme Court, former Defence Minister and former Governor, in order to provide a detailed overview of the working of the Ministries of Defence both in India and Pakistan as well as to provide a comparative overview of tasks and responsibilities of the two ministries.

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Islamabad
March 2010

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Mr. Shahid Hamid joined the Civil Services of Pakistan in 1964 and during his career from 1964-1976, he held many portfolios ranging from district administration to provincial finance department and later as Secretary to the Chief Minister, Punjab.

He has practiced as an Advocate of the High Court from 1978 onwards. He has also served as Federal Minister for Defence, Establishment & Law from Nov. 1996 - February 1997 and as Governor of the Punjab Province from March 1997 to August 1999.

ROLES AND RESPONSIBILITIES OF THE MINISTRY OF DEFENCE, INDIA

This Comparative Study addresses some of the principal issues relating to the Ministry of Defence in India and Pakistan.

The study describes the legal authority which delineates the role and functions of the Ministry of Defence in India and Pakistan. This section, on the Ministry of Defence, India describes the principal functions and the formal structure that enables the Indian Defence Ministry to carry out its functions through various committees and groups. This section delineates the relation between the Ministry of Defence and the Armed Forces in India and their relative domains and powers. The section looks at the formal link between the armed forces and the Ministry of Defence. It highlights some of the reforms carried out in recent period as a result of the recommendations made by the Group of Ministers (GOM) set up in the year 2000 to review the security scenario in India. The role of inter-service organisations in India is also briefly described before a brief conclusion.

Introduction

The questions that were required to be addressed were:

- i) What is the role and what are the powers of the Defence Ministry in India?
- ii) What are the key sectors falling within the purview/control of the Defence Ministry?
- iii) Are the Armed Forces of India completely subservient to the Defence Ministry or maintain their separate identity?
- iv) Is there a spokesperson institute for the Indian military as the Inter-Services Public Relations (ISPR) in Pakistan?
- v) Does the Defence Minister have the authority to appoint service chiefs, promotions and postings, etc?
- vi) What are the key powers of the Defence Ministry in India which can be characterized as the source of its authority and power?

There are formal structures, as in the case of other countries, that outline the duties and functions of the Defence Ministry. In practice sometimes convenience and ease of operations may override these formal structures. That is the case in India as well.

Ministry of Defence in India: Its Functions and Brief History

While the Supreme Command of the armed forces vests in the President of India, it is the Government of India that is responsible for ensuring the defence of India. In the Parliamentary system of government followed in India, this responsibility rests with the cabinet, which is collectively responsible for running of various ministries and departments. The ministries and departments of the Government are created by the President on the advice of the Prime Minister under The Government of India (Allocation of Business) Rules, 1961 under Article 77 of the Constitution of India for the allocation of business of the Government of India. The business of the Government is transacted in the Ministries/Departments, Secretariats and offices (referred to as 'Department') as per the distribution of subjects specified in these Rules. Each of the ministries is assigned to a Minister by the President on the advice of the Prime Minister.

These rules are amended from time to time as circumstances dictate by way of either addition or deletion of ministries and departments because of political or administrative reasons. At the moment under the Government of India (Allocation of Business) Rules, 1961, the Ministry of Defence, among other items, is tasked with the Defence of India and every part thereof including preparation for defence. It is also tasked with all such acts that may be required in the times of war, to its prosecution, its termination to effective demobilisation.

The Indian Ministry of Defence was created after independence under the charge of a Cabinet Minister and each service was placed under its own Commander-in-Chief. In 1955, the Commanders-in-Chief were renamed as the Chief of the Army Staff, the Chief of the Naval Staff and the Chief of the Air Staff. In November 1962, a Department of Defence Production was set up to deal with research, development and production of defence equipment. In November 1965, a Department of Defence Supplies was created to plan and execute schemes for import substitution of defence requirements. These two departments were later merged to form the Department of Defence Production and Supplies. In 2004, the name of Department of Defence Production and Supplies was changed to Department of Defence Production. In 1980,

the Department of Defence Research and Development was created. In 2004, the Department of Ex-Servicemen Welfare was created. Appendix I gives in detail the various subjects allotted to the Ministry of Defence.

One of the important functions of the Ministry is to ensure that the development and activities of the three services are coordinated, and adequate liaison with other ministries is maintained. The Ministry is responsible for obtaining policy decisions of the Government, transmitting them and progressing their implementation by the three Service Headquarters and in particular, for obtaining the necessary finance for defence expenditure and for its allocation among the three branches of Defence Services. The policy decisions in respect of defence and security matters are taken by the Cabinet Committee on Security (CCS) which comprises the Prime Minister (PM), the Defence Minister, the Home Minister, the Finance Minister and the Minister for External Affairs, with PM as the Chairman.

The principal task of the Ministry is to frame policy directions on defence and security related matters and to communicate those policies for implementation to the Services Headquarters, Inter-Service Organisations, Production Establishments and Research & Development Organisations. It is required to ensure effective implementation of the Government's policy directions and the execution of approved programmes within the allocated resources.

The above arrangement and distribution of powers and responsibilities ensures the ultimate civilian control over all policy and oversight of implementation, in matters related to the Indian defence.

Organisation of the Ministry of Defence

The Defence Secretary functions as head of the Department of Defence and is additionally responsible for coordinating the activities of the four departments in the Ministry.

The principal functions of all the departments are as follows:

- (i) The Department of Defence, headed by the Defence Secretary, deals with the Integrated Defence Staff (IDS), three services and various Inter-Service Organisations. IDS was set up by the Government to ensure higher degree of jointness amongst the

services and attempts to achieve inter-service and intra-service prioritisation. The IDS, headed by the Chief of Integrated Staff, reports to the Chairman Chiefs of Staff Committee (COSC) and supports the Chiefs of Staff Committee and its Chairman in the optimal performance of their roles and functions.

- (ii) The Department of Defence Production is headed by a Secretary and deals with matters pertaining to defence production, indigenisation of imported stores, equipment and spares, planning and control of departmental production units of the Ordnance Factory Board and Defence Public Sector Undertakings (DPSUs).
- (iii) A Secretary, who is the Scientific Adviser to the Defence Minister, heads the Department of Defence Research and Development. Its function is to advise the Government on scientific aspects of military equipment and logistics and the formulation of research, design and development plans for the equipment required by the services.
- (iv) The Department of Ex-Servicemen Welfare is headed by a Secretary and deals with all resettlement, welfare and pensionary matters of Ex-Servicemen.

While much of the work is dealt within the normal way, as in other Ministries, through notes and discussions, a network of committees has been established at different levels in the Ministry of Defence, with a view to ensure expeditious and efficient handling of work of great complexity and extending over many subjects.

Defence Minister's Committee

There is a Defence Minister's Committee, which deals with the more important inter-services problems. The Defence Minister's Committee has two Sub-committees: the Principal Personnel Officers Committee and the Principal Supply Officers Committee with the Ministry of Defence, Ministry of Defence (Finance) and Services Headquarters representation at a minimum Joint Secretary level. These subcommittees meet regularly at the direction of the Defence Minister's Committee or at the request of any member of the sub-committee to discuss inter-services matters and make recommendations to the Defence Minister's Committee or to the Government in this regard. The Chiefs of Staff Committee is afforded an opportunity to consider all the recommendations of these sub-committees before these are submitted to the Defence Minister's Committee.

Defence Minister's (Production and Supply) Committee

Another committee, known as the Defence Minister's

(Production and Supply) Committee, deals with matters relating to indigenous production of Defence Stores and equipment and import substitution in the field of defence. It also reviews from time to time the mobilization plans for defence production.

Defence Minister's Appellate Committee on Pensions

In addition to the above two committees, there is a Defence Minister's Appellate Committee on Pensions to consider appeals in respect of claims to disability and family pensions, or the personnel of armed forces.

Defence Research and Development Council

The Defence Research and Development Council is responsible for coordinating and indicating general direction of policy for scientific research relating to defence and the development or improvement in material required by the armed forces.

The Armed Forces

Although the three branches of the defence services - the Army, the Navy and the Air Force are under the general control of the Ministry, under the Department of Defence as per the Allocation of Business Rules, their normal operational and purely military related functions are directly under the control of the respective Chiefs of Staff who are assisted by their Principal Staff officers.

The Chief of Staff of each service is in complete command of the service under him, subject to rules, regulations, procedures and orders issued by Government. Although the Chief of Staff of the three services are appointed by the Government in respect of other officers, the claims for promotion of all officers in a given zone of seniority are examined by authorised Selection Boards (SBs). As per the laid down procedure, lists of officers to be appointed to General Officer rank and above, in each service, are evolved by Selection Boards which are chaired by the Service Chiefs. Such lists, along with the dossiers of the officers considered by the SB, are forwarded to the MoD. The Defence Secretary (DefSec) examines the recommendations and submits them to the Defence Minister for approval, where after the case is forwarded to the Appointments Committee of the Cabinet (ACC) for final approval.

According to some former Defence Secretaries, in the event of the Defence Secretary being unable to endorse one or more of the officers recommended for

rejection/promotion, the matter is discussed by him with the Chief and resolved. In case this does not happen the case is put up to the Defence Minister who takes a view after hearing both sides. After the Appointments Committee of the Cabinet (ACC) has accorded approval, the list of officers found fit or unfit to be elevated to the next higher rank is notified. Based on the number of vacancies arising in the ensuing 6-12 months, the Chief forwards his recommendations to the MoD, suggesting specific appointments for each of the officers proposed to be promoted. While evolving his proposals, the Chief considers the seniority of the select officers under view, their career profiles and professional and personal qualities. After examination at Defence Secretary's level and clearance by the Defence Minister, the proposals are forwarded for the ACC approval. In case the Defence Secretary /Defence Minister finds difficulty in endorsing a particular proposal, the same procedure is followed as earlier described in regard to the approval of select lists recommended by the Chiefs.

It is also relevant to note that as per the Transaction of Business Rules of the Government of India 1964, all appointments of Maj. Generals, Air Vice Marshals, and Rear Admirals (equivalent to Joint Secretary on the civilian side) and above can be made only with ACC's approval. The Cabinet Secretary is responsible for submitting cases to the ACC.

In the past, there have been instances where either the Chief, or some flag officer, passed over for an appointment, has challenged decision of the government. In a highly publicised case, a serving Vice-Admiral had demanded that he should be appointed a Principal Staff Officer (PSO) in the Naval Headquarters (NHQ) by moving a petition in one of the high courts, levelling charges against the Chief of Naval Staff (CNS). As if this were not enough, the CNS informed the court that the Defence Secretary had been colluding with the agitating Vice-Admiral and levelled other various charges about the integrity of the MoD's functioning. The court rejected the petition and the ACC proceeded to approve the appointment of the Vice-Admiral as Deputy Chief of Naval Staff one of the PSOs in the NHQ. The CNS was reported to have refused to implement the ACC decision on the ground that under the Naval Regulations (NRs), the ACC cannot appoint officers above Captain rank except on his recommendation. This bizarre incident concluded finally with the removal of the CNS by the government.

The Armed Forces and the Ministry

As the defence of India requires a joint effort by all the three services, a committee consisting of the three Chiefs has been constituted with the member having been the longest in the Committee acting as the Chairman. The role of this committee is to consider and evaluate all important defence matters and in particular those which concern more than one service. This Chiefs of Staff Committee advises the Government on matters relating to general defence strategy, defence build up and other questions that may be referred to it by the Government.

The Government had instituted in 2000, a comprehensive review of the National Security System in its entirety for the first time in the history of independent India. A Group of Ministers (GOM), consisting of the Home Minister, the Defence Minister, the External Affairs Minister and the Finance Minister carried out the review. The GOM made a number of recommendations regarding reforms in Defence Management. The process of implementation of the recommendations was initiated in 2001.

While a decision regarding the recommendation of the Group of Ministers for creation of the Chief of Defence Staff (CDS) has not been taken by the Government, it did set up the IDS headed by the CISC, as explained earlier. The CISC supervises the Integrated Defence Staff, chairs all multi-service bodies and the Defence Crisis Management Group (DCMG) and is also responsible for the coordination of long-range plans, five year plans and annual budgetary proposals of the three services in consultation and co-ordination with the Integrated Services Headquarters. The CISC renders advice to the Government on prioritization for developing force levels and capabilities through restructuring proposals. Its main functions are as follows:

- Undertaking net assessment comprising the totality of the national capability
- Formulating joint doctrines in consultation with Service Headquarters
- Conceptualising policy and programmes on joint planning and military education for personnel of Defence Services
- Rendering advice for evolving responses to non-conventional and unconventional threats to national security
- Proposing measures for ensuring the required jointness amongst the armed forces
- Enhancing the efficiency and effectiveness of the

planning process through intra and inter-service prioritization.

In addition to the creation of IDS, the Government had taken a number of other steps to streamline the functioning of the Ministry of defence including:

- i) The creation of a Defence Intelligence Agency (DIA) under DG DIA to co-ordinate and synergise the intelligence wings of the services. The DIA is responsible for providing integrated intelligence inputs to the higher echelons of Defence Management.
- ii) The creation of a Defence Acquisition Council (DAC) headed by the Defence Minister for decision making in regard to the totality of the new planning process, which involves according 'in principle' approval of capital acquisitions in the long term perspective plan and according 'in principle' approval for each capital acquisition programme. The decisions flowing from the Defence Acquisition Council are to be implemented by the following three Boards:
 - (a) Defence Procurement Board headed by the Defence Secretary
 - (b) Defence Production Board headed by the Secretary, Defence Production and
 - (c) Defence Research & Development Board headed by Secretary Defence Research & Development.

These Boards have been entrusted with specific functions. A Defence Acquisition Wing headed by Special Secretary (Acquisition) has also been created to assist the Defence Procurement Board in its functioning.

Inter-Services Organisations

There are a number of Inter-Service Organisations under the Department of Defence which are responsible for carrying out tasks related to common needs of the three services such as medical care, public relations and personnel management of civilian staff in the Defence Headquarters. The Directorate of Public Relations (DPR) is one of such Inter Service Organisations. The Directorate of Public Relations with its Headquarters in New Delhi and 24 offices across the country acts as the facilitator and is the nodal agency for providing media support and services to the Ministry of Defence, the three services and Inter-Service Organizations under the Ministry of Defence. The Directorate of Public Relations also has a photo section that

provides photographs of important defence related events to the print media. The Directorate also coordinates the preparation of a daily radio programme broadcasted from All India Radio for the benefit of the armed forces personnel.

Conclusion

The key conclusions from an examination and analysis of the working of the Defence Ministry are the following:

- i) The Ministry is the sole authority in all matters of policy and finance and budget
- ii) The armed forces are the sole controlling authority in all operational matters
- iii) In matters relating to higher appointments, the Ministry and the Cabinet have the final authority. Although such decisions are taken in the first instance by the armed forces. In matters pertaining to lower ranks the armed forces have full authority
- iv) In matters relating to acquisitions, the authority is shared between the armed forces and the Ministry. While the former makes the choice of equipment, the latter is in charge of all negotiations.

ROLES AND RESPONSIBILITIES OF THE MINISTRY OF DEFENCE, PAKISTAN

The Parliament of Pakistan has exclusive legislative authority over all matters in the Federal Legislative List of the Fourth Schedule to the Constitution. The first two entries in the Federal Legislative List read as under:

1. The defence of the Federation or any part thereof in peace or war; the Military, Naval and Air Forces of the Federation and any other armed forces raised or maintained by the Federation; any armed forces which are not forces of the Federation but are attached to or operating with any of the armed forces of the Federation including civil armed forces; Federal Intelligence Bureau; preventive detention for reasons of State connected with defence, external affairs, or the security of Pakistan or any part thereof; persons subjected to such detention; industries declared by Federal law to be necessary for the purpose of defence or for the prosecution of war.
2. Military, naval and air force works; local self-government in cantonment areas, the constitution and powers within such areas of cantonment authorities, the regulation of house accommodation in such areas, and the delimitation of such areas.

Article 243 of the Constitution provides that the Federal Government shall have control and command over the armed forces and vests in the President the Supreme Command of the armed forces. This Article further provides that, subject to law, the President shall have power to raise and maintain the Military, Naval and Air Forces and the Reserves of such Forces and to grant commissions in such Forces. Appointments of the Chiefs of these Forces including the Chairman Joint Chiefs of Staff Committee are to be made by the President in consultation with the Prime Minister. There are reports that the Parliamentary Committee which is formulating various amendments to the Constitution has recommended that the appointments should be made on the advice of the Prime Minister.

Article 245 spells out the functions of the armed forces. Subject to the directions of the Federal Government the armed forces are to defend Pakistan against external aggression and, subject to law, act in aid of civil power when called upon to do so.

Under provisions of Article 244 every member of the armed forces is required to take an oath of allegiance to uphold the Constitution, which embodies the will of the people of Pakistan, and not to engage in any political activities.

Overview

The Federal Government exercises its powers of control and command of the armed forces through its Ministry of Defence. The Mission Statement of Pakistan's Ministry of Defence is to enable the armed forces to defend the national sovereignty and territorial integrity of the Islamic Republic of Pakistan and to protect its national interests and assets through military means and other defence related capabilities. In the context of this Mission Statement the specific tasks assigned to the Ministry of Defence are to formulate, co-ordinate and execute the Defence Policy of Pakistan and other defence related policies, to provide-for and manage the national defence needs through Defence Budgeting, to administer the armed forces of Pakistan, to promote and regulate Civil Aviation activities and related infrastructure in Pakistan, so as to be compatible with the contemporary global standards, to assist the Civil Administration in the maintenance of Public Order, combating the internal threats and battling the national disasters, calamities and emergencies, if required and asked for, and to contribute towards the world peace and progress through the UN Peace Keeping and other operations. More specifically the precise tasks assigned to the Ministry Defence by the Federal Government's Rules of Business 1973, which have been made in exercise of powers under Articles 90 and 99 of the Constitution, are as under:

- (1) Defence of the Federation or any part thereof in peace or war including:
 - (i) army, naval and air forces of the Federation and any other armed forces raised or maintained by the Federation; and armed forces which are not the forces of the Federation but are attached to or operating with any of the armed forces of the Federation;
 - (ii) army, naval and air force works.

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| <p>(2) Civilian employees paid from the Defence estimates.</p> <p>(3) (i) Defence matters pertaining to treaties and agreements with other Governments except those relating to purchase stores; and
(ii) Matters regarding military assistance to foreign countries.</p> <p>(4) Stores and stationery for the Defence Services, other than those dealt with by the Defence Production Division.</p> <p>(5) (i) Administrative control of Northern Light Infantry; and
(ii) Administration of National Guards Act 1973.</p> <p>(6) International Red Cross and Geneva Conventions in so far as they effect belligerents.</p> <p>(7) Military awards and decorations.</p> <p>(8) Welfare of ex-servicemen.</p> <p>(9) Cantonment areas including:
(i) the delimitation of such areas;
(ii) local self-government in such areas, the constitution of local authorities for such areas and the functions and powers of such authorities; and
(iii) the regulation of housing accommodation (including control of rent) in such areas.</p> <p>(10) Acquisition or requisitioning of property for Defence Services; imposition of restrictions upon the use of lands in the vicinity of such property and of works of Defence.</p> <p>(11) Pardons, reprieves and respites, etc, of all personnel belonging to the armed forces.</p> <p>(12) Survey of Pakistan.</p> <p>(13) Administrative and budgetary control of Federal Government Educational Institutions (Cantonments/Garrisons) Directorate and its Institutions.</p> <p>(14) Administration of Military Lands and Cantonments Group.</p> | <p>(15) Aircraft and air navigation; Administration of Civil Aviation Ordinance, 1961.</p> <p>(16) Development of Civil Aviation in Pakistan.</p> <p>(17) Provision of aerodromes.</p> <p>(18) Airport Development Agency.</p> <p>(19) (i) Regulation organization and safety of air traffic and of aerodromes;
(ii) Administration of Airport Security Force.</p> <p>(20) Pakistan International Airlines Corporation.</p> <p>(21) Air service agreements with other countries, liaison with International Civil Aviation Organization and other International agencies concerned with Aviation.</p> <p>(22) Federal Meteorological Organizations and Meteorological Observations; World Meteorological Organization.</p> <p>(23) National Maritime policy.</p> <p>(24) (i) Matters relating to security of resources of the Maritime Zones of Pakistan including protection of human life and property.
(ii) Maritime Security Agency (MSA).</p> <p>(25) (i) National coordination of Maritime Activities.
(ii) National Maritime Affairs Coordination Committee.</p> <p>(26) Marine surveys and elimination of dangers to navigation.</p> <p>(27) Promotion of Maritime disciplines.</p> <p>(28) International aspects:
(i) Matter arising out of the implementation of law of the Sea pertaining to Maritime Affairs.
(ii) International negotiations, agreements and treaties (excluding those handled by other Divisions).
(iii) Liaison with International Sea Bed Authorities and other International Agencies in the Maritime field.</p> |
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Prime Minister's Purview

In the case of the Defence Division the List of Cases that have to be referred to the Prime Minister for his orders are:

- (1) Appointment of, and above the rank of, Captain in the Navy, Colonel in the Army and Group Captain in the Air Force, except Chairman, Joint Chiefs of Staff Committee, and the Chiefs of the Army Staff, Naval Staff and Air Staff;
Provided, the appointment of, and above the rank of, Lieutenant General in the Army and equivalent ranks in the other Defence Services will be made by the Prime Minister in consultation with the President.
- (2) Dismissal, otherwise than by sentence of Courts Martials, of Commissioned Officers of the Pakistan armed forces other than Junior Commissioned Officers:
Provided that the dismissal of, or the imposition of any other penalties on, officers of and above the rank of Lieutenant General in the Army and equivalent in the other Defence services will require the approval of the President on the advice of the Prime Minister vide item 14 of Schedule V-B.
- (3) Petitions against sentences of dismissal, cashiering, imprisonment or death awarded by Courts Martial to Commissioned Officers of the armed forces of Pakistan (other than Junior Commissioned Officers):
Provided that petitions against the sentences of dismissal or any other penalties awarded by the Courts Martial to Commissioned Officers of and above the rank of Lieutenant General and equivalent ranks in the other Defence Services will require the approval of the President on the advice of the Prime Minister vide item 15 of Schedule V-B.

Presidential Purview

Cases as per the following list require orders of the President on the advice of the Prime Minister:

- (1) Raising, maintenance of and grant of Commissions in the military, Navy and Air Force of Pakistan and Reserves of such Forces.
- (2) Imposition of all penalties, including removal and dismissal from service, on armed forces Officers of and above the rank of Lieutenant General in the Army and equivalent ranks in the other Defence Services, otherwise than by sentence of Courts Martials.
- (3) Petitions against sentences of dismissals, cashiering,

imprisonment or death awarded by Courts Martial to armed forces Officers of and above the rank of Lieutenant General in the Army and equivalent ranks in the other Defence Services.

- (4) Directions as to the application of law to a major aerodrome.

Responsibilities of the Defence Production Division

At one time the Defence Production Division was part of the Ministry of Defence. Presently it is included in the Ministry of Defence Production. The duties of the Defence Production Division, as per the Rules of Business 1973, include:

- (1) Arms, firearms, ammunition and explosives.
- (2) Ordnance Factories.
- (3) Declaration of industries necessary for the purpose of defence or for the prosecution of war.
- (4) Research and development of Defence equipment and stores.
- (5) Co-ordination of Defence Science research with civil scientific research organizations.
- (6) Indigenous production of defence stores.
- (7) Procurement of defence equipment store goods, arms and ammunition.
- (8) Negotiations for foreign assistance or loans for purpose of military stores and technical know-how.
- (9) Export of arms and ammunition and other products of Ordnance Factories.

Defence Ministers

Since its establishment in August 1947 the Ministry of Defence has had as many as 28 Defence Ministers including 4 (military) Presidents and 10 Prime Ministers. During the same period the Defence Division has been headed by 23 secretaries inclusive of 9 Military Officers and 14 civilians.

Parliamentary Oversight

The work of the Defence Ministry is presently monitored by a 13 member Standing Committee of the Senate and an 18 member Standing Committee of the National Assembly.

Strength and Composition of the Defence Ministry

The Defence Division presently has a total strength of 480 personnel comprising 94 officers and 386 staff members.

There are separate Additional Secretaries for the Army, Air Force and Navy.

The Additional Secretary Army deals with all policy matters related to the Pakistan Army. The departments attached to the Army Wing include Military Lands and Cantonments, the Survey of Pakistan, the Pakistan Armed Services Board, the Airport Security Force and the Pakistan Meteorological Department. The Army Wing has administrative control over two autonomous bodies: the Civil Aviation Authority and the Pakistan International Airlines. All administrative matters relating to the Cantonment Boards and the Defence Housing Authorities are also dealt with by the Army Wing.

Additional Secretary Air Force deals with all PAF related matters. The Air Force Wing is responsible for matters that come up before the Public Accounts Committee of the National Assembly. Over-all co-ordination work is also entrusted to this Wing.

Additional Secretary Navy deals with all policy matters related to the Pakistan Navy. The Navy Wing deals with a number of attached departments including the Maritime Security Agency, Federal Government educational institutions, the Karachi Shipyard and Engineering Works, the Frontier Works Organization and Inter-Service Organizations. The Inter-Service Organizations comprise, amongst others, the Joint Staff Headquarters, the National Defence University, the Directorate-General ISI and Inter-Services Public Relations.

The following attached departments are under the administrative control of the Ministry of Defence:

- (1) Directorate of Military Lands and Cantonments.
- (2) Federal Government Educational Institutions (Cantonments / Garrisons) Directorate.
- (3) Pakistan Military Accounts Department.
- (4) Office of the Surveyor General of Pakistan.
- (5) Pakistan Armed Services Board.
- (6) Maritime Security Agency.
- (7) Pakistan Meteorological Department.
- (8) Headquarters of Airports Security Force.

Comparative Analysis

It will be seen from the above recital that on paper the functions and powers of the Ministry of Defence in Pakistan are no less than those of the Ministry of Defence in India. The difference is with regard to the actual and effective exercise of these powers. The following questions merit consideration:

- (i) To what extent does the Ministry of Defence in Pakistan have a say in appointments, at senior ranks, in the armed forces. Does it merely ratify whatever proposals are sent to the Ministry by the Services Chiefs?
- (ii) To what extent does the Ministry determine the defence policy of Pakistan at the strategic level?
- (iii) To what extent does the Ministry of Defence in Pakistan contribute to or control the allocation of funds in the defence budget?
- (iv) Does the Ministry have any real say in regard to the induction of new major weapon systems in the armed forces?
- (v) Is the Ministry 'in the loop' in regard to relations between the armed forces of Pakistan and those of other countries especially the USA?

In attempting an answer to these questions and comparing or contrasting such answers with the position in India, as set out in a variety of publications including the Group of Ministers Report on National Security dated February 26, 2001, the Indian Defence Year Books, the website for the Ministry of Defence, Government of India and the part of this study written by Professor Gopalan Balachandran on the Roles and Responsibilities of the Indian Ministry of Defence, it would be appropriate to take note of a number of historical facts that account for the diminished role of Pakistan's Ministry of Defence vis-à-vis the Indian Defence Ministry.

The Role of Army Chief in Pakistan

In Pakistan the Army Chief's role became larger than that of his Indian counter-part from the early 1950s onwards when General Ayub Khan was made the Defence Minister. He was the only 4-star officer in the armed forces at that time. The Air Force and the Navy were headed by 3-stars.

Militarisation of the Ministry of Defence

In India the civil bureaucracy maintained its control over all

posts in the Ministry of Defence and developed the resultant capacity to exercise the powers and functions entrusted to the Ministry. In Pakistan posts at the level of Additional Secretary and above gradually became the preserve of the armed forces. Even civilian bureaucrats were posted at these levels only with the tacit consent of the Army Chiefs. In India RAW has invariably been headed by civilians. In Pakistan the ISI head has always been an army officer with the one exception when a retired 3-star was made its chief. In India the threat, both external and internal, is determined by its Government with the aid and assistance of RAW and other intelligence agencies, as also by input from its armed forces. Having determined the threat(s) the Indian armed forces are then called upon to work out the response(s) in terms of military strategy, force levels and development strategy. In Pakistan both the threat(s) and the response(s) are primarily determined by the armed forces. The Defence Policy of Pakistan is eventually approved by the Defence Committee of the Cabinet but the input of the Ministry of Defence in the formulation of such policy is not known or reported to be of any substantial nature.

In India the Service Chiefs send the recommendations of the Selection Boards chaired by them to the Defence Ministry which are then vetted by the Defence Secretary and submitted to the Defence Minister for approval and, in the case of major-generals and equivalent in the other services and above, for the final approval of the Appointments Committee of the Cabinet. In Pakistan it is not known whether the Ministry of Defence has ever seriously questioned the recommendations received from the Service Chiefs except in regard to purely procedural matters e.g. incomplete dossier. Reportedly the requirements expressed by the late Mr. Muhammad Khan Junejo with regard to one or two promotions of the 3-stars were part of the reasons for his strained relations with General Zia-ul-Haq which eventually led to Mr. Junejo's ouster.

Budget of the Armed Forces

The Budget of the armed forces is coordinated by the Joint Chiefs of Staff Committee of which the Defence Secretary is a member. The JCSC also coordinates work relating to induction of new weapon systems especially insofar as it relates to ensuring a degree of uniformity in procurement procedures and sources.

The Defence Council

The Defence Council chaired by the Defence Minister which includes the Foreign and Finance Ministers, the Service Chiefs and the Defence and Finance Secretaries as members, is the forum at which the defence, foreign and finance policies of Pakistan should be coordinated insofar as they relate to defence and national security. For example, if a potential threat cannot be countered by the armed forces alone for lack of finance, it should be for the Council to devise strategies for meeting / neutralizing such threats through diplomatic means. This Council has been more inactive than active.

Conclusion

The concept of Parliamentary supremacy, and civilian control over the armed forces inherent in the provisions of Article 243 of the Constitution that the Federal Government shall control and command the armed forces of Pakistan, is not fulfilled simply by the fact of a democratically elected civilian government. Effective control and command requires quite a number of other things including:

- (a) An empowered defence minister who is not bypassed by direct meetings and links between the Head of State and the Head of Government, on the one hand, and the Service Chiefs on the other.
- (b) Regular meetings (at least once a quarter) of the Defence Council chaired by the Defence Minister to co-ordinate the defence, foreign and finance policies of Pakistan, and to approve major works including induction of new weapon systems proposed by the Joint Chiefs of Staff Committee.
- (c) A defence ministry that is manned, in the main, by civilian bureaucrats except where the nature or duties of the post mandate that it should be filled by a serving officer of the armed forces. This will be a slow process as the civilian bureaucracy will have to develop the capacity to understand all defence related matters in order to be able to determine amongst other things, the nature and extent of threats facing Pakistan and to formulate policies accordingly.
- (d) More effective parliamentary oversight by the Standing Committees of the Senate and the National Assembly especially with regard to budgetary allocations.
- (e) An informed, indeed embedded, media which is able to question both the Ministry and the armed forces in the manner approaching media oversight in the USA

and other Western Countries.

- (f) Six-monthly, if not more frequent, meetings of the Defence Committee of the Cabinet to discuss and approve matters relating to defence and national security.

An elected democratic government has to take effective political ownership of the defence policy of Pakistan. To be able to do so serious thought and consideration should be given to the conversion of the Defence Committee into a National Security Council, with a permanent secretariat and advisory think-tanks, along the lines of the National Security Councils in the USA, India and other Western countries.

APPENDICES

APPENDIX-I

**THE SECOND SCHEDULE
(Rule 3)
DISTRIBUTION OF SUBJECTS AMONG THE DEPARTMENTS (VIBHAG)**

**MINISTRY OF DEFENCE
(RAKSHA MANTRALAYA)**

A. DEPARTMENT OF DEFENCE (RAKSHA VIBHAG)

1. Defence of India and every part thereof including preparation for defence and all such acts as may be conducive in times of war to its prosecution and after its termination to effective demobilisation.
2. The Armed Forces of the Union, namely, Army, Navy and Air Force.
3. Integrated Headquarters of the Ministry of Defence comprising of Army Headquarters, Naval Headquarters, Air Headquarters and Defence Staff Headquarters.
4. The Reserves of the Army, Navy and Air Force.
5. The Territorial Army.
6. The National Cadet Corps.
7. Works relating to Army, Navy and Air Force.
8. Remounts, Veterinary and Farms Organisation.
9. Canteen Stores Department (India).
10. Civilian Services paid from Defence Estimates.
11. Hydrographic surveys and preparation of navigational charts.
12. Formation of Cantonments, delimitation/excision of Cantonment areas, local self-government in such areas, the constitution and powers within such areas of Cantonment Boards and authorities and the regulation of house accommodation (including the control of rents) in such areas.
13. Acquisition, requisitioning, custody and relinquishment of land and property for defence purposes. Eviction of unauthorised occupants from defence land and property.
14. **
15. Defence Accounts Department.
16. Purchase of food stuffs for military requirements and their disposal excluding those entrusted to Department of Food and Public Distribution.
17. All matters relating to Coast Guard Organisation, including-
 - (a) surveillance of maritime zones against oil spills;
 - (b) combating oil spills in various maritime zones, except in the waters of ports and within 500 metres of off-shore exploration and production platforms, coastal refineries and associated facilities such as Single Buoy Mooring (SBM), Crude Oil Terminal (COT) and pipelines;
 - (c) Central Coordinating Agency for Combating of Oil Pollution in the coastal and marine environment of various maritime zones;
 - (d) implementation of National Contingency Plan for oil spill disaster; and
 - (e) undertaking oil spill prevention and control, inspection of ships and offshore platforms in the country, except within the limits of ports as empowered by the Merchant Shipping Act, 1958 (44 of 1958).
18. Matters relating to diving and related activities in the country.
19. Procurement exclusive to the Defence services.
20. **

** Deleted by amendment Series No. 276 dated 22nd September, 2004.

B. DEPARTMENT OF DEFENCE PRODUCTION (RAKSHA UTPADAN VIBHAG)

1. Ordnance Factory Board and Ordnance Factories.
2. Hindustan Aeronautics Limited.
3. Bharat Electronics Limited.
4. Mazagon Dock Limited.
5. Garden Reach Shipbuilders and Engineers Limited.
6. Goa Shipyard Limited.
7. Bharat Dynamics Limited.
8. Mishra Dhatu Nigam Limited.
9. Defence Quality Assurance Organisations including Directorate General Quality Assurance and Directorate General Aeronautical Quality Assurance.
10. Standardisation of defence equipment and stores including Directorate of Standardisation.
11. Bharat Earth Movers Limited.
12. Development of the aeronautics industry and coordination among users other than those concerned with the Ministry of Civil Aviation and the Department of Space.
13. Indigenisation, development and production of defence equipment and participation of the private sector in the manufacture of defence equipment.
14. Defence exports and international Cooperation in defence production.

C. DEPARTMENT OF DEFENCE RESEARCH AND DEVELOPMENT (RAKSHA ANUSANDHAN TATHA VIKAS VIBHAG)

1. Apprising, assessing and advising Raksha Mantri on the influence on National Security of emerging developments in Science and Technology.
2. Rendering advice to Raksha Mantri and to the three services and inter services organisations on all scientific aspects of weapons; weapon-platforms; military operations; surveillance; support and logistics in all likely theatres of conflict.
3. To function, with the concurrence of the Ministry of External Affairs, as the nodal coordinating agency of the Ministry of Defence on all matters relating to Instruments of Accord with foreign Governments relating to the acquisition of technologies whose export to India is the subject of national security related controls of foreign Governments.
4. Formulation and execution of programmes of scientific research and design, development, test and evaluation, in fields of relevance to national security.
5. Direction and administration of agencies, laboratories, establishments, ranges, facilities, programmes and projects of the Department.
6. Aeronautical Development Agency.
7. All matters relating to certification of the design air worthiness of military aircraft, their equipment and stores.
8. All matters relating to the protection and transfer of technology generated by the activities of the Department.
9. Scientific analysis support and participation in the acquisition and evaluation proceedings of all weapon systems and related technologies proposed to be acquired by the Ministry of Defence.
10. To render advice on the technological and intellectual property aspects of the import of technology by production units and enterprises manufacturing, or proposing to manufacture, equipment and stores for the Armed Services.
11. To deal with reference made under section 35 of the Patents Act, 1970 (39 of 1970).
12. Financial and other material assistance to individuals, institutions and bodies corporate, for study and for the training of manpower on aspects of Science and Technology that bear on national security.
13. In consultation with the Ministry of External Affairs, international relations in matters connected with the role of Science and Technology in national security including:
 - (a) matters relating to relations with Research Organisations of other countries and with Inter-governmental agencies, particularly those which concern themselves, inter alia, with the scientific and technological aspects of national security;
 - (b) arrangements with Universities, educational and research-oriented institutions or bodies corporate abroad

to provide for foreign scholarships and the training of Indian scientists and technologists under the administrative control of the Department.

14. Execution of works and purchase of lands debitable to the budget of the Department.
15. All matters relating to personnel under the control of the Department.
16. Acquisition of all types of stores, equipment and services debitable to the budget of the Department.
17. Financial sanctions relating to the Department.
18. Any other activity assigned to, and accepted by, the Department through understandings or arrangements with any other Ministry, Department, Agency of the Government of India whose activities have a bearing on the scientific and technological aspects of national security.

D. DEPARTMENT OF EX-SERVICEMEN WELFARE (*POORVA SENANI KALYAN VIBHAG*)

1. Matters relating to Armed Forces Veterans (Ex-Servicemen) including pensioners.
2. Armed Forces Veterans (Ex-Servicemen) Contributory Health Scheme.
3. Matters relating to Directorate General of Resettlement and Kendriya Sainik Board.
4. Administration of:
 - (a) the Pension Regulations for the Army, 1961 (Parts I and II);
 - (b) the Pension Regulations for the Air Force, 1961 (Parts I and II);
 - (c) the Navy (Pension) Regulations, 1964; and
 - (d) The Entitlement Rules to Casualty Pensionary Awards to the Armed Forces Personnel, 1982.



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