

**“Perception about FATA Reforms  
And Identification of Constraints: A case study of Bajaur Khar”**



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**CERTIFICATE**

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## **Abstract**

*The title of current study is “ Perception about fata reforms and identification of constraints”. The basic aim of the study was to investigate the perception of local people and to identify the hurdles and constraints in process of fata reforms. The locale of the study was district bajaur tehsil khar. The basic aim of the study was to identify the constraints regarding fata merger and also identify the remnants of Frontier Crime Regulation (FCR). This was a qualitative study which semi structured interview guide and focus group discussion were used to collect data from different categories of respondents. The respondent were divided into four different categories like politicians, private sector, government officials and other local people of the area. Thematic analysis were used for the analysis of collected data which the findings show that, the government less interest because of 3% share in the national finance commission award (NFC), Bureaucracy, local stakeholders, old mindset and clash of authority between bureaucracy and government were the main hurdles in the process of fata reforms. Despite that, due to geographical location of FATA has always gained extent pay of attention globally. The potential of the inhabitant and the abundance of the natural resources has made FATA a centre of global attention. The people has suffered a lot in proxy wars but still the people are ready to take part in the nation building but they want upright attention of the government to give basic citizens rights, released the promised share of the area and restored all the ravages in which destroyed in the war against terror. This study cover the perceptions of people regarding fata reforms and also identify the constraints and remnants of Frontier Crime Regulation (FCR).*

# Chapter

## 1.1 Introduction

Before going to explain Federally Administered Tribal Areas (FATA) reforms it is important to first explain the geographical location of FATA. It borders with Khyber Pakhtunkhwa and Baluchistan to the East and Afghanistan to the Western and Northern proximities. FATA comprises 7 different agencies such as Bajaur, Khyber, Mohmand, Kurrum, Orakzai, North Waziristan and South Waziristan and six Frontier Regions (FRs). Frontier Crimes Regulations (FCR) constitute set of laws which control federal government of FATA.<sup>1</sup>

FATA is considered as one of the unsafe and unstable regions in the world. According to Chaudhry (2013) this status is due to the procedure of Frontier Crimes Regulation (FCR) which was introduced by the British Empire in 1901, in the Pashtun occupied areas in the Northwest of British India. The procedure was specifically design to counter the resistance of Pashtuns especially the former NWFP and Baluchistan to protect the interest of British colonies. Since Pakistan came into being Baluchistan was freed from the Frontier Crime Regulations (FCR) during making the 1956 constitution of Pakistan and Malakand, Dir were also freed from FCR during making the 1973 constitution of Pakistan. But still FATA is the only captive area of Frontier Crimes Regulations (FCR) (Shinwari, 2011), which therefore the people of FATA deprived from the basic primary human rights and effects their social way of life. The people bothered through FCR because it is a brutal system and consider the main hurdles in the progress of Federally Administered Tribals Areas (Report NRC, 2014). Under this procedure the tribal community are deprived from their basic rights such as the right of appeal against imprisonment,

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<sup>1</sup>Federally Administered Tribal Areas travel guide from Wikivoyage

*wakeel* which is the right to Haier legal representative, and *Daleel* which is the right to present evidence (Alam, 1989). According to clause 21 of the FCR mention the collective punishment, one man political agent have both the judicial and administrative authorities and his powers that be is unqualified. In case one who committed crime their entire family and tribe will be accountable for his/her unlawful act which can be arrested for infinite period of time or their property will be seized and no one can asked question (Report NRC 2014). Similarly section 23 of FCR, all villagers are responsible for a murder if there is dead body found around their village, and according section 22 and 23 of FCR, fine are imposed on the whole community for the crime of individual. If fine are not paid by the relatives then section 56 of FCR should be apply to sell the property of offender and pay the amount dues (GM. Chaudhary 2013). People living under FCR have no basic fundamental rights like other citizen of Pakistan do. The practice of FCR compels people towards aggressive behaviors. Also, the young generation is not willing to follow the dictates of illiterate Malik's (*Local Elders*) and other influential. Due to FCR, the people of federally administered tribal Areas (FATA) cannot go to courts to ask for justice which violates fundamental human rights. Due to this people call the procedure as draconian law (Malik Nadar 1989).

Before the independence of Pakistan, on July 6, 1947 99.5% people of Khyber-Pakhtunkhwa casted his vote through referendum in favor of Pakistan. This decision was accepted by all the people and the Crowns of the generous state of Swat, Dir, Bajaur and Chitral. The people of Tribals convey their consensus through a singular Jirga and made agreement to accept Pakistan as their new grand power in the same way that was with the British though well-known tool of agreement. Tribal people also go to a combined Jirga on 17 April 1948, which was chaired over by the Muhammad Ali Jannah in Governor House Peshawar. (Pervez, 2005).



### **1.1.1 Political situation**

In addition to Frontier Crime Regulation FCR, there have been three kinds of political systems running at that time. First is the Islamic political system called (Shariat), Jirga system and Democratic System of Pakistan But after the Political Parties Act (PPO) that was an amendment in 2011 in FCR, Democratic System was allowed to be operatable everywhere in the form of the following political parties. The most Democratic Parties in Bajaur are PMLN, PPP, PTI, ANP, JAMIAT ISLAMI, JUI and PKMAP etc. (Kundai 2017)

### **1.1.2 REFORMS**

Reforms as an up gradation of law, or changes and modification of not good enough and wrong accordance with the hope of the public. Political reform is developing such a democratic system by which mildness could make powerful in the state machinery or brings steady alteration in the existing system or institution, (Dr. Kashyap 1980). The uses of this word emerge in 1979 from the Christopher Association movement which identified the parliamentary reforms and shortened the duration of parliament and equalized the representation.<sup>2</sup>

Most of the developed and rising countries bring wide-ranging reforms to develop their living standard, this can include macro and micro level of reforms. The most famous examples of political Reforms as California Political Reforms Act, ensuring that the expenditure in election campaign should be fully disclosed in order that the voters may be fully informed and the activities of the activists,(Alex, 1974). During the political reforms in Jorden, the citizens of Jorden protest to reform and improve the country democratic process. Finally 2011 in the form of trendy protests political and constitutional reforms bring stability between the three authorities,

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<sup>2</sup>"Wyvill, Christopher (1740-1822)". *Dictionary of national biography*. London: Smith, Elder and Co. 1885–1900.

and solving the dilemma of unemployment, poverty and achieved equal opportunities and social justice (Hamouri, 2012). The subsequent are the most important accomplishments in the political and democratic amendments in Jordan, first promote sense of balance between three authorities is observations as key steps towards promoting and combining the democratic process. This process is returned optimistically in the political, monetary, communal, and civilizing fields. The poise between the three authorities also lays down the base for inclusive and sustainable growth, i.e., establishing the regulation of law, institutions, civil liberties, and fairness, as well as the establishment of justice and parity in the community which compliments human self-esteem and human rights.

During the British era there were two kinds of region in India, one is British Indian province in which British directly controlled the government and another is princely state which was indirectly controlled by the British through tribal chiefs (*Malik's or khans*). There is unevenly about 560 princely states in India but after the independence, the majority of states joined India. Although, some princely states refused to join with India like Bhopal, Hyderabad, Junagadh and Kashmir but few territory which under the control of French and Portugal they handed over to India in 1954 which officially became a part in 1962<sup>3</sup>. Sikkim remained an autonomous state like FATA till 1975, but after that prime minister of India appeal to the parliament to merge Sikkim with India. The referendum was held on this issue which most of the people voted to join with India, then the president ratified constitutional amendment resolve the constitutional units and made Sikkim the 22<sup>nd</sup> state of India (John F 1998).

But when Pakistan became an autonomous state on 14<sup>th</sup> august 1947, this unusual position of FATA was completely controlled under article 247 of 1973 constitution. Less efforts were yet made to improve the poor condition of human rights and political system of the sidelined

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<sup>3</sup><https://www.jstor.org/stable/264317>

deprived areas of Pakistan. While the government made some little bit amendments in earlier decades, but still all modifications were not up to the standard and did not improve the existing situation of the people of FATA. In 1962, property penalty fine in the case of guilty persons in section 302 or 306 of the (PPC) (XLV, 1860) was further included to FCR. Instead, the authority institutionalized by the commissioner was detached from the guideline in 1997. Thus FATA and the nation of FATA grudging from their fundamental human rights like political, legal judicial rights. Due to which, all potential ingredients of rebellion, aggression and militancy mounting in the socio-political mechanism of FATA (Chaudhry, 2011).<sup>4</sup>Afterwards, In October 2008, the government of Pakistan people party (PPP) Prime Minister Yousaf Raza Gilani announced in 2011, to eliminate FCR in his first speech while addressing the members of national assembly.

Now the previous government of PMLN take some basic steps after a long democratic political struggle, FATA merges with Khyber Pakhtunkhwa and this movement was initiated by Shah Ji Gull Afridi (Independent Candidate) and Shahab-u-din Khan (PMLN) including all political parties except JUI and PKMAP not in favor of FATA merger with KP. The government formed a six member committee to visit all the agencies to continue the reforms package for FATA, after reviewing the committee reports the government has passed the 31<sup>st</sup> amendment Act 2018, pursues to make changes in Article 1 of the constitution where the state area is identified. It also amend the article 51 and 59, which concern the allocation of seats in the national and provincial assemblies. It also amend article 106, 155, and 246 and article 247 is repealed. This amendment was passed in the national assembly on 24<sup>th</sup> may 2018, which 229 votes were polled in favor while 01 vote pulled in opposition of FATA merger with Khyber Pakhtunkhwa (KP). On May 25<sup>th</sup> 2018 the senate also has passed the bill which 71 vote polled in favor while 6 vote polled in

opposition.(FISP, 2018).But after that, the government do not show interest to speed up the process because of the opposition of two collation parties JUI and PKMAP both have against the FATA merger with KP. Now FATA is the only place on the surface of earth where there is no law no Frontier Crime Regulation (FCR) no Interim Governance Regulation (IGR) and no constitution (USIP 2018).

## **1.2 Background of the Study**

Since independence, the Fata was dealt through regulation which is called FCR was introduced by the British Empire in 1848, While it was imposed in 1901, in Federal Administrated Tribal Area (FATA) and FR Region. (N.R.C, 2014).Whereas the Frontier Crime Regulation (FCR) procedure is not applicable anywhere in Pakistan. Frontier Crimes Regulation (FCR) gives absolute and dictating powers to the Political Agent (PA). He is like a king without a crown. He exercises both executive and judicial power according to his will. There is no check and balance system to control his unbridled power (Qabail, 2005). He is the magistrate and the political agent (PA) is all in all like dictator who according to his like and dislikeness deals the cases without any justice and morality. In short Frontier crime regulation-FCR, is a “black law” (FATA Reform, 2014).

Frontier crimes regulation is a procedure which impact communal and usual mode of life. The people are psychologically distressed through frontier crimes regulation because it is a pitiless system. According to section 21 of the frontier crime regulation, point out the collective retribution, one man i-e the political agent at the same time having judicial and administrative authorities and his authorities is absolute. In case one who committed crime their whole family and tribe will be responsible for his/her illegal act which can be arrested for infinite period of

time or their property will be seized and no one can asked question (Report NRC 2014). FCR was consider the main obstacle in the development of Federal Administration Tribale Area FATA (Report NRC, 2014). This regulation of FCR totally deprived the people from the right of Appeal, Wakeel, and Daleel which are the basic human fundamental rights. (Alam, 1989).As continued by the constitution of Pakistan under article 247 and 246 prolonged law is applicable in the jurisdiction of Federal Administrative Tribal area (FATA) and due to this article the basic fundamental rights is not given to Tribal Areas (FATA) (A L Afridi, 1989). There is no basic human rights (right of appeal, wakeel and Daleel) which given to other citizen of Pakistan (M.H.H 2013). So, the Tribal People are socially impacted through Frontier Crimes Regulation (FCR) and they are committed to suicide and are aggressive minded due to the said law (Alam, 1989).

The fixing overpowering system of FCR has terrorized the youth psychologically. They are no more ready to follow dictates of illiterate Malik's and other influential. They also do not like the heartless behavior of the clerks and officers. The minorities which living here in Pakistan have more rights than people of federally administered tribal areas- FATA, because the member of this subgroup of the settle areas can go supreme court and lower courts but those people who belong to tribal areas have no right to go to any court to seek out justice. (Malik Nadar, 1989). Frontier crimes regulation is an immoral law and no one can disagree with it. (G M Chaudhary, 2014). Due to the said distress and lawlessness in these areas, the central government understand the fact, that until the key changes are not done in the FATA, it will become hard to rule it appropriately. For this reason, the earlier regime of Pakistan people party (PPP) took some constructive changes in FATA. The government had introduced definite alterations in FATA but still they were not suitably executed. The right of adult franchise still not extended to the area,

since long the people of the area remain underprivileged of the fundamental legitimate rights which are experiences in other different parts of the state. And then 1996 the federal government prime minister Benazir Bhutto declared to broaden the right of adult franchise to tribal areas. The Electoral College only select 35,500 Malik's (*Local Elders*) and other notables, to represent tribes belong to FATA in the law making assemblies of the state and also had given right to vote on their own choice: ordinary people had no right to make their choices, (Shah 2012, p- 12). After that the political parties Act (PPA 1962) in 1997 was extended to federally administered tribal regions and consequently officially the inhabitants of FATA were given the right of adult franchise (Sajjad 2012, p. 83). In spite of that the government did not permitted the political groups to perform political activities in the said regions (Ijaz, 2008, p.17). Due to which the voting in 1997 in which the members of national assembly from FATA were directly elected on independent basis. But the short comings in this process take place because political beliefs of self-governing candidature could not give confidence to the common public to enthusiastically take part in the political activities in the whole region. The space produced by the non-intervention of political parties in FATA smoothen the way Malikism and khanism due to which people of FATA were suffering for quite a long time. It was for the reason that the independent contestants were not capable to assume political recruitments; therefore they were unenthusiastic to be the voice and representatives of the citizens of FATA (Report, 2012, p.7). President Pervez Musharraf changed the Political Parties Order 2002 but unfortunately expelled those regions from its execution. Subsequently, the election of 1997 were also based on no party (CEO No. 18, 2002). Though, he increased the number of seats in the National assembly of Pakistan. The number of FATA parliamentarians were increased. (Rahmanullah, 2012, p.65).

### **1.3 Electoral Reforms of 2011**

The PPP government decided the plan of electoral reforms in FATA when President Asif Ali Zardari propagated the frontier Crimes amendment regulation 2011 on 12 of August extended the PPO. (2002). The announcement of this order is though, in stripe with the valuable vision of Shaheed Benazir Bhutto who once intended for that her party filling a an appeal in the Supreme Court of the state for the extension of special act. The people party all the time remains optimistic on providing such rights to the peoples belonging to those regions on equality basis. That's why the 2008 election manifesto of Pakistan People Party (PPP) bears the proof of such programme of the party (Rahman, 2011). The federal government wrote down a main programme of electoral modifications and advancement in FATA and starting massive advancement programs. Therefore, the President Asif Ali Zardari permitted the decision of allowing political parties and political activities to be fully permitted in FATA. (Nawa-i-Waqt, 2011). The chief characteristic of the reforms proclaimed by the president of Pakistan is to Extend Political parties order (PPO 2002) to the tribal regions. Amendments to the FCR to control the supremacy of haphazard arrests and captivity without the right to bail and Prohibiting of women and underage below the age of 16th under the collective responsibilities section of FCR. For this purpose tribunal extend like other justice set up. (DAWN NEWS 2011). Besides PPP the next democratic regime of Pakistan Muslim league (PMLN) also take some indispensable steps in abolishing FCR due to a long democratic movement of politicians and FATA youth pressure groups against FCR, then Nawaz government set up committee which was consists of six members to visit all agencies to carry on the reforms process for FATA, after a long discussion of the political leaders the government presented and has passed the 31<sup>st</sup> amendment bill 2017 in the national assembly and the bill was passed with a huge majority.

Total 229 votes were polled in favor and one member voted against the bill. After passing this bill FATA was merged with Khyber Pakhtunkhwa province. But now the rehabilitation process is under way which needs special funds and packages from the central government (FISP, 2012).

## **1.4 Statement of problem**

From the day of implementation till now, the mechanism and status of FCR are burning issue in FATA. FCR was controversial because many analysts and writers called it a positive mechanism for local people while people living in FATA called it a black law which denies basic human liberties of the area. This study will highlight perceptions of different categories of people regarding FATA Reforms. Importantly, the study will also investigate the remnants of FCR after FATA merger. It will also identify the constraints in ongoing process of FATA merger with KP with a contextual perspective.

## **1.5 Key Terms**

(People perception, constraints and hurdles in fata reforms and remnants of FCR)

**Public:** Public means the general people of the society or in being service of the community or nation especially as a public official. Which they are owned controlled and managed by the government and they are accountable to the government. (Oxford dictionary), for example the local administration of Bajaur.

**Private:** the access to an individual or specific group which they have own controlled and managed by rich entrepreneur and government have no control and interference. All earnings and non-profit associations, corporations, helpful organizations are considered to be part of the



private sector, (Webster dictionary). For example the private schools, private health centers, NGOs in Bajaur.

**Perception:** the way that how the local people of Bajaur think or understand the political reforms of Federal Administrated Tribal Area (FATA).

**Constraints:** something which limited or restricted or to control someone action or behavior. To find out the hurdles and hindrance in process of FATA reforms.

**FATA Reforms:** the political process and constitutional amendment which extend the jurisdiction of 1973 constitution to Federal Administrated Tribal Area (FATA) to merger FATA with Khyber Pakhtunkhwa.

## **1.6 Research objectives**

This study is based on the following objectives:

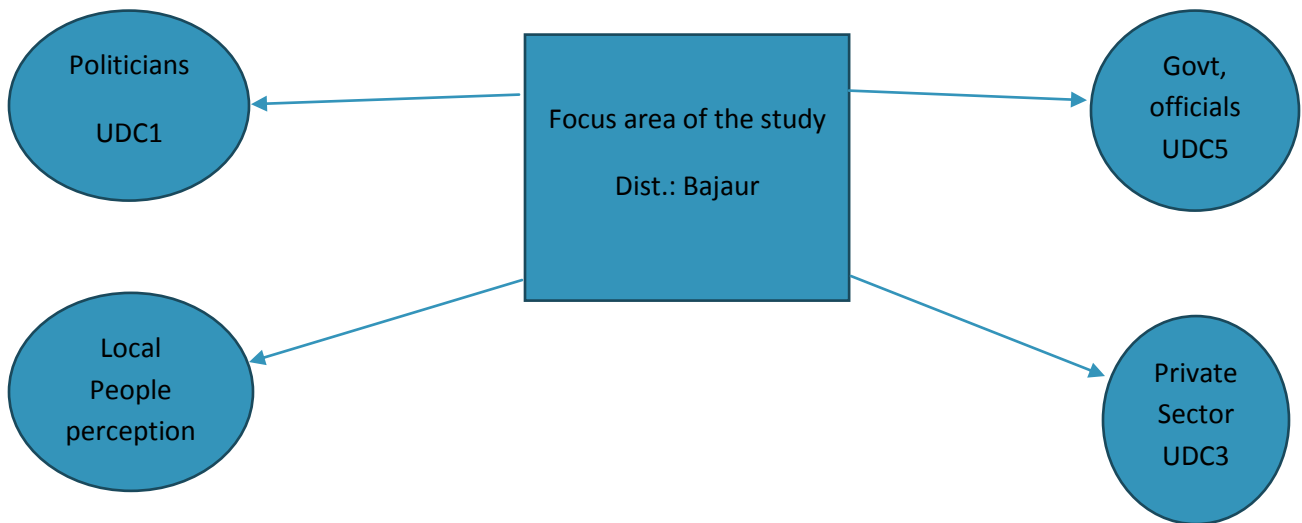
- To know about the public and private perception regarding FATA reforms.
- To find out the major constraints in the implementation of FATA reforms.
- To identify the remnants of FCR after FATA reforms?

## **1.7 Research Questions**

- What are the perceptions of people about FATA reforms in Bajaur?
- What are the hurdles in the process of FATA merger?
- What are the remnants of FCR when FATA merge with KP?

## 1.8 Units of Data Collection

The procedure to collect data on the targeted population to answer the related questions and unit is an object through which information is collected for the purposes of research in order to find out the real reasons for constraints, while accessing defined organizations and officials to explain the realistic conclusions.



**Politicians:** the political leader's role was very important because subsequent to the extension of (PPO) to FATA. They are actively involved in the political process and majority of the political parties support FATA reforms there in FATA.

**Private sectors:** the role of private organizations are also important because they have no control and interference of government. Almost they working there in development projects and some organizations also working in FATA Reforms like USAID and UNDP.

**Government officials:** the local administration of FATA also have a vital roles in FATA Reforms they have practically involve in everyday activities of the process of FATA Reforms.

**Local people perception:** the local people perception is very important because the people living there in Bajaur keenly know the constraints in FATA reforms.

**FATA Reforms:** the process to abolish FCR and amend the constitution of 1973 in FATA.

## **Chapter 2**

### **Literature Review**

#### **2.1 An overview of the nature of FCR**

British armed forces after the conquering Punjab aims to get dominancy over Pakhtoons and Baloch areas mostly the tribal areas of Baluchistan and Northern areas adjacent to Afghanistan. But British aim to capture these tribal areas was not fully fulfilled at the initial stages of because they face a harsh resistance from tribal due to their geographical location: the mountainous regions and no means of developed communications and transportation and their resistive nature traditionally to foreign occupation. (Shinwari, 2011). So it was always very hard for the British armed forces establish an effectual government writ in the tribal regions. After vigilant and profound examination of tribal peoples regarding their traditions and way of life and influence of their local Malik's and khans on them, the British came to know that their local Malik's and khans should be given part to made them their allies and made them responsible of peace keeping their respective areas was a better idea to control tribal areas under the British empire. Since then the idea of collective responsibility was introduced for the first time in the history of FATA. (Shah, 2012).

Then the procedure of frontier crimes regulation was imposed on tribal areas inhabiting Pashtun people. According to this procedure there were three essential primary rights which were not accessible to the local inhabitants of FATA like the right to Appeal, right to advocate and the right of Daleel which was a kind of social injustice to the citizens of FATA (Basit T 2014).

Frontier Crimes Regulation (FCR) has its roots in the brutal Disgraces parameter which was approved by the British kingdom to control crimes in British India. This fatal fury Act 1877 was particularly formulated to respond to the rivalry of Pakhtoons to defend the interest of British Empire. This procedure was adopted by Pakistan after its independence in 1947. After that this law was applicable in Frontier region (FRs) and FATA Baluchistan and Malakand in 1901. Recently, FCR is only applicable in FATA and the Frontier Regions (FRs). It doesn't apply in any other part of Pakistan. According to this procedure political agent of the concerned area was a representative of Governor. Political agent was head in the Agency which carries the judicial as well administrative authorities at the same time and his authorities is absolute. He is the final power in all affairs and can keep in custody anyone for infinite period of time without any trial and for no reason. Such type of authority was a real curse for the people of FATA and political agent was above law and no one can raise question on the behavior of the political agent in FATA (Report NRC 2014).

The political agent has the power and authority of magistrate and decision implementations as well under section 30 of the (CPC 1898). Such kind of authorities carrying by a single person was clearly going against the law of impartiality. There was another Assistant political agent (APA) subordinating political agent which also deals those cases which were transferred by P.A (Alam, 1989). Later than the birth of autonomous Pakistan, it was expected that 1973 Constitution will be a blessing and disguise for the people of FATA and will be a new period of liberty for the people of this country to get prosperity will improvement. (FATA Reforms, 2013).

Frontier crimes regulation (FCR) is a procedure that applies in FATA. Most of laws which applicable in the rest of Pakistan including most of Provision of Pakistan Constitution which set

out the fundamental rights of people in Pakistan not applicable in FATA. Along with the article 247 in the Constitution which says that the law of Pakistan is not applicable in FATA. The 247 article seize the right of lawmaking from the members of parliamentarians (Mashriq- October-01-2014). And in the light of this article no one of the acts of parliament neither applicable nor extendible. (Alam, 1989). In the light of article 1 part 2 of the constitution consider FATA as a part of Pakistan, which 247 article define its process by which the tribal area should be ordered. According to 247 article (3) of the Constitution of Islamic republic of Pakistan, no act of Parliament is applicable to areas or any part, except the president of Pakistan accordingly directs” (John Alam, 1989).

This isolated tribale areas like Bajaur, Kurrum, Khyber, Orakzai, and Mohmand, South and North Waziristan and six adjacent settled districts which is called Frontier regions (FRs). In Frontier Crimes Regulation (FCR) tribal Jirga system have no right to appeal and allows the central government to seal personal property and to put to in to jail without ant procedure. (The FCR Chaudhary 2011). FCR is a procedure implementing from the central Government of Pakistan on FATA. There was a separate customs and tradition of Pashtuns and there was a Nawabisim and Khanisim system. There was a rule and regulation of Jirga System and British Government was implementing the Frontier Crimes Regulation (FCR) on them (Naveed Ahmad Shinwari, 2011).

The federally administrated tribal areas situated in Pakistan’s boundary with Afghanistan. The people of FATA have been practicing Jirga System which was an alternate dispute institution, which has no clash with the judiciary and Jirga system. If regular law and court system is extended to FATA then FCR has been characterizing as brutal, (Naveed Ahmad Shinwari, 2011). The FCR was approved by the British exploiters as a means of ruling over the local inhabitants

and to prevent any rebellion struggle from the side of any Pashtun community. According to Society working for the Protection of children rights (SPARC) yearly report fourteen children were put into jail under FCR in 2009 which is inhuman. Baluchistan High Court (The Sharia bench) 1979 made clear that the FCR is discriminatory and above all it is against Islam.

FATA consists of two major administrative group areas wise protected and unprotected areas. The protected areas are categorized as those regions which under central government directly and others which administered circuitously by the people. FCR system gives permission to establishment to detain anybody without any accusations. FCR also grant the joint punishment or collective responsibilities to the family units as well blood relatives in place of punishing blameworthy only. Although the family member's kinship and blood connections did not commit any misdeed by themselves. But despite the fact they are compelled to jail like captive birds. Due to this inhuman law the whole family suffers. While in non-protected areas Jirga system is practiced. (John Alam, 1989).

## **2.2Jirga**

Jirga is a unique Institution that exists in Pashtun's Social Organization. It is a Turkish word which means circle (Gankoski and Malik, 2006). Jirga is a counseling assembly, forum or medium run by the local chiefs and elders. Jirga is a system which comes from the old rituals of Pakhtoons and these codes were laid down by their ancestors. Jirga is an important part of Pashtun's societal clubs. In other words it is a medium where issues have been discussed and resolved. In this Jirga system choices are made on the basis of self-determination unlike the modern democracies in which decisions are made on majority base. The required strength of these judgments are deeply strong. But the effectiveness of Jirga system is due to the lack of interference from central power, administration or any other lawmaking units. (Gankoski and Malik, 2006).

The Jirga system is a casual body but it has very ceremonial special effects on the Pashtun society as a whole but especially on tribal peoples. Jirga system is one of the prestigious institutions of Pakhtoons because they love their culture and traditions. The Jirga find out guiltiness or virtuousness after analyzing the disputes his own "set of codes of Pakhtoons community". While Jirga and the Political agent for the stipulation of prompted justice accord to the tribal routine.

The majority of inhabitants follow the system as a proficient cause of providing impartiality. This proficiency of Jirga system was considered in those cases where the political agent or government had no or less influence by providing the opponents a suitable environment of negotiations and adjustments with power of quickness.



### **2.3 philosophy of FCR and its nature:**

Talking about the philosophy and nature of FCR, it is a system which carries some serious issues which are inhuman, merciless and such a disgrace to humanity in the modern era.

First its citizens have no right of wakeel and Daleel which is quite nonsense, as one should be amazed; without any procedural and systematic investigation how judgments have been made.

Secondly the FCR was brutal in nature like collective punishment i.e the worst form of the FCR is the collective punishment clause (No. 21), which is imposed on anybody in the tribal areas for a crime committed by him/he or their family members, next of kin, or someone else from the same tribe and region (Amnesty International 2008).

The third point is that FCR allows limitless power like political agent had the authority of a judge, power of implementation and law making which sounds illogical and quite disgusting. Such kind of power keeping by a single person is a clear violation of laws.

Fourth point is that under FCR the Jirga recommendations were submit to political agent regarding the conviction but the political agent was not bound decide any conflict on the basis of the recommendations of Jirga and the orders of the political agent was unquestionable and unchallengeable in the esteemed courts of Pakistan.

(5) Among the most damaging provisions in FCR is the clause permitting the “seizure/confiscation of property and arrest and detention of an individual without due process, and/or barring a person in the tribal areas from entering the settled districts”. This provision also falls under section 21 of the FCR, which is known as the ‘Collective Responsibility Clause’.

Under this clause, if an offence is committed by one person, his or her whole family/tribe is made responsible for the act, can be arrested or have their property seized. Moreover, the FCR states that arrested persons will not be permitted to contact the Government of Pakistan and that no one in Pakistan may contact or trade with any arrested person in FATA.

There were some serious worst sections in FCR, some of them are as under.

1) Section 23: under this section if a deceased body is found in a village, all members of that village would be responsible for its murder.

2) Section 22 and 23: under this section if someone did some crime the overall community will be charge with a fine for the sin of a single person.

3) Section 56: under this section if fines are not paid by the relatives of the culprit the property of the criminal must be seized.

## **2.4 Reforms**

Basically Reforms means to improvement of law, or changes and amendment of unsatisfactory and wrong accordance with expectations of the public (Cambridge dictionary). Political reform means evolving such a democratic system by which gentleness could be empowered in the state machinery (Dr. Kashyap 1980). The uses of this word emerge in 1979 from the Christopher Association movement which identified the parliamentary Reforms and shortened the duration of parliament and equalize the representation.

Most of the developed and back ward countries take out extensive reforms to advance their living standard; this can include macro and micro level of reforms. The most famous examples of

political Reforms as California Political Reforms Act ensuring that the expenditure in election campaign should be fully disclosed in order that the voters may be fully informed and the activities of the activists, (Alex, 1974). The political reforms in Jordan the citizens of Jordan protest to reform and improve the country democratic process. At last in 2011 the admired protests political as well constitutional reforms brought sense of balance between the three authorities, and solving the problem of joblessness, poverty and achieved equal opportunities and social justice (Hamouri, 2012). Jordan have done the following political reforms in 2014, 2016 first as the balance between the three authorities, strengthened Legislative authorities, vested the Executive Authority, although the constitutional changes were indispensable which strengthen the judiciary independence (Edwan 2018). Constitutional courts were made which acts as an independent judiciary which was composed of a nine member committee and their appointment was made by the king and due to these constitutional reforms the fourth pillar of the state i-e the media independent working was guaranteed through the concerned governments and stress them for keeping media as a separate entity. (Salameh & Darawsheh, 2018). Reforms are very important to take care about the rights of children, women, aged persons and disable Persons. (Bani Salameh & Darawsheh, 2018).

During the British raj there were two kinds of region in India, one is British Indian province which British directly manage the administration and another is princely state which British not directly control over there. There is not uniformly about 560 princely states in India but later than the independence the many those of states tied with India. even though, a number of princely states were declined to link with India like Bhopal, Hyderabad, Junagadh and Kashmir but a small number of regions which was under the control of French and Portugal they handed over to India in 1954 which formally became an element in 1962.

Sikkim remained an autonomous state like FATA till 1975, but after the prime minister of India appeal to the parliament to merge Sikkim with India. The referendum was held on this issue which most of the people voted to join with India, then the president ratified constitutional amendment resolve the constitutional units and made Sikkim the 22<sup>nd</sup> state of India.<sup>5</sup>

But unfortunately when Pakistan came in to being and became a sovereign state, the special position of FATA was hanged entirely under articles 247 of 1973 constitution of Pakistan. Although very less efforts were taken for the modifications of tribal system in order to make the living standards of FATA peoples. Their human, social and economic standards were leaved in a vague and once again all tribes were deprived of their basic human rights. Even though the administration made insufficient amendments in earlier times but the component and makeup of the guidelines. This regulation was accordingly modified in 1928 then after 9 year 1937 and then the regulation was continuously modified in 1938,1947,1962,1963,1995,1997,1998. But still, all modifications were negligible in character. For example, commissioner word was added for law court and also added the meaning of word Governor in 1997. In the same way in 1962 assets penalty in the case of guilty under the subdivision of 302, 306 of the (PPC) (XLV, 1860) was supplemented to FCR. As an alternative, authorities evaluate verdicts made by the commissioner was detached from the guidelines in 1997. The succeeding calendar of the rules was abridged in 1995 and 1998; adding misdeeds associated acts like Customs act of 1969, (Enforcement of Hadd).

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<sup>5</sup>"Sikkim," Indian States and Agencies, *the Statesman's Year Book 1947*, pg. 175, Macmillan & Co.

## **2.5 FATA Reforms from 1947 to 1970**

After the independence the constitution of Pakistan have not governed under the procedure of FCR. After creating 1956 constitution of Pakistan some articles like 104 were extended which empowers the president of Pakistan which ultimately also empowers the governor. (Chaudhry, 2011). The political agent (PA) work under the governor of KP which they have both the executive and judicial power in the region likewise, lawmaking authority was not giving to the Provincial assemblies PATA, and the National and Assembly FATA. Unless the beginning of adult Franchise the 1997 ppp government the citizens of FATA deprived from right of selection means voting. This shows since 1947 very little reforms were made up to 1970 for tribal regions.

## **2.6 FATA Reforms from 1970 to 1990**

Then from the era of 1970 some steps were taken for the modification of FCR i-e central word was excluded by adding federal word in the constitution of 1973 which was still inadequate because once again the political and governance method were remained untouched. However in tenure of Pakistan people party in 1970s different developmental policies were introduce in tribal regions and provide development structure in tribal belt but the reforms were considered not enough to modify the law making as well administrative system but the only notable thing was introducing development corporation and FATA was brought under the control of ‘Saffron ministry’.(Safi,2013). in addition to for the advancement of FATA in 1970s the government initiate some extra basic Reforms like enlargement of allocation system in the government institutions also develop the communications in the form of roads, schools and colleges to advance the schooling system of FATA. Likewise, for the development of living standard tribal citizens were helped to get passport made easy for them to travel abroad. Later than after the end

of the elected government and during the era of Zia ul haq in 1980s not a single development scheme were started in FATA. (ICG, 2009)

## **2.7 FATA Reforms from 1990 to 2013**

In the era between 90s and 2013 few important changes were made like after adult franchise act of 1997, eighteen years old young citizens were empower to vote and for the first time candidates were elected to the national assembly of Pakistan which was a major breakthrough in changing the status of FCR. But still the political parties' involvement was kept curbed in FATA. (Sajjad, 2013). But the main problem with them was that they had no right to made laws regarding the status of FCR and this right of law making for FATA was in the hand of the state president under article 247. while in the government of PPP in 2011 political party order (PPO) was commenced in FATA permitting the political to campaign freely and present their manifesto in FATA. (Sajjad, 2013).

But up to 2013 political freedom was given to the people of FATA but the main thing that is law making authority was still under the control of the president. (Tribune, 2012).

## **2.8 Frontier Crimes Regulation (FCR) Amendment 2011**

After winning the 2011 election PPP government was very serious to amend FCR and their intention from the very first day was very clear as was shown in the first speech of PPP elected Prime Minister Raza Gillani in the parliament. Raza Gillani made clear that my government will try its best to abolish FCR, which spread a happy message across the FATA citizens and was much appreciated. Finally, on 12<sup>th</sup> August 2011, with the desire and the existence of FATA

Parliament members President signed a significant (PPO 2002) which allows political parties to extend their activities to FATA.

DAWN newspaper published in 2011 the major reforms which were pronounced by the president are as under:

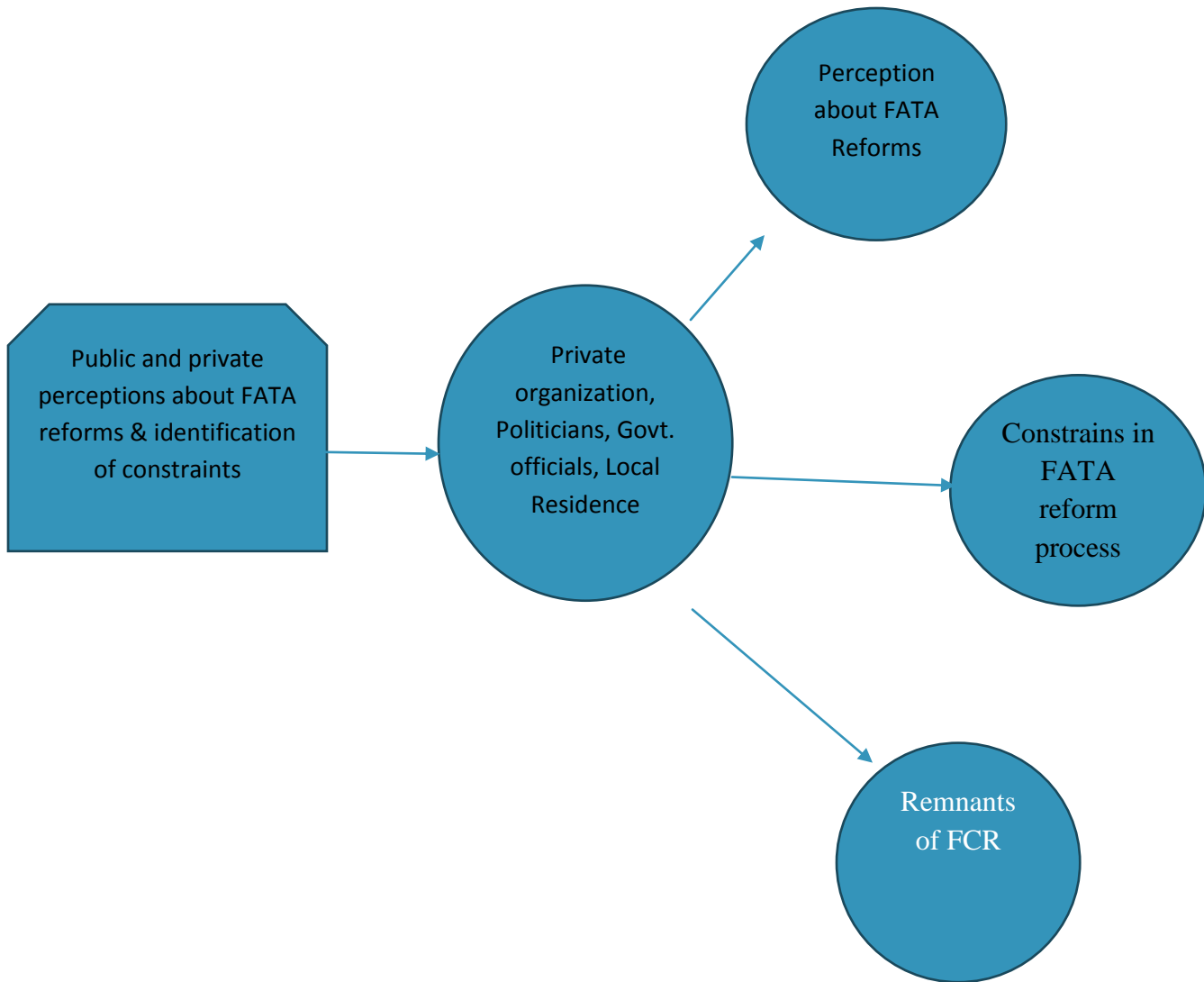
The reform was that some changes were made in FCR i-e to hold back the power of haphazard arrests without any right to bail. The third important change was that women and children arrest were prohibited and declared illegal under the collective responsibility clause of FCR. The fourth major reform was that FATA tribunal was set which was regarded as similar the high court. Check and balance was started of developmental funds.

The said reforms was very appreciable but unfortunately its implementation process was almost not considered on the ground because each and every thing was same as earlier which spreads disappointment in citizens of FATA. The citizen of FATA irritated and united for the cause in such a way that the PMLN government was forced to abolish FCR completely by passing the amendment bill in 2017 and FATA was streamlined.

## **2.9 Significance**

This study will add to the existing knowledge about FATA Reforms and will help to highlight the challenges and constraints in the implementation of the FATA Reforms and it will also identify the remnants of FCR in FATA specifically in Bajaur District Khyber Pakhtunkhwa.

## 2.10 Conceptual framework figure 2





## **Chapter 3**

### **Research Methodology and Methods**

Research method and methodology is the well-known guidelines and procedure that gives direction to research activities. This procedures and approach bring stages and directive to conduct research study. Method and methodology is a methodical process and system for guiding research. It provide base structure and organization to conduct research study. (Babbie, 2005:6).

#### **3.1 Methods**

Semi structured interviews will be used for the study to collect primary data from the respondents. Open ended questions will be asked from an interviewee which will allow more discussion and more qualitative data will be collected easily. While keeping in mind the ethics of the research. Focus Group discussions will also be used for the collection of data from the respondents. It is a good way through which people get together from similar background to discuss a specific topic of interest.

#### **3.2 Research strategy**

The study will help in investigate the constraints in the process of FATA reforms through Qualitative research strategy which will be used for this study.

#### **3.3 Design of the Research:**

The design of a research is a framework of skills which chosen by a researcher to combine different section of research in reasonable manner to professionally collect the data and handled

the research problems. Descriptive research design will be used in the study keeping in view the research questions for the study.

### **3.4.1 Sampling**

Sampling is the most important part of research design which refers to the process of selecting a small portion of population instead of the entire population, this small selection is called sample.

#### **1. Purposive Sampling will be used for UDC 1,2,3**

Purposive sampling also known is selective sampling, it is non-probability sampling which the researcher chosen by his own judgment on the basis of characteristics of population and objective of the study.

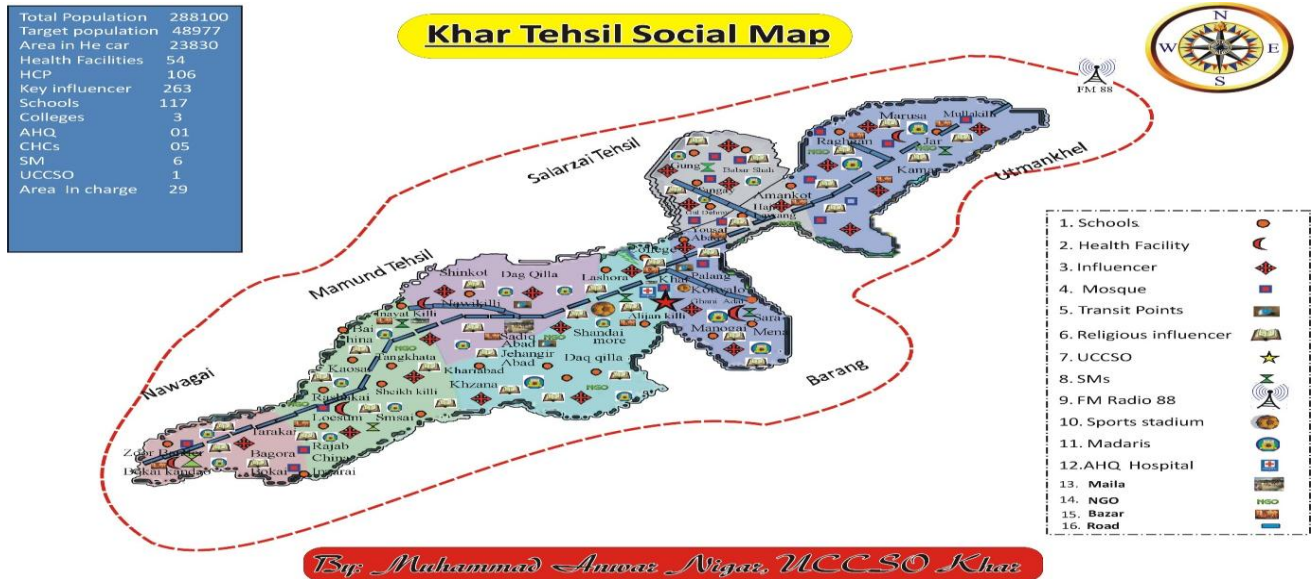
#### **2. Random sampling will be used for UDC 4**

Random sampling is the basic sampling technique which all member have independent and equal chance of selection. This sampling techniques the researcher use for accurate representation of large population in the local area.

### **3.5 Locale**

This study is restricted to District Bajaur only which is located in Federally Administered Tribal Areas (X-FATA) having population of approximately (1,093,864) people including both male and female. Almost the entire population of Bajau belongs to the Pathan tribes Tarkanre and Utmankhel. Major sub tribes living in Bajaur are Salarzia, Mamond, Barang and Charming etc. The area is mostly mountainous while part of the area to the east is occupied by Munda (Loir Dir). It is also linked to Mohmand Agency by a metal road on west side and through Afghanistan

in a Durand Line by North which is drawn in 1893 by Amir Abdurrahman (S J 1998). Most of the people of the Bajaur are living in joint family system, but the way of life is changing with the passage of time.



### 3.6 Ethical Consideration

Ethics is an important part of research processes. Therefore, certain ethics will be observed during this research processes. Before the interviews, the respondents will be informed about the purposes and objectives of the study. Also, the researcher will respect the norms and values of the area. Interviews will be recorded with the consent of the respondents.

## **CHAPTER 4**

### **FINDINGS AND DISCUSSION**

#### **4.1 Introduction**

The present study was conducted in tehsil khar district bajaur to identify general perception of people about fata reforms and identify the remnants of Frontier Crimes Regulation (FCR) and constraints of fata reforms. Data was collected from various groups, belonging to different social status like politicians, students, teachers, layers and other common people of the society through interview guide and focus group discussion. After data collection, the next important step was data presentation and analysis. So, the collected data was analyzed in the context of research objective respectively. Fata reforms was one of the basic demand of the people of fata from since very long. They consider that, fata reforms is the need of time which eradicate the hundred year's deprivation of fata. So that's why they want to merge fata with Khyber Pakhtunkhwa (KP) without any delay.

#### **4.1 Perception of people about fata reforms.**

Opinion about fata reforms were different and majority people want replacement by a modern legal and judicial system while other wants some modification. In order to fully appreciate the different point of view about fata reforms and workout a feasible strategy. In November 2015 PM of Pakistan make a six member in the presidency of Sartaj Aziz and give the task to tackle the issue of FATA, the committee visited all the tribal regions and completed his task within six month and give four recommendations which one of them is fata merger with Khyber Pakhtunkhwa. (Express Tribune 2016). After that, the new merged areas political parties Etihad

invite the Tribal National Jirga (Assembly) on “ Post FATA Merger Situation, Needs Implementation and Way Forward” on 28<sup>th</sup> November 2019.

Similarly opinion was presented by one of the respondent,

*He said that, “ fata reforms is the way of progress i.e. establishment of judiciary after extending superior court’s jurisdiction, police system which is still not very effective but hope in near future fata will be considered a same like the rest of other districts in Kp”.*

After passing the 18<sup>th</sup> constitutional amendment on august 14<sup>th</sup> 2011, from national assembly during the tenure of Pakistan people party, they secure one of them was the extension of political parties act (PPO) before that, act no one political party was able to contest election with party slogan and symbol. This was only possible after 18<sup>th</sup> amendment, soon after that political workers from different parties’ established a Seyasi Etihad which paved the way of abolishing (FCR) and continue the process of fata reforms which all political workers, students, teachers, layers forums even every one played their role and make his way to access the judiciary and other basic human rights. Reforms is always towards changing and development of a society. Along with this human being want to change their lifestyle, mind set and social interaction with other. And the basic things in our life is basic human right, which was not applicable to (Ex-FATA). Through this three Claus we can accept change our life that’s why we like and welcome to FATA Reforms.

*Another respondent said that:*

*“In past the political act was not extended to erstwhile fata, therefore no political development could be materialized. Now is the strip of tribal region merged in KP, the political activities and development will be routine. The tribal districts will have proposed share in development*

*projects. The youth of tribal districts will be engaged in political club of the province in the country.*

*One of them said that: “Nothing is permanent but change, reforms are need of the time because there is nothing so perfect to be accurate all the time for all the situation. It varies from time to time, so change is must. It is up to the use and practical implementation of the political reforms, if we use it fairly they may bring peace and prosperity but all it depends up on the awareness of the people if they can cooperate, coordinate well the reforms obviously will have positive impacts”.*

FATA remained the pressing need of the hour since the implementation of the set of law, Frontier Crime Regulation (FCR). As the rate of education and awareness in past was not less therefore the said Frontier Crimes Regulation (FCR) kept its root in FATA for more than hundred years. Now particularly since 2010 the tribal especially educated youth, felt the need of fata reforms and change in status quo. Fata reforms are inevitable, and its quick implementation is compulsory. It will lead to the destination in the form of Appeal, Wakeel and Daleel process because Justice is everything for positive change.

*Another respondent share his perception about fata reforms and he said that:*

*“FATA reforms bring a very positive change in Pashtun Tribble areas. The people now called himself very proudly "Pakistani Citizens”, but before this reforms the chaotic situation was occur because the civilian, political and also the military or other office holder people feel insecure due to the black law FCR, the last vestiges of the British colonialism”.*

The first thing in this regard is that, we have totally misunderstood the people and structure of FATA. From the very start the government of Pakistan intentionally or by mistake romanticized the situation wrongly. Since 1947 the government has to bring a political reform as well but firstly the government needs to aware the people to know about the basic rights means that political rights and right to live etc. After these initiatives the people will come forward and will take part in the coming issues and also take part in the state affairs.

*Similarly one of the parliamentarians said that:*

*The first things the people of all political parties need to show unity in this issue and highlight this issue in national forums because if we don't highlight this issue in the floor of the house then this issue exists only at the local level. Now the senate and parliament have passed the bill, but I confess my party made a mistake to delay the decision on FATA reforms and still I claimed that, the decision was taken according to the Sartaj Aziz report. Now the words tribal districts are not mentioned in the whole reforms decision only mentioned the new districts of Khyber Pakhtunkhwa. The word tribal is now eradicated from documents now it is considered a sin to say tribal districts. If we don't ignore this word, then after we are struggling for another constitutional amendment to kick out the word tribal from national documents.*

Majority people of Federal Administrative Tribal Area (FATA) are optimistic. But regarding some people were apprehensive about implementation of FATA reforms due to presence of major gaps. Moreover, it demonstrates consent of general public of FATA as they believe their financial, social, political, judicial structure and economic condition will improve on pretext of FATA reforms and human rights condition will improve in the area which is long due. Because political freedom

will not only create awareness but it also the way of restoration of peace, cultural and economic development.

*According to this one of the respondent said that,*

*“My perception is cleared before the 25<sup>th</sup> constitutional amendment we are not in favor of fata reforms because we know that, this reform give more tension to the people of fata. This Political reforms bring positive change if the reforms only doing for the betterment of the people or the area. But this reform going according to well of establishment and bureaucracy they do those reforms which are in favor of his black business like mines and minerals that’s it. People are more depress than FCR. Because now there is no law exist in practical people now confused what to do”.*

Fata reforms is important step but I think the government show hurry in the process of fata reforms because the government have done this work without homework. Due to political reforms development is possible in the tribal areas but the government show less interest in the area problems. If they merge under the umbrella of regular law, then hope fata developed with the passage of time. But the government less attentiveness people are so disappointed from the process of fata reforms. The political reforms bring positive change but its need homework and hard work.

*Similarly one of the respondent said that,*

*“I think the current situation is more dangerous than previous system because there is neither FCR nor Civil law the tribesman is stuck there in the tree a proverb that, get out from one problem to be caught up in another”.*



*Another respondent said that,*

*In 2016 the government make a committee for fata reforms under the supervision of Sartaj Aziz, which they present their report in 2017. But according to my opinion fata reforms is not good for the people of fata, because the law which coming from 70 years is not easy to change. Yes, you can amend some clause in FCR like to reduce the power of political agent etc.*

There was different perception of people regarding fata reforms majority of the people were know about the process of Federal Administrative Tribal Areas (FATA) reforms. Mostly they want to merge FATA with Khyber Pakhtunkhwa KP. Because they consider that, the outdated law Frontier Crimes Regulation (FCR) is deprived them from all the basic human rights and all their basic facilities which other citizen have that's why welcoming the new regular law and want to quickly complete the process of fata merger. But some people of the area like few local elders (Malik's) and few political parties workers have concerns about fata reforms they do not want to merge FATA with Khyber Pakhtunkhwa because this merger is doing for the purposes to control the mines and minerals of the area that's why they demanded for a separate province to protect his minerals.

#### **4.2 Constraints and hurdles in the process of fata merger:**

Some people of the area were not fully aware from the ongoing process of fata reforms and the regular law. The researcher try his best to interview those people who have some knowledge about fata reforms and regular law. The people of bajaur are overjoyed to merge FATA with Khyber Pakhtunkhwa. From the day one they wanted to change the current system but some people who are beneficiaries of the old system are not ready to accept the new system, otherwise most the people were happy over fata reforms and consider that, all the military and civil

government are responsible for the changing status quo of fata. But since 2013 the struggle by fata parliamentary members and youth for the extermination of Frontier Crime Regulation (FCR) became stronger. The past government of PMLN creates hurdles in the road to fata reforms for the sake of political interest. They did not want to spend fund in fata. Another reasons due to which the reforms are delayed, is the provincial government of Pakistan Tehreek Insaaf (PTI) hesitate to give the proposed share to tribal districts in national finance commission award (NFC). In the set up the mandatory government, there is a lack of interest toward fata reforms. They prioritized other political issues and give almost no importance to fata reforms that's why the process delay and people are disappointed.

*Similarly one of the respondent said that,*

*There are many factor who can contribute hurdles and want to delay the process of fata reforms such is financial issues, status quo group (local stakeholders) who have wasted interests with the prevailing system, Islamist groups who feel fear to their status too, and disunity of the political parties, responsibilities and burden over the government, passiveness of the tribal people bureaucracy resistance. Due to these factors the reforms process is delayed.*

All political parties is the mouth and ear of the society, it can speak, listen and communicate the voice of masses at every forum. It provides a joint forum which one voice can lead and create pressure. Each party has its representative in the parliament who can contribute very well and can play a key role in the development of fata and implementation of fata reforms. In every society there are two type of people introvert and extrovert. One wants to bring change by himself/herself and the other is waiting for some external force that they may bring change in their lives. Unfortunately, we are the people suffered a lot, who have been kept depressed by the

elite class, we have lack of opportunities and lack of vigilance to ask and fight for our rights. Four things which protect the rights of masses Rule of law, constitution, vigilance of the people and judiciary but we have no availability of these things and still some people want to maintain ignorant system in the area and creates the hurdles due to different political interest, bureaucracy interference, pressure groups and military oppressions, Political parties and their leadership are having different opinion on the process of fata merger, some political parties support the process but few of them against the fata merger. The sitting government not ready to tackle the issue politically for the sack of their allies and using the delaying tactics.

*One of the respondent said that,*

*“The people whose political shops running in the system of FCR, they don’t want to merge fata with KP. They are engaged to create obstacles and adopting the delaying resorts in the way of fata merger, but they will face failure”.*

*Another respondent said that,*

Except Jumat Ulama Islam (JUI-F) and Pakhtunkhwa Mille Awami Party (PKMAP) all political parties in favor of FATA merger, they have an explicit stance on the merger of Federally Administrated Tribble Area (FATA) with Khyber Pakhtunkhwa as an observer I believe that, the move will have an impact on the upcoming general election in Khyber Pakhtunkhwa in newly Tribble districts. PMLN is frequently changing its position on fata reforms apparently due to its ruling partners JUI-F and PKMAP in the federal government. Political observer said that, PKMAP had no presence in the tribal belt so it would have no positive or negative impact on the upcoming election in FATA. But it would have direct effect on its decade- long slogan for unity of Pashtuns and Pashtun territories. The JUI-F is one of the major political party in the tribal belt

and its stance on opposing the idea of merger has been misplaced by its competitors who claimed the party was against FATA reforms including the Frontier Crime Regulation (FCR).

*Another Respondent express his opinion and he comments in one of the focus Group Discussion (FGDs) that,*

*“Because of the current situation many people have been martyred many people have become homeless the government promised that we would make economic, political policies for the area and every person will be given justice, local bodies election will be conducted and also giving the share of 3% in the national finance commission award (NFC). But still nothing happened in practical some people like bureaucrats, stockholders and other who are beneficiary of the Frontier Crime Regulation (FCR) trying to delay the process of FATA reforms”.*

Bureaucracy also play his role to creates hurdles in the process of fata merger because fata was consider a hub of bureaucracy political agent, additional political agent and so many other officers was the despotic rulers of the area which they using the selected clauses of Frontier Crime Regulation (FCR) and earning black money that’s why they use their influence in one way to another to creates hurdles. Pressure groups (Malik’s and elite class) of the Agency were the right hand of the local administration. The political agent used the local stack holders to oppose the merger process in the way of recorded protest and arrange rally against fata merger with Khyber Pakhtunkhwa because their interest also related to that. Similarly still the people consider that, Deputy Commissioner is the political agent and still they have the power to arrest or release someone because FCR restricted all the power in one hand without any accountability. Due to that unlimited powers and authorities they try to stop the process of fata reforms even they also know that, the national and provincial assemblies passed the 25<sup>th</sup> amendment bill to merge fata

with Khyber Pakhtunkhwa. This reforms will bring positive change in the development of fata, because before the fata reforms when the federal government released fata development funds, they distributed in different offices of the fata secretariat and then the bureaucracy of Federal Administrative Tribal Area (FATA) utilized them which mostly more than half fund utilized for his own pleasure. But after fata reforms the Federal Government directly invest the development fund with the hand of local elected members which now they will be utilized fairly.

*Similarly one of the x-parliamentarian said that,*

*”Now we have need to focus on provincial election and local bodies’ election to elect our members for provincial assemblies then we feel easy in working relation with KP. Otherwise unconstitutional committees and bureaucracy run the system like FCR. Now the governor has no power of chief executive but still the political people and bureaucracy using his office and FATA secretariat to misguide the people about fata reforms”.*

*Similarly one of the respondent said that,*

*“The process of FATA reforms has been delayed by the basic three main reasons. The continued political crises in the country. A specific section of the old system and standing on their back bureaucracies and economic crisis are the main reasons which delay the process of FATA reforms”.*

The tribal people have seriously expressed his concern over the delay in the implementation of fata reforms and urged the government to release the development funds for uplift the newly merged districts. Government had scrapped Frontier Crime Regulation (FCR) but imposed Fata Interim Governance Regulation (IGR) which was tantamount to dodging the people. The people

of Tribes districts also had the right to avail of the facilities as in rest of the country, but the government was using the delaying tactics in that regard.

There was different opinion of people about fata reforms majority of people were in favor of fata reforms but few them like bureaucrats, stock holders (Malak's) and JUIF, PKMAP followers were against the fata merger with Khyber Pakhtunkhwa they express his concern about fata reforms,

*One of the respondent said that,*

*Political reforms bring positive change if the reforms only doing for the betterment of the people or the area. But this reform going according to well of establishment and bureaucracy they do those reforms which are in favor of his black business that's it. People are more depress than FCR.*

All political parties playing for their own interest in the area, which they play his role accordingly. The area where the procedure of Frontier Crime Regulation (FCR) exist since hundred years and their people living under his own tradition how they can follow the regular law. But after the completion of this process than we compared that, which law is better for the people of fata then it will be so late. Some people of fata are still not ready to follow this law, because they have living under the poverty line and they have no power to give fifty thousand to the lawyer for those cases which the local elders solve free within a week the people are not ready yet, which they pay different taxes in shape of health, education and electricity that's they demanding for separate province and demanding for referendum.

*One of the respondent said that,*

*I don't think so, because the law which the tribal people don't know about what the law as, suddenly implement is not easy but not impossible. No one ready to send their wife or sister in the court this is just in one example.*

*Another respondent comment during Focus Group Discussion (FDG) that,*

*In that time most of the people disagreed with the stance of Jumat Ulama Islam (JUI). But now those who are struggling for fata merger with KP, now they will realized that, why JUI demanding for referendum. Now asked the government why the process of merger confined only paper work from the day first we demanded to ask the local people and their stockholders about fata merger. But no one political party ready to hear our stance now political parties need unity and combined struggle for the rights of new merged areas.*

The people want but they are not ready because the people not know about the roles and regulation of regular law. Government need to create some seminars and other awareness movement in the area. Because people face many challenges like terrorism, education, health and development first of all government need to focus on development sector and release 3% share of fata in the NFC award because people consider that, government less interest in fata reforms is due to estimated cost for these new merged districts. This is the provincial government demand that, these funds are utilize by the hand of KP chief minister but according to Sartaj Aziz report these funds are utilize by the federal government for ten years which all the provinces have shown his well pleased only Sindh province have some little bit concerns about this which is off the record but his concern is not against the fata interest. Now PTI have government in three provinces also in federal they need to release these funds only 45% share on federal government if they want they released any time. We need to focus on these 3% share national finance

commission award (NFC). Because without this reforms process don't move forward. If we achieve these target then our 80% reforms must be done.

*One of the respondent said that,*

*“Almost one year bygones there is no development project started yet, government promised 110 Arab packages annually still nothing is released for the development of new merged areas. There is no positive change in the field of education, infrastructure and health government also promised that, after fata merger with KP, almost 1500 to 2000 jobs opportunities will be created for the people of fata. Unfortunately, due to the government less interest create despair in the area. Still it is a big challenge for us, we need to re-launch the political movement again to put pressure on government to speed up the merger process. And fulfill the demands of municipal election, 3% share in NFC, and appeal to the federal government to release more budget for the development of fata the government need to pay attention to these things because we are not prepared for another shake. Now we need such a debate to strengthen our unity and identify the upcoming problems”.*

Mostly the people consider that, bureaucracy, local elders (Malik's) and few political parties are main hurdles in process of fata merger, some of them identify that, government less interest because of they promised 110 Arab package annually for the new merged districts. That's why they demanding to complete the process according to Sartaj Aziz committee report and government release 3% share in national finance commission award (NFC) for the new merged districts then after ten to fifteen years later they compete with other districts of KP. The government also promised to creates thousands of new jobs in the field of education, health, irrigation schemes, power supply, mineral development programs and citizen's losses



compensation programs and establishment of industrial zones with special incentives which will attract investors from every part of the country will also create the technical and managerial jobs. But unfortunately, this area still keeps backward intentionally now this area need much focus then other area of Pakistan. So then after when the government completed these promises the future of new merged districts will be bright Insha Allah.

### **4.3 Remnants of fata reforms:**

Well, the people of fata are patriotic and have been in a sought of trouble due to FCR. The fata reforms have given them a new streak of hope and the new law comes with lots of facilities and rights that had been kept away for decades. So, the people have already accepted the new law. The people of fata politicians, students, doctors, drivers, religious people and even the females of the areas participate in the movement against fata merger with Khyber Pakhtunkhwa with the slogan of “GO FCR GO” and finally they have done a great job for the upcoming generation. But still we are not in the stage where we have taken some rest because the mentality of the people is not changing yet. Basic human rights violation was the key subject in FCR and still it persists in some part of x-fata. Damage educational institutions are still here in in tribal districts. The judiciary are not fully extended here the situation is still under the control of Army, internet services are partially restored the health system is still worsened. For that, purposes we need tried to convince the local people especially the uneducated people regarding the draw backs of status quo and convince them to continue the struggle used social media, print media with full power to defeat FCR and dismantle the last remnant of Frontier Crime Regulation (FCR).

*Similarly one of the respondent said that,*

*“The remnants of FCR depend up on the people personal interests, if a clause of Frontier Crime Regulation (FCR) is in their interest they will have to remind and want to be exist but many things like share of women in property, Jirga system, tribes men superiority over each other will remain remnants of Frontier Crime Regulation (FCR)”.*

After replacing of more then hundred years of the Draconian law the people were addicted to many unconstitutional acts and it is not too easy to implement the new regular law because the local Pashtunwali codes was always there and will be. but the adoption of new law of constitution is not unfamiliar to the people because people of the area have business in the adjacent areas of KP, so some of them are already aware of the regular law. While still the conventional local jirga or Pashtunwali code will run along with the constitutional law. And the twisting episode will be continued for a decade till to adopt the new law and get more familiar with the regular law.

*One of the respondent said that,*

*“After the abolishing of Article 247 of the constitution of Pakistan FCR was replace by regular law and regular law extended to the areas. But the old thinking and approach like Jirga system, privilege of elite class, tribal custom, tradition, culture, society norms and values are the remnants of FCR. It will take time to change the mental approach of the local people now we need to focus on development sector during this transition period”.*

District bajaur was a congested area and have more population among the other agencies of FATA. So, people of the area have more interactions with each other and with the adjacent province of KP. The jirga system in the area is not like that it was before. Before fata reforms the people have no other way to sought out his problems government should also dictated the local elders (Malik's) to arrange a Jirga and solve the problem. Sometime this Jirga was good and give

such a great decision because they solve the issue within limited time and give justice to the parties and their families. But mostly the Jirga members was not fair they became a party in the issue and show biasness because of close relation with one party, or they bribe him and political agent also interfered in the decision due to reference of someone or they also bribe in the big deal which injustice must done in that cases even every local jirga makes according to the mood of political agent. Now slowly and gradually all people adopting the regular law except from some local feudals and few religious people were not ready to accept or adopt.

*One of the respondent said that,*

*“There are still Frontier Crime Regulation (FCR) residues, in which some of them work in the local administration and his orders are still like the former political system. Some administration still looks like a former political administrations and they will be happy to set things up on bribes, relatives and other ways. It still forces local people for collective responsibilities without paid work (Beggars) especially on polio etc.”*

*Similarly another respondent said that,*

*The remnants of Frontier Crime Regulation (FCR) is our culture, traditions, master and slave’s mindset they will take time to change.*

Mostly the people have concerns that, Jirga system bureaucracy and stockholders are the remnants of Frontier Crime Regulation (FCR). The hurdles must be created those people who are consider a privilege group and beneficiaries of FCR, and still they wanted to be exist in the regular law is well and they don’t want to transfer their power to others but after passing the 25<sup>th</sup> constitutional amendment bill of fata reforms they have no power to use the unconstitutional power if they still interfere in the institution it must be consider the violation of the constitution of Pakistan.

*One of the respondent said that,*

*“There are many remnants of FCR still remaining in the area because this black system exist in the area from since long which the people addicted with this system like people sought out their problems in their home and villages with the hand of local elders which they consider a good and easy way, means the concept of Azad Qabail and some codes of Pashtunwali are the remnants of FCR”.*

*Another respondent said that,*

*“I don't think any remnants are left behind but yes whenever any high official visits erstwhile fata those stakeholders still hold the top chairs. But hope this will soon disappears”.*

There was a lot of problem still exist in the fata reforms process but now the people of fata have in the position to solve the problem. Because before the people of fata struggling and demanding outside of the provincial assembly. Now, after the approval of 25<sup>th</sup> constitutional amendment bill they are representing the national assembly and also the provincial assembly is well. The people elect members their own choice to represent their issues and problems in the provincial assembly. Now it's totally depend upon the elected members that how they carry on fata reforms and the issues of newly merged districts. Now with his consultation we were going step forward and decide what to do with the remnants of Frontier Crimes Regulation (FCR) like levies forces, land disputes, Jirga system and bureaucracy. But sadly, there is no outdated law nor constitution in the area, still bureaucracy and provincial government of KP, in clash due to authority and power. But we need to be ready if the decisions are not in favor of the new merged districts then the previous movement of “GO FCR GO” will be continues till the last remnant of Frontier Crime Regulation (FCR).

## CHAPTER 5

### FINDINGS

In the previous chapter of discussion we present different opinion of the people and presented in the form of data analysis to draw conclusion about the set objectives. Now in the findings chapter we will widely summarize the overall data and presenting its finding and then conclusion will be drawn on the basis of findings and finally suggestions and recommendations will be highlight for the further study related to this issue or future research.

#### **FINDINGS:**

After data presentation and analysis the following findings has come to the surface which has discussed in the following lines.

- From the data given in the previous chapter we found that, most of the people were very optimistic about the future of Federal Administrative Tribal Area (FATA). Because after the 25<sup>th</sup> constitutional amendment they consider that, now they should also be treated equal citizens like the rest of other citizen of Pakistan where no one considered above law. And they also think that, soon after new institutions will be established, youth will get jobs, education will progress and industries will be established.
- Similarly from the given data we find out that, Frontier Crimes Regulation (FCR) is a law in which all the power is restricted to the hand of political agent and local stack holders (Malik's). He is like dictator where according to his like and dislikeness deals the cases without any justice and morality. That's why the people consider that, FCR deprived him from the basic human rights and also from the development.
- Mostly the respondent opinion about the constraints and hurdles in the process of fata reforms that, the federal government of Pakistan Tehreek Insaaf (PTI) using the delaying

tactics in the process of fata reforms because government was not ready to give 3% share in national finance commission award (NFC). The provincial government of KP insisted that, these funds are utilized by the hand of KP chief minister but according to Sartaj Aziz committee report these funds are utilize by the federal government for coming ten years. But whatever we need to focus on these 3% share because without this reforms process don't move forward. If we achieve these targets then our 80% reforms must be done.

- Most of the respondent view that, all political parties have participated in the movement of fata merger with KP, all the tribal people given his health and wealth to the movement of fata merger with KP. But unfortunately, we don't find what we were working for only those things are implemented in the area which not in favor of public and put them behind what in favor of public. Almost one year after there is no development work started, government promised 110 Arab packages annually still nothing is released for the development of new merged districts. There is no positive change in the field of education, infrastructure and health government also promised that, after fata merger with KP, almost 1500 to 2000 jobs opportunities will be created for the people of fata. Unfortunately, due to the government less interest create despair in the area. Still it is a big challenge for us, we need to re-launch the political movement again to put pressure on government to speed up the merger process.
- After war on terror FATA is currently in rebuilding phase, once peace would be restored the process of development of FATA would pick pace. It provides a route for Afghanistan and Iran so it can potentially contribute in the international trade. Geopolitical importance of FATA can be pivotal and with the advent of China Pakistan

Economic Corridor (CPEC) in the region it would further clamp the development ladder. But FCR was a great barricade in the way of business and businessman, because of this law the local businessman has planted big factories out of Federal Administrative Tribal Areas (FATA) like Hair Company etc. Bajaur chamber of commerce (BCC) demand many times for industries and other business facilities but no one ready to invest where there is no regular law. Now after merger FATA with KP, government have great opportunity to emplaced factories and give Re Employment to the local people and need to open the Ghakhi pass Nawa pass points with Afghanistan border for trade which could improve our economy very well.

- Most of the respondent were very optimistic about the future of new merged districts. They said that, we convert challenges into opportunities if we educate the people and arrange different seminars about the importance of 1973 constitution, demand for the new colleges and universities. Because when people educate, they know their rights very well and know how to snatch the rights. The future of fata must be bright because the youth of Bajaur are more active then today and when the youth start thinking about his future then no doubt their future is bright.
- Few respondent comment that, the people of newly merged districts are not ready yet, to adopt this new law. First of all the government need to rebuild the damage houses of the war and terror victims give them compensation and other facilities still they living in camps and government do nothing for them. Everyone know that, government focused on resources of fata nothing else they want to control over resources if they have positive interest in the area they should need released the development fund for infrastructure, health, education or other developmental works but nothing only used the area and the

people of the area just before they do and now once again wanted to control our resources  
that's it.



## Chapter 6

### 6.1 CONCLUSION AND RECOMMENDATIONS

#### CONCLUSION

In the light of the above study it was concluded that, majority of the people tehsil khar district bajaur were fully satisfied from the process of fata reforms and they wanted to fully replace the outdated procedure by a modern legal and judicial system while few others want to retain it in its present shape with some minor modifications. Most of the people were very optimistic about the future of new merged districts but they were also some little bit concerns in the process of fata reforms they think that, still the bureaucracy and some local stack holders and other privilege groups of FCR creates hurdles in process of fata reforms and also the government less interest creates constraints in the process but the day night struggle of x- parliamentarians, students and other people of the newly merged districts make it possible to merged fata with KP. Now they elect their provincial and local members of the areas to represent their issues and problems in the provincial assembly and also distribute the development fund through their elected members fairly and facilities will be provide to the people at their door step. This is the initial stage of reforms in future it will bring more positive changes in the development of newly merged districts and also improve their living standard because no one have seen tomorrow but everyone lives with the hope that tomorrow always comes. So, Fata his no more it has been merged with KP, regular law has been extended in the area. Now we need 3% share in the national finance commission award (NFC) this amount should be release in the newly merged area for the uplift and developmental activities. Actually, this area keeps backward intentionally now this area need much focus then other area of Pakistan because overall infrastructure of the area destroyed most of schools, colleges, markets and houses were destroyed in the war against

terror government need to released more development funds for the area on priority basis that, will improve and secure the bright future of newly merged districts. Some people have concerns that, still they should not treated like other citizen of the country because they wanted proper attention of the government to give them basic rights and facilitate them in education, health, business and other day to day activities.

## **6.2 SUGGESTIONS AND RECOMMENDATIONS**

After analyzing the field data, conclusions were drawn on the basis of data, respondent's recommendations, and researcher observations. On the basis of those conclusions, the following recommendations are suggested to minimize and identify the issues in process of fata reforms.

- As local people of the area were not satisfied with the previous procedure of Frontier Crimes Regulations (FCR), that's why it should eliminated and converted into the constitution of Pakistan. Now the government should need to implement the regular law and fill the vacuum which create after fata merger with KP.
- Most of the people have no idea about the constitution of Pakistan but due to the previous outdated procedure they want to merge fata with Khyber Pakhtunkhwa. Now government need to arrange different seminars and conferences to aware the local people about the importance of regular law and also they should aware of the actual and practicing nature of the constitution of Pakistan.
- Even after fata reforms, there was still some remnants of Frontier Crimes Regulations (FCR) exist in the area. Same old mindset bureaucracy who were addicted of unlimited powers, and other privilege groups of FCR they don't want to transfer his authority. Now it's the time for the government to show seriousness in reforms process and transferred

all those officers who set in the procedure of FCR and deputed some new officers in the area.

- During war against terror politicians, local people, levies forces and stakeholders sacrifices for the peace and future of the country. Most of the people of fata were made IDPs and some of them still living in IDPs camps. Now government need to compensate with them because they attests and sacrifice for the peace and better future of the country, still their daring's waiting for him.
- Due to potential of the natives and the richness of the natural resources FATA is a centre of attention. The people were suffered in different proxy wars and still they are ready to take part in nation building but only need clean and green focus of government. According to Malala Yousafzai “one book one pen can change the world” that’s why the government need to build some professional educational institutions in the newly merged districts.
- The area deprived from the development and all the basic human rights from since long, now the government need to extend the industrial zone in the newly merged districts and also extend human rights institutions, and give the local people freedom of speech and freedom of expression.

## References

- Khyber Pakhtunkhwa Bureau of Statistics. 2011. “Khyber Pakhtunkhwa in figures 2011.” <<http://www.khyberpakhtunkhwa.gov.pk/Departments/BOS/fatadev-stat-abshealth.php>>
- FISP (FATA Institutional Strengthening Project). 2012. A report on consultation meeting with FATA parliamentarians on “FATA Local Government Regulation 2012”.
- The Tribal Times. 2013. “Amendments in frontier crimes regulation no. iii of 1901.” November 19th.
- Cody, David. The growth of the British Empire. The Victorian Web, University Scholars Program, National University of Singapore, November 2000
- Akbar S. Ahmad (1983). Religious and politics in Muslim society. (Order and conflict and Pakistani society)
- H. McMahon, and A. D. G. Ramsay, *Report on the Tribes of Dir, Swat and Bajaur together with the Utman-Khel and Sam Ranizai*, (Peshawar: Saeed Book Bank, 1981), p. 33
- <http://www.valleyswat.net>.
- [www.fata.reforms.com.pk](http://www.fata.reforms.com.pk)
- Babbie, E (2005). The practice of social research: 10<sup>th</sup> Edition, Chapman University, 122. 413
- Bradburn, N.M., & Sudman, S. (1988). Polls and Surveys: *Understanding what they*
- Silverman, D (2000). *Doing qualitative research: A practical hand book*, London: Sage.
- <http://fatareforms.org/2014/10/11/fata-governance-reforms-cgpa-policy-brief>
- Choudhry GM. Understanding of FATA, (2010). Complete regulation text.

- [www.fata.org.com.pk](http://www.fata.org.com.pk)
- <http://fatareform.org.pk>
- Chamkani, Toorgul, E (2005). “*Qabail Tarekh Ki aeiny me: Part i*.” CVA composing center. University book Agency Peshawar. P.88.155.157
- Afridi Latif A Lawyer. (1998). *Fata tamer-o-TRAQI kely Tajaweez*. Peshawar.
- <http://www.thefrontierpost.com/fdma-directed-on-appointment/>
- Jan S. (March, 1997). *A practical hand Book*, Bajaur. Urdu & English composing: “Qabail SA ghwary”. P 50.
- Alam, Jan (1989). Lahore,
- <http://fatareforms.org/2014/05/08/fcr-is-the-basic-impediment-to-peace-in-fata/>
- FATA reforms moving forward (8<sup>th</sup> nov 2014), hum bi Pakistani he#13 PTV News)
- <http://fatareforms.org/2014/05/08/fcr-is-the-basic-impediment-to-peace-in-fata/>
- <http://fatareforms.org/2014/10/30/ptv-talk-show-on-fata-and-idps-to-broadcast-saturday/>
- Norwegian Refugee Council report. (2002). *FCR Reforms: Basic Rights and conflicts*.
- Afridi Latif A Lawyer. (1998). *FCR (Urdu Translation)*. Peshawar.
- Cameron, J (2000). *Focusing on the focus group*. In: Hay. I ed. *Qualitative research Method in human geography*. Oxford: Oxford University Press.
- <http://fatareforms.org/2014/05/08/fcr-is-the-basic-impediment-to-peace-in-fata/>
- <https://www.jstor.org/stable/2643174>
- Riddick, John F. *Who Was Who in British India* (1998); 5000 entries excerpt