

**GILGIT-BALTISTAN REFORMS 2009: A  
DISCOURSE ANALYSIS**



*Submitted by*

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PIDE2019FMPHILPP18

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**2022**




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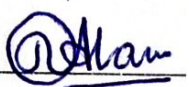
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This is to certify that this thesis entitled: "**Gilgit-Baltistan Reforms 2009: A discourse Analysis**" submitted by **Noushad Ali** is accepted in its present form by the PIDE School of Social Sciences, Pakistan Institute of Development Economics (PIDE), Islamabad as satisfying the requirements for partial fulfillment of the degree in Master of Philosophy in Public Policy.


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## Author Declaration

I Noushad Ali hereby state that my M.Phil. Thesis titled Gilgit-Baltistan Reforms 2009: A Discourse Analysis is my own work and has not been submitted previously by me for taking any degree from Pakistan Institute of Development Economics or anywhere else in the country/world. At any time, if my statement is found to be incorrect even after my Graduation the university has the right to withdraw my M.Phil. Degree.

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## **Acknowledgment**

I am grateful to the Almighty. I express gratitude to my supervisor Dr. Nasir Iqbal for his guidance, encouragement and support. Gratitude to all individuals, who remained honest in contributing and assisting my research. Foremost, I am indebted to Members of Gilgit-Baltistan Assembly Amjad Advocate, Deputy Speaker Nazeer Advocate GB Assembly, Minister of Law Suhail Abbas, Nawaz Khan Naji, Ex Chief Minister Gilgit-Baltistan Hafeez ur Rehman and Ex-Governor and Speaker Wazeer Baig and special thanks to Ahsan Advocate for their valuable deliberation.

I am extremely grateful to my family members for their unconditional support during my research journey. My special gratitude to my father, mother, and siblings for their support and encouragement in my research journey.

## Abbreviations

<b>AJK</b>	Azad Jammu Kashmir
<b>FCR</b>	Frontier Crime Regulation
<b>GBO</b>	Gilgit-Baltistan Order
<b>GBC</b>	Gilgit-Baltistan Council
<b>GB</b>	Gilgit-Baltistan
<b>GBESGO</b>	Gilgit-Baltistan Empowerment and Self-Governance Order
<b>CCI</b>	Council of Common Interest
<b>KANA</b>	Kashmir Affairs and Northern Areas
<b>LFO</b>	Legal Framework Order
<b>NA</b>	Northern Areas
<b>NAAC</b>	Northern Areas Advisory Council
<b>NALC</b>	Northern Areas Legislative Council
<b>NALA</b>	Northern Areas Legislative Assembly
<b>NFC</b>	National Finance Commission
<b>PMLN</b>	Pakistan Muslim League (Nawaz)
<b>PPP</b>	Pakistan People's Party
<b>UNSC</b>	United Nation Security Council
<b>UN</b>	United Nation

## **Abstract**

In 2009, Federation of Pakistan granted partial autonomy to Gilgit-Baltistan through an order “Gilgit-Baltistan Empowerment Order”. This order was unanimously welcomed by all political parties of Pakistan. Through this order, historical institutional and economic reforms were introduced and implemented after 2009. This study focuses on post-2009 reforms packages scenario vis-a-vis institutional and economic development of Gilgit-Baltistan. This research employs qualitative techniques and methods. Interviews have been conducted from the ministers, lawyers, and ex-members assembly of Gilgit-Baltistan. This research provides a picture regarding opinions of citizens and government stakeholders about the institutional development and constitutional requirement/development of Gilgit-Baltistan. The research also inquires whether the future development entailing from the order would have constitutional standing. Both the impact and the question of constitutional backing has been attempted to gauge through the aforementioned interviews. After enactment and promulgation of empowerment and self-governance order 2009, Gilgit-Baltistan underwent rapid changes in the institutional and legislative landscape and development. The order introduced democratic system in Gilgit-Baltistan and empowered the local people while abolishing bureaucratic and centralized system. It provided for the creation of institutional bodies in Gilgit-Baltistan and introduction of the positions of chief minister, governor and establishment of Gilgit-Baltistan Assembly and Gilgit-Baltistan Council. The legislative development and transformation in judicial system, put forth by the order, along with other reforms have had much impact on development of Gilgit-Baltistan region, finds this research.

Keyword: Gilgit-Baltistan, Order 2009 (Empowerment and Self-Governance), Institutional and Economic Development.

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# **Chapter 1**

## **Introduction**

### **1.1 History of administrative reforms**

Gilgit-Baltistan history has gone through different transitional periods. According to Hussain (2009) Gilgit-Baltistan was acceded to Pakistan after getting independence from Dogra Raj, on 1 November 1947. The unique attribute of this region is that it was an independent and autonomous state for 16 days after getting independence from Dogra rule. Subsequently, Gilgit-Baltistan (GB) acceded to Pakistan, Frontier Crime Regulation (FCR) was enforced over the whole territory of Gilgit Baltistan. Over the time Federation of Pakistan introduced and announced political and administrative reforms by increasing demand of people, struggle and pressure from GB people. During regime of President Asif Zardari in year 2009, the federation of Pakistan introduced new package and order named as “Gilgit Baltistan Empowerment and Governance order” after unanimous consensus of all political parties of Pakistan. Gilgit-Baltistan order 2009 empowered locals to elect their own Chief Minister, Governor, and fulfillment of justice under the judicial system. Position and status similar to province.

Conferring to Naseem (2007) different historical administrative reforms were introduced from 1947 to 2009 in Gilgit-Baltistan. Conferring to year 1949 Karachi treaty and accord, Gilgit-Baltistan relish a distinct position and status beneath government of Pakistan. This agreement has countless impact on Gilgit-Baltistan future political development. This agreement was signed between two representatives which include Azad Kashmir Government and federation of Pakistan. Over this treaty and accord administrative control and supremacy of the region was decided to granted and shifted to federation of Pakistan until the resolution of Kashmir. Federation of Pakistan turn out to be de-facto head of state of Gilgit-Baltistan region. The inhabitants of Gilgit-Baltistan excluded and disallowed this treaty and contract on the base of some molds and assumptions like, the inhabitants of Gilgit-Baltistan liberated release and free the entire area from Dogra’s, so their sued and call were unjustified as well as baseless. Moreover, during that treaty no one representative from the Gilgit-Baltistan region and that treaty was signed without consent of inhabitant of Gilgit-Baltistan regarding fate of Gilgit-Baltistan doesn’t be acknowledged.

According to Zaheer (2018) during 1970, s the major and foremost political changes took place, in that decade the constitutional and political demand and awareness rose among the inhabitants of Gilgit-Baltistan raised their voice for constitutional rights, human rights, and political rights, without any substantial and momentous uprising revolt against the federation of Pakistan. Federation of Pakistan introduced new reforms and setup to control situation in Gilgit-Baltistan. on the recommendation of committee member, Pakistan president Zulfikar Ali Bhutto signed new political and constitutional reforms in 1972. The new reforms abolished the frontier crime regulation (FCR) and the state of Hunza. Traditional political setup of kingship (raja) system and mir of Nagar as well as other states was exterminated and eradicated. Introduced a system of Commissioner and Deputy Commissioner as head of Districts and also changed the post of resident and political agent. Additionally in 1972 Diamer was made new district. Later Prime Minister of Pakistan himself visited Gilgit-Baltistan and announced more reforms for region including formation of two district named as Ghizer and Ghanche.

According to Haq (2012) till 2009 Gilgit-Baltistan region being governed by Bureaucratic system and adhoc arrangement from federation of Pakistan over administrative packages from federation of Pakistan. The political concessions and relief over these packages and orders have been in bits and pieces, up till now never wholesome and complete. Seemingly, Gilgit-Baltistan region has been assumed and given a provincial status and standing in 2009, up till now in the absence and truancy of right of vote and representation in the Constituent Assemblies of Pakistan, it left a huge question spot concerning citizenry acknowledgement and recognition, political rights and the future and fate of 2 million people of Gilgit-Baltistan. These deepest emotional states have given birth to identity crisis.

Aforesaid in a view it is evident that the policy of delay and status quo has not succeeded. Hence, we need to revisit issue. This research will highlight and explore the institutional, economic and constitutional development in Gilgit-Baltistan specially focus on 2009 reforms.

## **1.2 Problem Statement**

The federal Government of Pakistan introduced massive reforms in Gilgit-Baltistan through 2009 order (Empowerment and Self-Governance order). The order aims to bring about institutional, economic development lead off social transformation and introduce legal and administrative reforms. Subsequently 6.4 billion rupees of funds were allocated to Gilgit-Baltistan Government from Federal Government of Pakistan in annual budget. However, the reforms and funds have lagged short in creating a solid impression on ground. Gilgit-Baltistan is still regarded as one of most underprivileged areas of Pakistan. Hence there is a need to critically review the development package with reference to actual developments on ground.

## **1.3 Research Questions**

- I. Whether Gilgit-Baltistan reforms 2009 have an impact on institutional and economic development of Gilgit Baltistan?
- II. Do these reforms meet the future legal and Constitutional development of Gilgit Baltistan?

## **1.4 Objective of the Study**

- I. To examine and provide overview of institutional and economic development in Gilgit-Baltistan to determine the impact of reforms 2009 in the Gilgit-Baltistan region.
- II. To examine the constitutional status of Gilgit-Baltistan focus on reforms 2009.

## **1.5 Significance of the Study**

Institutional and Economic reforms are essential and important for economic prosperity and development of a country. According to Jin, Ghulam, Muhammad, and Seyda (2021) At its most fundamental and basic level, institutions “set out rule of the game” beneath which economies, societies, systems and the most important thing is markets operates. According to Sherani (2017) the significance of institutions in producing and sustaining economic growth and righteous developmental consequences includes, basically, the query of “rule of law,” its formulation for the larger good and its impersonal, consistent and non-discriminatory application within a society. Indeed, and infact variety and great researches has been conducted in this field but still there is room left for explore and identify institutional development in Gilgit-Baltistan specially after promulgation and enactment of (Self-Governance and empowerment order) 2009 reforms, whether these reforms have an impact on Gilgit-Baltistan development. The significance and importance of this study is to come up with policy recommendation that will address and identify loopholes in

institutional reforms and this study will propose new rethinking on it. Moreover, this study also helps Government officials, think tanks, and stakeholders in order to improve and changes in institutional reforms.

## **1.6 Research Gap**

Gilgit Baltistan order 2009 takes a lot of importance because through this order and package, Gilgit-Baltistan (GB) received partial autonomy. Before many researches were done on Gilgit-Baltistan reforms 2009. The study reviews the institutional and economic reforms undertaken in GB and looks at its impact. It identifies the loopholes in the existing mechanism and lays out recommendations to fill the lacunas. The existing literature on the analyses of reforms in GB is rare, and thus, this study contributes to the field by providing concrete analysis.



## **Chapter 2**

### **Overview of Reforms and Mergers in the world and Pakistan**

This chapter and section consist of some important parts; namely Reforms and merger in the world, evidences from the world, Reforms in Pakistan, and then discuss reforms in Kashmir, and will give overview of important events, reforms and treaties regarding Gilgit-Baltistan.

#### **2.1 Reforms and Mergers in the World**

Merger mean combination or amalgamation of two states. According to Kristina and Tina (2005) merger is the amalgamation or integration of two previously separate entities. Conferring to Wittman (1991) states that in history most important events are associated with dissolution or consolidation of nations. In the recent past, Hong Kong, Biafra, Eretria, and Northern Ireland are names commonly associated with issues of sovereignty. Within some years number of cases in the world have been devoted to the merger and dissolutions of nations. The example is East and West Germany unification, Iraq's annexation of Kuwait and Quebec's demand for greater sovereignty, Slovenia's declaration of independence, and the European Economic Community's institution of legal reforms are a small subset of recent examples in the world.

There are many cases in the world regarding unification and amalgamation of countries in the world. According to Harris (1991) amalgamation and integration of East and West Germany was accomplished in 1990. Treaties and pacts on international glitches and difficulties of the eastern boundary, size of military forces, military alliance, and foreign troops were codified in the agreement signed on 12 September. In 1990 a meeting in Canada, the four foremost World War 2 partners and those of two Germanies decided and agreed on framework for negotiating the integration and amalgamation of Germany. The proposal and offer to bond two Germanies faced formidable internal and external difficulties and problems. External problems treaties and agreement about the eastern boundary of the new Germany involved Poland as well. Internal difficulties were in the competence of the two Germanies to decide. On November 1990 polish and German foreign ministers signed an agreement guaranteeing the existing border between Germany and Poland. Through moving Poland from east to west, consequently and result of Soviet annexation of the eastern portion of Poland, its compensation with prewar German territory east of the Oder-Neisse rivers, and the division of East Prussia between Poland and the Soviet Union.



FIG. 1—Germany after unification 3 October 1990.

Source: Chauncy D. Harris (1990)

On September 1990, the foreign minister of four countries partners signed the agreement and accord on ultimate settlement and defrayal with admiration to Germany and relinquished their occupation right over Germany land, which had been created at the Potsdam conference of 1945. Subsequently Germany re-claimed its full territory after 45 years. According to Glass (2012) the west German chancellor and Helmut-kohl initiated negotiation with soviet and east Germans to reoccurrence and return Germany to sole homeland status. And then paid \$60 billion to get soviet troops to leave Germany. On 31 August 1990 two Germanys signed a formal reunification treaty.

## 2.2 Historical views of Reforms in Gilgit-Baltistan

According to Khan (2017) Gilgit-Baltistan and Azad Jammu and Kashmir fall under the control of federation of Pakistan, when we look into their status, they are neither an independent in

administrative affairs and nor under direct control of Pakistan contrasting to the other provinces of Pakistan.

According to Midhat, Sabhat, and Saadia (2016) in the background of periods and eras old demographic and geographical developments, Jammu and Kashmir was taken over by Gulab Sing who was a Dogra ruler. In 1846 through treaty and agreement of Amritsar, a treaty was signed between British Government and Maharaja Gulab Sing of Jammu. As a result of partition plan of independence act 1947, British India was separated and divided into two autonomous and independent dominions: that are Pakistan and India. In that time there were five hundred and sixty princely states and given option and choice to accede to furthermore of the Pakistan and India that are two dominions: in that time the criteria and selection to accede of the two dominions was communal interest and geographical situation were to be considered. The people of Jammu and Kashmir wants and wishes were to accession to Pakistan because on 19<sup>th</sup> July 1947 a resolution was adopted by All Jammu and Kashmir Muslim Conference and announced to accede to Pakistan. Maharaja of Kashmir had compassions and sympathies with Indian headship and so both started a huge carnage and massacre in Jammu and attached areas. As a result, extensive armed conflict and war took place between Dogra forces and Muslim activist which resulted revolt against the rule of Maharaja Hari Sing.

Through press and media, news of cruelties and brutalities reached to Pakistan. In 1947 Muslim tribal men started marching toward Srinagar to help Muslim brethren. The Maharaja Hari Sing showed indecisiveness regarding accession to two dominions as a part of 1947 plan. In 1947 Hari Sing sent a telegram to both Pakistan and India and offered a stand still decision to Pakistan and India to continue and remain existing arrangement till a settlement of details. Pakistan government accepted the proposal of Maharaja Hari Sing and while India government did not accept the proposal. The acceptance of the stand-still agreement by the Pakistan Government had entitled and enabled it to exercise suzerainty/sovereignty over state of Jammu and Kashmir.

According to Mangrio (2016) the viceroy of India Lord Mount Batten gave some suggestions and recommendation about the criteria for deciding that which princely states should join two dominions. Lord Batten said generally communal interest and geographical interest after that will be the aspect and factor to be considered. Afterward the states which were adjoining to India having a mainstream and majority of population with non-Muslim acceded to India with Junagadh

and Hyderabad being the exclusion. Whereas states adjoining to Pakistan population of Muslim Majority, acceded to Pakistan. Kashmir Maharaja desires and wants to be independent and self-regulating could not decide and choose immediately. Subsequently arrival of Indian troops and revolt of Muslim residents, situation was deteriorated. This ultimately paved way to Indian compression and maharajah agreed and decided to join the India by signing the contentious instrument of accession on October 16, 1947.

### **2.3 Historical Perspective of Reforms**

Conferring to Midhat, Sabhat, and Saadia (2016) in south Asia there are many historical reforms in 19<sup>th</sup> century and 20<sup>th</sup> century. Historically and factually speaking state of Kashmir had been ruled by diverse dynasties. After 14<sup>th</sup> century it was ruled by Muslims, subsequently it came under Afghans, Sikhs, and Dogra's. Before 1850, it was part of Sikh Empires. In 1846 treaty was signed between British Government and Maharaja Gulab Sing of Jammu. Under that treaty Kashmir was sold to Maharaja Gulab Sing. According to study and literature of Mangrio (2016) during partition in 1947 states were given choice to acceded to either Pakistan or India. Meanwhile Gulab Singh could not decide on time after the partition. But people of Kashmir wanted to acceded to Pakistan due large majority of Muslim population in Kashmir. When we analyze the matter of Kashmir there are many factors. During partition viceroy suggested some principle for the princely states to acceded to Pakistan and India. He advised two important things while acceded to Pakistan and India. Wishes of people and geographical location and position of their status.

### **2.4 Constitutional and Political Development in Kashmir**

Constitutional status of Kashmir was adopted after 2 decades from independence. According to Mahmud (2006) on October 24, 1947 an interim government of AJK formed. In this setup there was no constitutional and legal framework. Government of Azad Jammu Kashmir worked on adhoc basis until the cease fire agreement was signed between Pakistan and India in 1949. This made it vibrant that the AJK régime now had to devise a structural setup to improve the lives of its people. Afterward Azad Jammu Kashmir regime formalized the rule of business for running the administration. The executive power and legislative authority were bestowed in the president. The constitution making process in Azad Jammu Kashmir (AJK) was started in (1970-1974) tried to established particular kind of democracy in Muzaffarabad. During Yahya regime dissolved the one-unit system in AJK and also conducted free fair elections in first time history. Before 1970

AJK fate largely dependent on Bureaucrats, this system would not let AJK regime work freely and independently.

Subsequently 1974 onward the parliamentary setup was formed in AJK after introduction of 1973 constitution, this setup was parliamentary in structure. The act of 1970 AJK was amended and modified also enacted the new constitution act of Azad Jammu Kashmir act 1974. This consist of 42 legislative members of Assembly and five-year term government. Besides this Pakistan Government institutionalized its relationship with AJK government by creating a new body known as Azad Jammu and Kashmir Council which was headed by Pakistan Prime Minister.

Through 1974 constitutional act of AJK 11 members is headed by Prime Minister of Pakistan leading as chairman of council and vice chairman is president of AJK. The actual concept and ideas were forming council was to diminish power of ministry and create the writ of the elected body and increase the level of interaction between AJK and government of Pakistan. Despite this effort sharing of power between AJK and council. Now the balance is heavily tilted in Kashmir council's favor. The constitution favor 52 subjects under jurisdiction of the council.

## **2.5 Political and Administrative Development in Gilgit-Baltistan**

### **2.5.1 Karachi Agreement 1949**

Karachi agreement is an important treaty in history of Gilgit-Baltistan which had decided the fate of Gilgit-Baltistan. According to Naseem (2007) during November 1947, with the assistance and help of resident population, particularly Gilgit-Scouts adjoin Gilgit-Baltistan region from Dogra's and avowed by way of a sovereign state in 1<sup>st</sup> November 1947. Later 16 days of freedom this region remained joined with federation of Pakistan, the representatives of Pakistan acquired the charge and control of administration and also obliterated and abolished the anew born state. The fate of inhabitants of Gilgit-Baltistan clear-cut in the doldrum after this area retained by Kashmir dispute. This contract and treaty have countless effect on Gilgit-Baltistan (GB) future administrative and as well as political development. During 1949 this contract and treaty was sign up among two governments which include Kashmir Government and Pakistan Government.

Under this treaty and contract the arrangement regarding matter of Kashmir affairs was disseminated and scattered among both Kashmir and Pakistan Government. Over this treaty and contract administrative control and authority of the region was decided and shifted to federation of Pakistan government until resolution of Kashmir. Subsequently Pakistan government became ruler and head of two states.

### **2.5.2 Changing in Ministry of Kashmir Affair**

The past and antiquity of constitutional reforms as well as political development in Gilgit-Baltistan has a lengthy voyage. Owed to Kashmir issue annexation, the course of administrative and political modifications in the Gilgit-Baltistan has pragmatic lethargic and slothful. In 1950 new political development come about when Gilgit-Baltistan (GB) administration officially named "Northern Area" lifted to Ministry of Kashmir Affair from NWFP (Khaybar Pakhtun khwa). Previously this order and prearrangement, the selection of political resident for the region fell below the authority and influence of NWFP administration.

## **2.6 Administrative and Self-Government Reforms (1947-2009)**

Gilgit Baltistan was acceded to Pakistan after getting independence from Dogra raj, in 1 November 1947. Conferring to study and literature of Hussain (2009) federation of Pakistan abolished the newly born state and amalgamate with Pakistan. Gilgit was independent state for 16 days. After annexation GB to Pakistan (FCR) frontier crime regulation was enforced over whole territory of

Gilgit Baltistan. After over the time Pakistan regime introduced political modifications and administrative reform in order to fulfill the demands of local residents.

Some important chronological orders are below mentioned

### **2.6.1 Establishment of Ministry**

Kashmir affair and Northern Area (KANA) was established by federal government of Pakistan in 1952 and through this also shifted the affair/matter of Northern Area to the ministry.

### **2.6.2 Empowerment to Residents**

According to Dani (2007) during 1967 another major administrative changes and variation brought in ministry of Kashmir affairs. In this reform government transfer power to resident of Gilgit. And given the power of “Revenue commissioner and High court” and nominated two political agents one for Gilgit agency and other for Baltistan agency. Political agent was gifted the district level authority to take command as Judge of district court and session court, Commissioner for FCR, Revenue Collector, controlling officer and chief of Police.

### **2.6.3 Creation of Representative Body of Northern Area**

According to Naseem (2007) in era of General Yahya Khan another political reform was introduced. Over this reform “Northern Area Advisory Council” were created as well as also the elections of his sixteen associates as well held for primary period in alike year. While members of council have approved a partial power regarding the development tasks and rest subject were outside its power.

### **2.6.4 Prime Minister Zulfikar Ali Bhutto Reforms**

According to Dani (2007) the major and foremost political changes in took place in Pakistan in 1970, s. in that decade the constitutional and political demand and awareness rose among the inhabitants of Gilgit-Baltistan. Time to time inhabitants of Gilgit-Baltistan (GB) raised their voice for constitutional rights, human rights, and political rights without any substantial and momentous uprising revolt against the Federation of Pakistan however the peaceful effort remains continued for political rights and constitutional rights. Despite of continuous efforts and political struggle for full accession and other numerous administrative setups and changes imposed by Federation of Pakistan, Gilgit Baltistan did not turn out to be proper part of Pakistan. The disgruntlement and discontent that raised in the course of Gilgit Baltistan’s postcolonial history and antiquity had

already ascended and risen between members of the interim/provisional régime of Gilgit which was formed and established on 1<sup>st</sup> November 1947, as they were put aside and sidelined by the Pakistani Political Agent. After 1970 famous political organization established under the leadership of renowned personality and prominent political activist Johar Ali Khan, party named as Tanzim-e-Milat. According to study and research of Stokefeld (2017) the aim and creation of this group was to exterminate draconian law (FCR) and also to grant this area as provincial setup. Tanzim Milat agreed protest and remonstrations in every single niche and crevice of the area. This thing made the condition of entire region turn to chaos and turmoil. Federation of Pakistan introduced new reforms and setup to control situation in Gilgit-Baltistan. on the recommendation of committee member, Pakistan president Zulfikar Ali Bhutto signed new political and constitutional reforms in 1972.

The new reforms abolished the frontier crime regulation (FCR) and the state of Hunza. Traditional political setup of kingship (raja) system and mir of Nagar as well as other states was exterminated and eradicated. Introduced a system of Commissioner and Deputy Commissioner as head of Districts and also changed the post of resident and political agent. Additionally in 1972 Diamer was made new district. Later Prime Minister of Pakistan himself visited Gilgit-Baltistan and announced more reforms for region including formation of two district named as Ghizer and Ghanche.

### **2.6.5 Reforms in Benazir Bhutto regime**

According to Hussain (2009) during 1994 in era of Benazir Bhutto federal cabinet accepted and approved a Reform package for Gilgit-Baltistan as LFO 1994 over this Northern Area rule of business were framed. And through this some important Reforms introduced, civil secretary and chief secretary and most importantly judicial reform were introduced. And also post of judicial commissioner was exterminated, and along with this, 3 members chief court was established under the chairmanship of retired court judge. Through this judicial officer belonging to provincial high court or federation was entitled and eligible to be delegated and deputed for the member of high court, while district session judge from the Gilgit Baltistan (Northern Area) is suitable and eligible to be its member.



### **2.6.6 Legislative Power to NALC**

In 1994 Legal Framework Order (LFO) was modified by bestowing the Northern Areas and Legislative Council (NALC) to legislate on 49 subjects as envisage/envision in schedule - II of the Legal Framework Order.

### **2.6.7 Creation of APEX Court**

In year 2005 apex court was created and adding to increasing number of 6 reserved seats for technocrats in Northern Areas and legislative Council (NALC) for women.

### **2.6.8 Changing of NALC**

In 2007 Legal Framework Order (LFO) 1994 was retitled and change named as Northern Areas Governance order 1994 and modified/amended.

### **2.6.9 Order 2009 (Empowerment and Self-Governance Order)**

According to report of Gilgit-Baltistan policy institute (2010) the Gilgit-Baltistan (GB) has been governed and ruled by artificial and band-aid orders presented time to time deprived of constitutional rights. After integration with federation of Pakistan enforced frontier crime regulation (FCR) in whole area. In Gilgit-Baltistan history the most important and turning thing was 2009 order an introduction of proper administrative setup in the region. An amended in 258 Article of federation of Pakistan constitution, but 2009 package however lack in required legal and constitutional status to Gilgit-Baltistan. Since enactment of this order, it has given identity by providing the Assembly and legislation in important subjects. After massive development this region has their own members of Assembly and their own representatives. They have their own Chief Minister from elected representatives.

## **2.7 Conclusion of the Study**

Gilgit-Baltistan reforms 2009 was an important step from Federal Government of Pakistan to provide partially autonomy to Gilgit-Baltistan. After those institutional reforms brought significant changing in administrative level. In the world many reforms have been enacted and implemented, the example is East and West Germany unification, Iraq's annexation of Kuwait and Quebec's demand for greater sovereignty, Slovenia's declaration of independence, and the European Economic Community's institution of legal reforms are a small subset of recent examples in the world. In the context of Pakistan Kashmir and Gilgit-Baltistan has same case and situation, Kashmir constitutionally received their power and autonomy through Kashmir Act 1974, through

this setup Kashmir Government formed through 42 legislatures. Gilgit-Baltistan has received autonomy in 2009 after enactment and promulgation of order 2009 (Self-Governance and Empowerment order) from ministry of Kashmir Affairs and Gilgit-Baltistan, subsequently the name “Northern Area” changed in to Gilgit-Baltistan. Afterward Federal Government introduced major institutional reforms in Gilgit-Baltistan.

## **Chapter 3**

### **Literature Review**

#### **Modes of Reforms**

Reform is the process or action of reforming an institution or practice. Reforms consist of changes and improvement in institutions and social system. In literature there are many modes and types of reforms. This literature focuses on Institutional, Economic, Social and Administrative reforms in developed and developing countries. This literature covers how reforms impact on economic, and institutions.

##### **3.1 Economic reforms in Developing countries**

Economic reforms mention toward system of economic procedures and policies, focused to accelerate and fast-track the pace of development and growth. Many countries in the world experienced through economic reforms for development and growth. According to Wei, and Xiaohui (2009) in 1979 China government introduced and launched various economic reforms in the country. The government of China started price and ownership incentives for agriculturalists and farmers. Beside this China government formed some distinct economic zones with the coast and shore aimed at the determination of enticing the foreign speculation and investment as well as enhancing exports, and import high technological products into China. Furthermore, stated that the government try to decentralize and devolve economic policy making in various areas, particularly trade zone and sector of China. Economic and financial control of numerous enterprises were handover to local and provincial government which were usually enabled to operate, function and contest on free market principles, rather than beneath the guidance and direction of state planning. Beside this government encourages and provide opportunities to citizens to flinches their own business. According to Garnaut, Ross, and Ligang (2007) stated that further coastal regions and cities were designated and chosen as open cities and development zones, which enabled them to experimentation with free-market reforms and to offer trade incentives and tax to entice foreign investment. Beside this state and government price controls on an extensive and wide range of products were steadily eradicated. The foremost and major key on economic success of China was trade liberalization. Removing and eliminating trade fences fortified bigger competition and engrossed and attracted (FDI) inflows. China government steady execution and enactment of

economic reforms try to recognize which policies and strategies produced auspicious and satisfactory economic consequences, so that they could be applied in other parts of the country

### **3.1.2 Impact of reforms on China economic development.**

Since the commencement and start of economic changes and reforms in China, economy of China has developed significantly more rapidly than pre-era reforms, and, for the furthest part has evaded foremost economic disturbance. According to Wei, and Xiaohui (2009) annual average of GDP of China averaged 9.5 percent. But on the other hand, global economic slowdown in the world in 2008 had significant impact on China economy. According to report of China media in 2009 twenty million migrant workers had returned home due to financial crisis in the world in 2008. The Chinese regime answered by implementing and executing 588 billion US dollar economic incentive bundle and package, aimed mostly at funding infrastructure and loosening monetary policies to increase bank lending. According to Morrison (2019) these strategies and policies empowered China to defeat the special effects of the shrill and harsh worldwide tumble in demand for China products. During year from start of 2008 and end of year 2010 China averaged GDP development raised and touch to 10 percent.

According to economists Garnaut, Ross, and Ligang (2007) stated that China rapid development and economic growth into two foremost and main reasons. The first one is huge scale capital investment (financed by large domestic saving and foreign investment) and speedy productivity development and growth.

Economic reforms guide toward greater efficiency in the economy which increased production and improved means for extra investment in economy. According to Morrison (2019) historically China government has sustained extraordinary and high rate and percentage of savings. As soon as reforms were introduced in year 1979 in China, domestic savings stood 32 percent of GDP. Though, mainly China reserves and savings throughout this era were created by the incomes of government enterprises (SOE, s) which were used by the central government for domestic investment. Economic reforms, that encompassed the devolution of economic production, led to substantial growth in Chinese household savings as well as corporate savings. Subsequently, China gross savings as a percentage of GDP is the uppermost and high amongst main economies. The huge level of domestic savings has allowed China to support a high level of investment. In fact,

China's gross domestic savings levels far exceed its domestic investment levels, which have made China a large net global lender.

### **3.2 Economic reforms in developed countries**

New Zealand is considered as highly free developed market economy in the world. According to Dalziel (2010) economic policy and reforms in New Zealand during 1984 and 1986 are frequently hailed as an example of comprehensive successful economic reforms which improved the weak performance of country economy. The reforms started in mid of 1980, s actually changed the economy of New Zealand country. According to study of Lewis, Arthur, Bryce and David (1996) during 1985 within one year borrowing rates were deregulated, global capital constraints had been ended, the currency was floating easily in foreign exchange marketplaces and most tax incentives and agrarian grants were being eliminate. These reforms have contributed sustainable development in the country. According to Silverstone, Brian, Alan, and Ralph (1996) after 1984 they gain productivity in 21 sectors. New Zealand economic reforms considered and rank as successful by world standard.

### **3.3 Institutional reforms and their impact on economic development**

It is extensively acknowledged that social and economic structure might be further efficient through reforming and restructuring institutions. Conferring to Dani, Arvind, and Francesco (2004) Institutional reforms are important for change and these reforms are important for economic prosperity and development. Institutions influence economy over the formation of an atmosphere essential for development and prosperity. According to Daron, Simon, and James (2001) whenever a nation or country moving toward development and makes progress, the requirements also progress, so there is a prerequisite to create institutional reforms. when the implementation process pauses in institutional reforms as an effect sluggish development progression having extensive macro-economic results and outcome.

Institutional reforms and changes are attempted to conversion the rules affecting human interaction. This is an edifice of actions, and as well as ways and conducts of execution, crisis management, and foremost interaction principle with further things. According to Robert, and Charles, (1999) form year 1929 to 1933 crises were treated and handle by Roosevelt's reforms meanwhile Reagan's reforms were a reply contrary to the stagnation of the 1970, s. The other one Erhard reforms were changes in economic policy to progress and streamline the economic structure

after the war to reinstate the economy. To retort and reply to the new paradigm, nations have implemented a diversity of institutional reforms.

Conferring to North (1991) institutional reforms added noteworthy place in the literature along with in sight of policy maker in recent previous few ages and years. The global organization such as world bank, IMF etc., have countless concern now to institutional reforms for assistance and donation. Different studies and literature have claimed that earning differences and changes across nations are owing to eminence as well as quality of institutions.

Countries and nations with good economic structure and system has provided a suitable and comfortable environment and incentives for the inhabitants of their country, so they can progress more rapidly as associated with nations and federations having astonishing and extraordinary powers. According to Jin, Ghulam, Muhammad and, Syeda (2021) the topmost economically free countries Hong Kong, Singapore, as well as New Zealand are issuing and providing investment, business freedom, along safe property right for the effective operational of markets that increase the belief and hope level, diminish doubt and ambiguity, and generate an enormous total of returns and returns for economy. Compared to, the generally unfree nations like Asian countries Bangladesh, India, North Korea and Pakistan and have meagre and insufficient economic policies as well as shortage of devotion on the way to economic solidity and stability. According to Woo (1999) the political agents and economic emphasis on political constancy somewhat than economic which makes them powerless to develop and grow reliably.

### **3.4 Impact of reforms on social development**

According to report of New Nouveau Brunswick Canada (2008) Social development is defined as upgrading the well-being of individuals so that they can sway over their full potential. According to Yang (2009) Any reform can affect individual socially either positively or negatively at the same time. For instance, China's reforms in their education system to bring west education leads to scientific and technical development. According to Oyeniran (2017) the real challenge in Chinese reforms is that it is overlapped with inequality. Limited funds and high cost of education is barrier for poor. Although western education adaptation benefits China in scientific approach but the less GDP for education sector is hurdle in the social development. According to study and findings of statista (2021) China is still lagging to increase it GDP percent for education sector for

a huge population. China contributes 4.22% of its national GDP, this share is way less for social development for huge pool of individuals.

### **3.5 Administrative reforms**

An administrative reform is a cognizant, thoughtful transformation which is brought off in an open and public system for the determination of refining their operation, arrangement, and the eminence of its workforce. Conforming to Caiden (1968) reforms connected to easy idea that human being not coerced wait for transformation or change to come about naturally but ought to speediness, through artificial means, improvement in sphere and world order.

Administrative modification involves a transmission of information that goes outside that which is made in the progression or progress of regular processes. According to Rogers (2003) such information can come or initiate as of internal studies whether systematic or occasional, nevertheless utmost frequently they initiate externally. The utmost wide-ranging marvel is emulation which mean adoption of a practice or an idea that has been efficaciously executed somewhere else. In this case, preceding success is reassuring to the administration that adopts a practice, for it can then forego having to perform an in-depth analysis of its own.

The theoretical foundation of numerous administrative reforms is to be found in the important disciplines of economics, political science, law, and sociology. Law has offered and provided the basics of the rules and instructions of the bureaucratic state, and it remains to arouse reforms like as the formation of the ombudsman's office or the rules of administrative process. Political science information is drawn on predominantly in respects to the input and participation of individuals and groups in accountability, administrations, relations among politicians as well as civil servants. Along this political scientists, legal professionals, have projected developments to representative bureaucracy, access or ethics to information. Economics has, for some time now, driven reforms focused on privatization, deregulation, fees for public service, pay for senior civil servants, and the introduction of competition in the outsourcing of public services and the introduction of competition in the outsourcing of public services.

Many studies have shown that administrative reforms produced significant impact. Even failed presidential reform proposals had an educational impact that brought about changes in attitudes. According to Cote and Savard, (2012) amid extra sources, the publications and studies formed by

international organizations may well lead one to believe that there is a significant convergence in the way administrative reform is considered across the globe.

### **3.6 Political independence and a case study of Slovenia**

In 1990 after dissolution of Soviet Union and Yugoslavia, new twenty states have emerged. Slovenia independence from Yugoslavia achieved in October 1991. According to Sachs, and Pleskovic (1992) after proper settlement Slovenia announced its own currency, after this Slovenia become first new states to come to be monetary independence. Subsequently the first election in country were held. The country party DEMOS won the election with almost 53 percent while the opposition party consist of four parties merging political powers evolving from the now-divided Communist party. According to Boris and Jeffrey (1994) in parliament legislative power is shared by three chambers. New constitution was implemented and eradicating the third chamber, Slovenia will keep its longstanding old institutions till the next elections, planned and schedule for the end of 1992. Notwithstanding a weak and feeble mainstream, DEMOS was able to avoid political instability at the commencement of its rule. Since most parties held the common goal of obtaining independence for Slovenia, there was more or less a nonpartisan spirit in the Parliament during the war and struggle for independence.

Subsequent the recognition and acknowledge of Slovenia and the accomplishment of the key goalmouth that had combined and amalgamated the parties, intense political infighting began. Conferring to Zizmond (1994) interest groups and political parties had by then turn out to be better organized, and the economic reforms became progressively politicized. According to Boris and Jeffrey (1994) the democratic parties argued for quick and transparent privatization of banks and social enterprises, as well as denationalization. On the other hand, the opposition defended a gradualist reform process in order to prolong the life of the old system, under which it continues to hold major positions. When it became clear that the two sides could not reach an agreement, the opposition started to block major legislation, including privatization, through the third chamber, where it had a majority. This caused in a paralysis of the Parliament, which lasted for months. In April 1992, the government lost a motion of nonconfidence, and a new coalition of center and left parties formed a new government.



### **3.7 Hurdles in success of Reforms**

When a country is experiencing or undergoing through reform for development like Economic or institutional development in a country. A state faces some serious challenges and hurdles during reforms and as well as in future. A country never progresses until they brought successful reforms in the country. According to study and literature of Saxena (2013) while reforms in a country, a country face political obstacles and moreover resistance from upper and lower middle servants, interest groups, political parties and unions etc. These are the main hurdle and impediments while in success of reforms in a country for betterment and improvement of economy.

Reform in a country is very important for development and growth. Much and more learning opportunity for developing countries, every country goes through this period. After significant progress and development, a country achieves developed status. We have many things to learn from success of reforms. The most important thing is coalition of political parties and participation of people in democratic country and strengthen the institution is most important for development.

## **Chapter 4**

### **Methodology**

According to Pertti and Pelto (2012) the methodology comprises and contain the usage and practice of specific techniques for the collection of data “Methodology represents and signifies “the logic in use” included in selecting particular observation techniques and assessing their yield of data and selecting and relating the data to theoretical prepositions.

#### **4.1 Research Strategy**

Research strategy include Qualitative research method which is applied in this research and study.

#### **4.2 Qualitative Research Method**

According to Bryman (2012) Qualitative research method is distinctive research strategy; this type of research is tending to be concerned with words rather than numbers. The Qualitative data which will be compose of interviewing from the experts of the field including politicians and members of Gilgit-Baltistan Assembly and as well as interview from Ex-members of Gilgit-Baltistan Assembly. We conducted detail interviews from Present Cabinet and members of Gilgit-Baltistan legislative Assembly (GBLA) and as well as conducted interviews from Members of (2010-2015) and also discuss detail interview from (2016-2020) Cabinet because this order was initiated and promogulated during regime of President of Pakistan Asif Zardari. The qualitative data collected from semi-structured and in-depth interviews from members of Gilgit-Baltistan Assembly included Ex members, Present Cabinet member, and Lawyers.

#### **4.3 Survey**

we did survey and took responses from respondents of Gilgit-Baltistan which included Politicians, General people, Job holders and Lawyers. We collected data from 10 district of Gilgit-Baltistan. Closed ended question was used for survey from respondents.

#### **4.4 Research Design**

This study is about Gilgit Baltistan order 2009 (Empowerment and Self-Governance) which was enacted by federal government of Pakistan in 2009. There have been many literatures available concerning the topic of GB reforms 2009. The qualitative data has been used, qualitative data composed of interviewing some of the experts of the field include politicians, members of Gilgit-Baltistan Assembly, lawyers, and journalist. This research will cover the whole story of Gilgit-

Baltistan (GB) reforms 2009, will see the post Economic, institutional and constitutional development in Gilgit-Baltistan. After the proper arrangement of data, it will be analyzed to find out the results of research.

#### **4.5 Type of Investigation**

This research is aimed at ascertaining and find out the cause-and-effect of 2009 reforms, whether economic, institutional and Constitutional development happened in Gilgit-Baltistan. It was massive development in history of GB that, Government introduced an order and package for inhabitant of GB, to empower local people to elect their own representatives in the region.

#### **4.6 Sample Size**

According to Bryman (2012) sample mean the section and segment of populace or population that is particular selected for examination and inquiry, the way and process of selection based on probability method and non-probability method and approach. Sample size will be consisted of 12 respondents for interview and data collection, and 171 respondents for survey.

#### **4.7 Purposive sampling**

According to study Bryman (2012) Purposive sampling is one of types of non-probability sampling where the scholar purposively picks out and select the subsets which rendering to him/her best suits to answer the research questions, they are not selected randomly but strategically so that research purpose will be served. Bryman additional says and speaks that purposive sampling does not lead the scholar to generalize because researchers select variety and diversity in the sampling. I proposed purposive sampling will be used for interviewing from members of Gilgit-Baltistan Assembly. Purposive sampling technique is mostly used in qualitative research and it is an important tool and technique for sampling in research.

#### **4.8 Locale**

This study conducted in Gilgit-Baltistan. The respondent was interviewed in their concern offices and comfortable place that the respondent chooses. These respondents' interview through face to face and recorded that interview in audio form.

#### **4.9 Key informant interviews**

In this research interviews were conducted from respondent from Gilgit-Baltistan. The main key informant interview was conducted from present and ex-members of Gilgit-Baltistan assembly,

lawyers' community and journalist. Key informant interviews were selected on their expertise, position and background of respondent. During research we selected those members who provide best and good information. The second thing on the base of my study objective i set the criteria for respondents. The main objective of my study was institutional, economic development and constitutional status of Gilgit-Baltistan. Regarding institutional development in the Gilgit-Baltistan conducted interview from Member of members of Gilgit-Baltistan Assembly. And as for the matter regarding constitutional status conducted interview from lawyers' community due to their knowledge, expertise and background of study regarding legal matters. Regarding economic development in Gilgit-Baltistan the detail interviewed was conducted from ministry of planning and development Gilgit-Baltistan. And last one interview from journalist from largest social media network of Gilgit-Baltistan "Pamir Times" regarding economic and other important development in Gilgit-Baltistan region.

The main key informant interview was conducted from following members:

Ex-chief Minister Hafeez Ur Rehman. (2014-2018)

Ex-Governor and Speaker Wazir Baig. (2009-2013)

Ministry of planning and development Fateh Ullah Khan. (2018-present date)

Opposition leader Amjad Advocate. (2018-present date)

Ehsan Advocate. (Supreme Appellate court GB)

Aman Ali Shah. (Deputy Advocate General GB)

Abdul Rehman Bukhari. (Journalist Pamir Time)

## Chapter 5

### Data Analysis

#### 5.1 Qualitative Analysis

##### 5.1.1 Institutional Development After Order 2009

To achieve the main objective regarding institutional development in Gilgit-Baltistan, interviews were conducted from the ministers in the Ministry of Law and Ministry of Planning and Development as well as the present members of Gilgit-Baltistan Assembly and ex-members of Gilgit-Baltistan Assembly. The responses and replies that have been received from respondents are as follow.

All the respondents' answers have discussed the main objectives of institutional reforms and development in Gilgit-Baltistan region. A present member of Gilgit-Baltistan Assembly stated regarding institutional development after 2009 reforms:

*“Especially after promulgation and enactment of order 2009 (Empowerment and Self-Governance order), a democratic era was introduced in Gilgit-Baltistan, because previously, there was a system of bureaucratic machinery and tool for running setup of Gilgit-Baltistan”.*

Besides this, a respondent added and discussed the historical events regarding institutional reforms and development. Furthermore, he told that after annexation of Gilgit-Baltistan to Pakistan in 1947, the system given to Gilgit-Baltistan region was Draconian law (FCR) from the federation of Pakistan. The federation kept people of Gilgit-Baltistan under the Frontier Crime Regulation (FCR) till 1970s. FCR was a system of Rajas and remained the bureaucratic system in the region after independence in Gilgit-Baltistan. Subsequently, with the passage of time, a number of changes happened. In the era of President Zulfikar Ali Bhutto, major institutional and political reforms were introduced in the region for the inhabitants of Gilgit-Baltistan. Firstly, he abolished and exterminated the FCR system in the region in 1972. But bureaucratic regime and centralized system of the government was ended after the promulgation and enactment of Self and Empowerment Order 2009 put forth by the Ministry Kashmir Affairs and Federal Government of Pakistan.

Moreover, the participants maintained that in Gilgit-Baltistan, democratic empowerment started in this region after the advent of Empowerment and Self-Governance Order 2009. One respondent maintained that it was a step forward and righteous step from the Federal Government of Pakistan. Afterward, on provincial level, the Federal Government of Pakistan gave legislative, executive, and judiciary power to Gilgit-Baltistan region. It was a turning point for Gilgit-Baltistan region. The 2009 reforms turned Gilgit-Baltistan into prosperity, gave partial autonomy, made it independent in administrative affairs and extended this authority to legal matters and subjects. A major development was that it shifted bureaucratic system into democratic system. People were given authority and the right to elect right people as well as authority to cast a vote. But on other hand, some important matters and affairs were kept in the hands of Federal Government under Gilgit-Baltistan Council. Government delegated power but on a limited level to Gilgit-Baltistan. For example, in legislation, Gilgit-Baltistan Assembly has no power and authority on amendments and changes in 2009 order and is not allowed to discuss important matters without the consent of Chairman of Gilgit-Baltistan Council.

One member of Gilgit-Baltistan Assembly, regarding institutional development in the Gilgit-Baltistan, expressed and stated that:

*“2009 Order was the first step to address grievances of the inhabitants of Gilgit-Baltistan. Before promulgation and enactment of the 2009 Order, this Gilgit-Baltistan region was called Northern Areas. In that time, this region had not a specific name. In that period, it was associated with “Khyber Pakhtun Khwa” (KPK) area. Later, it was also included in Gilgit-Baltistan territory”.*

After the introduction of reforms, the region has its own value and worth. Currently, the region has its own:

- *Chief Minister,*
- *Governor,*
- *Judicial system and Provincial Assembly”*

Gilgit-Baltistan reforms 2009 was a positive sign for the locals regarding their political rights and institutional development. Previously, the federal government used to send its own machinery and tool without the consent of the Gilgit-Baltistan administration. It sent Chief Executive and Deputy Chief Executive to that region to handle and decide on all the matters and affairs of the area,

including those pertaining to administrative and political issues. All authorities and power were transferred to bureaucratic level by Federal Government of Pakistan.

### **5.1.2 Transformation of Judicial Development in Gilgit-Baltistan**

Judicial development shows significant role in institutional and economic development in country. The degree of judicial independence is correlated with economic growth.

To examine the judicial development in Gilgit-Baltistan, questions about judicial development were asked from the respondents during the interview in Gilgit-Baltistan after the enactment of reforms in the region. Talking about judicial reforms in the region, a respondent told after 2009, the major development in this region at judicial level was the establishment and creation of Supreme Appellate Court, which comprises of three chief judges in court. Before this, there was chief court in that region for fulfillment of judicial system. Now in Gilgit-Baltistan, the major and powerful institution related to judicial system that is “Supreme Appellate Court” which has final decision and verdict regarding any case in province. Above this institution, nothing exists for reappeal of case. Further, respondents revealed that before creation of Supreme Appellate Court, there was only “Chief Court” and “High Court” to deal with matters regarding judicial system and for fulfilment of judicial requirements for people of Gilgit-Baltistan. Now Supreme Appellate Court is the apex court in the Gilgit-Baltistan region.

When we compare the existing situation with pre-2009 judicial system of Gilgit-Baltistan region, much vicissitudes and changes arose in this region. And these reforms address the objections and gripes of the people of this region. Now, this region’s people have easy access to the judicial system.

### **5.1.3 Legislative development in Gilgit-Baltistan**

An assessment and examination of legislative development was also conducted. A query was asked from respondents, including Members of Gilgit-Baltistan Assembly, regarding institutional development, legislative development, and power to Gilgit-Baltistan. A respondent described that,

*“Regarding legislative development, a number of developments happened in Gilgit-Baltistan after 2009 reforms. The first thing was establishment and creation of Gilgit-Baltistan Legislative Assembly, previously power was exercised by Chief Executive of Gilgit-Baltistan. Through creation of full fledge Assembly, numerous changes happened and ensued.”*

A respondent further added that Gilgit-Baltistan Legislative Assembly holds 33 representatives (legislatures) from the public.

- Firstly, twenty-four members are directly elected through adult franchise.
- On the pattern of reserve seats, six members are elected.
- Three members of technocrats are elected on reserve seats

The members of Gilgit-Baltistan Legislative Assembly, elected Speaker of Assembly and Deputy Speaker of Assembly as well as Chief Minister of Gilgit-Baltistan gain power with majority votes. According to the 2009 reforms (Empowerment and Self Governance order), the member of Gilgit-Baltistan Assembly can do legislation on 61 subjects. Now, Gilgit-Baltistan Legislative Assembly has more power and authority over major subjects which is positive sign and emblem of development in the Gilgit-Baltistan.

#### **5.1.4 Provision of Governance in Gilgit-Baltistan**

To examine and assess transformation and development in governance in Gilgit-Baltistan, an interview was conducted with the ex-member Gilgit-Baltistan Assembly about institutional development and governance in Gilgit-Baltistan. The respondent stated that,

*“It was an important step by Pakistan People Party (PPP) to establish local authority in Gilgit-Baltistan. Through these reforms, Chief Minister and Governor system was introduced and gave authority to local government of Gilgit-Baltistan”*

Furthermore, a respondent stated that before 2009, there was a position of Chief Executive and Deputy Chief Executive at Gilgit-Baltistan level. These were two important position to deal with all matter regarding Governance and administrative matters. With this, power was exercised by ministry of Kashmir affair and Gilgit-Baltistan. Chief executive was not allowed to make Cabinet, only this power was exercised by Minister of Kashmir affair. They had not Mandate to pass Assembly budget. Now after enactment of reforms 2009 it is Mandatory to pass budget within Assembly by Minister of Finance by 2/3<sup>rd</sup> majority and making Cabinet under order of Chief Minister and with this Federal Government transfer local legislation to Gilgit-Baltistan Assembly. But the side effect of 2009 order was to keep legislation on important objects or potential of Gilgit-Baltistan like legislation on Minerals, Hydro power projects, Forest, and Tourism under Gilgit-Baltistan council lead by Prime Minister of Pakistan.



While an interview from Minister of planning and development, he expressed his view and stated that;

*Before 2009 Empowerment and Self-Governance order, Gilgit-Baltistan was passing through different transitional periods includes Local councils, Gilgit-Baltistan Council, and Northern Areas etc.*

Furthermore, a respondent described that, 2009 order is basically an executive order, Constitution of Pakistan adopt and accepted this order. Subsequently after enactment of order 2009, now Gilgit-Baltistan Assembly has authority of legislation on Health sector, Education, Tourism sectors etc. Today in this region we have more than 25 institutional departments in Gilgit-Baltistan, and ten districts in this region. Moreover, each district has Deputy Commissioner which has responsibility of coordinate and supervise with the district line department in implementation of Government policies. And also, he is the one who is responsible for maintaining law and order situation in district.

Beside this, an interview was conducted from lawyer and human right activist, a respondent told me that, 2009 order is an order from Ministry Kashmir affairs and Gilgit-Baltistan for running administrative affairs of Gilgit-Baltistan. Basically, it was not adopted and accepted by constitution of Pakistan. Because it an order from ministry of Kashmir affair and Gilgit-Baltistan to run administrative affairs of Gilgit-Baltistan. With enactment and promulgation of order 2009, numerous developments happened, many important and new institutions were created and established, and number of developments in administrative level in this region number of districts were made after enactment of this order.

In addition, an interview from respondents and Ex member Gilgit-Baltistan Assembly told me regarding history and development in Gilgit-Baltistan, he stated me that in era of president Asif Zardari a major institutional development took place in this region. The major development was creation and establishment of Gilgit-Baltistan Assembly whose Head or Chief was “Chief Executive and Deputy Chief Executive”. Subsequently in Pakistan people party (PPP) regime, in compliance to that order brought “2009 Governance order”. After implementation and enactment of Empowerment and Self-Governance 2009, subsequently full fledge Assembly of Gilgit-Baltistan was established with “Speaker of Assembly” and “Deputy Speaker of Assembly” and twenty-four (24) Elected Members, and 6 Women Seats, and Three Technocrat seats in Gilgit-

Baltistan Assembly. Afterward Chief Minister and Governor system introduced in Gilgit-Baltistan Level. After that Gilgit-Baltistan council was created and nominated Chairman of Gilgit-Baltistan council and as a chairman Pakistan Prime Minister chosen as chairman. And its include and consist of 5 members from Senate and Governor of Gilgit-Baltistan region as well. Then the major achievement and development was

Establishment and creation of Service tribunal in Gilgit-Baltistan and as well creation of three divisions in Gilgit-Baltistan. First division comprise of Skardu and Ganache, and the second one was Astore and Diamer, the last one was Gilgit, Ghizer and Hunza Nagar. Subsequently after some years later Municipal Committee was established and created, and later this institution and organization name changed to Municipal Corporation. These were the important institutional development in Gilgit-Baltistan after enactment and promulgation of order 2009.

Governance system in Gilgit-Baltistan has much impact on development of this region especially after promulgation of 2009 reforms rapidly changes and outcomes seen in some years. But on the other it is necessary and required to federal government of Pakistan needs to transfer all legal matters and power to Gilgit-Baltistan Government to run Governance and administrative affairs, moreover it is now requirement of this region to provide and deliver all power and makes autonomous body in Gilgit-Baltistan to run provincial affairs in powerful way and manner.

#### **5.1.5 The Constitutional status of Gilgit-Baltistan**

To study about the constitutional status of Gilgit-Baltistan region. A question was asked from respondents from different experts and legal advisors and as well as members of Gilgit-Baltistan Assembly. While an interview from respondent regarding constitutional status of Gilgit-Baltistan enlightenment of 2009 order a query was asked from respondent. In an interview a respondent stated that,

*“(Self-Governance and Empowerment order 2009) 2009 reforms are self-governing order not constitution or legal object, these are administrative reforms. Regarding constitutional status, it is not possible for federation of Pakistan to declare Gilgit-Baltistan equally as province of Pakistan legally and give constitutional status to this region”*

Furthermore, a respondent said and added that Gilgit-Baltistan is disputed territory in the context of Kashmir dispute, not possible for federal government of Pakistan to legally and legitimately

consider Gilgit-Baltistan as Pakistan province. Certainly 2009 order was a relief for citizen of this region, included Gilgit-Baltistan people in local Government but in my opinion, it is not enough to address their constitutional, political, and Human rights. It is not a good governing system and not a constitutional setup for the people and region Gilgit-Baltistan. Moreover, a respondent further revealed that, the most important thing regarding 2009 order was to included people of Gilgit-Baltistan in government and legislation in locally. But on the other side not allowed and given legislative subjects in legislation in natural resources, minerals, forest, water and hydro-system. These are kept under Gilgit-Baltistan council, not allows any legislation on these important subjects.

During an interview from another respondent and lawyer from Gilgit-Baltistan, he described that this order is an executive order for Gilgit-Baltistan. This order (Self-Governance and Empowerment order) has no legal frame work Infront of United Nation (UN) resolution, security council resolution, of 1948, and 1951, this is unlawful and illegitimate step from concern authority and outside of constitutional jurisdiction of Gilgit-Baltistan. Gilgit-Baltistan Assembly has no power to change or legislation in 2009 order. Power kept to Ministry of Kashmir affair for 2009 order. It is controlled system in Gilgit-Baltistan region. Allotted power of Gilgit-Baltistan council to Gilgit-Baltistan Assembly only allow legislation on Municipal Level.

While an interview form respondent, a member of Gilgit-Baltistan Assembly he stated and expressed regarding constitutional status and said that currently for the constitutional status of Gilgit-Baltistan recently barrister Naseem Farooq present legal framework for Gilgit-Baltistan status. Through this framework it is possible to amendments in 1973 constitution of federation of Pakistan. In future and coming years this region will be allotted provisional status through amendment in constitution of Pakistan. While interview from respondent he further discussed the history and development regarding constitutional status of Gilgit-Baltistan. He told me that, in 1999 Supreme Court of Pakistan verdict and announced a momentous decision which acknowledged and declared that the inhabitants of Gilgit-Baltistan were residents of Federation of Pakistan for entirely purposes and intents and can thus summon and invoke constitutional guaranteed basic and fundamental rights. Further in an order from Supreme court to Government of Pakistan to take proper legislative as well as administrative steps to ensure and safeguard the

inhabitants of Gilgit-Baltistan (Northern Areas) and relished and enjoyed constitutional rights under the constitution of Federation of Pakistan.

A respondent further stated that, time to time the inhabitants of Gilgit-Baltistan continued to press their call and demand for Democratic rights as well as Constitutional rights. During regime of PML-N Assembly (GBLA) passed and approved a resolution demanding that Gilgit-Baltistan must be given the status of province. Again in 2015, Nawaz Government (PML-N) formed a committee under chairmanship of Former Finance minister Sartaj Aziz, aims to review the current administrative and Constitutional status of Gilgit-Baltistan and analyze and examine any shortcomings. And also analyze if the existing and current boundaries of Gilgit-Baltistan intersection or overlap with the territories and region that formed and shaped part of the pre independence of state of Jammu and Kashmir. Recommend administrative reforms and constitutional reforms in opinion and view the United Nation resolution on Kashmir.

Moreover, Gilgit-Baltistan constitutional status is not in hand of federation of Pakistan. Because according to study and literature Gilgit-Baltistan was not formally part of Pakistan territory. Because during partition this region had not decided whether to integrated to Pakistan or India. In 1949 an agreement was signed between Pakistan and Kashmir government. In that agreement a treaty was signed between Kashmir Government and federation of Pakistan but there was no representative from Gilgit-Baltistan. This agreement was signed between Pakistan and Kashmir representative to decide fate of Gilgit-Baltistan. Interestingly historically Gilgit-Baltistan region was independent state for sixteen days. After sixteen days later administrative and political affairs were transferred and shifted to Pakistan Government to run administrative affairs of Gilgit-Baltistan. Fascinatingly conferring to Article one of Pakistan constitution. Gilgit-Baltistan is legally not included in that Article and not consider as province and territory of Pakistan. So constitutional status of Gilgit-Baltistan remained ambiguity and not resolved yet. This 2009 package was approved and accepted by Federal Cabinet of Pakistan. This was not discussed in parliament of Pakistan. Because according to constitution of Pakistan this package and order has not legitimate and constitutional requisite for forthcoming régime to remain works autonomously. According to Pakistan constitution, first president can issue the ordinance and then discuss in the parliament after 2/3<sup>rd</sup> majority that ordinance can approve as the act in 120 days.

### **5.1.6 Provision of Administrative and Political Reforms**

While an interview from experts and Government officials. A question was asked from respondent regarding the pre-development in Gilgit-Baltistan before enactment of order 2009. The response and comeback that has been received from respondent are follow.

During an interview from respondent's majority of respondents has same answer regarding pre-development in Gilgit-Baltistan, 5 respondents had discussed the important event that was Karachi agreement, they said that in Gilgit-Baltistan history an important development and treaty took place which has lot of importance because in 1949 a treaty was sign up among two representatives which include Pakistan and Azad Kashmir regime and representative from both sides. Under this treaty and contract the affairs and matters of Kashmir affairs was disseminated and circulated among federation of Pakistan and as well as given control to Azad Kashmir Regime. Over this contract administrative authority and control of the region was decided and granted to federation of Pakistan until resolve of Kashmir.

While an interview from another respondent he explained that regarding administrative and political reforms, a respondent discusses the important reform that was abolishment of Frontier Crime Regulation in Gilgit-Baltistan. Furthermore, a respondent said that on effort of federal government of Pakistan a ministry named as Kashmir affair and Northern Area was established and all matters and affairs regarding Northern Area was shifted to this ministry.

Besides this a respondent described that abolishment of frontier crime regulation was an important step from Government of Pakistan. During Zulfiqar Ali Bhutto regime in 1974 announced a reform package for Gilgit-Baltistan region. In those reforms included Judicial Reforms, Administrative Reforms and also included the abolishment and extermination of the state of Hunza. The kingship (raja) system was exterminated and agreed Government occupations and other grants and budgets. In that time two districts were made named as Ghizer and Ghanche.

During an interview from 4 respondents had same responses regarding important administrative reforms and political reforms, a respondent talks about establishment and creation of Northern Area Council (NAC) and later during 1994 in era of Benazir Bhutto federal cabinet accepted a Reform package for Gilgit-Baltistan as Legal Frame work order 1994 over this Northern Area rule of business remained prepared. And through this some important Reforms introduced, civil secretary and chief secretary and most importantly judicial reform were introduced. and also

designation of judicial commissioner was exterminated, as well as along with this, three members chief court was established under the chairmanship of retired court judge. Through this judicial officer belonging to provincial high court or federation was entitled and eligible to be delegated and deputed for the member of high court, while district session judge from the Gilgit Baltistan (Northern Area) is suitable and eligible to be its member.

While an interview from respondent and member of Gilgit-Baltistan Assembly he stated and described about two important event which are 1994 Legal Framework Order (LFO) was modified by bestowing 49 legislative subjects and matter to legislative council. And in 2007 Legal Framework Order 1994 was retitled and change named as Northern Areas Governance order 1994 and modified. A respondent further added that amended in legal framework order was an important step because through this Northern Area and Legislative council allowed and given authority over legislation on 49 subjects.

#### **5.1.7 Post Economic Development in Gilgit-Baltistan**

An interview was conducted from present member of Gilgit-Baltistan Assembly. A question was asked and inquired regarding development in Gilgit-Baltistan after 2009 reforms. A question was regarding economic activity in Gilgit-Baltistan. During an interview a respondent stated that,

*“We have not seen much economic activity in Gilgit-Baltistan as need to have in this region. But with the collaboration and association with NGO, s and Government sector and financial aids from other resources, we have seen improvement in the region, many National and international institutions bring new ideas and innovations in region like introduction of cherry, potatoes seeds.”*

Furthermore, a respondent described that Gilgit-Baltistan has potential and consider as organic zone due to weather condition and high altitude. The Gilgit-Baltistan region has potential to provide and exports seeds like potatoes seeds to other countries. We have power generation capacity in region, if government make good policy and take good steps for inhabitants of Gilgit-Baltistan like investing money on power generation then we will provide energy, power to other countries and boost up our economy. In Gilgit-Baltistan there are many potentials in other sectors like Tourism, mining, Minerals etc., if government concentrate and focus then there is good chance of economics activity in Gilgit-Baltistan region.

### **5.1.8 Provision of Budget and Development in Gilgit-Baltistan**

An interview was conducted from member of Gilgit-Baltistan Assembly regarding provision and improvement in financial matters and budgetary aspects in Gilgit-Baltistan, after 2009 reforms. A response and comeback that has been received from respondents that are follow.

In an interview a respondent stated that, matter regarding finance and budget are totally different from previous system. Because before enactment of order 2009 these matters were deal by Chief Executive and Deputy Chief Executive of Gilgit-Baltistan. These officials were formally sent by consent of federal government and ministry of Kashmir affairs. Now the system regarding budget and financial matters discusses and present by finance minister of Gilgit-Baltistan in Gilgit-Baltistan legislative Assembly and then passed from Assembly in majority. After implementation and enactment of Empowerment and Self-Governance order, we have seen clear changing and development in budget of Gilgit-Baltistan. When we talk about both development and non-development budget for fiscal year 2021-22. It has been increased, when we compare before 2009 it was 10 billion budgets for Gilgit-Baltistan including development and non-development budget. Now the current budget for this region has 106 billion rupees. It includes 52 billion rupees allocated to non-development budget and 44 billion for development budget of Gilgit-Baltistan.

A respondent further said that due to increases in budget for Gilgit-Baltistan many new development projects started in Gilgit region. When we talk about Health sector lot of improvement seen during regime of PML-N regime many mega projects were done after 2009, evidence is like first cancer hospital and cardiac hospital in Gilgit-Baltistan. Before 2009 there was less than 100 doctors in Gilgit-Baltistan, now we have more than 400 Doctors in government hospital. Previously we were lacking on non-availability of important machine now we have MRI, CT SCANE, machines available in government hospital. We have seen good reforms in health sector in Gilgit-Baltistan especially after 2009 reforms.

He further added and talk about education sector and reforms in education. He said that now Education level in Gilgit-Baltistan is high and developed. Before this there were only 1 university in Gilgit-Baltistan region for thousands of students. But today we have different 5 campus of KIU university and creation of Baltistan university is one of major steps from government of Gilgit-Baltistan.

Indeed, it was great sign and development for Gilgit-Baltistan after 2009 order. We have seen different mega projects in Gilgit-Baltistan including infrastructure, power projects, health sector and education sector projects, improvement in PIA in Gilgit-Baltistan, it was a time when there was one or two flights for Gilgit-Baltistan. Now Gilgit-Baltistan airports is considered as busiest airports in Pakistan, today about 8 to 10 PIA flight travels to Gilgit city and Skardu, from Karachi, Lahore, Sialkot and Islamabad. Through this tourism sector boost up in Gilgit-Baltistan and consider as good sign for development and economy.

During an interview from another respondent. A respondent said that infact finance and budgetary aspects of Gilgit-Baltistan has changed much, but when we look into the budget like non-development it been continuously increasing as compare to development budget. Now the budget presented by ministry finance in 2021-2022 total outlay of 105.92 billion, form this major part 52 billion allocated to non-development budget. Owed to this we have realized that corruption has been increased in the departments and there are no formal institutions for accountability of people and on the basis of merit recruitment of non-deserved people recruit in prestigious institutions.

Budget plays an important role in development of country. Financial and budgetary aspects in Gilgit-Baltistan have been rapidly changed, but with the changes there are a lot of things which Government needs to address for further improvement like more allocation of budget to development side rather to non-development side. Because these things led to corruption and not good symbol for the region, therefore finance minister needs to bring this issue in Assembly and discuss for further improvement in budget sector. The reason regarding increase in non-development actually these states to the expenditure which is experienced on the important wide-ranging services of the government. Non-development budget does not contribute directly to the development, but it lubricates the wheels of economic development.



## 5.2 Survey responses

### Q.1 Institutional and economic development in GB.

This question was regarding institutional and economic development in Gilgit-Baltistan after enactment of order 2009. According to our survey 63% people agreed with our statement, and 23 % people remained neutral and 14 % people disagreed with our statement. This result suggests that after promulgation of reforms 2009 made significance level of vicissitudes and development happened related to institutional and economic development.

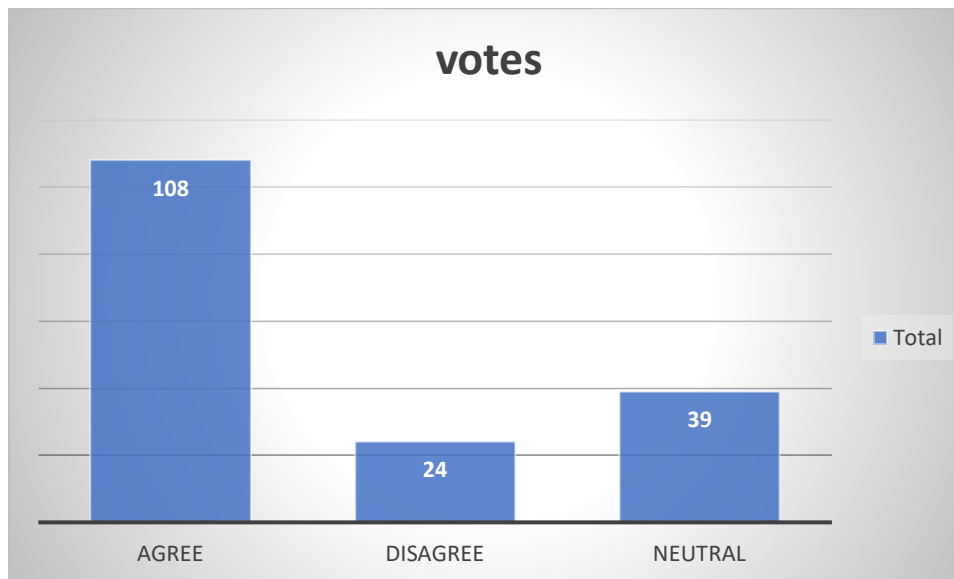


Figure 5. 1:Survey Responses Regarding Post Institutional Development.

### Q.2 Governance, administrative issues and political rights.

This was the first question regarding survey, this question addresses the Governance, administrative issues and political rights of inhabitants of Gilgit-Baltistan. According to survey 50 % people agreed to the statement, 26 % people were remained neutral, and 24 % people disagreed with the statement.

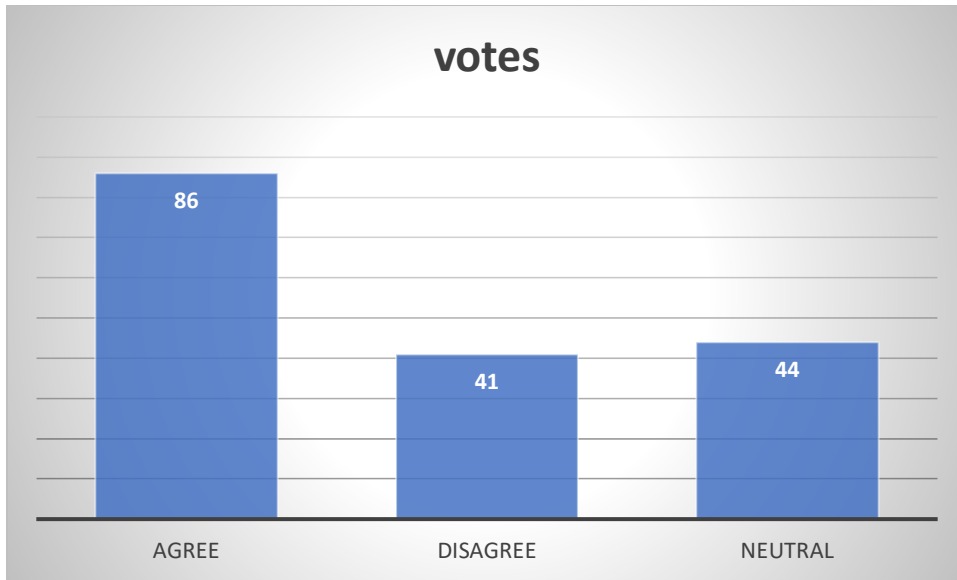


Figure 5. 2: Survey Responses of Votes on Governance, Administrative issues and political rights.

### Q.3 Authority and autonomy to GB.

A question asked to respondents regarding authority and autonomy shifted to Gilgit-Baltistan government. According to respondents 45 % people agreed with statement, and 34% people remained neutral, and 21% people disagreed with our statement and question.

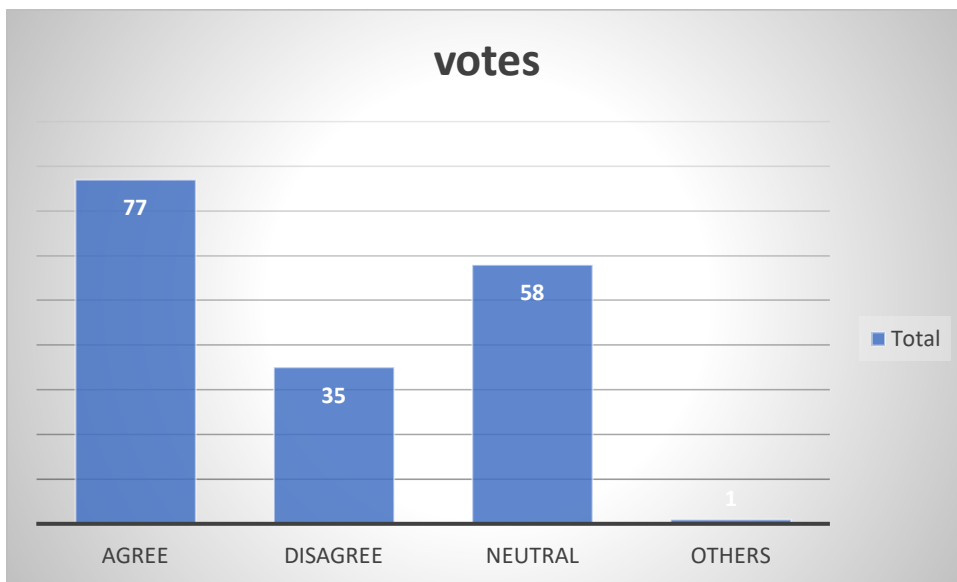


Figure 5. 3 Survey Responses Regarding authority and autonomy of Order 2009.

#### Q.4 Gilgit-Baltistan integration with Pakistan.

A question was asked from respondents regarding Gilgit-Baltistan integration with Pakistan related to constitutional status whether any legal barrier to Pakistan, GB integration to Pakistan. According to survey and responses from respondents 67% people agreed to question and statement, and 21% people remained neutral, and 12% people disagreed with statement.

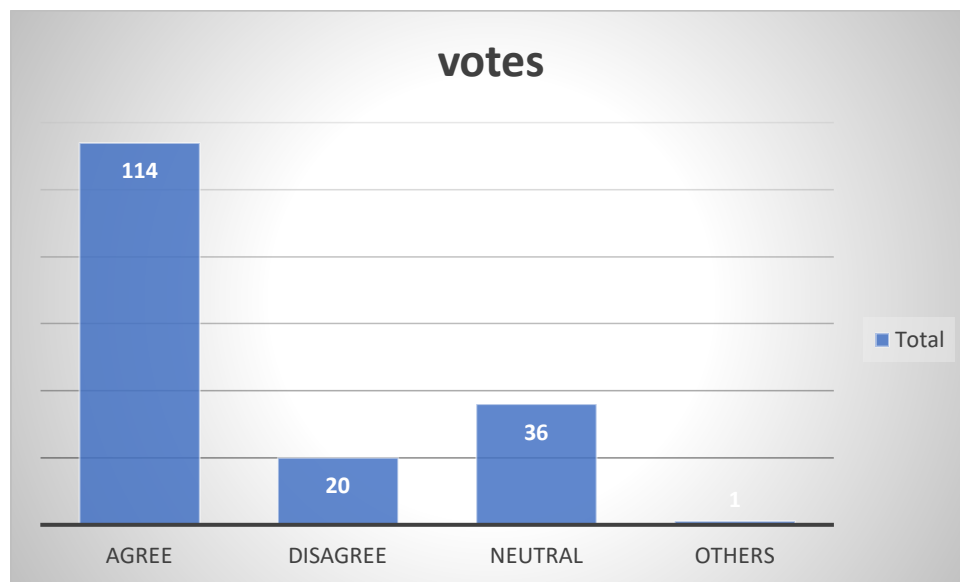


Figure 5. 4 Survey Responses Regarding Integration of GB into Pakistan.

#### Q.5 Constitutional status.

A question regarding constitutional status was asked from people, whether 2009 reforms meet constitutional requirements of Gilgit-Baltistan. According to survey and response from people 68% people disagreed to question, and 19% people remained neutral, and 13% people agreed to our statement.

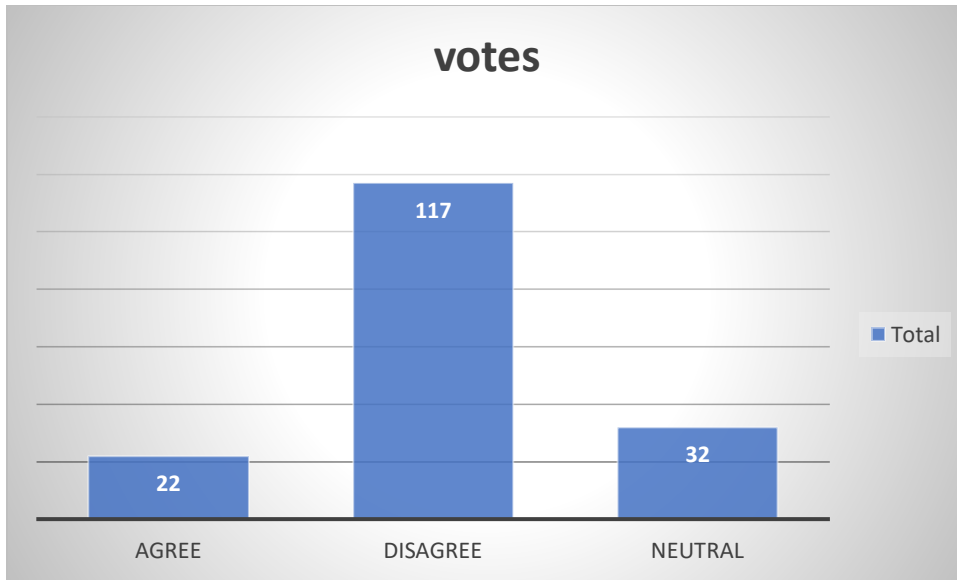


Figure 5.5 Survey Responses Regarding Constitutional Status of Gilgit-Baltistan.

Q.6 Health, Education, and Tourism.

A question was asked from respondents related to Health, Education, and Tourism sector after promulgation of 2009 reforms. According to survey and responses 70% people agreed to statement, and 16% people remained neutral, and 14 % people disagreed with our statement.

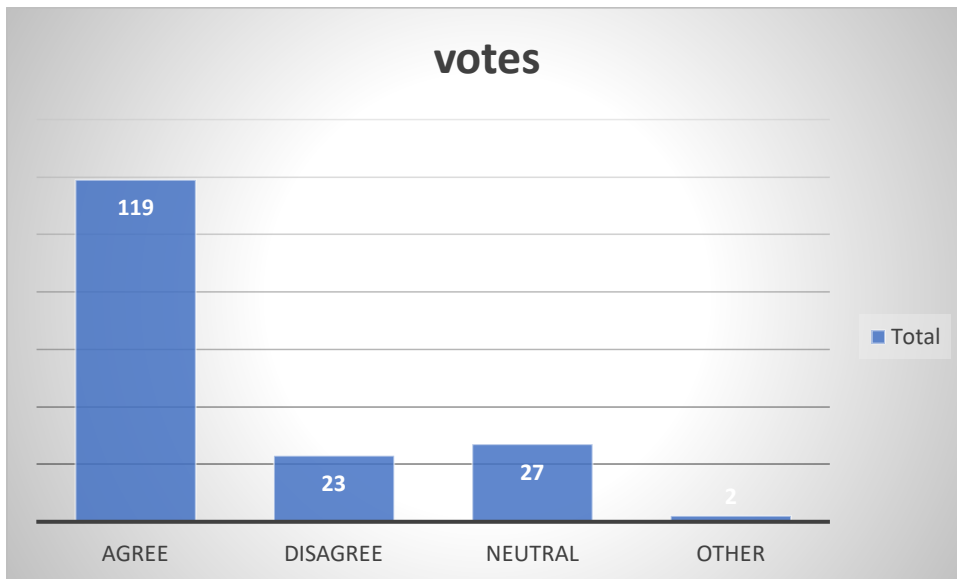


Figure 5. 5 Survey Responses regarding Development and Improvement in Health, Education, and Tourism sector in Gilgit-Baltistan.

### Q.7 Gilgit-Baltistan status.

A question was asked from respondents that with enactment of 2009 order Gilgit-Baltistan status remained in limbo or changed with new order 2009. According to respondents and responses 50% people agreed with the statement and question, while 30% people remained neutral and 19% people disagreed with our question and 1% people have goes with other option.

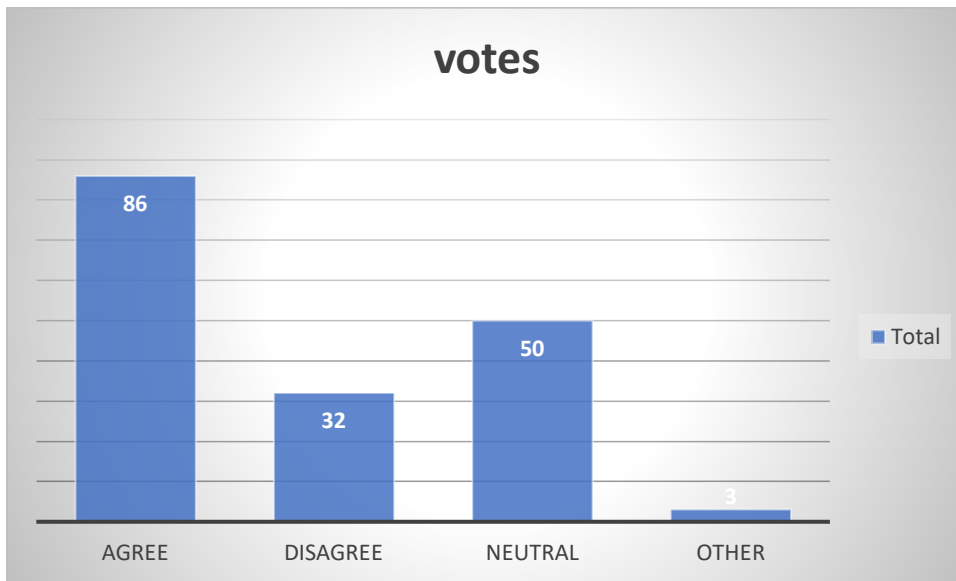


Figure 5. 6 Survey Responses Regarding Change and Status of Gilgit-Baltistan.

### Q.8 Impact and development in Gilgit-Baltistan.

A question was regarding development that whether 2009 reforms have impact on Gilgit-Baltistan development. According to survey and responses 69% people agreed with our statement and question, while 17% people remained neutral and remained 14% people disagreed with our statements and question.

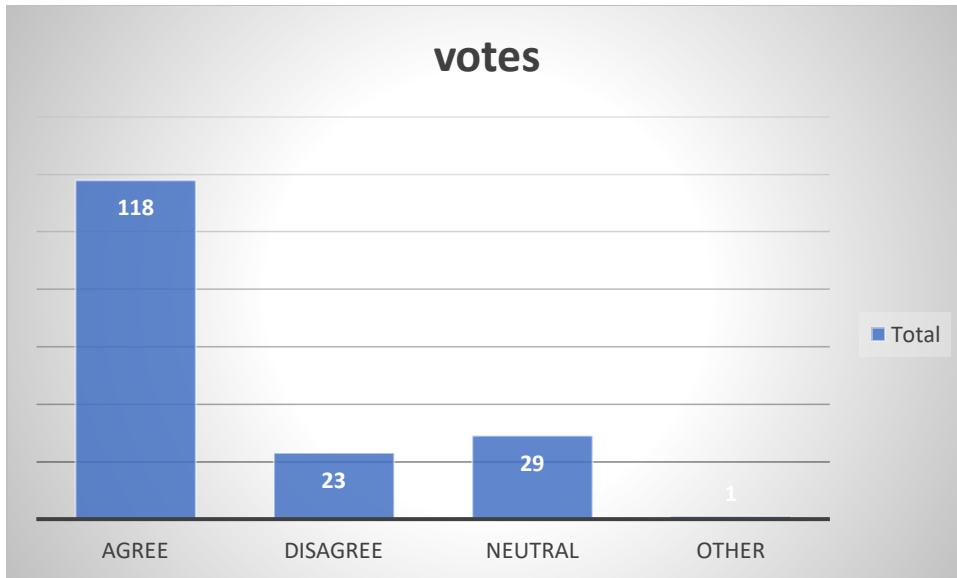


Figure 5. 7 Survey Responses Regarding Development and Impact of Order 2009.

Q.9 Autonomous bodies and authority in GB.

A question was asked from respondents in a survey, whether Chief Minister and Governor are autonomous in Gilgit-Baltistan. In a response of statement and question only 22% people agreed while 53% people disagreed and 25% people remained neutral in response of statement.

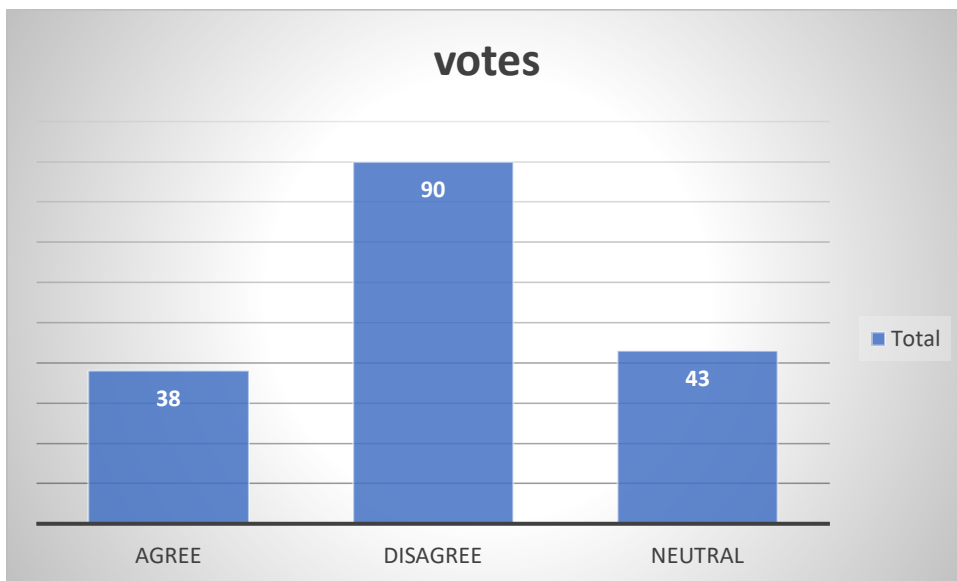


Figure 5. 8 Survey responses regarding Autonomy and power of Chief Minister and Governor of Gilgit-Baltistan.

### Q.10 Abolishment of GB council.

A question was asked from respondents in a survey regarding Gilgit-Baltistan Council. According to responses from respondent majority of people and respondents 57% people agreed that Gilgit-Baltistan Council should be abolished, while 28% people remained neutral in response, and 15% people disagreed to statement.

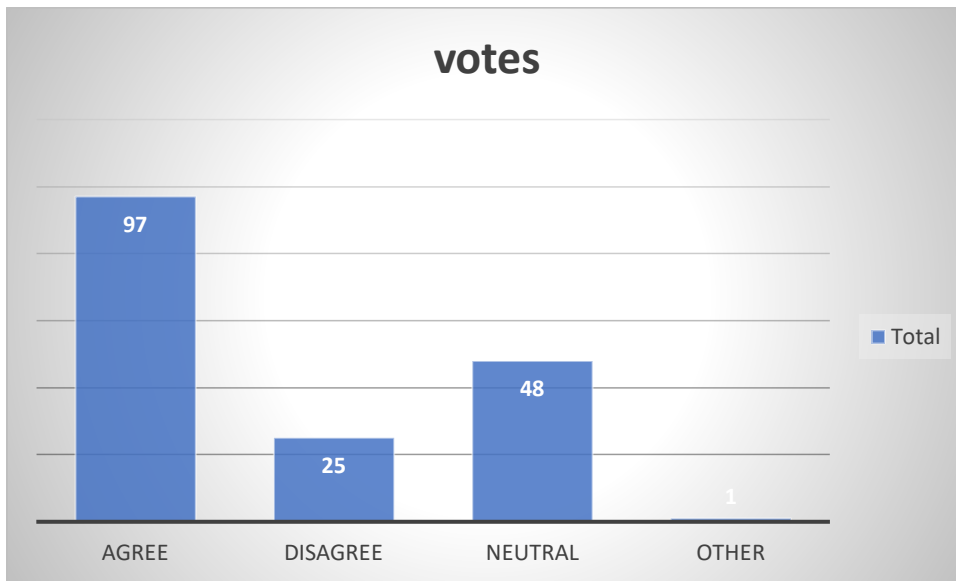


Figure 5. 9 Survey Responses regarding Gilgit-Baltistan Council.

Table 5. 11 Summary- overall result and responses

	<b>Agree</b>	<b>Disagree</b>	<b>Neutral</b>	<b>Other</b>	<b>Total</b>
<b>Q.1</b>	<b>108</b>	<b>24</b>	<b>39</b>	<b>-</b>	<b>171</b>
<b>Q.2</b>	<b>86</b>	<b>41</b>	<b>44</b>	<b>-</b>	<b>171</b>
<b>Q.3</b>	<b>77</b>	<b>35</b>	<b>58</b>	<b>1</b>	<b>171</b>
<b>Q.4</b>	<b>114</b>	<b>20</b>	<b>36</b>	<b>1</b>	<b>171</b>
<b>Q.5</b>	<b>22</b>	<b>117</b>	<b>32</b>	<b>1</b>	<b>171</b>
<b>Q.6</b>	<b>119</b>	<b>23</b>	<b>27</b>	<b>2</b>	<b>171</b>
<b>Q.7</b>	<b>86</b>	<b>32</b>	<b>50</b>	<b>3</b>	<b>171</b>
<b>Q.8</b>	<b>118</b>	<b>23</b>	<b>29</b>	<b>-</b>	<b>171</b>
<b>Q.9</b>	<b>38</b>	<b>90</b>	<b>43</b>	<b>-</b>	<b>171</b>
<b>Q.10</b>	<b>97</b>	<b>25</b>	<b>48</b>	<b>1</b>	<b>171</b>



### **5.3 Data collection process**

The data was collected from Gilgit-Baltistan which includes ten districts of Gilgit-Baltistan region. The respondents were selected on their education background. The minimum requirement was 12<sup>th</sup> standard, mostly job holders and university student were among the respondents. Respondents included job holders, Lawyers, university students and politicians from Gilgit-Baltistan region. The details of survey and data collection are given below.

#### **5.3.1 District wise respondents**

District Gilgit	44
District Hunza	31
District Ghizer	17
District Astore	11
District Diamer	7
District Nager	15
District Skardu	13
District Ghanche	11
District Kharmang	10
District Shigar	12

#### **5.3.2 Professional wise profiles of respondents**

University students	66
Job holders	78
Lawyers	17
Politicians	10

## **5.4 Economic Development in Gilgit-Baltistan after 2009**

When we talk about economic development, it is the process by which quality of nation or individuals are enhanced according to targeted objectives and goals. In past decade Gilgit-Baltistan has made noteworthy economic development in the region. In a various way prevailing over foremost hindrance modelled by its rigid geography and as well as complex administrative arrangements.

### **5.4.1 Development in Energy sector**

Energy plays important role in economic activity in a country. Energy sector in Gilgit-Baltistan has hydro power projects. Energy is important for economic development in a country. This is considered as key input for raising the productivity of both private and government sector. Gilgit-Baltistan is blessed with massive hydro power and also has potential to increasing power generation and could serve as a significant lever for economic growth in Gilgit-Baltistan and overall Pakistan. The unclear constitutional status of Gilgit-Baltistan poses more challenges, hindering foreign and private investment. The total hydro station in Gilgit-Baltistan ranging in size from 0.1 MV to 18 Megawatt.

According to report of Pakistan Gilgit-Baltistan Economic Report: Broadening the Transformation (2010) presently in Gilgit-Baltistan region the total production of electricity in winter is 48 Mega Watt nearly 50. And in summer it is 78 MW nearly 80. The total installed power houses in Gilgit-Baltistan are 96 MW. The estimate power capacity and energy in Gilgit-Baltistan is 300 Mega Watt. This region has great potential and almighty blessed with resources as nearly 27% of area is covered by Glaciers and these are rank and consider as biggest glaciers in the world. This area has 6 foremost tributaries of Indus River in Gilgit-Baltistan region.

Currently in Gilgit-Baltistan only 98 MW power and energy generation in the region. Presently two huge projects under implementation the first one is Bunji power project which is comprise of 7100 MW. And the second one is Diamer Basha Dam project which has capacity and generation of 4500 MW is under implementation. With these numerous other projects are under implementation which will cover and handle the energy crisis in Pakistan and Gilgit-Baltistan region.

According to Holden (2019) before this, the dam development was delayed for more than a period of decade through global politics and interprovincial debating on priority access and control over the territory and its natural resources. The gaining of land-living started first in 2010 with the mark of getting 37,419 acres land but as of May 2013 only about 1,000 acres were truly acquired. Subsequently after a decade of deadlock the new chosen state government suddenly decided to resuscitate the dam development by announcing it a topmost countrywide priority and importance at the similar level of nuclear plants. In 2013, November the government of Gilgit-Baltistan relocated 17,000 acres of supposedly state-owned land to the system and authority handling the Bhasha project. In the similar time offices for the acquisition of private land were opened in Chilas and the development of the infrastructure for the resettlement of the affected villages was announced. Concomitantly, international organizations and governments in good terms with Pakistan have responded with a commitment of providing aid for additional feasibility plans, implementation of resettlement and conservation, and construction. Now it is expected to clear the Basha Dam project in 2028.

#### **5.4.2 Economic development package for Gilgit-Baltistan 2021**

In 2021 prime minister of Pakistan approved historic economic development package for inhabitant of Gilgit-Baltistan. According to the report of The News international (2021) this package announced for next five years. This package worth of 370 billion rupees for Gilgit-Baltistan economic development. This massive package includes roads development, hydel projects, babusar tunnel project, skills training for the youth, education and health amenities upgrades, water also sanitation schemes, preferment of small and medium enterprises and enlargement of airports, predominantly Skardu Airport, to provide to international flights.

According to report of Abbas (2021) the apex committee has projected 57 development projects for coming five years from year (2021-2026). The development proposal involved potential plans and projects in public segment, Private Public Partnership projects and as well as non-PSDP ingenuities, which had been considered over consultation and discussions among Gilgit-Baltistan establishments and federal ministries. Precedence sectors such as hydropower and clean energy, education, health, and skill expansion and development, private sector development, tourism agriculture, social welfare, as well as youth have also been involved in the projects and development. The main determination of framing the package was to accelerate and fast socio-

economic growth and development in Gilgit-Baltistan by increasing the livelihood opportunities for the individuals and realising the economic potential of the region.

According to documents, projects value Rs104.6 billion have been projected in the transportation and communication development, whereas developments worth of Rs 86.3 billion have been recommended for clean energy and off-grid solutions. Similarly, projects worth Rs9.8 billion have been proposed and planned in gems and mineral as well as for the commerce sectors. For the development and growth of human resources, which comprised education, health, and skill development, an amount of Rs 29.4 billion has been projected. In addition, Rs 5.4 billion would be expended on tourism development, Rs13 billion on climate change and environment, and Rs 1.3 billion Pakistani rupees on Agri business growth and development in the region. Out of the Rs250 billion development plan, projects worth Rs47.7 billion would be funded through Gilgit-Baltistan annual development plan; developments worth Rs 91.7 billion would be funded over PSDP, whereas worth of Rs 110.5 billion would be funded by the federal government of Pakistan through the Ministry of Kashmir Affairs and Gilgit-Baltistan.

## 5.5 Discussion of the study

The qualitative and quantitative analysis have discussed regarding institutional development in Gilgit-Baltistan especially after enactment and implementation of Empowerment and Self-Governance order 2009. The respondents have provided the considerable and substantial information regarding the objective of the study which includes, Institutional reforms focus on (Empowerment and Self-Governance) Reforms 2009. According to respondents apropos to institutional development in Gilgit-Baltistan. A respondent from Gilgit-Baltistan opposition leader of house Gilgit-Baltistan said that after enactment of reforms 2009, introduced democratic era in the Gilgit-Baltistan region, dark and murky era has been ended. Because before there was a system of bureaucratic culture and system were existed for working and functions of institutions in Gilgit-Baltistan. Subsequently introduction of reforms 2009, in Gilgit-Baltistan has led this region to prosper and development. Now this region has its own value and worth, currently Gilgit-Baltistan region has its own institutions and Governance system in the region i.e., Chief Minister, Governor, and provincial Assembly. Previously this region was named as Northern Areas and its link with “Khyber Paktun Kwa” (KPK). In 2009 Northern Area named changed to Gilgit-Baltistan and given proper identification and value to region.

Moreover, the respondent’s justification and explanation were supported by response by study and research of Hussain (2009). According to study conducted by researcher in 2009 a centralized system was ended after reforms 2009. Through this order people get empowered and more autonomous in the region for their democratic rights, political rights. Infact and indeed it was matter of carnival for the people of the region because through Gilgit-Baltistan order 2009 ordinance empowered locals to elect their own people for representation and their basics rights of the people. Furthermore, according to survey conducted for study and research purpose shows positive responses from respondents. According to our survey 63% people agreed with our statement, and 23 % people remained neutral and 14 % people disagreed with our statement. Mostly people agreed because After 2009 witnessed and saw institutional development in Gilgit-Baltistan i.e., creation of Gilgit-Baltistan Assembly, and development in judiciary level are numerous examples of institutional development in Gilgit-Baltistan.

To examine about the constitutional status of Gilgit-Baltistan region. While an interview from respondent regarding constitutional status of Gilgit-Baltistan enlightenment of 2009 order a query

was asked from respondent. A respondent stated that, “(Self-governance and empowerment order 2009), 2009 reforms are self-governing order not constitution or legal object, these are administrative reforms, regarding constitutional status, it is not possible for Government of Pakistan to declare Gilgit-Baltistan as province of Pakistan legally and give constitutional status to this region” furthermore, 2009 order is an executive order for Gilgit-Baltistan. This order (Self-Governance and Empowerment order) has no legal frame work. Infront of United Nation (UN) resolution, security council resolution, of 1948, and 1951. This is unlawful and illegitimate step from concern authority and outside of constitutional jurisdiction of Gilgit-Baltistan. Moreover, the respondent’s justification and explanation were supported by response by study and research of Khan (2017). A study conducted by researcher supports the statement, conferring to United Nation Resolutions, legitimately and legally it is not conceivable to integrate or option giving status to the region. This also harms the status of Kashmir as well. Another study conducted by researcher Jahangir (2014) regarding constitutional status many reforms and packages were introduced by federal government of Pakistan, but did not guarantee the constitutional right for citizens of Gilgit-Baltistan. furthermore, according to survey and response conferring to constitutional status, 68% people agreed to statement that order 2009 does not meet the constitutional status. And 19% people remained neutral, and 13% people disagreed to our statement. this result also supported the justification and explanation of respondents.

According to respondent regarding judicial reforms, after 2009 reforms the major development in this Gilgit-Baltistan region in judicial level was establishment and creation of Supreme Appellate court which comprise of three chief judges in court. Before this there was chief court in Gilgit-Baltistan region for fulfillment of judicial system and deals with judicial matters. Now in Gilgit-Baltistan the major and power full institution related to judicial system that is “Supreme Appellate Court” which has final decision and verdict regarding any case in province, above this institution nothing exists for reappeal of case. According to study and research of Jahangir (2014) justify the response of respondent regarding judicial development in the region. Judicial system of Gilgit-Baltistan region comprises of Supreme Appellate court, as per the order 2009, Supreme Appellate court is highest forum in Gilgit-Baltistan region for fulfilment of judicial system, it is consisted of Chief Judge and other two Judges. This court has equal level to Supreme Appellate court of Pakistan, but the important thing is judicial power only exercised in Gilgit-Baltistan region. Supreme appellate court of Gilgit-Baltistan has no power to act under *Suo moto* jurisdiction.

During an interview conducted from member of Gilgit-Baltistan Legislative Assembly regarding legislative development a number of developments happened in Gilgit-Baltistan after 2009 reforms. According to respondent the main and important thing was establishment and creation of Gilgit-Baltistan Legislative Assembly. Previously power was exercised by Chief Executive of Gilgit-Baltistan and in his absences Deputy Chief Executive exercised the power and authority. Now formally and full fledged Assembly exist in Gilgit-Baltistan. Now power related legislation on 55 subjects were shifted and transferred to Gilgit-Baltistan Legislative Assembly. Currently this Assembly has comprised of 33 members in Assembly. But with this development, the loophole of institution is to kept important matter and legislation by Gilgit-Baltistan Council, which is under control of Prime Minister of Pakistan and he is Chairman of the body. Referring to Study and research of (Zaheer, 2018) justify explanation of respondent, legislative development and creation of full fledged Assembly in the Gilgit-Baltistan region was turning point because through order 2009 empower Gilgit-Baltistan in local legislation but the important matter and subject regarding legislation on Power and hydro, tourism, forest and mineral remain absent in the legislation and kept this power in hand of Gilgit-Baltistan Council under prime minister of Pakistan.

While interview from respondent regarding post-independence reforms. A respondent stated that post-independence institutional and political reforms are fundamental reforms which leads to development in Gilgit-Baltistan. With the passage of time many reforms were introduced by different regime and important events and agreement was signed between Pakistan Government and Government of Azad Jammu and Kashmir. Till 1970, s no major development and reforms enacted and implemented. Later 1970 Prime Zulfikar Ali Bhutto introduced major reforms and abolished and exterminated the FCR system. With this they abolished the Raja system from Hunza state and made two districts named as Ghizer and Ghanche. Subsequently in 1994 Benazir Bhutto introduced reform named as Legal Framework Order for people of Gilgit-Baltistan. Through this reform appointed Chief Executive and Deputy Chief Executive in region for administrative affairs.

According to study and research of Haque (2013) justify the response of respondent that major reforms including 1972 reforms and 1994 Legal Framework order was important reforms and later Gilgit-Baltistan flinches toward institutional development. These reforms lead institutional development in Gilgit-Baltistan. Through these reforms and amendments, (Empowerment and

Self-Governance order) 2009 reforms shaped. Subsequently these reforms have huge impact on development in Gilgit-Baltistan.



## **Chapter 6**

### **Conclusion and Policy recommendation**

#### **6.1 Conclusion**

Gilgit-Baltistan 2009 reforms were introduced through presidential order. They brought a massive transformation in the institutional landscape of the region. Through these reforms, Gilgit-Baltistan received partial autonomy and empowered locals to elect their own Chief Minister, Governor, and other institutional development in Gilgit-Baltistan. This research's aim was to assess the post-2009 institutional and economic development in the region as the result of these reforms. The research finds that the reforms actually transformed the institutions and empowered the people of Gilgit-Baltistan. The bureaucratic powers were transferred to locals and the centralized system converted to democratic system. This topic is important because it observes the changes occurred hitherto and those required further to make the region more empowered and functional. I encourage all the researchers to work further on such topics and contribute their knowledge. Through this study, we can see the powers delegated and those that remain to be delegated. Because when institutions are made strong, prosperity and people's trust in the system remains high.

#### **6.2 Policy Recommendation**

The following recommendation we drawn from our study which are:

- The first recommendation of our research and study is regarding institutional development. After enactment of reforms Gilgit-Baltistan underwent rapid institutional development in Gilgit-Baltistan. But when we look in to system and structure there is still centralized type of system due to decision of Gilgit-Baltistan Council, all power and decision belongs to Chairman of Gilgit-Baltistan council Who is Prime Minister of Pakistan.
- The second recommendation of our study is, Gilgit-Baltistan Government has not allowed to changing and amendment in 2009 order without consent of Federation of Pakistan. And not allowed to discuss important matter and affairs in Gilgit-Baltistan Assembly (GBA). It is the need of time and need to make autonomous Gilgit-Baltistan Assembly. Federation of Pakistan needs to handover all matters to Gilgit-Baltistan Assembly for further improvement in that order.

- The third recommendation of my study is regarding budget in Gilgit-Baltistan. Non - development budget of Gilgit-Baltistan is continuously raising year by year, as compared to development budget, which effects the economic development in GB. Government of Gilgit-Baltistan needs to focus more on development budget rather than non-development budget. This will affect future development of Gilgit-Baltistan.
- The fourth recommendation of my study regarding constitutional status of Gilgit-Baltistan. All fundamental and important constitutional rights in the constitution of Pakistan must be protracted and extended to inhabitants of Gilgit-Baltistan region.
- The fifth one is Federal Government of Pakistan needs to works on interim status of Gilgit-Baltistan and Declare and given Gilgit-Baltistan as provisional interim status till resolution of Kashmir issue under United Nation declaration and agreements.
- The sixth recommendation of my study is Gilgit-Baltistan Council should be abolished and exterminated and must be transfer all legislative subjects to Gilgit-Baltistan Assembly specially on Tourism sector, Hydro Power, Forest.
- The last one is federation of Pakistan needs to give legal and legitimate status and needs to comes out Gilgit-Baltistan from packages and orders. Needs to come up with Comprehensive and Good Governance Structure for inhabitants of Gilgit-Baltistan.

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# Appendix: 1

## Survey Questionaries

Name of city: \_\_\_\_\_

Position: \_\_\_\_\_

Name (Optional):  Age:

Please (√) in the box of your answer.

Local Resident: Yes:  No:  Gender: Male  Female

Marital Status:	Single	<input type="checkbox"/>	Educational Qualification:	intermediate	<input type="checkbox"/>
	Married	<input type="checkbox"/>		Bachelors	<input type="checkbox"/>
	Widowed	<input type="checkbox"/>		MPhil	<input type="checkbox"/>
	Divorced	<input type="checkbox"/>		PhD	<input type="checkbox"/>

Q.1 Gilgit Baltistan reforms addresses the Governance issues, administrative issues, and political deprivation of inhabitants of Gilgit-Baltistan?

Q.2 Gilgit-Baltistan reforms 2009 is emblem and sign of Economic and institutional development for Gilgit-Baltistan?

Q.3 Few years ago people of Gilgit-Baltistan (GB) did not even have half the rights they have today. Although progress is slow isn't Islamabad moving in the right direction?

Q.4 Is there any legal impediment and barrier to Gilgit-Baltistan integration with Pakistan?

Q.5 Gilgit-Baltistan Empowerment and self-Governance reforms meet constitutional development/requirement of Gilgit-Baltistan?

Q.6 Improvement in Health, Education, and Tourism sector in Gilgit-Baltistan after enactment and implementation of 2009 reforms?

Q.7 people say that for too long Gilgit-Baltistan status remained in limbo, has it not changed with new order and reforms?

Q.8 Gilgit-Baltistan reforms 2009 has impact on overall development of Gilgit-Baltistan?

Q.9 Chief Minister and Governor are autonomous bodies and having full authority in GB?

Q.10 Gilgit-Baltistan council should be abolished?