[**Speedy governance**](https://www.dawn.com/news/1691070/speedy-governance)

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The writer is a former civil servant.

IN an ideal world, civil servants are to uphold the rules and take decisions based on sound judgement and analyses that derive from previous experience — without facing pressure or prejudice from politicians. In the real world, we have politicians who do the exact opposite.

One of the first actions taken by Shehbaz Sharif after becoming prime minister was to visit the under-construction Rawal Chowk Flyover in Islamabad. In a spur-of-the-moment decision, he terminated the contract of the firm working on the project and awarded it to the Frontier Works Organisation for the same cost. As they say, the devil is in the detail — even if FWO takes up the project at the same cost, it will cause a loss of 7.5 per cent to the national exchequer as FWO enjoys a tax exemption. This is another case of something that is legal but not entirely legitimate.

The original contractor was lagging behind schedule slightly, which is not surprising given the uncertain times. But in trying to earn brownie points, politicians are prepared to go to any extent. Sooner or later, the aggrieved party will move court and get a stay order that will result in further delay in the project. One wonders when this culture of politicians overriding the rules, procedures and even the norms to meddle in decisions that ought to be made by professionals will end.

Politicians have filled the space vacated by the professionals due to their inaction. Professionals are either petrified by the clout the politicians wield or are handicapped by fear of harassment at the hands of NAB. This results in a mindless implementation of the rules, even professional dishonesty.

Some things may be legal but not legitimate.

Because of this approach, a loss of billions of rupees is on the cards and no one is bothered about it as everything is going according to the so-called rules. The National Highway Authority is retendering the road maintenance projects as most of the contractors have shown an inability to work on these projects owing to the unprecedented rise in oil and bitumen prices since they first submitted the bid for the said contracts.

The NHA, instead of negotiating an agreement — which is envisaged for such circumstances as per the conditions of the contract — to get work done, and allowing for adjustments based on the actual rise in prices, has cancelled the projects and is retendering them. Now the new rates are much higher than the earlier quoted bids. There is a difference of 50pc to 60pc on average, which means that the NHA, instead of allowing for a 10pc to 20pc price adjustment in the old contracts is ready to spend thrice as much for the same works via new contracts.

All the professionals in the department are aware of this massive loss, but since they fear NAB calling into question their decisions, they are ready to close their eyes to the billions literally going down the drain. The delay in the execution of these projects — totalling almost 100 in number — is the other drawback of this arrangement as it will take time to finalise the new contracts.

If the rules are to be implemented so mindlessly, why not replace civil servants with a software that automatically makes decisions strictly based on the rules? Professionals bring with them the requisite analysis, discretion and an ability to reach the middle ground and choose a legal as well as legitimate solution rather than only a legal one. As in this case, knowingly causing a loss of billions to the exchequer might be legal but cannot be termed legitimate. Swift action can save billions here but why bother as it won’t create the media buzz that politicians crave?

This brings us to the long-term solution — disbanding NAB so that the professionals regain the space they have vacated due to fear, and start making informed decisions.

It is pertinent to point out that curtailing NAB’s powers, restructuring it, or making any rules to exclude civil servants from its purview is not going to bear fruit for the following reasons.

As per the National Accountability (Second Amendment) Ordinance, 2019, the decisions taken by public officeholders in good faith, or any procedural irregularities having no financial impact, have been excluded from NAB’s purview. But the problem is that such exemption does not mean that an investigation spanning years can’t be triggered to decide whether or not a decision was made in good faith. Also, this does not preclude the possibility of harassment of public officials and a media trial by releasing their photos behind bars.

Lastly, sometimes perceptions are more important than reality. Disbanding NAB would trigger a shift from a regressive to a progressive mindset in public servants. This would result in genuinely speedy governance rather than mere showmanship.

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