GOVERNOR'S RULE IN KHYBER PAKHTUNKHWA

(formerly North-West Frontier Province, NWFP)

Complete Background, Legal Framework, Chronology, Analysis and Exam Toolkit

ABOUT THIS DOCUMENT	
Brand	Exampen.co - CSS / PMS study material
Subject	Pakistan Affairs / Constitutional History / Current Affairs
Topic	Governor's Raj and Governor's Rule in KP (NWFP): 1939, 1975, 1994, 1999-2002 and 2026
Contents	Legal framework (Part X, Arts 232 and 234), chronology, episode-wise detail, key personalities, comparison tables, analysis, glossary, essay outline, model answer, examiner checklist, 20 MCQs
Verification	Dates and facts cross-checked against Dawn, Al Jazeera, Express Tribune, Geo, The News, Hansard, the Constitution text (pakistani.org) and academic sources. Reporting runs up to 13 October 2026.
Live-event warning	The 11 October 2026 imposition is still unfolding. Parliament's sessions were summoned for 13 October (evening); the outcome was not confirmed when this was compiled. Re-check before your exam.
Use	Read Sections 1-3 for the story, Section 4 for dates, Sections 5-8 for analysis and answer writing, Section 9 for self-test.

At a Glance

Spell	Dates	Who / why
Colonial Governor's Raj	10 Nov 1939 - 25 May 1943	Sec. 93, GoI Act 1935, after Congress ministry resigned (WWII)
Bhutto era	16 Feb - 3 May 1975 (76 days)	After Hayat Sherpao's assassination and NAP ban
Benazir era	25 Feb - 24 Apr 1994 (58 days)	PML-N-backed CM Pir Sabir Shah's ministry removed
Military administration	12 Oct 1999 - 30 Nov 2002	Governor-led military administration after Musharraf's coup
Current	11 Oct 2026 - ongoing	Arts 232(1) + 234(1); Governor Faisal Karim Kundi replaces PTI's CM Sohail Afridi

1. Concept and Legal Framework

Governor's Rule / Governor's Raj is direct federal control of a province exercised through the Governor, the federation's representative, when the elected provincial government is displaced. The Chief Minister and cabinet cease to hold office and the provincial assembly's legislative powers are exercised by Parliament. In Pakistani usage the older colonial phrase "Governor's Raj" is still common.

1.1 Colonial basis: Section 93, Government of India Act 1935

If a Governor was satisfied that parliamentary government could not be carried on in accordance with the Act, he could issue a proclamation assuming all or any provincial powers. This was used in seven provinces after the Congress ministries resigned in October-November 1939 (UK Hansard).

1.2 Constitution of Pakistan 1973: Part X (Emergency Provisions)

Part X deals with emergencies in Articles 232 to 237. The two provisions relevant to KP are:

Feature	Article 232 (Emergency)	Article 234 (Governor's Rule)
Heading	Proclamation of emergency on war, external aggression or internal disturbance beyond the power of a provincial government to control	"Power to issue Proclamation in case of failure of constitutional machinery in a Province"
Trigger	Serious threat to the security of Pakistan or any part of it	President satisfied, on a Governor's report, that the provincial government cannot be carried on in accordance with the Constitution
Effect	Federal authority expands; Parliament may legislate for a province on matters outside the Federal Legislative List during the emergency (Dawn)	President assumes, or directs the Governor to assume on his behalf, all or any provincial government functions and powers of provincial bodies other than the Provincial Assembly; Parliament exercises assembly's powers
Approval	If President acts on his own: each House within 10 days; joint sitting summoned within 30 days; ceases after two months unless approved by joint sitting	Parliamentary approval required; Governor's rule limited to six months, extendable in two-month steps (2026 reporting)
Limit	No fixed end once approved; stays until revoked or a majority of total membership of both Houses votes against	Proviso: cannot assume any High Court powers or suspend constitutional provisions relating to High Courts
Rights	Emergency provisions allow suspension of certain fundamental rights	Does not by itself suspend fundamental rights or bar approaching courts (Daily Pakistan explainer)

Shortcut for exams: Article 232 is the *security emergency* article; Article 234 is the *constitutional-breakdown* article. Barrister Ali Tahir (The News) puts it as: "Article 232 is a security emergency; Article 234 is a constitutional breakdown."

1.3 Judicial check: the Wattoo precedent

Commentary in The News cites *Mian Manzoor Wattoo v. Federation*, in which a proclamation was held to fall outside Article 234 because a constitutional breakdown had not been established. Legal commentators argue that merely political or security grounds, while the assembly functions and the Chief Minister commands its confidence, make Article 234 hard to justify. Always mention this when writing a critical answer.

2. Historical Background

2.1 Colonial period (1901-1947)

- NWFP was created in 1901. The office of Governor was established in **1932** when it became a governor's province.
- The Government of India Act 1935 gave NWFP a legislative assembly and provincial autonomy.
- **1937 elections:** Congress won 19 of 50 seats. Governor Sir George Cunningham swore in **Sahibzada Abdul Qayyum** (Muslim Independent Party) as CM on **1 April 1937**.
- **3 September 1937:** a no-confidence motion by Dr. Khan Sahib succeeded and the Congress ministry took office.
- **October-November 1939:** Congress high command ordered ministries to resign after the Viceroy brought India into the war without consulting Indian representatives. The NWFP ministry resigned on **7 November 1939**.

Governor of NWFP	Period
Sir Ralph Edwin Hotchkin Griffith	1932-1937
Sir George Cunningham	1937-1939
Sir Arthur Edward Broadbent Parsons	1939 (brief)
Sir George Cunningham (second term)	1939-1946
Sir Olaf Kirkpatrick Caroe	1946-1947
Sir Rob Lockhart (acting)	1947

2.2 After independence, before the 1973 Constitution

- **One Unit:** NWFP merged into West Pakistan on **14 October 1955** (last pre-merger Governor Qurban Ali Shah, 17 Nov 1954 - 14 Oct 1955).
- **Martial laws** (1958-72, 1977-85) concentrated power in governors; assemblies were dissolved.
- **1970:** NWFP re-established as a province under the Legal Framework Order 1970.
- **1972-73:** NAP-JUI coalition government; Governor Arbab Sikandar Khan Khalil (29 Apr 1972 - 14 Feb 1973) was dismissed and succeeded by Muhammad Aslam Khan Khattak. In Balochistan the NAP-JUI government of Mengal and Governor Bizenjo were also removed on Bhutto's orders.
- **2010:** NWFP renamed Khyber Pakhtunkhwa.

3. Episode-wise Detail

3.1 First Governor's Raj: 10 November 1939 - 25 May 1943

Item	Detail
Cause	Resignation of Dr. Khan Sahib's Congress ministry (7 Nov 1939) over the war dispute
Basis	Section 93, Government of India Act 1935; Governor Cunningham administered the province
Length	3 years, 196 days (CM list), i.e. through the war's early years
End	Sardar Aurangzeb Khan (Muslim League) took oath on 25 May 1943 with a four-member cabinet (Abdur Rab Nishtar, Sameen Jan Khan, Abdur Rahman Khan, Sardar Ajit Singh)
Afterward	Aurangzeb ministry fell in March 1945 to a no-confidence motion; Dr. Khan Sahib returned

3.2 February - May 1975 (Zulfikar Ali Bhutto's government)

- **8 Feb 1975:** Hayat Muhammad Khan Sherpao, senior PPP leader, was killed when a timer bomb exploded at the Department of History, University of Peshawar.
- **10 Feb 1975:** NAP banned and its assets confiscated. Wali Khan and key NAP figures were arrested; no valid evidence publicly established who was behind the murder (Dawn).
- **16 Feb 1975:** Governor's rule imposed; the cabinet of CM **Sardar Inayatullah Khan Gandapur** ended. Maj Gen (R) **Syed Ghawas** became Governor and ran the province (the offer to head a government was reportedly declined by the banned party's members).
- **3 May 1975:** Nasrullah Khan Khattak took oath as CM (76 days).
- **30 Oct 1975:** Supreme Court upheld the NAP ban on the government's reference. NAP leaders were tried in the Hyderabad Tribunal (1975-79).
- **Legal basis note:** Dawn says the rule came under Article 232; other summaries say 234. Write "the emergency provisions of the 1973 Constitution" if unsure.

3.3 February - April 1994 (Benazir Bhutto's government)

- **Context:** Pir Sabir Shah (18th CM, 20 Oct 1993 - 25 Feb 1994) headed a ministry backed by the PML-N, the opposition at the centre.
- **25 Feb 1994:** PM Benazir Bhutto directed President Farooq Leghari to suspend the ministry; Governor Maj Gen (R) **Khurshid Ali Khan** assumed executive authority.
- Reports mention political confrontation, assembly members allegedly going missing, and a no-confidence motion against Sabir Shah.
- **24 Apr 1994:** rule lifted exactly two months later after 58 days; **Aftab Ahmad Khan Sherpao** (PPP) sworn in as CM (till 12 Nov 1996).

3.4 October 1999 - November 2002 (Musharraf era)

- After the 12 October 1999 coup the elected provincial setup was replaced by governor-led military administration.
- Military-appointed governors ran the province until the October 2002 elections; the new government took office on 30 Nov 2002.

- Wikipedia's governor page treats this as "governor rule" (1999-2002) alongside the 1958-72 and 1977-85 martial laws.

3.5 11 October 2026 (current)

- **Instrument:** Presidential Proclamation No. 2-2/2026-Min-I, published in an extraordinary Gazette of Pakistan on Sunday 11 Oct 2026, under Articles **232(1) and 234(1)**, effective immediately.
- **Process:** Federal cabinet recommended; PM Shehbaz Sharif advised; President Asif Ali Zardari signed. The Governor's written report on breakdown of constitutional machinery was reportedly sent about a week earlier.
- **Background:** Talks between the government and PTI collapsed over PTI's planned march to Islamabad demanding Imran Khan's release. PTI has governed KP since 2013.
- **Stated grounds:** Terrorism of unprecedented intensity and the provincial government's alleged failure to confront it. PICSS counted 1,066 attacks nationwide in 2025 (908 in 2024) and 1,232 in the first nine months of 2026. Ministers' allegations of links between the provincial government and militants were made without public evidence.
- **Who governs:** Governor **Faisal Karim Kundi** (PPP) exercises provincial functions; Parliament exercises assembly powers; CM **Sohail Afridi** (PTI; 23rd CM, 15 Oct 2025 - 11 Oct 2026, 361 days) and ministers ceased to hold office. An 11-member advisory council assists the Governor; the army supports law and order.
- **Emergency zone:** Emergency under Art. 232 in 12 districts: full in Bannu and Dera Ismail Khan divisions, partial in Peshawar, Kohat and Malakand; Hazara and Mardan exempt (Express Tribune). Pre-proclamation reports had listed Kurram, North Waziristan, Upper and Lower South Waziristan, Bajaur, Mohmand, Khyber, Orakzai, Bannu, Lakki Marwat, Tank and Dera Ismail Khan.
- **Special secretariat:** A secretariat for 12 "designated districts" under an additional chief secretary; the constitutional separation of judiciary from executive was stated not to apply there.
- **Parliament:** Separate NA and Senate sessions were summoned for Tuesday 13 October 2026 (6:15 pm). Deadline for House approval of the emergency: 21 October. Commentators differ on whether Art. 234 approval is by joint sitting or each House; check the final outcome.
- **Reactions:** PTI rejected the move, questioned why it covers the whole province and why Balochistan was not treated alike, and said it will go to courts and Parliament. Amnesty International said the emergency must not be a pretext for a human-rights crackdown. PTI says leaders including the CM were detained; the government said some figures were taken into preventive custody.

4. Master Chronology and Comparison

Spell	Dates	Duration	Federal authority	Governor / administrator	Outcome
1 (colonial)	10 Nov 1939 - 25 May 1943	3 yrs 196 days	British Raj; Sec. 93	Governor of NWFP	Muslim League ministry (Aurangzeb Khan)
2	16 Feb - 3 May 1975	76 days	PM Z. A. Bhutto	Maj Gen (R) Syed Ghawas	CM Nasrullah Khattak, 3 May 1975
3	25 Feb - 24 Apr 1994	58 days	PM Benazir Bhutto; Pres. Leghari	Maj Gen (R) Khurshid Ali Khan	CM Aftab Sherpao, 24 Apr 1994
4 (military)	12 Oct 1999 - 30 Nov 2002	3 yrs 49 days	Gen. Musharraf	Military-appointed governors	Elections Oct 2002
5	11 Oct 2026 - ongoing	Ongoing	PM Shehbaz Sharif; Pres. Zardari	Governor Faisal Karim Kundi	Pending approval and court challenges

Point	1975	1994	2026
Federal head	PM Z. A. Bhutto (PPP)	PM Benazir Bhutto (PPP)	PM Shehbaz Sharif (PML-N)
Government removed	CM Inayatullah Gandapur	CM Pir Sabir Shah (PML-N-backed)	CM Sohail Afridi (PTI)
Immediate cause	Sherpao assassination; NAP ban	Federal-provincial political confrontation	Terror surge; collapse of talks with PTI
Duration	76 days	58 days	Ongoing (Art. 234 cap: six months)
Governor	Syed Ghawas	Khurshid Ali Khan	Faisal Karim Kundi
Ended with	CM Nasrullah Khattak	CM Aftab Sherpao	Pending

Counting caution: Express Tribune calls 2026 the fourth governor's rule in KP (1975, 1994, 1999, 2026). Wikipedia describes only 1975 and 1994 as *direct* governor's rules. Al Jazeera notes provinces have been under governor's rule at least eight times since 1949. State your basis in the answer.

4.1 Key personalities

Name	Role / relevance
Dr. Khan Sahib	Congress leader; CM from Sept 1937; resigned Nov 1939; returned March 1945
Sardar Aurangzeb Khan	Muslim League CM, 25 May 1943 - 16 Mar 1945, ended the first Governor's Raj
Hayat Muhammad Khan Sherpao	PPP stalwart and ex-Governor, killed 8 Feb 1975 at Peshawar University
Sardar Inayatullah Khan Gandapur	CM whose cabinet ended with the 1975 governor's rule (Dawn)
Maj Gen (R) Syed Ghawas	Governor during the 1975 direct rule
Nasrullah Khan Khattak	CM sworn in 3 May 1975
Pir Sabir Shah	18th CM, 20 Oct 1993 - 25 Feb 1994, removed in 1994
Maj Gen (R) Khurshid Ali Khan	Governor during the 1994 rule
Aftab Ahmad Khan Sherpao	PPP; brother of Hayat Sherpao; CM 24 Apr 1994 - 12 Nov 1996

Name	Role / relevance
Faisal Karim Kundi	PPP Governor of KP; took over provincial functions 11 Oct 2026
Sohail Afridi	PTI Chief Minister, 15 Oct 2025 - 11 Oct 2026

4.2 Wider context: other emergency and governor's rule episodes

- **West Punjab, 25 Jan 1949 - Apr 1951:** first governor's rule in Pakistan; PM Liaquat Ali Khan dismissed the Mamdot government and dissolved the assembly (Dawn, Geo).
- **1973 Balochistan:** NAP-JUI government of Sardar Ataullah Mengal and Governor Bizenjo removed on Bhutto's orders (Geo).
- **Aug 1990:** emergency after President Ghulam Ishaq Khan dismissed Benazir Bhutto's government (Geo).
- **May 1998:** emergency imposed after Pakistan's nuclear tests (Geo).

5. Critical Analysis

5.1 Pattern across episodes

- **Political rivalry:** 1975 and 1994 both involved a federal party facing an opposition-backed provincial government.
- **Security rationale:** 2026 is framed mainly around terrorism and the alleged inability of the provincial government to counter it.
- **Restoration of politics:** Each civilian spell ended with a new Chief Minister within weeks: Khattak (1975), Sherpao (1994).
- **Colonial roots:** The governor's overriding power descends from Section 93 of the 1935 Act.

5.2 Arguments for the 2026 imposition (government's case)

- Surge in attacks: government cites a 195 percent rise since March 2024, with police and security forces the main targets and growing drone and IED use (Eurasia Review op-ed).
- Uneven surveillance (Safe City largely confined to Peshawar) and poor centre-province coordination, including over Afghanistan policy.
- Article 234 is a recognised federal exception for when provincial machinery cannot function constitutionally.
- Federal ministers say evidence exists of the provincial government's failure to own the fight against terrorism (not made public).

5.3 Arguments against (critics' case)

- **Constitutional threshold:** Wattoo-type reasoning: political or security difficulty is not the same as breakdown of machinery while the assembly and CM function.
- **Proportionality:** Dawn's commentary argues a targeted Article 232 emergency in affected districts would have been enough, rather than province-wide governor's rule.
- **Selectivity:** PTI asks why Balochistan, also hit by militancy, was not treated alike.
- **Federalism and rights:** Concerns over provincial autonomy, detention of political leaders, internet disruption (NetBlocks), and suspension of judiciary-executive separation in designated districts; Amnesty International warned against a rights crackdown.
- **Political process:** PILDAT's president urged a political solution; the move followed collapse of talks.

5.4 Balanced conclusion (for essays)

Governor's rule is a legitimate but exceptional constitutional tool. Its legitimacy depends on genuine constitutional breakdown, proportionality, time limits, parliamentary approval and judicial review. KP's history shows it has often coincided with federal-provincial political competition, so durable security and legitimacy depend on restoring elected government quickly and building consensus between centre and province.

6. Keywords Glossary

Term	Meaning
Governor's Raj	Colonial-era direct governor administration (Section 93)
Governor's Rule	Presidential proclamation under Art. 234 transferring provincial functions to the Governor
Proclamation of Emergency	Art. 232 declaration for war, external aggression or internal disturbance beyond provincial control
Failure of constitutional machinery	Condition for Art. 234: province cannot be governed per the Constitution
Federal Legislative List	Subjects on which Parliament legislates; during emergency Parliament can legislate on other matters for a province
Provincial autonomy	Provinces' constitutional powers; central issue in federal-provincial disputes
One Unit	1955-70 merger of West Pakistan's provinces into one unit; NWFP dissolved 14 Oct 1955
NAP	National Awami Party; banned 10 Feb 1975; ban upheld by Supreme Court 30 Oct 1975
Hyderabad Tribunal	1975-79 trial of NAP leaders
Section 93	Governor's emergency power under the Government of India Act 1935
Preventive detention	Detention without trial to prevent a threat; used in the 2026 context per reports

7. CSS Essay and Answer Toolkit

7.1 Essay outline: "Governor's rule in Khyber Pakhtunkhwa: security necessity or federal overreach?"

- **Introduction:** Open with the 11 Oct 2026 proclamation under Arts 232(1) and 234(1); thesis that the measure must be judged by constitutional thresholds and outcomes.
- **Historical background:** Section 93 (1939-43); 1975; 1994; 1999-2002.
- **Legal framework:** Part X; difference between Arts 232 and 234; approval and time limits; High Court proviso; Wattoo.
- **Case for:** terror statistics, coordination failures, security necessity.
- **Case against:** proportionality, selectivity, autonomy, rights concerns.
- **Comparative lens:** 1975 and 1994 versus 2026; how earlier episodes ended.
- **Way forward:** time-bound rule, judicial review, targeted operations, dialogue, early restoration of the assembly, civil-military coordination.
- **Conclusion:** Balanced verdict with forward-looking recommendation.

7.2 Model answer (250 words): "Discuss the history of Governor's rule in KP."

Direct rule in Khyber Pakhtunkhwa has colonial and constitutional strands. In British India, Section 93 of the Government of India Act 1935 allowed the Governor to assume provincial powers; after the Congress ministry resigned on 7 November 1939, NWFP was ruled directly from 10 November 1939 until the Muslim League's Sardar Aurangzeb Khan took office on 25 May 1943. Under the 1973 Constitution, KP experienced governor's rule twice in its civilian history. In 1975, after Hayat Sherpao's assassination on 8 February, the Bhutto government banned the National Awami Party and imposed rule from 16 February to 3 May, with Governor Syed Ghawas in charge, ending when Nasrullah Khattak became Chief Minister. In 1994, Prime Minister Benazir Bhutto had the PML-N-backed ministry of Pir Sabir Shah suspended on 25 February; Governor Khurshid Ali Khan administered the province until Aftab Sherpao became Chief Minister on 24 April. Between 1999 and 2002, military administration governed the province after Musharraf's coup. Most recently, on 11 October 2026, the President, on the Prime Minister's advice, invoked Articles 232(1) and 234(1), placing the province under Governor Faisal Karim Kundi and declaring an emergency in twelve districts. These episodes show that governor's rule has served both as a security instrument and as a tool in federal-provincial rivalry, making constitutional safeguards - parliamentary approval, time limits and judicial review - essential.

7.3 Opening hooks and linking phrases

- **Hook:** "On 11 October 2026, Pakistan placed a province governed by the main opposition party under direct federal control for the fourth time in its history."
- **Linking phrase:** "History suggests that the federation's use of emergency powers in KP has followed political fault lines as much as security ones."
- **Closing:** "Emergency powers can restore order, but only elected governance can restore legitimacy."

8. Examiner's Checklist

Check	Done?
Gave exact dates for each spell (1939, 1975, 1994, 1999-2002, 2026)	[ ]
Named both authorities: Section 93 (colonial) and Arts 232 / 234 (1973)	[ ]
Distinguished emergency (232) from governor's rule (234)	[ ]
Mentioned parliamentary approval and the six-month cap under Art. 234	[ ]
Cited Wattoo or another judicial check in a critical answer	[ ]
Gave both sides (security case and federalism concerns)	[ ]
Stated counting basis (two direct vs four spells)	[ ]
Flagged the 2026 episode as ongoing and not over-claimed	[ ]
Ended with a balanced conclusion and a way forward	[ ]

CSS strategy tips: (1) In Pakistan Affairs, link constitutional history with current events: examiners reward fresh, accurate dates. (2) Use a table of three spells in a 20-mark answer. (3) Avoid partisan language; present claims as claims ("the government argues..."). (4) For essays, structure as history, law, debate, comparison, way forward.

9. Practice MCQs (with answers)

#	Question	Answer
1	Which section of the Government of India Act 1935 enabled Governor's Raj in 1939?	Section 93
2	On what date did the NWFP Congress ministry resign in 1939?	7 November 1939
3	Who became NWFP Chief Minister on 1 April 1937?	Sahibzada Abdul Qayyum
4	Who ended the first Governor's Raj by taking oath on 25 May 1943?	Sardar Aurangzeb Khan
5	When was NWFP merged into West Pakistan under One Unit?	14 October 1955
6	When was Hayat Muhammad Khan Sherpao killed?	8 February 1975
7	When was the NAP banned?	10 February 1975
8	How long did the 1975 governor's rule last?	76 days (16 Feb - 3 May 1975)
9	Who was Governor during the 1975 direct rule?	Maj Gen (R) Syed Ghawas
10	Who became CM on 3 May 1975?	Nasrullah Khan Khattak
11	When did the Supreme Court uphold the NAP ban?	30 October 1975
12	Which CM was removed in February 1994?	Pir Sabir Shah
13	Who was the President in 1994 when the ministry was suspended?	Farooq Leghari
14	How long did the 1994 governor's rule last?	58 days (25 Feb - 24 Apr 1994)
15	Who became CM when the 1994 rule was lifted?	Aftab Ahmad Khan Sherpao
16	When was NWFP renamed Khyber Pakhtunkhwa?	2010
17	Which Articles were invoked on 11 October 2026?	Articles 232(1) and 234(1)
18	Who is the KP Governor who took over functions in October 2026?	Faisal Karim Kundi
19	Which CM ceased to hold office on 11 October 2026?	Sohail Afridi (PTI)
20	Under Art. 234, what is the maximum duration reported for Governor's rule?	Six months (two-month extensions)

10. Sources and Verification Notes

Dawn ("Timeline: A concise history of governor's rule"; "A leaf from history: Sherpao's murder and ban on NAP"; Oct 2026 coverage); Al Jazeera explainer (12 Oct 2026); Express Tribune (11-12 Oct 2026); Geo News chronology; The News (legal commentary); Minute Mirror and ARY News (proclamation details); Daily Pakistan explainers; Nation and APP (Parliament sessions); Eurasia Review; Constitution of Pakistan text (pakistani.org, Part X); Wikipedia lists of Governors and Chief Ministers; UK Hansard (Section 93); academic paper on NWFP electoral politics 1946-47.

Verify before the exam: (1) outcome of the 13 Oct 2026 parliamentary sessions and any court rulings; (2) exact clause numbers and sub-clauses of Arts 232 and 234 from the official Constitution; (3) the article invoked in 1975, where sources differ; (4) the 1939 start date (resignation 7 Nov vs governor's rule listed from 10 Nov).

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