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Provincial Administrative Structure Of Turkish Administrative Organization

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Abstract

The public administrative organization of Turkey consists of the central public part and local public part. The central part organizes national public utilities. The organization is made by the ministries. Provincial public part provided these services throughout the country. This part consists of departments, boroughs and districts.

Keywords: Administrative organization, Turkish Organization, Departments, boroughs, districts.

1. Introduction

The public administrative organization of Turkey consists of the central public part and local public part. According to the code no. 5442 on the administration of the department that date of 1949, the provincial organization of the central administration in Turkey is part of the departments, boroughs and districts. The subject of this presentation will be the territorial public part of public administrative organization of Turkey.

1.1 Departments

The institution, removing, renaming, the definition of center of the department are made by the code. The administration of the department is based on administrative decentralization. The prefect is the governor of the department. He represents the State and the government in the department. The prefect supervises the implementation of regulations and government decisions. It is qualified in its activity in hierarchical power of the ministers and its acts are under the authority of ministers. The prefect is the representative of the government policy in the department, he plays a role as an informant and executes its instructions. As it represents the state in the department, he is qualified in this capacity to conclude contracts on behalf of the state and legal representation before administrative courts for all disputes arising from the activities of departmental services. The prefect shall exercise the powers of administrative policy on behalf of the State in the department. The prefect has the power to require the strength of the army in extraordinary circumstances. He has the right to appoint a number of state jobs in the department.

It runs under the authority of ministers, civil services devolved administrations of the State Department.

Ministries have their organization in the department. At the head of agencies departments they have their representatives. These organizations are in the hierarchy of the prefect except only legal and military service organizations. The prefect also has specific administrative skills as expropriation for public utility. The prefect also exercises control over administrative supervision over the county and local decentralized authorities. Prefects are appointed by decree of the Council of Ministers.

There are assistant governors to prefect in his business. These assistant governors must have worked as a sub-prefect for six years and must have spent two years in the East to be appointed. In the department, other than the prefect, there are heads of central services and the county council. The department is composed of these three sections.

1.2 Boroughs

The institution, removing, renaming, the definition of center of the borough are made by the code. The borough administration, unlike the department, is not based on administrative decentralization. The sub-prefect is the governor of the department. It only represents the government in the borough. The sub-prefect supervises the implementation of regulations and government decisions. It is qualified in its activity hierarchical authority of the prefects and its acts under the authority of the prefects. The sub-prefect is the political representative of the Government in the borough, he plays a role as an informant and executes its instructions. As it does not represent the state in the borough unlike the prefect, he is not qualified in this capacity to enter into contracts on behalf of the state. But he has qualified legal representation before administrative courts for all disputes arising from the activities of government departments. The sub-prefect exercises the powers of administrative police on behalf of the government as part of the borough. The sub-prefect, unlike the prefect, does not has the power to require the strength of the army in extraordinary circumstances. It can only prevents the prefect of the situation. He did not has the right to appoint a number of state jobs in the borough. It runs under the authority of the ministers and the prefect, the decentralized services of civil government departments in the borough.

Ministries have their organization in the borough. At the head of agencies departments they have their representatives. These organizations are in the hierarchy of sub-prefect. Only organizations legal and military services are excepted from this hierarchy. The sub-prefect also has specific administrative skills as expropriation for public utility. The sub-prefect also exercises control over administrative supervision of decentralized local authorities. Sub-prefects are appointed by decree of the President of the Republic on the proposal of the Minister of the Interior and the Prime Minister. In the district, other than the sub-prefect there heads of central services and the borough council. The district is composed of these three sections.

1.3 Districts

The establishment of a district, removing, the definition of the central location, the change of name, the attachment of a district has a borough are made by order of the Ministry of Internal Affairs.

The district administration, unlike the department, is not based on administrative decentralization. The District Director is the district governor. It is only a government official. The District Manager oversees the implementation of regulations and government decisions. It is qualified in its activity hierarchical authority of the prefects. It operates under the authority of the prefects. As it does not represent the state in the district, unlike the prefect, he is not qualified in this capacity to enter into contracts on behalf of the state. The District Director shall exercise the powers of administrative police on behalf of the government in the district. The District Director, contrary to the prefect, does not has the power to require the strength of the army in extraordinary circumstances. It can only prevent the prefect of the situation. He did not have the right to appoint a number of state jobs in the borough.

District Directors are appointed by decree of the President of the Republic on the proposal of the Minister of the Interior. In the district other than the district director there are the district council and the board of the district.

2. Conclusion

In Turkey, the districts are disappearing. De facto they do not exist. There should be a major overhaul in the provincial organization of the central administration of the State. It should be certainly revised the code that date of 1949. There should be a broad work skills prefects and sub-prefects.

References

- AKYILMAZ Bahtiyar/SEZGİNER Murat/KAYA Cemil., **Türk İdare Hukuku (Turkish Administrative Law)**, Seçkin, 3. Ed. Ankara 2012.
- GÖZLER Kemal., **İdare Hukuku Dersleri (Administrative Law Courses)**, Ekin, 14. Ed. Bursa 2013.
- GÜNDAY Metin., **İdare Hukuku (Administrative Law)**, İmaj, 10. Ed. Ankara 2011.
- ÖZAY İl Han., **Günışığında Yönetim (Administration in Sunshine)**, Filiz, İstanbul 2004.
- YAYLA Yıldızhan., **İdare Hukuku (Administrative Law)**, Beta, İstanbul 2009.