**Forum Local Government 31 December 2016 by Zahid Islam**

Back ground

The day local government intuitions were developed till date they are operational from colonial times union council was named in 1959 and it’s been more than 150 years that there is municipal committee and their functions sustained but some time the elected representatives are not present tin their system because of termination or end of term or because of no elections most of the administration happens through them but some time provinces intervene from 1973 ( Zulfiqar bhotto’s time) few functions like Development , Urban Planning, Water Supply Schemes, infrastructure and taxation were given to the provincial governments.

Britishers developed these institutions in colonial era in princely states they transformed primitive institutions in local government institutions at that time they had a lot of functions but due to emergence of modern state a lot of functions transformed to the state at national level Pakistan was functioning with constitution, senate, National assemblies and provincial assemblies because of local government intuitions in the history we do not have much debate it is casual and we do not discuss these institutions and their functions seriously.

Constitutions provides its warranty on section 32 and that provides basics that we will elect local representatives Musharraf added that every province need to have a local government law in principal of liberty locally/financially but province must not intervene.

Election commission is responsible for organizing the election if something is missing and this is approval from provincial government because provincial government are independent to do so in Zia’s era there were provincial acts on local government in every province even in Musharraf’s era they called it model law need to be followed by the provincial governments. It is clearly a provincial subject but if tenure of elected local government representatives end when they need to hold elections again in india constitutions states the names of institutions and made it mandatory but over here they are free constitution makes it mandatory to make law and make it politically, financially and operationally independent but it does not gives any time frame to the provinces. Musharraf added schedule six which is not going to change without the president’s approval In 2010 Baluchistan made a law but did not do anything Sindh government re-launches 1989’s law but MQM resisted over that and then they made law of people local government so musharraf’s law stayed with the provinces with some amendments. There was a petition in supreme court about provinces are violating the law but I was delayed due the laweyer’s movement and 18th amendment was done then they became bounded to hold and forming laws there is not custom/culture of making laws because it requires consultations and no one bothered and no one talks about the local government. Balochistan completed the 2010 other provinces did that in 2013, elected representatives are here from 10 months which is not good and shows immaturity in Musharrf’s era there was no difference in urban and rural TMA has both cities and villages to perform municipal obligations and DCO is administrator UC’s has same functions in villages and cities but from tomorrow it is going to change Lahore is going to metropolitan cooperation this would hold areas out of the LDA, Cantonment and cooperative authorities so you can see the rich areas from where we can generate revenue that is not going to be with metropolitan cooperation, Lord Mayor Lahore is going to be the Member LDA but before that Mayor was the Chairman LDA in previous system but now CM is the chairman and it does has secretaries and the area includes Qasoor, Sheikhupura and some adjacent areas. 11 big cities of Punjab are going to have the municipal corporation 10 are districts one is murree which is exception because it is not district but it has Municipal cooperation and we have 182 municipal committee all over Punjab there are 36 districts and 35 district councils bcause Lahore do not have any rural areas and any local area will be notified by the Provicial government. Provincial government has absolute power to declare any local area merge two areas in to one split one in to two or four as per need because.

Commissioner system is also going to be functional and it means division and districts are also going to functional in 2001 three kind of ability/power district nazim had district nazim was magistrate can announce 144, can issue arrest warrant and (Lock Someone up) he was also district collector, he was final authority/officer on revenue, he was district administrator Police was provincial subject but he had the authority to write ACR of DPO (District Police Officer) this was changed in 2005 when acr split into two one stayed with Zilla Nazim and second was given to IG now because of new system now that all transferred to deputy commissioner so now nazim powers are going to be with deputy commissioner so nazim’s powers are going to be with deputy commissioner but municipal obligations are going to stay with Municipal committee/Municipal corporation/Metropolitan cooperation.

Union councils are everywhere in LDA, Cantonment but they need to have some functions to work, union council name was introduced by the Ayuab Khan and at that time it was having 76 functions in new local government system it has 36 functions (licence fee, Marriage registration fee, birth registration, small scale development, you can toll any road which is UC’s property, registering small professional like barber, laundry, cobbler etc and collect the tax 80% to 90% are not going through councilors because these functions are with chairman or secretary of the.

A lot of officers in local government are on deputation or temporary basis they are not from local government cader.

If we calculate Chairman, councilors if you calculate 58762 Is total and almost 4000 are chairman and 4500 are head of institutions and rest of them have no functions and functions means responsibility councilor is a community leader so if someone has problem regarding water, police etc he is going to ask him.

In developed countries we can see the local government and companies working parallel and these companies are limited in their liability because it is a person registered with the government but in a different law government cannot directly intervene but through a channel explained in rules and now Provincial governments are transferring functions to these companies Ravi bridge was with LMPC now it is with NHA and there are other authorities like PHA, LRRA, Cattle market, slaughter house etc these were local governments functions now these are with provincial government so the question come up and there are approximately 58000 people if they do not have responsibilities so in this case they are going to delicate responsibilities like attendance of the sweepers identity cards but even than whole governance is under question Metro bus and train are under provincial government in Lahore most of big roads and projects are out of their influence but local governments have more functions in small towns.

Financial issues

From where their fund are going to come because before that there was an octray (Mehsool Chungi) system but now we have GST no direct taxation money because once GST and octray (Mehsool Chungi) were there parallel then they removed mehsool chungi and decided to give “one line grant” Which means at 1 july 1999 total of all tax collected by local government this is being provided by the federal government directly to the local government.

A study shows in Musharraf’s era a lot of development in Karachi was through the provincial government and federal government institutions.

Provinces will form finance commission for the federal grant for provision of funds to the Local government in 2006 made finance commission 2 or 3 days before but it is interim arrangement iterim arrangement means just add value of 10% in the ongoing slots an there is no scientific or technical discussion on that Punjab has more problems because it is more centralized than the local government representatives are in immediate connection with the people and that is the reason we need to transform the system.

We hearing things about the excessive staff and transformation in musharraf’s era there were transformation cell and Purpose was that how to transfer the personals and what to do with assets.

In Islamabad 36 or 37 functions moved from CDA to and they also transferred their employees to local government employees filed petition that they have non-transferable jobs so these employees were restored and now CDA lend these people to the Local government but they get their salaries from CDA.

So they are going to face a lot of problems in transformation and financial situation is also not very good because a big chunk of development is with the provincial government and a lot of parallel functions are devised to companies in this regard local government also has a limited scope like in hospitals are under health authorities and education is under education authority they may not be able to intervene in colleges and private institutions but only schools comes under their custody. There is a possibility that provincial government may change the law because they are in a good position politically. There are rich local governments and poor but they need to decide the allocation every year till now they will issue an interim arrangement to run financial system but it needs devolution so that things can be at their place as these were before but cuurent practice shows that they like to decentralize but not devolved.

If we really want to question the duality of the nature of governance and ask about the performance of companies the I wou ask you that how much time do we need to provide these companies to really prove that about their performance but there is an social impact observed that people do not have sense of ownership but local government has no senesce of selling services and people feel sense of responsibility private companies cannot do local government has more sense of “we” and that helps for engagement and ownership.