

**Newsletter on RIPORT Forum consultation on,
'Effectiveness of Local Governance in Districts'
23rd May 2011**

RIPORT arranged its 3rd Forum meeting designed to discuss issues of public importance chaired by Mr. Khalid Aziz, Chairman RIPORT on May 23rd 2011 at Khyber Pakhtunkhwa Agricultural University, Peshawar.

Over 35 participants including senior officials from KPK and GoP participated in the Forum and gave their views on the existing state of affairs concerning local government. Five discussants provided their expert views regarding different aspects concerning effectiveness of governance in the districts today.



The session commenced with Chairman RIPORT's request to all participants to give their considered views so that a meaningful policy paper can be prepared for advocating reforms that would lead to making the district governance effective and relieve the people of many of their problems.

The following discussants gave their expert views: Mr. Zakaullah Khan Khattak DCO Nowshera, Mr. Akmal Minallah, DFID Consultant on financial reforms, Mr. Qazi Jamil, Deputy Inspector General of Police, Malakand, Mr. Mushtaq Jadoon Secretary Inter Provincial Coordination, KPK and Dr. Ihsan-ul-Haq, Secretary Reforms Unit, KPK.

The following are the main views expressed by the discussants:

Mr. Zakaullah Khan Khattak DCO Nowshera, said that today there was no efficient system of authority prevailing in districts after the recall of the Local Govt Ordinance of 2002.

- Having worked in the devolved system he felt that the previous system was better than the chaotic case now.
- Today, he had 13 departments to look after but no organizational staff to assist him nor did he have the power to surrender staff as punishment. The departmental staff had aligned themselves with the grass root political leaders and did not consider the DCO as their leader. The provincial government also did not listen to him. The district governance system was thus broken.

Mr. Qazi Jamil, DIG Malakand said that:

- Radicalization takes place over a period of time and in the absence of responsible policing and a strong district management the space has been lost to the militants
- There is a need to be people centered and to provide them with security and services
- The police have to be re-trained and re-equipped to deal with the situation. The former police are unable to handle the situation.
- Local Governments must be accessible, responsive, transparent and accountable and they must lead the district counter insurgency strategy.



Mr. Akmal Minallah said:

- Devolution cannot work without finances and no government has provided the required funds to the districts.
- There was more emphasis on construction of buildings and jobs rather than on provision of services. Thus the provincial budget was being hi-



jacke by these two elements while the delivery of services remained poor. Many BHUs or schools were used as cow sheds and chicken farms today.

- He said that there was a large monitoring staff to check the efficient use of facilities but no funds were available for their traveling.
- He advised that the government should lay the standards but leave the delivery of services to the private sector.
- He stressed the need to raise more resources and to prioritize expenditures focusing on delivery of services rather than increasing salary or pension liabilities.

Mr. Said Rehman, Coordinator Local Government Department discussed the following issues:

- That the Local Govt Reforms 2002 had destroyed a time tested system of more than 200 years vintage and has led to the creation of corruption, inefficiency, confusion and diminishing services to the people
- Office holders were not trained to manage the new system and there was lack of capacity to do things
- The post of District Nazim, DIK was left vacant for two years for political reasons by Gen. Musharraf to please a local politician.

- Devolution was not introduced in Islamabad or Northern Areas that could have been done.
- The reforms were meant to ensure good results when the referendum took place for extending Musharraf's rule.

Mr. Mushtaq Jadoon, Secretary IPC said:

- That the Local Government system introduced by Musharraf represented an Imperial design. Only those Nazims enjoyed powers that were in the government party. The others were sidelined.
- Provinces were marginalized by these reforms and were against the constitutional design
- Musharraf used three instruments for demolishing the district administration that allowed a space to militancy; the Local Govt Reforms, The Police Order and amendments to the Criminal Procedure Code.
- The 18th amendment has not corrected these imbalances thus administration in districts continues to remain fragmented, leaderless & diffused. This must be handled now.



- Local Govt elections have now been placed under the Election Commission of Pakistan. It has made the issue of electing new local councils very cumbersome. These elections should be held by the provincial governments as in the past.
- Dr. Ihsan-ul-Haq, Secretary Reform Management Unit raised the following issues:
 - He said that there was no local govt system functioning at the moment, hence to say that the existing system was working is incorrect; there was no system
 - The stakeholder's consultation would have been more meaningful, if the draft legislation pending with the KPK assembly was scrutinized and thus be able to assist the provincial assembly

- The previous system of local government encouraged feudalism and did not encourage economic de-centralization. The old system was a prop to keep the military in power.
- Gen Musharraf did not have the mandate to bring basic changes to the country, he was a temporary holder of power; only a constitutionally mandated political dispensation can legitimately bring such changes
- Extremism & radicalism can be best challenged by a joint police-magisterial action at the grass-root level – that design was abolished by Gen. Musharraf's reform.
- The reforms completely politicized the bureaucracy and made the local government another weapon in the hands of the feudals.
- He recommended that we should hold another roundtable should to scrutinize the local government bill pending in the KPK assembly and also obtain for study the act passed by Balochistan Assembly so as to compare and then give recommendations to the Local Government Department on an ideal Local Govt system.

Mr. Habibullah Khan, Secretary SAFRON who attended the meeting made the following submissions:

- The local government reforms were a total failure and a new structure must be created by a political government.
- The government should take steps to form a transparent local government system, that should create a balance of power and authority among the local government institutions; it should rest on accountability
- If we wanted real and empowered local government then they had to be adequately funded. For this some reliance would need to be placed on donors. It would also mean that we need to protect their interest from the security perspective.
- The micro-development at village level (Rural development) should be LG's responsibility.
- The misuse of development fund is always an issue. For example the MMA government concentrated major expenditures in Bannu and Dir districts. The current government was spending most of the funds in Mardan. There is thus a need to spend the funds on need basis based on development criteria.

Before concluding Chairman RIPORT summed up the proceedings by highlighting the following issues:

- Local government reforms in Pakistan have been used for personal motives rather than helping the people



- Secondly, we need to assist the government by bringing in beneficial reforms that are good for the people
- The government's role is to regulate and to lay down the yardstick for the delivery of services. The delivery of services should be provided by the private sector. For this reforms are essential.
- The Implementation Committee for the 18th Amendment may wish to revisit the method of holding elections to local bodies. It will be impossible for the Election Commission of Pakistan to undertake this task at the present stage of its capacity.
- We must also not pre-empt the budget by creating more jobs. The emphasis should be to provide better services.
- The district coordinating officers need to be made the pivot for the delivery of services and addressing peoples' grievances as well as providing leadership during disasters.
- Necessary amendments in the LG law, Criminal Procedure Code and the police order need to be made so that there is empowerment at the local level.
- Government should prevent the hijack of development by contractors and job seekers.
- RIPORT will work with the local government department to understand and see how it could assist in providing inputs for the new legislation pending with the KPK assembly.
- The meeting ended with a vote of thanks to the discussants and the participants for their active engagement in the discussions.