



The local government system in

Pakistan



Key facts

POPULATION (Census 1998): 132,352,279

AREA: 796,095 sq km

CAPITAL: Islamabad

LOCAL GOVERNMENT CONTRIBUTION TO GDP: -

CURRENCY: Pakistani rupee (PKR)

HEAD OF STATE: President Asif Zardari

HEAD OF GOVERNMENT:

Prime Minister Yousaf Gillani

FORM OF GOVERNMENT: parliamentary republic

PARLIAMENTARY SYSTEM: bicameral

STATE STRUCTURE: federal

LANGUAGES: Urdu and English (official)

Balochi, Pashto, Punjabi, Saraiki, Sindhi (recognised)

NATIONAL ELECTIONS: last: 2008

LOCAL ELECTIONS: last: 2008

SUMMARY

Pakistan is a federal republic whose local government has been temporarily suspended following the expiration of the 17th amendment and the passing of the 18th amendment to the constitution, which transfers responsibility for local government from central to provincial government. Due to the delay in local government elections, the administration of each district is currently headed by an appointed district administrator. The local government system in Pakistan is a three-tier system comprising district (zila), tehsil and union councils.

1. CENTRAL GOVERNMENT

Pakistan is a federal republic with a bicameral wholly elected parliament comprising two houses known as the Senate and the National Assembly. The head of state is the president, who is indirectly elected by an electoral college made

up of the senate, the national assembly and Pakistan's four provincial assemblies. The 100 members of the senate are either indirectly elected by the provisional assemblies or directly elected from two of the territories. The senate is made up of 14 open seats, four women's seats and four technocrat seats indirectly elected by each of the provincial assemblies; eight seats directly elected from the federally administered tribal areas; and four directly elected from the federal capital including one woman and one technocrat. Of the 342 members of the national assembly 272 are directly elected from single-member constituencies by universal adult suffrage through a single transferable vote, 60 are reserved for women and allocated proportionally to the parties which secure more than 5% of the vote in the national election; and ten are reserved for religious minorities. The prime minister is usually the leader of the largest

party in the national assembly.

The country is made up of four provinces and four federal territories. The four provincial assemblies are directly elected with a membership of 371 in Punjab, 164 in Sindh, 124 in Khyber Pakhtunkhwa (formerly North-west province) and 51 in Baluchistan. In each assembly just under 20% of seats are reserved for women and 2-5% for religious minorities.

2. LEGAL BASIS FOR LOCAL GOVERNMENT

2.1 Constitutional provisions:

Local government is protected by the constitution. The relevant Articles are Nos. 32 and 140-A, as follows:

- Article 32. 'Promotion of local government institutions. The state shall encourage local government institutions composed of elected representatives of the areas concerned and



in such institutions special representation will be given to peasants, workers and women.’

- Article 140-A. ‘Local government. Each province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments.’

Provincial local government ordinances have also been placed in the Sixth Schedule of the constitution for a period of six years; and cover laws not to be repealed or amended without the sanction of the president.

2.2 Main legislative texts:

Until the provinces promulgate their own local government Acts the main local government legislation remains the Local Government Ordinance (LGO) 2001 which regulates all provinces except Baluchistan. The Baluchistan provincial assembly promulgated the Baluchistan Local Government Act (BLGA) in 2010, which is heavily based on the earlier local government legislation of 1979, while retaining a few provisions of the LGO 2001. It is assumed that the other provinces will also implement new local government Acts.

3. STRUCTURE OF LOCAL GOVERNMENT

3.1 Local government within the state:

Due to the delay in local government elections, the administration of each district is headed by an appointed district administrator. With elected councils, the local government system is based on the federated structures of the three-tier system of district (zila), tehsil and union councils. Local governments at each level are composed of these administrative structures, district government, tehsil/town municipal administration and union administration, and are headed by elected nazims (mayors) and their elected bodies, ie zila, tehsil/town and union councils.

Each level of local government has defined functions and service responsibilities, with a focus on agriculture, community development, education and health at district level, ‘municipal’ infrastructure services at tehsil/town level, and community-based services at union level. The levels of government are integrated through a bottom-up planning system, the council electoral arrangements, and specific procedures for monitoring service delivery.

3.2 Ministerial oversight:

Following the expiration of the 17th amendment to the constitution in 2009 and the subsequent passing of the 18th amendment, local government ceased to be a federal responsibility

Table 1. Distribution of councils and population (Census 1998)

Province/territory	Number of authorities					Population (Census 1998)
	District	City district	Tehsil	City town	Union	-
Baluchistan	28	1	81	2	567	6,565,885
Khyber Pakhtunkhwa	23	1	52	4	986	17,743,645
Punjab	30	5	106	38	3,464	73,621,290
Sindh	22	1	103	18	1,108	30,439,893
Islamabad	n/a	n/a	n/a	n/a	n/a	805,235
Federally administered tribal areas	n/a	n/a	n/a	n/a	n/a	3,176,331
Azad Jammu and Kashmir	n/a	n/a	n/a	n/a	n/a	n/a
Gilgit-Baltistan	n/a	n/a	n/a	n/a	n/a	n/a
TOTAL	103	8	342	62	6,125	132,352,279

Source: Federal Bureau of Statistics¹

and responsibility was transferred to the provincial governments. At the provincial level, local government departments now have the mandate to oversee local governments.

4. ELECTIONS

4.1 Recent local elections:

The Electoral Commission of Pakistan is responsible for organising elections of local government in addition to organising the general elections in the country. The constitution provides for 20% of seats to be reserved for women in all public bodies. With the expiry of the tenure of the previous elected local government officials in 2009, local government elections should have been held immediately. They have not yet been announced however and elected local government is currently suspended.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

5.1 Legal requirement:

Village and neighbourhood councils and citizen community boards (CCBs) are incorporated in the LGO 2001 to promote participation in the democratic process. The village council is seen as the ‘ideal associative unit for participation’, whilst the union is the ‘ideal unit for the delivery of services’. Urban or rural areas permitted to have a village or neighbourhood council are designated by tehsil and town councils. The councils may have between five and 11 members, with tehsil nazimeen arranging elections through secret ballot and the candidate securing the highest number of votes becoming chairman. In each council one seat is reserved for women and one for peasants and workers.

5.2 Implementation:

The village or neighbourhood council has a proactive role in promoting citizen involvement, identifying priorities and problems, organising local micro-programmes, promoting civic education and gender issues, and organising youth and recreational activities.

In every local area a group of non-elected citizens may, to energise the community for development and improvement of service delivery, set up a CCB. The CCBs contribute to project design, implementation, management and monitoring at grassroots level with a view to improving services. CCBs are registered with the community development group office of the respective district.

5.3 E-government:

No information provided for this edition.

6. ORGANISED LOCAL GOVERNMENT

6.1 National local government association:

There is no national association of local government.

6.2 Other local government associations:

There is one such association, the Local Councils Association of the Punjab (LCAP). This was launched in July 2006 with the mission to promote and provide coordination and a unified approach among local governments in the Punjab province to resolve common issues and develop participatory governance for the wellbeing of citizens.

None of the other provinces or territories have formal associations of local government, although some are in the process of establishing them.



7. INTERGOVERNMENTAL RELATIONS

Since local government became a provincial responsibility, and in the absence of elected local governments, current intergovernmental relations are limited to provincial local government departments and district administrations. Policy formulation is undertaken by the provincial assemblies and currently all provincial assemblies are in the process of drafting local government Acts, with the exception of Baluchistan which has already promulgated the Baluchistan Local Government Act 2010.

Local council associations comprising ex-elected local government representatives and local election candidates have been formed to create a movement for the restoration of elected representative local governments.

8. MONITORING SYSTEMS

The LGO 2001 makes provision for the establishment of the office of district ombudsman (zila mohtasib). The postholder is to be selected by a provincial committee, confirmed by the district council and appointed for a period of four years, renewable for a further term. The jurisdiction of the district ombudsman extends to citizen complaints of maladministration by all 'holders of public office' in the district including nazimeen and naib nazimeen at all levels, councillors, staff of all councils, and district police officers.

The LGO 2001 also requires local government accounts to be audited by the Auditor General of Pakistan.

9. FINANCE, STAFFING AND RESOURCES

By law, each local government must allocate 25% of its development budget for utilisation by CCBs, and any amount which remains unspent is credited under the same head in the following year's budget in addition to a fresh allocation. The CCBs submit their proposals on a standardised application form. The maximum share of local government funding cannot exceed 80% and the community share in cash must not be less than 20%.

9.1 Locally raised revenue:

No information provided for this edition.

9.2 Transfers:

No information provided for this edition.

9.3 Local authority staff:

The senior administrative appointments of the three levels of local government are specified in the local government ordinances/acts. District establishments, including ones in the city districts are composed of federal and provincial civil servants, and are currently headed by a

District Administrator. Provincial governments normally create a district service, comprising all posts of local government grouped into district and tehsil cadres.

At city and tehsil level staff can be appointed directly to undertake specific roles and manage service areas. In some cases provincial staff have been transferred to them. At the union level provision is made for up to three secretaries for union committees, municipal functions and community development.

10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

Districts have responsibility for delivering elementary and secondary education, literacy, primary and secondary health and dispensaries, agriculture and intra-district roads. Tehsils and towns have service responsibilities including local roads and streets, street services (eg lighting), water supply systems, sewers and sanitation, and slaughter-houses, together with fairs, markets and cultural events. In the city district system, district governments rather than the towns provide most services, managing these on an integrated city-wide basis to achieve economies of scale. The union level is responsible for libraries, local streets and street services, wells and ponds, cattle ponds and grazing areas. Union guards, responsible for local security, may be appointed.

Union councils work closely with village and neighbourhood councils, and CCBs, in promoting and coordinating development activities, and submitting proposals through annual plans to the district and tehsil levels to help inform the development budget allocation process. The current ordinances permit the transfer of functions by mutual agreement from higher to lower levels of local governments under the principle of subsidiarity. The provisions cover transfers from a district/city district to a tehsil/town or union; from a tehsil to a union, village or neighbourhood council; and from a union to a village or neighbourhood council. Appropriate resources and funding must be allocated to the lower level, but the higher level retains regulatory and monitoring responsibilities.

References and useful websites

1. Federal Bureau of Statistics, www.statpak.gov.pk
Census 1998
www.census.gov.pk/datacensus.php
2. UN statistics
<http://unstats.un.org/unsd/demographic/products/dyb/dyb2008/Table03.pdf>
3. IMF statistics www.imf.org/external/data.htm
4. Ministry of Local Government and Rural Development: no website available
5. National government portal
www.pakistan.gov.pk
6. UNDP Human Development Report 2010
www.hdr.undp.org



Annex A Summary of service provision in different spheres of government as at 2009

Service	Delivering authority			Remarks
	Central	Provinces	Local Government	
			D* T** U***	■ =discretionary service by the local authority
GENERAL ADMINISTRATION				
Police		■	■ ■ ■	Union guards only
Fire protection			■ ■ ■	
Civil protection			■	
Criminal justice		■		
Civil justice		■		
Civil status register				■
Statistical office	■			
Electoral register	■			
EDUCATION				
Pre-school			■	
Literacy				
Special education				
Primary			■	
Secondary			■	
Vocational and technical			■	
Higher education		■		
Adult education			■	
Other		■	■	
SOCIAL WELFARE				
Kindergarten and nursery				
Family welfare services				
Welfare homes		■	■	■
Social security		■		Facilities for the poor/disabled
PUBLIC HEALTH				
Primary care			■	
Hospitals	■	■	■	
Health Protection	■	■	■	
HOUSING AND TOWN PLANNING				
Housing				■
Town planning				■
Regional planning			■	
TRANSPORT				
Roads	■	■	■	
Transport		■	■	
Urban roads			■	■
Urban rail	■			
Ports	■			
Airports	■			
Other				■ ■
ENVIRONMENT AND PUBLIC SANITATION				
Water and sanitation			■	■
Refuse collection and disposal			■	■
Cemeteries and crematoria				■ ■
Slaughterhouses				■
Environmental protection	■	■	■	■
Consumer protection		■	■	
CULTURE, LEISURE AND SPORTS				
Theatre and concerts		■	■	■
Museums and libraries	■	■	■	■
Parks and open spaces				■ ■
Sports and leisure	■	■	■	■ ■
Religious facilities				■ ■
UTILITIES				
Gas services	■			
District heating				
Water supply			■	■ ■
Electricity	■	■		
ECONOMIC				
Agriculture, forests and fisheries		■	■	
Economic promotion	■	■	■	
Trade and industry	■			
Tourism	■	■		
Other economic services				

* District ** Tehsils *** Unions