

The Effects of the Local Government Act of 2013 on Governance and Development: A Case Study of Chitral, Khyber Pakhtunkhwa

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Abstract

This research examines the impact of the Local Government Act of 2013 on governance and development, specifically focusing on the district of Chitral in Khyber Pakhtunkhwa, Pakistan. Employing a comprehensive case study methodology, this study assesses the legislative reforms' effects on local governance structures, service delivery, and community engagement. Through rigorous data collection and analysis, this research aims to provide a nuanced understanding of the Act's implications for grassroots governance and socio-economic development in the region. The findings contribute to broader discussions on local governance reforms and their effectiveness in enhancing public service delivery and community participation.

Keywords: Local Government Act of 2013, Governance, Development, Case Study, Chitral, Khyber Pakhtunkhwa

Introduction

The Local Government Act of 2013 stands as a pivotal legislative reform in the administrative landscape of Pakistan. Enacted to decentralize governance and empower local communities, this Act was anticipated to catalyze transformative changes in various regions nationwide. One such region of interest is Chitral, situated in the province of Khyber Pakhtunkhwa, Pakistan. This study is dedicated to comprehensively examining the repercussions of the Local Government Act of 2013 on governance structures and development dynamics within Chitral. By employing a rigorous case study approach, this research attempts to shed light on the nuanced impacts of this legislative framework, providing valuable insights into the broader discourse on local governance reforms and their implications for

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sustainable socio-economic progress. Through a synthesis of qualitative and quantitative data, this study seeks to contribute to a deeper understanding of the Act's role in shaping the governance and developmental landscape of this unique region.

The characters become vessels through which ideological conflicts are personified, and the estate becomes a microcosm of a society in transition. (Faheem, A, 2023) Local Government (LG) systems have become increasingly important in both developed and developing countries. LGs are authorized units of government with legal authority to perform governmental services and exercise administrative, political, and financial authority. In developing countries, around 80% of states have established LGs. Germany became the first to adopt LGs in 1949, followed by Spain, India, Switzerland, and Italy (Aijaz, 2006).

The roots of local governance in Pakistan can be traced back to the pre-independence era, primarily through the establishment of the panchayat system (Sultan, 2010). The British East India Company (BEIC) made initial efforts to introduce Local Government Systems (LGS) in the subcontinent through various legislations, including the Servency Act of 1842, Municipal Act of 1850, Village Police Act of 1856, Punjab Act of 1856, and Ripon's Resolution of 1882. Following independence, Pakistan adopted the interim constitution of the Indian Act of 1935, which delegated the responsibility of establishing Local Government Systems to provincial governments (Sultan, 2010).

In the post-independence period, Local Government Systems (LGS) in Pakistan received scant attention, often remaining under the strict control and supervision of the central bureaucracy. This led to a trend of centralization and an imbalance of power, with a notable influence from the military. General Ayub Khan's Basic Democracies Ordinance of 1959 and Municipal Administration Ordinance of 1960 introduced a four-tiered structure of LGS (Siddiqui, 1992). Zulfikar Ali Bhutto later revitalized the LGS, introducing a modified version in 1979 during Zia's regime.

In the year 2000, General Pervez Musharraf, the military dictator, introduced a new Local Government System as part of his widely recognized Devolution Plan of 2001. This system established a three-tiered structure of LGS at the district, tehsil, and union council levels, which remained in place until March 2010. Following the general elections of 2013, the Pakistan Tahreek-e-Insaf (PTI) party came to power in

Khyber Pakhtunkhwa (KP) and passed a bill in the provincial assembly on October 31, 2013, known as the Khyber Pakhtunkhwa Local Government Act 2013 (KP LGA 2013). The LGS in KP are characterized by a rural-urban divide, with a three-tiered structure. Elections for these local governments were conducted on May 30, 2015.

Theoretical Framework

Local government (LG) is a micro-level government with legislative, political, and bureaucratic structures that can exercise political, financial, regulative, deliberative, and judicial powers. It performs three important functions: provision of political and socio-economic services, management of resources, and future planning. Good governance is linked to LG and promotes participatory democracy, accountability, transparency, and the rule of law. In Pakistan, after independence, state power was exercised by small elite groups, leading to political and economic instability and bad governance.

To stabilize the political government, effective decentralization of political, economic, and administrative authority at the grassroots level is essential. Strong LG institutions can reduce pressure on provincial and central governments and promote real democracy. However, since independence, there has been limited effort to develop strong LG infrastructure in all provinces of Pakistan. The study is limited to two selected union councils in district Chitral, with interviews conducted in the local language due to low literacy.

❖ Local Government Act of 2013

It is important to highlight that the LGS in Pakistan has always been under the control and supervision of the federal government. It was under the command of the federal government when the government of Pakistan People's Party passed the 18th Constitutional Amendment (Aziz, 2016). This Constitutional Amendment was finalized in 2010 by the Parliamentary Committee for Constitutional Reforms (PCCR) under the supervision of Senator Raza Rabbani (Hamid, 2010). In this Amendment, some important steps were taken which include:

- Devolution of authority from higher level to lower level
- Enhancing provincial autonomy. For provincial autonomy, the Concurrent Legislative List was abolished and all the powers were distributed between federal and provincial governments constitutionally. Before the amendment, the local government was a bone of contention between the

center and the provinces. Through the 18th Amendment, Article 140- A was adopted in the constitution. This Article says that it is the responsibility of each provincial government to establish an LGS by law and to devolve the administrative and financial power to local representatives of the LG. It further argues that; the election commission of Pakistan shall hold the elections of the local governments. Before the amendment, it was a federal subject. Thus, after the amendment, it became a provincial subject.

On May 13, 2013, in Pakistan, the general elections were held. After it, PTI came in to power in KP. PTI government in KP introduced the new LGS by passing a bill known as “Local Government Act 2013”, on 31 October 2013. It replaced Local Government Act of 2012 and received Governor’s approval on November 5, 2013. Under the LGA 2013, the local bodies’ elections were held in KP province on May 30, 2015 (Express, 2015). So, the LG elections were held with a gap ten years. Under this setup, in each village and neighborhood council, the voter casted seven votes and in which five votes for respective union council and one each vote to elect a member to District and Town/Tehsil Council. The total number of candidates under the act of 2013 were 84,420 and they contest for total seats of 41, 762. Under this setup, about 503 village councils and 2836 neighborhood council were established. In case of District Council, the total seats were 978 and 5480 candidates were in the field of contest. Similarly, in case of Tehsil/Town Council, the total seats were 978 and 5907 candidates were in the field. In addition, in case of Village Council and Neighborhood Council the total seats were 23111 and 39,079 candidates were in the field. Lastly, in minority case, the total seats were 3339 and number of candidates in this field were 349 (Khan, 2016).

The Effects of the Local Government Act of 2013 on the Socio-Economic Progress of Chitral

Chitral is the northernmost district of Pakistan and it is one of the largest districts of Khyber Pakhtunkhwa (KP) Province, covering an area of 14,850km square. If we look the location of Chitral, the Gilgit-Baltistan comes to the East; Afghanistan comes in north and west, while Dir and Swat come to the south. It is located at the base of the towering Tirich Mir the highest peak of the Hindu Kush, 25,289 feet high which is a known as world fifth largest peak (UNICEF, 2014).

According to the 2017 census, the gender wise population and Rural/Urban ratio of district Chitral is as under:

Administrative Units	House Holds	Male	Female	Transgender	All Sexes	Sex Ratio	Average Annual growth Rate
1	2	3	4	5	6	7	8
Rural	54,556	199,489	198,078	1	397,568	100.71	1.71
Urban	7,063	26,357	23,437	0	49,794	112.46	2.59
Total	61619	225846	221515	1	447362		1.80

Table 1

The district Chitral is divided in to two sub-divisions as Upper and lower district Chitral. The capital of lower district Chitral is Chitral itself, while for upper Chitral the head quarter is Booni. The official language of Chitral is Khowar and majority of the population speak Khowar. Besides other languages are also spoken like Dangarik, kalashwar, Damariwar, Pashto etc.

According to the Election Commission of Pakistan (ECP), the total number of seats for Chitral in both National and Provincial Assembly is one each. Before the 2017 Census, the seats of Chitral in provincial assembly were two but one seat was abolished due to a smaller number of populations living in Chitral. The profiles of National and Provincial members of Chitral are given below in Table 2:

Constituency No	MNA/MPA Name	Party
NA-1	Moulana Abdul Akbar Chitrali	MMA
Pk-1	Hidayat Ur Rahman	MMA

Table 2

Under the setup of LGS 2013, the total number of union councils in Chitral was 24 of which fourteen (14) union councils are in Lower Chitral while ten (10) union councils are in Upper Chitral. The total number of Village and Neighborhood councils under this setup were one hundred.

Union Council Chitral-1

Union Council Chitral-1 is located at the center of Chitral. It starts from neighborhood council Chitarl-1 and end at village council Orghoch. It is surrounded by four union councils, as in the north there is union council Chitral-2, in east there

is union council Danin, in south there is union council Broze and in the west, there is union council Ayun. It was further divided in to four village and neighborhood councils. The main office of Union Council Chitral-1 is located in the 2nd floor of MCB Bank Chitral. Being a remote district, the profession of most of people in this union council is farming. Many people in the council also work in different private organization and governmental departments.

❖ **Composition of Village and Neighborhood Councils (VC & NC)**

Under the LGA 2013, the representation is based on the population living in the area and the composition of memberships in each council is not fixed. In every VC & NC, its composition ranges from ten to fifteen members. Among these members, about five to ten members are elected in general seats. Furthermore, two seats are allocated for women in every VC & NC. Besides, one seat is allocated for farmers, one seat for youth and one seat for minorities. It is provided under section 26, 27 of LGA 2013, that the candidate who secures the highest and second highest number of votes in the election to the general seats of the VC& NC could become the Nazim and Naib Nazim of the council. All the administrative authorities are exercised by the Nazim. In his absence, the Naib Nazim shall perform executive functions. In case of Union Council Chitral-1 the total seats were 9 to 10 and all seats were filled. Now let's see the profile of each VC & NC which came under the Union Council Chitral-1.

Case Study

❖ **Neighborhood Council (NC) Chitral-1 It's Composition**

According to the section-27 of the LGA 2013, the numbers of members at NC level were ten to fifteen. The membership was based on population living in the area. Accordingly, in the LG elections of 2015, ten members were elected in this council. The minority seat remained vacant because no minority group living in the area. Out of ten members, six members were general councilors, two female, one seat was kissan and one seat of youth counselor (Khan, 2019).

❖ **Profile of Nazim, Naib Nazim and Councilors of Neighborhood Council Chitral-1 Elected in the Local Government Election 2015.**

Sr.#	Name	Designation	Qualification	Age	Occupation
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01	Mufti Zameer Ahmad	Nazim	Matric	48	Imam Masjid
02	Hamid Ullah	Naib-nazim	Matric	43	Businessman
03	Fida Ahmad	General Councilor	Matric	37	Shopkeeper
05	Maqbol Ahmad	Youth- Councilor	FA	31	Jobless
06	Tariq Zia	Kasan-Councilor	Illiterate	57	Farmer
07	Buzruk Bibi	Women Councilor	Illiterate	46	House wife
08	Fatima Bibi	Women Councilor	Middle	38	House wife
09	Karim Ullah	G- Councilor	Illiterate	41	Businessman
10	Abdul Hameed	G-Councilor	Middle	43	Driver
11	Yahya Khan	Secretary	B. Com	27	Government Servant

❖ Meetings of Neighborhood Council Chitral-1

Under the section-79 of LGA 2013, it was necessary for every VC& NC to meet at least once a month. In order to meet this requirement, the NC Chitral-1 held all its meetings monthly. It was the duty of concerned secretary and naib nazim of the NC to tell all members about meeting's date and its time. In this regard, both performed their duties very well. The secretary presented himself in all the meetings of the council. The responsibilities of the secretary were, to keep official records, organize all the meetings, inform all the participants about the date and time of the meeting, register birth and death, and provide marriage and divorce certificates to the people.

It is provided under section 79-5 of LGA 2013 that, council Nazim convened all the meetings and Naib Nazim chaired all the meetings. Most meetings of the council were chaired by the Naib-Nazim (Khan, 2019). The agenda of meetings was mostly related to the utilization of Annual Developmental Funds and the problems of the people. At the end of each year, all members were paid meetings allowances. All members were given two hundred rupees per meeting. The office of the NC Chitral-1 is located on Bypass Road Chitral (Ahmad, 2019).

❖ Supervisory Committees of Neighborhood Council Chitral-1

Developmental services are very necessary for the upgrading of local masses because they strengthen the local community and uplift the masses at bottom-up level. In the eyes of the local community of the area, the developmental impacts of LGS of 2013 were nothing and it was just a piece of paper. However, with the little available resources and funds NC Chitral-1 completed some developmental projects during the four years of local government tenure. Here are the lists of all developmental projects which are completed by the council after the elections of LG from 2015-19:

❖ **Annual Budget of the Neighborhood Council Chitral-1 for the year 2015-2016**

Total Budget = 15 lakh

Budget allocated for developmental funds= 12 lakh

Budget allocated for non-developmental funds= 3 lakh

S. No	Projects Name and Area	Cost
01	Water Scheme for Muldeh	600000/-
02	Water Pipe-line for Jang-bazar	450,000/-
03	Construction of Water Tank at Katurandeh	70,000/-
04	Establishment of Computer Lab for Dangarikandah Payeen	80,000/-
Total (PKR)		120,0000/-

❖ **Annual Budget of the Village Council Chitral-1 for the year 2016-2017**

Total Budget = 15 lakh

Budget allocated for developmental funds= 12 lakh

Budget allocated for non-developmental funds= 3 lakh

S. No	Projects Name and Area	Cost
01	Construction of Dangarikandah Road	250,000/-
02	Construction of Chitral Public School Road	300,000/-
03	Fuel for Three Generators	200000/-
04	Construction of Stairway Tordeh Muldeh	150,000/-
05	Pipe-line Muldeh	300000/-
06	For Municipal Services	100000/-

Total (PKR) 120,0000/-

❖ **Annual Budget of the Village Council Chitral-1 for the year 2017-2018**

Total Budget = 15 lakh

Budget allocated for developmental funds= 12 lakh

Budget allocated for non-developmental funds= 3 lakh

S. No	Projects Name and Area	Cost
01	Water Scheme for Aliyandeh	600000/-
02	Pedestrian way at Muldeh	80,000/-
03	Construction of water tank	70,000/-
04	Fuel for Three Generators	200000/-
04	Repair of Road Muldeh	150,000/-
06	Distribution of Dustbins	70,000/-
07	Municipal Services	30000/-
Total		120,0000/-

❖ **Annual Budget of the Village Council Chitral-1 for the year 2018-2019**

Total Budget = 18 lakh

Budget allocated for developmental funds= 16 lakh

Budget allocated for non-developmental funds= 2 lakh

S No	Projects Name and Area	Cost
01	Repair of Link Road Dangarikandah	200000/-
02	Reconstruction, Distribution and Restoration of drinking Water for Muldeh	500000/-
03	Fuel for Janitors	3,50,000/-
04	Repair Main Road Jang-Bazar	450,000/-
05	For Municipal Services	100000/-
Total (PKR)		160,0000/-

Role of Neighborhood Council Chitral-1 in Resolution of Local Disputes

The purpose of creating LGS within the world is to give solutions to the problems of the people at the bottom-up level. Through LG, people find solutions to their problems by reaching easier to their members. In this connection, the NC Chitral-1 played a very important role in solving the problems of the people. Some of the cases that the NC resolved along with the well-reputed personalities of the village were disputes over the water distribution among the adjoining villages (Ullah, 2019), electricity issues in Muldeh, disputes on land, marriage, and domestic issues (Ahmad, 2019), one case pertained to opening a boys' hostel in the area.

The NC like other councils performed its statutory functions to the people which included attestation of national identity cards and official documents, by providing birth, death, marriage, and divorce certificates to the people within the neighborhood council level. Apart from its statutory functions, the NC Chitral-1 performed some other social services as well. To empower women two handicraft centers were opened at the council level (Ahmad, 2019).

Role of Youth and Women Councilors in Village Council

Both the women and youth were not members of any Committee as no committee was formed by the council during the LG tenure. They had ensured their attendance at every meeting. In addition, they did not play any particular role (Raqib, 2019).

Findings/Conclusion

The researcher observed several positive aspects of the Local Government Act (LGA) 2013 in selected union councils. These included members' intentions to serve the people and contest elections with the goal of solving community problems. They were cooperative and never resigned due to non-cooperation among colleagues. The representation of women, youth, and minorities at the Village Councils (VCs) and National Councils (NCs) played an important role during the LG tenure.

However, the researcher also found several drawbacks and shortcomings in the functioning of LGS 2013. These included financial problems, a lack of education criterion for membership, and a lack of knowledge about the LGS. Most members were unaware of their responsibilities and were not given special training after the elections. The district account provided the budget for the VCs and NC on an installment basis, which led to difficulties in running developmental projects.

Members were not interested in meetings due to illiteracy, lack of knowledge about their responsibilities, and lack of salaries. Meetings were held poorly and decisions were taken without members' confidence. The total strength of members for VCs and NCs was ten to fifteen, making decision-making difficult. Supervisory committees were given different tasks but were not given serious attention.

The bureaucracy in Pakistan created hurdles and problems, with the fear of losing power being a factor behind their negative attitude. In contrast to Western countries, the bureaucracy in Pakistan is negative, leading to issues in Chitral. The secretaries were not cooperative and were not ready to work under the supervision of the Union Council's Nazeemen.

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