

LOCAL PUBLIC ADMINISTRATION IN PAKISTAN

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During the past two decades, most of the Governments of the less developed countries are engaged in evolving various patterns of Local Self-Government giving maximum autonomy to the people in regulating their day to day affairs. This is due to the realization that centralization in administration, always tend to create more problems and inconvenience to the people rather resolving the difficulties in the conduct of daily business. The concept of Local Self-Government and Public Administration is not of the recent origin, the Greeks had their City Governments and in Indo-Pak Sub-Continent the Panchayats used to perform the similar functions which are for example performed by the City Governments in Japan.

It is important to note that history of a country plays a dominant part in formulating the way of life of a society. It is interesting to observe that the Indo-Pakistan Sub-Continent, which was once known as "Golden Sparrow", had been a prey of foreign powers starting from the invasion of Alexander the Great ending with the departure of the British Rule in 1947. In between these dates the Mongols, Tartars, Turks, Afghans, French, Portugese and the British continued occupying the land in the various phases of the history. It is evident that it was not their objective to develop such a system of the Government which could give consciousness and freedom of conduct to the inhabitants of this land. The Britishers were the longest to stay, therefore they also tried to make some contribution in the field of Local Public Administration. The following bring history of Local Self-Government would reveal various stages of administration in different periods of history.

Local Government institution have existed in the Indo-Pakistan sub-continent for centuries in the form of Panchayats or in some other form. Literally, Panchayat means a "Council of Five". The word Panch is equivalent to the Greek pente as in pentagon. These institutions were, however, not representative in character. They represented the feudal aristocracy, which governed by virtue of authority rather than mass participation. The scope of these rural institutions was extended to urban areas by the Mughals and the office of Kotwal was established. It may be mentioned here that the East India Company was established in 1600 A.D. In 1680 A.D. it made an attempt to establish some sort of Local Government in presi-

gency towns viz Madras, Calcutta and Bombay. It was an embryonic stage of Local Government in the Indian sub-continent which also included the territories now constituting Pakistan. In fact, an attempt to introduce Local Government was made by the East India Company in the year 1680, when it set up a Municipal Committee in Madras.

The realization of public participation in government affairs, however, dawned on the British rulers after the upheaval of 1857. The need to bridge the gap between the ruler and ruled was felt seriously. It was in this context that Lord Ripon in 1882 advocated that the Local Government could become "an instrument of Political and popular education" producing an intelligent class of public spirited men.

On the one hand was Lord Ripon with a mission for "training the natives to manage their own affairs" and on the other, was a school of thought which saw in the development of local government institutions a perpetuation of the imperial interests. Whereas Lord Ripon's resolution of 1882 laid down a blue print of local self-government in India free from external controls and truly representative, in actual practice, the local government institution as it developed was "Shackled with an extensive network of supervision and control".

Contrary to Lord Ripon's "Political education" policy, a rigid system of supervision and control was enforced and everything was subjected to official control and tutelage. Despite Ripon's clear directive of not subjecting the Local Government institutions to the control of district authorities, viz; Deputy commissioners of Collectors, the institutions were so reduced. Even Ripon's policy, although it did revive some of the major aspects of 1882 resolution, failed to cleanse the local government institutions of bureaucratic control and tutelage. Morley's reiteration of Ripon's view of giving the "freest possible liberty of action to Local Government, local interest and local knowledge", with a view to educating people in the management of their own affairs, did not materialize, and the dream remained unrealized.

The main philosophy behind the pre-independence enactments was to create a class of elite which could provide a link between the ruler and the ruled. The object of social reconstruction was of secondary importance to the colonial rulers. It is because of this philosophy that despite the formal existence of Local Government, the spirit that makes Local Government institutions the basis of socio-economic and political development was lacking.

It is in this historical background that the system of local government in India during the period which started from the rule of East India Company and extended upto 1864 exhibited a tendency, particularly in rural areas, to expand district administrative authority and to dilute the jurisdiction of the traditional Panchayats. However, the British were responsible for the evolution and development of the municipal administration.

Though the Muslim rulers of the Indo-Pakistan sub-continent had the traditions of Muhtasib fresh in their memory, yet the municipal administration as it flourished during the British regime was not a continuation or modification of a pre-existent.

In this regard the policy of the British rulers is evident from the fact that although India representation increased both in Bombay and Calcutta, yet the numerical English superiority on the Boards continued. In both the Presidency towns the ratio of Indians and Englishmen stood at 3:4 instead of the earlier 3:2 and 3:1 in Bombay and Calcutta respectively. However, nine years later this trend was reversed when the new Bengal Council Act of 1856 authorized the Governor to appoint three Commissioners . . . all of them Englishmen . . . to form the body corporate. Two years later, the Bombay Act XXV of 1858 followed suit. Meanwhile, full-fledged government under the British Crown had been established in India. Westminster then had a direct concern of the affairs of India which became the British Empire. The aftermath of the War of Independence in 1857 compelled the British rulers to consider seriously, more than ever before, the need for closer communication between Indians and British at all levels of public life.

The Act of 1872 introduced the Bengal pattern seven years later. As a result, half of the members were elected by the rate-payers and the remaining half, including the chairman, were nominated by the Government; and, as such, five Indians took place alongside seven Englishmen. Even in Bengal, despite these measures, to a great extent the changes were formal rather than real. This is evident from the fact that the actual business of municipal government was conducted by the appointed chairman in Bengal and by the municipal commissioner in Bombay . . . both of whom were paid officials of the government.

The municipal administration, outside the Presidency towns, was set up when the first Municipal Act was passed in 1842 for the Bengal province only. It provided for the setting up of a town committee for sanitary purposes on the petition of two-thirds of the house-holders. The Bengal Act X of 1842 was inoperative in actual practice and, therefore, it was superseded, eight years later, by Act XXVI of 1850 which paved the way for the establishment of municipal committees outside the presidency towns all over British India.

In 1874, the position of municipal government in India as summed up by Lord Hobart, Governor of Madras, is given in the Madras Local Self-Government Committee Report, 1882, in these words.: "The population of a municipality does not in any sense govern itself, except that some of its leading men, nominated by Government, are placed upon the board . . . The Government of a municipality is in fact an oligarchy dependent upon a superior power which may control its action to almost any conceivable extent." There was hardly any change in the position

even up to 1882, the year when the aforementioned report was published. According to Professor Tinker, in municipalities, the majority of the members were re-appointed year after year. There was no territorial basis of membership and if there was any principle of representation they were chosen to represent the leading castes or classes. This was the state of affairs in the Presidency towns and the urban areas.

As far as the villages were concerned, the attempt to set up district committees as smaller units of self-government in 1864 was a miserable and total failure. They were purely nominated bodies having not even advisory powers.

As discussed earlier while giving the historical background, it may be mentioned here in detail that the most significant phase in the development of local government in India began with Lord Ripon's Resolution of 18th May, 1882. He was responsible for taking a decisive step by placing local government on its true basis, not merely as a means of devolution of authority in administration and in decentralisation of financial resources but as a means of "popular and political education" by which alone progressive communities could cope with the increasing problems of Government.

In pursuance of the changed concept of Local Government in India as introduced by Lord Ripon, the Act passed during the period from 1883 to 1885 altered the constitution, powers and functions of local bodies in the different provinces. In 1883, Government of Bengal framed two Bills dealing with Municipalities and Local Boards respectively. The former provided that all municipalities except those excluded by Government, would be granted the right of election. Only in the important towns, was election for Chairman by the municipal commissioners called for a two tier system of local government. According to this system a Union Committee covering an area of twelve square miles would administer the local affairs of a union of villages. Above the Union-Committee there would be Local Board, which would not be larger than a sub-division, Tehsil or Taluqa. The Bill provided for both the tiers, geographically small areas, elected membership, non-official chairman and extensive authority within membership, non-official chairman and extensive authority within their defined jurisdiction, but it contained the provision that a Central Board would be established in Calcutta to control the activities of Union Committees and Local Boards.

In Rural areas, Ripon proposed to create Local Boards at Sub-Division, Tehsil or Taluka level as the primary Unit of administration but the Punjab Government abolished all Local Boards set up between 1884 and 1887. While Local Boards were created in all the districts of Bengal and Bombay, on the one hand, the Sub-Divisional Officers were made Chairmen, and on the other, every province entrusted the District Boards with all the funds and almost all the functions of local government.

The electoral base of Local Boards was extremely limited and the elective principle depended more upon the attitude of the heads of various provinces rather than on the aptitude of the people. As a natural corollary, therefore, either the elected members did not show much political enthusiasm or the nominated members did not consider themselves as partners in administration with the agency which nominated them. The provision that urban and rural boards should have a two-thirds majority of non-official members was seldom observed. The provision for non-official chairmen was generally ignored. In actual practice, the District Magistrate remained dominant in the local government sphere controlling both the urban and rural sides.

After World War I (1914–1919), the nationalist movement in India gained momentum and the people started agitations demanding independence and self rule. This led the British Government to reconsider the recommendations of the Royal Commission upon Decentralisation (1907–1909) and the Government of India's Resolution of 28th April, 1915. On the 20th August, 1917, a policy decision was made on Indians in all branches of administration and gradual development of local government leading to progressive realisation of responsible government in India. In 1917, commenting on the decision, the Viceroy, Lord Chelmsford said: "There were three roads along which an advance should be made towards the goal indicated in the (Secretary of State's) pronouncement. Of these the first road was in the domain of Local self-government, the Village or rural board and town or municipal council. The domain of urban and rural self-government was the great training ground from which political progress and a sense of responsibility have taken a start and it was felt that the time had come to quicken the advance, to accelerate the rate of progress and Chaukidari Panchayats and Union Committees by agencies called third were appointed by the District Magistrate and the rest were elected. They served for four years and chose their own presidents. By 1927, there were 2,874 Union Boards covering one-third of the province and by 1939, the number had gone up to 5,099 covering the entire area of rural Bengal.

Whatever progress was made in the field of local self-government abruptly came to an end once again on account of a World War which dramatically changed the course of events. Thus the reforms introduced so far were engulfed in the flames of the Second World War which started in 1939. In most of the provinces Congress ministries resigned in protest against India's involvement in war without the consent of the representatives of the people. The provincial legislatures were consequently dissolved and Governor's rule was promulgated in almost all the Provinces.

This state of affairs continued indefinitely. As late as 1947 the subject of local self-government in Indo-Pakistan sub-continent remained in

a miserable state of neglect. With the advent of independence and emergence of Pakistan as a sovereign state on August 14, 1947, things did not change over-night. The nascent state started its journey on the path of progress but not without set-backs which she inherited in almost all spheres of activity and therefore local self-government was no exception. The areas which constituted Pakistan in particular had no progressive system of local self-government. The Pakistan Government, however, maintained that fullest autonomy should be granted to local authorities. This was borne out by the 1948 Muslim League Manifesto which stood for "the very widest extension of local self-government on the model of the Parishes in English." The spirit enunciated in the Manifesto had gradually penetrated into the policies of the Provincial government. However, from the early formative years to the present day structure for local self-government, gives an interesting account of political vicissitudes.

Local Government has been defined as a form or structure where a local unit derives a considerable power through the local citizenry by the election of officials. It has also been defined as a political subdivision of a nation, which is constituted by law and has got control over local affairs, including power to impose taxes or to exact labour for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected. Thus the concept of Local Government would involve a territorial, not sovereign, political cum administrative mechanism to manage and regulate the affairs of a locality with the maximum possible participation of the local populace. Local Government is important for national development for many reasons:

- (a) It contributes to political stability.
- (b) It helps avoid local opposition to plans.
- (c) It inculcates a sense of participation on the part of the people.
- (d) It provides a structure for articulation of local socio-economic and political demands and their subsequent transfer to the higher tiers of the administration or government viz-a-viz Provincial or Federal.
- (e) It also aids in alleviating the problems of relationship between a man in a village and the national political system.
- (f) It helps to motivate people for resource mobilization and national reconstruction.

Hence establishment of a viable institutional arrangement is a must or else the political system, particularly in most of the developing countries, would remain in danger of alienating the rural masses, more so in Pakistan, where 80% of the population dwells in the villages. Most developed countries have been through the historic economic process and have through trial and error built up institutions at every level. Therefore, there is no reason why a system of Local Government cannot work in countries like ours, provided it is designed to suit the genius of our

people.

In 1947, Pakistan inherited these institutions. Due to lack of agreement on constitution and diversion of government energies to different national problems, no attention could be paid to this important aspect of national life and the institutions did not advance much beyond their pre-independence circumscribed scope. The Councillors were not wholly elective. The "Franchise" was so restricted that the elections were not a true index of public representation. The Local Government was extended to grass-roots level only in the Punjab in the form of village panchayats. Even in this province, 75% of the villages did not have panchayats. The system of Local Government with its circumscribed scope existed in Sind and N.W.F.P., but was completely absent from the Province of Baluchistan, Princely States and Tribal Areas.

In the decade following independence, government took certain decisions for democratization of Local Governments and it decided:

- a) to introduce universal adult franchise in place of restricted franchise;
- b) to make district local bodies fully elective;
- c) to extend Panchayat system to Bahawalpur and NWFP and left out villages of Punjab.

These decisions, however, could not be translated into action and the actual practice went in the opposite direction e.g. 24 District Boards out of 34 stood superseded in 1957. The situation in NWFP was even more discouraging as in 1952 all the Local Government institutions of this province were suspended. The history of Local Government in the post-independence decade is, therefore, a history of regression rather than evolution. In essence it remained where it was in 1947. The agenda and budget were required to be approved by the District Officer. Different hierarchies in a bureaucratic set up could create a local body, alter their boundaries, frame constitutions, dissolve or supersede them, and thus in effect withdraw the system of Local Government from any area.

This state of affairs isolated citizens from national development activities and the impact of development activities, if any, was not felt at grass-roots level. The government made an attempt through Village AID to separate economic development so that it could precede political development. The experience in Village AID, however, was a demonstration of its inability to invoke participation of isolated villagers in socio-economic activity. Need for an institutional framework to channelize development of village councils under Village AID failed to mobilize village populations. Village AID had its healthy effects too, and the organization claimed to have made a number of achievements in the various fields. However, the Village AID organization was wound up and devitalized with the Basic Democracies system in the country in 1960-1961; the resultant organization was then named as National

Development Organization. The Basic Democracies system had universal coverage of the country. The Union Councils continued their Rural Development efforts with whatever scarce funds they could muster.

The Union Council covered a Village population of 8000 to 15000 people. A basic democrat representing 1000 to 15000 persons was elected on the basis of adult franchise. The Chairman of the Union Council was elected from amongst the members of the Union Council. The Tehsil Council was composed of Ohairmen of Union Councils falling within the jurisdiction of the Tehsil Council. It also included official members nominated by the Government. It had official an Chairman, namely Assistant Commissioner or Tehsildar. The direct role of basic democrats of the District Council level was very little. It consisted of elected representatives and official members. The representative members were elected by the electoral college consisting of the Chairman of the Union Council and Union Committee. It was headed by the Deputy Commissioner. The Divisional Council also had the same pattern of composition. The representative members were elected by representative members of the District Council. It was headed by the Commissioner of the Division.

The role of local bodies before the Basic Democracies system was confined only to the provision of civil amenities like water supply, sanitation, roads and primary education to some extent. With the Basic Democracies system two dimensions added to the civic functions of Local Bodies.

The underlying idea of the Basic Democracies system was to invoke local participation in development activities and integrate local aspirations with national objectives. Despite the fact that the Basic Democracies System could not come up to expectations because of its built-in defects, it did introduce awareness of development and need for change at the grass-roots level. It did help in improving infrastructure and in providing other basic facilities. However, public participation on the side of financial contribution was not very encouraging. Mostly, the attitude was to get as much direct allocation of funds for area development as possible. The non-responsive attitude in sharing the responsibility of contribution for implementation of local schemes was reflective of the gap between the thinking at the local and national levels.

The Basic Democracies system continued till 1971 when it was abolished by the PPP regime in 1972. No alternative arrangement was made and a complete vacuum existed at the grass-roots level. However, some ad hoc arrangements were made for execution of development schemes at local levels. In March, 1972, the Provincial Governments on the directions of the Federal Government, promulgated the People's Local Government Ordinance, 1972, in their respective jurisdiction. The grass-roots level institution of Union Council in the rural areas was eliminated. But this step was vehemently opposed and criticised by the opposition

parties on the plea that framing of the constitution must come first in which the form of future government should clearly be defined including the relationship between the federation and the provinces. The idea of Integrated Rural Development Programme (IRDP) came in 1973, when the new constitution was framed. It laid great emphasis on the promotion of local self-government as a vehicle of economic development.

Basically, Integrated Rural Development Programme (IRDP) was planned to encompass practically all aspects of rural life with the main thrust on agriculture. It also aimed at overcoming the varied problems such as salinity, waterlogging, land reforms, development of barani and riverain areas, mechanized farming and reclamation of land, etc. It envisaged the provisions of facilities and amenities viz-a-viz, health and educational institutions, civic centres, etc., to improve the quality of life in the villages. Efforts were also made, under IRDP to motivate people to organize themselves for their economic betterment and agricultural development. "Shadab" Pilot Project (Lahore) and Daudzai Project (Peshawar) were launched to demonstrate that people could be mobilized and organized provided they were allowed full participation.

The Rural Works Programme was replaced by the People's Works Programme, by the People's Party Government, under which the objectives of the programme have, by and large, remained the same as under RWP. However, the mode of execution of the programme was changed with an intent to have better participation of people at various levels. The structure of RWP was as follows:

- a) DEHI PANCHAYAT (rural areas) and WARD COMMITTEE (urban area). These formed the basic units.
- b) HALQAPANCHAYAT.
- c) People's District Works Council.

The major thrust of these programmes was planned towards increasing agricultural production by providing technical guidance, supervise credit supply of inputs, agricultural machinery on hire, storage and participation of the people through the formation of village co-operative societies. The main idea of the programme has been to institutionalize the programme so that the institutions created become self-generating and self-propelling. In other words, the IRD Programme was meant to provide a package deal of services in the rural areas so as to make the community self-sufficient in their needs of the services of various nation building departments. Under the Agrovillage/Metroville system model villages (rural areas) and model colonies (urban areas) were planned to be established so that masses could be educated in improving their living conditions.

The concept of P.W.P. supplemented by IRDP as a system, specifically for rural reconstruction was quite suitable for our country and had good prospects for success because:

- a) unlike B.D. system it did not have the bureaucratic control;

- b) people's participation at all levels was ensured;
- c) sufficient autonomy was provided at all levels;
- d) IRDP provided all the services as a package deal.

Since this system remained a theoretical exercise only and was not put into practice, the proper infrastructure was not provided, and elections were not held for the various levels of the bodies, therefore a real assessment of the system and its problems is not possible. The government made only a half hearted attempt and the programme was not implemented in letter and spirit. Although, at a later stage, to achieve these objectives, new Ministries of Social Welfare, Local Government and Rural Development were created at the Federal level and Departments at the Provincial levels so as to integrate the activities of all the sectors, the internal political instabilities necessitated another change of government thus causing yet another set back to the Local Government and other rural development programmes. The present situation of local public administration in Pakistan represents gradual process of democratization of institutions engaged in the conduct of daily business. It is worthwhile to mention that with a view to have a uniform system of public administration in all the four provinces of the country new Local Govt Ordinances were passed in 1979 which not only provided institutional frame work but also defined the responsibilities of a system based on the working of local councils. In Pakistan there are more than 5000 local councils in urban and rural areas. In rural areas where number of villages range from 10 to 15 and population is between 1000 to 1500 individuals, a union council is constituted on the basis of adult franchise. A union council is headed by an elected chairman and members who hold the office for a period of five years. Every year on district basis small grant is given to a union council to undertake small development projects. A union council with the help of its members make annual development programmes and it imposes taxes to raise funds for the completion of projects. A union council has a long list of responsibilities in the field of public welfare and development activities. Every month a union council holds a meeting to review the work done by its members during the month.

The second important tier in the rural areas is the district council which is constituted where population is about 50,000. A district council, like union council, is an elected body which is responsible for the development of rural areas on the district level. It is headed by elected chairman and members who enjoy complete autonomy in grass-root, planning, development, and execution of projects. Some of the functions of rural local councils are as under:

- 1: Management of public ways, public streets.
- 2: Plantation of trees.
- 3: Prevention of public nuisance in public ways.

- 4: Relation of dangerous buildings and structures.
- 5: Registration of births and deaths.
- 6: Provision of first aid centres.
- 7: Promotion of primary, middle and secondary education.

Similarly, a hierarchy of local councils exist in the urban areas.

1: Town committees are constituted in towns where population ranges from 5000 to 20,000 individuals. The number of the elected members vary with the size of population.

2: Municipal committees are constituted where population ranges from 20,000 to 500,000. The number of members ranges from 15 to 35.

3: Municipal corporations are constituted where population ranges from 500,000 to 2000,000. In municipal corporations number of members vary from 50 to 100.

These urban councils are ushered in the office for a specific period of time through the democratic process of adult franchise. The sphere of activities of the councils includes all the aspects of modern civic life. These councils are autonomous and free from the concept of the "controlling authority."