

THE LOCAL GOVERNMENT SYSTEM IN SINDH: A CRITICAL ANALYSIS OF THE SINDH LOCAL GOVERNMENT ACT 2013

Dr. Saeed Ahmed Rid *

Dr. Niaz Murtaza **

Abstract

The politics of ethnicity across rural and urban Sindh and the fact that it includes Pakistan's economically and demographically biggest city Karachi makes a robust local government system essential for Sindh. Karachi and Hyderabad, the two urban centres of Sindh have been dominated by Mutahida Qaumi Movement (MQM) the political party of Mohajirs, the descendants of non-Punjabi immigrants from India, while the smaller towns and rural areas are dominated by the Pakistan People's Party, the representative party of the indigenous Sindhis. Since Musharraf's alliance with MQM in 2002 and his changes in Sindh Local Government system to facilitate MQM, the local government system in Sindh has remained a major bone of contention between MQM and PPP on one hand and the Mohajir and Sindhi communities on the other. In this background, this paper is an attempt to study the Sindh Local Government Act 2013 and analyse how far this Act resolves the question of local government in Sindh. Moreover, what kind of administrative and political devolution is provided under 2013 act? And how ethnic identity politics plays out in the local governance in Sindh?

Key words: *Local Self-Government, Local Governance and Service Delivery, Political Devolution, Ethnic Politics in Sindh, Local Government Act 2013, Devolution, Ethnicity, Identity Politics, Representation and Urban Centers.*

* Assistant Professor, National Institute of Pakistan Studies, Quaid-e-Azam University, Islamabad, Pakistan.

** Executive Director, INSPIRING Pakistan

Introduction

In its current boundaries, Sindh became a province of British India on April 1, 1936, after being separated from the Bombay Presidency. However, as an administrative and political unit with different boundaries, Sindh has existed since time immemorial and is linked to the ancient 'Indus Valley Civilization' that existed between 2600-1900 BCE) (Talpur 2014). Over the centuries, Sindh had its own indigenous local government system called Faislo.

Sindh with 47 million people, according to the figures of 2017 census, is the second largest province of Pakistan in terms of population. The province of Sindh is administratively divided into seven administrative divisions and twenty-nine districts. The seven divisions include five old divisions of Karachi, Hyderabad, Mirpur Khas, Sukkur, Larkana and the two new divisions of Shaheed Benazir Abad Division (previously named as Nawab Shah) and the Bhambhore Division framed in 2014. The districts of Naushehroferoz, Sanghar and Shaheed Benazir Abad were carved out from the Sukkur division to make the new division of Shaheed Benazir Abad. Similarly, Thatta, Sujawal and Badin districts were separated from the Hyderabad division to make the Bhambhore division. The twenty-nine districts are further divided into tehsils or talukas and tehsils subdivided into Union Councils, the basic unit of the local government.

This research study provides an analysis of the contours, strengths and weaknesses of the Sindh Local Government (LG) system which came into existence in 2013. In this research paper the political and administrative devolution under Sindh Local Government Act (SLGA) 2013 is discussed in detail. The structure of SLGA 2013 as implemented all over Sindh is analyzed and it is clarified how Karachi has been dealt differently under this act from the rest of Sindh. The SLGA 2013 is also compared with Musharraf's LG system and Sindh Peoples Local Government Act (SPLGA)no 2012 to clarify why it is being resented by the MQM while PPP and other political forces in Sindh have welcomed it.

Aims of Research

The main research aims of this study were as follows:

- i) To present the coordinates of the Sindh LG system 2013 and analyze whether it provides sufficient administrative and political devolution to help achieve greater efficiency and effectiveness in service delivery, equity and greater egalitarianism and equity in society,

- ii) To compare the Sindh LG system with earlier attempts at devolution in Pakistan
- iii) To analyze the opinions of key stakeholders, including local councilors, communities and civil society members about the Sindh LG system, and
- iv) To provide recommendations for improving it.

Research Questions

This study provides the history of local governance in Sindh and discusses the details of the current LG system adopted in 2016 based on Sindh Local Government Act 2013. What are strengths and weaknesses of the current LG system in Sindh? What kind of administrative and political devolution is enshrined in the current LG system of Sindh? And how ethnic identity politics plays out in the local governance in Sindh?

Research Methodology

This is primarily a qualitative research; however secondary quantitative data is used wherever possible to substantiate the argument. This study used a variety of research tools and sources of information. Official documents, acts of legislature, administrative decrees, political statements, research articles and newspaper reports are used to analyse and understand the local government system in Sindh and party positions around it. Moreover, qualitative in-depth interviews of key informants, including elected Local Councilors belonging both to the government and opposition parties, relevant government officials, civil society activists and academicians were conducted to elicit their opinion and positions. Finally, it undertook focus group interviews in selected low-income areas of Sindh, including one Kachi Abadi in its urban areas and one village.

The Political Overview of Sindh

Genuine administrative, financial and political devolution to local governments is even more important for Sindh than the other provinces of Pakistan because of two factors. Sindh has Pakistan's second largest industrial and advanced service economy after Punjab. But almost all of it is based in Karachi, its capital, which is the country's premier commercial city and home to two of Pakistan's commercial seaports— Port Bin Qasim and the Karachi Port. The rest of Sindh has an agriculture-based economy. This economic division is over-laid by a politically explosive ethnic division. Karachi and Hyderabad, the next largest city, are dominated by Mohajirs, the descendants of non-Punjabi immigrants from India who came to Pakistan after its separation from India in 1947. Karachi also hosts

millions of Pakhtun immigrants from KP province and Punjabi immigrants from Punjab. The smaller towns and rural areas are dominated by indigenous Sindhis.

The PPP feels that it has been denied power at the federal level on several occasions by the Punjab-dominated Pakistani establishment and is also the standard-bearer of Sindhi grievances about being marginalized within Pakistan, mainly by Punjab. Sindhis also feel they are being converted into a minority in Sindh due to the initial migration of Mohajirs after 1947 from India and subsequent migration from upcountry, both into Karachi. Sindhi nationalists also resent the domination of Sindh's larger cities by outsiders. The MQM is the standard-bearer of Mohajir grievances, who complain about being marginalized both by the Punjab-dominated Pakistani establishment nationally and by the PPP provincially. Finally, the ethnic minorities in Karachi, e.g., Punjabi, Pakhtun etc. complain of suffering triply: from the federal and Sindh government's neglect of Karachi and MQM's neglect of them within Karachi.

The Sindhi nationalist political parties are another key stake holder as far as the LG system in Sindh is concerned. The major interest of Sindhi nationalists lies in keeping MQM at bay in the LG system and securing a better deal for rural areas by pressurising and demonising the PPP in rural areas. The Sindhi nationalists are represented by more than a dozen small political parties and factions that cannot agree on many issues among themselves but their position on LG system in Sindh is almost identical. As far as Karachi is concerned, one can add the Awami National Party (ANP), Pakistan Muslim League-Nawaz (PML-N) and Pakistan Tehrik-i-Insaf (PTI) as other important stake holders. The Pashtun vote in Karachi mostly goes either to the ANP or PTI and the Punjabi vote mostly goes to the PML-N.

The party politics which surrounds the LG systems in Sindh makes its implementation more controversial and difficult. So, Musharraf's LG system in Sindh initially did not spark much criticism from PPP and other nationalist parties but after 2004 when certain changes were made to only benefit MQM at the cost of PPP and other political parties, it became very controversial. Criticizing Musharraf's LG system, Naseer Memon, a noted Sindhi intellectual wrote, "Musharraf's LGO 2001 was rabidly opposed by Sindhis in the province. Sindhi leadership including the then PPP considered it as a precursor of administrative division of Sindh that effectively converted Karachi into a semi-autonomous unit rendering provincial government a mere spectator in the affairs of its capital city" (Memon, 2013).

Similarly, the SPLGA 2012 became controversial from day one. The PPP was under tremendous pressure at the Centre and needed MQM on its side in the federal government to remain in power. This brought PML(F), Sindhi nationalists and PML(N) on one platform in Sindh and they started a mass campaign against PPP in the rural areas of Sindh. This ultimately forced PPP to take back SPLGA 2012 just a few months before the 2013 elections fearing a possible negative impact on its chances of winning the 2013 elections in Sindh. After repealing SPLGA 2012, a senior minister in Sindh government told the Friday Times, “PPP had passed the law only to please the MQM. We were all against it” (Chishti, 2014).

To understand and analyze the Sindh Local Government Act 2013 (SLGA 2013), one must understand the political dynamics of the time and the manner in which it was framed. In the 2013 elections, the PPP badly lost at the centre and in Punjab, KP and Balochistan; while securing a clear majority in the Sindh provincial assembly. Therefore, in the changed political dynamics PPP was no more reliant on MQM’s support either at the centre or in Sindh. Moreover, now the PPP was wary of Sindhi nationalists and their possible reaction over the LG system in rural Sindh- its last remaining political bastion. This new political reality compelled PPP to bring the Sindhi nationalists on board while framing the SLGA 2013. The PPP started a major consultation process with journalists, intellectual and politicians having Sindhi nationalist background (“Social perspective”, 2013). The critics of SPLGA 2012 in local Sindhi press were asked to give their feedback and the amendments proposed by them were incorporated to make sure that the SLGA 2013 receives no opposition from the local Sindhi press and the Sindhi nationalist circles. The MQM was now completely taken out of the loop and not consulted at all before the presentation of the bill in the Sindh Assembly. Hence, resultantly SLGA 2013 was severely criticized by MQM which termed it a “black law” while PML (F) and other political forces either criticized only some sections at times or afforded a tacit approval to the act (‘Voicing concerns’, 2017).

Political Devolution

The SLGA 2013 borrows much of its structure, vocabulary and rules from General Zia’s LG system. Like Zia’s LG system, a separate structure is enshrined for the urban and rural areas of Sindh. The concepts and structures of union councils, district councils, town committees, municipal committees and municipal/metropolitan corporations have been adopted in SLGA 2013 from Zia’s LG system too.

As in other provinces and the federal capital, for the first time the LG elections in Sindh were envisaged on party basis. The term of office for LG councils in Sindh is four years, which commences from the day of the first meeting of local bodies. Moreover, SLGA 2013 makes it clear that the first meeting of the council must be held within thirty days from the day when the names of its members are notified by the Election Commission. Hence the law gives clear deadlines for the first meeting of councils and their tenure. However, it does not provide for immediate elections within 90 days in case of early dissolution or completion of term, as provided for provincial and national assemblies in Pakistan's constitution. The four-year term is also less than that of provincial, national and Islamabad LG terms (5 years).

LG System for Rural Areas

The structure of LG system in rural areas under SLGA 2013 is quite simple and comprises of Union Councils (UCs) and District Councils.

A Union Council consists of a Chairperson and a Vice Chairperson to be elected as joint candidates; four general members each elected from their respective wards; two women members, one labourer or peasant member, one youth member and one non-Muslim member. Under SLGA 2013, direct elections on the basis of adult franchise are held for Chairpersons, Vice Chairpersons and the four general members, while the mode of election for the members on reserved seats was left with the government to decide later. The Sindh government later decided that the six directly elected members will elect the members on reserved seats.

All the rural areas in a district are brought together for joint management under a district council which does not include the urban areas. For District Councils, each Union Council falling within its jurisdiction elects one directly elected councilor on the basis of adult franchise. Apart from this, for a District Council 33% seats are reserved for women, 5% for youth members, 5% for non-Muslims and 5% for labourer and peasant members. The District Council thus constituted then elects its Chairperson and Vice Chairperson as joint candidates from its members by "secret ballot".

Tehsil or Taluka Councils, which had been a regular feature of the LG systems in Pakistan since Ayub Khan's BD system, are missing in the SLGA 2013. This omission was criticized by some key informants who felt that it may be difficult for District Councils based in one place in the district to directly deal with so many rural councils spread all over the district without an intermediate structure like the Taluka.

LG System for Urban Areas

There are four types of LG structures in the urban areas of Sindh.

For small towns with populations ranging from 10,000 to 50,000, Town Committees are constituted. The town committee comprises of each member (councilor) elected from his/her respective ward, and 33% reserved seats for women, 5% for youth members, 5% for non-Muslims and 5% for labourer and peasant members. The town committee thus constituted then elects its Chairperson and Vice Chairperson as joint candidates amongst its members by “secret ballot”. A Municipal Committee is constituted for towns with population ranging above 50,000 to 0.3 million. The municipal committee has the same structure as a town committee and it is composed of several wards each electing its municipal councilor for the municipal committee. Apart from the councilors directly elected by wards, the other reserved seats in Municipal committee are indirectly elected and then municipal committee thus formed elects its Chairperson and vice Chairperson. Wards for town committee range in size from 2000 to 3000, while the size for wards in municipal committee is 4000 to 5000. Thus, small towns up to the size of 300,000 persons only have a single-tiered structure although an earlier draft of the 2013 legislation did provide for Union Committees below the Town/Municipal Committees. This single-tiered system appears problematic for both Town and Municipal Committees. Towns up to 50,000 persons are often extensions of rural areas, and, like rural UCs, may not have the capacity to undertake complex tasks on their own and may need help from a higher LG authority as provided for rural UCs. On the other hand, towns having population above 50,000 up to 300,000 may be in need of a lower structure like Union Committees.

Cities with population above 300,000 to 3.5 million (Hyderabad, Sukkur and Larkana cities) have union committees and a municipal corporation. The Union Committee (UC) population ranges from 10,000 to 15,000 only. The union committee consists of a Chairperson and a vice Chairperson to be elected as joint candidates; four general members each elected from their respective wards; two women members, one labourer or peasant member, one youth member and one non-Muslim member. Under clause 18 (2) of SLGA 2013, direct elections on the basis of adult franchise are held for Chairperson, vice Chairperson and the four general members, while the mode of election for rest of the members is left with the government to decide later. The Sindh government later decided that directly elected members will elect the members on reserved seats. The Chairpersons of union committees in Hyderabad, Sukkur and Larkana districts become ex-officio members of the Municipal Corporations of their respective cities. Moreover, 33%

seats are reserved for women, 5% for youth members, 5% for non-Muslims and 5% for labourer and peasant members in Municipal corporations. The Municipal Corporation thus constituted elects its Mayor and Deputy Mayor as joint candidates by “secret ballot”. The two-tiered structure for such cities seems appropriate.

The structure of LG system in Karachi is unique in many respects compared with the other districts in Sindh. The MQM wanted it to be declared a single district as was the case in Musharraf’s LG system and SPLGA 2012, while PPP wanted to divide Karachi in its six districts. In SLGA 2013, the status of six districts of Karachi has been maintained, while also providing Karachi a joint Metropolitan Corporation covering all six districts of Karachi. This appears to be an attempt by the Sindh government to go for a middle ground in Karachi. Thus, Karachi has a three-tiered LG system in the urban areas which comprises of union committees, district municipal corporations and one joint Karachi Metropolitan Corporation (KMC) for its six District Municipal Corporations (DMCs).

In contrast to the other districts of Sindh, Karachi is mostly urban with 209 Union Committees for urban areas and only 38 Union Councils for the rural areas. Out of the 38 Union Councils in rural areas, 36 Union Councils fall in Malir district and six in Karachi West district (Mansoor, 2015). The other four districts in Karachi were declared as completely urban territories. For the 38 rural Union Councils of Malir district and Karachi West district a joint Karachi District Council (KDC) is constituted to supervise and guide them in running the municipal affairs of rural areas in Karachi, as true for other rural areas (Mansoor 2015). The KDC consists of 38 councillors elected directly one each from all 38 Union Councils in the rural areas. The KDC thus constituted then elects its Chairperson and Vice Chairperson as joint candidates by the secret ballot.

The Union Committee is the smallest unit in the urban areas of Karachi. Out of the 209 Union Committees, 51 fall in Karachi Central, 46 in Karachi West, 37 in Korangi, 31 each in Karachi South and Karachi East districts, and 13 in Malir district (Mansoor, 2015). The complete structure and mode of elections in Union Committees is already provided above. For Karachi, the population of UCs ranges from 40000 to 50000.

The two next levels, District Municipal Corporation and Metropolitan Corporation are two Karachi specific institutions in SLGA 2013. Six District Municipal Corporations (DMCs) are constituted in Karachi for its six districts, which are DMC Karachi East, DMC Karachi West, DMC Karachi South, DMC

Karachi Central, DMC Karachi Malir and DMC Karachi Korangi. The composition of District Municipal Corporations (DMCs) and Karachi Metropolitan Corporation (KMC) is on the same lines as that of the Municipal Corporations in Hyderabad, Sukkur and Larkana. The only difference is for DMCs all of the elected Vice Chairpersons of the Union Committees falling under the jurisdiction of its district become ex-officio members of the DMC concerned, while Chairpersons of union committees from all six districts of Karachi become ex-officio members of the KMC. For both DMC and KMC, reserved seats include 33% for women, 5% for youth members, 5% for non-Muslims and 5% for labourer and peasant members. The DMC and KMC thus constituted then elect their Chairperson and Vice Chairperson for DMCs; and Mayor and Deputy Mayor for KMC from amongst its members by “secret ballot”.

Although the 2001 system had created a single district in Karachi, given Karachi’s significant ethnic diversity, the creation of multiple districts governments functioning under KMC strikes a better balance between the need for the city to have a unified local government and the creation of political space for all ethnic minorities. Currently, the MQM, which represents the Mohajirs, controls the overall metropolitan government and 3 out of the 6 district governments. This latter percentage roughly reflects the percentage of Mohajirs in Karachi’s population. Thus, the creation of multiple districts has given some political space to other ethnic groups resident in Karachi.

While there is a different system for rural and urban areas and multiple systems even within urban areas, the system has not evoked any major criticism from Sindhi nationalists. This suggests that behind the protests against SPLGA 2012, the real issue was not the separate system for urban and rural areas. Rather, it was the lack of clear relationship between the Sindh provincial government and the Karachi city government and the fact that the central government was often dealing directly with KMC while by-passing the provincial government. This tendency was reinforced by the facts that the Musharraf LG system was crafted not by the province, but the central government and that Musharraf was from Karachi. With the passage of the 18th amendment, LG systems have been fully devolved to provinces and each province has devised its own unique LG system with no direct contact between the central and local governments. Thus, even a vastly different system for Karachi, which makes sense given its size and complexities, has not evoked any major reaction from the rural areas.

Administrative Devolution

In terms of administrative devolution, the SLGA 2013 represents a backward step. Many key functions which the 2001 system had devolved to districts have been re-assigned to the province in the 2013 system, e.g., police, major local development activities and buildings control. The Police Ordinance of 2002 is replaced with the colonial era Police Act 1861. The Karachi Development Authority, the Hyderabad Development Authority and other similar development authorities have not been placed under elected LG, unlike under the 2001 system. Section 74 of the Act also authorizes the government to take over any functions assigned to LGs and vice versa. The section does not specify the situations in which the government may do so. Thus, these powers seem sweeping. Clearly, the principles underlying the development of LGs globally suggest that the implementation of all divisible local services should be assigned to local governments.

In SLGA 2013, schedule III part I, 43 compulsory functions are mentioned for the District Councils in rural areas. The District Councils are also given seventy optional functions as well. Many of these overlap with the compulsory functions of DCs and UCs. Also, it is not clear what is meant by optional and who decides whether and when DCs adopt these functions and who performs them if DCs do not perform them. Thus, more clarity is needed. On the other hand, Union Councils for rural areas are assigned 47 functions. This clear delineation of functions between District Councils and Union Councils means both tiers enjoy a measure of autonomy in their respective spheres and exactly know what lies in their domain.

Among its compulsory functions, district councils are given powers to monitor the implementation of District Development Programmes and submit regular progress reports on implementation of the development projects to the provincial Planning and Development Department. Moreover, District Councils disseminate information about various development projects and work as a bridge between masses and bureaucracy and bring community supervision into the development projects. Among optional functions of district councils also lie several other education, public health, social welfare and economic welfare related functions. On the other hand, union councils are given the job of monitoring the implementation of development projects at line departments level which fall under their jurisdiction. The union councils also make recommendations to the district councils regarding location of development projects. As such, the division of labor between DCs and UCs is clear and sensible in the rural areas.

But this is not true in the urban areas. In SLGA 2013, schedule II, part I, 18 functions fall under the exclusive domain of the Karachi Metropolitan Corporation, including civil defence, firefighting service, Municipal Watch and Ward, Milk Supply schemes, celebration of National Days, reception of foreign dignitaries, art Gallery, Museum and Metropolitan Library, providing protection against stray animals and maintenance of brick kilns, Abattoirs and cattle colonies. Apart from this KMC is also empowered to perform some inter-district functions. So, it is responsible for planning development and maintenance of inter-district roads and bridges; and coordination, monitoring and supervision of all inter-district development/maintenance work. But some key LG functions do not fall under this purview, e.g., health, education, environment, overall development, security etc.

There is no mention of vertical linkages among the KMCs and DMCs, as shown for DCs and UCs. In principle, the KMC should have clear line authority over the DMCs, with KMC playing the planning, monitoring and coordination roles and DMCs playing more implementation roles along with the UCs and with KMC having control authority. For Karachi this means that the six District Municipal corporations are made almost autonomous with little linkage with the Karachi Metropolitan Corporation. Furthermore, key informants reported that the DMCs and even UCs controlled by the PPP liaise directly with the provincial government for funds and direction, bypassing the KMC. This is reminiscent of and as wrong as the practice under the Musharraf regime where the KMC liaised directly with the federal government while bypassing the provincial government. These steps are likely to exacerbate the intense ethnic tensions within Sindh across the urban and rural areas.

To further weaken the KMC, the Sindh Assembly revived the defunct Karachi Development Authority (KDA) in March 2016 which had been merged into the KMC in 2002 by the Musharraf government. The MQM members had vehemently opposed this move in the Sindh assembly (Tunio, 2016). The MQM has filed a case with the Supreme Court to challenge these moves.

In a nutshell, in the SLGA 2013 LGs are restricted to the basic municipal services only while many important powers are retained by the provincial government. Police, administration, development authorities, revenue and land management directly come under the provincial government with LGs having no say in such affairs. Not just opposition party key informants but even those belonging to the PPP criticized SLGA 2013 for not giving adequate powers to LGs, unlike the

2001 system. This pattern of undermining the powers of elected LGs is perpetuated by giving extra powers to LG bureaucrats.

Musharraf's LG system had taken away much of the initiative away from the bureaucracy and most of the important functions of LG came under the elected leadership. For the first time, Musharraf's LG system made district administrative staff work under the elected district Nazim who could write the DCO's ACR. Police oversight powers were also transferred directly to the district Nazim. The SLGA 2013 has revived the old LG Commissionerate system of Zia. The SLGA 2013 designates bureaucrats as the Chief Executives of their respective councils and under clause 81 (1) they are empowered to "supervise the financial and executive administration of the council". Under clause 82 (1) the Municipal Commissioner is to work as the Chief Executive for Corporation, Chief Officer for the District Council, Chief Municipal Officer for Municipal Committee, Town officer for Town Committee and Secretary for Union Council and Union Committee.

To further limit the powers of LGs and keep them under check, under article 91, the Sindh government can start an inquiry into the affairs of any LG council on its own or on application of any individual and appoint an enquiry officer who will have the powers of a civil court under the Code of Civil Procedure, 1908. Under articles 92, on the basis of enquiry conducted, the Sindh government can suspend the authority of the council over such department or institution and can take over the management of such department in its own hands. Under article 93 if government feels an LG council is persistently failing to discharge its duties or abuses its power then it can declare the council to be suspended for maximum six months period.

Moreover, a Provincial Local Government Commission (PLGC) is instituted under article 119 to conduct special inspections of the LG councils or conduct an enquiry into any matter concerning a LG council and report back to the Chief Minister of Sindh. The PLGC consists of seven members with Minister for Local Government working as its Chairperson. The members loyal to government of Sindh dominate the PLGC. Apart from the Chairperson, two members of Sindh provincial assembly are to be nominated one each by the Leader of the House and the Leader of the Opposition; two technocrat members are to be nominated by the government of Sindh; and Secretary Law department and the Secretary Local Government Department are made the ex-officio members of PLGC. The PLGC is empowered to recommend to the Chief Minister of Sindh the suspension of any mayor, deputy mayor, Chairperson and vice Chairperson of LG councils for

maximum ninety days if PLGC feels such a suspension is necessary for the fair conduct of enquiry. Moreover, if found guilty PLGC may recommend the “appropriate action” to the Chief Minister of Sindh against the concerned mayor, deputy mayor, Chairperson or vice Chairperson. These clauses make LGs almost subservient to the Sindh government as they will always feel threatened. The supervision and checks and balances over LGs is not a bad thing in itself but the way all important powers are taken away from the LGs and the way they are made subservient to the provincial government goes against the spirit of democracy and local devolution. There is a need to circumscribe these powers and to appoint more neutral persons to the PLGC.

Conclusion

Given these facts, the Sindh LG system introduced in 2013 and implemented in 2016 is an important though much delayed step towards enhancing the quality of local service delivery in Sindh. This review of the system has identified a number of strengths in this new legislation. For the first time in Pakistan’s history, LGs have been introduced in Sindh and throughout Pakistan under elected governments. This enhances the ownership of major political parties in local governance and leads to a continuum of elected structures from the federal to the local levels. The elections were held on party basis which is generally recognized as a good practice. Finally, the legislation provides a sound division of labour and clear line of authority in the rural areas among District Councils and Union Councils.

However, this review also highlights a number of areas where decentralization of power to the local governments still needs to be increased further in the areas of political and administrative devolution to achieve both the technocratic and political economy goals of empowering marginalized communities and achieving conflict reduction. Ideally, LGs should be empowered fully to fulfil municipal functions, with suitable and empowering oversight by higher authorities to ensure compliance with its laws. Since there are multiple districts under provincial governments, they must play a crucial coordination role across districts. Backward districts have limited human resource functions. Thus, higher-level governments have some justification for maintaining greater involvement in the delivery of LG functions. However, in the case of larger cities with the ability to attract high-quality human resources and different and more complex contexts, these rationales for greater involvement by the federal government do not apply. Thus, greater devolution makes sense.

References

- Chishti, Ali K. (2014, January 03). ‘Tug of War’. The Friday Times. Retrieved from <http://www.thefridaytimes.com/tft/tug-of-war/>, (accessed on 20/03/2018).
- Memon, Naseer (2013, September 30). ‘Sindh-local-government-act-2013-a-perspective’. Citizens Wire, Retrieved from <http://www.citizenswire.com/sindh-local-government-act-2013-a-perspective/>, (accessed on 20/03/2018).
- Mansoor, Hasan (2015, November 24). ‘Explainer: How different is Karachi’s LG system from that in the rest of Sindh?’. Dawn. Retrieved from <https://www.dawn.com/news/1221740>, (accessed on 15/03/2018).
- ‘New local govt law treats Karachi differently than rest of Sindh: Scholars’ (2013, January 8). The Express Tribune. Retrieved from <https://tribune.com.pk/story/490697/new-local-govt-law-treats-karachi-differently-than-rest-of-sindh-scholars/>, (accessed on 21/03/2018).
- Shafqat, S. (2014). ‘Local Government Acts 2013 and Province-Local Government Relations’. *Development Advocate Pakistan, Volume No.1*, Issue No.1, pp. 4-19.
- ‘Social perspective: Govt to consider citizens’ take on local bodies laws’ (2013, August 8). The Express Tribune. Retrieved from <https://tribune.com.pk/story/588013/social-perspective-govt-to-consider-citizens-take-on-local-bodies-laws/>, (accessed on 21/03/2018).
- Talpur, Parveen (2014). *Moen jo Daro: Metropolis of the Indus Civilization* (2600-1900 BCE). Cork: Book Baby.
- Tunio, Hafeez (2016, March 22). ‘Diluting local government: KDA revived after 14 years’. The Express Tribune. Retrieved from <https://tribune.com.pk/story/1070145/diluting-local-government-kda-revived-after-14-years/>, (accessed on 20/03/2019).
- ‘Voicing concerns: MQM terms Sindh LG Act 2013 a ‘black law’ (2013, December 17). The Express Tribune. Retrieved from <https://tribune.com.pk/story/646343/voicing-concerns-mqm-terms-sindh-lg-act-2013-a-black-law/>, (accessed on 19/03/2018).