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Article:	Political Decentralization under Khyber Pakhtunkhwa Local Government Act 2013: (A Case Study of Locally Elected Bodies in District Peshawar).
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ABSTRACT

The basic objective of this study is to provide a detailed analysis of political decentralization under the Khyber Pakhtunkhwa Local Government Act of 2013. The local government system plays an important role in local development as well as in decision-making at the grass-roots level. Pakistan has practiced various forms of local government since its inception. However, such local government systems have not provided true know-how about political decentralization at the local level, either due to a lack of interest on the part of politicians or a lack of awareness on the part of the public. The present study has assessed the Local Government Act 2013 of KP in terms of political decentralization in the district of Peshawar. This research is based on quantitative and analytical approaches. The research work provides an answer to the main research question, which is how far political decentralisation has been implemented in District Peshawar. Regarding political decentralization the study argues that it has been implemented to a greater extent (67.7%) under the KP Local Government Act 2013. The scope of the study is confined to the district of Peshawar. Primary data has been analyzed with the help of descriptive and inferential statistics via SPSS software. Descriptive statistics include frequencies and percentages, while inferential statistics include the chi-square test and p-value.

Keywords: Local Government, Decentralization, Locally Elected Representatives, Local Government Act.

Introduction:

The system of local government refers to the running of local affairs at the local level by locally elected political bodies. Local government is closely linked to decentralisation of powers and resources, which strengthens the institutions of local bodies. For development, decentralization plays a pivotal role in the local system. Decentralization is a procedure in which means and control are shifted from top to bottom for the management of local affairs (Bhuiyan, 2011: 96–97).

Decentralization has three main types: fiscal, administrative, and political decentralization.

Political decentralization is concerned with the process by which authority and powers are transferred from top politically elected bodies to locally elected representatives (Kerr et al., 2004: 4-6).

Administrative decentralisation entails transferring authority, responsibility, and decision-making over resources for civic provision from the top to lower levels of government (Ahmad et al., 2015:63–74). Financial decentralization designates the allocation of responsibility for revenue and expenses from the top government to the local government (Ahmad, et al., 2015:63–74).

So far as the formation of local areas under the KP Local Government Act 2013 is concerned, on the political side, there is a district council in each district. District councils are the assemblies at the district level. In these councils, representation is given to various classes of society, which could be divided into two categories: general seats and reserved seats. Women, peasants, workers, youth, and non-muslims are all represented in reserved seats (Cheema et al., 2005:05-34).

District nazim, who have executive authority, make up district administration. Under the first schedule of the said Act, the Deputy Commissioner is responsible for supervising and coordinating the district office, as are the district officers, who are the heads of the devolved offices to the district government (Sajid et al., 2013:217–255).

Under the Local Government Act of 2013, the second tier, after the district level is the tehsil. It is composed of tehsil nazim, naib tehsil Nazim, a council of elected bodies at the tehsil level, municipal officers, tehsil municipal officers (TMO), and local council officers. It is headed by Tehsil Nazim. In rural areas, it is called the tehsil council and tehsil municipal administration and in urban areas, it is called the town council and town municipal administration (PILDAT, 2019: 10).

The authority of the chief executive is vested in the hands of the Nazim at the tehsil level and the Naib Nazim of a tehsil, is jointly elected by members of the council of the concerned tehsil. The nazim is responsible for administration at the tehsil level under the said Act (Haq & Akbar, 2015:62-67). The co-ordination officer at the tehsil level, under the Nazim of the tehsil, is the tehsil municipal officer (TMO). Municipal officers assist the Tehsil Municipal Officer and report to him. Besides them, there are three tehsil officers who work under TMO for assigned work, i.e., a finance officer at the tehsil level, a regulation officer at the tehsil level, and an infrastructure officer at the tehsil level (Tahira, 2017:83–103). The third and lowest tier under the 2013 Local Act of KP is the village or neighborhood council. The present structure provides village councils for villages and neighborhood councils for areas with urban features (Malik, 2006:107–126).

Representation is based on population in VC and NC because of variations in different constituencies. These councils are composed of 10 to 15 members. Its composition is as follows:

1. 5 to 10 members on general seats. These seats are for general members who contest election and people elect them.
2. At this level two seats are reserved for females.

Single seat is reserved each for worker and peasant, youth and minorities. (KP, local Govt Act, 2013:74).

As far as the decentralisation under this act is concerned, it provides that local governments shall be established in the KP Province and the said governments shall be responsible for exercising their powers under the abovementioned act. The councils perform different functions at the local level. They approve by-laws, taxes, long- and short-term developmental plans, erect flyovers, roads, bridges, etc., at the district level and the tehsil/town also performs such functions as mentioned above with a little change. The village or neighbourhood council is responsible for monitoring and implementing village-level development projects, as well as registering births, deaths, and marriages. Improve water supply sources, maintain village-level infrastructure, including footpaths, public streets, playgrounds, graveyards, funeral places, eidgahs and parks, etc. This Act establishes a local government commission and a provincial finance commission, with the latter's primary goal being fair, systematic, and equitable inter-government revenue sharing to enable local governments to improve their performance and provide better service to the people. Local funds will be established at the local level. The concerned local governments will receive revenues from these sources for these funds. The said act ensures transparency and accountability via various mechanisms. (KP, local Govt Act, 2013:74).

Literature Review

Sajid (2013) discusses the historical background of the local government system in general, and in Pakistan in particular. It highlights the origin of local government systems during the ancient period, established in different countries. It has focused on establishment of local government that has evolved since the creation of Pakistan and explained legislation after independence, local government ordinance 1979, local government ordinance 2001, Punjab local government 2013 and Khyber Pakhtunkhwa local government 2013. In relation to the Peshawar district, it has not highlighted political and fiscal decentralisation under the Khyber Pakhtunkhwa local government act 2013.

Hussain (2002) elaborates that local government institutions have efficiently operated in Pakistan since their emergence. Sometimes, it is confronted with serious issues. Policymakers reform the system from time to time to address emerging issues. It especially focuses on intergovernmental relations under different local government systems operated by the government of Pakistan at different times. However, in terms of district Peshawar, it has not focused on political and fiscal decentralisation under the Khyber pakhtunkhwa local government act 2013.

Abbasi (2015) discusses the local government system and argues that local government is the foundation of democracy. Every democratic political system attaches importance to setting up local government bodies with some financial autonomy. It also provides a historical overview of how the local government system evolved over time at various times and under different governments since Pakistan's inception. However, in relation to district Peshawar, it has not focused on political and fiscal decentralisation under the Khyber Pakhtunkhwa local government act 2013.

3. Statement of the Problem:

The purpose of the study is to assess decentralization under the Khyber Pakhtunkhwa Local Government Act 2013, in District Peshawar. The local government system plays an important role in local development as well as in decision-making at the grass-roots level. Pakistan has practised various forms of local government since its inception. However, such local government systems have neither provided know-how about political decentralization at the local level in a true sense, either due to a lack of interest on the part of politicians or a lack of awareness on the part of the public. The present study will assess the Khyber Pakhtunkhwa Local Government Act 2013 in terms of political decentralization in District Peshawar.

Research Questions

- How has political decentralization been provided in the light of the KP Local Government Act 2013?
- How far political decentralization has been practically implemented under Khyber Pakhtunkhwa Local Government Act 2013 in District Peshawar?

Research Methodology

The study is based on quantitative research methods. Primary data has been collected through a structured questionnaire for assessing political decentralization under the Khyber Pakhtunkhwa Local Government Act 2013 in District Peshawar. The universe of the study is District Peshawar, in which local bodies and institutions at various levels constitute the sampling frame. The sample size has been calculated through the Yamane Formula (1967) at a confidence level of 95% and with a marginal error of 5% (0.05). Probability A stratified sampling technique has been employed for drawing proportionate samples from various local bodies.

Data Analysis

The data is based on the perceptions of the respondents. The pertinent questions posed to respondents, as well as their analyses, are provided below.

Q.1 Do you know about Khyber Pakhtunkhwa Local Government Act 2013?

The majority of respondents (76.6%) stated that they were aware of the Khyber Pakhtunkhwa Local Government Act 2013. Relating to gender, a large number of male respondents (76%) asserted that they had knowledge about the KP Local Government Act 2013. With regard to literacy, it was found that a large number of literate respondents (70.6%), followed by illiterate respondents (6.4%), had knowledge about the Khyber Pakhtunkhwa Local Government Act 2013. On the subject of age, the maximum number of the locally elected bodies (34%) whose age was 31-40 years, followed by 41 years and above (32%) and 18-30 years (10.3 %) asserted that they had cognition about the KP Local Government Act 2013. With reference to council, the majority of the respondents (76.6%), of which 35.4%) belong to village council, followed by neighborhood council (32.6%), district council (5.1%) and town council (3.4%), said that they had knowledge about the KP Local Government Act 2013.

Q.2. Political decentralization under KP local Government Act 2013 has been practically implemented in District Peshawar.

A large number of the respondents (67.7%) strongly agreed with the practical implementation of political decentralization under the KP Local Government Act 2013 in District Peshawar. In terms of gender, a large number of male respondents (67.4%), followed by female respondents (0.3%), maintained that political decentralization has been practically implemented under the KP Local Government Act 2013. In terms of literacy, it was found that the majority of the literate respondents (58.3%), followed by illiterate respondents (9.4%), strongly agreed with the practical implementation of political decentralization under the KP Local Government Act 2013. In terms of age, a large number of respondents (32.6%), aged 41 and up, followed by respondents 31-40 years (26%) and respondents 18-30 years (9.1%), are strongly in favour of the practical implementation of political decentralisation under the KP Local Government Act 2013. Most respondents (31.7%) from neighbourhood council, respondents (28.1%) from village council, respondents (4.6%) from town council, and respondents (3.1%) from district council strongly agreed with the practical implementation of political decentralisation under the KP Local Government Act 2013.

Q.3. Has the government provided proper training to the concerned locally elected representatives about KP local Government Act 2013?

A great number of the respondents (70.9) asserted that the KP Government had provided training to the locally elected representatives of District Peshawar about the Khyber Pakhtunkhwa Local Government Act 2013. On the subject of gender, most of the male

respondents (69.4%), followed by the female respondents (1.4%), maintained that they have been trained by the KP Government about the KP Local Government Act 2013. In terms of literacy, a large number of literate respondents (62%), followed by the illiterate respondents (8.9%), said that they have been trained by the KP Government about the KP Local Government Act 2013. In the matter of age, the majority of the respondents (29.1%), whose age was 41 years and above, followed by 31-40 years (28.9%) and 18-30 years (12.6%), said that they have been trained by the KP Government about the KP Local Government Act 2013. In terms of council, a large number of respondents (70.9%) -- including respondents (35.7%) from village council, respondents (27.3%) from neighbourhood council, respondents (4.6%) from district council, and respondents (2.9%) from town council -- stated that the KP Government had trained them on the KP Local Government Act 2013.

Q.4 Government administration attached with local government intervened into the work of locally elected representatives.

The vast majority of respondents (38.1%) agreed and maintained that the government administration attached to local government in District Peshawar interfered with the work of local elected representatives. Relating to gender, a fair number of the male respondents (37.7%), followed by female respondents (1.1%), asserted that government administration attached to local government in District Peshawar intervened in the work of locally elected representatives. With reference to literacy, a maximum number of literate respondents (32.6%), followed by illiterate respondents (6.3%), strongly agreed and said that government administration attached to local government in District Peshawar intervened in the work of locally elected representatives. In terms of age, the majority of the respondents, whose age was 41 years and above (20%), followed by 31-40 years (10.3%) and 18-30 years (8.3%), strongly agreed and asserted that government administration attached to local government in District Peshawar intervened in the work of local elected representatives. In the matter of council, a large number of the respondents (38.9%)—including the respondents (23.1%) of village council, the respondents (13.1%) of neighborhood council, the town council (1.7%) and district council (0.9%)—strongly agreed and asserted that government administration attached to local government in District Peshawar intervened in the work of local elected representatives.

Q.5. The concerned MPA or MNA directly or indirectly intervened in the local government system.

A fairly large number of the respondents (48.9%) strongly agreed and affirmed that the concerned MPA or MNA had intervened directly or indirectly in the local government system. In connection with gender, a maximum number of male respondents (47.1%), followed by female respondents (1.7%), affirmed that the concerned MPA or MNA had intervened directly or indirectly in the local government system. With regard to literacy, a maximum number of the respondents (38.6%), followed by illiterate respondents (10.3%), strongly agreed and maintained that the concerned MPA/MNA had intervened directly or indirectly in the local government system. With reference to age, a large number of the respondents (21.1%), whose age 41 years and above, followed by the respondents (20%) whose age was 30-40 years and the respondents (7.4%) aged 18-30 years, strongly agreed and stated that the concerned MPA/MNA had intervened directly or indirectly in the local government system. Relating to council, a major section of the respondents (23.4%) of village council, the respondents (18.9%) of neighborhood council, district council (3.7%) and town council (2.9%) strongly agreed and asserted that the concerned MPA or MNA had intervened directly or indirectly in the local government system.

Q.6. The locally elected bodies with the cooperation of government officials often misused public assets.

The majority of the respondents (39.5%) strongly agreed and provided evidence that the locally elected bodies, with the cooperation of government officials, often misused public

assets. In an informal meeting with the relevant local elected bodies, I primarily chastised the relevant nazimeen for allowing the aforementioned misuse of public assets to occur with their cooperation. In terms of gender, the majority of the male respondents (39.1%), followed by the female respondents (0.3%), said that the locally elected bodies, with the cooperation of government officials, often misused public assets. In connection with literacy, the majority of the literate respondents (33.7%), followed by the illiterate respondents (5.7%), said that the locally elected bodies, with the cooperation of government officials, often misused public assets. With reference to age, the majority of the respondents (17.1%) whose age 31-40 years, followed by the respondents (14.6%) whose age was 40 years and above and the respondents (7.4%) aged 18-30 years, strongly agreed and said that the locally elected bodies, with the cooperation of government officials, often misused public assets. Relating to council, the majority of the respondents (19.4%) from the neighbourhood council, the respondents (15.1%) from the village council, the district council (2.6%) and the town council (2.3%) strongly agreed and said that the locally elected bodies, with the cooperation of government officials, often misused public assets.

Q.7. The concerned locally elected members worked hard to improve the condition of their constituencies.

A large number of the respondents (44.6%) strongly agreed and affirmed that the locally elected representatives worked to a greater extent for the improvement of their concerned constituencies. In terms of gender, a significant number of male respondents (43.4%), followed by female respondents (1.1%), said that the locally elected representatives worked to a greater extent for the improvement of their concerned constituencies. In terms of literacy, the largest number of literate respondents (41.7%), followed by the female respondents (2.9%), said that the locally elected representatives worked to a greater extent for the improvement of their concerned constituencies. With reference to age, a maximum number of the respondents (22.3%) whose age was 41 years and above, followed by the respondents (16.3%) whose age was 30-40 years and the respondents (6%) aged 18-30 years strongly agreed and affirmed that the locally elected representatives worked to a greater extent for the improvement of their concerned constituencies. In terms of council, many respondents (25.7%) of neighbourhood council, respondents (15.4%) of village council, respondents (2.9% of town council), and respondents (0.6%) of district council strongly agreed and maintained that locally elected representatives worked to a greater extent for the improvement of their respective constituencies.

Q.8. There is enough room for improvement to make amendment in KP Local Government Act 2013.

A maximum number of the respondents (44%) strongly agreed with amendments for further improvement in the KP Local Government Act 2013. In terms of gender, a large number of male respondents (43.7%), followed by the female respondents (0.3%), asserted that there is enough room for further improvement in the KP Local Government Act 2013. In terms of literacy, the majority of the literate respondents (36.3%), followed by the illiterate respondents (7.7%), asserted that there is enough room for further improvement in the KP Local Government Act 2013. With regard to age, a comparatively bigger number of the respondents (18.6%) whose age was 31-40 years, followed by the respondents (17.7%) whose age was 41 years and above and the respondents (7.7%) aged 18-30 years, strongly agreed and asserted that there is enough room for further improvement in the KP Local Government Act 2013. In the matter of the council, the majority of the respondents (20.6%) of the neighborhood council, the respondents (18.3%) of the village council, the town council (2.9%) and the district council (2.3%) strongly agreed and provided that there is enough room for further improvement in the KP Local Government Act 2013.

Q.9 The locally elected representatives were aware of their political obligations.

The majority of respondents (48.6%) strongly agreed that the concerned locally elected representatives were aware of their political obligations. In connection with gender, the majority of the male respondents (47.7%), followed by the female respondents (0.9%), strongly agreed and maintained that the locally elected representatives were aware of their political obligations. With regard to literacy, a large number of literate respondents (43.1%), followed by the illiterate respondents (5.4%), strongly agreed and asserted that the locally elected representatives were aware of their political obligations. In connection with age, the majority of the respondents (24.3%) whose age is 41 years and above, followed by the respondents (16.6%) whose age is 31-40 years and the respondents (7.7%) aged 18-30 years strongly agreed and said that the locally elected representatives were aware of their political obligations. In terms of council, a large number of respondents (23.1%) from the village council, respondents (20.3%) from the neighbourhood council, district council (2.9%), and town council (2.3%) strongly agreed and stated that the locally elected representatives were aware of their political responsibilities.

Q.10. The concerned MPA/MNA wished to continue local government system.

The majority of the respondents (35%) disagreed and maintained that the concerned MPA/MNA was not interested in continuing the local government system. On the subject of gender, the majority of the male respondents (32.4%), followed by the female respondents (0.9%), disagreed and asserted that the concerned MPA or MNA was not interested in continuing the local government system. With reference to literacy, the majority of the literate respondents (29%), followed by the illiterate respondents (6%), disagreed and asserted that the concerned MPA/MNA was not interested in continuing the local government system. On the subject of age, a comparatively greater number of the respondents (15%) whose age was 41 years and above, followed by the respondents (12.6%) whose age was 31-40 years and the respondents (7.4%) aged 18-30 years, disagreed and said that the concerned MPA/MNA was not interested in continuing the local government system. In terms of council, a comparatively higher proportion of respondents (15.1%) for the village council, 14.6% for neighbourhood council, 4% for the district council, and 2% for the town council disagreed, assuming that the concerned MPA/MNA was not interested in continuing the local government system.

Q.11. The concerned local people were interested to demand their rights.

A large number of the locally elected representatives (53.4%) strongly agreed and maintained that the concerned local people were interested in demanding their rights. In terms of gender, the majority of the male respondents (52%), followed by the female respondents (1.4%), strongly agreed and asserted that the concerned local people were interested in demanding their rights. Relating to literacy, a maximum number of literate respondents (44.3%), followed by the illiterate respondents (9.1%), strongly agreed and asserted that the concerned local people were interested in demanding their rights. In connection with age, the majority of the respondents (22.6%) whose age was 41 years and above, followed by the respondents (22.3%) whose age was 31-40 years and the respondents (8.6%) aged 18-30 years, strongly agreed and provided that the concerned local people were interested in demanding their rights. Relating to the council, the majority of the respondents (24%) of the village council, the respondents (23.4%) of the neighborhood council, the district council (3.4%) and the town council (2.6%) strongly agreed and asserted that the concerned local people were interested in demanding their rights.

Q.12. The concerned local people have cooperated with locally elected representatives to make the local government system more efficient.

The majority of the local elected representatives (53.7%) strongly agreed and asserted that the concerned local people cooperated with their locally elected representatives to make the local government system more efficient. In the matter of gender, a maximum number of male respondents (52%), followed by the female respondents (1.7%), strongly agreed and

maintained that the concerned local people cooperated with their local elected representatives to make the local government system more efficient. With regard to literacy, a large number of literate respondents (48.3%), followed by the illiterate respondents (5.4%), strongly agreed and said that the concerned local people cooperated with their locally elected representatives to make the local government system more efficient. With reference to age, majority of the respondents (25.4%) whose age was 31-40 years, followed by the respondents (16%) whose age was 41 years and above and the respondents (12%) aged 18-30 years strongly agreed and provided that the concerned local people cooperated with their locally elected representatives to make the local government system more efficient. In terms of village council, the majority of respondents (29.4%) of village council, the respondents 20.3% of neighborhood councils, 2.9% of district councils, and town councils strongly agreed and asserted that the concerned local people cooperated with their locally elected representatives to make the local government system more efficient.

Q.13. Being a representative of local government for a complete term of four years were you satisfied with the performance of the local elected representatives?

A maximum number of locally elected representatives (46%) strongly agreed with the performance of locally elected representatives. In terms of gender, the majority of the male respondents (45.4%), followed by the female respondents (0.6%), strongly agreed and provided that they were satisfied with the performance of the concerned locally elected representatives. In the matter of literacy, the majority of the literate respondents (37.5%), followed by the illiterate respondents (8.3%), strongly agreed and provided that they were satisfied with the performance of the concerned locally elected representatives. In terms of age, a large number of the respondents (20.6%) whose age was 41 years and above, followed by the respondents (18.6%) whose age was 31-40 years and the respondents (6.9%) aged 18-30 years, strongly agreed and provided that they were satisfied with the performance of the concerned locally elected representatives. In terms of council, the majority of the respondents (20.9%) of the village council, the respondents (18.3%) of the neighborhood council, the district council (5.1%) and town council (1.7%) strongly agreed and asserted that they were satisfied with the performance of the concerned locally elected representatives.

Conclusion and Recommendations

Conclusion

The KP Local Government Act 2013, consists of the district government, town councils in city districts, tehsil councils in every district and village/neighborhood councils.

As far as decentralization under this Act is concerned, it provides that local governments shall be established in the KP Province and the said governments shall be responsible for exercising their powers under the abovementioned Act. The councils perform different functions at the local level. They approve by-laws, taxes, long-term and short-term developmental plans, erect flyovers, roads, bridges; etc. at district level. With a few exceptions, tehsil/town performs the same functions as those mentioned above. The village or neighbourhood council is responsible for monitoring and implementing village-level development projects, as well as registering births, deaths, and marriages. Improve water supply sources, maintain village-level infrastructure such as footpaths, public streets, playgrounds, graveyards, funeral places, eidgahs and parks, etc. According to this Act, the local government commission and provincial. The said act ensures transparency and accountability via various mechanisms.

The current study, conducted at the local level in District Peshawar, and the views of its locally elected representatives, revealed that various significant powers have been decentralised to them. They know about the KP Local Government Act 2013 and have been trained about political decentralization. In addition, government administration was attached to the local system and MPA or MNA directly or indirectly intervened, which disturbed the

system at the local level. Similarly, the concerned locally elected bodies misused the public funds, but on the other hand, they greatly improved their constituencies. The local people were interested, cooperated with locally elected bodies and demanded their rights from their concerned locally elected representatives, but the MPA/MNA did not show their interest and created hurdles against the locally elected bodies. Political decentralisation has been partially implemented, but they have requested additional amendments to the Act to make the local system more efficient and transparent.

Recommendations

Most of the locally elected representatives were uneducated and it was difficult for them to understand and run the system properly. So, it should be made mandatory for locally elected representatives to at least be matriculated. Nazims had control over the use of funds, which were spent according to their wishes. The members were helpless and they were deprived of their funds. So, a special committee should be constituted to monitor the developmental schemes and ensure equal distribution of funds among members.

The right to vote "no confidence" against nazism should be granted to village or neighbourhood council members. This has made the concerned nazim more powerful and created hurdles in the local system.

The MPA and MNA directly and indirectly intervened, especially in terms of the utilization of developmental funds. Such intervention should be stopped and MPA/MNA's role should be influenced by the Government here.

The majority of the locally elected members have been trained about political decentralization, but the said members have not taken the training seriously. Some of them were trained and the rest of them have been deprived of it. The government should strictly provide them with proper training in order for the system to run efficiently.

Most importantly, remuneration should be paid to the members of town or district councils, as the government has given salaries to nazim and vice nazim at village and neighborhood levels. The members at the town or district level did not take interest in the system because of a lack of financial dividends.

The government should refrain from favouritism and nepotism policies and should not give preference to its own representatives at the local level regarding developmental funds. There should be an audit system at the village/neighborhood level.

The practical implementation politically under this Act has taken place to some extent, but it can be further improved. The government should take serious measures to overcome the problems locally. The Act should be amended in the best public interest and the powers and resources should be decentralized to the local level at large.

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