


Assessing Best Practices in Devolution

Innovations by the Tehsil Municipal Administration

Sadiqabad

Syed Mohammad Ali
Documentation/Research Consultant
CDSP

 CIDA Devolution Support Project

I Introduction



This assessment of the best practice¹ in tehsil municipal administration in Sadiqabad, builds upon a preliminary identification process, which was initiated and subsequently reviewed by CIDA-DSP to select specific best practices for undertaking further analysis. This more detailed study of selected best practices² was meant to lend sharper focus to the actual methods, outputs, and underlying challenges behind the approaches being widely recognized (by government, NGO and international development agencies) as being best practices in devolution in Pakistan. Instead of relying on secondary sources, the following documentation is based on primary field research that sought views of a range of concerned stakeholders, and the views of these respondents are in turn supplemented by observations of ground realities emerging from the implantation of a specific best practice in devolution.

i Stakeholders

The views of the following stakeholders were sought to enable the process of assessment:

- i *Institutional Perspective*: The institutional stakeholders of this study are the relevant tier of the local governments
- ii *Perspective of Practitioners*: These views are being obtained to contrast and compare opinions of current service delivery providers and of their predecessors
- iii *Perspectives of Target Audience*: Feedback from the actual users/clients of service delivery mechanisms being reformed under the devolutionary framework, as well as the intended beneficiaries who are not yet availing the service, are obtained and cross referenced to shed light on the actual and potential impact of a selected best practice.

ii Approach to the Study

Information obtained concerning the following best practice has relied on discussions with all of the above mentioned stakeholders. Given the variance in what can actually constitute a best practice however, led to use of a flexible and interactive approach in posing queries to the concerned stakeholders, so that different types of relevant information specific to a particular best practice could be obtained. Methodologically, this required use of open-ended queries, which were posed keeping in mind the individual stakeholders. The contentions emerging from these discussions were then cross-checked with views of other stakeholders. This multilayered approach enabled a deeper

¹ 'Best practices' are being defined as innovative but workable solutions being implemented in the context of Local Government Ordinance 2001, which bolster local governance processes and outcomes, and contribute to bringing about sustainable improvements in service delivery.

² The best practices identified for further assessment by CIDA-DSP included the effort to improve water sanitation in Lodhran district, the health care management initiative in Rahimyar Khan district, the formation of CCBs in Sadiqabad, and innovations being undertaken by the Tehsil Municipal Administrations in Jaranwala and Sadiqabad.

probe concerning the actual meaning of the experiences emerging from the selected best practices, so as to identify and corroborate their intended consequences, to highlight unexpected outcomes if any, and to assess their potential for replication.

A reference to the existing knowledgebase obtained from relevant secondary sources has also been used wherever necessary to help contextualize the consolidated findings of this particular study.



II TMA achievements in Sadiqabad tehsil



Sadiqabad tehsil is located in Rahimyar Khan District and its Tehsil Municipal Administration has accomplished some impressive feats since its creation in late 2001. An obvious reason for the evident accomplishments that are detailed in the following sections is that the TMA is comprised of experienced personnel possessing very relevant backgrounds given their current scope of responsibilities. The Nazim of tehsil is himself a two-time former Chairman of the municipal council. The Tehsil Municipal Officer was a former magistrate, and the Tehsil Officer for Finance an Accounts Officer in the municipality. Due to their prior experience, it did not take the TMA too long to become operational and subsequently its efforts have yielded tangible results on ground.

The TMA premises and procedures

The zeal of the TMA to bring about improvements in the tehsil manifest in impressive improvements made to the tehsil government offices. The building where the TMA is housed was a dispensary before the participation of Pakistan and in rather dilapidated shape when the TMA office was established. The Nazim is an amateur architect himself and following the prescribed system of tendering, he embarked on renovating the TMA building.



The TMA premises now boast a meeting room where the Tehsil Council meets, the design of which is inspired by the Punjab Assembly. There is also a mosque within the TMA compound, which has an adjacent washroom with ample space for performing ablutions. Evidently, not only the TMA but officials from all government departments in the tehsil prefer to congregate at this mosque for their Friday prayers.



While the LGO 2001 mentions formation of complaint cells within local government offices, their efficient functioning has not yet become the norm. In Sadiqabad tehsil

however, there is a well functional complaint cell. The TMO has a daily meeting with senior staff members to address and follow-up on complaints. In this regard, an advertisement was given via local cable operators concerning the facility of an operational complaint cell within the TMA. The TMO has given out his own number in case registered complaints have not been addressed. The complaint register of the TMA complaint cell indicated over 981 complaints having been registered to date. To improve coordination within the TMA, senior officials of the TMA maintain rapport via a wireless sets and the Nazim, Naib Nazim and TMO have wireless sets in their cars so that the TMA can remain in touch with them no matter where they are.



It is not an uncommon site for official records to be piled into corners of office space, exposed to the elements. To address the need for maintaining records in a more responsible manner, the TO (F) has had some cupboards built and begun filing chronological financial records in them since the TMA took charge. There is enough room in these shelves to keep financial records for another decade or so. The daily mail coming to the TMA is also being filed within the receipt branch which retains the original copy in a master file and sends a photocopy of the correspondence issued to concerned officials. A challan and notice book has been printed by the TMA which has collated a list of all violations which the TMA is authorized to issue notices or fines on as per LGO rules.



Traffic Management

The TMA in Sadiqabad, like that in Jaranwala, is involved in proactive traffic management. Yet the Sadiqabad TMA's approach is distinct in two important regards. First of all, the TMA in Sadiqabad has directly appointed TMA staff to traffic management duties instead of having outsourced this service (which is what the TMA in Jaranwala did). Secondly, the Sadiqabad TMA appointed traffic regulators primarily to deal with 'slow moving vehicles', such as donkey carts or rickshaws. Recently however, the TMA has attempted to place its traffic regulators to reinforce compliance of traffic signals which have been put up at two busy intersections within the urban



centre. Since TMAs have the right to create new posts till Grade 11 as per their specific requirements according to LGO rules, the TMA in Sadiqabad decided to allocate TMA staff on traffic duties due to the dearth of traffic police in the area to deal with the congestion and blockages caused by slow moving vehicles. The TMA provides special uniforms to the personnel allocated traffic duties. Yet the personnel felt that they would be taken more seriously if their uniforms carried endorsement by the traffic police as well including some training as well. The TMA designated this staff to traffic duties after an in-house briefing alone and at present does not reimburse them beyond their allocated pay, save for pay to work on Sundays.

Library and Sports Complex

The TMA has constructed a two tiered building serving as a sports complex as well as a library. While there is another sports complex in the area, but that is reserved for army personnel. A former library run by the municipality also lies abandoned, which was built on a much smaller plot of land and which the TMA now plans to convert into an officer's residence, when more staff is designated to it. The new library and sports building has been built by allocation from development funds for three consecutive years. For it, the TMA has appointed a clerk (with a Masters degree) to archive the incoming books until a more permanent personnel arrangement is put in place. The TMA secured funds from the district government to purchase books for the library. It has also convinced Pakistan State Oil (PSO) to donate books worth Rs. 1,000,000 to the library. There is also space allocated for computers, once the funds required for purchasing them is found. A Management Committee for the library is being formed, and bylaws of this committee are now being finalized so that it can act as a governing body of the library, since the TMA cannot manage this library itself. The TMA has provided sports equipment through its own funds. There is a gym, table tennis and snooker tables, a squash court and a room for board games situated in the basement of the building.



Sadiqabad's General Bus Stand

The existing bus stops in Sadiqabad are small, scattered and cause traffic congestions. In view of this situation, the TMA decided to initiate its general bus stand project. While Daewoo is also establishing a bus terminal in Sadiqabad, the TMA maintains that its proposed bus stand will be catering to the majority of passengers of more economical buses. As the current bus stands in the city occupy small pieces of land which leads to encroachments and congestion, the TMA has decided to shift the location of its planned bus stand away from the main city. The TMA owned three and a half acres of land ideally located nearby the GT road and it bought adjacent property so there is now 12 acres of land available for the construction of the new general bus stand. The architectural plan of the bus stand, covering an area of 54,947 square feet, will provide ample space for the planned bus terminals, booking offices, and waiting rooms. In addition, provisions are also made on its architectural plan for a car park, restaurants, public toilet facilities, 25 mechanical and 136 commercial shops, and even a mosque.



The TMA estimated the need for at least two crore rupees to build the required facilities, which was too much money for the tehsil government to spare. But in view of the experience of TMA Larkhana which had managed to operationalise a successful project on a self finance basis, the TMA in Sadiqabad decided to approach the same private investment firm which had undertaken work for the TMA in Larkhana (Masooma Rajput Muslim Brothers). This firm agreed to undertake construction of the proposed bus stand in two phases, giving priority to the bus terminals and in the next phase to build the shops and other



facilities to be offered on the bus stand premises. According to the terms of agreement between the contracting company and the TMA, the company will undertake the building of the planned bus stand and accompanying facilities in return for the right to charge *pagree*³ from those interested in renting the shops, while letting the TMA retain rent of all the shops (with an estimated value of 76,400/month) as well as ownership of the entire building once it has been constructed. The firm has also deposited 2% security deposit with the TMA which will be returned after the construction has been completed. The TMA has decided to pay for the construction of 25% of the shops which will be used to accommodate businesses which had been operating legitimately at the old bus stands since years.

The Sadiqabad general bus stand is the first project in the Punjab which is meant to be run on a self finance basis as per Section 52-E of the LGO. The Tehsil Council and the Secretary Local Government have also approved this project. Furthermore, it is interesting to note how TMA's are learning from each other. While the LGO itself provided the opportunity to undertake the scheme, the Sadiqabad TMA was encouraged to take this initiative primarily due to the precedent set by the Larkhana TMA, the Sadiqabad TMA even obtained a copy of the Larkana project to ascertain the feasibility of its replication and was evidently convinced that it too could undertake this self finance scheme to offer transporters and their customers access to much better facilities.

A Public Park for Sadiqabad

Sharif Park is another interesting project undertaken by the TMA. The park is located on a one and a half acre plot of TMA property and is meant to have a waterfall, a jogging track and a play-land for children above which a barbecue restaurant, to be accessed by a capsule lift. The contractor for this park agreed to carry out the construction of the entire park if given the lease of the restaurant for Rs.1,200 per month. The TMA agreed to rent out the restaurant at this nominal rate provided the contractor installed a Sieman's lift worth and bear all expenses associated with developing the park, which would all become the property of the TMA once the construction was completed. Having reached an agreement, the work on the park is ongoing and is scheduled for completion within a matter of weeks.



Other Notable Efforts

Besides the abovementioned major projects, the TMA has undertaken smaller uplift schemes like renovation of the railway underpass and construction of several fountains in the city.

The TMA has also installed on mercury street lights on newly constructed roads. Besides road construction work being undertaken by the



³ Goodwill money

National Highway Authority, the TMA itself has built a double road in front of the railway station and another 1.5 km circular road is being constructed running along TMA offices, the courts and linking them to the railway station.

Two major water supply schemes have also been undertaken to provide access to safe drinking water to the tehsil. Due to complaints of brackish water, the Tehsil Officer (I&S) requested the Public Health Department to conduct a survey of the entire tehsil and the TMA thus identified tubewells where water could be obtained from. Thereafter, the Public Health Engineering department was revitalized and it thus took over the responsibility for completing these schemes.



The TMA has also undertaken sewerage works using contractors. The Lodhran Pilot Project had approached the newly formed TMA in Sadiqabad to undertake a desilting campaign but the Sanitary Inspector in the TMA was prompted by this visit to undertake the task in a lesser timeframe than estimated by LPP.

The Issue of Revenue Collection

Not the LGO 2001 considers TMAs the competent authority to license fees on manure and fertilizer businesses. Given this provision, the TMA Sadiqabad attempted to enhance its revenues by placing a tax on a major corporation operating in its area, Fauji Fertilizer. The TMA had initially proposed a levy of Rs. 5 per bag on Fauji Fertilizers, which upon debate in the Tehsil Council was reduced to Rs. 1 per bag. When the TMA attempted to levy the production tax on Fauji Fertilizer in September 2003, the FFC immediately filed an appeal with the Secretary, Local Government stating that it is a corporate entity and is regulated by the Federal government instead of being subject to levies imposed by the TMA. The TMA argues that it had sought objections to be filed on the proposed levy via a notification in the press, and it claims that the FFC did not file an appeal within the stipulated timeframe. The FFC on the other hand maintains that it did file an objection which was overturned by the TMA and instead a notice issued for payment of the production tax. The TMA Secretary for Local Government thus asked the TMA to withdraw its notification and advised it to levy licenses fee on persons running fertilizer manure businesses instead of levying a production tax on FFC, to which it does not provide



even water supply, sewerage and electricity. The TMA however maintains that it does share the environmental burden and the threat of an accident and should be able to gain some benefit instead of taxing the poor fertilizer/manure businesses. It has subsequently filed a case with the courts to settle this matter.

Although the licensing system has been given over to the TMAs but the limited staff to undertake recoveries is hindering benefits of this delegated authority. Moreover, as the action taken by the TMA Sadiqabad to solicit recoveries from the FFC indicates, it is not easy nor a straightforward matter to generate revenues at the local level. A similar attempt by DG Khan to tax cement producers was also turned down by the Secretary for Local Government. Potentially, flour mill owners should also be taxed by TMAs to generate revenues and until allowed access to these significant revenue resources, the TO (F) of Sadiqabad maintains that there is no choice but for local governments but to remain dependent on the Provincial Finance Commission.

Most of the TMA officials concurred that their strength was too small given the enormous workload placed on them. Many officers had to assume a dual charge as a result, for example the TMO was also the TO (I&S) and the ATO (F) had been given the charge of TO (Finance). According to the ATO (F), the TMA was short by 250 personnel and felt that these vacancies should be filled and the required provision made in the schedule of establishment if particular TMAs can justify the need for additional staff. Due to this dearth of staff, the recoveries of the TMA were also said to be suffering. The water recovery rates were cited as an example where a tremendous improvement could be made if the required number of plumbers, an inspector and helpers to cut lines in case of non-payment were made available. Yet despite the TMA's inability to obtain potential funds through water recoveries due to shortage of staff, the TO (F) has begun maintaining a separate register on bad debts (caused largely because people who got the connection either shifted and the new people refused to pay accumulated bills), this enables more accurate estimates concerning revenue receivable on water connections from regular bill payers and ensures that water charge revenues are not misappropriated by inflating arrears in the name of bad debts.

The lack of staff did compel the Sadiqabad TMA to contract out revenue collection from buses but there is still no one in the TMA to monitor these contractors or to prevent overcharging by them. The TO (F) emphasized the need for Audit department officials to release this limitation when they shift the blame of irregularities of contractors onto the TMA.

Despite the personnel limitations and the ceilings placed on who can be taxed, the TMA has managed to increase its total revenues substantially. From the Rs. 8,055,700 allocated for development in 1999 to 2000 have gone up to Rs. 41,375,501 in 2003 to 2004, whereas total revenues have increased from Rs. 45,726,939 to Rs. 107,585,920, which is a rather significant increase.

Impediments and suggested remedies

There were some reported tensions between the TMA and a former DDO over protocol duties. The current DDO in Sadiqabad made a distinction between older bureaucrats converted to the new system and those being freshly inducted into this new system, the latter apparently have lesser conflicts with the Nazim as this office is not a new creation for them but rather an established reality under the system of administration. Yet even

the new DDO of the TMA suggested formalization of horizontal linkages to facilitate carrying out duties to be shared by him and the TMA since the need for cooperation between them is inevitable. The TMA itself however did not feel the need for regularizing this contact, fearful that the bureaucracy would begin unnecessarily meddling in its affairs.

The Nazim and the TMO both emphasized the need for a magistrate within the TMA, since the reference to the court magistrates takes too long and given the inaction by the magistracy, the punitive recourse available to the TMA visibly lacks bite and encourages people to defy the law. It was suggested that at least municipal magistrates be allocated to district level, who could in turn divide their weekly duties in given tehsil offices.

Conversations with councilors revealed that they have very little discretions or power in the current system. They also complained that they have been given no honorarium. It was suggested that development funds released to Councilors on special seats should be tied to the seats on which they have won elections, whereby peasant or minority or women councilors should utilize their development funds on specific purposes relevant to their reserved seats, rather than being compelled from above to undertake conventional schemes like soling or water supply.

v Concluding Assessment

According to the TMA personnel, the devolution of fiscal responsibility enabling the Executive District Officer (Works) to sanction significantly large projects without having to secure approval from the provincial level has expedited development work even at the tehsil level. The need to obtain technical sanctions from the provincial government under the previous system was not only a lengthier procedure but also dampened the motivation of most local public officials to undertake development schemes. The devolution of authority is thus said to have provided a powerful catalyst for change in Sadiqabad.

Comments from the citizenry as well as subtler inferences from some councilors indicated that the TMA has essentially focused its energies on developments within the 6 urban rather than the remaining 23 rural UCs. Within the urban areas however, particularly after visiting the sites and completed works of the TMA, one does feel impressed by the visible effects of the efforts and innovative projects being made by the Sadiqabad's TMA.

III Concluding Remarks



Several kinds of agreements and contracts between local governments and non state providers are becoming evident under devolution. There are also varying degrees of difficulty in getting the balance of roles and authority right for the sake of improving the quality and enhancing the access to basic development needs of the average Pakistani citizen. It is difficult to say whether the 'private sector' should best work with and through the government or should it be encouraged to offer parallel systems of service delivery. Some of the various strands of public-private partnership becoming evident under the devolution plan are also struggling with such question. For example, in Rahimyar Khan, collaboration has taken place between an NGO and the district government for health management, yet the NGO in question also works like the government in many ways and this is the reason why it has gained the trust and credibility of taking over government BHUs. Yet the PRSP's attempt to follow government procedures in terms of procuring medicines for example has constrained its ability to improve the quality of medicines. In Lodhran, the TMAs have placed a dual responsibility on their own staff, which allows for greater collaboration but also causes a bit of strain within the TMA. In Jaranwala, there is much more aggressive outsourcing, although NGOs are being involved in some instances as well, such as with regards to waste management.

The above case study has attempted to articulate some of the real life stresses, innovations and opportunities becoming evident from the devolution of power in a specific context. A further attempt has been made to include the viewpoint of different stakeholders, including not only the various implementers but also the intended beneficiaries. It seems that the access and quality of services is improving thus far, which is the basic reason for the mentioned initiative emerging from the devolutionary process to be labeled as a 'best practice'.

Yet there is need for giving more attention on the removal of emerging inconsistencies and the hurdles confronting attempts to improve social service delivery. The issue of sustainability is paramount given that local government officials themselves express doubts about the future of their innovations. This assessment of a specific best practice has thus been an attempt to not only highlight innovative processes but also to identify particular impediments pertaining to sustainability and outreach. Wherever possible an attempt has been made to suggest how given impediments have been, or could have been overcome, in the attempt to draw lessons for the replication of this success in other parts of the country.

Annexure 1

List of People Interviewed

Sadiqabad

1. Nazim, Sadiqabad tehsil
2. Naib Nazim, Sadiqabad tehsil
3. Tehsil Municipal Officer
4. District Officer (Finance)
5. Deputy District Officer (R)
6. Union Councilors
7. Public at large