

## **HISTORY OF LOCAL GOVERNMENT FROM SUBCONTINENT TO MUSHARRAF ERA.**

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### **Abstract**

In modern days democracy has been considered as the best form of government. In this form the power remain in the hands of people. The beauty of this system is that it include all the people from top to bottom in power sharing. The local government is the lowest unit of democracy which transfer the power to the locals. These local representative work for the welfare and betterment of the people. This paper will help us to understand the concept of local government and also the evolution process in the subcontinent.

### **Introduction:**

The very idea of the local government is motivating and stimulating for there is a very maxim good government have no substitute and replacement for the self-government. One of the most famous definition of the democracy has been given the US President Ibrahim Lincoln; government of people, by the people. And for the people. The term local government has been allotted so many meanings, it has been define differently by different people and thus it has a very hug and very wide gamut of operation. it basically an infra

Sovereign unit and for that it is declared as a sovereign and quasi sovereign state that provide their services to a very wide range of area. The term local government is the sub-

division of a nation, protected by the law with firm control over the local affairs and it has also power to impose taxes for the different purposes.

### **Punchayat:**

Before the British Rule In the sub-continent, the concept of the local government was prevailing in the form of local and traditional setup in the rural areas of the India

The basic unit of that local setup was Punchayate. The literal meaning of the punchayat the council of the Five. The word punch is equivalent to the Greek word Pente in Five the members of the punchayat performed numerous powers and functions i.e. administration, developmental and judicial as well. Normally, there were five members in a village punchayat (**Majumdar et al. 2005**). Actually, the punchayats were not representing the whole community in true sense, because they often represent the elite class of the community i.e. the upper castes, big landowners and founding families. There were also many other forms of local government in the pre-British rule. Like, during the rule of Mughals, the village headman portfolio was used to run over the local affairs. The village headman was the representative of the Mughal Empire in true sense, while in theory he was the only representative of the local people.

### **Local System in Britain India:**

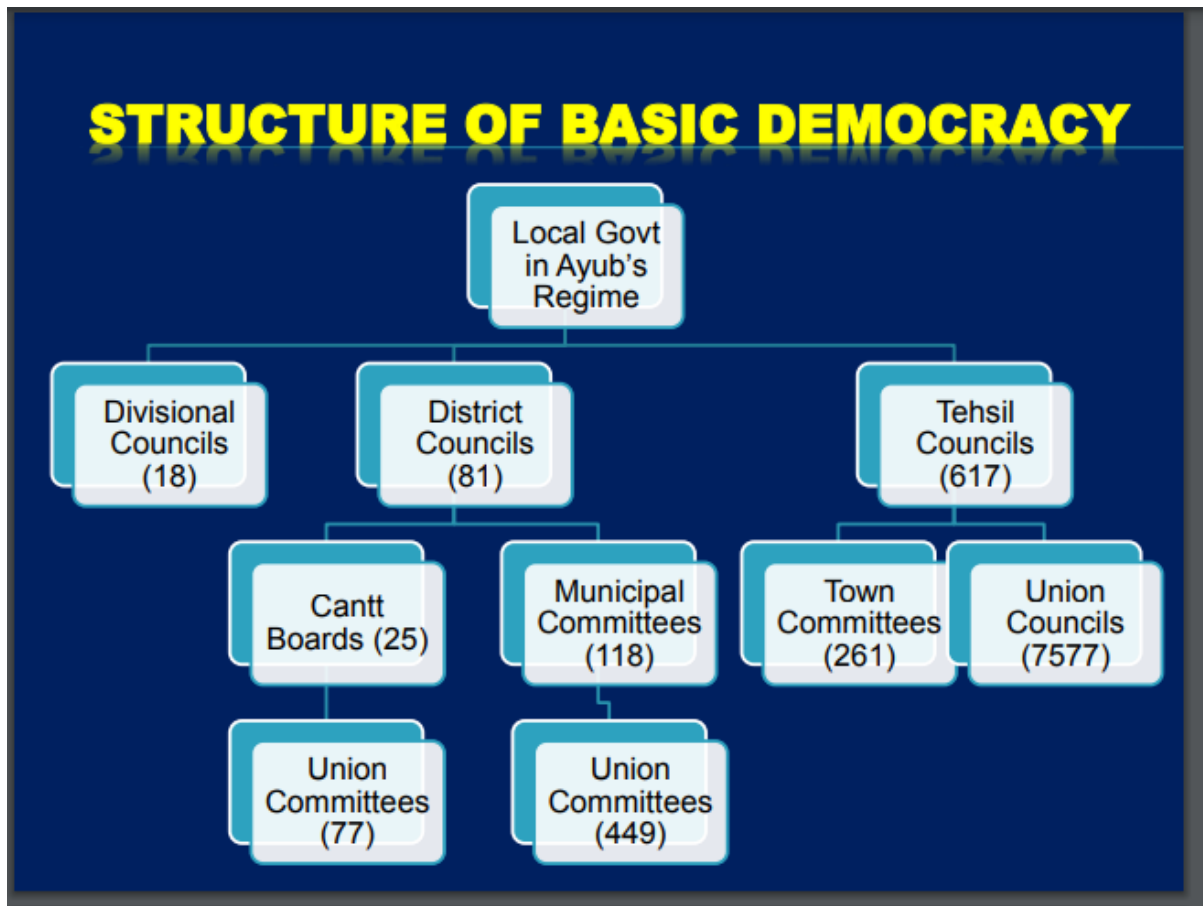
Under the British rule, the village headman continued his performance with minor changes in its power and functions (Siddiqui et al. 2005). Local Governments during the British Rule The East Indian Company during the British rule in 1688 at Madras introduced the first proper setup of local government titled as “Municipal Corporation”. The next step which was taken in this connection was the establishment of the sanitary committees for garbage disposal, by the proclamation of Conservancy Act in 1842. Local governments were introduced by British in Punjab and Sindh (currently part of Pakistan) after their annexation in 1843 and 1849 respectively. The governance of the sub-continent was transferred from East Indian Company to the British Crown 27 after the 1857 war of Independence. Local governments were formed but once again the setup was pro-elites. Enormously Limited functions were delegated to the newly formed local government at that time which was from top to down way rather from down to top way. Members of those local governments were chosen and nominated by the British Bureaucracy rather to be elected by the local masses. In every province, district committees were established, serving only as a source of information to the district Magistrate. In 1846, The Board of Conservancy in Karachi was established. Some other significant steps in the development of the concept of local government include the Proclamation of the Municipal Act in 1867. This Act was implemented in the Lahore and Rawalpindi. The formation of the rural local government and the election of some of the representatives for the municipal committees from the local people was the outcome of the Lord Ripon’s Resolution in 1882. Non official chairman of municipal committees’ appointment was recommended in 1907, by the Decentralization Commission. The Simon’s Commission further prolonged the said recommendation in 1927. With the concept of Federal form of government and the provision of full provincial autonomy, The Government of India Act of 1935 also provided and empowered the provinces and unites to formulate legislations on local government. The Post-Independence Period The founder of Pakistan Muhammad Ali Jinnah started his political career as an active member from the Indian National Congress. Later, he led the Pakistan’s movement by joining the All India Muslim League. The main theme of the Pakistan’s movement was the two nation theory; the ideology that Muslims and Hindus were two different and

separate nations. This was the reason that for the Muslims of subcontinent they demanded for a separate nation state. Both of the nations failed to meet on a mutually consensus on the distribution and sharing of power in the British united India. At the end of this dead lock and horrible political crises, the political parties of both of the nations and British government agreed on the separation of United India.

### **Pakistan creation and the fate of local government:**

Pakistan, a new nation state for Muslims came into being in 1947 (Talbot, 2005:12). According to Talbot (2005), Muslim League, was poorly institutionalized ambition as compared to her counterpart, the Indian National Congress. By comparing the political and democratic culture of Muslim League and Indian National Congress, it was highly noticed that the Muslim league was a group of elite class of the Indo Muslims while INC was a bit publically saturated. This was the reason that the regional and popular support of INC was more than the Muslim League. The inherited politics, elite composition and power of centralization in the Muslim League lead to the various post-independence problems in Pakistan. According to Talbot (2005), the problem facing to the newly born state was the nation building which was badly suffered by provincialism. Moreover, the ratio of Political participation in the Muslim majority areas was low in the post-independence era. Consequently, there were so many problems which have to face by the Muslim League right after the independence of Pakistan. Some of the concepts regarding the developmental and administrative preferences were inherited by the government of Pakistan from the colonial period. That colonial legacy instigated socio-ethnic and religion-political crises in post-independence Pakistan. During the first decade of Pakistan's history, the curves of the crises have had a very deep impact on the coming political instability. The ratio of the centralization in the sector of public policy planning and its execution was increasing day by day as the center was occupied highly by the military and civil bureaucracy. (Johnson, C., & Talbot, C. (2007).). Pakistan, Like India also inherited very innovative and developed civil service system from British United Indian Government, Cheema and Sayeed (2006) quoted. Pakistan's initial years were full of political crises and regional conflicts. Major causes for all such type of situation were the issue of powers limitations and distributions among the legislatures and civil bureaucracy, and the race for the superiority over each other. During the few years of post-independence era, Pak Army was having an indirect influence over the national affairs of Pakistan. That influence increased further 3when Pakistan joined the military alliances like SEATO (Southeast Asia Treaty Organization) and CENTO (Central Treaty Organization). According to the Khan (2010), Pakistan,in the early 1950's 4had joined the pro -US military alliances; SEATO in 1954 and Baghdad Pact in 1955. All those were happened just because of the two main factors; the dominancy of military bureaucracy and to strengthen the defense of Pakistan against India. Local government was presented with its original version in Pakistan after the military takeover in October 1999.The new version of the devolution and decentralization reforms implemented by the Musharraf government, is not the first time of the local government in the history of Pakistan. Since the formation, Pakistan has practiced three major versions of local government were which tested time to time.

### **BASIC DEMOCRATIC SYSTEM:**



The very first attempt was made by the President General Ayub Khan in 1959, with the introduction of Basic Democracy (BD) Plan. In 1979, twenty years later Again, the concept was implemented by a military ruler General Zia-ul-Haq, with large modification. In 21st century, General Pervez Musharraf devolved the administrative, fiscal and political powers to the very local masses. Although, local government is the constitutional requirement of the government of Pakistan but interestingly it was introduced and implemented by the authoritative regimes rather democratic ones. In the following discussion, the three local government are described in detail. Local Governments under General Ayub Khan In the post -Independence era there was no proper setup of local government in Pakistan but in some areas of Punjab province there was a sort of local government. That system was under the control of the civil bureaucracy rather elected by adult franchise. First martial law in Pakistan was imposed by the Military ruler General Ayub Khan in 1958. The 1956 constitution was suspended and all type of governmental bodies (national and provincial governments) was dismissed. The Authoritative regime of General Ayub Khan needed public support, for which he introduced the Pakistan's first recognized local government. The local government introduced by General Ayub Khan in October 1959 was titled as the Basic Democracy (BD) Plan. (ICG 2004). Zaidi (2005), narrated that after the introduction of the Basic Democracies Order (BDO), Basic Democrats' Elections were held after two months. For further strengthening of BD system, the local government in urban areas was also established with the implementation of Municipal Administration Ordinance (MAO). Local governments under BDO were providing for the setup at four levels i.e. division, district, tehsil and union levels. In the rural areas, the Union Councils and Town Committees in towns were at the lowest level in that system. The population of the town committees was less than 14000 inhabitants while more than 14000 was the population

of the union committees in towns. In that system, next to the town committees there were tehsil councils. In rural areas it was titled as Tehsil councils while in urban areas they were called as Municipal committee and cantonment boards in metropolitan cities. Tehsil council followed the district council, next to which the higher tier was divisional councils. (Ziadi 2005) Siddiqui (1992) quoted that the numbers of Union councils of 37959 villages were 3414 as union council was the lowest tier in that local government. Towns were further divided into two types of committees; 222 town committees and 810 Union Committees, of having less than 14000 inhabitants and more than 14000 inhabitants respectively. The whole country was divided into parts called as wards and the total number of wards according to the BDO was 80,000. Generally, a ward was having the population of 1000 to 1200 people. Under the new system, the elections were held on ward and non-party basis.

General Ayub BD system names the elected members as Basic Democrats. Adult Franchise was used in the election of BD members for the Union Councils, Town Committees and Union Committees. (ICG 2004) According to Rizvi (1974), the chairman was indirectly elected by the members amongst themselves. Besides, the directly and indirectly elected members at higher level and lower level respectively, some of members are also nominated by the government as well. For instance, the three higher tiers were headed by their respective chairman, which were nominated by the government directly. The Tehsildar or Assistant Commissioner was appointed as the chairman of the tehsil council. Consequently, the Commissioners and the deputy commissioners (DC) headed the divisional and district tiers respectively. Approximately, more than the half of the members of BD system was nominated officially by the government. (ICG, 2004) Siddiqui (1992) explained, though those local bodies council were delegated with a good number of powers and functions i.e. developmental and regulatory functions, but in true sense they were totally controlled by the civil bureaucracy of the district administration. "As the district administrative bureaucracy were empowered to not only override the decisions of the councils but to nullify and reject their passed resolutions and recommended orders". (ICG, 2004). General Ayub Khan was elected as the president of Pakistan, by using those basic democrats as an electoral college. The same Electoral College was also used for the election of provincial and national legislatures. Ayub Khan got 95.6 % of vote in the referendum held for the president ship of Pakistan, in 1960. In 1962 a new constitution was introduced and implemented by the Ayub Khan. The constitution of 1962 provides for a presidential system along with a unitary form of government. All those steps were taken by getting the full advantage of having the constituency of BD as an electoral college. General Ayub enjoyed his authoritative regimes with unopposed absolute executive powers.

All those factors were the responsible for the main drawbacks and large criticism on the BD system. Likewise, the center was also assigned to the approval and appointment of the provincial governor, which further curtailed autonomy of provinces (ICG2004) In the BD System there were almost 37 jobs which were allocated to the Union councils. Amongst them the more important functions were the promotion of Community development; Rural Agriculture and also the maintenance of Law and order. They were delegated the power of Taxes' imposition, which were then utilized in the financial support of the local projects. In that connection the Tehsil Councils were just assigned to carry out the function of coordination only, rather they had any taxation or Executive powers. The higher tier i.e. district councils were allotted 28 and 70, mandatory and optional functions respectively. Besides, the coordination of the activities of all the municipal committees and local councils they were also assigned the taxation power as

well. Promotion of local culture, social welfare, education and sanitation were responsibility of the district councils. The activities of the many governmental departments were coordinated by the highest tier, the divisional council.

**PEOPLE LOCAL ACT:**

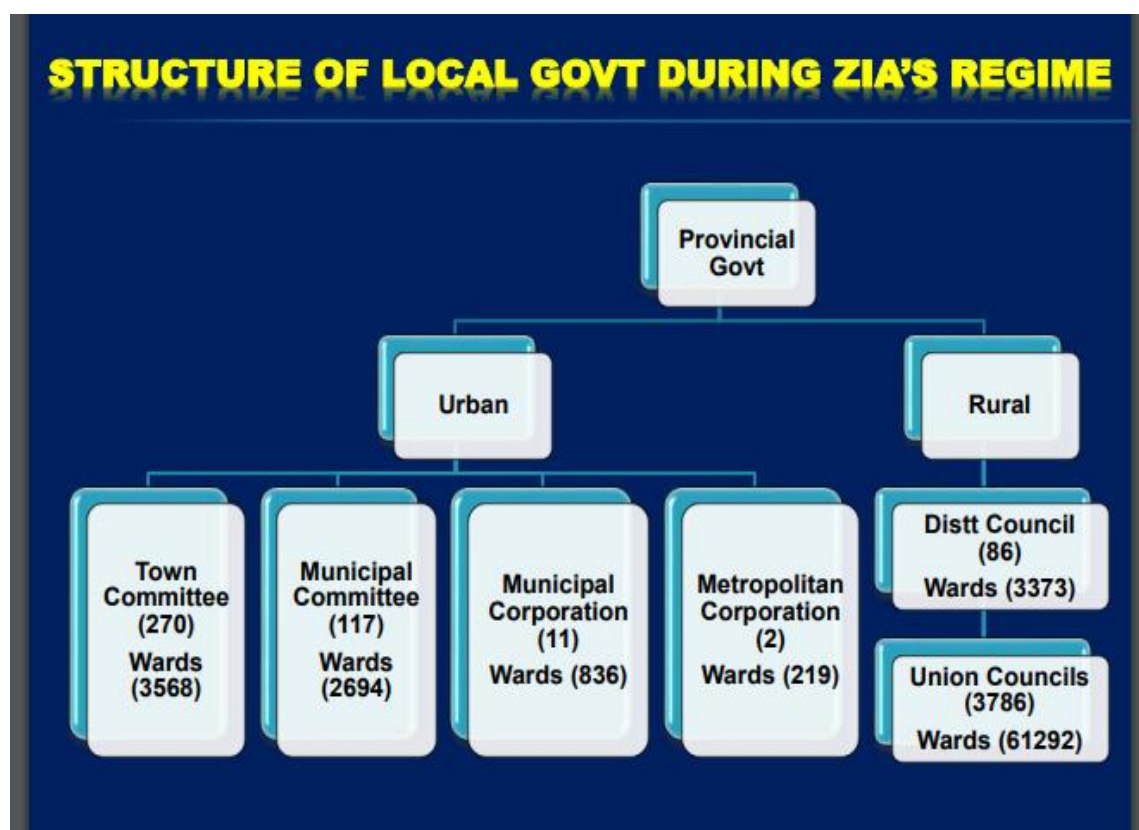
When Bhutto came into the power he introduced a new local government system which he called a people local act. In this system all the provinces were allowed to have local government for their own. And most importantly their have no political strings. Bhutto himself was the champion of democracy and local government but he was never in the favor of the establishment of local government in true sense.(Herring, R. J. 1979). This people local act was present in books but not in the reality. Virtually the country have no local government or system during the period of 1971 to 1979.



**ZIA LOCAL GOVERNMENT:**

Local Governments under General Zia-ul-Haq In 1977, as a result of military coup, General Zia-ul-Haq, later on assumed the power of the president of Pakistan. In the history of Pakistan, that was the third time of Authoritative regime. Consequently, to that regime all type of political activities was strictly banned. In the initial days of the 2nd Martial Law, the public was allowed for political campaign as they were guaranteed of holding elections within three months. National and Provincial assemblies were disbanded. The military rule was extended to the unknown period. Like, the 1st Martial Law, the General Zia also presented the concept of decentralization and devolution of power in the sense of local government. In 1979, by Local Government Ordinance

(LGO), the concept was given practical and constitutional status by the presidential ordinance. (Zaidi 2005). Under the local government under LGO 1979, the system was divided into three levels: District councils, Tehsil or Taluka councils and Union councils. District councils and Union councils were highly acknowledged as compared to the Tehsil councils, because the Tehsil or Taluka councils were just nominal. Metropolitan Corporation, Municipal corporations, Municipal committees and town committees were the four tiers at the urban level. In the whole country, 336 town committees, 146 municipal committees, 12 municipal corporations and 2 metropolitan corporations. All of the three tiers were established according to the population size i.e. town committees for those towns where the population was from 5000 to 30000 and municipal committees for those towns having populations up to 2,50,000. In the big cities whereas the populations was exceeding the limit of 2,50,000, municipal and metropolitan corporations were established. (Zaidi, 2005) narrated that the elections of Zia's local government were held on non-party basis and the members of the District, Tehsil or Taluka and Union councils were elected on the adult franchise as well. The chairmen were then elected by those members for their respective councils among themselves. The direct representation of the civil bureaucracy was eradicated in the Zia's local government.



That feature was an important factor in the development of the concept of local government. Prior to the LGO 1979, those bureaucrats were also appointed as members and chairmen of the local councils. Though, the resolutions passed by the local governments may be suspended by the provincial government but the provincial governments yet faced a vital decrease in their influence and grip on local bodies (Cheema et al. 2004). Special and separate seats were allocated as reserved seats for the women, workers, peasants, and non-Muslims. In some cases in the various provinces the allotted number of seats and the strength of the population of district councils and municipal corporations were not matching on proportional basis. The Union levels in

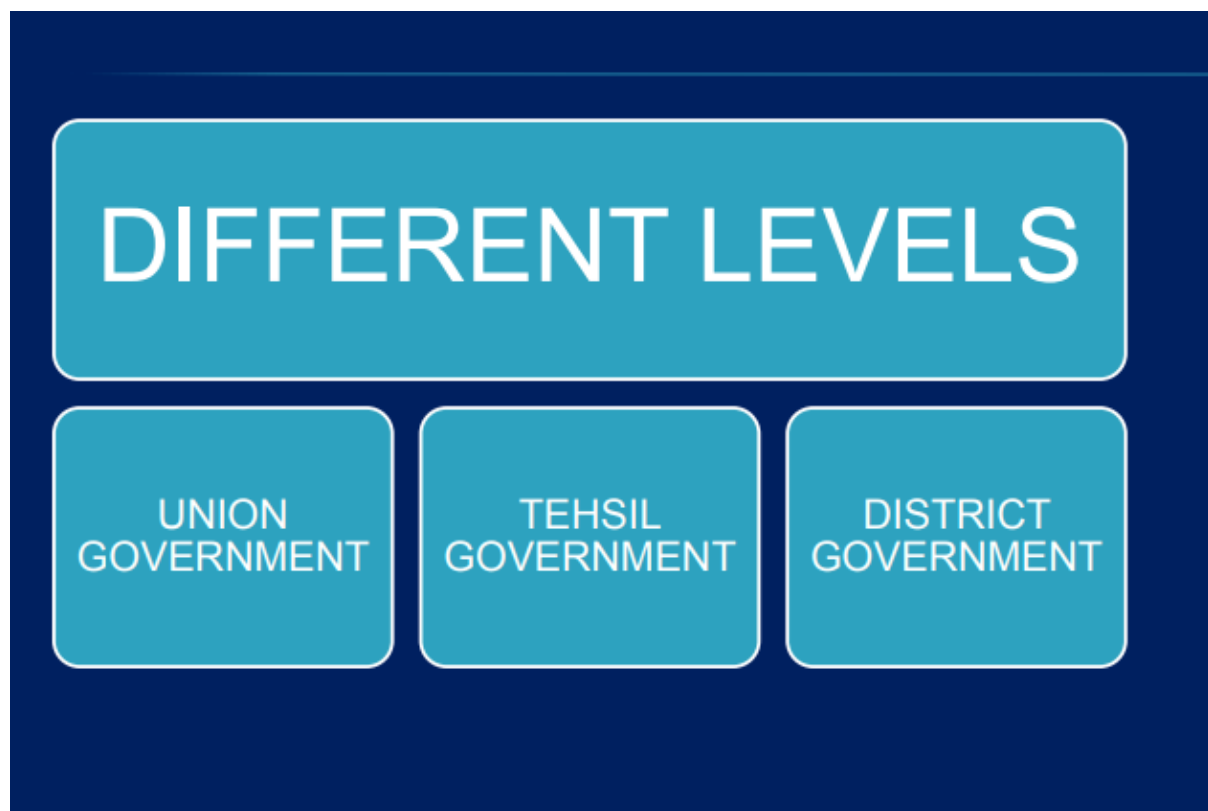
rural areas were at the lowest tier of the local government were allocated the seats with highest number. Furthermore, the seats allocation was on the base of the population strength of the respective tiers. (Zaidi 2005). There were many functions which were assigned to the lowest tier i.e. union councils. Mainly, the union councils were concerned with the development, civil and welfare programs. There were numerous civil functions: water supply, water pumps and tanks, provision of public ways, maintenance of wells and slaughterhouses. Also, the union councils were supposed to carryout relief operations in case of any natural disaster. Promoting Community development, enhancing the industrial sector, increasing of agricultural and food products were the main developmental functions of the union councils. Beside that some important functions were also assigned to the district councils including: the maintenance and management of hospitals and schools, provision of the construction of the public buildings, water supply, roads, bridges and school buildings as well. In the provinces like, Punjab, NWFP and Sindh the highest tiers of the local government for instance town committees, municipal committees, municipal corporations and metropolitan corporations were also allocated with some mandatory and optional functions as well. Due to the lower ratio of urbanization, in the province of Baluchistan, the town committees were assigned less and low functions. The biggest Metropolitan corporation, Karachi, had been delegated some additional functions. The urban councils were also awarded some functions like maintenance of roads, street lighting, health care, garbage disposal, sanitation and water supply. (Zaidi 2005). Many methods were adopted in the modifications of Local government via various ordinances to increase the ratio of public participation in the mechanism of local councils. Though, such mechanisms were nominal but they used the approach yet. For instance, the proposed policy would have to publish in the newspaper first for the publics' response and suggestion. The critical analysis of the local governments' performance from 1979 to 1999 indicates that it has not so much developed in sense of the service deliverance. (Zaidi 2005). (Cheema 2005) opinion that one should easily come to know about the resemblances and matching of the Ayub's and Zia's local government. There was not any considerable indifference between the basic themes of the both systems especially in the assigned financial powers. For both the local government systems, the Ayub's legislative mechanisms were followed. The local government gave constitutional protection to both of the Authoritative regimes.

### **MUSHARRAF LOCAL GOVERNMENT:**

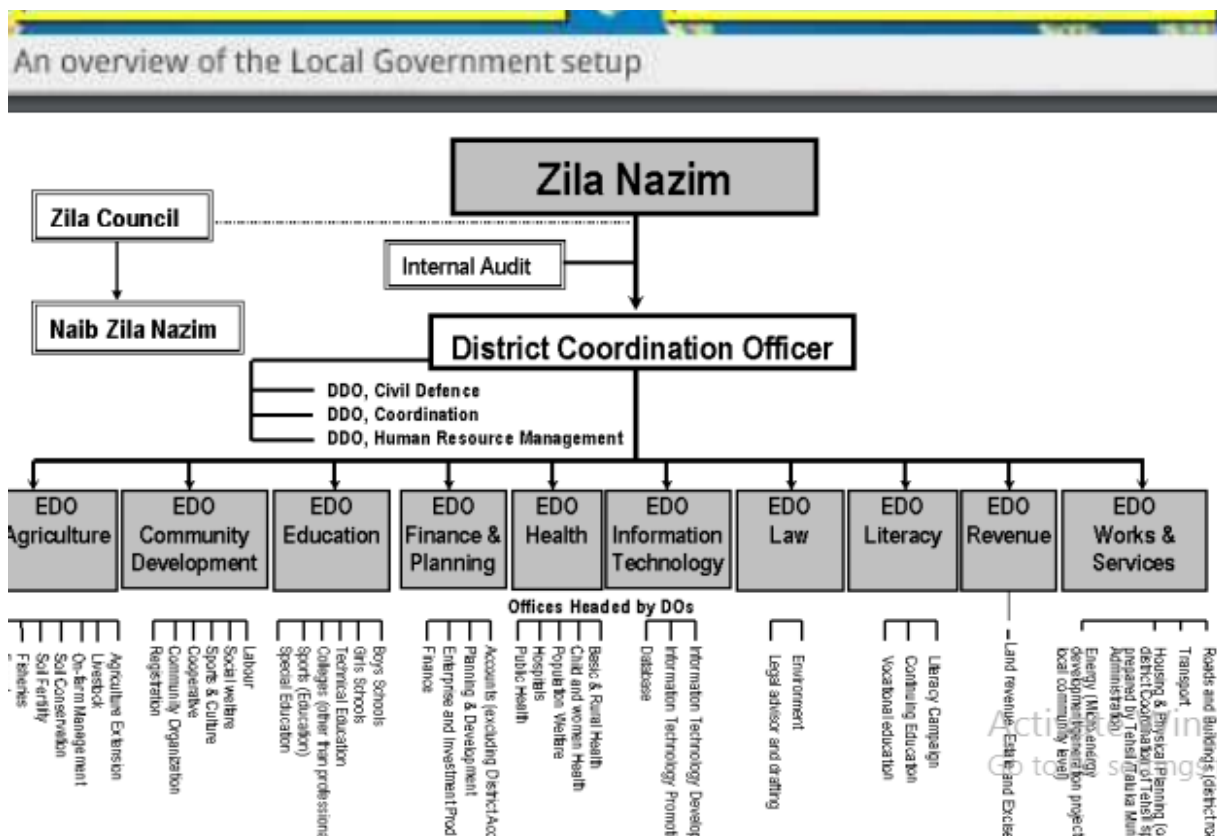
The local Government System under General Pervez Musharraf At the end of the 20th century the nation of Pakistan witnessed another military coup. That resulted in the establishment of a new authoritative regime in Pakistan by overthrowing the representative and democratic form of government. For the legitimization of his regime, like the previous military coups the Army Chief of Pakistan, General Pervaiz Musharraf, also presented his program titled as "Seven Point Democratic Agenda". The "Seven Point Democratic Agenda" includes: ensuring swift across the board accountability and devolving power to the grass roots level, rebuilding and depoliticizing state institutions, ensuring law and order and dispensing speedy justice, revitalizing and reinstating investor sureness, consolidation of the federation while eliminating the inter-provincial disagreements, reconstruction national self- assurance and self-confidence. At first he presented the image that Army has had no intention to rule over the state for a long time, but later on it was proved wrong. The flourishing democracy was curtailed once again. Musharraf revived the concept of local government and presented with a new version. (ICG 2004).



In November 1999, National Bureau Reconstruction (NRB) was established, having the core responsibility of the devolution of power. The NRB was assigned the task of developing the plan for the Devolution of the Power. On 23rd March, 2000, the scheme made by the NRB was declared with titled as “Local Government Plan 2000”. it was just aim to develop the democratic culture strengthen the democratic process, make the common people to trust this system, let the institution to get rooted in Pakistan, make the people empower by giving them equal opportunity in decision making process by make an equal stakeholders and it could only possible by devolution of powers at the door step. The NRB proposed local Government Plan 2002 has five core aims at the district level: It first aim is devolution of powers and giving the function to manage and administered to the representatives at grass root level, distribution of resources and diffusion of power authority. The plan give a three dimensional scheme of the local body election and seeks to devolve power in a three stages formulas. The formula is based on 3 tiers: union, tehsil and district. In 2001, various types of elections on non-party based were held to establish new set up of body election.



The local body election scheme is based on three levels. Females, peasants and minority had been given equal representation which is a positive sign and a step towards making the people of Pakistan stake holders in the decision making process. The reservation of 33% quota seats for women and similarly representation of Peasants (Kisan counsilors) and minority is icing on the cake. It will helps a lot in strengthening the democratic process and making the people believe to support the democracy. Another bright side of the picture is that the phenomenon of Rural Urban divide had been removed once for all by amalgamation of these areas. The Nazim and Naib Nazim had taken place of the Mayor and Deputy Mayor under the Plan of 2000



**Conclusion:**

Local government always play a very vital role in the development of the country. The history of local government in Pakistan is traced back to the Colonial rule. It was the Britain who introduced the concept of local Government in Subcontinent. When Pakistan got created in 1947 the concept of Local government was not new for them but yet they did not pay attention to it. It was the Military ruler when they came to power developed the Local Government. The concept of local government is extremely essential and important for the development of the country.

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