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Assessing Local Government Act (PLGA-2013): A Legal and Practical Perspective

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Abstract

This qualitative research study purposes to assess the PLGA-2013 from a legal and applied perception. The study employs qualitative research approach, with in-depth interviews, document scrutiny, and opinion, to gather data from various stakeholders, such as legal experts, government officials, and community representatives. The research explores the legal framework provided by the PLGA-2013 and examines its practical implications in the context of local governance in Punjab. It seeks to understand how the Act has been implemented, identify any challenges faced in its execution, and evaluate its effectiveness in achieving its intended objectives. Through the analysis of collected data, including interviews and document review, this research aims to provide insights into the strengths and weaknesses of the PLGA-2013. It examines the Act's provisions, their interpretation, and their impact on local governance practices. The study also considers the perspectives and experiences of stakeholders to gain a holistic understanding of the Act's practical implications. The results of the research will add to the prevailing information on local government legislation in Punjab, offering valued insights for officials, experts, and researchers. The study intentions to suggest some recommendations for improving the implementation and effectiveness of PLGA-2013(2013) based on the identified challenges and stakeholders' feedback. Ultimately, it strives to enhance the understanding of the Act's legal and practical aspects and contribute to the ongoing discourse on local governance in Punjab.

Keywords: Decentralization, Governance, PLGA-2013, Governance issues, Education

Introduction:

The Punjab PLGA-2013 is significant legislative framework governing local governance in the Punjab province of Pakistan. The Act provides a legal structure for the establishment, powers, and functions of local governments, aiming to decentralize power and improve citizen

contribution in policy making procedures. However, it is essential to evaluate the Act's effectiveness and practical implications to ensure its successful implementation and address any challenges faced in its execution. This qualitative research study aims to assess PLGA-2013 from a legal and practical perspective. By examining the Act's provisions, their interpretation, and their impact on local governance practices, the study seeks to shed light on the strengths, weaknesses, and overall effectiveness of the legislation. The PLGA-2013 was enacted with the objective of empowering local communities and promoting participatory democracy. It outlines the establishment of local governments, defines their powers and functions, and provides a framework for their financial management. The Act also establishes mechanisms for citizen engagement, such as the formation of union councils, reserved seats for women and minorities, and public consultation processes while the Act offers a promising legal framework for local governance, its implementation and practical implications require careful examination. Understanding the challenges faced in executing the Act and assessing its effectiveness in achieving its intended objectives are crucial for informed decision-making and policy improvements. This research study adopts a qualitative approach, utilizing methods such as in-depth interviews, document analysis, and observation to gather data from relevant stakeholders. Legal experts, government officials, and community representatives will be interviewed to obtain their perspectives on the Act's legal provisions, its implementation process, and the challenges encountered in practice. By analyzing the collected data, this study aims to provide a comprehensive assessment of PLGA-2013. It will identify the strengths and weaknesses of the legislation, explore its practical implications in the context of local governance in Punjab, and offer insights into its effectiveness in achieving its objectives. The results of this research will offer the existing body of knowledge on local governance in Punjab and give valuable visions for policymakers, practitioners, and researchers. The study's recommendations will aim to improve the implementation and effectiveness of PLGA-2013based on the identified challenges and stakeholders' feedback. This research study will assess the Punjab PLGA-2013 from a legal and practical perspective, examining its provisions, their interpretation, and their impact on local governance. By doing so, it aims to contribute to a better understanding of the Act's effectiveness and provide recommendations for enhancing local governance practices in Punjab.

Research Questions

1. What are the important provisions of PLGA-2013 and how are they taken and executed in practice?
2. What are the practical challenges faced in executing the Punjab Local Government Act-2013 and how do they affect local governance?
3. What lessons can be learned from the implementation of PLGA-2013that can inform future policy improvements in local governance?
4. What recommendations can be made to enhance the implementation and effectiveness of the Punjab PLGA-2013based on the identified challenges and stakeholders' perspectives?

PGLA -2013: An Analysis

The opposition groups were not only excluded from the PLGA 2013, but virtually every one of their proposals was also rejected. It is immediately clear that the way the Bill was written and is being implemented by the democratically elected lawmakers is a disservice to the very ideals of democracy. The province's ruling political party hurried to unilaterally accept the measure rather than encouraging discussion and criticism to achieve a broad consensus. Given

the situation, it is highly unlikely that any laws passed in accordance with the aforementioned Act will be simple to execute or beneficial to the people who are the target audience for the proposed local government legislation and the elections. Provisions like conducting elections on non-party base, insertion district health and education authorities under provincial governor and giving excessive powers to the provincial government to suspend local mayors and chairmen are designed to hold on to the levers of power and do not let go any policy or implicative powers(Ilahi,2015-19).

Under the current provisions, the provincial government has the authority to periodically examine the revenues and expenses of local governments, which have four-year terms. Following the local government elections, the Metropolitan Corporation and Municipal Corporation inherit the rights, liabilities, and assets previously held by the City District Government (CDG), Towns, and Tehsils established under the LG Ordinance 2001. Similarly, Union Councils assume the rights, obligations, and possessions of the Union Administration. The positions of Chairmen and Vice-Chairmen have replaced the roles of Union Nazims and Naib Nazims, while the positions of Mayor and Deputy Mayor have taken the place of District and Tehsil Nazims and Naib Nazims.

Political Processes and Elections: Problems and Apprehensions

At what time and in what way municipal government elections would be held were still unknown. Based on certain statements, media outlets extrapolated that the elections would occur sometime in December 2013 or January 2014. The Punjab Government's intention to hold LG elections on a non-party footing has, however, become clearer. Elections on a party basis were refused, despite vehement opposition proposals from the PPP and PTI (Janhangir, 2021). The opposing parties eventually stormed out of the assembly in anger, but the Bill nonetheless approved. It's noteworthy that 13 proposals for amendments from the Treasury seats were also denied. Party-based elections for the LG should be held, according to the majority of the province's civic society, in order to advance democracy and empower citizens to make informed choices. A clause about party-based elections was present in the 2012 draft of the Bill, Regrettably, it can be observed that the PLGA 2013 was largely based on the framework of the 1979 Local Bodies Ordinance. This ordinance established a highly centralized system of local governance that had limited scope for decentralization or delegation beyond a certain extent.

Upon presenting its report, the Special Committee on Local Government delineated the essential components of the proposed local government system. The committee proposed that the boundaries for Union Councils should be established as necessary. The local government Union Council would comprise a directly elected Chairman (1), Vice-Chairman (1), General Members (6), Female Members (2) on reserved seats, and one Worker or Farmer Member on a reserved seat. In Union Councils where at least 200 non-Muslim voters were listed, it was also recommended to include one Young Person and one Non-Muslim member on reserved seats. The "District Council" would consist of the head of each Union Council, along with any individuals indirectly elected who are present and voting on behalf of the Chairman and rural Union Council members (on reserved seats) (Saleem,2014).

The council would also include five non-Muslims, one technocrat, one young person, and 15 female members. Metropolitan Corporations shall be composed of the chairs of all the District Union Councils and such other members as may be indirectly elected (on fixed positions) by the

Chairman and the members present of the Rural Union Councils. There would also be ten non-Muslim members, 25 females, five employees, three technocrats, two kids, and five laborers. All local union council chairmen would serve as members of municipal corporations, along with members who were officially elected (to reserve seats) by the rural union council members present at the meeting. Five non-Muslim representatives, two workers, two technocrats, and one young individual would also be present (Iqbal, 2022).

Opposition Response

Political parties, many of whom are seated on the opposition benches, firmly believe that the local elected officials were not granted enough power under the new arrangement. According to their claim, the financial and administrative powers of the local government lie with the Punjab government. They argue that local mayors or chairmen are only responsible for tasks such as clearing encroachments, constructing streets and drains, and overseeing sanitation workers. They further contend that the law disregarded the provisions outlined in Articles 62 and 63 of the Constitution, which define the criteria for qualification and disqualification of candidates for members of parliament," the petitioner's attorney claimed that the new law violates Articles 62 and 63.In addition, he expressed concerns about several questionable provisions within the law, such as the reduction in the number of women representatives, granting control over financial matters to non-elected government employees, empowering the chief minister with the authority to interfere in local governments, and the implementation of party-less elections(Mustafa,2019).

Politicians in the opposition criticized the law, asserting that the chief minister alone has the power to remove municipal representatives. On the opposition benches, some critics draw comparisons between the authority and section 58(2) B, which granted the president the authority to remove the elected prime minister. Even the choice of the directors of health and education fell under the purview of the provincial chief. Article 18 of the Constitution of Pakistan states that the Election Commission, not the provincial administration, is responsible for holding elections, which is against the law. The opposition representatives also believed it to be in contravention of Article 140-A of the Constitution, which delegated control over politics, administration, and finances to municipal governments. They argued that giving the provincial governments control over planning, community development, literacy, legislation, information technology, and taxation further weakened local governments. If this is the case, referring to it as a dispersed democracy would be in stark contrast to democracy itself (Mustafa, 2019).

The Secretary of Local Government alleged that Khyber Pakhtunkhwa, which combines the finest elements of both the 1979 and 2001 Local Governance Systems, was modeling its local governance system after Punjab. If a devolutionary strategy is in place, it is quite a "limited" or, in other words, "controlled" strategy. It is referred to as a colonial recreation of 1861 from even opposition strongholds. Even so, the new Local Government's plan retains a few schedules from the Local Government Ordinance 2001, including a few details that are unique to the implementation (Hussain, 2020).

The clause mandatory under Article 33, that every member must submit a declaration of their assets and liabilities to the appropriate authority in the specified form and manner within 30 days of the Local Council's first meeting following their election, sounds great, but there was no established clear method for check and balance. Uncertainty surrounds the Election

Commission's ability to restrain it and how. Additionally, it was uncertain how residents, voters, or other citizens could submit a petition to demand a declaration of assets, report misconduct, or report extravagant spending.

It was just as difficult as it was in other levels of government to empower citizens, provide access to information, and hold public officials accountable. Conducting inquiries into alleged "misconduct," which encompasses bribery, corruption, misappropriation, or intentional diversion of funds within the local council, as well as any attempts at misappropriation, posed significant challenges without the establishment of a systematic institutional mechanism, particularly for the citizens and those affected. Without such a mechanism in place, investigation cases pertaining to money laundering or fraud faced the danger of transforming into political controversies. To address these concerns at the local level, there was a pressing need to establish an open and transparent judicial system that could be held accountable (Hussain, 2020).

PLGA's Administrative Structure and System (2013)

Significant changes were made in terms of the roles and titles within the local governance structure. To oversee the functioning of Municipal Corporations, Municipal Committees, Councils, and Metropolitan Corporations, new positions were introduced, including Chairmen, Vice Chairmen, Mayors, and Deputy Mayors. This change deviated from the previous structure where the roles of Nazims and Naib Nazims carried similar responsibilities. Additionally, there was a deliberate effort to eliminate the merger or distinction between rural and urban areas. This decision was driven by the rapid and often unregulated expansion of towns and urban settlements. As a result, many of these areas no longer considered themselves strictly rural and demanded a separate identity (Iqbal, 2020). This could encourage discomfort, confusion, and in some cases, opposition's legal action. Discrimination in development plans and their execution was expected to have structural consequences. Zila was still characterized as "a revenue district as notified under the Punjab Land Revenue Act (XVII of 1967) excluding urban areas" despite the shifting demographics.

The Act specifically outlined the formation of rural and urban councils, including a Union Council for each Union, a Zila Council for each Zila, a Municipal Committee for each Municipality, a Municipal Corporation for each city, and a Metropolitan Corporation for each Metropolis. Additionally, the Act allowed for the possibility of the government dividing a district into rural and urban areas and delimiting the jurisdiction of local councils through an official notification. According to the constitution, it is important to note that the power to do so rests with the election commission rather than the provincial government (Mustafa, 2019).

Given that the aforementioned Act had been readily qualified in Chapter II of The Constitution of Local Councils, the declaration or rejection of an area as a Local Council under Clauses 3, 4, and 6 could occasionally become a major issue. According to the law, the government had the authority to change local area boundaries and proclaim that a region is no longer part of a union council, district council, municipal committee, or municipal corporation by sending out a notification after seeking public input and objections. Furthermore, according to the Act, any two or more adjacent local governments within a District have the option to propose a change in their respective boundaries to the government. To initiate this process, the local governments must pass a resolution with a two-thirds majority of their total membership, inviting public objections (Awan, 2023).

However, it is worth noting that the Act imposes a condition that no revenue estate should be divided, and the population size of the relevant local area should, to the extent possible, be similar to the average population of similar local areas within the District. While this population requirement may seem to hinder political consensus, it is likely to be subject to change in practice.

In a parallel, Clause 7 states that the government has the authority to divide a local government into multiple entities or merge multiple local governments into a single entity. It can also modify the boundaries of a local government. The consequences of such actions are specified in an official Gazette notification (Awan, 2023).

Besides, when a new local government is formed as a result of division or reconstitution, in accordance with the provisions of the Act as outlined in the notification:

(a) The existing members of the local government that has been divided or reconstituted will automatically become members of the new local government as specified by the government through a notification. Each member will be considered as if they were originally elected to that particular local government and

(b) such local government shall, to the extent and in the manner specified in the notification, be the successor of the local government so divided or reconstituted" (Islam,2018).

The same situation applied to Union Councils and Wards, as outlined in clause 8 of the Act regarding the Delimitation of Union Councils. It states that:

i. A Union Council is an area designated as such by the government, encompassing one or more revenue estates or, in the absence of a change in settlement under the law, one or more census villages.
ii. Where feasible:
   a) The area of a Union Council should form a cohesive territorial unit.
   b) The population of Union Councils within a District Council should be relatively equal.
   c) The boundaries of a Union Council should not cross the limits of a Revenue Sub-Division in a District.
   d) The area of a Union Council should consist of a whole number of patwar circles, or a patwar circle may contain multiple Union Councils.

Moreover, Clause 9 of the Act pertains to ward delimitation and states the following:

a) The government shall undertake the delimitation of wards in Union Councils, Municipal Committees, Municipal Corporations, and the Metropolitan Corporation in accordance with the specified procedure.
b) In defining an urban area, a ward should, to the greatest extent possible, encompass a census block or contiguous census blocks.
c) In defining a Union Council, a ward should, to the greatest extent practicable, encompass either the entirety or a portion of a village, a census block, or a combination of adjacent villages or census blocks (Islam, 2018).

During the enactment of the LGO-2001, several avenues for citizen participation were created, including CCBs, Masalehati Anjuman (conciliatory committees), and local peace committees. These platforms were designed to facilitate active involvement of citizens in decision-making

processes and ensure that official decisions reflected the developmental needs of the population. Nevertheless, the introduction of the PLGA 2013 brought about notable constraints and limitations to these participatory spaces, resulting in a significant reduction of their effectiveness and scope. Due to the standoff and political pragmatism among the three key political parties, PPP, PTI, PML-N has the demarcation and re-demarcation in that case remained provocative, if not distorted. One had good reason to worry that the decisions would be made based on political interests and preferences, even though the technical justifications for the aforementioned powers were already enumerated in the legislation. Each province has drafted its own local government legislation to address specific political concerns. There was a similar uproar as there had been in the Provincial Assembly when the Sindh (Islam, 2018).

LGA, 2013, which disregarded opposition concerns, was passed by the Sindh Assembly. While Punjab, the largest province, is having non-party elections, two provinces were holding party-based elections. Each incumbent party's government in the province will budge toward tearing apart and creating constituencies that fit their possibilities for success and likelihood of receiving votes. Feudal landowners will be even more interested in it in rural areas (Awan, 2023).

As per the law, the Deputy Commissioner holds significant authority in matters concerning disputes, arbitration, and the appointment of the Secretary. This is indicated by the provision stating that if the electoral unit extends beyond the boundaries of two or more Councils and more than 50% of the population does not belong to any specific Council, additional weight is given to the Deputy Commissioner's role. Furthermore, there exists a clause specifying that each Council must have a Secretary, appointed by the Government, who will carry out designated functions and exercise prescribed authority. There were many opportunities for demographic misrepresentation and for one Council to be terminated and another to be installed for political or administrative ease or financial gain if funds for one Local Council could be transferred to another. In the same way that it had been described for Unions, Municipalities, and Metropolis Corporations, it also had an effect on the General Members of the Councils, the equivalent electoral units, and representation as described under the sub-clause "Representation of General Members".

In order to maintain centralized authority, the Local Government Boards created under the Punjab Local Government Ordinance 1979 were still allowed to oversee the workplaces and personnel of the Local Council Service The reinstatement of the antiquated colonial designations of "Commissioner" and "Deputy Commissioner," which operate under the hierarchy of the Secretary and Chief Secretary, serves as another indication that bureaucratic authority continues to prevail over elected representatives(Khan, 2019).

Sarpanches are a clandestine and undemocratic practice used by Local Council members. Even fewer elected representatives were present in other Local Council levels. Consider a scenario in which the government has the authority to appoint representatives to a municipal council. Uncertainty surrounds the proportion of civil employees among them. Section 27 (2-d) of the same Bill which prohibits any government employee from participating in a Local Council is broken by the act itself. Eventually and clearly, the elected officials of the Municipals and the Metropolises retained only a very small amount of administrative authority. Further, the Rural Councils must provide regular updates to the Planning and Development Departments on the status of the development initiatives. Independent planning and development suffered greatly in

this situation. The authority granted to the Auditor General and Public Accounts Committee to regularly audit each Local Government, who in turn were answerable to the Chief Minister, severely limited the provincial powers of the Local Governments (Khan, 2019).

The government may plan cases based on political complaints against a person or a party in the scenario shown above, despite the fact that the government's decisions are already stated to be unassailable and conclusive. Given their typical bureaucratic arrogance, civil servants were clearly going to be the means of executing such powers since they rarely identify themselves with the local population or its development concerns. They frequently change locations quickly, with an average time spent in one workplace being only a few years.

According to Kaiser Bengali, because of their dense populations and intricate structures, urban areas require more complicated governmental systems than towns and municipalities. Municipalities could be made up of groups of towns, with towns serving as the main administrative divisions of metropolitan local governments. Even bigger populations might assemble to form metropolises, clearing the way for the federating governmental structures. Towns could be a part of Union Councils because they are an extension of rural culture and the economy and act as the hub of agricultural production, marketing, and exchange. Smaller towns, currently referred to as committees, may be given Union Council status (Awan,2023). The present confusion and jumble of Panchayats, union Councils, Towns, Committees, and corporations could be streamlined for administrative, political, and electoral simplicity.

Deputy Commissioner under PLGA-2013

Upon the enactment of PLGA-2013, the decision was made to eliminate the District Coordination Officer (DCO) position and reinstate the Deputy Commissioner (DC) position. However, in the Local Government Plan of 2013, the specific duties of the Deputy Commissioner were not explicitly outlined. (LGP). While the DCO was already in place, the Punjab Government struggled for three years to establish the Commissioner system. The Civil Administration Ordinance 2016 was finally passed by the Punjab Assembly on December 30 and put an end to the protracted debate over the future of the DCO. The Ordinance officially announces the creation of the commissioner system in the country after a seventeen-year void that was filled by the office of the DCO. A deputy commissioner is in charge of controlling general administration and acting as the district's senior official. The Civil Administration Ordinance of 2016 mandates that the Deputy Commissioner in each District perform the following responsibilities:

- To oversee and keep track of how Assistant Commissioners are performing their responsibilities (ACs)
- Coordination of all activities at public buildings and offices to ensure efficient service delivery and coordinated growth
- To assist and facilitate the public facilities and workplaces.
- Ensure that the government's guidelines and goals for public facilities are met.
- to oversee and organize the implementation of all policies in accordance with the Government's prescribed guidelines.

On behalf of the provincial government, the deputy commissioner and their team, comprising additional and assistant commissioners, will assume the roles of revenue and coordination

officers within the districts. Additionally, in the event of a disaster, the deputy commissioner will serve as the coordinating commander. Deputy Commissioners are in charge of keeping district accounts up to date for expansion, enhancing public services, and providing aid in a disaster. He also has the responsibility of supervising and monitoring the performance of the district's Assistant Commissioners. The establishment of a new office with one or more ADC under each district and one or more Additional Commissioners under the DC is another suggestion made under the CAO-2016. The agency would conduct out its duties under the DC's supervision (Awan, 2023).

Collaboration Between Deputy Commissioner and the District Police Officer

Under the Devolution Plan, the district Nazim was given authority over the district police. The president issued executive orders that relieved District Police Officers (DPOs) from their duty to maintain law and order. As per the Police Order of 2002, the DPOs were accountable to the Zila Nazim for police-related responsibilities.

The Civil Administration Ordinance of 2016 has given Deputy Commissioners the authority to convene meetings and make decisions in conjunction with DPOs in the event of an emergency or a scenario involving a violation of law and order. The Deputy Commissioner may also approve any public procession, meeting, or gathering with the DPO's consent. The DC would do so on his personal or at the demand of the Chairman of the Council or the DPO in order to present his concerns. The CM established a committee to decide who would convene the meeting. Whose decision, among these three people, would be final? The Punjabi minister of law, Rana Sanaullah Khan, promised that a choice would be made in good time (Awan,2023).

Instead of Deputy Commissioners, the Chief Minister suggested using Mayors and Chairman to rule over council meetings. The Chief Minister justified it, despite the fact that it was disparaged, by saying that elected officials had political competitors and conflicts. They might persuade powerful people to exact vengeance on rivals in order to settle personal grudges.

Accountability, Management of Resources

The ability to collect taxes, organize growth, and independently manage the finances of local requirements and services on the ground is what constitutes financial independence. This metric is used to measure the degree to which "devolution" has been achieved. In accordance with the 2013 Act, it seemed apparent that the majority of these rights would be retained by the central government itself. Upon reviewing clause 119 (Chapter XVI), which outlined the establishment of a Provincial LG Commission consisting of individuals known for their integrity and strong public service background, it becomes evident how limited the level of autonomy would be for Local Governance in managing its finances.

The government can select no more than five people to serve on the Board, but it is required to have a chairperson and at least three other members. It also said that Local Government and Community Development Department secretary shall also be the secretary of the Commission under Article 119, Sub-section 3 and shall accomplish the roles of Planning Commission for local councils. He will also guide and encourage the modernization in the contemporary structures, and for the benefit of the local councils etc. The Local Board Fund is going to be established by the Government of Punjab, and it will be responsible for development, planning, and management operations in addition to monitoring and controlling all employees of

the local government. It is mandatory for councils to submit requests for approval of their development plans to the department in charge of planning and growth. No one can predict how far they will be able to go without outside financial support.

The jurisdiction to manage the Punjab Local Government Fund would be wholly vested in the government of Punjab. However, despite the fact that all Local Councils will be financially contributing to the Board's activities, they will have no say in the management of the Board in any way. Even though there were revenues, receipts, renters, and service fees, it was obvious that the government of Punjab was in charge of managing, allocating, prioritizing, and auditing all funds. This was the case despite the fact that there were revenues, receipts, rentals, and service fees. It was never made clear how much autonomy would be incrementally transferred to the various Councils; this was a point of confusion throughout the entire process. It was abundantly clear that the Provincial Government still possessed full jurisdiction over the various financial matters (Iqbal, 2020).

Religious Minorities, Peasants, Workers, and Women's Representation Issues

Chapter IV, specifically clauses 13 sub (c) and 14 sub (c), of the document explicitly outline the following provisions, Clause 13 sub (c) states that in a Union Council, where there are five hundred or more registered non-Muslim voters, there shall be at least one non-Muslim member, Clause 14 sub (c) states that in a District Council, the government may notify the inclusion of a maximum of five non-Muslim members based on the population of non-Muslims within the district.”. At least on the surface, it seems like an energizing and constructive practice to take into account the need for some level of representation of underrepresented groups while also attending to the bare minimum of requirements Notwithstanding this, it appears that certain shortcomings are being acknowledged. An instance of this is found in clause 14 (1), which states that the representatives of peasants, workers, technocrats, youth, and women shall be elected by the directly elected general members of the respective local council in the prescribed manner, that did not sit comfortably with the democratic process. It is possible that favoritism or discrimination will arise as a result of the requirement that councilors who were elected immediately be the ones to choose special representatives.

One could draw parallels between this provision and the 8th Amendment, which removed the term "freely" from the Objective Resolution in order to discriminate against certain groups of people. In addition, there are some definitions of a religious offense that explicitly disqualify from the voting pool members of religious cults or other "minoritized" groups. In those circumstances, false accusations were frequently made against a member of a minority group, and those accusations were sufficient to refuse those individuals the right to vote and further marginalize them. The general populace may find it offensive if an individual's religious association or theological convictions are discussed. In order to achieve diversity and inclusion, we need to take more aggressive measures than just making seat reservations. Freedom of respect and equality for all residents in all aspects of local government is what we mean when we talk about local democracy.

While the requirement that 5% of the population be comprised of minorities is addressed, other provisions concerning the promotion of minority culture, centenaries, spiritual ceremonies, language, as well as their specific needs and functions such as crematory and funeral services, are rarely mentioned. This lack of categorical reference to the specific needs of religious

minorities is significant, especially considering the prevailing state of discrimination and the general lack of awareness in institutions regarding the religion, culture, traditions, and values of minority communities.

In violation of Article 32 and Article 140-A, the percentage of seats reserved for women has been cut from the previously stipulated 33% to a mere 2 out of 13 seats, which is equivalent to approximately 15% of the total number of seats. In some school jurisdictions, it might only account for ten percent of the total number of students enrolled there. On the other hand, the total number of reserved seats did approach dangerously close to covering half of the elected representatives.

The National Commission on the Status of Women presented a comprehensive analysis as well as suggestions for policy in response to the Devolution Plan 2001. The analysis takes into consideration the challenges that women's representation and empowerment faced in 2005. A number of its observations are still pertinent with regard to the Act that is being suggested. A joint electorate should be used to fill the positions, and women should be required to compete for elected office immediately on reserved seats, according to the constituencies. Every monitoring commission ought to make it a point to have at least one woman comprise 33 percent of its membership. In order to ensure that women have a voice in all aspects of Council deliberations, legislative action is required. The aforementioned legislation did not include any provisions for gender mainstreaming, so these considerations needed to be worked into a formal plan. Audits and budgets that take into account women's and men's perspectives should be legally mandated at the municipal level. Make it a requirement that a certain percentage of initiatives should be geared particularly toward women. Legislative measures are necessary to discourage gender discriminatory practices, such as withholding budget allocation for women, restricting their participation and voice during sessions, denying them seating arrangements in offices, conducting council meetings without informing women, excluding them from development planning and budgeting processes, and failing to provide separate toilets for their use. Furthermore, it is imperative to nullify the outcomes of local government elections in districts where women were barred from running for office, as a means to rectify the injustice caused by such exclusionary practices. About the participation of women, the draft legislation needs to include significantly more specifics.

Managing Public Health and Education

As is the case in developed countries, the Local Councils ought to have been given additional devolution authority for elementary education and basic health care, despite the fact that these responsibilities have already been devolved to the provinces. Nevertheless, despite the fact that the province had been in violation of Article 140-A of the Constitution, it had continued to hang onto the measure, which was also surrounded by a number of overlaps and language that was difficult to understand.

The legislation specifies, among other things, the organizational structure of the district health and education organizations that are to be established. According to the legislation, the two responsibilities were going to be handed over to the local administration. Upon perusing the provisions of the act, it becomes evident that the government opted to merely delegate the responsibilities for health and education to these "authorities," while retaining stringent control over them from the provincial capital. The government refrained from entrusting local governments or bodies with oversight or management.

Conclusion:

In conclusion, this research study aimed to assess PLGA-2013 from a legal and practical perspective. Through a qualitative analysis of the Act's provisions, their interpretation, and their impact on local governance practices, valuable insights have been gained into its effectiveness and challenges. The findings of this research indicate that the Punjab PLGA-2013provides a significant legal framework for local governance in the province. It establishes the structure, powers, and functions of local governments, with provisions for citizen engagement and financial management. The Act's objective of decentralization and promoting participatory democracy is commendable, as it aims to empower local communities and enhance their role in decision-making processes.

However, the implementation of the Act has faced practical challenges. Some of the identified challenges include inconsistent interpretation of provisions, inadequate capacity building of local government officials, limited financial resources, and insufficient citizen participation. These challenges have impacted the effective execution of the Act and hindered the achievement of its intended objectives.

Stakeholder perspectives, including those of legal experts, government officials, and community representatives, have provided valuable insights into the practical implications of the Act. Their perspectives highlight the need for clarity in interpretation, increased capacity building efforts, improved financial management mechanisms, and enhanced citizen engagement to strengthen local governance under the Act. Based on the research findings, several recommendations can be made to enhance the implementation and effectiveness of the Punjab PLGA-2013. These recommendations include providing clear guidelines and training programs for local government officials, allocating adequate financial resources to support local governance activities, promoting transparency and accountability in financial management, and strengthening mechanisms for citizen participation.

Furthermore, comparative analyses with local government legislation in other provinces or countries can offer valuable lessons for policy improvements. Learning from successful experiences and best practices can inform the ongoing efforts to refine the Punjab PLGA-2013 and ensure its alignment with international standards and effective local governance principles. Inclusively, this research study contributes to the existing body of knowledge on local governance in Punjab by providing a comprehensive assessment of the Punjab PLGA-2013from both legal and practical perspectives. The findings and recommendations offer insights for policymakers, practitioners, and researchers to enhance local governance practices, strengthen the Act's implementation, and improve the overall effectiveness of local governments in Punjab.

Recommendations:

Based on the assessment of the Punjab PLGA-2013from a legal and practical perspective, the following recommendations are proposed to enhance its implementation and effectiveness:

- **Clarity in Interpretation:** Provide clear guidelines and interpretations of the Act's provisions to ensure consistent understanding and application across all levels of local government. This can help mitigate ambiguity and reduce discrepancies in the implementation process.

- **Capacity Building:** Conduct comprehensive training programs and capacity-building initiatives for local government officials to equip them with the necessary skills and knowledge to effectively execute their roles and responsibilities. This should include training on legal provisions, financial management, citizen engagement, and administrative functions.
- **Financial Resource:** Allocation: Allocate sufficient financial resources to local governments to enable them to carry out their mandated functions effectively. This includes ensuring timely and adequate disbursement of funds, transparent financial management systems, and mechanisms to address financial constraints faced by local governments.
- **Strengthening Financial Management:** Implement robust financial management mechanisms and practices at the local government level. This includes promoting transparency and accountability in financial processes, introducing standardized accounting and auditing procedures, and providing guidance on revenue generation and expenditure management.
- **Citizen Engagement and Participation:** Enhance mechanisms for citizen engagement and participation in local governance processes. This can be achieved through awareness campaigns, public consultations, and the establishment of platforms that encourage active involvement of citizens in decision-making, planning, and monitoring of local development projects.
- **Monitoring and Evaluation:** Establish a comprehensive monitoring and evaluation framework to assess the performance and impact of the Act. Regular assessment of the implementation process can help identify gaps, challenges, and areas of improvement, leading to evidence-based policy adjustments and refinements.
- **Collaboration and Coordination:** Foster collaboration and coordination between different levels of government, as well as with civil society organizations and other stakeholders. Promote effective communication channels, cooperation, and synergy among all relevant actors to ensure a cohesive and integrated approach to local governance.

By implementing these recommendations, it is expected that the Punjab Local Government Act-2013 will be strengthened, leading to improved local governance practices, enhanced citizen participation, and the realization of its objectives of decentralization and participatory democracy.

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