

# COMPARATIVE STUDY OF LOCAL GOVERNMENT LEGISLATIONS IN PAKISTAN



## Comparison of Local Government Acts in Pakistan

The Constitution of Pakistan, under Article 140 A, requires all the provincial governments to establish a local government system and devolve administrative, political, and financial responsibility and authority to elected representatives of local governments. Following the Constitution, each federating unit enacted laws on local government in the time period ranging from 2010 to 2013. The following matrix has been developed to give a basic understanding of the main features of local government laws enacted by the four provinces and by the Islamabad Capital Territory. The matrix highlights the common and distinguishing features of these laws on different subjects.

Subject	The Punjab LG Act 2013	The Sindh LG Act 2013	The KP LG Act 2013	The Balochistan LG Act 2010	The ICT LG Act 2013
Meaning of Local Government	Union Council, Municipal Committee, Municipal Corporation, Metropolitan Corporation, District Council, District Education Authority, District Health Authority	Metropolitan Corporation, District Municipal Corporation, Municipal Corporation, Municipal Committee, Town Committee, Union Committee, District Council, Union Council	District Council, Tehsil Council, Town Council, Village Council, Neighborhood Council	District Council, Metropolitan Corporation, Municipal Corporation, Municipal Committee, Union Council	Union Council, Metropolitan Corporation
Constitution of Local Governments / Local Areas	<ol style="list-style-type: none"> <li>1. Lahore District as Metropolitan Corporation,</li> <li>2. Rural area in a district, other than Lahore District, as District Council,</li> <li>3. Urban area in a district, other than the area of a Municipal Committee, as a Municipal Corporation,</li> </ol>	<p>a. Urban Area</p> <ol style="list-style-type: none"> <li>1. Union Committee for each ward in the corporation,</li> <li>2. Town Committee for each town comprising of Union Committees as prescribed by the government,</li> <li>3. Municipal Committee for each Municipality</li> </ol>	<ol style="list-style-type: none"> <li>1. City District Government for district Peshawar,</li> <li>2. District Government for a district other than Peshawar,</li> <li>3. Tehsil Municipal Administration for a Tehsil,</li> <li>4. Town Municipal Administration for a town in the City</li> </ol>	<ol style="list-style-type: none"> <li>1. Union Council for each union,</li> <li>2. District Council for each district,</li> <li>3. Municipal Committee for each Municipality,</li> <li>4. Municipal Corporation for each city,</li> <li>5. Metropolitan Corporation for the</li> </ol>	<ol style="list-style-type: none"> <li>1. Metropolitan Corporation for Islamabad Capital Territory</li> <li>2. Union Councils for Islamabad Capital Territory</li> </ol>

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	4. Urban area in a district, other than the area of a Municipal Corporation, as a Municipal Committee.	<p>comprising of Union Committees as prescribed by the Government,</p> <p>4. Municipal Corporation for each city comprising of Union Committees as prescribed by the Government,</p> <p>5. District Municipal Corporation for each district of the Metropolitan city,</p> <p>6. Metropolitan Corporation for each Metropolitan City.</p> <p>b. Rural Area:</p> <p>1. Union Council for each Union,</p> <p>2. District Council for each district</p>	<p>District,</p> <p>5. Village Council for a village in rural areas,</p> <p>6. - Neighborhood Council for a neighborhood in areas with urban characteristics.</p>	Capital City	
Tenure	The tenure for the local government system is 5 years according to the Act.	The Sindh Local Government Act envisages tenure of 4 years for the local government.	The Tenure of KP local government is 3 years.	The Balochistan LG Act proposes tenure of 4 years for local government.	The ICT Local Government Act envisages a term of 5 years for the local government.
Nomenclature of Local Governments	<p>- Mayor and Deputy mayor for urban Local Governments.</p> <p>- Chairman and Vice Chairman for rural local</p>	<p>- Ever local council to have a Chairman and a Vice Chairman</p> <p>- Metropolitan Corporation will have a</p>	<p>- The District Government to be headed by Nazim District Council</p> <p>- The Tehsil Municipal</p>	<p>- Every local council to have a Chairman and a Vice Chairman</p> <p>- Chairman and Vice Chairman of</p>	<p>- Union Council to have a Chairman and a Vice Chairman</p> <p>- The Metropolitan Corporation will have</p>

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	governments - Chairman, Vice Chairman, and Chief Executive Officer of an Authority to be appointed by the Provincial Governments	Mayor and a Deputy Mayor	Administration to be headed by Nazim, Tehsil Council - Village Council and Neighborhood Council to have Nazim and Naib Nazim	Metropolitan Corporation will be designated as Mayor and Deputy Mayor	a Mayor and a Deputy Mayor
Elections	All local bodies are elected on party basis through adult franchise and secret ballot	All local bodies' members are elected on party basis and through adult franchise.	Village/Neighborhood Councils are to be elected on non-party basis whereas members of all other councils are elected on party basis through secret ballot and adult franchise.	All local bodies are elected on party basis through joint electorate, secret ballot and adult franchise.	Elections are based on secret ballot and adult franchise in a manner as may be prescribed by the government according to Article 13 of the ICT local government Bill.
Government Functionaries of Local Governments	- Every local government has 'Chief Officer' as officer incharge - District Education and Health Authorities have Chief Executive Officers	- Chief Officer is the officer incharge of the administration of a District Council - Chief Municipal Officer is the officer incharge of the administration of a municipal committee - Town Officer is the incharge of Town Committee - Secretary is the Incharge of Union Council - Municipal Commissioner is the officer incharge of the administration of a Corporation	- Tehsil Municipal Officer is the officer incharge of Tehsil Municipal Administration - Officers incharge of devolved offices, and officer incharge for coordination of devolved offices	- Chief Officer is the officer incharge of the administration of a District Council, Municipal Corporation, and Municipal Committee.	- A Chief Officer will be appointed for the Metropolitan Corporation by the Government.
Removal from Office by the	- Removal of elected head of a local government may be	The Government may suspend a particular	- The Local Government Commission may	- The Government may, after giving an	No provision on removal of the elected

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Government	done by the Government on the recommendation of the Local Government Commission - Removal is the final step after an enquiry followed by suspension for a maximum period of ninety days	department / institution after enquiry or may declare a local council superseded for a period not exceeding 6 months.	recommend for the suspension of an elected head of a local government for 30 days for enquiry under Section 55(3). Suspension of a Nazim may be done by the Chief Minister and the matter be sent to the Commission for enquiry (Section 59). The Commission may - recommend removal from office after enquiry	opportunity of being heard, remove a Chairman / Vice Chairman or Mayor / Deputy Mayor or a member of a Local Council.	representative by the government. - Election Commission to remove an elected representative on grounds of disqualification given in the Act
Right to Appeal after Suspension / Removal from Office	Right to appeal against the decision of the Commission has not been granted by the Law.	Right to appeal against the supersession has not been granted by the Act.	Right of appeal has not been granted under the Act.	- The removed person may file a review petition, under Section 31(2) with the Government within 30 days of removal.	
Local Government Commission	- A 7 member Local Government Commission - Minister of Local Government as Chairman - 3 MPAs: 2 nominated by Leader of the House and 1 nominated by the Leader of Opposition - 2 technocrat members: 1 woman member - Secretary Local Government and Community Development	- A 7 member Commission - Minister for Local Government, Rural Development, Public Health Engineering and Housing Town Planning as Chairman - 2 MPAs: 1 each nominated by Leader of the House and Leader of Opposition - 2 technocrat members	- A 7 member Commission - Minister for Local Government, Elections, and Rural Development Department as Chairman - 2 MPAs: 1 each nominated by Leader of the House and Leader of Opposition - 2 technocrat members nominated by the	- No provision of a Commission	- An 8 member Commission - Chairman: Retired civil servant or an eminent citizen - 2 MNAs: One each nominated by Leader of the House and Leader of the Opposition - 2 Technocrats: One is to be a woman - Representative of

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	Department: Also Secretary of the Commission - The Commission may co-opt any member	nominated by the government - Secretary Local Government, Rural Development, Public Health Engineering and Housing Town Planning: Also Secretary of the Commission - Secretary, Law Department - The Government may co-opt any member	government: 1 woman - Secretary Law, Parliamentary Affairs, and Human Rights Department - Secretary Local Government, Elections, and Rural Development Department - The Commission may co-opt any other member		Chief Commissioner ICT - Representative of CDA - Director Development & Finance ICT: Also Secretary of the Commission - The Commission may co-opt any member for an assignment
Right to Information	Right to Information with respect to the local governments granted through Section 140 of the Act.	Right to Information granted by Law, under Section 153, and information is to be provided by the designated official within 7 days.	Right to Information not part of the Act yet the law has specific requirement to maintain information and disclose for public. (Section 22j, Section 29j, Section 36)	No provision for Right to Information. Section 68 of the Act requires a local council to adopt necessary measures for the publication of information about the working of local council. Section 102(7) requires a local council to publish its Annual Audit Report for public information	Right to Information granted by Section 112 of the Act.
Training	No provision for training	The Act provides for training of staff of local governments and elected representatives and also resolves to form training institutions (Section 127)	Section 110 of the Act requires all the functionaries of the local governments to attend trainings prescribed by the government.	- The government will provide for the training of local government staff and elected representatives (Section 77)	No provision for training in the Act
Complaint Cell	No provision for the establishment of a complaint	No provision for the establishment of a	Section 109 of the Act requires all local	The law does not provide for the creation	The Act does not provide for the creation

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	cell.	complaint cell.	governments to set up a compliant cell for redressal of grievances.	of a complaint cell.	of a complaint cell.



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