



No: FD-PD (DSSP) 5(3) 2004
Program Support Unit
Sindh Devolved Social Services Program
Finance Department, Government of Sindh
Karachi dated 26th December, 2006



- ✓ 1 Member (Technical-I)/Chairman 2 Special Secretary (LG)
Working Group-I Local Government Department,
Provincial Local Government Karachi.
Commission, Local Government
Department, Karachi.
- 3 Chief Manager (RSU), 4 Additional Secretary (Regulation)
Education Department, SGA&C Department, Karachi
Karachi.
- 5 Director (A&A)
Sindh Local Government
commission, Karachi

SUBJECT: SECOND MEETING OF WORKING GROUP-I ON DELEGATION PLAN

Kindly refer to this office letter of even No dated 12th December 2006, on the subject noted above.

2. The minutes of the meeting of Working Group-I held on 19th December 2006 at 11.00 am in the committee Room of Sindh Devolved Social Services Program, Finance Department, 3rd Floor State Life Insurance Building No 3, Dr Ziauddin Ahmed Road, Karachi are enclosed for your information and necessary action.


(Abdul Kabir Kazi)
Program Director-SDSSP
Finance Department

- A copy is forwarded for information to: -
- 1. PS to ACS, Local Government
 - 2. RO to Secretary Finance
 - 3. PS to Special Finance Secretary (Dev/SR)
 - 4. PS to DG, PLGC, Karachi



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PROVINCIAL LOCAL GOVERNMENT COMMISSION
Inspection, Monitoring & Evaluation Cell
Government Of Sindh

Karachi dated 26th December 2006

Subject: **Minutes of the Working Group-1 Meeting held on 19th December 2006**

(List of participants attached)

Second meeting of the Working Group (WG)-1 of M&E committee was held in the committee room of PSU-SDSSP on 19th December 2006. The meeting started in the name of the almighty, the most beneficent and the most merciful.

The PD-SDSSP apprised the Chair that Director General Civil Services and Local Government Academy Tando Jam, Hyderabad was specially requested to attend this meeting due to the important role in the establishment of research seat in Academy as per decision of the First WG meeting. The Director General could not attend this meeting due to non-receipt of invitation and has requested for joining the WG in its next meeting. The chair accepted the proposal but at the same time asserted that the invitees should communicate the reasons for non-participation in advance. Director General Public Health engineering was also invited to brief the WG on link between Taluka and District Engineering Cadres. Director Public Health engineering Mr Nazir Soomro attended the meeting in his place due to the visit of the former to Kot Ghullam Muhammad. The chair desired to apprise the ACS LGD that the officers required to attend the meetings of the Working Group must do so and in case they have to attend some other important job they should intimate this situation in advance and nominate the next senior officer to attend the meeting of Working Group.

At the onset the Program Director (PD) informed that this meeting was scheduled to review the following issues:

1. To Review the report of AS (Regulation), SGA&CD on actionable points of First Working Group meeting.
2. To Review Sub-group's recommendations.
3. Establishment of Research Seat in Sindh Civil Services and Local Government Academy Tando Jam, Hyderabad.
4. To Review the Collection of Instructions, Circulars and Guidelines collected by SDSSP.
5. Formation of Sub-group for preparation of Draft Report (to be presented to M&E Committee)
6. Brief on link between Taluka and District Engineering Cadres.

The discussions on all these issues and decisions taken are as under: -

Agenda Item 1

a) Review of the report of AS (Regulation) on actionable points of First Working Group meeting;

i) Recommendation: All the vacant posts in DG Departments such as Revenue, F&P, Education, Health and other departments including clerical staff may be filled: -

Response: AS (Regulation) presented the latest status of appointments and the cabinet decision on recruitments dated 12th Feb 2005. The WG recommended that the process of constitution of District Selection Committees (DSCs) may be devised and District Coordination Officers may be empowered to constitute DSCs in consultation with Regulation Wing.

Decision: The WG recommended for sending this proposal to SGA&CD for consideration as well as lifting of ban on essential staff recruitment.

(ii) Recommendation: There is the scope of making rules under RSO-2000. SPG should consider preparing rules under RSO-2000 and provide the concept of Authorized Officer in these rules: -

Response: AS (Regulation) presented the status of Disciplinary rules in Punjab and pointed out that there is no provision of "Authorized officer" in the Removal From Service (Special Powers) Sindh Ordinance 2000(RSO 2000).

Decision: The WG decided that SGA&CD be requested for making rules under RSO 2000 with specific provision of "Authorised officer" so that disciplinary action process may be comprehensive.

(iii) Recommendation: Process for establishment of the district cadres needs to be put on fast track: -

Response: Recruitment rules for all the posts in DGs may be framed by the concerned DGs.

Decision: The WG agreed to the proposal regarding framing of recruitment Rules for the District Government posts, which will cater to the need of District Cadre.

(vi) Recommendation: Nazim may make transfers and postings within CDGK in case of BPS-17 officers as well: -

Response: AS (Regulation) pointed out that through an amendment in the Appointment Promotion & Transfer Rules, the powers for transfer /postings upto grade-17 (excluding D.D.Os) is being exercised by the districts, which are enough at the District level.

Decision: The WG was of the view that the phrase "excluding D.D.Os" need to be substituted with "excluding D.D.O Revenue". The Group decided to send this proposal to SGA&CD for further process.

b) Other actionable points of First Working Group meeting;

(i) Offices of the newly created districts and TMAs need special attention: -

During its first meeting the WG was apprised that on the direction of the PFC, the finance department has provided additional funding to cater for the needs of the new local governments (DGs and TMAs) in the current year.

Decision: The WG desired to seek a report from FD on the status of such funding.

(ii) While the offices of the DCOs and EDOs have been sufficiently strengthened, there is a need to strengthen the lower offices as well to facilitate the performance of administrative functions more effectively:

PD-SDSSP apprised the WG that a report was called from the district governments on their needs to strengthen these offices but no response has been received:

Decision: WG advised SDSSP to prepare specimen reply on atleast two groups of offices (i e CDD and F&P) and seek response from DGs within one month.

(ii) Devolution or creation of the district offices of EPA: -

In its first meeting the Group desired that this proposal might be referred to Environment & Alternate Energy Department for comments.

Decision: The WG desired that SDSSP may seek reply from Administrative Department within one week.

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Agenda Item 2

Review of the Sub-group's recommendations

A sub-Group was constituted in the first WG meeting under Additional Secretary (Regulation) with Director (A&A), PLGC and Program Officer (ID) SDSSP to give recommendations on the devolved administrative powers envisaged in the Delegation Plan within 15 days.

The sub-group reviewed the delegation plan and the district implementation reports and examined the District Government's recommendations with reference to following three basic principles laid down in the monitoring framework:

- efficacy of devolved powers whether a correct balance has been struck between the powers to be retained at the provincial level and those that need to be devolved
- adequacy of administrative and financial powers already devolved ✓
- problems in implementation and exercise of the devolved powers

The working Group-1 appreciated the sub-group on its output and timely submission of the report. The deliberation of the WG and its recommendations are as under:

S. No:	DGs' Recommendation	Sub-group recommendations	Decision of WG
a	SLGO stipulates a monitoring mechanism which needs to be strengthened	Monitoring work is going to be revamped and it needs a uniform Monitoring Framework, at Provincial, Regional and District level. Therefore the MF designed under CMIE&IT may be extended under the umbrella of SGA&CD (Implementation Wing).	WG was of the view that the required monitoring mechanism is needed for the DGs and for this it decided that LGD may be requested to finalise and notify the Monitoring Rules and <u>impart trainings to CMCs</u> through assistance from SDSSP.

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			Group further desired that the GoS should have only one or two agencies on monitoring mechanism preferably one under PLGC and the other under P&D Department.
b	Amendments in existing Minor Laws / Acts / ordinances to give way to the provisions of the SLGO-2001	The Delegation Plan already contains annexures containing Amendments in some 52 Major/minor laws but further work is still required. LGD may therefore be requested to take up the issue of consequential amendments to be effected in other laws in consultation with all ADs and DGs.	This task was already assigned to Special Secretary, LGD. The working group desired to write a letter to him for his response within ten days.
c	Amendment in the Sindh APT Rules; for delegation of such powers to Districts which lay down the processes for appointments, postings and transfers	Already the powers of Appointment upto BPS-15 and Transfer upto BPS-17 have been conferred to District Governments. The mechanism of framing District Selection Committees need to be devised through Amendments in the APT Rules. As majority of DGs have asserted that due to general Ban on recruitment District offices are facing difficulties, Working Group may recommend to M&E Committee for its gradual easing.	As per decision in agenda item 1 a-i above
c-i	The Provincial Government should route all correspondence pertaining to policy issues and transfer and posting through the Zila Nazim / DCO.	SPG has already issued instructions vide its letter No: PA/AS (REG)/S&GAD/695/2001 Dated 11 th December 2001, that all correspondence pertaining to districts should be routed through concerned DCO. Therefore there is no need to further elaborate.	The WG was of the view that there is no need to further elaborate on this issue as necessary instructions have already been issued.
c-ii	Create link between Taluka Engineering cadres with district engineering cadres	Regional offices and District Support Units in all districts have been created to technically assist the TMAs of the respective districts in engineering functions. DG PHE may be requested to deliberate upon the nature of link between the Taluka Engineering cadres and district engineering cadres in the next WG-1 meeting.	The chair accepted the sub-groups recommendation and called DG (PHE) for briefing after the meeting to enable this group to recommend on this technical issue.

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c-iii	Create an independent cadre of field civil servants to be posted as TMO	Group observed that there is no need of a separate cadre as SCUG Service already exists but there should be a clear job description for all the newly created positions in local governments. This assignment if accomplished would be a valuable contribution for LGD. The WG I may like to entrust this assignment to LGD or SDSSP in consultation with the Regulation Wing	WG accepted the recommendation that there is no need of a separate cadre as SCUG Service already exists but there should be a clear job description for all the newly created positions in local governments. The WG recommended that LGD should carryout this task with the Assistance of SDSSP through Regulation wing.
c-iv	Proper Cadre and proper rules for the appointment of EDOs	An Admintrative Department may be declared as Focal Department at the Provincial level to look after Finance, Planning and Community Development Group of office in DGs in order to produce better results.	WG accepted the recommendation that an Admintrative Department may be declared as Focal Department at the Provincial level to look after Finance & Planning and Community Development Group of office in DGs in order to produce better results. WG recommended that in case of Finance & Planning and Community Development Group of offices in DGs, Finance department and Culture & Tourism department (through Provincial Coordinator Social Welfare) may be declared Focal Departments at Provincial level.
c-v	A separate Cadre of Executive Magistrates should be established	SPG has given judicial powers to District Government officers under section 14 of the Cr PC. These powers have been conferred on DCOs, EDOs (Revenue), Dos (Revenue), DDOs (Revenue) and Mukhtiarkars as First Class Magistrates and Assistant Mukhtiarkars as Second Class Magistrates. These officers will be called the Special Judicial Magistrates and will be subordinates to respective session Judges. Special Judicial Magistrate 1 st class have also been conferred powers to try offences under any provincial / Federal law related to Price Control. Therefore there is no need of a separate Cadre of Executive Magistrates.	WG recommended that powers to try Preventive Laws under CrPC and powers U/S 260 CrPC to try offences summarily may also be granted to these officers so that the cases of urgent nature could be disposed off summarily.

c-vi	Implementation of powers to transfer staff in grades 1 – 17 within the district by District Governments.	Through an Amendment in the Appointment Promotion & Transfer Rules, the powers for transfer /postings upto grade-17 (excluding D.D.Os) are being exercised by the districts which are enough at the District level.	As per decision on agenda item 1-a (i) above.
c-vii	Process for establishment of the district cadres needs to be put on fast track	The District Government officers have been notified, as Appointing Authorities for posts upto BPS-15. The formation of District cadre needs a consensus at the inter-provincial level.	As per decision on agenda item 1-a (iii) above.
d	Notification by Local Government Department to amend Schedule 2 of the Sindh Civil Servants (Efficiency and Discipline) Rules, 1973 assigning administrative powers of Authorized Officers under Sindh E&D Rules, to various officers of the District Governments	After promulgation of RSO-2000, only the appointing authorities are the competent authorities and there is no provision of authorized officer in RSO. District Governments are exercising these powers wherever they have been declared appointing authorities. But there is the scope of making rules under RSO-2000. SPG should consider preparing rules under RSO-2000 and provide the concept of Authorized Officer in these rules	As per decision on agenda item 1-a (ii) above.
e	Notification regarding devolution of ex-officio functions performed by the erstwhile office of Divisional Commissioners and Deputy Commissioners	The ex-officio functions have been delegated to Nazims vide notification No: SO (C-IV) SGA&CD/7-524/2001 Dated 28-12-2001. Therefore no action is required at present	The WG accepted the recommendation that there is no need to further elaborate on this issue.
f	Proper cadre for the Paramedic staff	Health Department has formed the structure of Paramedics and upgraded the nursing staff to higher grades through a notification No SO (PM) 12-3/91-98 Dated 13 th May 2006. Therefore no action is required at present.	The WG accepted the recommendation that there is no action required at present.

Agenda Item 3

Establishment of Research Seat in Sindh Civil Services and Local Government Academy Tando Jam, Hyderabad.

The WG decided to take up this agenda item till the next meeting due to non-availability of Director General Civil Services and Local Government Academy Tando Jam. The Chair advised to invite him in the next meeting for the purpose.

Agenda Item 4

Review the Collection of Instructions, Circulars and Guidelines collected by SDSSP

This was one of the TORs of the WG and PD-SDSSP apprised that already 90% work has been completed on Collection of Instructions, Circulars and Guidelines under its Third Tranche action. WG appreciated the efforts of SDSSP and directed its PD to put this on fast track so that this compendium can be presented to M&E committee.

Agenda Item 5

Formation of Sub-group for preparation of Draft Report (to be presented to M&E Committee)

As per its TORs the WG has to prepare a report for presentation before the M&E Committee and for preparing the draft report the WG formed a sub-group comprising Director (A&A), PLGC and Program Officer (ID) SDSSP.

Agenda Item 6

Brief on link between Taluka and District Engineering Cadres.

The Director PHE gave a briefing to the WG that a separate design cell already exists in the office of DG (PHE) where the Water Supply & Sanitation schemes are technically assessed and sanctioned. The WG was apprised that TMA could execute schemes upto any extent from their own resources however the office of TO (I&S) needs to be strengthened. Its performance can be improved further if the functions related to PHE are separated from other functions.

The Group directed the Director PHE to prepare a proposal on capacity mapping and strengthening of the offices of TO (I&S) and enhancement of financial powers of PHE officers in BS-18 and 19 and forward the same before 31st December 2006.

The meeting ended with a vote of thanks to and from the chair with a resolve to meet during the early part of February 2006 for firming up the recommendations for M&E Committee.

LIST OF PARTICIPANTS

Mr. Anzar Hussain Zaidi
Member (Technical-1), PLGC

In Chair

Mr. Mehtab Ahmed
Additional Secretary (Regulation),
SGA&C Dept

Syed Tariq Ali Shah (DPM, RSU)
On behalf of Mr Iqbal Durrani
Chief Manager
Reform Support Unit (RSU)
Education Department.

Engineer Nazir Ahmed Soomro
Director Public Health engineering
On behalf of Mr. Muhammad Siddique Jalalani
Director General Public Health engineering (PHE)

Mr. Danish Saeed (Deputy Secretary, LGD)
On behalf of Mr. Ghullam Arif
Special Secretary (LG)
Local Govt. Dept

Syed Kamran ul Hussain (Deputy Director,PLGC)
On behalf of Mr Farouq Ahmed Siddiquee
Director(A&A)
SLGC

Mr. Abdul Kabir Kazi,
Program Director, SDSSP

Mr. Iqbal Ahmed Memon
Deputy Program Director- DSSP

Mr. Aftab Ahmed Memon
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