

Concept Paper on Municipal Planning & Development Unit in Sindh



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Establishment of Municipal Planning & Development Unit (MPDU)

Introduction:

After devolution the provision, operation and maintenance of Municipal Services lies with the Town/Taluka Municipal Administration. To provide safe and sound municipal service delivery at the door step of all the residents of TMAs is not only the infrastructure development. Municipal Service delivery ideally works in two channels one channel is to improve, develop, and implement municipal service policies through proper benchmarking and guidelines, and second channel is to provide municipal funds, technical capacity, human resource for execution and monitoring of services to achieve the set municipal development targets for the healthy cities and Town/Talukas of Sindh.

Improvement and development of Municipal Services of a town or a city is an essential component for living. The Municipal Development & Planning Unit (MPDU), which is proposed to establish in Local Government Department (LGDs) prepare municipal policies, develop separate Master Plans of all TMAs, stream line municipal funds for TMAs, enhance the technical capacity of Local Governments and Municipal agencies, prioritize schemes and assist TMAs to develop schemes in compliance with all municipal rules, laws and engineering standards and develop mechanism for the monitoring and evaluation of municipal funds.

Sindh Devolved Social Services Program (SDSSP), Finance Department, Government of Sindh, in line with policy objective of having healthy cities and towns, intends to develop MPD Unit in Sindh, so as to have a planned and endured growth of communities and, to allocate resources based on future needs of the community.

Background:

In Sindh province, the devolution program has resulted in the establishment of 119 Town/Taluka Municipal Administrations (TMAs) and 01 City District Government Karachi (CDGKs) and 22 district government. Sindh has made remarkably swift progress in establishing new legal and administrative structures at the local level, and in establishing the framework for devolving service functions. The process to improve the service delivery is very slow as there is always a weak culture of improvement, development and implementation of municipal policies, regulations and guidelines. After devolution there is no proper arrangement for the shifting of qualified staff at TMA level have been made, and if the technical staff available in TMAs they lacks in capacity. Town/Taluka Officer (Planning) is missing in all TMAs of Sindh for which irregular horizontal growth in TMAs are in common practice.

The broad framework of devolution, as outlined in the SLGO,2001 gives responsibility to TMA to provide a range of municipal services and the provincial government to monitor the TMAs in the provision of services. Implicitly there is an expectation that better performing TMAs will receive greater incentives. This is a drastic transformation, both for the TMAs which have to immediately acquire the technical and management expertise needed to deliver services, and for the provincial government to change its outlook from provision to monitoring and oversight.

The implementation of the devolution plan is progressing slowly. Because the majority of TMAs have been able to discharge full responsibility for planning and financing newly acquired service responsibilities. Rather, TMAs have focused on the immediate day-to-day functions in the provision of municipal services such as water supply, sanitation, solid waste, roads, street

lighting, parks, and firefighting. Many TMAs are struggling to merely keep the services going and do not have the capacity or resources to undertake strategic, spatial, or investment planning.

While core service delivery functions have been devolved to the TMAs, the corresponding capacity improvements for effective service provision have lagged behind. Most TMAs have not been able to invest in larger capital works since devolution, because of their limited financial and technical capacity to plan and implement major systemic investments.

TMAs are financed by a combination of grants from Provincial government, property taxes, and own revenues, including charges for services provided. They are heavily dependent on provincial funds for both their operations and development budgets.

After devolution all municipal policies, procedures and guidelines are not developed and if developed not implemented. No TMA has its own data base system with mapping of the related functions. The 05 main officers who should be placed in the current setup are not there, so how can the TMAs work efficiently and effectively and diffuse a sound municipal service delivery to the masses of TMAs.

In this scenario it is envisaged that '**Municipal Planning & Development Unit**' shall be developed in the Local Government Department, Government of Sindh to assist TMAs to develop

- Municipal Policies, guidelines and service delivery benchmarks
- Prepare and approve all municipal laws, rules and byelaws
- Categorize TMAs on the basis of urban/rural, backwardness, population and devise different strategies for development
- Prepare Master Plans of all TMAs of Sindh except Karachi and Hyderabad as the work of preparation of master plans of both districts are in progress
- Assist TMAs to prepare their budget to implement the plans
- Devise mechanism for TMAs to implement the proposed schemes as per policy and municipal laws and rules
- Enhance technical capacity of the officers of TMAs and municipal agencies
- Develop transparent mechanism to implement plans in compliance with policies and fiscal transition.

For the above said purpose, Sindh Devolved Social Services Program (SDSSP), Finance Department, Government of Sindh propose to develop '**Municipal Planning & Development Unit**' of the following structure, work as an individual entity to assist TMAs to improve the Municipal Service Delivery.

Municipal Planning & Development Unit (MPDU)

Municipal Policies, Planning Unit

Review, improve, update & Prepare Municipal services procedures, guidelines & policies for Sindh
Prepare and approve all municipal laws, rules and bye laws
Coordinate with line departments and with in MPDU
Categorize three categories of TMAs on the basis of backwardness, population etc
Develop benchmarking of the entire municipal services

Master Planning Unit (MPU)

Satellite Images (0.6 Resolution)
Primary Data Collection (using GPS)
Secondary Data Collection (Line dept, physical surveys)
Existing Situation of TMAs
Municipal/Sector wise Need Assessment
Master Planning for the next 25 years

Municipal Financial Unit (MFU)

Assist TMAs to prepare budgets
Assist TMAs for taxes, user fees, rates
Assist TMAs in preparing licence, permit, grants and impose penalties
Assist TMAs to manage properties, assets and funds vested

Development & Coordination Unit (DCU)

Execute and manage development plans
Exercise control over land-use, land- sub division
Enforce all municipal laws
Assist TMAs to provide manage and operate municipal services
Management Information System

Capacity Building Unit (CBU)

Develop Term of reference of all officers (TMO, TO (I&S), TO (F), TO (P) & TO (R),
Training Need Assessment of officers of TMAs & Municipal agencies.
Arrange trainings to enhance staff capacity of TMAs, private sector and municipal agencies to perform well in TMAs

Monitoring & Evaluation Unit (M&E)

Develop transparent mechanism for the implementation of plans
Check the development of TMAs is in accordance with developed plans
Validate that all the municipal laws and rules are followed in TMAs
Annual budget audit reports

Legal Requirement of MPDU

1. According to the Sindh Local Government Ordinance, 2001 (ordinance # XXVII of 2001) the functions and powers of the TMA (section 54) would be, among others, to:
 - prepare spatial plans for the Taluka in collaboration with union councils, including plans for land-use, zoning and functions for which the TMA is responsible;
 - seek approval of the Taluka council to the spatial plans prepared by it after due process of dissemination and public enquiry, incorporating modifications on the basis of such inquiry;
 - execute and manage development plans
 - exercise control over land-use, land-sub division, land development and zoning by public and private sectors for any purpose, including for agriculture, industry, commerce, markets, shopping and other employment centers; residential, recreation, parks, entertainment; passengers and freight transport and transit stations
 - prevent encroachment;
 - regulate affixing of sign-boards and advertisements;
 - provide, manage, operate, maintain and improve the municipal infrastructure and services
 - compile information provided by Union and village councils of prioritized projects in the Talukas
 - prepare budget, long term and annual municipal development program in collaboration with the Union Councils, under the directions of Taluka Nazim
 - maintain, with the assistance of the District Government, Union and Village councils, a comprehensive data base and information system for TMA and provide public access to it on nominal charges;
 - propose taxes, cesses, user fees, rates, rents, tools charges, surcharges, levies, fines and penalties under Part-III of the Second Schedule for approval of the Taluka and notify the same after such approval;
 - collect, approval taxes, cess, user fees, rates, rents, tolls charges, fines and penalties
 - organize sports, cultural, recreational events, fairs and shows;
 - organize cattle farms and cattle markets
 - coordinate municipal services among unions and villages
 - manage properties, assets and funds vested in the TMA
 - develop and manage schemes, including site development in collaboration with District Government and Union Administrations
 - prosecute, sue and follow up criminal, civil and recovery proceedings against violators of municipal laws in the courts of competent jurisdiction
 - maintain municipal records and archives; and
 - prepare financial statements and present them for internal and external audit in
 - set up a corporate body to perform any of its functions, singly or jointly with other public or private bodies etc

Need of MPDU

As described in the above section the municipal functions shall be performed by TMAs after devolution. Sindh is in the 7th year of devolution, TMAs are performing their functions partially and arbitrarily. The loophole in the services delivery are due to lack of municipal policies, law coverage and its enforcement, links of planning tools with fiscal disbursement, technical capacity of the TMA staff and lack of proper monitoring and evaluation mechanism.

Hence SDSSP experiencing all the ill efforts of the TMAs, and SDSSP proposing to develop Municipal Planning & Development Unit which fills the gaps in service delivery at TMA level and strengthen TMAs to perform their roles. The MPDU consist of six different units as shown in the MPDU flow chart, which works parallel to each other to improve the performance of municipal service delivery at TMAs level.

Interlink of Municipal Planning & Development Units

Municipal Planning & Development Unit	1st Year				2 nd Year				3 rd Year			
	1	2	3	4	5	6	7	8	9	10	11	12
1. Municipal Policies and Planning Unit												
▪ Bifurcate TMAs in atleast three categories (Urban, Rural & Urban-Rural areas)												
▪ Review, improve & prepare Municipal Service delivery procedures, guidelines & policies for Sindh												
▪ Review, Improve and prepare all municipal laws, rules and bye laws												
▪ Collect primary data for policy development for												
▪ Coordinate with line departments, TMAs and with in MPDU												
2. Master Planning Unit												
▪ Satellite Images of Model TMAs												
▪ Primary Data collection (Using Global Positioning System)												
▪ Secondary data collection (Line dept, physical surveys)												
▪ Existing Municipal Situation Analysis of TMAs												
▪ Master Planning of TMAs for next 25 years												
3. Municipal Finance Unit												
▪ Prepare guidelines to assist TMAs to prepare budgets												
▪ Prepare guidelines for TMAs to manage taxes, user fees												
▪ Assist TMAs in preparing license, permit, grants and penalties												
4. Development & Coordination Unit												
▪ Execute and manage development plans												
▪ Assist TMAs to Exercise control over land-use, land-sub division												
▪ Assist TMAs to Enforce all municipal laws												
▪ Assist TMAs to provide, manage and operate municipal services												
▪ Assist TMAs to prepare Management Information System at TMA level												
5. Capacity Building Unit (CBU)												
▪ Develop TORs of all officers working in TMAs												
▪ TNA of TMA officers & arrange capacity building workshops												
6. Monitoring & Evaluation Unit (M&EC)												
▪ Validate that all the municipal laws and policies are operational at TMAs												
▪ Assist TMAs to prepare annual budget audit report/ Check TMAs plans												

As shown in the figure of Interlink of MPDU Units, all the municipal activities are interlinked with each other. In the absence of policies, Master plans could not be developed. In absence of data, policies shall not be framed. Municipal laws are required to give legal cover to all development activities. Technical capacity is required to perform all the municipal functions as could delineated in the policies and plans. Hence in MPDU, different units are required to perform the related functions. All the functions of MPDU are directly and indirectly related to the responsibilities of TMAs mentioned in SLGO. The idea is to equip all TMAs of Sindh with the legal policy framework, master plans, financial management, and human resources through MPDU so TMAs can perform their functions efficiently. The research work required to develop policies, guidelines, GIS, procedures, training needs, will be done through MPDU.

Establishment of Municipal Planning & Development Unit (MPDU)

Municipal Planning & Development Unit (MDU):

Space for MPDU will preferably be on the ground floor of LGD, which would require necessary civil and electrical works for making the office functional. MPDU will have adequate office equipment, furniture and vehicles to cater the needs of sub units.

Municipal Policy and Planning Unit (MPPU)

MPPU will be headed by a managing director (government officer experience in Municipal Policies), and, will be housed in the local government secretariat. The incumbent will assist the policy makers to develop municipal policies, categorize TMAs on Urban, Rural and Urban-Rural areas and develop separate municipal guidelines for three categorize of TMAs to implement policies and plans.

Master Planning Unit (MPU)

MPU will be headed by PO (WSS) of SDSSP, responsible for Master Plan work and, methodology for the preparation of master plans will be developed through consultation process among the TMAs and MPU team.

Municipal Finance Unit (MFU)

Conventional Municipal development funds are financial intermediaries that provide credit to local governments and to other institutions investing in local infrastructure. It is proposed that Municipal Finance for TMAs of Sindh shall not credit finance, it shall be a grant by Provincial government to each TMA to develop their municipal related infrastructure.

The MFU will be headed by a senior Municipal Finance Specialist, who supports the municipal Planning and Policy unit in drafting a relevant Municipal Finance policy and support the Local Government Department in developing sustainable Operation and maintenance scheme for the major infrastructure (water supply, sanitation and SWM).

Municipal Development & Coordination Unit (MDCU)

The unit is headed by Director Engineering (Government officer experience in Infrastructure development). As head of the unit, the incumbent will be required to supervise appraisal of investment proposals on infrastructure projects submitted by LG / TMAs. The incumbent will also be responsible for appraisal of LG / TMAs with regards to her/ his component. The incumbent will be required to oversee implementation of infrastructure investment proposals closely. He shall also be required to understand the capacity of the human resource of the LG / TMA as well as assist the Capacity Building Unit to build the capacity of the available human resource.

Capacity Building Unit (CBU)

The unit will be headed by Director Institutional Development (Government officer experience in Institutional Development). As head of the unit, the incumbent will be required to evaluate the requirement of officers in the TMAs. Ensure that all the officers required in the current setup of TMAs are posted; arrange workshops to improve their technical capacity to improve the service delivery.

Monitoring & Evaluation Unit (M&EC)

The unit will be headed by Director Monitoring & Evaluation (Government officer experience in M&EC). As head of the unit, the incumbent shall be capable to monitor the engineering aspects of the development work as well as the financial matters.

All the units of MPDU will work very close to each other.

Constitution of Technical Committee

In order to guide the planning process, a high-level technical committee is proposed. The committee will review the work of MPU and, would give strategic directions for sound municipal policies, guidelines, benchmarks and master planning. The composition of the committee is given as follows:

- A. ACS / Secretary LGD- Chairman
- B. 02 Nazim of TMA, 02 TMO Hala, 02 TO(IS)
- C. PD-SDSSP
- D. DG EPA Sindh
- E. Director M&EC LGD
- F. Chief PP&H, P&DD
- G. PO(WSS) -SDSSP (Secretary MPDU)
- H. Director General PHE– Hyderabad
- I. Director Bureau of Statistics Sindh
- J. Director Town Planning Department, Hyderabad
- K. Consultant on Environment & SWM - SDSSP
- L. Representative of two civil society organizations (IUCN, OPP)

Note: Committee may coop any member with the approval of chairperson

TOR of the Technical Committee

Members of the Technical Committee will act as focal persons in their respective departments for preparation of Policies, Guidelines, Procedures, Master Plans etc. The main responsibility of Technical Committee shall be:

- **Work** as a sub-committee to MPDU on technical & budgetary matters of Planning of 97 TMAs
- **Act** as a bridge between LGDs, TMAs, SDSSP and other Departments involved in Municipal Development Activities
- **Facilitate** institutional strengthening and capacity building of TMAs
- **Assist** institutional strengthening and capacity building at the local levels of the relevant district department
- **Make** recommendations to outsource the Municipal Policies Work, Master Planning Assignment, Capacity Building assignment to private consultants firms and make recommendations for hiring the specialists/staff required to work in MPDU.
- **Put** together recommendations for removing inconsistencies within the devolved departments
- **Identify** clear strategies for development of Municipal Services at TMA level in three years of project time under (SDSSP-II)
- **Contribute** towards the implementation arrangements of the program
- **Give** recommendations on evolving public-private partnership at all levels with an end objective to improve social services delivery

Secretary of the committee will coordinate, organize the meetings, issue minutes and implement decision and submit reports to the Technical Committee regularly.

METHODOLOGY

Preparation of Municipal Planning & Development Unit would be through outsourcing, hiring of consultants, existing Government agencies and TMAs themselves.

Once MPDU is established, complete Technical Proposal will be structured by MPDU. The preparation of Municipal Policies, Master Plans, Municipal Guidelines, Term of Reference of TMA officers and other relevant document, if decided by the Technical Committee, awarded to a number of reputed civil engineering firms, to complete the task within a reasonable time. The consultants and institutes in Sindh would be asked to train the officers and staff of TMAs, SDSSP and LGD to improve the capacity so can each TMA can perform its function by its own.

In all 97 TMAs (excluding 18 TMAs of Karachi and 4 TMAs of Hyderabad) shall be direct stakeholders of MPDU.

The work of the development of Municipal Policies, Municipal Guidelines, Master Plans, Municipal Finance guidelines, development of capacity of TMA staff, if proposed to be outsourced, would still need to have an adequate support staff in MPDU to examine, evaluate and assess the work mentioned above, prepared by the private consultants. The support staff would include consultants in specialized fields (urban/rural development, town planning, water, sanitation, solid waste management, environment, transportation, MIS, GIS, Municipal Finance Specialist, and Institutional Development Specialist etc). It would also include system analysts, computer programmers and other support staff.

Roles of Different Organization

Different relevant organizations will have some responsibilities and roles to play, when the MPDU is finally established. To avoid over-lapping or duplication of roles, the responsibilities of each related organization, and the role of different departments, are specified below:

Role of LGD

- (i) LGD will lead, guide, steer the Municipal Planning & Development Unit, which would be overall responsible for the progress and outputs of MPDU;
- (ii) To facilitate MPDU in establishing coordination among different departments involved in the development of Municipal Services at TMA level;
- (iii) To coordinate with TMAs for conducting surveys and data collection;
- (iv) LGD will ensure that the TMAs extend full cooperation and support to MPDU in the preparation of all activities related to MPDU; and
- (v) To decide the mode of outsourcing the work of the preparation of Policies, Master Plans, Capacity Building workshops and, once prepared, will be responsible for seeking the approval of the master plans; and

Role of TMA

- (i) TO Planning of TMA will be the focal person for all the activities related to Municipal Planning & Development Unit, under the overall guidance of TMA nazim.
- (ii) Nazim and TO Planning will brief the council at various stages of Planning process to have their guidance in planning process
- (iii) Under the technical assistance of MPDU, the TMAs will carryout all activities related to MPDU.
- (iv) TMAs will be responsible for the dissemination of the Municipal Development data, pertaining to their respective TMAs, to various stakeholders, civil societies, NGOs, public service officers etc, for obtaining their feedback and comments;
- (v) TMAs will be responsible for the implementation of Master Plans after seeking approval from their council.
- (vi) TMA will establish a unit which will maintain, update and operate GIS, Municipal Policies developed, Guidelines prepared to prepare municipal budgets, guidelines for Monitoring and evaluation of all development activities.

Role of SDSSP

- (i) SDSSP will provide technical and financial assistance to MPDU as per financial plan.
- (ii) SDSSP will initiate the process for the establishment of MPDU in LGD, after the approval of competent authority. This would include hiring of consultants and support staff; provision of office equipment and furniture, vehicles, etc.
- (iii) PO (WSS) SDSSP will work as Secretary MPDU. This assignment will be the part of his duties assigned to him by PSU-SDSSP

Financing

MPDU will prepare a financing plan and explore the avenues for funding. MPDU will initiate the process for MPDU. Once the concept paper will be approved, MPDU will evaluate detail cost estimation for the development of proposed units to assist TMAs to improve municipal service delivery.