

**REPORT ON THE IMPLEMENTATION OF APPROVED
DELEGATION PLAN BY THE MAJORITY OF DISTRICTS**



**MAJORITY OF DISTRICT GOVERNMENTS APPROVED
DELEGATION PLAN**

A REPORT ON THIRD TRANCH ACTION 1.2 POLICY OUTCOME A(ii)

Program Support Unit
Sindh Devolved Social Services Program

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Review of District Government (DG) Reports on Delegation Plan

Summary

Delegation Plan (DP) containing details of planned Delegation of Administrative, Financial and Technical Powers to DG's and TMA's was prepared in April 2004 by Local Government Department. For the stakeholder consultation, this plan was presented in a workshop, chaired by the Advisor to Chief Minister for Local Governments, with functionaries of Districts including Nazims and DCOs on 11th May 2005. Proceedings were summed up and the Delegation Plan was further evolved with DG's recommendations through a consultative process. As a part of second tranche compliance the chief Secretary, Sindh, approved the Delegation Plan. After meetings and seminars with Provincial Line Departments (PLDs) and LGs, the report was finalized and subsequently Program Support Unit-SDSSP prepared a report with current status and sought District Government (DGs) response to it. All the District Governments reported that DP as approved by the Chief Secretary is being implemented in DGs. All these reports and DP was submitted to the review mission of ADB during June 2006.

AIDE MEMOIR of ADB review mission dated 29th June 2006 has called for DGs to substantiate the implementation of Delegation plan in response to their implementation of confirmation letters. Nineteen DGs have so far given their response to the tranche action 1.2 relating to "majority of DGs Implement the DP" and 15 of these reports have already been sent to ADB on 16th September 2006. Majority of DGs (19) have substantiated the implementation of DP with documentary evidence as under: -

1. The Notifications of Monitoring Committees.
2. Minutes of Council proceedings constituting the Monitoring Committees.
3. Copies of transfer and Posting orders with the District.
4. Copies of contractual Appointments made in the district.
5. Correspondence with SPG for requisitioning the services of officers from other DGs.
6. Cost Estimates of Schemes in case of DGs upto 20 M
7. Cost Estimates of Schemes in case of TMAs upto 5 M
8. Copies of Administrative Approvals
9. Copies of Budget Books prepared under New Accounting Models.

An M&E committee was constituted on 15th June under Monitoring Framework to review the Administrative and Financial Powers devolved to Local Governments in terms of adequacy of powers to enable effective functioning of local Governments and identification of major issues in implementation and exercise of devolved powers (Annexure-A). In order to review the current status and DGs recommendations the Chief Secretary approved the submission of DP before the M&E Committee for review and approval. DP was approved as per minutes of M&E Committee meeting held on 31st August 2006 .

This Committee, in order to, further examine the issues in DP and monitoring Framework constituted two Working Groups for separately reviewing the Administrative and Financial Devolved powers and submit their reports to M&E Committee for detailed deliberations (Annexure-B). These Groups have been notified and WG-1 met on 8th November to discuss the monitoring Framework, DP and DGs substantiated reports on DP in terms of:

1. 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.
2. Adequacy of administrative and financial powers already devolved
3. Problems in implementation and exercise of the devolved powers.

DGs in their response have given their recommendations on the adequacy and efficacy of the devolved powers as under:

Administrative Powers:

1. All the vacant posts in DG Departments such as Revenue, F&P, Education, Health and other departments including clerical staff may be filled.
2. 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 at lower levels.
3. Offices of the newly created districts and TMAs need special attention
4. A committee is needed to look into many other delegations which various acts and rules warrant.
5. There is the scope of making rules under RSO. SPG should consider preparing rules under RSO-2000 and provide the concept of Authorized Officer in these rules.
6. Process for establishment of the district cadres needs to be put on fast track.
7. Devolution or creation of the district offices of EPA would enhance the awareness in the districts and TMAs and also assist them in environmental assessment of the schemes in planning and execution phases.

Financial and Technical Powers:

1. The powers for approval of Development Schemes may be increased from Rs. 20M to 40M.
2. Since the property and entertainment tax collection has been devolved to the districts and now forms the function of group of revenue offices therefore the first appellate authority may also be transferred to EDO Revenue like other revenue matters.

3. Contract Rules need review to revise the ceiling fixed for the councils and to facilitate local governments in hiring of the services for specific time and purpose such as third party validations or audit.
4. Review of the PFC mechanisms in consultation with the local governments for improvement and institutionalization of the conditional grants
5. The Local Government Department may firm up proposal for the strengthening of District Support Units and the offices of Director Town Planning.
6. Adequate funding for Development Works as the one line Transfer should have two parts Development and Non- Development.
7. TMA schemes should be approved by a District Forum to ensure uniform Development.
8. Since CFY, in case of Health Department the User charges are being collected in Account -IV but in case of Education Department, they are being collected in Account-I, which may be rectified.
9. EDO (R) and DCO should be the first and second appellate authorities respectively in case of Property tax.

The WG-1 was entrusted to review the devolved Administrative powers, therefore they considered the DGs recommendations on the status of devolved administrative powers only. The WG-2 would deliberate on the devolved financial powers as envisaged in the DP.

The minutes of WG-1 meeting have been issued and the members have also decided to meet in the First week of December 2006 to further review the implementation process (Annexure-C).



**GOVERNMENT OF SINDH
SERVICES, GENERAL ADMINISTRATION
AND CO-ORDINATION DEPARTMENT**

Karachi, dated the June 15, 2006

NOTIFICATION

No.SOCC-ESGA&CD-4-52/2006: Government of Sindh is Pleased to constitute a Monitoring & Evaluation Committee Comprising of the Following:-

1.	Chairman Provincial Local Government Commission	Chairman
2.	Two Members of Provincial Local Government Commission	Members
3.	One District Nazim (from DSSP PSC member)	Member
4.	Special Secretary (Local Government)	Member
5.	One DCO	Member
6.	Director General (MFC) P&D	Member
7.	One TMA Nazim (From DSSP PSC Member)	Member
8.	Two Civil Society Members (From DSP/DSSP PSC Members)	Members
9.	Additional Secretary (PDF) Education	Member
10.	Additional Secretary (LF) Finance	Member
11.	Additional Secretary (Dev) Health	Member
12.	Additional Secretary (SGA&CD)	Member
13.	Director General Provincial Local Government Commission	Member/Secretary

The T.O.R's of the Committee would be as under: -

1. To Carry out a detailed review of the administrative and financial powers devolved to the Local Governments in terms of
 - a. Adequacy of the powers to enable effective functioning of Local Governments Knowledge, understanding and relevance of these powers at the Local Government level
 - b. Identification of major issues in relation to implementation and exercise of devolved powers.
2. To recommend specific actions that will resolve issues and remove hindrances to create a more enabling environment for LGs, including recommendations on creating institutional interfaces minimizing duality of responsibility and overlap and requisite legislative amendments.
3. To identify the methodologies, instruments, benchmarks for measuring progress and provide timelines and costs associated with phase I and phase II activities.
4. To propose a mechanism for transition from Phase I to II activities.
5. To recommend strategies, institutional mechanisms and approaches for regular M&E exercises in relation to management functions.

**FAZAL-UR-REHMAN
CHIEF SECRETARY**

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(2)

No. SO (C-1) S&GACD/4 -52/06

Karachi dated the June 15, 2006

A copy is forwarded for information and necessary action: -

- ❖ The Additional Chief Secretary (P&D), Govt of Sindh.
- ❖ The Senior Member (including all Members), Board of Revenue, Sindh.
- ❖ The Principal Secretary to Governor Sindh, Karachi.
- ❖ The Military Secretary to Governor Sindh, Karachi.
- ❖ The Secretary to Chief Minister Sindh, Karachi.
- ❖ The Administrative Secretaries to Government of Sindh (All).
- ❖ The Provincial Police Officer Sindh, Karachi.
- ❖ The DCO's / DPO's / TPO's (all) in Sindh.
- ❖ Headquarters 5 Corps, Karachi.
- ❖ Chairman / Members of the Committee
- ❖ Programme Director (SDSSP)
- ❖ Deputy Secretary (Staff) to Chief Secretary Sindh.
- ❖ Superintendent Sindh Government Press for its Publication in the next Government Gazette.
- ❖ P.S to Advisor for Finance, Sindh.
- ❖ P.S to Secretary (GA/C) SGA&CD.


(SHABBIR AHMED KALHORO)
SECTION OFFICER (C-1)



GOVERNMENT OF SINDH
LOCAL GOVERNMENT DEPARTMENT

NOTIFICATION

No. PS/ACS/LG/13217/2006. In continuation to SGA&CD'S notification of even No. SO (C-IV) SGA&CD/4-52/2006 dated 15-06-06 the Monitoring & Evaluation Committee shall constitute of following members at Sr Nos: 2,3,5,7 & 8.

Sr No	Name
2	i) Mr. Anzar Hussain Zaidi ii) Mr. Abdul Hafeez Soomro
3	Mr. Niaz Hussain Shah, District Nazim Khairpur
5	Mr. Muhammad Hussain Syed DCO Hyderabad.
7	Mr. Maud Ahmed Hayat, TMA Nazim Gulberg
8	i) Ms Meher M. Noshirwani (Civil society) Shirkat Gah, ii) Mr Muhammad Suleman Abro (Civil society) Executive Director SAFWCO.

Terms of Reference of the committee would be same as notified in SGA&CD'S notification of even No. SO (C-IV) SGA&CD/4-52/2006 dated 15-06

Mirza Karim Baig
(Mirza Karim Baig)
Additional Chief Secretary
Local Government, Katchi Abadies
& Spatial Development Department

NO. PS/ACS/LG/13217/2006

KARACHI dated 23rd August, 2006

A copy is forwarded for information to: -

1. The Additional Chief Secretary (Dev) P&D, Department, Karachi.
2. The Secretary to government of Sindh, Finance/ Local Government, KA&SD/ Health/ Education/ Women Development Departments, Karachi.
3. District Nazims Khairpur/Mirpurkhas.
4. TMA Nazim Gulberg, Karachi.
5. Ms Mehar Noshirwani, Shirkat Gah, Women's Resource Center, D-7, Street1, Block 2, Clifton, Karachi.
6. Mr. Muhammad Suleman Abro, Executive Director SAFWCO, C-15/416, Opposite Beacon House Public School, Qasimabad, Hyderabad.
7. PS to Chief Secretary Sindh.

[Signature]
Section Officer (ADMN)



No.RO/SLGC/83(5)/SDSSP/2006/96/
GOVERNMENT OF SINDH
PROVINCIAL LOCAL GOVT COMMISSION

Inspection, Monitoring & Evaluation Cell

Block-89, Opp: Sindh Assembly Building

Sindh Secretariat, Karachi

Phone (021) 9204647

Fax (021) 9203389

Karachi dated the 25/9/06 Sept, 2006

NOTIFICATION

NO.RO/SLGC/83(V)/SDSSP/M&EC/2006: The Sindh Local Government Commission is pleased to constitute two review teams/working groups of Monitoring & Evaluation Committee comprising the following:

WORKING GROUP-I

- | | | |
|----|-----------------------------------|----------|
| 1. | Mr. Anzar Hussain Ziaidi | Chairman |
| | Member (Technical-I) SLGC | |
| 2. | Special Secretary | Member |
| | Local Govt. Deptt: GOS | |
| 3. | Additional Secretary (Regulation) | Member |
| | SGA&CD | |
| 4. | Chief Manager (RSU) | Member |
| | Education Department | |
| 5. | Project Director | Member |
| | SDSSP | |
| 6. | Director (A&A) | Member |
| | SLGC | |

WORKING GROUP-II

- | | | |
|----|----------------------------------|----------|
| 1. | Mr. Abdul Hafeez Soomro | Chairman |
| | Member (Technical-II) SLGC | |
| 2. | Chief Economist | Member |
| | P&D GOS | |
| 3. | Additional Secretary (LF/PFC) | Member |
| | Finance Deptt: GOS | |
| 4. | Additional Secretary (Dev) | Member |
| | Health Department | |
| 5. | Additional Secretary (PDF) | Member |
| | Education Department | |
| 6. | Deputy Director (Accounts) | Member |
| | SLGC | |
| 7. | Project Director | Member |
| | Decentralization Support Program | |

TERMS OF REFERENCE

1. The working group No.1 & 2 will carry out detailed review of the administrative & financial powers devolved to the local governments in terms of:

- i. Adequacy of powers to enable effective functioning of local governments.

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- ii. Knowledge, understanding and relevance of these powers at the local government level.
 - iii. Identification of major issues in relation to implementation and exercise of devolved powers.
2. These review teams/working groups will:
- a) Compile all the rules, regulations, notifications, summaries, orders & instructions relating to devolution of administrative & financial powers.
 - b) Review existing literature, in the form of reports, studies, analysis on the status of the devolved powers and problems associated with their use.
 - c) Develop instruments for primary research
 - d) Establish governance benchmarks for measuring the adequacy of the current devolved powers.
 - e) Carry out primary research in sample local governments including interviews with stakeholders.
 - f) Compile report as per the terms of reference and present the same before review team, which after amendments if any will present the same to the Chief Minister/Chief Executive for orders and further action. After the approval from Chief Minister, the review team will get the report published and initiate work on implementation of the recommendations given in the reports.
 - g) Use the instruments given in attached annexure-A for the review initiative.
 - h) Have the option of inducting members for the accomplishment of task as provided in clause 27.1 of the M&E frame work.

This is issued with the approval of Advisor to Chief Minister Sindh for Local Government Department/Chairman Sindh Local Government Commission & M&E Committee.


 (IQBAL AHSAN ZAIDI) 25/9
 Director General (IM&EC)

No.RO/SLGC/83(5)/SDSSP/M&EC/2006/ 96/ Karachi, dated the 25th Sept: 2006

Distribution

1. The Chief Secretary, Government of Sindh Karachi
2. The Additional Chief Secretary, Local Govt. Department, Karachi.
3. The Additional Chief Secretary P&D Govt. of Sindh Karachi
4. The Secretary, Education & Literacy Department Karachi
5. The Secretary, Services, SGA&CD Karachi
6. The Secretary, Finance Department Karachi
7. The Secretary, Health Department Karachi
8. The Member (Technical-I)/Member (Technical-II) SLGC
9. The Special Secretary, Local Govt. Department Karachi
10. ✓ The Project Director SDSSP
11. The Project Director DSP
12. Additional Secretary (PDF) Education Department Karachi.
13. The Additional Secretary (Dev) Health Department Karachi
14. The Additional Secretary (LF/PFC), Finance Department Karachi
15. The Chief Manager, RSU Education Department Govt.of Sindh Karachi.
16. The Chief Economist, P& D Govt. of Sindh Karachi.
17. The Director (A&A)/Dy. Director (Accounts) SLGC



No: FD-PD (DSSP) 5(3) 2004
Program Support Unit
Sindh Devolved Social Services Program
Finance Department, Government of Sindh
 Karachi dated 14th November, 2006



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

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

Kindly refer to this office letters of even No dated 2nd November 2006, 7th November 2006 and PLGC's Notification No: RO/SLGC/83(5)/SDSSP/2006/961 dated 25th September 2006 on the constitution of Working Groups under M&E Committee.

2. The minutes of meeting of Working Group-I held on 8th November 2006 at 11.00 am in the committee Room of Sindh Devolved Social Services Program, Finance Department are enclosed for your information and necessary action.

(Abdul Kadir 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



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

Karachi dated 14th November 2006

Subject: Minutes of the Working Group-1 Meeting held on 8th November 2006

(List of participants attached)

First meeting of the Working Group (WG)-1 of M&E committee was held in the committee room of PSU-SDSSP on 8th November 2006. The meeting started in the name of the almighty, the most beneficent and the most merciful.

The PD-SDSSP requested the Chair that Director General Monitoring (Work & Services Department) was specially requested to attend this meeting due to their important role in monitoring and he has graciously accepted the invitation. The chair Co-opted DG (Monitoring) as member in the working group-1. At the onset the Program Director (PD) informed that this meeting was scheduled to review the following issues:

1. Review of the Terms of References of the Working Groups
2. Introduction to Existing Monitoring Frameworks;
3. Review and approval of the Delegation Plan approved by the Chief Secretary Sindh and substantiated by majority of District Governments;

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

1. Review of the Terms of References of the Working Groups;

After detailed deliberations, it was decided to request DG Provincial Local Government Commission for initiating process for establishing a research seat at Civil Services Academy, Tando Jam for the purpose of continued academic support in strengthening the local governments and capacity building of public representative and the officials. It was also decided that DG (PLGC) would explore opportunities for funding through Sindh Devolved Social Services Program (SDSSP) and Decentralization Support Program (DSP).

2. Introduction to Existing Monitoring Mechanisms/Frameworks: -

PD-SDSSP apprised the WG that as mentioned in the Monitoring Framework the monitoring tools do exist in every major department and are working as well however the

issue is the strengthening of these mechanisms and their conformity with the devolved system. He also informed that these monitoring Cells / Directorates have also been issuing annual monitoring reports regularly. PD presented the reports from Planning & Development Department and Provincial Ombudsman for the perusal of the Group.

Director General Monitoring, W&S Department informed that after devolution of powers to District Governments the Works & Services Department has established a separate Directorate for monitoring of the provincial and district investments in roads and buildings with a view to ensure proper utilization and quality check. He further informed that the department is considering strengthening this mechanism by re-designating it as "Directorate General Monitoring & Support". He presented Monitoring reports for the year 2004-05 and 2005-06 for the perusal of the Group.

Working Group appreciated the on-going efforts of the departments in monitoring functions. WG appreciated the steps being taken by the W&S Departments advised DG (Monitoring) to forward these reports to all Nazims and DCOs, through the Secretary (W&S) with a direction to follow the recommendations and findings of these reports. Group emphasized that these findings be kept in mind while preparing new schemes.

The Chair briefly highlighted the monitoring functions of the PLGC and enquired if there were any other monitoring comprehensive framework available that could be used by the provincial departments. PD-SDSSP informed that the provincial government had started a scheme through CMIE&IT for establishing a Provincial Monitoring Framework (MF). Participants were of the view that this MF be shared with other departments and local governments for its review, ownership and implementation. AS (Regulation) informed the Group that a separate Implementation Wing has also started working in SGA&CD on Monitoring of various programs/projects.

The WG decided that Secretary Implementation would be requested to send a representative to attend the meetings of this Working Group. It was also decided that the WG and other departments would review the MF created by the CMIE&IT for ownership and implementation.

3. Review Delegation Plan and Status of Implementation by District Governments

The Group with reference to following three basic principles laid down in the monitoring framework reviewed the delegation plan and the district implementation reports:

- 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 Chair observing the nature of the task, constituted a core Group under Additional Secretary (Regulation) with Director (A&A), PLGC and Program Officer (ID) SDSSP to give its recommendations on the devolved administrative powers envisaged in the Delegation Plan within 15 days.

The working Group-1 discussed the District Governments response and their Recommendations on Devolved Administrative powers and gave recommendations as under:

S. No:	DGs' Recommendation	Decision of WG
1	All the vacant posts in DG Departments such as Revenue, F&P, Education, Health and other departments including clerical staff may be filled	Considering the difficulty being faced by the DGs, the Working Group was of the view that the important vacant positions be filled as early as possible and requested AS (Regulation) SGA&CD to convey the current policy on recruitment in next meeting
2	Offices of the newly created districts and TMAs need special attention	PD, SDSSP informed that the SDSSP is providing men power support to the new districts. It was also observed 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.
3	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	Considering the need for further devolution of powers within the district offices, the Group supported the recommendation and directed PSU-SDSSP to seek a report from all DCOs to identify the capacity gaps and provide proposals for strengthening of lower district offices in the next meeting of the Group.
4	A committee may be formed to look into many other delegations that various acts and rules warrant	The WG observed that the Delegation Plan already contain Amendments in some 52 Major/minor laws but further work is still required. It was decided that the LGD may be requested to take up the consequential amendments in other laws and the Special Secretary, LGD was requested to communicate the status in next meeting of the Group.

5	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	Considering adequacy of powers with the district functionaries, the Group requested AS (Regulation) SGA&CD to examine and inform status in next meeting
6	Process for establishment of the district cadres needs to be put on fast track	AS (Regulation) SGA&CD informed that this was already under consideration. He was requested to bring the current position for the knowledge of the WG in the next meeting
7	Devolution or creation of the district offices of EPA	The Group desired that this proposal may be referred to Environment & Alternate Energy Department for comments
8	Nazim may make transfers and postings within CDGK in case of BPS-17 officers as well	AS (Regulation) to examine the issue and report in the next meeting
9	Creation of an independent Cadre for the postings of TMOs	Group observed that there was no need to create a separate cadre as SCUG Service already exists as an independent cadre of officers and that these posts are also meant for the Officers of DMG and PCS cadres. WG also observed that there should be a clear job description for all the newly created positions in local governments. LGD was requested for comments in this regard.

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

LIST OF PARTICIPANTS

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

In Chair

Mr. Ghulam Arif
Special Secretary (LG)
Local Govt. Dept

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

Mr. Farouq Ahmed Siddiquee
Director(A&A)
SLGC

Mr. Abdul Kabir Kazi.
Program Director, SDSSP

Member/Secretary

Mr. Iqbal Ahmed Memon
Deputy Program Director- DSSP

Mr. Aftab Ahmed Memon
Program Officer. SDSSP